
HOUSE OF REPRESENTATIVES PRACTICE

Editor

J. A. PETTIFER C.B.E. *Clerk of the House of Representatives*

Assistant editors

A. R. BROWNING *First Clerk Assistant*

J. K. PORTER *Senior Parliamentary Officer*

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TO THE RIGHT HONOURABLE THE SPEAKER AND
MEMBERS OF THE HOUSE OF REPRESENTATIVES



Preface

Since Federation, Members and Officers of the House of Representatives have relied on Erskine May's *Parliamentary Practice* as the standard reference text on the law, privileges, proceedings and usage of Parliament when the orders and practice of the House have been silent on a particular matter.

While there was a heavy reliance on House of Commons practice during the early years of the Parliament, the House of Representatives has gradually developed its own practice and procedure, precedent and case history and the stage has now been reached when reference to *May* is infrequent, except in relation to matters of privilege.

In 1975, the Standing Orders Committee recognised the need for a text embodying the practice of the House and with the Speaker's support agreed, in principle, to the preparation of a publication which it anticipated would fulfil a role comparable to *May*. The Procedure Office, established in 1977, undertook the preparation of the work as its priority task.

It is the Editor's hope that the book has achieved its intended aim to:

- embody the practice and procedure of the House of Representatives;
- be an authoritative reference guide for Members;
- provide a record of important precedents;
- constitute a record of relevant rulings of the Chair as a supplement to the standing orders;
- present a degree of historical perspective to the practice of the House, and
- provide a service to public education and a reference tool for educational institutions.

Above all it is hoped that the text will be of value and interest to Members and others who need precise practical guidance on the workings of the House, to those with a serious interest in the parliamentary institution, and to those seeking answers to detailed questions of practice and procedure in the broader context within which they have developed and now operate.

House of Representatives Practice will also be of guidance to the legislatures of Papua New Guinea, the Northern Territory and Norfolk Island, and the Legislative Assembly of the Australian Capital Territory which all rely to some extent on the practice of the House of Representatives.

In this 1st edition, the editors have consciously dealt with certain subjects in extended detail. This has lengthened the book and will need to be reviewed in the 2nd edition. In some areas it was considered desirable to record for the first time historical and other background material essential to a full understanding of current practice. Also the practical value of including the Constitution, the Standing Orders and the Bibliography was rated more important than considerations of length.

Certain constitutional and electoral matters and some operations of the executive government have been touched on where they affect the operations of the House. For a more comprehensive and authoritative account of these subjects the Bibliography contains many major alternative references.

The appendixes are intended to provide a full record of factual and statistical detail relating to the 80 years of Parliament's existence and the activities of the House of Representatives over that time. While some lists are to be found in a variety of other publications many of the appendixes are published for the first time.

An effort has been made to provide a source of reference for the majority of statements made in the text. Accordingly, support in the form of a ruling, a precedent or some other authority is recorded. Other references are provided to assist the reader in consulting further sources on the same subject. Procedural references will generally be the most recent or in some cases, the most suitable. Where a single reference is used it is not necessarily the only reference on the matter.

For practical reasons, the text consists of developments up to the end of 1980. However, where appropriate some developments occurring in the first half of 1981 have been included.

The Editor acknowledges the assistance of a skilled and dedicated group of officers and special mention is made of the following individual contributions.

Mr Alan Browning as an experienced Chamber Officer was responsible for the important task of editing and developing the first drafts and making many original additions to the text. The Editor is especially grateful for his significant contribution.

Mr John Porter as Senior Parliamentary Officer of the Procedure Office since its establishment has been responsible for the development of the overall design and concept of the text, for managing the project and the associated research, and for the drafting of the major part of the text. Any acclaim the book might receive will reflect his dedication.

The valuable research and drafting contributions of Mr Mark McRae and Mr Bill Mutton and the various contributions of Mr Ron Owens, Ms Cynthia Balogh, Miss Penny Duff-Jones, Mrs Frances Mackay and other members of staff of the Department are gratefully acknowledged. The ready agreement of the Department's senior officers who 'closed up the ranks' to enable manpower to be diverted to the project is in accordance with the highest ideals of the Department.

The assistance of the Parliamentary Library and the Australian Electoral Office is thankfully acknowledged as are the special efforts of the Government Printing Office staff and the staff of the Australian Government Publishing Service. The Department is also grateful for the various forms of assistance provided by former colleague Professor Gordon S. Reid.

The Editor gratefully acknowledges the permission of the trustees of the May Memorial Fund and of Butterworths to use many extracts from *May's Parliamentary Practice*.

Apart from its value to the House itself, it is earnestly hoped that this publication will fill a gap in Australian parliamentary scholarship and that it will provide a useful educational source to community groups and individuals and thus play its part in bringing Parliament and the people closer together.

J. A. Pettifer
Editor

October 1981