

The committee system and other issues

- 5.1 The Committee reviewed the reforms of the House committee system in two previous interim reports: one completed five weeks after their implementation, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, and the other twelve months after their implementation, *Interim Report No. 3: Monitoring and review of procedural changes implemented in the 43rd Parliament: The effectiveness of reforms to the House committee system*. The origins of some changes and the Committee's initial response have been discussed in these two reports.
- 5.2 This chapter will re-visit some of the earlier conclusions and examine the progress of the reforms to the committee system after nearly two years.
- 5.3 The chapter also reconsiders other issues in the Committee's initial interim report including the changes to weekly sitting hours, minor amendments and updates to the standing orders to enhance the operations of the House, and the renaming of the Main Committee.¹

Committee system

- 5.4 In summary, the Agreement proposed a number of changes to the House committee system including:
- reducing the number of standing committees from 12 to nine;
 - reducing membership of committees from 10 to seven;
 - increasing the opportunity for supplementary members to be appointed to an inquiry;

¹ Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, chapter 5, pp. 45–59.

- providing the Selection Committee with the power to refer bills to committees for additional scrutiny;
- providing additional opportunities for Chairs and Deputy Chairs to make statements in the House about committee inquiries; and
- improving government response times to committee recommendations.²

Number of committees and membership

- 5.5 Under amended standing order 215(a), House standing committees were reduced from 12 in the previous Parliament to nine in the 43rd Parliament. Standing order 215(d) reduced membership of these committees from 10 permanent members (six Government and four non-Government) to seven (four Government and three non-Government), with provision to accommodate non-aligned Members. In the 2010 report (prior to the reforms), this Committee recommended a rationalisation in the number and membership of committees to allow Members to use their time more effectively and concentrate their involvement on fewer committees.³ The Leader of the House, on introducing the amendments to standing orders commented on the need to ensure an effective and efficient committee system.⁴
- 5.6 In the 42nd Parliament there were 256 positions⁵ on House and joint committees to be filled by 118 Members eligible to be members.⁶ As a result, most eligible Members were required to serve on two or three committees and a number served on as many as four.⁷
- 5.7 As at 20 June 2012, there are 278 positions⁸ on House and joint committees and 118 eligible Members.⁹ Figure 5.1 compares the distribution of committee positions among Members for the 42nd Parliament and the 43rd Parliament to 30 June 2012.

2 *Agreement for a Better Parliament: Parliamentary Reform*, Clause 10.1–10.7, pp. 5–6.

3 Standing Committee on Procedure, *Building a modern committee system: An inquiry into the effectiveness of the House committee system*, June 2010, pp. 68–69.

4 HR Deb, 29 September 2010, 132.

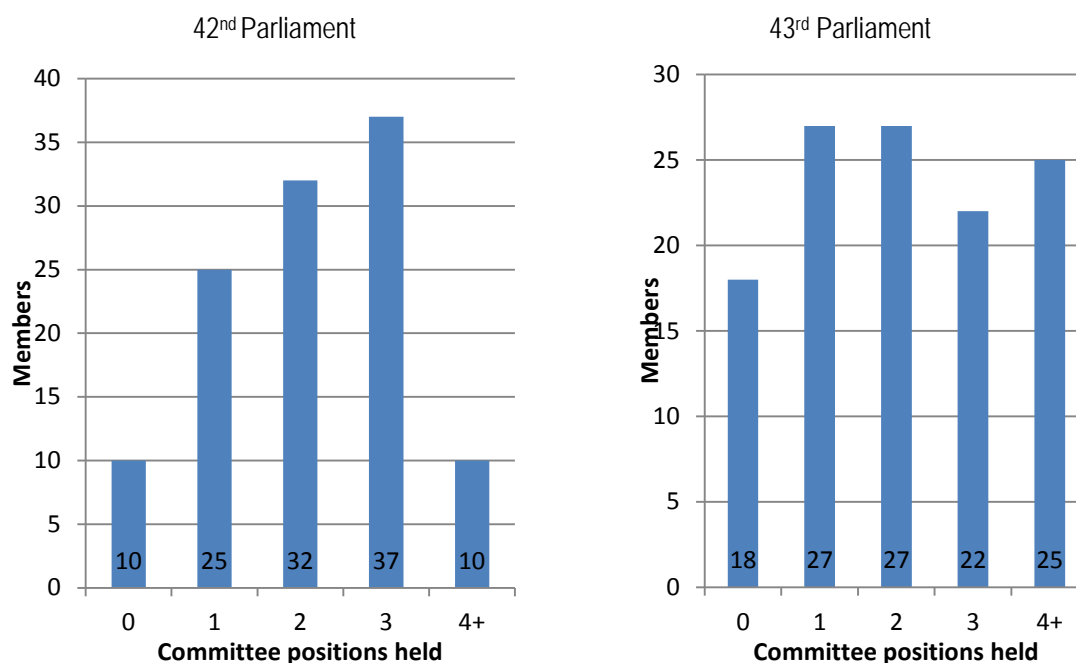
5 Excludes *ex officio* positions filled by the Speaker and the Deputy Speaker.

6 Excludes Ministers, Parliamentary Secretaries and the Leader of the Opposition.

7 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, pp. 39–40.

8 Excludes *ex officio* positions filled by the Speaker and provisions for supplementary Members.

9 Excludes Ministers, Parliamentary Secretaries and the Leader of the Opposition.

Figure 5.1 Distribution of committee positions among Members of the 42nd and 43rd Parliaments

Source Chamber Research Office statistics 2012

- 5.8 Distribution of committee positions in the 43rd Parliament indicates that, while fewer Members are serving on two or three committees, substantially more are serving on four or more committees.
- 5.9 The anomaly noted in the interim report on the effectiveness of the reforms on the House committee system, appears to have continued. Two joint standing committees and six joint select committees have been established during the 43rd Parliament, cancelling out the loss of positions caused by the reduction in House committees.¹⁰ Fourteen Members have been appointed to the two joint standing committees and 38 Members to positions on the six joint select committees.
- 5.10 To enable Members to participate in inquiries of particular interest to them, provision was made for up to four supplementary Members (up from two in previous parliaments) to be appointed to a committee.¹¹ In the 43rd Parliament to 30 June 2012, 40 supplementary Members had been appointed to eight separate committees for particular inquiries.¹²

10 Chamber Research Office statistics, 2012.

11 Standing order 215(d), 20 October 2010.

12 Chamber Research Office statistics, 2012. Note that in the 42nd Parliament, supplementary Members were appointed for two committee inquiries and in the 41st Parliament supplementary Members were appointed for one inquiry.

Referral of bills to committees

- 5.11 The Selection Committee can refer bills that it considers controversial or requiring further consultation or debate to relevant standing or joint committees. In the 43rd Parliament, as at 30 June 2012, the Selection Committee has referred for inquiry 114 bills to 14 committees (seven House standing committees and seven joint committees).¹³
- 5.12 Thirty bills have been referred to the Standing Committee on Economics, 21 bills to the Standing Committee on Social Policy and Legal Affairs, 13 to the Standing Committee on Infrastructure and Communications and 12 to the Standing Committee on Agriculture, Resources, Fisheries and Forestry. The remaining bills have been referred to 10 other standing and joint committees with each committee receiving between one and nine bills.¹⁴
- 5.13 Of the 114 bills referred to committees, as at 30 June 2012, the inquiry process has been concluded on 104. The average duration of each has been 64 days, with the longest taking 210 days¹⁵ and the shortest one day.¹⁶
- 5.14 There have been two refinements to the process that the Selection Committee uses to refer bills to committees:
- discontinuing reporting timeframes; and
 - providing reasons for the referral.
- 5.15 As noted in this Committee's second interim report, the Selection Committee originally set reporting timeframes for the bills it referred to committees. However, it discontinued this practice after it referred the first four bills.¹⁷
- 5.16 This Committee recommended in its second interim report that the Selection Committee provide the reasons for referring a bill to a

13 Standing order 222(a)(iii), 20 October 2010.

14 The Standing Committee on Climate Change, Environment and the Arts received nine bills, the Standing Committee on Education and Employment eight, the Joint Committee on Corporations and Financial Services seven, the Standing Committee on Health and Ageing three, the Joint Committee on Foreign Affairs and Trade three, the Joint Committee on Electoral Matters three, the Joint Committee on Migration two, and the Joint Select Committee on Cyber-Safety, the Joint Committee on Treaties and the Joint Committee on the National Broadband Network one each. (Chamber Research Office statistics, 2012.)

15 The Competition and Consumer (Price Signalling) Amendment Bill 2010 referred to the Standing Committee on Economics on 24 November 2010.

16 The Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 referred to the Standing Committee on Social Policy and Legal Affairs on 11 May 2011.

17 Standing Committee on Procedure, *Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament: Referral of bills to committees by the House Selection Committee*, June 2011, p. 6.

committee, to improve efficiency.¹⁸ A number of committee Chairs and Deputy Chairs publicly supported this recommendation. For example, the Chair of the Standing Committee on Employment and Education told the House:

The education and employment committee concurs with the Procedure Committee's recent recommendation that reasons be provided for referral. The committee and I am sure that those stakeholders who made submissions would have found an explanation as to why the current proposal was referred most useful.¹⁹

5.17 The Chair of the Joint Committee on Corporations and Financial Services reiterated the point, emphasising the connection between reasons for referral and committee efficiency:

While supporting the referral of bills as an effective mechanism for increasing transparency and public consultation, the committee feels that the referral process would be more effective if an explanation were also provided as to why the bill was referred in the first place so that the committee can target its efforts more effectively.²⁰

5.18 The Selection Committee responded to these concerns and has provided reasons for the referral of all bills since Report No. 49 on 22 March 2012.

5.19 This Committee also recommended: that standing order 222(a)(iii) be amended to remove the provision that one member of the Selection Committee is sufficient to select a bill for referral, (thereby requiring a majority decision of the Committee).²¹ The Government indicated its support for this recommendation in its response presented on 1 November 2012 to the Committee's second interim report.

5.20 A further development noted in the interim report was the trend for Chairs to present a statement to the House discharging the committee's requirement for reporting on bill referrals, rather than presenting a report. This has enabled them to report back quickly. In their discharge statements Chairs have noted the uncontroversial nature of bills or the unnecessary duplication of an inquiry where a bill has been referred to

18 Standing Committee on Procedure, *Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament: Referral of bills to committees by the House Selection Committee*, June 2011, pp. 11-12.

19 HR Deb, 16 August 2011, 8175.

20 HR Deb, 22 August 2011, 8738.

21 Standing Committee on Procedure, *Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament: Referral of bills to committees by the House Selection Committee*, June 2011, pp. 11-12.

both House and Senate committees. One Chair commented that the bill under investigation had been referred to eight Senate committees:

Eight committees of the Senate will conduct wide-ranging scrutiny of executive government over the next four days. It was the view of the committee that it would unnecessarily duplicate the work of these Senate committees and possibly create confusion amongst witnesses if it attempted to undertake its own, concurrent examination.²²

- 5.21 As at 30 June 2012, 53 reports on bills referred by the Selection Committee have been presented to the House and 11 statements discharging the requirement for reporting have been presented.²³

Statements by Chairs and Deputy Chairs

- 5.22 The Agreement proposed that committee Chairs be able to make short statements to the House relating to committee inquiries.²⁴ Standing order 39(a) enables Chairs and Deputy Chairs to make such statements during the periods for committee and delegation business on Mondays. Chairs and Deputy Chairs representing seven committees used this opportunity, making 25 statements to the House.²⁵ One Chair remarked:

... I want to thank the Standing Committee on Procedure for the change to the standing orders that actually allows us to discuss committee reports as they are going along and not just at the end, when all the hard work is done and you are relegated to five minutes in this place. I think this is a terrific initiative and I commend the parliament and those involved in the change.²⁶

Government responses

- 5.23 The Agreement proposed to encourage more timely responses from the Government to committee reports and greater accountability from Ministers for those responses.²⁷ The House resolved on 29 September 2010 to require the Government to respond to recommendations in committee

22 HR Deb, 13 February 2012, 812. The Committee noted the potential for duplication in two previous reports: *Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament: Referral of bills to committees by the House Selection Committee*, June 2011, pp. 9–10 and *Interim Report No. 3: Monitoring and review of procedural changes implemented in the 43rd Parliament: The Effectiveness of reforms to the House committee system*, February 2012, pp. 20–21.

23 Chamber Research Office statistics, 2012.

24 *Agreement for a Better Parliament: Parliamentary Reform*, Clause 10.7, p. 6.

25 To the 30 June 2012 (Chamber Research Office statistics, 2012).

26 HR Deb, 28 February 2011, 1528.

27 *Agreement for a Better Parliament: Parliamentary Reform*, Clause 10.6, p. 6.

reports within six months of the report being presented to the House.²⁸ If the Government failed to respond within the timeframe, the relevant Minister was expected to present a statement to the House explaining the reasons for the delay. Additionally, committees were enabled to request a Minister to appear before the committee and provide an explanation.

- 5.24 Of the 58 committee reports tabled to 30 June 2012, 45 required a Government response to recommendations. Six of those have not yet reached the six month cut-off date. Of the remaining 39 reports, 21 have received a Government response, eight within the specified period, leaving 18 outstanding.²⁹ On five occasions a Status of Government Response explaining the cause for the delay in responding to the committee's recommendations has been presented to the House.³⁰
- 5.25 In previous parliaments the Speaker presented a schedule listing government responses and outstanding responses to committee reports to the House approximately every six months.³¹ In addition, in the 43rd Parliament, the Status of Government Response has been tabled by the Leader of the House on behalf of the relevant Minister and the document has then been made the subject of a take note motion.³²

Committee comment

- 5.26 As the Committee observed in its interim report, many of the reforms proposed in the Agreement and implemented in the 43rd Parliament, stemmed from recommendations of the Committee.³³

28 HR Deb, 29 September 2010, 143.

29 Chamber Research Office statistics, 2012.

30 Votes and Proceedings No. 84, 7 February 2012, 1157 (Joint Standing Committee on Electoral Matters, *The 2010 Federal Election: Report on the Conduct of the Election and Related Matters*); Votes and Proceedings No. 85, 8 February 2012, 1182 (Standing Committee on Social Policy and Legal Affairs, *Reclaiming Public Space: Inquiry into the Regulation of Billboard and Outdoor Advertising*); Votes and Proceedings No. 92, 28 February 2012, 1265 (Joint Statutory Committee on Law Enforcement, *Examination of the Annual Report of the Australian Crime Commission*); Votes and Proceedings No. 114, 19 June 2012, 1574 (Joint Select Committee on Gambling Reform, *Interactive and Online Gambling and Gambling Advertising and Interactive Gambling and Broadcasting Amendment (Online Transactions and Other Measures) Bill 2011*); Votes and Proceedings No. 115, 20 June 2012, 1587 (Joint Standing Committee on Electoral Matters, *Report on the Funding of Political Parties and Election Campaigns*).

31 *House of Representatives Practice*, 6 ed., 2012, p. 714.

32 This procedure enables the document to be placed on the Notice Paper allowing it to be debated.

33 Standing Committee on Procedure, *Building a modern committee system: an inquiry into the effectiveness of the House committee system*, June 2010.

- 5.27 Despite the reduction in the number of committees and in membership of committees, the overall number of committee positions has increased and the number of Members serving on four or more committees has increased substantially. This indicates, unfortunately, that the aim of these reforms to make the committee system more workable for Members and allow individual Members to dedicate their time more effectively to committee work³⁴ may not have been met.
- 5.28 Members, by their actions, have indicated a favourable response to the greater opportunity to be appointed as supplementary Members to particular inquiries.
- 5.29 The Committee previously examined the impact of the referral of bills to House and joint committees by the Selection Committee and is encouraged to see that the Selection Committee now provides reasons for the referral of bills.³⁵ The Committee is also pleased to note the Government's support for its previous recommendation to remove the provision that one member of the Selection Committee is sufficient to select a bill for referral. To implement this change an amendment to the standing orders would need to be passed by the House.
- 5.30 The Committee notes that committee Chairs and Deputy Chairs have made good use of the opportunity to update the House on committee inquiries and welcomes the increased prominence provided to committee work.

Other issues

- 5.31 In its initial interim report, the Committee discussed issues raised by implementation of the changes, suggested some refinements and identified several areas for ongoing monitoring. The key areas of concern were:
- changes to weekly sitting hours;³⁶
 - refinements to improve the efficiency of proceedings;³⁷ and

34 Standing Committee on Procedure, *Building a modern committee system: an inquiry into the effectiveness of the House committee system*, June 2010, pp. 66–68.

35 Standing Committee on Procedure, *Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament: Referral of bills to committees by the House Selection Committee*, June 2011, p. 12.

36 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, pp. 45–53.

- renaming of the Main Committee.³⁸

Changes to weekly sitting hours

5.32 To accommodate the expanded opportunities for private Members, sitting hours have been increased. As this Committee has noted, the extra sitting hours have had significant consequences for Members, their staff and parliamentary staff.³⁹

5.33 Tables 5.1 and 5.2 below compare meeting and adjournment times with those in the previous Parliament.

Table 5.1 Set meeting and adjournment times of the House, 43rd Parliament

	1	2	3	4
day	meeting commences	adjournment proposed	House adjourns	
Monday	10.00 am	9.30 pm	10.30 pm	
Tuesday	2.00 pm	9.30 pm	10.30 pm	
Wednesday	9.00 am	7.00 pm	8.00 pm	
Thursday	9.00 am	4.30 pm	5.00 pm	

Source *Standing order 29(b), 20 October 2010*

Table 5.2 Set meeting and adjournment times of the House, 42nd Parliament

	1	2	3	4
day	meeting commences	adjournment proposed	House adjourns	
Monday	12 noon	9.30 pm	10.00 pm	
Tuesday	2.00 pm	8.30 pm	9.00 pm	
Wednesday	9.00 am	7.30 pm	8.00 pm	
Thursday	9.00 am	4.30 pm	5.00 pm	

Source *Standing Order 29(b), 1 December 2008*

5.34 Despite the extended sitting hours, the hours in an average sitting day in the House do not appear to have increased very greatly, although the change is noticeable. In the 43rd Parliament during 2011 an average sitting day was 11 hours and 34 minutes in the House. During an equivalent

37 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, pp. 53–58.

38 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 59.

39 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 45.

period in the 42nd Parliament an average sitting day was 10 hours and 2 minutes.⁴⁰

- 5.35 However, the extended sitting hours have substantially affected the average daily sitting hours in the Federation Chamber, with the average hours increasing from 4 hours and 47 minutes in the 42nd Parliament to 6 hours and 59 minutes in the 43rd Parliament.⁴¹
- 5.36 As noted previously, the additional sitting hours in the House and Federation Chamber are a concern in their own right for Members: they ensure two long days each sitting week in each Chamber. Additionally the support provided by Members' staff and Parliamentary staff in preparing speeches, procedural scripts, Clerking, broadcasting and Hansard services, and so on, is considerable. There are also repercussions from changed travel patterns for Members who have electorate commitments and, like most members of the community, family and home commitments.
- 5.37 Anecdotal evidence suggests to the Committee that the concerns expressed by Dr Mal Washer MP, have been realised. In his submission Dr Washer noted:

These additional hours are having an adverse effect on the mental and physical health of Members, their staff and the staff of the Parliament.

The result is mental and physical fatigue leading to altered mood with higher levels of anxiety and depression, poor concentration and often abnormal sleep patterns. Physically there is a drop in fitness levels and reduced immunity which would affect resistance to infection and malignancy and exacerbate chronic disease. There is a greater tendency for the use of medication to assist with sleeping and with some increased alcohol consumption.

Many Members have time zone differences up to 3 hours during Eastern Daylight Saving further compounding the problem and are fatigued by up to 7 or more hours of travelling to Canberra. We all have a duty to care for ourselves and our staff.⁴²

Refinements to improve the efficiency of proceedings

- 5.38 In the Committee's initial interim report it noted a number of areas where fine-tuning of standing orders and changes in practice would contribute to
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40 These figures include suspensions of sittings. For the purpose of this average, 26 November 2009 has not been included as the House sat on that day for an unusually extended period.

41 Chamber Research Office statistics, 2012.

42 Dr Mal Washer MP, Member for Moore, *Submission 2*, p 1.

the overall efficiency of the proceedings of the House and Federation Chamber.⁴³ The issues raised included:

- the form of stating the question on amendments;
- scheduling of private Members' items in the Federation Chamber and return of items from the Federation Chamber;
- speaking time limits for debates not otherwise provided for and items of private Members' business;
- listing in the Notice Paper of private Members' business items to be voted on;
- the Speaker as Chair of the Selection Committee; and
- appointment of supplementary members to House committees.⁴⁴

Stating the question on amendments

5.39 In this Committee's initial report, it discussed a proposal by the Clerk of the House of Representatives to change the way questions on amendments are stated and put to the House.⁴⁵ It was suggested that a shortened form of the question (already provided for in the standing orders) be used to simplify the process and avoid confusion.

5.40 The long-standing practice had been for questions on amendments to motions to be stated in the form: 'that the words proposed to be omitted stand part of the question', as provided by standing order 122(a)(ii):

Standing order 122(a)(ii):

If the purpose is to omit certain words in order to insert or add other words, the question shall be –

That the words proposed to be omitted stand part of the question.

If this question is resolved in the affirmative, the amendment is disposed of: if negated, the Speaker shall put a further question –

That the words proposed be [inserted, or added].

5.41 The Clerk noted that stating the question in this form can be 'counter-intuitive and puzzling to members and observers' because Members in favour of an amendment must vote 'no' on the initial question.

43 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 53.

44 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, pp. 54–58.

45 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, pp. 56–57.

Furthermore, where an amendment is supported by a majority but contested, two divisions are required for the amendment to be made.⁴⁶

- 5.42 Standing order 122(b) already included provision for the shortened form 'that the amendment be agreed to', provided that no Member objects. The wording in this provision is such that if any Member objected, the Chair would have no discretion and the longer form of the question would need to be put.⁴⁷ The simpler form was currently used for detailed stage amendments and sometimes for amendments to motions, such as those moved by Ministers to non-government Members' motions.
- 5.43 The Clerk identified a number of advantages of the question on amendments always being stated in the alternative simpler form:
- it is much more straight forward than the "words stand" form and will always be clear to members and those following proceedings. Members in favour of the amendment vote "aye" and those against it vote "no" ...;
 - it allows amendments to be moved to the amendment itself;
 - if an amendment is defeated other amendments can be moved to the main question, as well as amendments to the question 'that the motion, as amended, be agreed to'; and
 - in the case of amendments going to a vote, one division only is required to make a decision on the amendment.⁴⁸
- 5.44 This Committee agreed that a trial of the change would be useful and in June 2011 the then Speaker, Mr Harry Jenkins, introduced a trial of the new arrangement.⁴⁹ As the Speaker indicated then, any Member could object to the arrangement and 'require the traditional form to be used in a particular case'.⁵⁰ The Committee is unaware, at 30 June 2012, of any Member objecting to the use of the new arrangements.
- 5.45 The resulting opportunity to use the new arrangement to allow an amendment to be moved to an amendment was exercised by a Member in August 2012. During the second reading debate on the Migration Legislation Amendment (Offshore Processing and Other Measures) Bill 2011, the Member for Cook moved an amendment to a previous amendment moved by the Member for Melbourne.⁵¹

46 Mr Wright, Clerk of the House of Representatives, *Exhibit 1*, p. 14

47 Mr Wright, Clerk of the House of Representatives, *Exhibit 1*, p. 12.

48 Mr Wright, Clerk of the House of Representatives, *Exhibit 1*, p. 15.

49 HR Deb, 2 June 2011, 5790-5791.

50 HR Deb, 2 June 2011, 5790.

51 Votes and Proceedings No. 122, 15 August 2012, 1680-1681.

- 5.46 The Committee considers worthwhile any arrangement that makes House procedure more straightforward and less confusing for Members and observers – without sacrifice to the integrity of the process.

Private Members' items in the Federation Chamber

- 5.47 In his submission, the Clerk of the House suggested two modifications to the scheduling of private Members' business items for the Federation Chamber and the return of items of private Members' business from there.

- 5.48 Currently copies of items of private Members' business scheduled for the Federation Chamber by the Selection Committee are presented by the Speaker to the House and further debate is automatically referred to the Federation Chamber.⁵² The Clerk's first proposal suggested that standing orders be refined to allow items scheduled by the Selection Committee for the Federation Chamber to be deemed to have been referred by the House:

This would obviate the need for the Speaker to table the terms of matters in the House and for the matters to be deemed to be presented or moved before they can stand referred to the Main Committee. It would also allow the Member responsible for a notice to initiate a matter in the Main Committee by presenting a bill or moving a motion.⁵³

- 5.49 The second proposal concerned the return of items of private Members' business from the Federation Chamber. Currently the Speaker reports formally to the House when items are returned.⁵⁴ The Clerk suggested that a Member could move in the Federation Chamber, under standing order 197(a), that further proceedings on particular items be conducted in the House.⁵⁵ These returned items could then be listed on the Notice Paper as orders of the day under private Members' business in the House and be called on to be voted on during government business time if standing orders were suspended.⁵⁶
- 5.50 To date, these suggestions have not been taken up.

Speaking time limits

- 5.51 The Clerk noted three issues with the allocation of speaking times in the House and suggested some changes to address anomalies and improve efficiency.

52 See standing orders 41(d) and 41(g), 20 October 2010.

53 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p 2.

54 See standing order 198, 20 October 2010.

55 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 2.

56 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 2.

- 5.52 The first suggestion proposed that consideration be given to reducing time limits for debates not otherwise provided for from 20 minutes to 15 minutes for the mover and from 15 minutes to 10 minutes for other speakers. This 'default' provision currently applies for motions to take note of papers and motions to suspend standing orders by leave.⁵⁷
- 5.53 The second suggestion was designed to correct the anomaly that exists when items of private Members' business are called on during government business time. The Selection Committee regularly sets time limits for each Member speaking on items of private Members' business and these time limits apply when such an item is considered during private Members' business time. However, when these items are called on during government business time, Members are subject to the standard time limits which are longer than those usually determined by the Selection Committee.⁵⁸
- 5.54 Finally, the Clerk referred to an issue raised by the Selection Committee in its report to the House on 21 October 2010.⁵⁹ The Selection Committee noted that, although it could under standing order 222(c) determine the time limits for second reading debates for private Members' bills, it was constrained by standing order 1 from allocating shorter speaking times.⁶⁰
- 5.55 To date, these issues regarding speaking time limits have not been addressed.

Listing of private Members' business items to be voted on in the Notice Paper

- 5.56 Currently items of private Members' business recommended by the Selection Committee to be voted on are published in the Selection Committee's reports. The Clerk has suggested that listing these items on the Notice Paper would be useful for Members.⁶¹
- 5.57 To date, this has not occurred.

Speaker as Chair of the Selection Committee

- 5.58 As noted earlier in this report, the reconstituted Selection Committee in the 43rd Parliament has a broader role than in previous Parliaments. Under the current standing orders the Speaker chairs the Committee which is responsible for:

57 Mr Wright, Clerk of the House Representatives, *Submission 1*, p. 3; standing order 1, 20 October 2010.

58 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 3.

59 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 3.

60 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 3. See also Selection Committee, *Report No. 3*, 21 October 2010, p. 4.

61 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 3.

- scheduling committee and delegation business and private Members' business for each sitting Monday;
 - recommending items of private Members' business to be voted on;
 - referring bills to relevant standing and joint committees for further consideration; and
 - setting times for second reading debates.⁶²
- 5.59 The Clerk suggested that it may be appropriate, given the Selection Committee's wider responsibilities, if the Speaker were one step removed from the significant decisions that the current Selection Committee is called on to make.⁶³
- 5.60 The Committee notes that, to date, no steps have been taken to alter the situation and the Speaker continues to chair the Selection Committee.

Appointment of supplementary members to House Committees

- 5.61 The provision for Members to be appointed as supplementary members to House Committees for particular inquiries was noted earlier. During its initial inquiry, the Committee heard that the current phrasing in standing orders 215(d) and 229(c) which state that a committee 'may supplement its membership', had been mistakenly interpreted to mean that committees had a role in appointing their supplementary members.⁶⁴ The Committee suggested that a minor amendment to the standing orders would serve to clarify that the appointment of supplementary members follows the normal procedure set down in standing order 229.⁶⁵
- 5.62 The House has not considered this change to date.

Renaming of the Main Committee

- 5.63 The Committee noted in its initial interim report that it had received a submission from the then Deputy Speaker, the Hon Peter Slipper, regarding the renaming of the Main Committee.⁶⁶ This Committee had long advocated such a change in order to remove confusion over the

62 Standing order 222(a), 20 October 2010.

63 Mr Wright, Clerk of the House of Representatives, *Submission 1*, p. 4.

64 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 58.

65 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 58.

66 Standing Committee on Procedure, *Interim Report: Monitoring and review of procedural changes implemented in the 43rd Parliament*, April 2011, p. 59.

location of the second chamber of the House of Representatives and to improve the perceived standing of the Main Committee.⁶⁷

- 5.64 In February 2012 standing orders were amended to rename the Main Committee as the Federation Chamber of the House of Representatives.⁶⁸ On introducing the amendments, the Leader of the House commented on both the issue of confusion and the status of the chamber:

It is pretty clear that there is some confusion, even among members of parliament occasionally, arising from the fact that the Main Committee does not meet in the room that is known as the main committee room. There is also confusion from time to time about the status of the Main Committee. It has been suggested to me, for example, when debating the referral of a bill to the Main Committee, that such a referral somehow gives the bill less status because the Main Committee is not seen as the equal chamber that it is. It is simply this chamber meeting in another place at the same time so as to improve the efficiency of the parliament.⁶⁹

Committee comment

- 5.65 The Committee reiterates its concerns that the extended sitting hours are proving detrimental to the health and well-being of Members, their staff and parliamentary staff. As the Committee argued in its initial interim report, there are a number of ways to reduce the length of sitting days to allow more convenient patterns of travel while retaining the time required to satisfactorily meet Members' parliamentary obligations. The Government noted the original recommendation in its response on 1 November 2012 to the Committee's initial report. However, in light of the ongoing evidence presented to the Committee, it repeats its recommendation from the initial report with the following modifications:
- that divisions and quorums called for after 6.30pm, rather than 8.30pm, on Mondays and Tuesdays be deferred until the following day; and
 - that the time allocated for the adjournment debate be reduced by rising half an hour earlier on Mondays, Tuesdays and Wednesdays, rather than rising half an hour earlier on one evening.

67 See Standing Committee on Procedure, *The second chamber: enhancing the Main Committee*, 14 August 2000; and Standing Committee on Procedure, *Renaming the Main Committee*, 3 June 2004.

68 Votes and Proceedings No. 85, 8 February 2012, 1179.

69 HR Deb, 8 February 2012, 211.

Recommendation 2

- 5.66 **The Committee recommends that the House consider measures to manage the workload of Members during sitting weeks, having regard to the health and wellbeing of Members, their staff and parliamentary staff, including but not limited to:**
- a) **commencing at 12.00 noon on Mondays in the House and 12.30pm in the Federation Chamber;**
 - b) **commencing at 12.00 noon on Tuesdays in the House;**
 - c) **offsetting the reduction in sitting hours resulting from a) and b) by reducing the time allocated to private Members' business each week by three hours;**
 - d) **providing that divisions and quorums called for after 6.30pm on Mondays and Tuesdays be deferred until the following day; and**
 - e) **rising half an hour earlier on Mondays, Tuesdays and Wednesdays, by reducing the time allocated for adjournment debate.**
- 5.67 In principle the Committee agrees to the need for ongoing refinement of the standing orders and changes to practice that will improve the efficiency of operations of the House. Finally, it encourages the House to take note of the suggestions provided in its initial interim report and reiterated in this report to enhance and update the standing orders accordingly.

GEOFF LYONS MP
Chair
26 November 2012

