



Australian Government

Australian Government response to the
House of Representatives Standing Committee on Procedure
report:

Maintenance of the standing and sessional orders

May 2014

Response from the Government to the House of Representatives Standing Committee on Procedure report *Maintenance of the standing and sessional orders*

Opening Statement

The Government thanks the Committee for its work in inquiring into the practices and procedures of the House and its committees.

The Government's response to the recommendations is as follows:

Recommendation 1

The Committee recommends that:

a) standing order 183 be amended to provide for private Members' business and committee and delegation business to be referred directly to the Federation Chamber by the Selection Committee report mechanism;

b) standing order 222 be amended to clarify that the Selection Committee may initiate referral of certain matters to the Federation Chamber and that such referrals are deemed referrals of the House;

c) standing order 39 be amended to allow committee and delegation reports selected by the Selection Committee to be presented in the Federation Chamber and remove the need for the Speaker's involvement in the formal referral;

d) standing order 41 be amended to remove the need for the Speaker's involvement in the referral of private Members' bills and motions scheduled by the Selection Committee for consideration in the Federation Chamber; and

e) standing order 140 be amended to maintain consistency with the amendment to standing order 41 and remove the involvement of the Speaker in the referral of private Members' bills to the Federation Chamber.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 2

The Committee recommends that standing order 197(a) be relied on to return private Members' business items from the Federation Chamber to the House.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 3

The Committee recommends that provisions for the presentation and debate of private Members' bills be amended, specifically:

- a) standing order 41 be amended to provide for private Members to speak to the second reading instead of making a presentation statement;*
- b) standing order 1 be amended to provide for private Members to make a second reading speech for up to 10 minutes in place of a statement on presentation of a private Members' bill and, if required, speak in continuation for a further 5 minutes when debate resumes;*
- c) standing order 1 also be amended to provide for all Members (except the mover) who speak on the second reading of private Members' bills to speak for 15 minutes or lesser time as determined by the Selection Committee;*
- d) standing order 141 be amended to provide consistency by removing reference to the statement on presentation of a private Member's bill; and*
- e) standing order 142 be amended to remove the requirement that after a private Member's bill is presented, the motion for the second reading of a private Member's bill be placed on the Notice Paper for a later date.*

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 4

The Committee recommends that standing order 1 be amended to reduce the maximum time limits for speeches in debates 'not otherwise provided for' to 15 minutes for the mover and to 10 minutes for other Members.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 5

The Committee recommends that standing orders 215(d) and 229(c) be amended to indicate clearly that supplementary Members of House Committees are appointed by a resolution of the House.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Technical amendments

Recommendation 6

The Committee recommends that:

- a) standing order 183 be amended to provide for the referral of statements by indulgence to the Federation Chamber; and*
- b) standing order 1 be amended to provide for a time limit of 10 minutes for further statements by indulgence referred to the Federation Chamber.*

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 7

The Committee recommends that:

- a) standing order 39(d) be amended to provide for the resumption of debate on committee and delegation reports to be referred to the Federation Chamber; and*
- b) standing order 39(e) be amended to clarify that committee reports (not delegation reports) shall be made Parliamentary Papers on presentation.*

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 8

The Committee recommends that standing order 143 be amended to:

- a) restore there the provision for the referral of bills to committees by a motion moved in the House; and*
- b) provide for statements discharging the requirement to provide an advisory report when a committee finds no issue to report on and to require that the relevant minutes of proceedings be presented with the discharge statement.*

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 9

The Committee recommends that standing order 227 be deleted.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 10

The Committee recommends that standing order 235 be amended to remove the need for a committee to resolve to use audio visual links.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 11

The Committee recommends that standing orders 146 and 155 be amended to remove the unnecessary wording and state clearly that 'the bill be not read a second/third time'.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 12

The Committee recommends that standing order 257(c) be amended to state that Senators must observe the Speaker's instructions regarding good order wherever they are in the Chamber or galleries.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 13

The Committee recommends that the presentation of Figure 4 in standing order 192 be amended to clarify the indicative nature of the order of business for the Federation Chamber.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 14

The Committee recommends that standing order 1 be amended to remove the inconsistency in wording with standing order 39.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Recommendation 15

The Committee recommends that the heading of standing order 198 be amended to read 'Report to the House'.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.

Other issues

Recommendation 16

The Committee recommends that standing orders be amended to provide for at least one of the positions of Speaker, Deputy Speaker and Second Deputy Speaker to be filled by a non-government Member.

Response

The Government supports the recommendation which was implemented in the changes to the Standing Orders adopted by the House on 13 November 2013.