

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
1972—Parliamentary Paper No. 20

House of Representatives

STANDING ORDERS COMMITTEE

**REPORT
TOGETHER WITH
RECOMMENDATIONS**

20 MARCH 1972

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MEMBERS OF THE STANDINGS ORDERS COMMITTEE

Ex officio:

The Speaker (Sir William Aston)—*Chairman*
The Chairman of Committees (Mr Lucock)
The Leader of the House (Mr Swartz)
The Deputy Leader of the Opposition (Mr Barnard)

Appointed:

Mr McMahon (Prime Minister)
Mr Anthony (Minister for Trade and Industry)
Mr Whitlam (Leader of the Opposition)
Mr Bryant
Mr Drury
Mr Duthie
Mr Scholes

REPORT

Your Committee met on 2 December 1971 to consider several matters and proposals brought to the attention of the Committee since its last meeting and has agreed to the following report.

RECOMMENDATIONS OF THE COMMITTEE INVOLVING CHANGES OF THE STANDING ORDERS OR PRACTICE OF THE HOUSE

Assistant Ministers

1 That, in connection with the functioning of Assistant Ministers in the House, the following variations in practice be adopted—

- (a) That Assistant Ministers should not be allocated seats on the Ministerial Bench, but they should be seated at the Table when they are in charge of debates on legislation or other matters. (*Paragraph 4*)
- (b) That motions or amendments moved by an Assistant Minister need not be seconded. (*Paragraphs 5 and 18*)
- (c) That an Assistant Minister should be entitled to take charge of a Bill in committee of the whole House and, following the committee stages, be entitled to move formally for the adoption of the report and the third reading (procedure stages referred to in standing orders 235, 236 and 238) but, should debate arise at the third reading stage, the Minister responsible should again take charge of the Bill. (*Paragraphs 6 and 7*)

2 That standing order 91 be amended as follows—

Time limits for debates and speeches

(*words in italics to be omitted; words in bold type to be inserted*).

- (a) Discussion of definite matter of public importance:
Omit '*One Minister . . . 15 minutes*',
insert '**Member next speaking . . . 15 minutes**'
- (b) Second reading of a bill—
(Private Government Member)—
Omit '*Prime Minister or one Minister deputed by him . . . 30 minutes*',
insert '**Prime Minister or one Member deputed by him . . . 30 minutes**'.
- (c) Second reading of a bill—
(Opposition Member)—
Omit '*Prime Minister or one Minister deputed by him . . . 30 minutes*',
insert '**Prime Minister or one Member deputed by him . . . 30 minutes**'.
(*Paragraphs 9, 10 and 11*)

3 That standing order 143 be amended to read—
'Questions may be put to a Member, not being a Minister or an Assistant Minister, relating to any bill, motion, or other public matter connected with the business of the House, of which the Member has charge.'

(Words in bold type are to be inserted)

(Paragraph 12)

4 That standing order 319 be amended to read—
'Other papers may be presented by the Speaker, or pursuant to statute, or by command of His Excellency the Governor-General or by an Assistant Minister. Papers may be presented in the House, or may instead be delivered to the Clerk who shall cause them to be recorded in the Votes and Proceedings. Papers so delivered to the Clerk shall be deemed to have been presented to the House on the day on which they are recorded in the Votes and Proceedings.'

(Words in bold type are to be inserted)

(Paragraph 13)

5 That standing order 321 be amended to read—
'A document relating to public affairs quoted from by a Minister or an Assistant Minister, unless stated to be of a confidential nature or such as should more properly be obtained by address, shall, if required by any Member, be laid on the Table.'

(Words in bold type are to be inserted)

(Paragraph 13)

6 That standing order 322 be amended to read—
'On any paper being presented to the House as provided in this chapter a Minister or an Assistant Minister may move without notice either or both of the following motions—

1. That the paper be printed; 2. That the House take note of the paper: Provided that if the motions are not moved by a Minister or an Assistant Minister at the time of the presentation of the paper, they may be moved, on notice, on a subsequent day.'

(Words in bold type are to be inserted)

(Paragraph 13)

Suspension of standing orders

7 That standing order 91 be further amended as follows—

After 'Proposed resolution relating to tax or duty— . . . Any other Member' insert—

'Suspension of standing orders (under standing order 399)—

Whole debate	. . . . .	25 minutes
Mover	. . . . .	10 minutes
Seconder (if any)	. . . . .	5 minutes
Member next speaking	. . . . .	10 minutes
Any other Member	. . . . .	5 minutes

(Paragraphs 19 to 23)

Petitions

8 That the standing orders relating to petitions be amended as follows—
(*Words in italics to be omitted; words in bold type to be inserted*).

112. Every petition shall be lodged with the Clerk at least three hours previous to the meeting of the House at which it is proposed *to present it that it be presented*.

117. Every petition shall be in the English language, or be accompanied by a translation, certified to be correct by the Member who *presents lodges it*.

126. *Petitions can only be presented to the House by a Member, but a Member cannot present a petition from himself.*

Petitions for presentation to the House can be lodged with the Clerk only by a Member, but a Member cannot lodge a petition from himself.

127. Every Member *presenting a petition lodging a petition with the Clerk for presentation* to the House shall affix his name at the beginning thereof.

129. *Every Member presenting a petition to the House shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such petition.*

The Clerk shall make an announcement as to the petitions lodged with him for presentation to the House, indicating in the case of each petition the Member who lodged it, the identity of the petitioners and the subject-matter of the petition. The terms of the petitions presented shall be printed in Hansard.

No discussion upon the subject-matter of a petition shall be allowed.

130. *Every petition, which according to the standing orders of the House can be received, shall be brought to the Table and no discussion upon the subject-matter thereof shall be allowed.*

Every petition presented shall be deemed to have been received by the House unless a motion, moved forthwith, that a particular petition be not received, be agreed to.

The only other questions entertained by the House on the presentation of a petition shall be—

1. That a particular petition be printed; or 2. That a particular petition be referred to the select committee on _____ (in the case of a petition respecting any subject then under the consideration of a select committee).

131. *The only questions entertained by the House on the presentation of a petition shall be—1. 'That the petition be received'; 2. 'That the petition be received and read'; 3. 'That the petition be printed'; or 4. 'That the petition be referred to the select committee on _____' (in the case of a petition respecting any subject then under consideration of a select committee).*

No Member may move that a petition be printed, unless he intends to take action upon it and informs the House thereof.

132. *No Member may move that a petition be printed, unless he intends to take action upon it and informs the House thereof.*

A copy of every petition lodged with the Clerk and received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.

(Paragraphs 24 to 31)

Publications Committee

9 That standing order 28 be amended by omitting the word '*Treasurer*' and inserting the words '**Relevant Minister**'. *(Paragraph 32)*

Members—Use of academic and other titles, where appropriate, in House documents

10 That a Member entitled to use the title 'Doctor' or 'Reverend' or having a substantive military, academic or professional title should, if he so wishes, have the title used with his name as it appears from time to time in official House documents such as the Votes and Proceedings, Notice Papers, Lists of Members, etc. *(Paragraphs 42 to 46)*

OTHER DECISIONS OF THE COMMITTEE

Seconding of motions and amendments

1 That no change be made in the standing orders requiring a seconder for motions and amendments.
(Paragraphs 14 to 18)

Questions without notice—Distribution of the call

2 That the Committee would make no recommendation to vary the existing procedure for the distribution of the call during questions without notice.
(Paragraphs 33 to 38)

Prayers

3 That no change be made to the existing procedure in relation to Prayers as set out in standing order 43.
(Paragraphs 39 to 41)

Designation of Chairman of Committees

4 That no change be made in the designation of the Chairman of Committees in standing order 13.
(Paragraphs 47 to 49)

Use in House of Member's name instead of electorate name

5 That no change be made in the established procedure as set out in standing order 80.
(Paragraphs 50 to 56)

MATTERS CONSIDERED

Assistant Ministers—Functioning in House

1. Proposals relating to the way in which Assistant Ministers might function in the House were put to the Committee by way of a memorandum from the Leader of the House. The memorandum is re-produced in 'Appendix A'.
2. In considering the functioning of Assistant Ministers in the House the Committee saw no objection to Assistant Ministers presenting papers and moving motions for their printing or for the House to take note of the papers. However, concern was expressed that no action should be taken which would tend to lessen the responsibility in the House of a Minister for the administration of his Department or which would affect his answerability or enable him to evade his responsibility by having an Assistant Minister act for him.
3. In order to allow Assistant Ministers to carry out certain functions as indicated by the Prime Minister certain practices of the House, as distinct from the standing orders, will need to be varied.
4. The first change in practice is that related to seating. Standing order 32 provides that the front seats, nearest to the right hand of the Speaker, shall be reserved for Ministers and the practice is for a Minister, when in charge of the business before the House, to take a seat at the Table. It was not desired that Assistant Ministers should be allocated seats on the Ministerial Bench, but it was felt that they should be permitted to be seated at the Table when in charge of any business before the House. The Committee raised no objection to this change in practice and recommends its adoption.
5. Standing orders 133, 160, 172 and 211 require motions, notices and amendments in the House to be seconded. This requirement is, by practice, waived in the case of Ministers. The Committee agreed that the practice as applied to Ministers could be extended to Assistant Ministers.
6. In regard to taking charge of the passage of legislation through the House the standing orders do not distinguish between Ministers and Members and so there is no restriction (apart from the important matter of the principle of responsibility mentioned earlier) on an Assistant Minister taking a Bill through all stages.
7. In relation to Government Bills the Committee agreed, after deliberation, that an Assistant Minister, acting on the request of the Minister, might be entitled to take charge of a Bill in committee of the whole House, and following the committee stages, be entitled to move formally for the adoption of the report and the third reading (the procedure stages referred to in standing orders 235, 236 and 238). Should debate arise at the third reading stage, however, it was felt that the Minister responsible should again take charge of the Bill.
8. The Leader of the House, in his memorandum to the Committee, suggested that standing orders 91, 143, 319, 321 and 322 should be amended to permit Assistant Ministers to function in the House as intended.

9. In regard to standing order 91 (time limits), as the Government may consider it desirable in some circumstances to have an Assistant Minister take the lead for the Government in the discussion on a matter of public importance, the Committee considered this provision. After discussion, it was considered that the existing provision was, in any case, inadequate to meet the case where a discussion originated from a matter proposed by a Government Member. To meet all the circumstances, the Committee agreed to recommend an amendment to omit the words 'One Minister . . . 15 minutes' and insert 'Member next speaking . . . 15 minutes'.

10. The Government also considered that it might be helpful to Ministers if, in the case of Private Member's Bills introduced by either a private Government Member or an Opposition Member, an Assistant Minister could be the speaker deputed by the Prime Minister to take the lead in the debate. The Committee agreed that the wording of the standing order should be altered, in these two instances, by omitting 'Prime Minister or one Minister deputed by him' and inserting 'Prime Minister or one Member deputed by him'.

11. The Committee considered, but did not agree, to the suggestion of the Leader of the House that, in committee, an Assistant Minister, in addition to the Minister, should be able to speak for periods not specified.

12. Standing order 143 provides that a question may be put to a Member on specified matters which could, in certain circumstances, provide an opportunity for questions to be put also to an Assistant Minister. It being the intention of the Government that questions directed to the Government should be answered only by Ministers, the Committee agreed to the addition of words which would have the effect of preventing Assistant Ministers from being questioned.

13. The Leader of the House cited three additional occasions when Assistant Ministers could be concerned with House functions and where the position needed clarification by amendment of the standing orders. The Committee agreed to recommend an amendment to standing order 319 to allow an Assistant Minister to present papers, to standing order 321 to provide that an Assistant Minister, in the same manner as a Minister, may be required to table a document relating to public affairs from which he quotes, and to standing order 322 to allow an Assistant Minister to move that papers presented be printed or be noted.

Seconding of motions and amendments

14. The Committee considered a proposal submitted by the Speaker and the Government Parties that the seconding of motions and amendments should be dispensed with.

15. It was submitted to the Committee that there appeared to be no real advantage to be gained by retaining the requirement that a motion or an amendment be seconded. It could be of significance where a Member wished

to submit a proposal but could find no supporter—the advantage being to save the time of the House—but such a situation had not occurred for very many years and now Members usually have little difficulty in securing the necessary support.

16. Further points put to the Committee were that it was not the present practice of the House to require that motions proposed by Ministers, and some other formal motions, should be seconded and, further, that the United Kingdom House of Commons some ten years ago had dispensed with the requirement.

17. In regard to motions (such as dissent from the Speaker's ruling or to suspend the standing orders) and amendments, the requirement for a seconder allows the supporting party to have two speakers in succession (should it so desire) before the question can be proposed from the Chair or a reply made from the opposing side. Nor can the closure be moved under standing order 93 until after the question has been proposed.

18. It was agreed that the practice of not requiring a seconder for motions or amendments moved by a Minister should be extended to an Assistant Minister, but that otherwise there should be no change.

Suspension of standing orders

19. The relevant orders providing for the suspension of the standing orders are:

'399. In cases of necessity, any standing or sessional order or orders of the House may be suspended, on motion, duly moved and seconded, without notice: Provided that such motion is carried by an absolute majority of Members having full voting rights.'

'400. When a motion for the suspension of any standing or sessional order or orders appears on the Notice Paper, such motion may be carried by a majority of votes.'

These standing orders present an almost unlimited opportunity for any Member at any time to propose the suspension of the standing orders.

20. During the present Parliament, private Members have frequently moved without notice for the suspension of the standing orders in order to take some particular action. This occurred 17 times during 1970 and 35 times during 1971 and it is obvious that this has at times delayed the Government's timetable.

21. During previous Parliaments similar action was taken only on infrequent occasions and presented no real problem.

22. The matter was raised by the Government Parties on whose behalf the following proposal was submitted:

- (a) The number of speakers be limited to two;
- (b) The time limits for speeches on a motion for the suspension of standing orders be reduced (standing order 91) from 20 minutes for the mover and 15 minutes for other Members to 5 minutes for each Member.

23. The Committee, after deliberation, agreed to recommend that standing order 91 be amended to provide for time limit on the whole debate on a motion under standing order 399 to suspend the standing orders, such limit to be 25 minutes, and that time limits for individual Members be as follows:

Mover	10 minutes
Seconder (if any)	5 minutes
Member next speaking	10 minutes
Any other Member	5 minutes

Petitions

24. Members will be aware of the large number of petitions which have been presented to the House. In 1971, 723, the greatest number ever recorded, were presented on 98 differing subjects (although many petitions represented only a slight variation on a subject).

25. Other information and statistics relating to petitions are contained in 'Appendix B'. Although record numbers of petitions were presented in 1970 and 1971 it must be remembered that in past years petitions with a very large number of names have been presented as one document.

More recently it has been noticeable that, rather than present all sheets of a petition as one document, a single sheet or a group of sheets of a petition has been distributed to a number of Members and presentation has been repeated on many sitting days presumably to have the effect of securing greater publicity.

26. The need for consideration of the process of petitions presentation arises principally from its time-consuming aspect. The average time taken in 1971 was 5.6 minutes (Autumn sittings) and 8.6 minutes (Budget sittings) making 8 hours 58 minutes for the year, which may be considered to be an over-generous use of time for this purpose.

27. With the pressure on Parliamentary time continuing to increase and petitions continuing to come forward in substantial numbers the matter was brought before the Committee by the Speaker and the Government Parties for consideration.

The Speaker submitted for consideration the following alternative procedures:

- (I) As in the U.K., petitions to be deposited in a receptacle behind the Speaker's Chair. Alternatively, they could be deposited with the Clerk or with the Table Office, and a record included in the Votes and Proceedings (and possibly *Hansard*).
- (II) All petitions to be lodged with the Clerk who would then at a suitable opportunity, possibly after Prayers, make an announcement as to the petitions lodged, indicating in each case the Member who lodged it, the identity of the petitioners and the subject-matter of the petition.

The Clerk would then add that a record of the petitions would be incorporated in the Votes and Proceedings and the terms of the petitions incorporated in *Hansard* (as at present).

- (III) The placing of a limit on the number of times a petition may be read. The proposal could be that a particular petition should be read only once per week. (It is the reading of a petition in full which takes up a large amount of time. Some Members have insisted on moving that their petitions be read in order to give further publicity to the purpose of the petition. During 1970, the petitions relating to education were read 59 times, those relating to kangaroos 51 times and those on pensions 28 times.)
- (IV) Alteration of the time for presentation. Petitions are now presented after Prayers and take up the time of the House at probably the most important time of the sitting day. Most Ministers and other Members are present and their time is taken up listening to the formal presentation and often recurrent reading of numerous petitions. While this may be regarded by many Members as an invaluable facet of the existing petition procedure it is probably regarded by others, as an inefficient and wasteful use of time. If the presentation were delayed until, say, after Papers were presented, Ministers and Members could depart to attend to urgent business.
- (V) Receive petitions in the usual way but provide, as in the House of Commons, that duplicates of petitions already presented in the current session are not receivable. If elimination of duplicate petitions is not favoured, presentation procedure as set out in alternative (II) might be followed in order to save time.
- (VI) Further follow-up action in regard to petitions could be—
 - (a) That petitions received by the House stand referred to a Petitions Committee (or, alternatively, the Publications Committee).
 - (b) That the Committee examine each petition and decide if any action is called for and, if it is, whether the petition should be referred to—
 - (i) another, but more appropriate committee, or
 - (ii) the relevant Government department for (A) its information or (B) investigation or comment and report back to the Committee.
 - (c) That the Committee be empowered to report to the House from time to time indicating what decisions have been taken by it in regard to the petitions received, if any reports have been received, from or action taken by departments, and whether the Committee recommends to the House any action in relation to the petitions.

28. The Committee considered the proposition that the House, having been petitioned in certain terms, need not and should not be continuously petitioned on the same matter and also the argument that the present petitioning pro-

cedure in the House is, apart from its attendant publicity, largely a waste of time and effort by many people. The Committee also considered the point that if the procedure is to be retained it ought to be made more purposeful, which could best be achieved by establishing some follow-up procedure for the consideration of petitions as in New Zealand and certain other countries. The petitioners ask, as a rule, for some Government action and in the present circumstances the Departments are not even made aware of petitions received in the Parliament.

29. The point was made that, at present, with no follow-up procedures, Members must rely on repetitive presentation and reading in order to gain publicity which may then cause some Government action. If the petitions were forwarded to the appropriate Government department for review and report the need for recurrent presentation and reading could disappear.

30. The Committee then proceeded to consider the following recommendation which it had placed before it on behalf of the Government Parties:

- (a) That the presentation of petitions should remain the first item of business each day (standing order 101);
- (b) That all petitions should be lodged with the Clerk (as at present) and grouped;
- (c) That immediately after Prayers the Clerk should make an announcement as to the petitions lodged, indicating in each case the Member who lodged it, the identity of the petitioners and the subject-matter of the petition. The Clerk would then add that a record of the petitions will be incorporated in the Votes and Proceedings of the House and the terms of the petitions incorporated in *Hansard* (as at present) and referred to the appropriate Minister.

This recommendation was agreed to by the Committee.

31. The following amendments of the standing orders to give effect to this decision of the Committee are recommended:

(Words in italics to be omitted; words in bold type to be inserted).

112. Every petition shall be lodged with the Clerk at least three hours previous to the meeting of the House at which it is proposed *to present it that it be presented.*

117. Every petition shall be in the English language, or be accompanied by a translation, certified to be correct by the Member who *presents lodges* it.

126. *Petitions can only be presented to the House by a Member, but a Member cannot present a petition from himself.*

Petitions for presentation to the House can be lodged with the Clerk only by a Member, but a Member cannot lodge a petition from himself.

127. Every Member *presenting a petition* **lodging a petition with the Clerk for presentation** to the House shall affix his name at the beginning thereof.

129. *Every Member presenting a petition to the House shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such petition.*

The Clerk shall make an announcement as to the petitions lodged with him for presentation to the House, indicating in the case of each petition the Member who lodged it, the identity of the petitioners and the subject-matter of the petition. The terms of the petitions presented shall be printed in Hansard.

No discussion upon the subject-matter of a petition shall be allowed.

130. *Every petition, which according to the standing orders of the House can be received, shall be brought to the Table, and no discussion upon the subject-matter thereof shall be allowed.*

Every petition presented shall be deemed to have been received by the House unless a motion, moved forthwith, that a particular petition be not received, be agreed to.

The only other questions entertained by the House on the presentation of a petition shall be 1. That a particular petition be printed: or 2. That a particular petition be referred to the select committee on (in the case of a petition respecting any subject then under the consideration of a select committee).

131. *The only questions entertained by the House on the presentation of a petition shall be—1. 'That the petition be received'; 2. 'That the petition be received and read'; 3. 'That the petition be printed'; or 4. 'That the petition be referred to the select committee on (in the case of a petition respecting any subject then under consideration of a select committee).*

No Member may move that a petition be printed, unless he intends to take action upon it and informs the House thereof.

132. *No member may move that a petition be printed, unless he intends to take action upon it and informs the House thereof.*

A copy of every petition lodged with the Clerk and received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.

Publications Committee

32. In June 1970 the House amended standing order 28 to extend the operations of the Printing Committee by re-styling it the 'Publications Committee' and provided that the Committee (acting jointly with the Senate

Committee) shall have power to inquire into and report on the printing, publication and distribution of Parliamentary and Government Publications and on such matters as are referred to it by the Treasurer. The administration of the Australian Government Publishing Service having been transferred from the Treasury to the Department of the Environment, Aborigines and the Arts, the wording of the standing order became inappropriate for references of matters for inquiry to the Joint Publications Committee from the Minister responsible for Government printing and publishing. To meet this and any like circumstances, the Committee agreed that the standing order be amended by leaving out 'Treasurer' and inserting 'relevant Minister'.

Questions without notice—Distribution of the call

33. On 23 August 1971 the House agreed to a motion moved by Mr Keating, viz.: That the matter of the distribution of questions be referred to the Standing Orders Committee.

34. Mr Keating, in explanation of his motion, said:

'I refer again to the fact that 5 honourable members of this House were appointed Assistant Minister by the Prime Minister last Friday. We now have a situation in the House of Representatives where there are 59 members of the Opposition, who are all questioners, and 65 members on the Government side, excluding yourself, Sir, 22 of whom are Ministers and 5 of whom are Assistant Ministers, making a total of 27 Government supporters who could be classified as Ministers or Assistant Ministers. Naturally those 27 members will not ask questions of themselves so we are left with only 38 questioners on the Government side as opposed to 59 questioners on the Opposition side. Honourable members may have noticed that the honourable member for BalACLava (Mr Whittorn), who I think asked 3 questions last week, was able to ask another question today. That is 4 questions he has asked within a week.

Mr SPEAKER—Order! I hesitate to interrupt the honourable member but, as I said, the lists in relation to questions are available to all honourable members. I correct the honourable member: The honourable member for BalACLava asked one question, not at least 3.

Mr KEATING—But for the fact that I was fleet of foot, I probably would not have been able to ask any questions myself last week or today. That is no reflection on you, Mr Speaker, but the fact is that all members of the Opposition wish to question the Ministry and the 22 members of the Government do not wish to question the Ministry because they in fact belong to the Ministry, leaving 38 questioners on the Government side of the House. Of those 38, *perhaps 20 or fewer are inclined to ask questions. It boils down to inequitable distribution of questions.* Honourable members do not have equal rights to question the Ministry. The point I make is that the Opposition has the right to question the Ministry, and in fact most of the questions coming from the back bench on the Government side are of such a nature that they are sometimes not critical of the Ministry. I think the House should make allowance for the fact that the Opposition has a particular right to question the Ministry. Therefore I think the matter I have raised should be referred to the Standing Orders Committee. The whole matter should be considered, and each side should be allotted questions on the basis of the number of back bench Members rather than on the basis of one for the Opposition and one for the Government. At the moment back bench Government supporters are able to ask an exceptional number of questions each session and individual members of the Opposition are not.'

35. Statistical data sheets relating to Questions asked without notice during the Autumn and Budget sitting periods over the years 1968-1971 are attached to the Report as 'Appendix C'.

36. Members will notice that over the period covered by the statistics Opposition Members asked 2,383 questions as against 2,204 by Government Members and that during part of this period the Government had a substantially greater number of members than at present.

37. The Chair has adhered to a policy of calling Members alternately from the left and right of the Chair. Even if a Government Member were to rise each time the call passed to the Government side the Opposition would normally expect to receive, in total, additional questions as the first question, and often the last, would come from the Opposition.

38. The Committee having considered the general question of the distribution of the call and the statistical data previously referred to decided that it would make no recommendation to vary the existing procedure.

Prayers

39. The Committee considered a submission from the honourable Member for Capricornia (Dr Everingham) suggesting a different form of Prayer with which to open the day's proceedings and suggesting also that Prayers once a week should suffice.

40. Dr Everingham's submission, together with some correspondence relevant to the matter, are included as 'Appendix D'.

41. The Committee agreed that there should be no change either in the frequency of offering Prayers or in their content, as set out in standing order 43.

Members—Use of academic and other titles, where appropriate, in House documents

42. In the Votes and Proceedings, Members are referred to as 'Mr . . .' or 'Sir . . .' as the case may be.

43. Mr Drury raised the question of whether Members entitled to use the title of 'Dr', 'Reverend', etc., might be so shown in Parliamentary records and papers as is the practice in the British House of Commons.

44. The practice of the House of Representatives in its Votes and Proceedings has always been different from that of the House of Commons, some examples from Commons Journals being as follows:

Mr Heath, Mr Secretary Noble, Sir Keith Joseph, Mr Marples, Mr Secretary Sandys, *Captain Litchfield*, *Commander Donaldson*, *Lt-Col. Cordeaux*, *Wing Commander Bullus*, Dr King, Dame Irene Ward, the Earl of Dalkeith, Lord Hope.

45. The Committee agreed, in principle, that a Member entitled to use the title 'Doctor' or 'Reverend' or having a substantive military, academic or professional title should, if he so wishes, have the title used with his name as it appears from time to time in official House documents such as the Votes and Proceedings, Notice Papers, Lists of Members, etc. The principle already applies in part to *Hansard*.

46. If this view is agreed to by the House, the Committee suggests that Members holding any such titles be circularised to ascertain their individual wishes before changes are made.

Chairman of Committees—inclusion of 'Deputy Speaker' in designation

47. Mr Drury raised the matter of the designation of the Chairman of Committees in standing order 13 and suggested that the designation of the Chairman in this standing order should be altered to 'Deputy Speaker and Chairman of Committees'.

48. The Committee considered the matter raised and agreed with the view of the Standing Orders Committee in 1966 that the dual title might be used in a general way rather than in a formal manner. Stated in precise terms the 1966 decision was—

'As the Chairman of Committees is required, on occasions, to take the Chair as Deputy Speaker, it was agreed that, without prejudice to the references in the Standing Orders to 'Chairman of Committees' and 'Deputy Speaker' and to the duties and responsibilities of those two offices, it would be appropriate for the Chairman to be known, in general terms, as "Chairman of Committees and Deputy Speaker".'

49. The Committee, in considering the matter, had in mind the following points—

- (a) That the Constitution does not refer to the Deputy Speaker.
- (b) That standing order 13 provides for the appointment of a Chairman of Committees 'to take the Chair of all Committees of the whole'.
- (c) That the standing orders as a whole declare the duties and functions of the Chairman of Committees in committee of the whole House, as distinct from proceedings in the House.
- (d) The Chairman of Committees acts as Deputy Speaker only at specific and limited times when relieving the Speaker in the Chair in the Chamber. On leaving the Speaker's Chair, his substantive position is that of Chairman of Committees (standing order 17).
- (e) On the occasions of the unavoidable absence of the Speaker, the Chairman becomes 'Acting Speaker', not Deputy Speaker (standing order 14).

Members—Use in House of Member's name instead of electorate name (standing order 80)

50. Mr Garland proposed to the Committee that consideration should be given to removing the necessity of referring to a Member by the name of his electorate.

51. The Committee noted that the matter had been discussed at meetings of the Committee on 25 October 1967 and 11 September 1968 following which the Committee was not disposed to recommend a change.

52. It is stated in May, 18th edition, page 418, that—

‘in order to guard against all appearance of personality in debate, it was formerly the rule in both Houses that no Member should refer to another by name. In the Upper House, however, a Lord is now alluded to by name, but in the Commons each Member must be distinguished by the office he holds, by the place he represents or by other designations, as “the noble Lord the secretary of state for foreign affairs,” “the honourable” or “right honourable gentleman the member for York” or “the honourable and learned member who has just sat down”. The same rule applies to standing committees.’

53. The practice in some other Lower Houses is—

New South Wales—not by name except for the purpose of distinguishing a Member from other Members returned for the same Electoral District.

West Australia — ”

South Australia — ”

Tasmania — ”

New Zealand—No member shall refer to any other Member by name.

South Africa — ”

Singapore — ”

West Indies — ”

Ceylon — ”

Canada—No written rule but there is a long standing convention that Members shall be referred to by the name of their constituency.

India—When a Member rises to speak his *name* shall be called by the Speaker.

U.S.A. House of Representatives—‘The gentleman from Ohio’.

54. An obvious difficulty, if a Member be referred to by name, is in distinguishing between Members of the same surname. For instance, over recent years, the House has, in the same Parliament, had more than one Member with the surnames Cameron, Fraser and Harrison.

55. The House of Representatives has no standing order relating directly to the way Members should be addressed when ‘called’ to speak, but the principle of standing order 80 is applied. There is nothing now which prevents the Chair from calling a Member by name when he rises to speak, as is the practice in the United Kingdom House of Commons, but it would mean a change from a long-standing practice. For the benefit of listeners the broadcast announcer gives over the air the name and political party of a Member called to speak.

56. As on previous occasions, the Committee was not disposed to recommend any change from the established procedure as set out in standing order 80.

Matters awaiting further consideration

57. A recommendation received from the Government Parties that the ringing of division and quorum bells be extended from 2 to 3 minutes and a number of proposals submitted by individual Opposition Members of the Committee await consideration at a later meeting.

W. J. ASTON,
Chairman

APPENDIX A

ASSISTANT MINISTERS

Memorandum by the Leader of the House

Following the announcement by the Prime Minister on 29 April in the House that Assistant Ministers would be appointed to support certain senior Ministers in the discharge of their duties, a review has been made of the Standing Orders.

2. For purposes of allowing Assistant Ministers to function as planned in the House, two groups of Standing Orders have emerged which require consideration. The first group consist of Standing Orders in relation to which some variation in current practice will be required, but not any amendment. The second group consist of Standing Orders to which amendment will be required.

Variations in Practice

3. The Standing Orders which will require variations in practice and may therefore require a new interpretation are Numbers 32; 133, 160, 172 and 211; and 235, 236, 238 and 239.

4. Notes of these three sets of Standing Orders follow.

(a) *Seating*—S.O. 32

It is not desired that Assistant Ministers be allocated seats on the Ministerial Bench. However, it is felt that they should be permitted to be seated at the table when they are in charge of debates on legislation or other matters.

(b) *Seconding of motions etc.*—S.O. 133, 160, 172 and 211

These Standing Orders require motions etc. moved by a Member to be seconded, but the requirement is by practice waived in the case of Ministers. It would seem reasonable to extend the practice to Assistant Ministers.

(c) *Legislation*—S.O. 235, 236, 238 and 239

The Standing Orders as at present drafted would not prevent Assistant Ministers from taking Bills through the House, but here again a change in practice is involved.

Amendments of Standing Orders

5. In order to permit Assistant Ministers to function in the House as intended, amendments are suggested to the following Standing Orders—

<i>Standing Order No.</i>	<i>Proposed amendment</i>	
91	<i>Time limits for debates and speeches</i>	
	Extend time limits applying to Ministers to include Assistant Ministers in the following cases:	
	(a) Discussion of definite matter of public importance:	
	<i>One Minister or Assistant Minister . . .</i>	15 minutes
	(b) Second reading of Bill:	
	(Private government Member)	
	Prime Minister or one Minister or Assistant Minister deputed by him . . .	30 minutes

- (c) Second reading of Bill:
 (Opposition Member)
 Prime Minister or one Minister or Assistant Minister deputed
 by him . . . 30 minutes
- (d) In committee:
 Minister or Assistant Minister in charge periods not specified
- 143 *Questions without notice*
 Amend to read:
 'Questions may be put to a Member, not being a Minister or Assistant
 Minister, relating to any Bill, motion, or other public matter con-
 nected with the business of the House, of which the Member has
 charge'.
 The effect of this amendment will be to prevent Assistant Ministers
 from being required to answer questions without notice.
- 319 *Presentation of papers*
 Amend to remove any doubt that papers which may be presented
 'by command of His Excellency the Governor-General' may be pre-
 sented by an Assistant Minister as well as by a Minister.
- 321 *Quotation from documents*
 Amend to require that a document relating to public affairs quoted
 from by a Minister or Assistant Minister may be tabled at the request
 of any Member.
- 322 *Motions to print or take note of papers*
 Amend to allow Assistant Ministers to move for papers to be printed
 and/or that the House take note of them.

27 August 1971

APPENDIX B

PETITIONS

Petitions 1901-1971—most presented in one year — 1971—723
 1970—494
 1901—224

Subject matter—most on any one subject

—Autumn sittings 1970	— 79 Kangaroos
	— 32 Education
—Budget sittings 1970	— 87 Pensions
	— 60 Education
	— 51 Censorship
—Autumn sittings 1971	— 61 Education
	— 27 Kangaroos
—Budget sittings 1971	— 150 Aid to India, etc.
	— 122 Education
	— 56 Contraceptives
	— 49 Lake Pedder

<i>Period of sittings</i>	<i>No. of sittings</i>	<i>Petitions read</i>	<i>Petitions not read</i>	<i>Total</i>
1970—				
Autumn	38	93	84	177
Budget	35	134	183	317
1971—				
Autumn	30	78	59	(a) 137
Budget	43	101	485	(b) 586

(a) 34 different petitions in this total figure. (b) 82 different petitions in this total figure.

Daily presentation—most on any one day 1971—

Autumn sittings	—	17 (6.5.71)
	—	11 (16.2.71)
Budget sittings	—	31 (8.12.71)
	—	27 (26.10.71)
	—	24 (10.11.71)
	—	22 (12.10.71)

Time taken for Presentation

<i>Period of sittings</i>	<i>No. of sittings</i>	<i>Petitions</i>	<i>Total time (mins)</i>	<i>Average time per petition (mins)</i>	<i>Average daily time (mins)</i>
1970—					
Autumn	38	177	204	1.2	5.4
Budget	35	317	307	1.0	8.8
1971—					
Autumn	30	137	168	1.2	5.6
Budget	43	586	370	0.63	8.6

Total time taken for petitions 1970—8 hrs 31 mins.

Total time taken for petitions 1971—8 hrs 58 mins.

Petitions 1901 to 1971

1901	224	1937	..
1902	69	1938	2
1903	178	1939	..
1904	17	1940	3
1905	152	1941	3
1906	5	1942	2
1907	88	1943	1
1908	18	1944	..
1909	7	1945	..
1910	33	1946	2
1911	7	1947	93
1912	7	1948	3
1913	..	1949	3
1914	6	1950	2
1915	5	1951	9
1916	9	1952	9
1917	3	1953	21
1918	9	1954	14
1919	2	1955	8
1920	1	1956	7
1921	2	1957	50
1922	1	1958	37
1923	..	1959	43
1924	4	1960	29
1925	3	1961	30
1926	2	1962	22
1927	1	1963	140
1928	3	1964	58
1929	..	1965	41
1930	3	1966	104
1931	1	1967	70
1932	3	1968	139
1933	16	1969	90
1934	..	1970	494
1935	..	1971	723
1936	1		

Summary of Petitions presented February-December 1971

<i>Subject</i>	<i>February-May</i>			<i>August-December</i>			<i>Total 1971</i>		
	<i>Read</i>	<i>Not Read</i>	<i>Total</i>	<i>Read</i>	<i>Not Read</i>	<i>Total</i>	<i>Read</i>	<i>Not Read</i>	<i>Total</i>
Aborigines	7	2	9	1	20	21	8	22	30
A.C.T. Pharmacy Ordinance . . . . .	..	..	..	8	6	14	8	6	14
Advertising matter	1	..	1	..	..	..	1	..	1
Aged Persons Homes . . . . .	..	..	..	2	1	3	2	1	3
Aid . . . . .	..	..	..	9	141	150	9	141	150
Airports	4	..	4	4	3	7	8	3	11
Armaments . . . . .	..	..	..	1	1	2	1	1	2
Armed Forces . . . . .	..	2	2	1	..	1	1	2	3
Brazil	1	..	1	..	..	..	1	..	1
Censorship	4	2	6	1	..	1	5	2	7
Compensation Act	2	2	4	..	..	..	2	2	4
Contraceptives . . . . .	..	..	..	10	46	56	10	46	56
Crime	1	..	1	2	3	5	3	3	6
Education	29	32	61	23	99	122	52	131	183
Eyre Highway . . . . .	..	..	..	2	1	3	2	1	3
Geneva Protocol	2	3	5	4	29	33	6	32	38
Grants to Benevolent Institutions	1	..	1	..	..	..	1	..	1
Kangaroos	12	15	27	1	16	17	13	31	44
Lake Pedder . . . . .	..	..	..	6	43	49	6	43	49
Lock-Kimba Pipeline . . . . .	..	..	..	1	1	2	1	1	2
Means Test	1	..	1	3	2	5	4	2	6
National Health Scheme . . . . .	..	..	..	..	1	1	..	1	1
National Service . . . . .	..	..	..	5	26	31	5	26	31
Parkes Communication . . . . .	..	..	..	1	1	2	1	1	2
Petitions . . . . .	..	..	..	1	..	1	1	..	1
Petrol Prices . . . . .	..	..	..	..	1	1	..	1	1
Pollution . . . . .	..	1	1	..	..	..	..	1	1
Social Services	7	1	8	10	28	38	17	29	46
Taxation	4	..	4	..	1	1	4	1	5
Television	1	..	1	5	13	18	6	13	19
Winegrowers . . . . .	..	..	..	..	1	1	..	1	1
Wool . . . . .	..	..	..	..	1	1	..	1	1
	77	60	137	101	485	586	178	545	723

Summary of Petitions presented March-October 1970

Subject	March-June			August-October			Total 1970		
	Read	Not Read	Total	Read	Not Read	Total	Read	Not Read	Total
Aborigines . . . . .	..	..	..	3	4	7	3	4	7
Air Travel . . . . .	..	..	..	2	..	2	2	..	2
Arbitration	9	12	21	..	..	..	9	12	21
Armaments	1	..	1	..	..	..	1	..	1
Australian National University	..	..	..	3	3	6	3	3	6
Books . . . . .	..	..	..	1	..	1	1	..	1
Censorship—Enforcement . . . . .	..	..	..	9	42	51	9	42	51
Censorship—Freedom from . . . . .	..	..	..	6	6	12	6	6	12
Chiropractic Services	1	..	1	..	..	..	1	..	1
Consumer Protection Legislation	..	..	..	1	..	1	1	..	1
Crime . . . . .	..	..	..	10	3	13	10	3	13
Defence.	1	..	1	..	..	..	1	..	1
Education	25	7	32	34	26	60	59	33	92
Flinders Island	1	..	1	..	..	..	1	..	1
Housing	6	5	11	12	4	16	18	9	27
Kangaroos	31	48	79	20	26	46	51	74	125
Katherine, N.T. . . . .	..	..	..	1	..	1	1	..	1
Less Developed Countries . . . . .	..	..	..	1	..	1	1	..	1
Mandel, Ernest	1	..	1	..	..	..	1	..	1
Means Test	1	1	2	3	..	3	4	1	5
Merino Rams . . . . .	..	..	..	1	..	1	1	..	1
National Service	1	..	1	..	..	..	1	..	1
Parattah Mail Service	1	..	1	..	..	..	1	..	1
Pensions	10	11	21	18	69	87	28	80	108
Perth Airport . . . . .	..	..	..	1	..	1	1	..	1
Price and Profit Control . . . . .	..	..	..	1	..	1	1	..	1
Public Exhibition . . . . .	..	..	..	1	..	1	1	..	1
Repatriation . . . . .	..	..	..	1	..	1	1	..	1
Rural and Agricultural Com- munities	1	..	1	..	..	..	1	..	1
School Television Programmes . . . . .	..	..	..	1	..	1	1	..	1
Taxation	1	..	1	1	..	1	2	..	2
Vietnam . . . . .	..	..	..	1	..	1	1	..	1
War Service Homes	2	..	2	1	..	1	3	..	3
Widows . . . . .	..	..	..	1	..	1	1	..	1
	93	84	177	134	183	317	227	267	494

APPENDIX C

HOUSE OF REPRESENTATIVES

Statistical Data relating to Questions asked without Notice during the Autumn and Budget Sitting Periods 1968-1971

Year	Period	Opposition				Government				Independents		Grand Total Questions Asked
		Leader of Opposition	Deputy Leader of Opposition	Total Questions Opposition Party	No. of Opposition Members	Total Questions Liberal Party	Total Questions Country Party	Total Questions Government Parties	No. of Members of Government Parties less Ministry and Speaker	Total Questions Independent Members	No. of Independent Members	
1968	Autumn	43	21	271	42	189	70	259	59	6	1	536
	Budget	59	40	386	42	281	89	370	59	6	1	762
1969	Autumn	53	31	283	42	206	67	273	58	6	1	562
	Budget	39	18	177	42	125	38	163	58	3	2	343
1970	Autumn	66	35	359	59	222	94	316	44	..	..	675
	Budget	53	30	273	59	167	72	239	44	..	..	512
1971	Autumn	57	24	265	59	160	69	229	44	..	..	494
	Budget	85	36	369	59	251	104	355	(a) 43	..	..	724
Total		455	235	2,383	..	1,601	603	2,204	..	21	..	4,608

(a) This figure includes 5 Assistant Ministers appointed during this period.

QUESTIONS WITHOUT NOTICE

Number of occasions on which a Member received more than one call for a question on a day

<i>Year</i>	<i>Period</i>	<i>Leader of Opposition</i>	<i>Deputy Leader of Opposition</i>	<i>Other Members of Opposition</i>	<i>Total Opposition</i>	<i>Liberal Party</i>	<i>Country Party</i>	<i>Combined Totals Liberal and Country Parties</i>	<i>Grand Total</i>
1968	Autumn	17	..	..	17	1	..	1	18
	Budget	21	3	3	27	3	..	3	30
1969	Autumn	25	1	..	26	..	1	1	27
	Budget	16	2	..	18	1	..	1	19
1970	Autumn	28	..	..	28	6	1	7	35
	Budget	22	3	3	28	6	1	7	35
1971	Autumn	25	1	1	27	6	2	8	35
	Budget	33	2	..	35	7	2	9	44
Total		187	12	7	206	30	7	37	243

APPENDIX D

Letter from Dr D. N. Everingham, M.P. to Standing Orders Committee

Dear Colleagues,

As members of the Standing Committee on the Standing Orders you will be considering the time occupied by prayers, petitions and questions without notice.

Prayers occupy a little over $\frac{1}{2}$ a minute in a sitting day, that is about 0.1 per cent of the time of the House. If the budget is \$5,000m. yearly the average amount disposed of in 0.1 per cent of sitting time is \$50.

I am not suggesting we do not get \$50 worth from prayers by virtue of the solemnity it tends to induce in some new Members, in visitors and in occasional members of the broadcasting audience. I do not think however, we can maintain that it reminds Members significantly of the doctrine that God is standing by to help direct their deliberations toward the public welfare, nor should we today maintain that that welfare concerns only Australians. Since some of our Members have chosen, when the choice was available, to make a declaration rather than an oath when 'sworn' into this House, and some of them when sworn have used Jewish scriptures which do not contain the Lord's Prayer, I do not see the value of that Prayer to such Members. While my custom, if present during prayers, is to stand quietly while they are intoned, they recall to me only one bit of Scriptural wisdom:

'But when you pray, use not vain repetitions, as the heathen do; for they think that they shall be heard for their much speaking.'—Matt. 6:7.

I suggest therefore a more universally acceptable and relevant formula, if indeed a repetitive formula is required, might be used at least once a week, and perhaps occasionally a prayer more suited to the Roman church (which uses a shorter Lord's Prayer) and even at time a Jewish prayer. But prayers once a week should suffice.

My suggestion is:

'Fellow members of one race, let us ever strive for closer understanding, respect and harmony between the earth's peoples and their chosen spokesmen, to achieve their greater spiritual, social and personal welfare, and let us save and cherish other forms of life and nature in our global village. Amen'.

Yours sincerely,

DOUG. EVERINGHAM, M.H.R.

Member for Capricornia

The following correspondence is relevant to Dr Everingham's proposals—

(Mrs) M. Edwards,
22 Hourigan Avenue,
CLAYTON 3168

2 October 1971

Members for Standing Orders,
House of Representatives,
CANBERRA 2600

Dear Sirs,

On last Tuesday night, 28 September, Dr Everingham, (Member for Capricornia) appeared on Melbourne ABV 2 Television Programme 'This Day Tonight' stating that he intended going to your Department and lodging some kind of objection to the present custom of reciting the *Christian Prayer* at the beginning of each day's parliamentary session. He urged all viewers to adopt his idea instead of considering some Spiritual Being; he only just restrained himself from using disparaging words, but his tone of voice lacked respect for feelings and beliefs of Jewish and Christian Members of Parliament and People of our country.

A great many people I know are looking to you 'of Standing Orders' to retain the present form of prayer, and on no account to introduce the wording which Dr Everingham has prepared, it being no prayer at all—merely a call to one another—deliberately excluding God.

Yours sincerely,
(Mrs) M. Edwards

7 October 1971

Mrs M. Edwards,
22 Hourigan Avenue,
CLAYTON, VIC. 3168

Dear Madam,

I acknowledge receipt of your letter of 2 October regarding the statement which Dr Everingham made on the 'This Day Tonight' programme on 28 September.

The Prayers which are read by the Speaker at the commencement of each day's proceedings in the House of Representatives are laid down in the Standing Orders of the House. Amendments of these Orders usually follow a recommendation of the Standing Orders Committee. In the event of the matter being considered by the Standing Orders Committee your views will be made known to members of the Committee.

Yours faithfully,
J. A. PETTIFER
*Secretary to the
Standing Orders Committee*