

**GOVERNMENT RESPONSE TO THE REPORT OF THE HOUSE
OF REPRESENTATIVES STANDING COMMITTEE ON
PROCEDURE**

**“E-MOTIONS: THE ELECTRONIC TRANSACTION OF
QUESTIONS, ANSWERS AND NOTICES OF MOTION AND
RELATED MATTERS”**

December 2000

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“e-motions:

The electronic transaction of questions, answers and notices of motion and related matters”

The electronic transaction of questions, answers and notices of motion

Recommendation 1

The committee, in order to clarify the manner in which Members may put questions to Ministers, recommends that standing order 142 be amended to read as follows:

Questions to Ministers

142 Questions may be put to a Minister relating to public affairs with which the Minister is officially connected, to proceedings pending in the House, or to any matter of administration for which the Minister is responsible. Questions may be asked orally without notice for immediate reply or in writing on notice and placed on the Notice Paper for written reply.

Recommendation 2

The committee, in order to facilitate the electronic lodgment of questions on notice, recommends that standing order 148 be amended to read as follows:

Question on notice

148 A Member shall submit a question on notice to the Clerk in sufficient time, in the opinion of the Speaker, to enable it to be published in the next issue of the Notice Paper. The question shall be in writing and signed by the Member.

Recommendation 3

The committee, in order to facilitate the electronic lodgment of notices of motion, recommends that standing order 133 be amended to read as follows:

Notice of motion—how given

133 Notice of motion shall be given by a Member by—

- (a) delivering its terms in writing to the Clerk at the Table, or*
- (b) stating its terms to the House during the period of Members' statements made under standing order 106A and delivering its terms in writing to the Clerk at the Table.*

The notice must be signed by the Member and seconder and show the day proposed for moving the motion.

A notice of motion given by a Member in accordance with paragraph (a) which expresses a censure of, or want of confidence in the Government, or a censure of any Member, shall be reported to the House by the Clerk at the first convenient opportunity.

and that standing order 211 be amended similarly.

Supported.

The Government supports the proposed measures designed to enhance the efficiency of the operation of the House and Members' ability to take advantage of electronic facilities that are, and may become, available in the House.

Timely responses to questions on notice

Recommendation 4

The committee, in order to simplify the manner in which Members may seek explanations for unanswered questions on notice, recommends that standing order 150 be amended to read as follows:

Replies to questions

150 The reply to a question on notice shall be given by delivering it to the Clerk. A copy of the reply shall be supplied to the Member who asked the question, and the question and reply shall be published in Hansard.

If after the expiration of 60 days of a question first appearing on the Notice Paper, a reply has not been delivered to the Clerk, the Member who asked the question may rise in his or her place at the conclusion of the question period and, without elaboration, request the Minister concerned to provide reasons for the delay in answering.

Not supported.

The Government does not support the amendment proposed in the second paragraph of standing order 150. The current procedure entitling Members to rise and ask the Speaker to write to the relevant Minister requesting reasons for any delay has worked well and should be continued. The Government notes that the proposed amendment to the standing orders is not required to facilitate the electronic transfer of documents.

Seconding notices of motion

Recommendation 5

The committee, in order to remove the requirement that notices of motion be seconded, recommends that standing order 133 be further amended to read as follows:

Notice of motion—how given

133 Notice of motion shall be given by a Member by—

- (a) delivering its terms in writing to the Clerk at the Table, or*
- (b) stating its terms to the House during the period of Members' statements made under standing order 106A and delivering its terms in writing to the Clerk at the Table.*

The notice must be signed by the Member and show the day proposed for moving the motion.

A notice of motion given by a Member in accordance with paragraph (a) which expresses a censure of, or want of confidence in the Government, or a censure of any Member, shall be reported to the House by the Clerk at the first convenient opportunity.

and that standing order 211 be amended similarly.

Not supported.

The Government supports continuation of the principle that private members' notices of motion should have a seconder.

The Government notes the Committee's view that the requirement for private members' notices of motion to be seconded is not necessary, as support for the motion will be tested in relation to the substantive motion itself (either by way of allocation of priority through the Selection Committee, leave of the House or support for suspension of standing orders) and therefore need not be anticipated by notice. However, the measure would represent a significant departure from long-standing practice of the House. The Government notes similar proposals have not been supported in the past and agrees with the Committee that principle should not be compromised simply to accommodate functional difficulties.

There is nothing to prevent both the moving and seconding of a notice of motion occurring electronically. The means by which electronic versions of questions and answers are authenticated could be adapted to the moving and seconding of notices of motion. Therefore, the proposed amendment to the standing orders would not necessarily facilitate the electronic transfer of documents.

Documentary requirements for a meeting of the House

Recommendation 6

The committee, in order to ensure that the Notice Paper is available to Members before the House meets, recommends that standing order 100A be amended to read as follows:

Notice Paper

100A All business before the House shall be set down on the Notice Paper in accordance with the standing and sessional orders and the Notice Paper shall be published before each meeting of the House. A Notice Paper is not published before the first meeting of the House following a general election or prorogation.

Not supported.

The Government is of the view that it is not necessary to change standing order 100A. The existing standing order ensures the business of the House is set down in the Notice Paper. It is the practice of the House that the Notice Paper is always produced before each meeting of the House, except for the first meeting following an election or prorogation. The Government notes that the proposed amendment to the standing orders is not required to facilitate the electronic transfer of documents.