

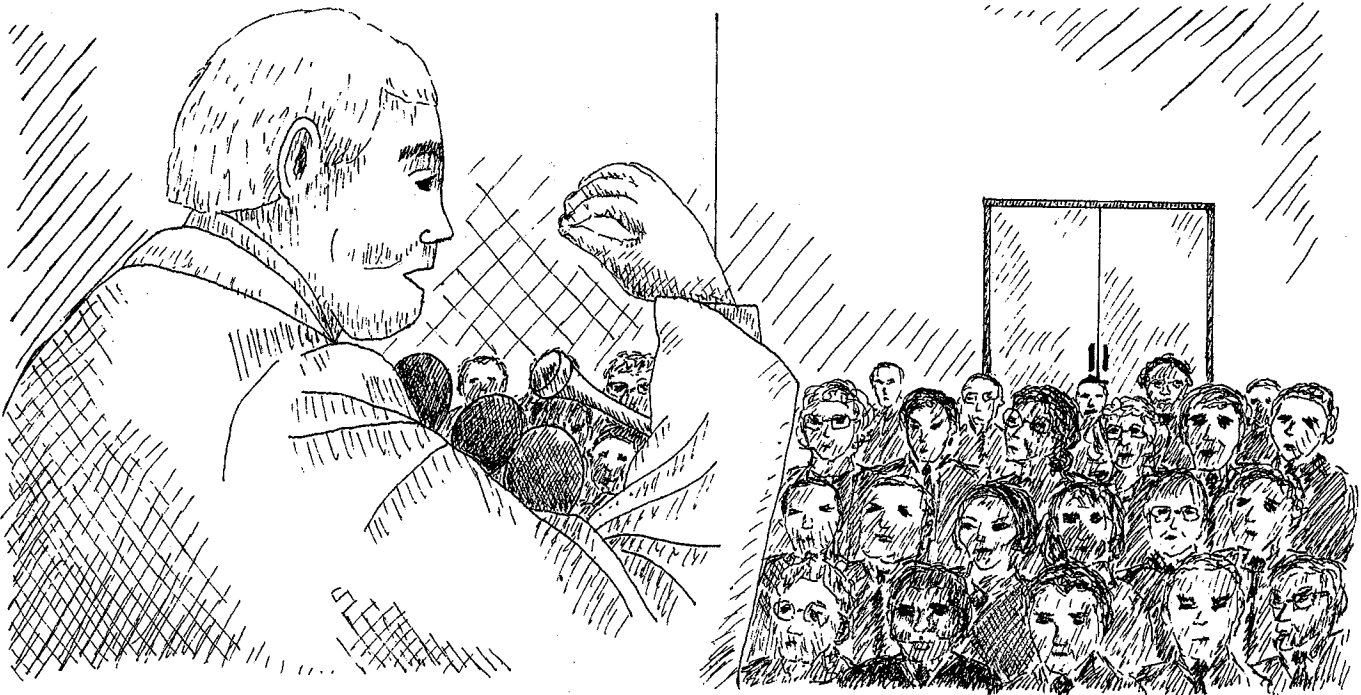
Parliamentary processes

Committees

Committees are groups of Members who investigate a matter more fully than can be done in the chamber. The committees talk to experts, listen to people who are concerned in a matter, discuss things in fuller detail, and reach conclusions based on all the evidence. Committees make written recommendations based on their findings. By having small groups working in committees, many matters can be dealt with at the same time. Both the House of Representatives and the Senate have a system of committees, and there are also joint committees comprising members of both Houses.

Some of the different types of committee are:

- **Standing committee:** an ongoing committee that has a continuing role. They investigate areas of long-term or continuing areas of concern such as employment, industry, foreign affairs and education.
- **Select committee:** a committee created for only one task, and disbanded when it has made its report. Select committees have investigated specific concerns such as the pension system, mining in inappropriate locations, and hospital care.
- **Joint committee:** Members of the House of Representatives and Senators working together in an investigation. These can be either select or standing committees.
- **Statutory committee:** a joint committee established by law to represent both sides of the political spectrum on some topic, and to seek any common ground.
- **Internal committee:** a committee that has something to do with things inside Parliament. An internal committee might investigate allegations that a Member of Parliament has misused funds, or establish a precedent for hiring staff, for example.



How laws are made

Laws are rules that keep order in the community and give members of the community rights. The main business of government is to make laws for the benefit of the community to which it is responsible.

When a planned law is introduced in Parliament, it is called a Bill. It must be passed by both Houses of Parliament, then be signed (given assent) by the Governor-General to become a law. It is then called an Act of Parliament. Federal Parliament passes about 200 Acts each year.

A Bill begins when it is planned and drafted with the help of a Government department and lawyers from the Office of Parliamentary Counsel. The plan usually comes from a Government policy. Cabinet discusses the draft and approves it before it is introduced to Parliament by the Minister whose department made the draft. The full title of a Bill is announced in Parliament the day before it is introduced.

Bills can be introduced in either House, but most Bills are started in the House of Representatives because most Ministers are Members of this house. A Bill about money can only be started in the House of Representatives.

First reading

The Clerk reads out the title of the Bill. The Minister moves that the Bill be read a second time.

Second reading

Copies of the Bill are given to Members and are available to the public.

The Minister explains the main features of the Bill and all the reasons for supporting it. There is a lengthy debate about the purpose of the Bill. The Opposition states its case regarding the Bill.

The Committee of the Whole

When changes are moved, the Bill is closely examined, clause by clause, by all the Members of the house in which the Bill began, or by the Committee of the Whole. The Chair of Committees chairs this debate.

Third reading

Sometimes this involves another debate. The title of the Bill is read and a vote is taken. If the Bill is agreed to, it has passed the house in which it was introduced.

The Bill then goes through a similar process in the other house. In the Senate, Bills can be passed on to a Senate Committee for further examination after the second reading. Senate Committees may send for experts or anyone with an interest in the Bill to explain or discuss sections of it. These hearings are open to the public. The committees may recommend amendments to Bills, which are debated by the Committee of the Whole.

Bills are often amended in the Senate when the Government does not have a majority there. If the Bill is amended in the second house, it has to return to the house where it was introduced so that the amendments can be agreed to or rejected.

Once the Bill is passed by both houses, the Governor-General signs it, giving Royal Assent. It is now called an Act of Parliament, and becomes law from whatever date is stated in the Act, or about 28 days after the Assent.

Making a decision

Motions

A motion is a formal proposal that the House take action of some kind. Business is conducted in Parliament by the moving of a motion, followed by a debate and a vote to determine whether Parliament will act on the motion. For example, motions might be: *That the House take note of the paper* (i.e. discuss it); *That the Bill be now read a second time*; *That the debate be adjourned* and so on.

It is sometimes necessary for a Member to give notice that he or she wishes to move a motion. This means the Member informs the Clerk in Chamber, who has it printed in the Notice Paper for the next sitting. This is so that Members have advance notice of things they need to consider.

The motion is made, and another Member seconds the motion. This means that he or she expresses support for the motion. A motion by a Minister does not need to be seconded, as it is assumed that the motion has Government support.

The Chair proposes the question, which Members then debate. The question is a term that refers to any matter that is being considered by the house. Members can move amendments, which are debated and voted on. The Chair 'puts the question' in its amended form and Members vote. The result is the decision of the house. When the Chair first proposes the question to the House, it is the same as the motion. When the Chair puts the question to the house for a decision, it may be different, depending on what amendments have been made.

Some procedural motions are generally moved without notice and are voted on immediately without debate or amendment.

Debate

Debate is the putting forward of arguments for and against a proposal or question, and the purpose of a debate in Parliament is to reach a decision. In order to allow all points of view to be heard, as well as to reach a decision within a reasonable time, there are rules of debate in Parliament. These are included in Standing Orders. The rules cover things such as presenting an issue, order of speaking, keeping to the point without wasting time, maintaining order, what can or cannot be discussed, how a vote is taken and so on. Speeches are kept between five and 30 minutes, except for the main speeches about the budget, which are unrestricted.

The Chair decides who speaks, 'the call'. Generally, the call goes alternately between Government and Opposition parties, fitting in minor parties and independents also. A list of members who wish to speak is generally given to the Chair beforehand, but this list is not necessarily followed.

STANDING ORDERS OF THE SENATE

CHAPTER 1

THE OPENING OF PARLIAMENT

Proceeding on opening

1. (1) On the first day of the meeting of a session of Parliament, after a general election for the Senate and the House of Representatives, or after a general election for the House of Representatives:
 - (a) If there is a President the President shall take the chair at the time specified in the proclamation.
 - (b) The clerk shall read the proclamation calling Parliament together.
 - (c) Deputies appointed by the Governor-General shall be introduced by the Usher of the Black Rod to the Senate chamber.

The decision

At the end of a debate, the Chair 'puts the question' to the House for a decision by declaring 'The question is that the motion [or the motion as amended] be agreed to.' Those who support the question are asked to say 'aye' and those against are asked to say 'no'. The Chair then announces the decision, for example, 'I think the 'Ayes' have it' (or the 'Noes'). This method is called voting on the voices.

If the decision is challenged by a Member, a formal vote must occur. In the House of Representatives, this is done by division.

Division

Not all Members are required to sit in the chamber most of the time, so when a division is called for, the Clerk is instructed to ring the bells to call those who are not present to the Chamber. Green lights flash (red lights for the Senate) and the bells are heard all through Parliament House. The Clerk has an hourglass to keep time, and after four minutes the doors of the Chamber are locked at the Speaker's instruction. The Speaker instructs the 'Ayes' to go to the right of the Chair, and the 'Noes' to go to the other side. Members take seats on the appropriate side of the Chamber and two Members are appointed to take down the names. The lists of each group are handed to the Chair, who announces whether or not the question is agreed to.

If the result of the division are tied, the Speaker casts the deciding vote. This is the only time the Speaker votes in the House.



Asking Questions

Question time

Part of the order of business is question time each afternoon. During this time any member can ask the Prime Minister or other Ministers questions without notice. Senators and Members ask questions about what the Government is doing. Questions may be asked of any Minister about the matters for which he or she is responsible. There is no set rule, but Ministers are usually expected by the Prime Minister to be there. If a Minister is not able to be present, the Prime Minister explains this at the start of question time, and tells the House who will answer questions for that person.

The session begins when the Chair asks if there are any questions. Members who wish to ask a question stand. The first chosen to ask a question is always an Opposition Member, often the Leader of the Opposition. Questions are generally selected alternately from left and right of the Chair. Members stand in their places to ask questions, and Ministers reply from the central table.

It is up to the Prime Minister, or the most senior Minister present, how long question time lasts, or even if it is held at all. According to Standing Orders (the rules), the purpose of these questions is to provide information to Members, or to ask for some action to be taken, rather than for debate. The questions are to be answered appropriately and not argumentatively.

Non-Government Members often try to embarrass the Government at question time,

and Government Members try to give Ministers the chance to make the actions of the Government look good. This is often a time when the chamber gets noisy, with Members being loud and demanding, often insisting that rules have been broken and calling for immediate decisions by the Chair. It is also a time when non-Government Members can show the public how good they are, particularly if elections are near.

Questions on notice

A Member can ask for information from the Government by asking a question on notice. The question is delivered, in writing, to the Clerk (whose office is called the Table Office). The question is passed on to the appropriate Government department, where senior public servants draft a reply. When the reply has been approved by their Minister, it is sent to the Table Office which sends a copy to the Member who asked the question. The question and answer are given to Hansard. Neither the question nor the answer is read out in the House. This process can take several weeks.

Petitions

It is the right of any citizen to ask the Government to take action about something. This request is called a petition. Each sitting day, there is a time when petitions are heard. A petition sets out the request, and is signed by the people making the request and their representative in Parliament. The Clerk reads aloud the petitions, and they are printed in *Hansard*.