

16. NON-GOVERNMENT BUSINESS

Order of business on Mondays

Time is allocated in both the House and the Federation Chamber each sitting Monday for non-government business—that is, for presentation of committee and delegation reports, announcements relating to committee inquiries, debate on previously presented committee and delegation reports, and private Members' business (S.O.s 39–41). Two hours are set aside in the House and five and a quarter hours in the Federation Chamber on Monday morning and afternoon. The distribution of time between committee business and private Members' business is decided by the Selection Committee.

The Selection Committee determines the order of consideration of items, the times allotted for debate on each item and for each Member speaking, and the matters to be considered in the Federation Chamber (see p. 106).

Debate on previously presented committee and delegation reports may also occur in the Federation Chamber at other times as outlined in the order of business (S.O. 192).

Committee and delegation reports

Committee and delegation reports may be presented during the periods reserved for committee and delegation business and private Members' business on Mondays, as determined by the Selection Committee. Members may make statements in relation to these reports, of not more than 10 minutes for each Member, although the committee may specify shorter speaking times (generally five minutes). The Member presenting the report may also move a motion—for example, 'that the House take note of the report'. Debate on the motion is normally then adjourned until a future day (S.O. 39). The standing orders provide for the resumption of debate on reports presented on previous occasions to follow the presentation of reports (S.O. 40). In this period as well, the chair or deputy chair of a committee may make a statement to inform the House of matters relating to an inquiry.

Outside the periods provided for report presentation on Mondays, committee and delegation reports may be presented at any time when other business is not before the House (S.O. 39(b)) and a specific motion in relation to the report may be put without notice (S.O. 39(d)). However, any

statements made in relation to the reports can only be made by leave of the House (S.O. 39(c)).

After presentation in the House, committee reports may be referred to the Federation Chamber for further consideration.

Private Members' business

During the periods provided for non-government business on Mondays debate may also take place on private Members' business—that is, bills and motions sponsored by private Members.

A private Member wishing to move a motion or introduce a bill must give notice (see p. 47). Notices are listed on the Notice Paper under the heading 'Private Members' Business'. Private Members' notices and orders of the day not chosen by the Selection Committee for debate within eight sitting Mondays are removed from the Notice Paper (S.O. 42). Entries in the Notice Paper show the number of sitting Mondays remaining.

The introduction of a private Member's bill is given priority over other private Members' business. There are some restrictions on the kind of bill that may be introduced by a private Member, and some variations to normal bill procedures. These are outlined at page 75.

Role of Selection Committee

The arrangement of private Members' business and the order of presentation and consideration of committee and delegation business on Mondays, and the allocation of time for their debate, are the responsibility of the Selection Committee (S.O. 222). When the House is sitting, the committee meets weekly (usually on a Tuesday afternoon) to consider the arrangement of business for both the House and Federation Chamber on the next sitting Monday. The committee must report its determinations to the House in time for the report to be published in the Notice Paper of the sitting Thursday before the Monday under consideration. These reports are treated as having been adopted when they are presented.

In choosing items of private Members' business for debate the committee may have regard to a set of general principles including the nature of the subject—that is, its importance, the current level of interest, the extent to which it comes within the responsibility of the Commonwealth Parliament, the probability of it being brought before the House by other means, and whether the same matter has recently been debated.

The Selection Committee also has responsibilities in relation to selecting bills to be referred to committees.

Members' statements

Members have several opportunities to make short statements in the House or Federation Chamber.

In the House, for 30 minutes prior to question time, any Member other than a Minister or a Parliamentary Secretary may be called by the Chair to make a statement of up to 90 seconds in duration (S.O. 43). The call is alternated between non-government and government Members. If no other Member seeks to speak, a Member who has already spoken may speak again. Members may make statements on any topic of concern to them. They may also use the occasion to present a petition (see p. 111).

Similarly, Members' 90 second statements may be made in the Federation Chamber for 45 minutes from 4 pm on Mondays.

In the Federation Chamber a period is reserved for constituency statements by Members on every day that the Federation Chamber meets. Any Member may speak for up to three minutes (S.O.s 192, Figure 4, and 193). This opportunity lasts for 30 minutes (regardless of suspensions for divisions in the House). Members may also use these occasions to present a petition (see p. 111).

Grievance debate

At 6.30 pm each Tuesday in the Federation Chamber, the Deputy Speaker proposes the question 'That grievances be noted' (S.O. 192B). Debate on the question is practically unlimited in scope, giving Members the opportunity to raise matters in which they have a particular interest or to air complaints of constituents. Any amendment may be moved to this question, although amendments are rare. The name of the debate and its technical status as government business has no significance. In practice it is no more than an opportunity for wide-ranging debate, similar to that provided by the motion for the adjournment of the House. Members may also present a petition at this time (see p. 111).

The debate lasts for one hour, however on occasion it has lasted for longer by agreement. Members may speak for 10 minutes each. The distribution of the call is similar to that of the adjournment debate, the first call going to an opposition Member, then alternating. Although, technically, Ministers and

Parliamentary Secretaries are permitted to participate, in practice this is not common.

Adjournment debate

A standard 30 minute adjournment debate is scheduled at the end of every sitting day (S.O.s 29, 31 and 34, Figure 2). However, depending on the pressure of business, it may sometimes commence earlier or later than the specified time, or not take place at all. The procedures for the moving of the adjournment are outlined at page 15.

Debate on the motion 'That the House do now adjourn' is specifically exempted from the rule that debate must be relevant to the question before the House, and in effect the scope of debate is practically unlimited. Members may speak for five minutes each. An opposition Member traditionally receives the first call and the call then alternates in the normal way. If no other Member wishes to speak, a Member who has already spoken may speak a second time. Although Ministers and Parliamentary Secretaries are not prohibited from participating, in practice they rarely do (except to respond to the debate as described below). If they do seek the call, the Chair will usually give preference to any backbench Member on either side of the House.

The general rules of debate, other than relevancy, apply, and a Member should not attempt to revive earlier debates of the session unless the allusion is relevant to a new aspect or matter which the Member is raising. This restriction does not prevent reference to previous adjournment debates. No amendment may be moved to the question for the adjournment. Only a Minister may move during the adjournment debate—'That the question be now put'—which must then be put immediately and resolved without amendment or debate.

A Member wishing to raise a matter in the adjournment debate falling within the responsibilities of a particular Minister or concerning a particular Member usually alerts that Minister or Member beforehand. As well as being courteous, this practice allows the Minister or Member to arrange to be present during the debate if he or she so wishes and, in the case of a Minister, to make a response.

The debate may be extended by up to 10 minutes to permit a Minister to respond to matters raised in the debate. However, a Minister may speak in reply prior to this time if no other Member rises to speak. If the debate is not extended, or if it is extended, after 10 minutes or the earlier ending of

debate, the Speaker automatically adjourns the House until the time of its next meeting.

Adjournment debate in the Federation Chamber

Adjournment debates also take place in the Federation Chamber. These generally occur only on Thursdays. The length of the debate (usually about 30 minutes) is agreed between the whips (S.O.s 191 and 192, Figure 4). Adjournment debates at other times may occur by agreement between the whips.

Budget debate

The standing orders exempt the debate on the second reading of Appropriation Bill (No. 1) (see p. 81) from the usual rule of relevance by allowing matters relating to 'public affairs' to be debated (S.O. 76(c)). The Budget debate thus provides a significant opportunity, possibly extending over several weeks, for Members to speak on matters of their own choice.

The same exemption applies to the second reading debate of other appropriation bills for ordinary services of the Government—that is, (usually) Appropriation Bill (No. 3) and Supply Bill (No. 1). However, these bills are not usually debated so extensively.

Address in Reply debate

The wide ranging Address in Reply debate at the beginning of each session of Parliament provides an opportunity for Members to speak for 20 minutes each on any matter they wish, provided the other rules of debate are observed (see p. 20) (S.O. 76(b)). This debate is often used by Members elected to the House for the first time to make their first speech.

Matter of public importance

A discussion of a matter of public importance (MPI) is scheduled for every sitting day except Monday, following question time and the presentation of documents. An MPI is a discussion, on which no vote is taken, on a topical issue (S.O. 46). Although any Member may propose a matter for discussion, in practice the matter discussed is usually one proposed by the Opposition.

Matters for discussion must be proposed to the Speaker in writing no later than 12 noon on the day of the discussion. The letter takes the following form:

[date]

Dear Mr/Madam Speaker

In accordance with standing order 46, I desire to propose that [today] [tomorrow] [on Tuesday, . . .] the following definite matter of public importance be submitted to the House for discussion, namely: . . .

Yours sincerely

[signature of Member]

In the event of more than one matter being proposed for the same day, the Speaker gives priority to the matter which, in his or her opinion, is the most urgent and important.

The Speaker determines whether or not the proposal is in order. The proposed matter must be 'definite', that is, single, specific and precise in its wording, and is expected to contain an element of ministerial responsibility or come within the scope of ministerial action.

At the time for the discussion, the Speaker announces the receipt of the letter, reads the matter to the House, and calls on Members approving of the proposed discussion to rise in their places. The discussion may proceed only if supported by eight Members, including the proposer. The Speaker then calls upon the proposer to open the discussion.

The discussion may last for up to one hour; 10 minutes each being allowed to the proposer and the Member next speaking, and 5 minutes each for the other Members speaking (S.O. 1). The discussion may be terminated earlier by the carrying of a motion moved by any Member 'That the business of the day be called on'.

(Discussion of a matter of special interest initiated by a Minister is covered at page 54.)