

# 4 Categories of business

## 1. Why do I need to know about categories of business?

The priority that is given to items of business, and the place they are listed on the Senate *Notice Paper* and the Order of Business (“the Red”), are largely determined by the category of business into which an item falls. An understanding of the categories of business will assist in following the routine of business in the Senate each day and in understanding and using the Red and the *Notice Paper*.

## 2. What is the routine of business?

The standing orders of the Senate set out the rules by which the Senate operates. Included in these rules is the routine of business – that is, the times the Senate will meet, what business it will consider and in what order it will be considered. The times of meetings of the Senate in each sitting week are set out in standing order 55. The ordinary routine of business is spelled out in [standing order 57](#) and is summarised in the table at the end of this guide.

From the table, it can be seen that many items are given a particular place in the routine of business, either occurring at a stated time or following directly upon the conclusion of other items. These include question time, matters of public importance and urgency motions (see [Guide No. 9](#)—Matters of public importance and urgency debates), senators’ statements, and the presentation and consideration of various types of documents (see [Guide No. 11](#)—Opportunities for debating documents and reports). Peppered among these other items are references to “government business” and “general business”.

## 3. What is meant by ‘business’?

The use of the term “routine of business” refers to “business” in a broad sense but “business” also has a specific parliamentary meaning. When the standing orders refer to “the business of the day” it is a reference to the Senate considering items that fall within the specific categories discussed below. Consideration of “business” in this specific sense accounts for more than 70% of the Senate’s time.

Items are listed for consideration according to the category of business into which they fall. The rules relating to the various categories of business affect when and how items are dealt with.

## 4. Categories of business

There are three main categories of business:

- business of the Senate, which is defined in [standing order 58](#)
- government business, which is business initiated by a minister; and
- general business, which is all other business initiated by senators who are not ministers.

**Business of the Senate** includes disallowance motions ([Guide No. 19](#)—Disallowance), motions to refer matters to standing committees ([Guide No. 13](#)—Referring matters to committees) and orders requiring the presentation of committee reports. Motions concerning leave of absence for senators

and motions concerning the qualification of senators under the Constitution also fall within this category. The Senate can also order that other items be considered in this category on an ad hoc basis. For example, when a report of the Procedure Committee is presented it is now common for a motion to be moved proposing that consideration of the report be made a business of the Senate order for another day.

**Government business** is business initiated by (or on behalf of) a minister or an assistant minister. The majority of this business consists of government legislation. A minister or assistant minister can also move motions in a private – rather than a ministerial – capacity, in which case the business will fall into the appropriate category according to its subject matter. In recent years, around 40% of the Senate’s time has been spent on the consideration of government business.

**General business** consists of all other business initiated by senators who are not ministers or parliamentary secretaries and which doesn’t fall into any other category.

There is a fourth category of business – **matters of privilege** – which is not extensively dealt with here as it applies only to a very specific set of circumstances. It consists of proposals to refer matters to the Senate Committee of Privileges. An item will fall into this category only if the President has determined that a matter properly raised with him or her should have special priority (or “precedence”) under [standing order 81](#). Matters of privilege, when listed on the *Notice Paper*, have priority over all other business on the *Notice Paper*. These issues are dealt with comprehensively in [Guide No. 20](#)—Parliamentary Privilege.

## 5. Notices and orders

Within each category there are two types of business, notices of motion and orders of the day.

A **notice of motion** indicates a senator’s intention to move a particular motion on a particular day (see [Guide No. 8](#)—Notices of motion). Notices are placed on the *Notice Paper* under the relevant category of business in the order in which they are given. Notices of motion are usually considered before orders of the day, although the Government has the right to place its notices of motion and orders of the day on the *Notice Paper* as it sees fit. Where a motion is moved but not finally determined – that is, the debate is adjourned or interrupted by other business – the continuation of the debate on the motion becomes an order of the day for a later time.

An **order of the day** is an item of business that the Senate has set down for consideration on a particular day. The most common orders of the day are orders to continue a debate adjourned on a previous day, orders requiring the presentation of committee reports, orders to commence the next stage of consideration of legislation and orders for the consideration of messages received from the House of Representatives.

## 6. Precedence and the consideration of business

As a practical matter there is typically far more business listed on the *Notice Paper* than the Senate has time to consider. The standing orders therefore provide a set of rules for determining the priority (or “precedence”) which is given to the various categories of business.

As a general rule, items of business take precedence as follows:

1. Business of the Senate
2. Government business
3. General business.

A number of standing orders, however, refine these rules and create specific exceptions. These have effect as set out below.

### **Government business only** ([standing order 57](#))

The routine of business sets aside the following times for “government business **only**”: Mondays from 10 am to 1.30 pm, Tuesdays from midday to 1.30 pm and Wednesdays and Thursdays after private senators’ bills (which are considered from 9am for 1 hour 10 minutes) until 12.15 pm and 11.15 am respectively. During this time the normal rules of precedence do not apply and government business will be called on regardless of any business of the Senate items or matters of privilege. Motions to vary the days and hours of sitting often specify that “government business only” be considered for particular hours or, indeed, days.

### **Business of the Senate items take precedence over all government business and general business** ([standing order 58](#))

In the routine of business, government business is listed for consideration on Monday, Tuesday and Wednesday afternoons after question time and the consideration of certain other items, and on Thursday before question time. On these occasions government business will not be called on until any business of the Senate items listed for that day are determined (that is, voted upon, postponed to another day or adjourned).

### **Government business takes precedence over general business**

In the ordinary routine of business, once any business of the Senate items are determined, government business will be called on for consideration. The only exception to this in the standing orders is that general business takes precedence over government business on Wednesday and Thursday mornings from 9 am for a period of 1 hour and 10 minutes (consideration of private senators’ bills), and on Thursday afternoons following the consideration of reports and documents ([standing order 57 and 59](#)).

Ministers have the power under [standing order 65](#) to arrange the order of government business on the *Notice Paper* from day to day as they see fit. They can also move motions (without leave) to rearrange the order in which government business items will be considered. These powers generally allow the Government to determine the priority of items for consideration during government business time.

### **Consideration of general business**

Consideration of government business has priority over general business with the exception of certain times on Wednesdays and Thursdays, as described above. The particular items of general business to be considered at these times are determined between the various non-government senators and a motion to provide for their consideration is moved by the Manager of Government Business. If this did not occur, the Senate would consider general business during Thursday afternoon in the order in which it is listed on the *Notice Paper*.

Because general business has a lower priority than the other categories of business it is, in a practical sense, never called on in the ordinary course of business, except during the periods set aside on Wednesdays and Thursdays. Consequently, the majority of general business items considered by the Senate are brought forward using special procedures, notably the discovery of formal business for certain types of formal business ([Guide No. 8](#)—Notices of motion) and the moving of motions by leave or pursuant to a suspension of standing orders (see [Guide No. 5](#)—Suspension of Standing Orders).

### Consideration of private senators' bills

As noted above, the Senate considers private senators' bills on Wednesdays and Thursday mornings, from 9 am for a period of 1 hour and 10 minutes. The particular bills to be considered at these times are determined in advance by the Senate, after consultation between the whips and other senators.

### Need assistance?

For assistance with any of the matters covered by this guide, government senators or their staff should contact the Clerk Assistant (Table), on extension 3020 or [ca.table.sen@aph.gov.au](mailto:ca.table.sen@aph.gov.au); and non-government senators or their staff should contact the Clerk Assistant (Procedure), on extension 3380 or [ca.procedure.sen@aph.gov.au](mailto:ca.procedure.sen@aph.gov.au).

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## The ordinary routine of business in the Senate

as set out in standing order 57 and related orders

MONDAYS	TUESDAYS	WEDNESDAYS	THURSDAYS
<b>Senate meets from 10 am</b>	<b>Senate meets from 12 pm</b>	<b>Senate meets from 9 am</b>	<b>Senate meets from 9 am</b>
<p><b>10 am</b></p> <ul style="list-style-type: none"> <li>Private senators' bills</li> </ul> <p><b>12.20 pm</b></p> <ul style="list-style-type: none"> <li>Government business only</li> </ul> <p><b>1.30 pm</b></p> <ul style="list-style-type: none"> <li>2 minute statements</li> </ul> <p><b>2 pm</b></p> <ul style="list-style-type: none"> <li>Questions</li> <li>Motions to take note of answers</li> <li>Petitions</li> <li>Notices of motion</li> <li>Placing of business</li> <li>Formal business</li> <li>MPI or urgency motion</li> <li>Consideration of documents tabled earlier in the day</li> <li>Ministerial statements</li> <li>Committee memberships</li> <li>Messages</li> <li>Business of the Senate (if any)*</li> <li>Government business*</li> </ul> <p><b>8 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment proposed</li> </ul> <p><b>8.30 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment.</li> </ul>	<p><b>12 pm</b></p> <ul style="list-style-type: none"> <li>Government business only</li> </ul> <p><b>1.30 pm</b></p> <ul style="list-style-type: none"> <li>2 minute statements</li> </ul> <p><b>2 pm</b></p> <ul style="list-style-type: none"> <li>Questions</li> <li>Motions to take note of answers</li> <li>Petitions</li> <li>Notices of motion</li> <li>Placing of business</li> <li>Formal business</li> <li>MPI or urgency motion</li> <li>Consideration of documents tabled earlier in the day</li> <li>Tabling and consideration of committee reports</li> <li>Ministerial statements</li> <li>Committee memberships</li> <li>Messages</li> <li>Business of the Senate (if any)*</li> <li>Government business*</li> </ul> <p><b>7.30 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment proposed</li> <li>Adjournment.</li> </ul>	<p><b>9 am</b></p> <ul style="list-style-type: none"> <li>Private senators' bills</li> <li>Government business only</li> </ul> <p><b>12.15 pm</b></p> <ul style="list-style-type: none"> <li>Senators statements</li> </ul> <p><b>1.30 pm</b></p> <ul style="list-style-type: none"> <li>2 minute statements</li> </ul> <p><b>2 pm</b></p> <ul style="list-style-type: none"> <li>Questions</li> <li>Motions to take note of answers</li> <li>Petitions</li> <li>Notices of motion</li> <li>Placing of business</li> <li>Formal business</li> <li>MPI or urgency motion</li> <li>Consideration of documents tabled earlier in the day</li> <li>Tabling and consideration of committee reports</li> <li>Ministerial statements</li> <li>Committee memberships</li> <li>Messages</li> <li>Business of the Senate (if any)*</li> <li>Government business*</li> </ul> <p><b>7.30 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment proposed</li> </ul> <p><b>8 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment.</li> </ul>	<p><b>9 am</b></p> <ul style="list-style-type: none"> <li>Private senators' bills</li> <li>Government business only</li> </ul> <p><b>11.15 am</b></p> <ul style="list-style-type: none"> <li>Petitions</li> <li>Notices of motion</li> <li>Placing of business</li> <li>Formal business</li> <li>Committee memberships</li> <li>Messages</li> <li>Business of the Senate (if any)</li> <li>Government business*</li> </ul> <p><b>12.15 pm</b></p> <ul style="list-style-type: none"> <li>Non-controversial government business only</li> </ul> <p><b>1.30 pm</b></p> <ul style="list-style-type: none"> <li>2 minute statements</li> </ul> <p><b>2 pm</b></p> <ul style="list-style-type: none"> <li>Questions</li> <li>Motions to take note of answers</li> <li>Reports and documents <ul style="list-style-type: none"> <li>Tabling and consideration of committee reports</li> <li>Consideration of documents</li> <li>Consideration of committee reports, government responses and Auditor-General's reports</li> </ul> </li> <li>Ministerial statements</li> <li>General business debate</li> </ul> <p><b>5.30 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment proposed</li> </ul> <p><b>6 pm</b></p> <ul style="list-style-type: none"> <li>Adjournment.</li> </ul>

\* Matters of privilege on the Notice Paper take precedence