
The Parliament of the Commonwealth of Australia

The anticipation rule

Aspects of the application of the rule

House of Representatives
Standing Committee on Procedure

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Foreword

The Procedure Committee was pleased to be asked to consider the application of the anticipation rule, by the Speaker and we thank him for consulting the committee on this matter. This year sees the 20th anniversary of the establishment of the Procedure Committee and during the past two decades the committee has made a considerable contribution to monitoring and, where necessary, improving the practices and procedures of the House. We hope the current report is another step in this direction.

The committee considers that improvement is needed in relation to the anticipation rule. While the objectives of the rule are sound, the application of the two standing orders which currently express the rule are used more for tactical advantage than to support the effective management of House business. In particular, the committee considers that the evolution of the rule as it applies during Question Time (standing order 100(f)) does little to enhance Question Time as an opportunity to hold the Government accountable to the Parliament.

The committee favours a trial of new arrangements for the rule for the rest of the 41st Parliament. The trial would abolish the application of the rule from Question Time and restrict its application at other times to substantive debates. At the end of the session the committee hopes to review the application of the recommended sessional order.

Margaret May MP
Chair



Membership of the Committee

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Terms of reference

Terms of reference of the Committee

To inquire into and report on the practices and procedures of the House and its committees.

Terms of reference of the inquiry

The application of the anticipation rule.



List of recommendations

Recommendation 1:

The committee recommends that standing order 77 be replaced by the following sessional order:

“During a debate, a Member may not anticipate the discussion of a subject listed on the Notice Paper and expected to be debated on the same or next sitting day. In determining whether a discussion is out of order the Speaker should not prevent incidental reference to a subject.”

Recommendation 2

The committee recommends that for a trial period the anticipation rule not apply to questions and answers and that consequently, standing order 100(f) be suspended for the remainder of the session.

