

THE PARLIAMENT OF THE
COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON PROCEDURE

SECOND REPORT

DAYS AND HOURS OF SITTING
AND THE EFFECTIVE USE OF
THE TIME OF THE HOUSE

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Terms of reference of the committee

To inquire into and report upon the practices and procedures of the House generally with a view to making recommendations for their improvement or change and for the development of new procedures.

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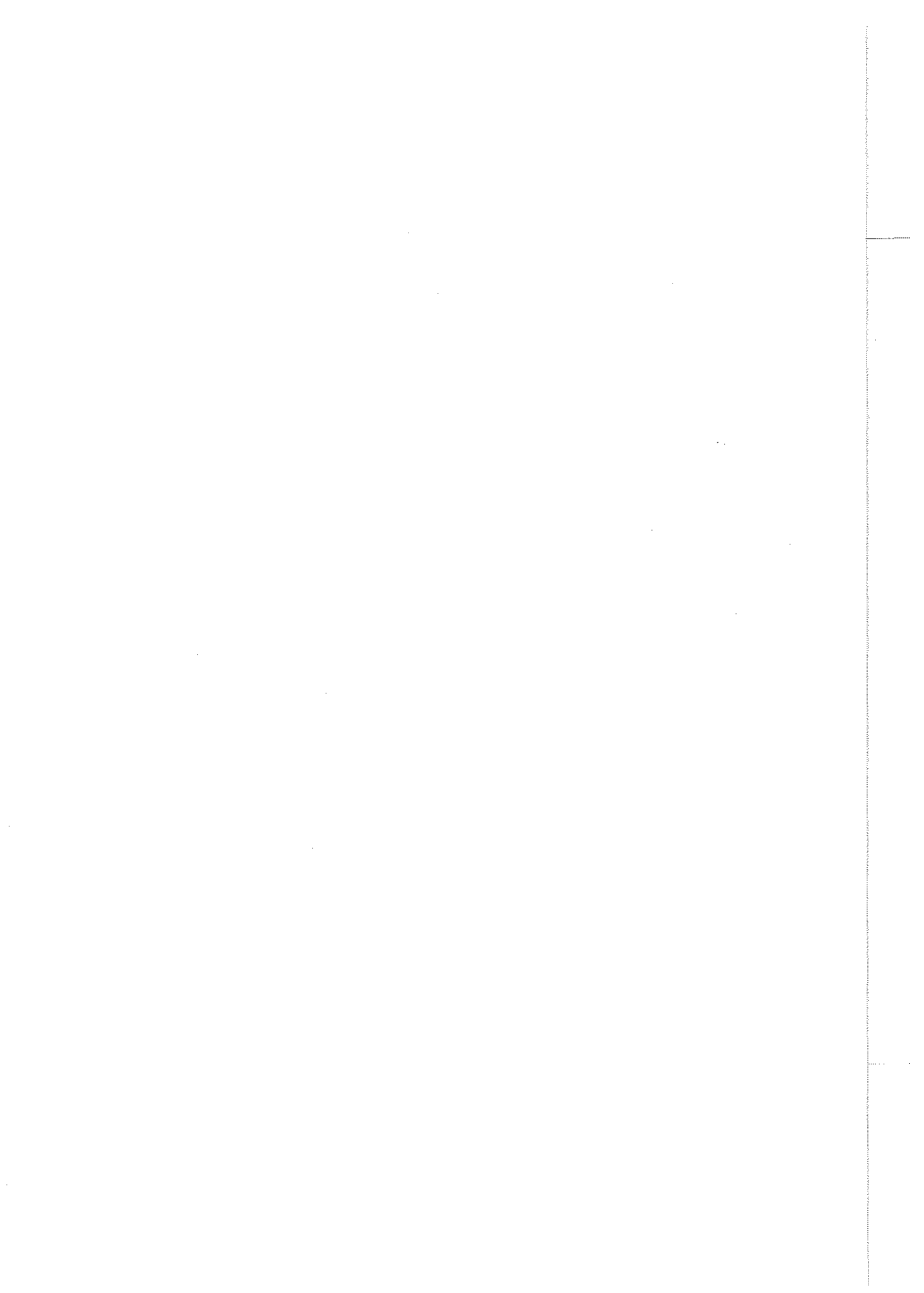
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THE REPORT

INTRODUCTION

1 The House of Representatives Standing Committee on Procedure was established on 27 February 1985 to inquire into and report upon the practices and procedures of the House generally with a view to making recommendations for their improvement or change and for the development of new procedures. In its first report the committee dealt with the opportunities for private Members to concisely raise matters in the House. During the course of its deliberations on that inquiry it became evident to the committee that basic to any changes in the practices and procedures of the House must be a thoroughly comprehensive review of the hours the House sits, the pattern of sittings and the effectiveness of the use of its time. The committee therefore resolved on 18 April 1985 to inquire into "the days and hours of sitting and the effective use of the time of the House", seeing this inquiry as an essential pre-requisite for the achievement of worthwhile reform.

2. The committee sought specific submissions from the Leader of the House, Members of the House who indicated a willingness to make submissions on the topics covered, the Parliamentary Departments, the Government Printer, major airlines, the ACT Division of the National Heart Foundation of Australia and Australian Archives. The committee sought and considered extensive information on the cost and health implications of various options and also surveyed Members on their preferences for sitting hours.

3. Prior to this inquiry general submissions on possible reform were sought from Members and office holders, recently retired Members, members of the Australasian Study of Parliament Group and the Federal Parliamentary Press Gallery. Many of the proposals made in response proved relevant to this inquiry.

4. The committee's first report was tabled on 24 May 1985 and recommended the adoption of a procedure whereby Members may make statements for not more than 90 seconds during a 15 minute period following the presentation of papers. Given the Leader of the House's implied support for a more appropriate arrangement to replace the misused notice of motion procedure (in his speech to the House on the adoption of sessional orders on 25 February 1985), the committee had determined that it should report expeditiously on that matter so as to provide the earliest opportunity for the House to take action on its recommendation. The committee envisaged the procedure could be in operation from the commencement of the 1985 Budget sittings.

5. In his response to the report tabled in the House on 29 November 1985 however, the Leader of the House stated "Whilst I realise the committee is busy looking at a whole range of methods for improving procedures, the Government is not attracted to the proposals for short statements in the first report to be implemented in isolation without further reform" and "the matter of providing greater opportunities for private Members to address the House should be addressed in the context of the whole subject of how the time of the House is used". Accordingly, in this report the committee has re-addressed the question of Members' statements within the context of its wider inquiry.

6. The committee agreed that at this stage it would not conduct a detailed examination of division procedures. However, it believes the implementation of its recommendations regarding

the programming of business will lead to the holding of divisions at agreed times and fewer divisions and alleviate some of the difficulties associated with current practice. Other topics the committee felt merited separate inquiries were Question Time and the committee system of the House of Representatives. The committee has already commenced an inquiry into the former matter, having resolved on 20 February 1986 to inquire into "the standing orders and practices which govern the conduct of Question Time".

7. The time the House has available to consider business and the apportionment of that time are crucial to the effective discharge of its duties. In the course of its deliberations the committee was conscious of the necessity to reconcile the needs of Governments to transact their business with the rights of private Members and Oppositions to examine, appraise and, where necessary, criticise Government administration.

8. The committee is also conscious of the fact that Governments dominate the time available to the House. The opportunities for private Members to raise matters of interest to them have been eroded whilst their opportunities to sponsor motions and bills for debate and decision are negligible.

9. In this report the committee makes wide-ranging recommendations encompassing days and hours of sitting, a new approach to business programming in the House, improved opportunities for private Members, the establishment of legislation committees and the rationalisation of other aspects of House proceedings. The committee has also examined and made recommendations concerning the petitioning process and the quorum provisions of the House.

10. The committee believes the recommendations it has made acknowledge the right of the Government to have sufficient parliamentary time for the pursuit of its legislative program and

the communication of its policies. It also proposes that the Opposition and private Members generally are given more regular, deliberate and effective opportunities to raise matters of interest and sponsor matters for debate.

11. The committee is firmly convinced that, for the House to give adequate attention to the business before it each year, there must be a significant increase in the number of hours it sits. The committee believes that the House must sit at least 80 days each year to give adequate time to the business before it. Appendixes 1 and 2 illustrate how it is proposed the time of the House will be apportioned over the year and within a sitting week. Under the sitting pattern proposed the House will sit for at least 20 weeks each year on a 2 weeks sitting, 2 weeks non-sitting basis. The committee appreciates that occasions may arise such as the Easter holiday period when it may occasionally be necessary that the non-sitting period be one or 3 weeks instead of the proposed 2 weeks.

Implementation of proposals

12. The implementation of the committee's proposals for reform will necessitate amendments to the standing orders, certain legislative action and changes to the practices of the House.

13. The committee expects that, following consideration of its recommendations, any proposed changes to the standing orders will be submitted to the committee prior to their consideration by the House.

14. Certain recommendations could be implemented expeditiously should the House be supportive of the proposals. Those recommendations concerning Members' statements, the adjournment debate, matters of public interest, reading speeches, Ministers' second reading speeches and the petitioning process fall into this category.

15. It is proposed that should the House accept the concepts of a Business Committee and a Selection Committee and if those committees are established, this committee's recommendations concerning business programming, private Members' business, grievance debate, the presentation and consideration of committee reports and the procedures for tabling ministerial papers could be implemented in the intermediate future.

16. The proposal to alter the quorum of the House would need legislative action and the implementation of a roster of Members would need a commitment from each of the parties represented in the House. However, there is no reason why action on this matter cannot be completed in 1986. The committee envisages that any alteration to the days and hours of sitting would take effect as soon as possible but no later than the commencement of the 1987 Autumn sittings.

DAYS AND HOURS OF SITTING

Total hours of sitting

17. Basic to the effective performance of the duties of any large legislature must be an adequate number of sitting days and hours in which to consider the business before it.

18. Whilst the sitting hours of the House of Representatives have varied over the years they have not consistently declined. Excluding suspensions for meal breaks and other purposes, the House sat for 580 hours in 1985 compared with an average of 472 hours per year since 1901 and an average of 480 hours per year for the 5 years 1981-85. Details are given at Appendix 3.

19. What is significant, however, is not the figures themselves but the amount of business the House must transact in the time available. The consideration of legislative proposals is a major function of the House and a major indicator of the House's workload. Currently the House is spending 54% of its time considering legislation.

20. The House's legislative activity has increased steadily since Federation, reaching a peak during the 1970's and remaining at that high level. Consequently the amount of time available to the House to consider each bill has declined. While the figures shown at Appendix 3 are indicative of a trend only, it is clear that the House is compressing more and more business into the time available. It is now spending approximately 2.8 hours per bill enacted which is barely one ninth of the time at Federation and approximately half that of 35 years ago.

21. It is clear to the committee that sufficient time is not available for the House to give adequate consideration to legislative and other business. Members are all too familiar with stringent time restrictions being applied to a wide range of highly significant bills in order to complete a heavy legislative program, especially towards the end of a period of sittings.

22. The committee has therefore concluded that, given the volume of business the House must consider, the number of hours the House has sat in recent years is insufficient for the effective performance of its functions.

23. The committee believes there is no overriding reason why the House cannot sit for as long as is necessary for the Parliament to discharge its responsibilities each year. The needs of the institution of Parliament must be paramount and if there are legitimate reasons for Ministers and Members to be absent the pairing arrangements can be used.

24. The committee noted that the United Kingdom House of Commons sits for approximately 1550 hours over 35 weeks each year and the Canadian House of Commons sits for approximately 1125 hours over 36 weeks each year. In this context the committee firmly believes that the increase in sitting hours it is proposing (a 39.5% increase over the 1981-85 average to 670 hours over 20 weeks) is not unreasonable.

Patterns of sitting

25. Since the 1950's until recently the House of Representatives generally operated on a 3 day sitting week (Tuesday to Thursday) with, over the years, the development of a 4 week cycle of 3 sitting weeks and one non-sitting week. In 1970-71 the House experimented with a 4 day sitting week with a 3 week cycle of 2 weeks on and one week off. There was serious discussion on alternatives to the traditional sitting pattern between the years 1979 and 1981. A proposal which gained significant support at different times was for sittings to commence earlier, with no suspensions for meals and the Houses rising at 7 or 8 p.m. Ballots were conducted in 1981 to test Members' and Senators' preferences but little significant change eventuated.

26. At the end of 1983 discussion on the sitting pattern was revived, it being proposed that the House sit for a 4 day, 4 week cycle of 2 weeks on and 2 weeks off. The proposal was accepted by the Government and appropriate sessional orders were agreed to by the House on 8 December 1983 to take effect from the first sitting of 1984. These arrangements have continued for the current Parliament, under sessional orders agreed to on 25 February 1985.

27. In an endeavour to get as many views as possible on the question of days and hours of sitting the committee sought submissions from those Members who had earlier indicated a willingness to make submissions on the matter as well as from the Leader of the House, the Parliamentary Departments, the Government Printing Office and the major internal airlines. Subsequently, the committee surveyed Members and the results of that survey are at Appendix 4.

28. In regard to health aspects of sitting hours the committee also sought and received a submission from, and held discussions with, officers of the ACT Division of the National Heart Foundation of Australia. Initial contact was made with the Australian Medical Association and the National Occupational Health and Safety Commission. Arising out of this, discussions were also held with Professor George Singer and Dr Meredith Wallace of the Brain-Behaviour Research Institute, Department of Psychology, La Trobe University and Senator Dr Peter Baume.

29. The organisations and individuals mentioned above were approached as the committee was made aware that each had an interest in or had conducted recent studies into the occupational health of federal parliamentarians. The National Heart Foundation has been conducting an annual heart disease risk assessment service for federal parliamentarians over the last 4 years and the Brain-Behaviour Research Institute has conducted a pilot study of work-related stress in a small sample of Members of

Parliament. The reports of their investigations made available to the committee gave backing to the view of committee members that Members of Parliament often work under high levels of stress which could lead to relatively unhealthy lifestyles. Summaries of the reports of these studies and their recommendations are given at Appendix 5.

30. The committee considers that sitting hours are only one factor in a complex set of factors affecting Member's health. Neither report made recommendations on sitting hours. Both reports recommended in similar terms that the key to better health and a reduction in stress lay mainly in the hands of Members themselves, who needed to obtain and follow advice on lifestyle, diet, work routines and the self-management of stress. However, the sitting timetable was implicitly acknowledged as an influential structural factor which could make it more or less difficult to put such advice into practice. Witnesses were unanimous in recognising the deleterious effects on health of frequent travel, in criticising sittings extending late into the night and in emphasising the importance of opportunities for periodic relaxation. The committee was convinced, on the basis of the evidence made available, that the practice of the House or committees meeting during meal times should be strongly discouraged.

31. Having considered the evidence presented, the committee concluded that its further deliberations on days and hours of sitting should take note of the following considerations:

- . travel being minimised, and
- . healthy working conditions for Members and staff (which are adversely affected by late night sittings and irregular meal breaks).

32. A number of proposals for sitting patterns were considered by the committee, the major ones being:

- . the current arrangements (4 day weeks with 2 sitting weeks followed by 2 non-sitting weeks, the House sitting from Tuesday to Friday and Monday to Thursday, sitting through the Thursday lunch break and rising early on Wednesday evening);
- . the traditional 3 day week with 3 weeks of sitting followed by a non-sitting week;
- . a 4 day week (Monday to Thursday) with 2 sitting weeks followed by 2 non-sitting weeks, the House sitting through each lunch break and rising in the early evening, and
- . a 4 day week (Monday to Thursday) with 2 sitting weeks followed by 2 non-sitting weeks and sitting hours similar to or the same as those currently in operation.

33. The committee has concluded that the sittings of the House should continue on the current 4 day week, 2 weeks of sitting followed by 2 non-sitting weeks basis, the advantages of this pattern being:

- . trips to and from Canberra and travelling time for Members are reduced (to meet a schedule of 80 sitting days per year the House would need to sit 20 weeks compared with 27 weeks if the former 3 day pattern was adopted);
- . the more concentrated sittings of the House enable Members to maximise their time with their families and in their electorates in the 2 non-sitting weeks, and

- . Members who so wish are able to spend the weekend between consecutive sitting weeks in Canberra (it is understood that in 1985 an average of 10 Members (excluding Ministers) spent their weekends between consecutive sitting weeks in Canberra, the overall percentage ranging from 35% of Western Australian Members to 4% of Members from New South Wales).

34. This conclusion is supported by the results of the survey of Members which show that a large majority of Members favoured options which included this pattern.

35. The question arises as to which days the House should sit. In determining the most suitable days of the week for the House to meet, the committee was convinced that there are important advantages in regularly sitting on the same days of the week. The committee has concluded that the preferable option is for the House to sit on Monday to Thursday of each sitting week. The advantages of this "stabilised" pattern are:

- . Members and Ministers will be able to schedule Fridays for official functions, committee meetings and electorate activities on a regular basis knowing that Fridays are always non-sitting days;
- . the longer break between consecutive sitting weeks will benefit the large majority of Members who return to their electorates at that time. Members who so wish will still be able to spend the weekend in Canberra;
- . if the House is to sit regularly of an evening, as proposed in this report, time can be gained each sitting fortnight compared with current arrangements, and
- . airline scheduling will be facilitated.

In reaching this conclusion the committee accepted the proposition put to it that the shorter Friday sittings limited the opportunity of the House to adequately conduct its business. The committee also took into consideration the fact that 64% of Members responding to its survey favoured sitting on Mondays over Fridays in 4 day weeks.

36. The proposed sitting timetable may raise problems for the Ministry in that Cabinet and Cabinet committees regularly meet on Mondays. Whilst being appreciative of problems that may arise, the committee is of the view that the measures it proposes in this report for the more orderly and predictable programming of the transaction of the business of the House and the envisaged lessening of the number of quorum calls and better programming of divisions will facilitate Cabinet and Shadow Cabinet meetings.

37. In regard to daily sitting hours the basic choice facing the committee was between a more compressed day, eliminating meal breaks and rising in the early evening, and the more traditional hours with meal breaks and the House rising later in the evening.

38. The committee notes the high support for the early rising option both in its own survey of Members and past surveys, but has concluded that the abolition of meal breaks may be harmful to the health and well-being of Members and staff. Following discussions with Professor Singer and Dr Wallace and officers of the National Heart Foundation the committee concluded that, while sitting hours are just one of a complex set of factors affecting the health of Members and staff, to sit continuously and remove the opportunity for relaxation and exercise offered by meal breaks would be a deleterious step.

39. In reaching this conclusion the committee notes that a significant proportion of Members surveyed saw the current sitting hours as having an adverse effect on their health. Also, the committee took into consideration the fact that the Department of the Parliamentary Reporting Staff would be faced with considerable problems and cost increases if the House were to sit through meal breaks and normal services were to be provided.

40. Two other matters considered were the continuation of the practice of rising early on Wednesday evenings and the recent increase in late sittings.

41. The committee acknowledges that the current practice of rising early on Wednesday evenings is popular with Members, but notes that on 39% of sitting Wednesdays in 1984 and 1985 the House sat beyond 10 p.m. On 21% of sitting Wednesdays it actually sat beyond midnight. The committee concluded that, on balance, it is better to use Wednesday evenings for the House's business, especially given its proposals for abolishing Friday sittings and providing for a fixed rising of the House at 10.30 p.m.

42. The committee is concerned about the recent increase in the number of late sittings. In 1984 and 1985 19.5% of sittings of the House went beyond midnight. Such late night sittings are to be avoided and whilst the committee expects that the need to sit late can be overcome with more sitting days and better business programming, it has concluded that procedures should be implemented that strongly discourage late sittings except in the most exceptional circumstances. However, should the Government wish to negative the adjournment, the committee believes that it is of paramount importance that the period allotted for the adjournment debate is not reduced.

Recommendations

43. It is recommended that:

- . the House sit for a minimum of 20 weeks each year;
- . the House adopt a sitting pattern of 2 sitting weeks followed by 2 non-sitting weeks, sitting from Monday to Thursday each week with the timetable as follows:

Monday		2.00-6.30	8.00-10.30
Tuesday		2.00-6.30	8.00-10.30
Wednesday	10.00-12.45	2.00-6.30	8.00-10.30
Thursday	10.00-12.45	2.00-6.30	8.00-10.30, and

- . the House shall adhere to rising by 10.30 p.m. each sitting day and that no sitting extend beyond 10.30 p.m.:provided that when the adjournment is negated at 10 p.m. the House will automatically stand adjourned at 11 p.m.after an adjournment debate of 30 minutes is concluded.

BUSINESS PROGRAMMING

44. As well as ensuring that the House sits for an adequate number of hours each year to enable effective consideration of the business to be transacted, the committee believes a number of beneficial changes could be made in the way the House utilises its time.

45. A detailed analysis of how the House has apportioned its time in recent years is given at Appendix 6.

46. In submissions to the committee Members have criticised the way the House's business is organised, especially the unpredictability of programming and the apportionment of debating time between competing items of business, some of questionable importance.

47. One particular problem currently facing the House and its Members is the trend for a substantial proportion of legislation to be introduced and considered towards the end of a period of sittings as shown by the charts at Appendix 7. This often results in the House sitting late hours to attend to the business before it and important legislation receiving limited scrutiny.

48. Whilst recognising that there are informal negotiations on the programming of business between party leaders and that a tentative agenda does receive limited circulation prior to each sitting fortnight, the committee believes that much more could be done to facilitate the orderly programming of the House's business and that this role would best be carried out by a Business Committee.

49. The establishment of a Business Committee and the resultant attention given to programming on a sessional, fortnightly, and daily basis should result in maximum time being allocated to substantive and debatable issues, a more predictable and definite program including the setting of agreed times for holding divisions, a reduction in the use of the closure and a reduced need for the Opposition to resort to disruptive tactics to ensure its voice is heard.

50. The committee has concluded that a Business Committee should be established comprising both Government and Opposition Members with the Speaker (or Chairman of Committees) as non-voting Chairman, the Leader of the House (or his nominee), the Manager of Opposition Business (or his nominee), the Government Whip (or Deputy Whip), the Opposition Whip (or Deputy Whip), the Chairman of the proposed Selection Committee (or a nominee who must be a Member of the Selection Committee) (see paragraph 61) and 2 backbench Members. It is expected that the backbenchers would be experienced Members of some standing in the House who would enjoy the confidence and respect of their peers and would ensure the interests of private Members were advanced. The Speaker, as non-voting Chairman, would exert a moderating influence, encourage compromise and a recognition by each side of the other's rights and seek to advance the interests of the House and its private Members.

51. It is envisaged that the Business Committee would report to the House at the commencement of each sitting week recommending the program for the week or fortnight as appropriate. The Blue Program would show the proposed times allocated to each debate and proposed division times. Recommendations for alterations to the program (e.g. a proposed referral to a legislation committee) could be made each day as necessary.

Recommendations

52. It is recommended that a Business Committee be established by the House to facilitate the orderly programming of business and that the membership of the committee be the Speaker (or Chairman of Committees) as Chairman in a non-voting capacity, the Leader of the House (or his nominee), the Manager of Opposition Business (or his nominee), the Government Whip (or Deputy Whip), the Opposition Whip (or Deputy Whip), the Chairman of the Selection Committee (or a nominee who must be a member of the Selection Committee), one backbench Member nominated by the Prime Minister and one backbench Member nominated by the Leader of the Opposition.

53. The Business Committee's functions would be to consider and, where appropriate, make recommendations to the House concerning:

- . sessional, weekly and daily programming of business including the allocation of debate times and agreed times for divisions;
- . variations to sitting hours to facilitate business;
- . the determination of bills appropriate for referral to legislation committees;
- . the selection and programming of committee reports and papers tabled for consideration by the House (see paragraphs 83 and 98), and

- . the determination of matters such as papers tabled, petitions and legislation appropriate for referral to House committees.

OPPORTUNITIES FOR PRIVATE MEMBERS

54. It is essential to the well being of the House that private Members and the Opposition are given worthwhile opportunities to sponsor matters for debate. Whilst private Members have the opportunity to participate in all aspects of House business their opportunities to sponsor matters for debate and decision or to raise matters of interest in the House, especially with the recent increase in membership, are very limited.

55. The committee has therefore examined the House's procedures and surveyed those in comparable Parliaments with a view to improving private Members' opportunities.

Private Members' business

56. Compared with other Parliaments private Members (non-Ministers) in the House of Representatives certainly have restricted opportunities to sponsor motions and bills for debate and decision. In the period 1970-85 3.7% of the House's time was devoted to legislation and motions sponsored by private Members, including the Opposition executive. In the Canadian House of Commons comparable opportunities for private Members take up 7% of the House's time and the figure in New Zealand is 6%.

57. In the House of Representatives the time set aside for private Members' (general) business is 1 hour 15 minutes each alternate sitting Thursday following the adoption of the Address in Reply. In fact this time is often taken up by government business by order of the House. During the period 1970-85 there were 134 scheduled general business days, an average of 8.4 per year. However government business superseded general business on 34% of occasions.

58. Apart from the limited time available to private Members the other aspect of current general business procedure that has concerned the committee is the method of selection of matters for debate.

59. Currently notices (which have priority from 12.45 p.m. until 1.45 p.m.) and orders of the day are called on in the order they appear on the notice paper. This means that priority is accorded on a first come first served basis. In practice, Members must submit notices on the first sitting day of a session and usually wait for considerable periods before they are called on. Often the significance of the matter has then been lost. Whilst this delay is of concern in relation to motions, a Member giving a notice of presentation of a bill cannot even present the bill until the notice is called upon. On 20 March 1986 (general business Thursday No. 7 for the current Parliament) a Member presented a bill of which he had given notice on 13 April 1985.

60. The committee has concluded that better opportunities should be given to private Members to sponsor business in the House and that the method of selection of items for debate could be improved. The committee has reviewed current procedures and examined balloting procedures used by other legislatures and has concluded that the best way to ensure the most effective operation of private Members' business is to accord the selection role to a committee to be known as the Selection Committee.

61. It is proposed that there will be a Selection Committee of 11 backbench Members of which one Government Member will be Chairman. The backbench Members would be experienced Members of some standing who would enjoy the confidence and respect of their peers and ensure their interests were advanced. The Selection Committee would be responsible for selecting matters for debate in private Members' business and determining the time to be allocated for these debates. General principles for according priority to business would be a matter for the Selection Committee to determine but would include the guidelines that priority be allocated to Members in accordance with party strength and that the Opposition Executive or other individuals should not dominate.

Recommendations

62. It is recommended that procedures be adopted whereby:
- . from 10 a.m. to noon each sitting Thursday priority over Government business is allocated to private Members' (non-Ministers') business notwithstanding debate on the Budget or the Address in Reply;
 - . private Members give notices of motion and notices of intention to present bills by delivering a copy of their terms to the Clerk in accordance with the procedures currently operating or by giving an oral notice during Members' Statements as provided for in the committee's first report;
 - . business to be accorded priority for each Thursday, the order of priority and the allocation of debate times will be decided (by a 2/3 majority) by a Selection Committee composed of 11 backbench Members;
 - . any matter not accorded priority after 4 sitting weeks is dropped from the Notice Paper;
 - . the Selection Committee may invite Members sponsoring business to appear before it and present their case;
 - . the Selection Committee may recommend to the Business Committee that time be made available in government business for debate on items of private Members' business of major importance, and
 - . the general principles by which the Selection Committee determines priority are to be decided by that committee but will include the guidelines that priority be allocated to Members in accordance with party strength and that the Opposition executive or other individuals do not dominate.

63. In regard to the operation of private Members' business it is recommended that the following procedures operate:

- . on each sitting Monday notices and orders of the day accorded priority will be so shown in a specific category on the Notice Paper together with times allocated for each debate;
- . sponsors of notices of intention to present bills selected for consideration will be given the right to introduce the bill and make a 5 minute speech in support thereof prior to the commencement of consideration of Government notices and orders of the day on Monday, thus enabling bills to be introduced and circulated prior to debate;
- . following the presentation of petitions each sitting Thursday, private Members' notices and orders of the day will be called on by the Clerk in the order they appear on the Notice Paper;
- . at the conclusion of the time allotted for each item the debate will be interrupted and the matter under consideration will automatically become an order of the day for the next sitting, the Member speaking having leave to continue his remarks when debate is resumed (future priority to be determined by the Selection Committee) unless:
 - no Member rising or the closure having been agreed to, the Chair puts the question prior to the expiration of the allotted time,
 - debate is adjourned prior to the expiration of allotted time and a future time set down for its resumption (again, determination of future priority would rest with the Selection Committee), or

- the item has been starred by the Selection Committee as one on which debate will be resumed later (e.g. a major bill) and in this case debate is automatically adjourned and the resumption of the debate set down for the next sitting Thursday;

.. after 4 sitting weeks any matter already debated and not re-accorded priority will be dropped from the Notice Paper;

.. in the case of bills, the Selection Committee will allot maximum time for the second reading debate, at the expiration of which the question must be put, and

.. should any bill pass the second reading stage (i.e. agreed to in principle by the House) it will take priority over other private Members' business until disposed of, though the Selection Committee may set time allocations for the remainder of proceedings.

Members' statements

64. In its first report presented on 24 May 1985 the committee recommended that the House adopt a practice by which Members are given the opportunity of addressing the House briefly on matters of concern and importance. It was proposed that the period for each statement would not exceed 90 seconds and the total period allowed for statements would not exceed 15 minutes.

65. In the Government's response to the committee's first report tabled on 29 November 1985 (see Appendix 8) the Leader of the House stated that the Government was "... not attracted to the proposals for short statements .. to be implemented in isolation without further reform".

66. Having now reviewed the opportunities for private Members in relation to the allocation of the total time of the House, the committee reiterates its view that, bearing in mind the enlarged House, Members should have the opportunity to address the House briefly on matters of interest for a total period of 15 minutes each day. The committee has also concluded that there could be a consequential reduction of 15 minutes in the time set aside for the adjournment debate (see paragraph 70).

Recommendation

67. It is recommended that provision be made for a 15 minute period of Members' statements each day as recommended in the committee's first report and that, in the routine of business, Members' statements follow the matter of public importance (proposed to be re-named matter of public interest) on Mondays, Tuesdays and Wednesdays and the presentation of papers on Thursdays.

Adjournment debate

68. Opportunities for Members to speak on the adjournment debate in the House are limited. On 57 (34%) of the 167 sitting days in the three years 1983-85 there was no adjournment debate at all. The adjournment debate in particular is the victim of the end of sitting rush of legislation. Consistently in recent years there has often been no adjournment debate or a very limited debate during the final weeks of both the Autumn and Budget sittings.

69. While improved business programming could do much to overcome this restriction on private Members' opportunities, the committee believes that steps should be taken to ensure the adjournment debate takes place every sitting for its allotted time should Members wish to speak. The committee concluded that a prohibition on the moving of the closure during the adjournment debate should be inserted in the Standing Orders. The procedure for the adjournment to be negatived could be retained but with the provisos that there will be an adjournment debate of 30 minutes duration and the House must rise by 11 p.m.

70. In considering the apportionment of House time the committee concluded that, as 15 minutes will be set aside each day for Members' statements, the duration of the adjournment debate could be reduced from 45 minutes to 30 minutes each sitting. Over the proposed sitting year this would give a total of at least 40 hours devoted to adjournment debates. In 1985 the House spent 27 hours on the adjournment debate and the average for 1970-84 was 24 hours.

71. The committee can see no reason why the adjournment debate should not be broadcast on days when proceedings in the House are broadcast, especially now that excerpts are available for broadcasting.

Recommendations

72. It is recommended that:

- . provided a period for Members' statements is introduced as recommended, the adjournment debate be of 30 minutes duration from 10 to 10.30 p.m. each sitting;
- . the adjournment debate be broadcast on days the proceedings of the House are broadcast;
- . a provision be inserted in the standing orders prohibiting the moving of the closure motion during the adjournment debate, and

provision for negating the adjournment be retained but with the provisos that there will be an adjournment debate of 30 minutes duration and the House must rise by 11 p.m.

Grievance debate

Recommendation

73. It is recommended that, subject to there being a guaranteed adjournment debate, a 15 minute period for Members' statements each day and a 2 hour block of private Members' business each week, the grievance debate procedure should be abolished.

OPPOSITION BUSINESS AND MATTERS OF PUBLIC IMPORTANCE

74. During the course of this inquiry several proposals were put to the committee for a specific block of time to be made available each week or fortnight for the Opposition to sponsor matters for debate and decision in the House. In its deliberations the committee examined these proposals as well as the practices of comparable parliaments.

75. The committee also examined the use of the public importance procedure by the Opposition in the House of Representatives. In recent years 96% of matters of public importance discussed have been proposed by the Opposition. In 1985 they took up 44 hours, 7.7% of the House's time. In fact, matters of public importance have become "de facto" Opposition time. The committee also notes that many matters proposed have become very general in their terms and often repetitive. A list of matters discussed in 1985 is given at Appendix 9.

76. The committee concluded that the Opposition should not be restricted to one set period each sitting week or fortnight but should retain the opportunity to raise matters in the House on a regular basis. The committee therefore agreed that the public importance procedure should remain essentially as it is, de facto Opposition time, but that backbench Members from either side should not be excluded from raising matters for discussion.

77. The committee determined that the current rules and procedures should remain with certain exceptions. Opportunity to propose matters for discussion should be restricted to one hour on Mondays, Tuesdays and Wednesdays, the maximum time for speeches should be 10 minutes, and the period should be known as "matters of public interest" to more realistically describe the nature of the discussions.

Recommendation

78. It is recommended that:

- . the public importance procedure be re-named Matter of Public Interest;
- . prior to 12 noon on sitting Mondays, Tuesdays and Wednesdays Members may propose to the Speaker that matters of public interest be submitted to the House for discussion;
- . matters of public interest follow the presentation of papers in the routine of business;
- . discussion not exceed one hour;
- . it remain open to any Member to propose a matter for discussion and the proposed discussion continue to require the support of 8 Members, including the sponsor, and

- . the maximum period for which a Member may speak should be 10 minutes.

PRESENTATION AND CONSIDERATION OF COMMITTEE AND DELEGATION REPORTS

79. Currently, reports of standing, select and joint committees may be presented to the House at any time between items of business. The Clerk of the House has advised the committee that successive Governments have experienced problems with respect to the tabling of committee reports in the context of the programming of the House. It is often difficult for committee members to obtain leave to make statements in connection with reports because of the pressure of Government business. There are similar problems associated with the presentation of reports of parliamentary delegations.

80. The committee accepts that arrangements should be regularised and that a particular time should be set aside for presentation of committee and delegation reports. The committee also accepts that procedures should be adopted whereby the House is given the opportunity to debate reports.

81. The committee has determined that the time spent by the House on the consideration of the work of its committees is inadequate. The figures at Appendix 10 show that the times allotted for tabling of, and debate on, reports reflect a scant regard for the work of parliamentary committees and delegations. The committee noted with deep concern that there were 69 committee and delegation reports presented in 1984 yet, excluding motions relating to the Public Works Committee, the House spent a total of only 20 minutes debating them.

82. The Committee does not envisage Government responses to committee reports being made within the proposed period for presentation and consideration.

Recommendations

83. It is recommended that procedures be implemented whereby:

- . a specific time for the presentation of committee and delegation reports is set aside each week and that it be between noon and 12.45 p.m. on Wednesday or Thursday (whichever is the broadcast day) and, if required and as determined by the Business Committee, one other day;
- . the order of presentation is determined by the Business Committee and listed on the Blue Program;
- . on presentation the committee (or sub-committee) Chairman or delegation leader and one other committee or delegation member each has the right to make a statement for a period not exceeding 10 minutes;
- . following presentation and statements the committee/sub-committee chairman or delegation leader has the right to move motions without notice or leave that the House take note of the report and that the report be printed;
- . following presentation of reports (or if no reports are to be presented), orders of the day are called on for resumption of debate on motions to take note of committee or delegation reports presented at earlier sittings, speech time limits to be 10 minutes and the order of priority and debate

time limits to be determined by the Business Committee and listed in a separate section of the Notice Paper;

- . if there are no reports for presentation or debate, the House proceed with Government business, and
- . in cases of necessity, a report may still be presented at a time when no other business is before the House, though current procedures whereby leave of the House must be sought for statements would apply.

LEGISLATION COMMITTEES

84. It can be reasonably concluded that given the time available to the House at present, the detailed consideration of a large number of bills in committee of the whole each year is not possible. Approximately 23% of bills considered by the House each year are considered in the committee of the whole and less than 10% of the House's time is spent considering these bills in committee. The committee notes that many machinery bills do not require detailed consideration in committee of the whole.

85. Argument has been advanced that the consideration of legislation could be improved by the reintroduction of legislation committees. During the years 1978-80 the House of Representatives experimented with legislation committees as an alternative to the committee of the whole House to consider bills in detail after they had passed the second reading. Thirteen bills were referred for consideration. An average of 1 hour 45 minutes was spent on each bill in committee and an average of 48 minutes was taken on debate in the report stage in the House. As shown in Appendix 12, 115 bills were considered in committee of the whole House on their initial passage during 1984-85 for a total time of approximately 78 hours or an average of 41 minutes per bill considered.

86. The committee accepts that, given the large volume of legislation dealt with each year and its increasing complexity, there is need for some legislation at least to be given detailed consideration in legislation committees. Advantages would be that bills may receive a more thorough examination, there would be better opportunities for Members to participate and they would have a less formal and more efficient involvement in the legislative process. Also, there may be savings in the time of the House.

87. A number of proposals were advanced in submissions to the committee for a wider committee role in considering legislation. It was proposed that bills deemed suitable be referred to legislation committees for the second reading as well as the committee stage and that they even be given a pre-legislative role.

88. Having considered all proposals, the committee has determined that the proper place for all debates on the general principles of legislation should remain the House. The committee feels that Members would be unwilling to remove major debate on legislative proposals from the Chamber and consequently the selection of appropriate bills for referral would be difficult.

89. The committee believes that ideally, legislation committees should meet when the House is not sitting. However, the practicalities are that, short of suspending the sittings of the House and losing valuable House time, it is preferable they be given the power to sit notwithstanding sittings of the House. It is therefore proposed that meetings of legislation committees may be scheduled for days on which the House is sitting, committees sitting concurrently if required. The selection of bills for consideration would be made by the House on the recommendation of the Business Committee. Selection is important. Those bills on which there are serious philosophical differences may best be left for consideration in committee of the whole.

Recommendation

90. It is recommended that legislation committees be reintroduced to examine in detail such bills as are referred by the House on the recommendation of the Business Committee after they have passed the second reading stage in the House.

REMOVAL OF CERTAIN PROCEEDINGS FROM THE CHAMBER

91. Whilst better business programming and the utilization of legislation committees may lead to a saving of House time, there are a number of other proposals the committee has examined with a view to reducing time elements within proceedings and facilitating the conduct of its business.

92. During the course of its deliberations the committee considered proposals for a more formalised presentation of major ministerial papers each day and also considered the possible removal of certain announcements from the Chamber on which no action by the House was required and the details of which were recorded in the Votes and Proceedings and Hansard.

93. Under current procedures Ministers table the more important papers for which they are responsible following Question Time. In recent years there has been an average of approximately 9 papers so presented each sitting day. This figure excludes those papers in connection with which a ministerial statement was made. Of these papers, 24% were subject to a motion to take note but, of those, only 11% were ever debated in the House.

94. The committee has concluded that, in view of the often awkward and time consuming procedures for presentation of papers by Ministers, it would be appropriate for the Leader of the House or a Minister acting for him to circulate a list of papers to be presented prior to the commencement of business each day and then, at the appropriate time, to table all papers as listed on the schedule. Should the schedule not have been circulated the Minister must read to the House the titles of papers being tabled. The schedule would be incorporated in Hansard and the Votes and Proceedings.

95. There will be exceptions. A Minister may wish to move a motion to take note of or authorise publication of a paper or make a ministerial statement in connection therewith. It is proposed that the printing of papers will be dealt with by the House in the usual manner following the recommendations of the Publications Committee.

96. It is proposed that, to preserve the right of future debate on papers presented in this manner, the Business Committee should consider all papers presented and make recommendations concerning those papers which could be listed for debate or referred to committees for possible action. Members wishing to have particular papers listed for debate or so referred would make representations to the Business Committee.

97. In regard to debate in the House on papers, it is envisaged that the Business Committee would report to the House recommending that the question, that the House take note of a paper or certain papers, be set down as an order of the day for future consideration. Should the House adopt the recommendation of the committee the question would then be set down as an order of the day as proposed.

Recommendations

98. It is recommended that the procedures for the tabling of ministerial papers following Question Time be altered in accordance with the following arrangements:

- . at the commencement of business at each sitting a schedule of papers to be presented is circulated to all Members in the Chamber;
- . following Question Time a Minister presents the papers as listed on the circulated schedule;
- . if no schedule has been circulated, the Minister reads the titles of the papers to the House at presentation;
- . papers tabled continue to be listed in Hansard and the Votes and Proceedings;
- . Ministers retain the option of presenting a paper separate from the list should they wish to make a statement or move a motion in connection with the paper in accordance with current procedures, and

- . the Business Committee makes recommendations to the House on the scheduling of major papers for debate or their referral to committees as it sees fit.

99. The committee also examined other occasions when no further action was required on announcements made to the House which would have equal effect by having full details recorded in the Votes and Proceedings and Hansard. The committee has concluded that, though the time saved would be minimal, it would facilitate the organisation of the business of the House if no announcement was made of messages from the Senate on which no action was required, such as those returning bills without amendments or requests. Full details would still be listed in the Votes and Proceedings and Hansard.

Recommendation

100. It is recommended that the announcement of messages from the Senate on which no further action by the House is required be discontinued.

SPEECH TIME LIMITS

101. In his submission to the committee the Clerk of the House recommended the committee consider whether the time limit of a speech by a Member on the second reading of a bill and on the Address in Reply should be reduced.

102. The committee recognises that there are often unofficial restrictions on speech times when a large number of Members wish to address the House but, given the gradual curtailment of the maximum length of Members' speeches over the years since time limits were first adopted, the committee is not prepared to recommend any further general reduction. Exceptions are debates on committee and delegation reports and the discussion of matters of public interest where the committee has recommended there be speech time limits of 10 minutes (see paragraphs 83 and 78).

READING SPEECHES

103. Until 1965 the standing orders of the House provided that "A Member shall not read his speech". This prohibition was removed from the standing orders following a 1964 recommendation of the Standing Orders Committee. That committee proposed the omission of the standing order as there were occasions where it was reasonable to allow the reading of speeches and there were obvious difficulties in applying the rule.

104. The Clerk of the House recommended that the committee examine the practice of allowing speeches to be read as time could be saved if the reading of set pieces was not allowed. One Member of the House was more forthright, stating in his submission that "Prepared set-piece speeches represent the death of real debate .. [and] . exhibit little or no attempt to link the speaker's comments to the previous speaker and thus appear to dangle uselessly in space".

105. The committee accepts that a prohibition on or the curtailment of the reading of speeches may save time. However, it is firmly of the view that, in addition, it would improve the standard of debate in the House. The committee has therefore concluded that, with certain exceptions, the reading of speeches in the House should be prohibited.

Recommendation

106. It is recommended that a prohibition be placed on the reading of speeches in the House with the exception of occasions where a Member is:

- . making a maiden speech;
- . moving a motion for the second reading of any bill or speaking to such a motion as the Member next speaking;

- . making a ministerial statement or a statement on behalf of a committee or delegation following the presentation of a report, and
- . making a response to a ministerial statement as first speaker for the Opposition, and

a provision be inserted in the standing orders enabling the Speaker to allow some relaxation of the rule, taking into account the technical nature of the subject or any special circumstances.

INCORPORATION OF MINISTERS' SECOND READING SPEECHES

107. One proposal put to the committee was that Ministers' second reading speeches on bills be incorporated in Hansard to save the time of the House and to avoid the problem of Ministers having to read difficult and sometimes unfamiliar text.

108. Although the maximum period Ministers are allowed for second reading speeches (apart from the main appropriation bill) is 30 minutes, research has revealed that the duration of the majority of second reading speeches is quite limited. For the years 1980-85 57.5% were of 5 minutes duration or less, 80.2% were of 10 minutes duration or less and 90% were of 15 minutes duration or less.

109. The committee is mindful of the fact that in recent years the Chair has consistently reminded the House of the undesirability of incorporating unspoken material in Hansard other than items such as tables which need to be seen in visual form for comprehension. These reminders were based on the attitude that Hansard should be kept as a true record of what is said in the House.

110. The committee has concluded that the rules on incorporation should not be relaxed to allow the incorporation of Ministers' second reading speeches in Hansard but that steps be taken to encourage the inclusion of matters of detailed explanation of the provision of bills in explanatory memoranda rather than the second reading speeches. The committee believes that this will encourage more factual information being placed in explanatory memoranda rather than second reading speeches.

Recommendation

111. It is recommended that the guidelines for the preparation of second reading speeches and explanatory memoranda be reviewed to ensure the former are kept as brief as possible and matters of detail not critical to the speeches are included in explanatory memoranda.

PETITIONS

112. In examining the timing and duration of the Clerk's announcement of petitions lodged for presentation the committee decided to widen its investigation to fully cover the current arrangements for the whole petitioning process. Submissions were sought from the Clerk of the House and Australian Archives and the committee examined procedures followed in a number of overseas Parliaments.

113. The committee believes that the ancient right to petition the House must be upheld, petitions being the only means by which an individual can directly place grievances before the Parliament. Whilst there may be more effective ways of obtaining action or redress on individual grievances and the petitioning process may be dominated by special interest groups, to remove the right to petition the Parliament would be a retrograde step. The committee has concluded, however, that certain changes should be made to current procedures.

114. Since the petitions procedures were last reviewed in depth by the Standing Orders Committee in 1972 the number of petitions presented each year has increased dramatically (see Appendix 13). There were 723 petitions presented in 1971 and 2955 in 1985. The major problems with the current arrangements are:

- . the duplication of petitions;
- . the timing and length of the Clerk's announcement, and
- . the storage of petitions

and it is these matters in particular that the committee has addressed.

115. A majority of the petitions presented are duplications of ones presented at an earlier time. Of the 2955 petitions presented in 1985 there were 305 different petitions. That is, only one in 10 was an original petition.

116. Whilst the duplication is partly due to organised campaigns on certain issues resulting in different Members receiving similar petitions from different parts of the nation, it is also partly due to the acknowledged practice of Members submitting one page of a multi-page petition each day or distributing sheets to a number of colleagues, presumably to secure greater publicity. An associated problem which has been brought to the committee's attention has been the emergence of petitions which are clearly being promoted and have often been prepared by particular Members.

117. It was put to the committee that the petitioning procedures of the House are being exploited so as to take unfair advantage thus bringing the practice into disrepute. This is exemplified by the case of one petition that was presented on 94 occasions in 1985. Between them, 4 Members presented 70 (74%) of these petitions.

118. The timing and, to a lesser extent, the length of the Clerk's announcement are also problems. Currently the Clerk's announcement averages 4.5 minutes per sitting day for a total of 4.6 hours per year. The crucial factor here is not so much the time taken but the feeling that it is a ritualised format. The committee believes that to raise the importance of this ancient right and enhance the presentation of petitions the announcement should be read by the Chair after Prayers on sitting Wednesdays or Thursdays (whichever is the broadcast day).

119. An associated problem seen by the Clerk is that, given the increase in the number of petitions presented, House officers have problems in preparing the announcement and checking petitions for certification within the lodgement cut-off time allowed by the standing orders.

120. The committee has examined a range of options for changes to the petitioning process, both to remove the need for and discourage the presentation of duplicate petitions and to overcome administrative problems associated with their presentation and storage.

121. The committee has concluded that the need and opportunity for Members to repetitively present similarly worded petitions can be attained by:

- . the recording and announcement of the number of signatures allotted to each petition so that the relative support for different petitions can be determined;
- . the restriction of the petitions announcement to one day per week, and
- . the improvement of follow up procedures by giving Ministers the opportunity to respond formally to original petitions should they so wish.

122. The Clerk has advised the committee that it has not been the practice in the House of Representatives to announce the number of signatories to a petition as, due to the substantial number of petitions presented to the House each year, there would be practical difficulties in counting signatures contained on each petition bearing in mind that some petitions on public issues may contain thousand of signatures. In these circumstances, the counting of signatures has not been considered justified on the ground of cost. Another factor was that the counting could be complicated by the need to resolve queries that may arise regarding authenticity of signatures.

123. It took one officer approximately 5 hours to count 8818 signatures on the 69 petitions received in the House of Representatives on 12 September 1985. This count was conducted as a trial.

124. The committee has concluded that an announcement of the number of signatories to a petition and the aggregate number of signatures for identical petitions would enable the relative support of different petitions to be determined and this, together with the restriction of the announcement to one day per week, should discourage the practice of Members submitting petitions page by page and distributing pages to colleagues for presentation. The committee believes that it should be the obligation of the Member presenting the petition to affix to the petition a statement of the number of signatures together with the Member's signature.

125. It is the committee's view that petitioners should be required to affix their addresses as well as their signatures to petitions. The committee agreed that, whilst neither Members nor the Clerk can ensure that every signature on every petition is genuine, this requirement should discourage possible abuse of the petitioning process. It is proposed that the pro-forma distributed to assist with the drafting of petitions be altered to make provision for the inclusion of addresses and that the lines be numbered consecutively to assist in the counting of signatures.

126. In 1972 it was put to the Standing Orders Committee that:

... 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.

127. The Standing Orders Committee agreed to a recommendation that copies of petitions be referred to the appropriate Minister and this was adopted by the House (Standing Order 132). This committee agrees with the Clerk that this procedure may not have proved as effective as hoped as, whilst Ministers may take action and respond directly to the Member who presented a petition, there is no record of any responses being announced to, or tabled in, the House.

128. The committee has concluded that follow up procedures could be improved by giving Ministers the option of formally responding to petitions and having the response printed in Hansard.

129. The committee inspected the storage of petitions at Australian Archives and also received advice on the possible disposal of originals of petitions presented. There are approximately 70 shelf metres of original petitions in the custody of Archives and about 4 metres held in the House. Archives currently charges Commonwealth business undertakings \$4.50 per annum for storage of each shelf metre of temporary value records. The cost of retaining records indefinitely is likely to be much higher as it would include documenting, conserving, servicing and providing access as well as costs to the House in preparing records for transfer. The committee has therefore concluded that the primary (administrative) and secondary (research) value of petitions in storage should be appraised to enable the development of appropriate disposal and storage procedures.

Recommendations

130. It is recommended that:

- . the announcement of petitions lodged for presentation be made by the Chair following Prayers on Wednesday or Thursday (whichever is the broadcast day) and Members be required to lodge petitions for presentation by 6 p.m. on the evening previous to that meeting;
- . the announcement include the number of signatories for each petition and the aggregate number of signatures for identical petitions and these figures be included in the Votes and Proceedings and Hansard;

- . the counting of signatures be the responsibility of the Member lodging the petition and it be the duty of the Member to affix to the petition the number of signatories together with the Member's signature;
- . petitioners be required to state their addresses on the petition following their signatures;
- . the petition pro-forma distributed to assist those drafting petitions provide for the inclusion of addresses and contain lines numbered consecutively;
- . a petition obviously promoted by a Member which includes his address or photograph be ruled out of order;
- . Ministers be given the option to respond to petitions and the response be forwarded to the Clerk, acknowledged at the end of the petitions announcement and printed in Hansard, and
- . resources be made available by the Department of the House of Representatives for the assessment of the primary (administrative) and secondary (research) value of petitions stored at Australian Archives and that appropriate storage and disposal arrangements be developed and implemented.

QUORUM PROVISIONS

131. The quorum of the House of Representatives is 50 Members pursuant to section 39 of the Constitution which states:

Until the Parliament otherwise provides, the presence of at least one-third of the whole number of the members of the House of Representatives shall be necessary to constitute a meeting of the House for the exercise of its powers.

132. The quorum of the committee of the whole, pursuant to standing order 270, is the same as that of the House. There is no constitutional requirement for the quorum in committee to be the same as that of the House, or for there to be a stated quorum at all.

133. The rationale behind the quorum requirement is to ensure that the number of Members making a House and voting on any decision is reasonably substantial. Without a quorum requirement it would be possible for decisions to be made and legislation passed in the name of the House by a small number of Members and, as a safeguard against this possibility, Parliaments require the presence of a minimum number of Members when decisions are taken by division.

134. As shown in Appendix 14, the House of Representatives has a high quorum requirement compared with many legislatures.

135. There have been attempts in the past to alter the quorum of the House, most notably in 1970 and 1971. In 1970 the Standing Orders Committee recommended that legislative action be taken to reduce the quorum from one-third of the Members to one-fifth. Legislative action was initiated but never completed, the bill lapsing at the close of the 27th Parliament.¹

136. In submissions to the committee Members have made a number of proposals for the alteration of the quorum provisions, the major ones being:

- . the reduction of the size of the quorum;
- . the limitation of quorum calls to one per day, and
- . the setting aside of set periods when no quorum calls would be allowed, thus allowing committees to meet without interruption.

¹ For a full summary of the action taken, see House of Representatives Practice, pp 296-7

137. It was proposed that a quorum should be present in the House at all times and that it should be the direct responsibility of the Chair to take action to ensure it is maintained. It was also proposed that the quorum of the House and committee of the whole should be reduced to 25 (one-sixth of the House) of whom at least 5 should be Opposition Members.

138. Quorum calls do not, in fact, take up a great amount of time. In 1985 there were 41 quorums called at an estimated 2 minutes per quorum. There were 68 in 1984, 24 in 1983 and 27 in 1982. Objections to current requirements relate mainly to the frequency of quorum calls. Quorum calls are seen by many as disruptive and great frustration is felt by Members and Ministers when important non-Chamber activities such as parliamentary and party committee meetings and Cabinet meetings are interrupted by quorum calls. The committee agrees that they do cause considerable disruption to Members' duties outside the Chamber.

139. The committee considered the provisions in the standing orders requiring a quorum to be present at the commencement of each meeting of the House and when divisions are taken and agreed there should be no change to the current provisions.

140. In its deliberations the committee also considered the proposals to reduce the size of the quorum and to eliminate or reduce the opportunities for quorum calls.

141. The committee concluded that the quorum requirement in the House of Representatives is unnecessarily large and should be reduced to one-fifth of the whole number of Members. This would not remove the safeguard against the possibility of decisions being made by a small number of Members, especially given the fact that a large proportion of Members is always within the precincts of Parliament House.

142. The committee believes that it is the duty of all Members to ensure a quorum is present in the Chamber at all times though it accepts that, to utilise their time effectively, Members, Ministers and office holders must attend a range of parliamentary, party and Cabinet committee meetings as well as meetings with constituents and others.

143. The committee therefore proposes that each party represented in the House maintain a roster to ensure that one-fifth of their membership is present in the House at all times. The committee does not envisage there being any formal requirement for the proposed roster, but suggests that each party accept its share of the responsibility for maintaining a quorum. If a quorum is found not to be present, it would be the primary responsibility of rostered Members to make a House. It is not proposed, as suggested, that the Chair take action to ensure the quorum is maintained. That responsibility should rest with each party. The committee understands that this procedure works effectively in at least one State Parliament.

144. As well as considering proposals to eliminate or reduce the opportunities for Members to make quorum calls, the committee also considered the possibility of restricting the right to call quorums to the party whips. However, the committee has concluded that no action in this regard should be taken as it considers the right of any Member to draw the Chair's attention to the "state of the House" should be maintained. It is felt that the proposed roster should significantly reduce the number of quorum calls and, together with improved business management and more predictable division times, this will enable Members to plan their extra-Chamber commitments with less fear of interruption whilst achieving a better presentation to the Gallery and the public in general.

Recommendations:

145. It is recommended that:

- . legislative action be taken to reduce the quorum of the House from one-third of the whole number of the Members to one-fifth to minimise disruption to legitimate extra-Chamber activities, and
- . each party represented in the House roster one-fifth of its Members for House duty to ensure a quorum is present at all times.

RECOMMENDATIONS

Days and hours of sitting

1. The committee recommends that:

- . the House sit for a minimum of 20 weeks each year;
- . the House adopt a sitting pattern of 2 sitting weeks followed by 2 non-sitting weeks, sitting from Monday to Thursday each week with the timetable as set out below:

Monday		2.00-6.30	8.00-10.30
Tuesday		2.00-6.30	8.00-10.30
Wednesday	10.00-12.45	2.00-6.30	8.00-10.30
Thursday	10.00-12.45	2.00-6.30	8.00-10.30, and

- . the House shall adhere to rising by 10.30 p.m. each sitting day and that no sitting extend beyond 10.30 p.m.: provided that when the adjournment is negatived at 10.00 p.m. the House will automatically stand adjourned at 11 p.m. after an adjournment debate of 30 minutes is concluded.

Business programming

2. A Business Committee be established by the House to facilitate the orderly programming of business and that the membership of the committee be the Speaker (or Chairman of Committees) as Chairman in a non-voting capacity, the Leader of the House (or his nominee), the Manager of Opposition Business

(or his nominee), the Government Whip (or Deputy Whip), the Opposition Whip (or Deputy Whip), the Chairman of the Selection Committee (or a nominee who must be a member of the Selection Committee), one backbench Member nominated by the Prime Minister and one backbench Member nominated by the Leader of the Opposition.

The Business Committee's functions would be to consider and, where appropriate, make recommendations to the House concerning:

- . sessional, weekly and daily programming of business including the allocation of debate times and agreed times for divisions;
- . variations to sitting hours to facilitate business;
- . the determination of bills appropriate for referral to legislation committees;
- . the selection and programming of committee reports and papers tabled for consideration by the House, and
- . the determination of matters such as papers tabled, petitions and legislation appropriate for referral to House committees.

Private Members' business

3. It is recommended that procedures be adopted whereby:
 - . from 10 a.m. to noon each sitting Thursday priority over Government business is allocated to private Members' (non-Ministers') business notwithstanding debate on the Budget or the Address in Reply;

- . private Members give notices of motion and notices of intention to present bills by delivering a copy of their terms to the Clerk in accordance with the procedures currently operating or by giving an oral notice during Members' statements as provided for in the committee's first report;
- . business to be accorded priority for each Thursday, the order of priority and the allocation of debate times will be decided (by a 2/3 majority) by a Selection Committee composed of 11 backbench Members;
- . any matter not accorded priority after 4 sitting weeks is dropped from the Notice Paper;
- . the Selection Committee may invite Members sponsoring business to appear before it and present their case;
- . the Selection Committee may recommend to the Business Committee that time be made available in government business for debate on items of private Members' business of major importance, and
- . the general principles by which the Selection Committee determines priority are to be decided by that committee but will include the guidelines that priority be allocated to Members in accordance with party strength and that the Opposition executive or other individuals do not dominate.

In regard to the operation of private Members' business it is recommended that the following procedures operate:

- . on each sitting Monday notices and orders of the day accorded priority will be so shown in a specific category on the Notice Paper together with times allocated for each debate;

- . sponsors of notices of intention to present bills selected for consideration will be given the right to introduce the bill and make a 5 minute speech in support thereof prior to the commencement of consideration of Government notices and orders of the day on Monday, thus enabling bills to be introduced and circulated prior to debate;
- . following the presentation of petitions each sitting Thursday, private Members' notices and orders of the day will be called on by the Clerk in the order they appear on the Notice Paper;
- . at the conclusion of the time allotted for each item the debate will be interrupted and the matter under consideration will automatically become an order of the day for the next sitting, the Member speaking having leave to continue his remarks when debate is resumed (future priority to be determined by the Selection Committee) unless:
 - no Member rising or the closure having been agreed to, the Chair puts the question prior to the expiration of the allotted time,
 - debate is adjourned prior to the expiration of allotted time and a future time set down for its resumption (again, determination of future priority would rest with the Selection Committee), or
 - the item has been starred by the Selection Committee as one on which debate will be resumed later (e.g. a major bill) and in this case debate is automatically adjourned and the resumption of the debate set down for the next sitting Thursday;

- . after 4 sitting weeks any matter already debated and not re-accorded priority will be dropped from the Notice Paper;
- . in the case of bills, the Selection Committee will allot maximum time for the second reading debate, at the expiration of which the question must be put, and
- . should any bill pass the second reading stage (i.e. agreed to in principle by the House) it will take priority over other private Members' business until disposed of, though the Selection Committee may set time allocations for the remainder of proceedings.

Members' statements

4. That provision be made for a 15 minute period of Members' statements each day as recommended in the committee's first report and that, in the routine of business, Members' statements follow the matter of public importance (proposed to be re-named matter of public interest) on Mondays, Tuesdays and Wednesdays and the presentation of papers on Thursdays.

Adjournment debate

5. It is recommended that:
- . provided a period for Members' statements is introduced as recommended, the adjournment debate be of 30 minutes duration from 10 to 10.30 p.m. each sitting;
 - . the adjournment debate be broadcast on days the proceedings of the House are broadcast;
 - . a provision be inserted in the standing orders prohibiting the moving of the closure motion during the adjournment debate, and

- . provision for negating the adjournment be retained but with the provisos that there will be an adjournment debate of 30 minutes duration and the House must rise by 11 p.m.

Grievance debate

6. It is recommended that, subject to there being a guaranteed adjournment debate, a 15 minute period for Members' statements each day and a 2 hour block of private Members' business each week, the grievance debate procedure be abolished.

Opposition business

7. It is recommended that:

- . the public importance procedure be re-named Matter of Public Interest;
- . prior to 12 noon on sitting Mondays, Tuesdays and Wednesdays Members may propose to the Speaker that matters of public interest be submitted to the House for discussion;
- . matters of public interest follow the presentation of papers in the routine of business;
- . discussion not exceed one hour;
- . it remain open to any Member to propose a matter for discussion and the proposed discussion continue to require the support of 8 Members, including the sponsor, and
- . the maximum period for which a Member may speak should be 10 minutes.

Presentation and consideration of committee reports

8. It is recommended that procedures be implemented whereby:

- . a specific time for the presentation of committee and delegation reports is set aside each week and that it be between noon and 12.45 p.m. on Wednesday or Thursday (whichever is the broadcast day) and, if required and as determined by the Business Committee, one other day;
- . the order of presentation is determined by the Business Committee and listed on the Blue Program;
- . on presentation the committee (or sub-committee) Chairman or delegation leader and one other committee or delegation member each has the right to make a statement for a period not exceeding 10 minutes;
- . following presentation and statements the committee/sub-committee chairman or delegation leader has the right to move motions without notice or leave that the House take note of the report and that the report be printed;
- . following presentation of reports (or if no reports are to be presented), orders of the day are called on for resumption of debate on motions to take note of committee or delegation reports presented at earlier sittings, speech time limits to be 10 minutes and the order of priority and debate time limits to be determined by the Business Committee and listed in a separate section of the Notice Paper;

- . if there are no reports for presentation or debate, the House proceed with Government business, and
- . in cases of necessity, a report may still be presented at a time when no other business is before the House, though current procedures whereby leave of the House must be sought for statements would apply.

Legislation committees

9. Legislation committees be reintroduced to examine in detail such bills as are referred by the House on the recommendation of the Business Committee after they have passed the second reading stage in the House.

Removal of proceedings from the Chamber

10. The procedures for the tabling of ministerial papers following Question Time be altered in accordance with the following arrangements:

- . at the commencement of business at each sitting a schedule of papers to be presented is circulated to all Members in the Chamber;
- . following Question Time a Minister presents the papers as listed on the circulated schedule;
- . if no schedule has been circulated, a Minister reads the titles of the papers to the House at presentation;
- . papers tabled continue to be listed in Hansard and the Votes and Proceedings;

- . Ministers retain the option of presenting a paper separate from the list should they wish to make a statement or move a motion in connection with the paper in accordance with current procedures, and
- . the Business Committee makes recommendations to the House on the scheduling of major papers for debate or their referral to committees as it sees fit.

11. The announcement of messages from the Senate on which no further action by the House is required be discontinued.

Reading speeches

12. A prohibition be placed on the reading of speeches in the House with the exception of occasions where a Member is:

- . making a maiden speech;
- . moving a motion for the second reading of any bill or speaking to such a motion as the Member next speaking;
- . making a ministerial statement or a statement on behalf of a committee or delegation following the presentation of a report, and
- . making a response to a ministerial statement as first speaker for the Opposition, and

a provision be inserted in the standing orders enabling the Speaker to allow some relaxation of the rule, taking into account the technical nature of the subject or any special circumstances.

Ministers' second reading speeches

13. The guidelines for the preparation of second reading speeches and explanatory memoranda be reviewed to ensure the former are kept as brief as possible and non-critical matters of detail not critical to the speeches are included in explanatory memoranda.

Petitions

14. It is recommended that:

- . the announcement of petitions lodged for presentation be made by the Chair following Prayers on Wednesday or Thursday (whichever is the broadcast day) and Members be required to lodge petitions for presentation by 6 pm on the evening previous to that meeting;
- . the announcement include the number of signatories for each petition and the aggregate number of signatures for identical petitions and these figures be included in the Votes and Proceedings and Hansard;
- . the counting of signatures be the responsibility of the Member lodging the petition and it be the duty of the Member to affix to the petition the number of signatories together with the Member's signature;
- . petitioners be required to state their addresses on the petition following their signatures;
- . the petition pro-forma distributed to assist those drafting petitions provide for the inclusion of addresses and contain lines numbered consecutively;

- . a petition obviously promoted by a Member which includes his address or photograph be ruled out of order;
- . Ministers be given the option to respond to petitions and the response be forwarded to the Clerk, acknowledged at the end of the petitions announcement and printed in Hansard, and
- . resources be made available by the Department of the House of Representatives for the assessment of the primary (administrative) and secondary (research) value of petitions stored at Australian Archives and that appropriate storage and disposal arrangements be developed and implemented.

Quorum provisions

15. It is recommended that:

- . legislative action be taken to reduce the quorum of the House from one-third of the whole number of the Members to one-fifth to minimise disruption to legitimate extra Chamber activities, and
- . each party represented in the House roster one-fifth of its Members for House duty to ensure a quorum is present at all times.

LEN KEOGH
Chairman

Dissenting Report of Mr E.J. Lindsay, RFD, MP.

BUSINESS PROGRAMMING

I dissent from recommendation 52 on the ground that the facilitation of the orderly programming of business of the House must remain the prerogative of the Government of the day. Government must have unfettered discretion to program the business of the House not only to carry out its policies but also in response to the exigencies of Government. The Procedure Committee has adduced insufficient evidence to support Recommendation 52.

OPPORTUNITIES FOR PRIVATE MEMBERS

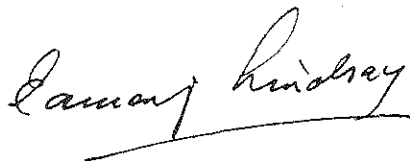
I dissent from recommendations 62 and 63. The Procedure Committee has not established grounds that a selection committee should perform the implementation of existing procedures to select matters for debate in private Member's business and determining the time to be allocated to their debates. Generally, Members are able to speak on every bill introduced in the House, subject, if necessary, to the reasonable constraints of time. It would be a denial of the parliamentary processes as practised in Australia if a selection committee were constituted to determine either the business of the House or the number, or indeed, which Members are selected to speak in the House.

LEGISLATION COMMITTEES

I dissent from the recommendation to establish legislation committees.

The Procedure Committee has adduced insufficient evidence to support the recommendation contained in paragraph 90 of the report. House of Representatives Standing Orders provide adequate administrative machinery to deal with not only the present volume of legislation each year but also a much increased volume of legislation. Bills introduced in the House do receive thorough examination. Adequate opportunities do exist for Members to participate in debate. The House resolves itself into a committee of the whole whenever so requested. I believe the only instance where the full administrative processes to deal with legislation may be abridged is in the case of a motion limiting debate.

It is the constitutional duty of the House by itself, or as a committee of the whole, to undertake the deliberative legislative processes for the passage of a bill. The recommendation of the Procedure Committee would remove part of the integrity of that process from the House.

A handwritten signature in cursive script, reading "Eamon Lindsay", with a horizontal line underneath the name.

EAMON LINDSAY

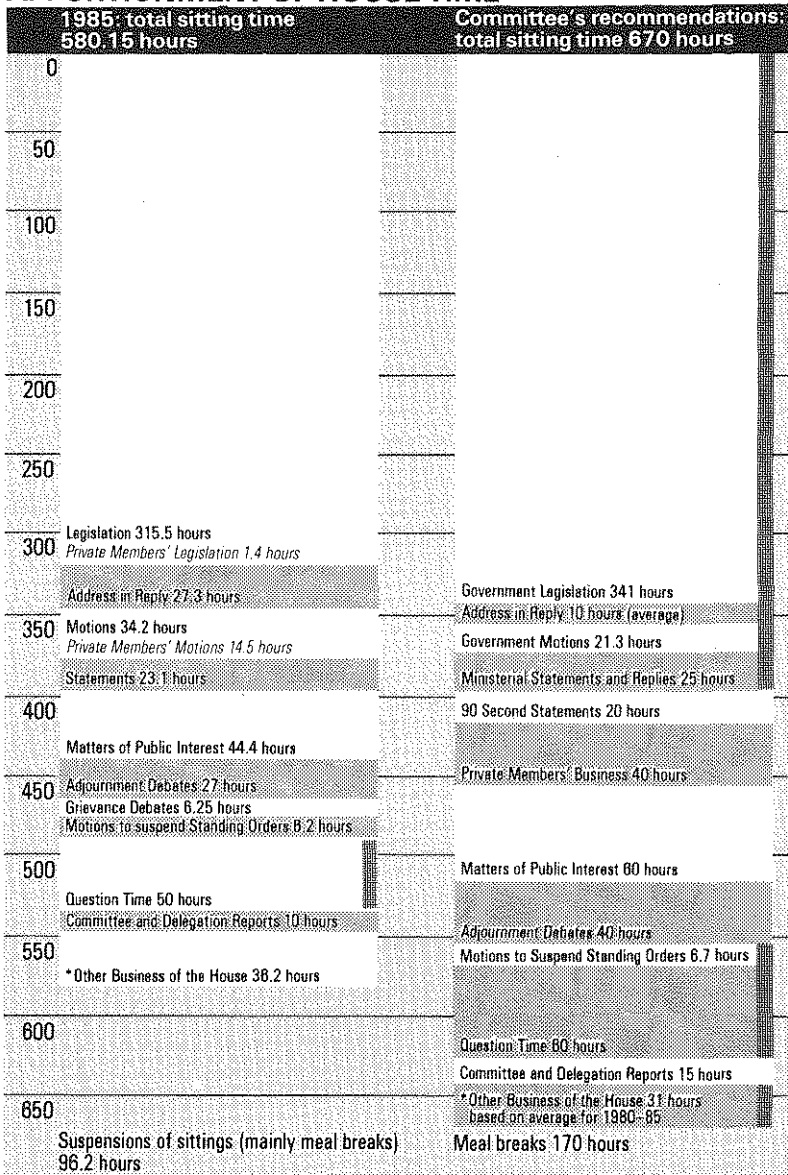
28 May 1986

APPENDIXES

APPENDIXES

1. Apportionment of House time 1985 and committee's proposals
2. Proposed weekly timetable
3. Days and hours of sitting - Historical averages
4. Questionnaire on sitting hours - Summary of responses
5. Occupational health of Members - Summaries of reports of two recent studies
6. House time 1970-85
7. House consideration of legislation 1984-85
8. Government response to committee's first report
9. Matters of Public Importance discussed in 1985.
10. Consideration of committee and delegation reports 1984-85
11. Consideration of bills in committee of the whole 1964-85
12. Consideration of bills in committee of the whole 1984 and 1985
13. Petitions received 1901-85
14. Quorum requirements of lower houses of selected parliaments
15. Submissions

APPORTIONMENT OF HOUSE TIME



Estimated time

*Other Business of the House includes time spent on: presentation of petitions; votes of condolence; addresses (excluding Address in Reply); motions for leave of absence; special adjournment motions; presentations of papers (excluding subsequent motions to take note);

matters of privilege; personal explanations; motions of dissent from rulings of the Chair; announcements of ministerial arrangements; and motions to appoint parliamentary committees.

APPENDIX 2

PROPOSED WEEKLY TIMETABLE

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY
10.00 am				Petitions
11.00 am				Private Members' Business
noon			Government Business	Committee Reports maximum 45 minutes
1.00 pm				
2.00 pm	Question Time Papers	Question Time Papers	Question Time Papers	Question Time Papers
3.00 pm	Matters of Public Interest	Matters of Public Interest	Matters of Public Interest	Members' Statements Ministerial Statements
4.00 pm	Members' Statements Ministerial Statements	Members' Statements Ministerial Statements	Members' Statements Ministerial Statements	
5.00 pm				
6.00 pm	Government Business	Government Business	Government Business	Government Business
7.00 pm				
8.00 pm				
9.00 pm	Government Business	Government Business	Government Business	Government Business
10.00 pm	Adjournment Debate	Adjournment Debate	Adjournment Debate	Adjournment Debate

Items of business may not necessarily be called on at the times indicated but are shown where they could occur in the routine of business.

HOUSE OF REPRESENTATIVES

DAYS AND HOURS OF SITTING - HISTORICAL AVERAGES

Period	Sitting weeks per year	Sitting days per year	Average number of Sitting hours per year*	Acts passed per year	Hours per Act
1901-1910	26	95	577	23	25.1
1911-1920	22	71	449	40	11.2
1921-1930	20	67	425	47	9
1931-1940	18	58	382	75	5.1
1941-1950	22	70	452	73	6.2
1951-1960	21	63	461	96	4.8
1961-1970	20	62	483	120	4
1971-1980	22	69	543	173	3.1
1981-1985	18	56	480	173	2.8
1981	21	62	476	182	2.6
1982	19	53	432	158	2.7
1983	17	49	438	147	3
1984	13	52	473	175	2.7
1985	18**	66	580	202	2.9
1901-85	21	68	472		

* hours House actually spent considering business - does not include meal breaks

** includes a week with only 1 sitting day.

QUESTIONNAIRE ON SITTING HOURS

SUMMARY OF RESPONSES

Members surveyed	136	Members responding	110 (81%)
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Sitting patterns and timetable (first preferences)

Option 1:	Current sitting pattern and timetable	34%
Option 2:	Three day week with traditional timetable	16%
Option 3:	Variation of current sitting pattern (Monday to Thursday both weeks)	15%
Option 4:	Variation of current sitting pattern (Monday to Thursday both weeks, with early rising)	32%
Other		3%

Specific questions on sitting hours

In favour of Monday over Friday for 4 day weeks	64%
In favour of early rising on Wednesday evenings	82%
In favour of sitting through lunch on Thursday	74%
In favour of a longer evening dinner break	24%
In favour of strict adherence to 11 p.m. rising	81%

Health aspects

Symptoms reported:	Inadequate sleep	66%
	Unhealthy eating or drinking habits	42%
	Insufficient exercise time	55%
	Insufficient relaxation time	49%
	A general 'heavily stressed' feeling	35%
	None of the above	17%

Current health status:	Excellent	37%
	Good	45%
	Fair	6%
	Poor	3%

OCCUPATIONAL HEALTH OF MEMBERS - SUMMARIES OF REPORTS OF TWO
RECENT STUDIES

REPORT ON PARLIAMENT HOUSE RISK ASSESSMENT SERVICE 1985
NATIONAL HEART FOUNDATION (ACT DIVISION) DECEMBER 1985.

1985 was the fourth consecutive year that a heart disease risk assessment service had been provided to federal parliamentarians by the ACT Division of the National Heart Foundation in conjunction with the Joint House Department. The goal of the service was, in the long term, that federal parliamentarians would be less likely to develop heart disease. The short term goal was to identify those individuals who were exhibiting risk factors of heart disease, and assist those who were 'at risk' in modifying certain behaviours in order to reduce or eliminate risk factors.

The service consisted of a short questionnaire about lifestyle and personal and family history; and an examination to determine weight, blood pressure and blood fat levels. 100 Members and Senators participated.

Results

A number of participants were assessed as being overweight or as having high blood pressure or blood fat levels, however the prevalence of these heart disease risk factors was not vastly different from that existing among the general population. The average cholesterol reading was slightly higher for parliamentarians than average Australian men and this indicated that many parliamentarians should consider modifying their dietary intake of fat.

A large percentage of parliamentarians tested were trying to modify their lifestyle to improve their health. There had been some improvement in the health statistics of those participants who had attended the risk assessment service in earlier years.

Recommendations

There was still room for improvement. Continuation of the service, including personal health counselling, was recommended.

Consideration of structural factors, e.g. menus in the Dining Room, investigation into length and timetabling of sitting hours, exercise facilities etc, should continue. However, personal responsibility for health had to be taken into account. Some Members and Senators managed to maintain healthy habits despite work pressures, long hours and travelling, because they considered their health sufficiently important. Altered sitting hours would not necessarily mean that parliamentarians would exercise more. Even though low fat and low salt meals were available, parliamentarians would not always choose them. It had to be remembered that health was a personal choice.

STUDY OF WORK RELATED STRESS IN MEMBERS OF PARLIAMENT
MEREDITH WALLACE AND GEORGE SINGER, BRAIN-BEHAVIOUR RESEARCH
INSTITUTE AND DEPARTMENT OF PSYCHOLOGY, LA TROBE UNIVERSITY,
1984.

This study was to determine the psychological and physiological responses of a sample (14) of parliamentarians in an attempt to assess the effect of working conditions on health.

Health, sleep and family adjustment in relation to work difficulty and pressure, work load and job support were investigated in an interview setting. Objective measures of the physiological response to a typically long working day were obtained by assessing the levels of hormones (adrenaline and noradrenaline) known to reflect stress, distress and arousal.

Results

From the interviews more than a third of the sample were judged as scoring at an undesirable level on workload, ability to relax and perceived work pressure.

The hormone analysis showed that the patterns of hormone excretion rates did not match those of other groups; generally the levels were higher. In particular, the group as a whole had high adrenaline levels across the extended working day, suggesting a level of psychological stress and mental fatigue greater than occurred in comparison groups. It was noted that the marked increase in adrenaline levels coincided with the hours during which the House was in session.

Recommendations

The project was a pilot study and the small number of subjects, as well as the bias derived from using volunteers, made any firm conclusions difficult. However, the material obtained on the physiological and psychological costs of this occupation, while not immediately alarming, suggested that chronic exposure without a change in lifestyle could claim some casualties.

The following recommendations were made:

1. Members should be encouraged to develop a greater concern for physical fitness, including aerobic fitness, diet and health checks, less alcohol and tobacco intake.
2. Members should be advised on work routines which maximise personal efficiency, including such techniques as assigning priorities and delegation.
3. Stress management techniques, particularly relaxation training and "self talk" would be of value to some Members who find difficulty in "unwinding".

More specific recommendations would follow from a larger, full-scale study and it was also recommended that such a study be carried out.

HOUSE TIME 1970-85

	Proportion of House time spent		Actual time spent			
	1970-84	1985	hours per year		minutes per day	
	1970-84	1985	1970-84	1985	1970-84	1985
Consideration of legislation						
- Government sponsored	51.7%	54.1%				
- Sponsored by Private Members	0.3%	0.2%				
	<u>52.0%</u>	<u>54.3%</u>	269	315	248	287
Consideration of motions						
- Government initiated	6.3%	3.4%				
- Initiated by Private Members	3.5%	2.5%				
	<u>9.8%</u>	<u>5.9%</u>	50	34	46	31
Statements						
- Ministerial Statements	3.2%	3.1%				
- Statements by Members	1.0%	0.9%				
	<u>4.2%</u>	<u>4.0%</u>	21	23	20	21
Matters of Public Importance	6.2%	7.7%	31	44	29	40
Adjournment Debates	4.5%	4.7%	24	27	22	24
Grievance Debates	1.7%	1.1%	9	6	8	6
Address in Reply	3.6%*	4.7%	19*	27	17*	25
Motions to suspend Standing Orders						
- Government initiated	0.4%	0.4%				
- Initiated by Private Members	1.1%	0.6%				
	<u>1.5%</u>	<u>1.0%</u>	8	6	8	6
Business of House	18.3%	16.6%	95	96	88	87

* Figures for 1970-84 are averages for the 15 year period except those for the Address in Reply which cover the 9 years the Address was debated.

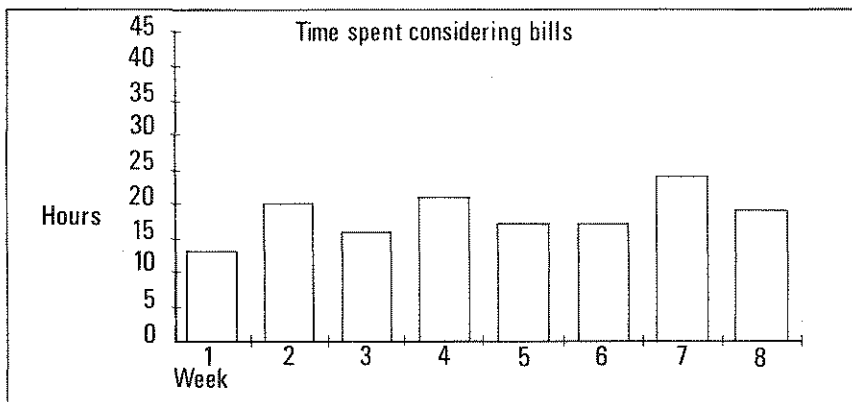
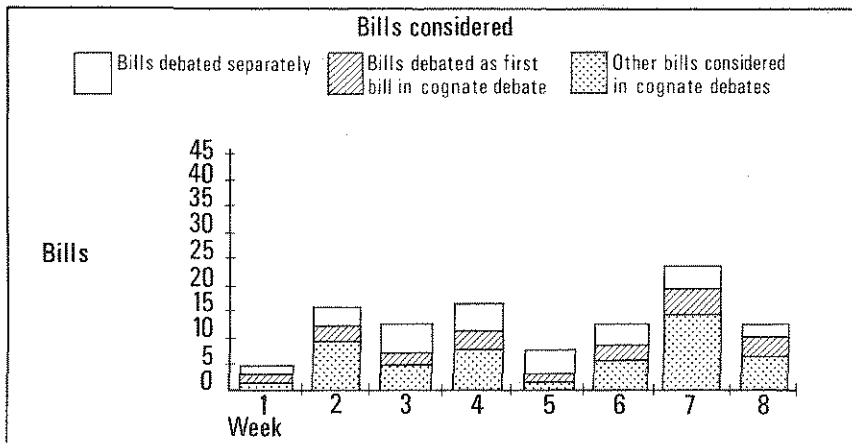
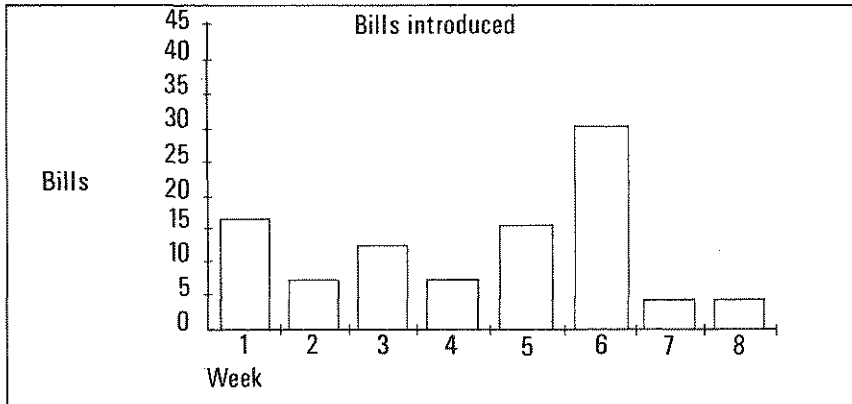
"House time" is the time the House was actually sitting and considering business (i.e. excluding suspensions of sitting).

"Business of the House" includes time spent on Question Time, consideration of committee and delegation reports, presentation of petitions, votes of condolence, addresses (excluding Address in Reply), motions for leave of absence, special adjournment motions, presentation of papers (excluding subsequent motions to take note), matters of privilege, personal explanations, motions of dissent from rulings of the Chair, announcements of ministerial arrangements and motions to appoint parliamentary committees.

HOUSE CONSIDERATION OF LEGISLATION 1984-85

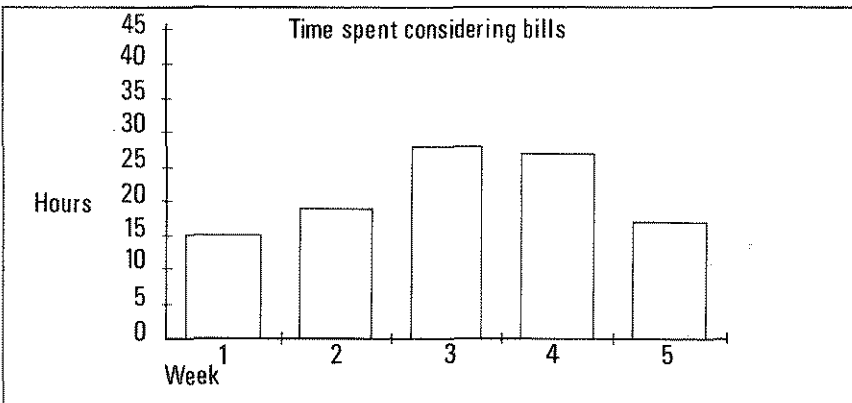
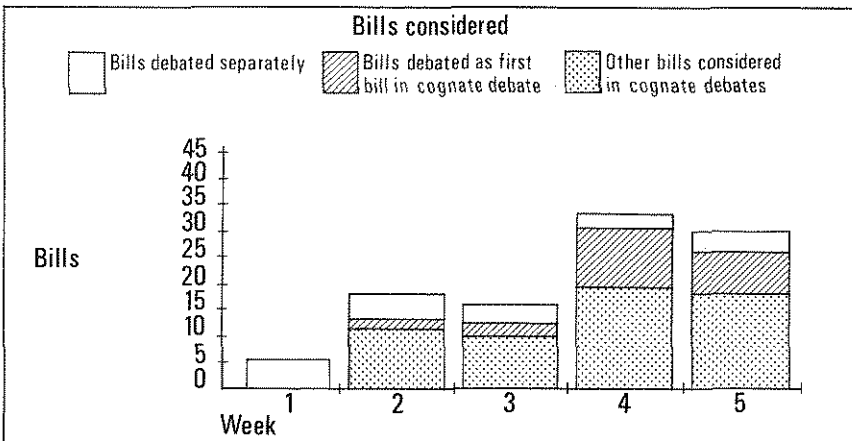
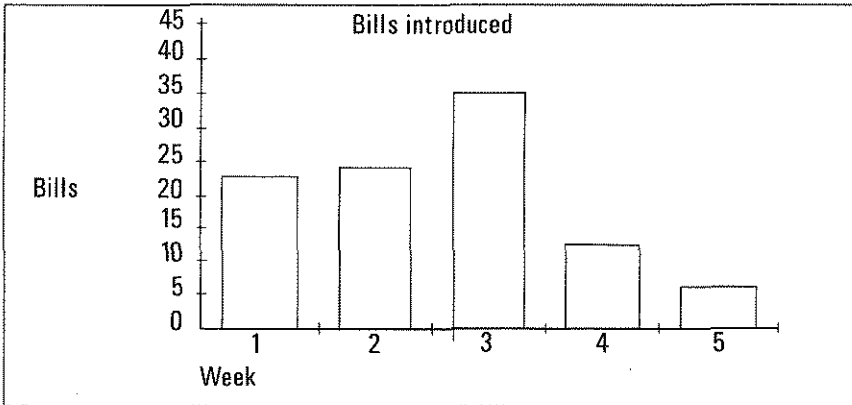
This Appendix presents in chart form details of the introduction and consideration of legislation for the Autumn and Budget sittings of 1984 and 1985. It is apparent from these charts that the timing of the introduction of legislation has meant that the House has been left to consider a significant proportion of legislation towards the end of each period of sittings. During the Autumn sittings, in particular, the bulk of the legislation (39% in 1984 and 51% in 1985) was introduced in the last 3 sitting weeks, which were also the weeks when the greatest proportion of House time was spent on considering legislation (40% in 1984 and 59% in 1985).

House consideration of legislation Autumn - 1984



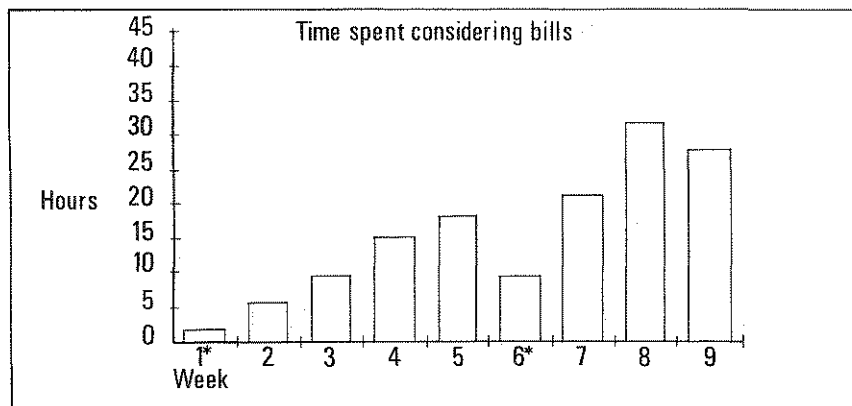
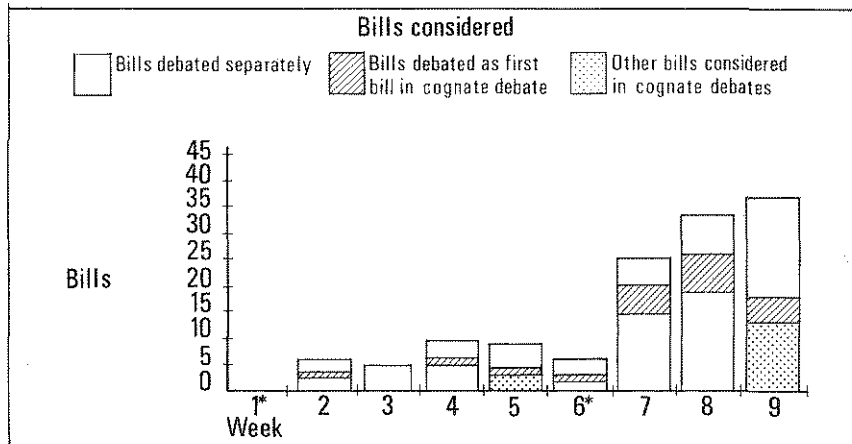
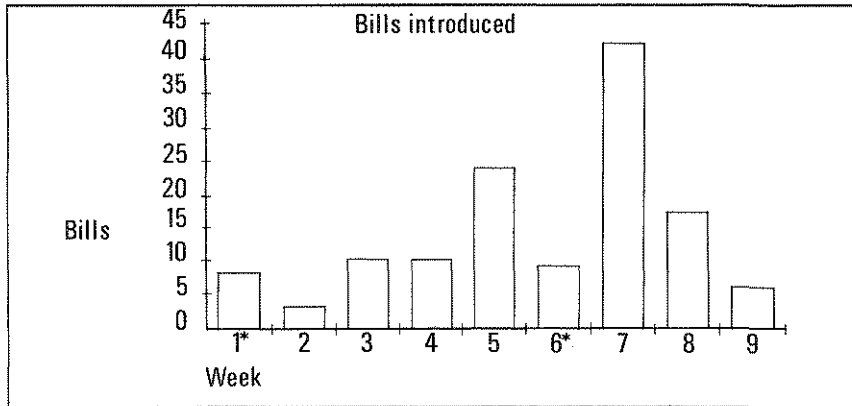
In some cases consideration of bills has carried over from previous weeks
Time is calculated to the nearest hour

House consideration of legislation
Budget - 1984



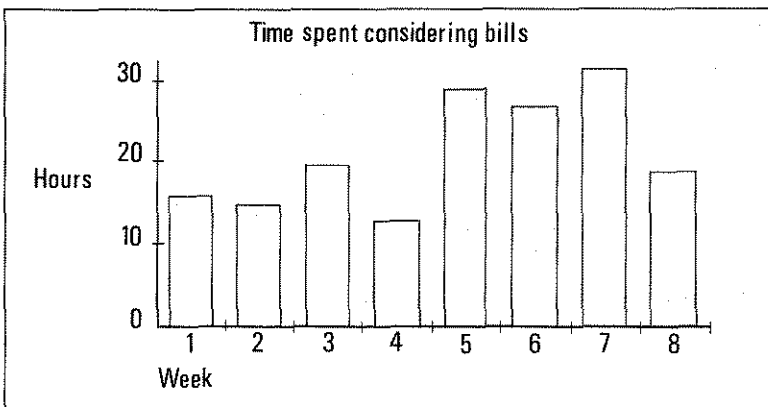
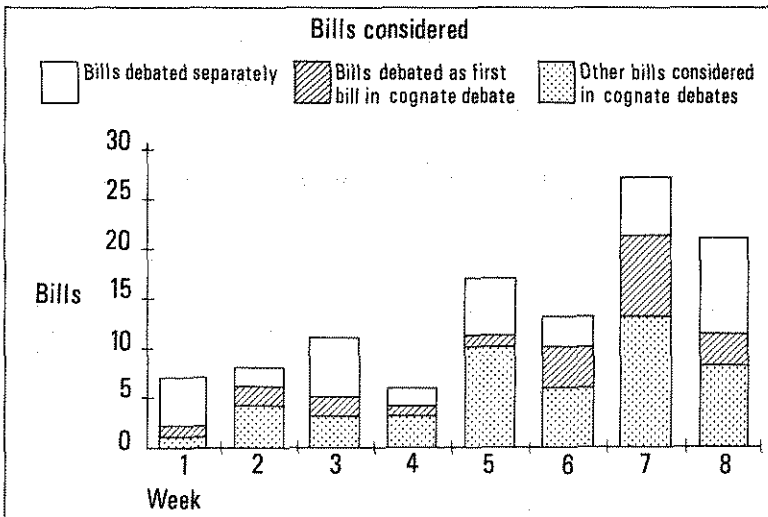
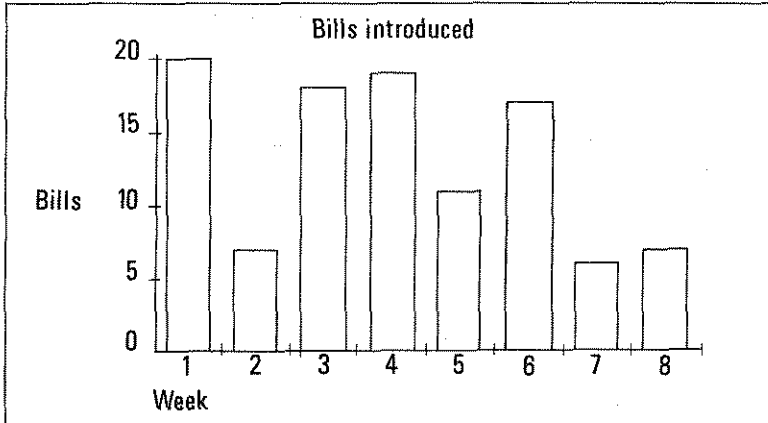
In some cases consideration of bills has carried over from previous weeks
Time is calculated to the nearest hour

House consideration of legislation Autumn - 1985



*Short sitting weeks
 Address in reply was debated over first four weeks of 1985
 In some cases consideration of bills has carried over from previous weeks
 Time is calculated to the nearest hour
 Time indicated for debate in week 1 was time spent on second reading speeches only

House consideration of legislation Budget - 1985



In some cases consideration of bills has carried over from previous weeks
Time is calculated to the nearest hour

RESPONSE TO THE FIRST REPORT OF THE COMMITTEE ON PROCEDURE

Text of the statement of the Leader of the House, the Hon. M.J. Young, MP, tabled on 29 November 1985.

Mr Speaker

Very early in this Parliament the Government moved to establish a standing committee on the procedures of this House. I believe all Members would agree a thorough review of procedures was long overdue.

The first report of the committee takes up the subject of alternative opportunities for Members to concisely address the House and proposes a period for short statements, including the giving of notices of motion. At the time of the establishment of the committee the Government also moved to change the sessional orders which altered the practice of giving notices of motion by removing the provision whereby Members would state the terms of the proposed motion to the House.

This move by the Government, Members will recall, was taken as a result of our experience in the last Parliament where the schedules of the Parliament were being disrupted through a general abuse of these processes.

The former procedure could not be interpreted as a means for private Members to address the House whatever else it may have provided.

Whilst I realise the committee is busy looking at a whole range of methods for improving procedures, the Government is not attracted to the proposals for short statements in the first report to be implemented in isolation without further reform.

The Government recognises the need to give more opportunities for private Members to address the House and is conscious of this need in preparing the parliamentary program.

Closer scrutiny of procedures, including those relating to opportunities for private Members, has been made more urgent with the increased numbers now in the House of Representatives.

The Government believes that the matter of providing greater opportunities for private Members to address the House should be addressed in the context of the whole subject of how the time of the House is used.

It will be my intention on behalf of the Government to put forward a comprehensive submission to the committee on the effective use of the time of the House.

I assure Members this submission will lay heavy emphasis on increasing opportunities for private Members.

MATTERS OF PUBLIC IMPORTANCE DISCUSSED IN 1985

- . The extraordinary conduct of the Government in its handling of the public service dispute (25 February 1985).
- . The growing doubts about the Government's ability and resolve to effectively manage the economy as exemplified by the recent depreciation of the Australian dollar (26 February 1985).
- . The failure of the Government to take a stand on the ANZUS nuclear ships issue and the damage that this has clearly done to the ANZUS Alliance (28 February 1985).
- . The damage to Australia's national interests by the Government's failure to act as a responsible partner in the Western Alliance (28 February 1985).
- . The failure of the Government to act in accordance with the national interest in respect of ANZUS and ASEAN (19 March 1985).
- . The damage already done to the cause of genuine tax reform by the factionalism within the Government (20 March 1985).
- . The Government's lack of compassion towards elderly Australians with the implementation of the iniquitous assets test from today (21 March 1985).
- . The failure of the Government to take effective action against organised crime in the light of matters arising from the New South Wales police tapes (22 March 1985).
- . The necessity for the Government to appoint a Royal Commission to inquire into the New South Wales police tapes in order to restore public confidence in the administration of justice (25 March 1985).
- . The Government's deception of the Australian dairy industry and the people of Victoria (26 March 1985).
- . The failure of the Prime Minister to confront Labor's factional interests over the vital question of tax reform (27 March 1985).
- . The serious implications for Australia's international standing and national security of the Government's refusal to participate in research for the Strategic Defence Initiative (28 March 1985).
- . The failure of the Government to protect the rights and interests of Australian citizens who live in Queensland against the ACTU planned blockade of that State (16 April 1985).

- . The failure of the Government to take appropriate steps in the wake of the recent depreciation of the Australian dollar (17 April 1985).
- . The continuing failure of the Government to act against the ACTU's attack on the people of Queensland, and the consequences of this failure of leadership for Australia (18 April 1985).
- . The excessive hardship imposed on elderly Australians by the Government's assets test (19 April 1985).
- . The effect on the family farm and all Australian farmers of the failure of the Government to contain the cost-price crisis facing agricultural industries (22 April 1985).
- . The Hawke Government's attempt to cover up the consequences of its irresponsible economic management (23 April 1985).
- . The adverse implications for the Australian economy of the trade union dominance of the Hawke Labor Government (7 May 1985).
- . The continuing unjust imposition on Australian families of the Government's punitive assets test (8 May 1985).
- . The continued confusion and chaos surrounding the Government's tax reform proposals (9 May 1985).
- . The continuing failure of the Hawke Labor Government to ensure the provision of essential services to Queensland (10 May 1985).
- . The damage done to Aboriginal Australians by the failure of the Government's Aboriginal Affairs policies and administration (13 May 1985).
- . The delays, inadequacies and inefficiencies in Australia's telephone and postal services, and their impact on business and the community (14 May 1985).
- . The failure of the Government's economic management (15 May 1985).
- . The threat to the Australian scientific research as a result of the Government's mismanagement (16 May 1985).
- . The highest real interest rates in Australia for 50 years (20 May 1985).
- . The alarming run-down by the Government of the manpower, morale and effectiveness of the Army Reserve (22 May 1985).
- . The uncertainty and concern in the community caused by the Government's indecision and lack of leadership (23 May 1985).
- . The Government's complicity in support of the illegal AMIEU picket line at Mudginberri Abattoir (20 August 1985).

- . The uncertainties surrounding wages policy and economic growth revealed by last night's Budget (21 August 1985).
- . The failure of the Government to address the crisis in rural Australia adequately (22 August 1985).
- . The waste and misuse of public moneys by the Government through the Community Housing Expansion Program as revealed by the O'Donovan Report (23 August 1985).
- . The damage to employment prospects arising from the new prices and incomes accord between the Government and the ACTU (10 September 1985).
- . The damaging effects of record high interest rates on home owners, small business and other borrowers (11 September 1985).
- . The irresponsible use of trade union power in the Mudginberri and other industrial disputes and the Government's failure to respond adequately to that abuse of power (12 September 1985).
- . The Government's promotion of fraud and overservicing through its policy of universal billing (13 September 1985).
- . The devastating effect on small business and job creation of the Government's proposed capital gains and business expense taxes (16 September 1985).
- . The erratic, inconsistent and deceitful conduct of the Government on tax reform (17 September 1985).
- . The escalation of the Mudginberri dispute resulting from the failure of the Government and the ACTU to accept decisions of the Arbitration Commission and the Federal Court (18 September 1985).
- . The devastating effect on rural Australia of the Government's tax policies (19 September 1985).
- . The Prime Minister's incompetent discharge of his ministerial duties as evidenced by his handling of the Bicentennial Authority (8 October 1985).
- . The high interest rate strategy employed by the Government to maintain the ALP-ACTU Accord in the face of a falling Australian dollar (9 October 1985).
- . The Government's wasteful abuse of scarce taxpayer's funds by expenditure on politically motivated projects (10 October 1985).
- . The implications for the principle of ministerial responsibility arising out of the Prime Minister's handling of the \$500,000 payment to the former Chief Executive of the Australian Bicentennial Authority (11 October 1985).

- . The continuing escalation of costs to home owners, small business and rural industries arising from the Government's high interest rate policy (14 October 1985).
- . The exaggerated claims of the Government regarding the economic benefits flowing from the prices and incomes accord (15 October 1985).
- . The Government's failure to ensure that the public receives a reliable, cheap and efficient postal service (16 October 1985).
- . The continuing failure of the Hawke government to give support to the United States when it is right to do so as most recently evidenced by the Achille Lauro incident (17 October 1985).
- . The Hawke Government's broken promises on interest rates (12 November 1985).
- . The Wages/Price Accord and its effect on Australia's deteriorating economic performance (13 November 1985).
- . The public alarm at the recently announced Queensland electoral redistribution proposals (14 November 1985).
- . The deteriorating state of the economy due to the Government's high interest rate policies (15 November 1985).
- . The failure of the government's Priority One Youth traineeship scheme (18 November 1985).
- . The deteriorating economic outlook for agriculture and its effects on Australia's balance of trade (19 November 1985).
- . The interest rate implication of the Hawke Government's subservience to the ACTU (20 November 1985).
- . The implications of continued breaches of the Wages/Prices Accord (21 November 1985).
- . The serious implications for economic control and power in our community posed by the ACTU-Government deal on superannuation (25 November 1985).
- . The damaging consequences for small business caused by the trade union domination of the Hawke Government (26 November 1985).
- . The implications for the Australian economy and the arbitration system of last night's agreement concerning the Storemen and Packers' superannuation fund (27 November 1985).
- . The impact on Australia's future prosperity of the Government's taxes, charges and high interest rate policies (28 November 1985).
- . The escalation of industrial action in breach of the Wages/Prices Accord and in pursuit of union claims for superannuation (29 November 1985).

 CONSIDERATION OF COMMITTEE AND DELEGATION REPORTS, 1984-85

	Committee reports		Delegation reports	
	1984	1985	1984	1985
Number presented	63	54	6	7
Time spent on (hours and minutes) :				
Presentation and associated statements by leave	10.15	6.18	1.34	1.24
Debate on motions to take note of reports or other motions in relation to reports (excludes Public Works matters listed below).	0.20	1.11	0	0
Statements and debate associated with Government responses to committee reports.	0.51	1.49		
Motions referring works to the Public Works Committee.	1.03	1.40		
Motions for approval of work referred to the Public Works Committee.	2.08	2.26		

APPENDIX 11

CONSIDERATION OF BILLS IN COMMITTEE OF THE WHOLE 1964-85

Year	Bills Introduced+	Bills considered in committee of the whole	% of bills considered in committee of the whole
1964	135	55	41
1965	158	31	20
1966	94	20	21
1967	133	33	25
1968	169	26	15
1969	101	30	30
1970	154	30	19
1971	148	34	23
1972	146	27	18
1973	253	61	24
1974	226	64	28
1975	215	65	30
1976	230	54	23
1977	164	28	17
1978	224	53	24
1979	196	32*	16
1980	205	37*	18
1981	202	38*	19
1982	196	43	22
1983	170	38	22
1984	192	51	27
1985	234	65	28
Average			
1964-1985	179	42	23

+ Includes those bills brought from the Senate. These totals do not reflect all bills before the House during the year.

* Includes Appropriation Bill (No. 1) considered by estimates committees.

HOUSE OF REPRESENTATIVES

CONSIDERATION OF BILLS IN COMMITTEE
OF WHOLE - 1984 and 1985

	Autumn 1984	Budget 1984	Autumn 1985	Budget 1985
No of bills considered in committee of whole over initial passage	32	19	37	27
No of times House went into committee of whole	41(46)	25(32)	38(49)	39(42)
Time spent in committee of whole (hours and minutes)	20.54(22.35)	21.32(22.10)	9.42(12.24)	25.57(29.29)
Proportion of House time spent in committee of whole	6.3%(6.9%)	10.1%(10.4%)	3.2%(4.1%)	9%(10.3%)

Figures in brackets are adjusted totals and percentages to cover the occasions the House went into committee of the whole to consider Senate amendments or requests.

HOUSE OF REPRESENTATIVES

PETITIONS RECEIVED 1901-85

Period	Average no. of petitions per year
1901-1910	82
1911-1920	5
1921-1930	2
1931-1940	3
1941-1950	11
1951-1960	23
1961-1970	119
1971-1980	1549
1981-1984	2298
1985	2955

APPENDIX 14

QUORUM REQUIREMENTS OF LOWER HOUSES OF SELECTED PARLIAMENTS

House	No. of Members	Quorum	How Quorum Specified	Quorum as a %
Australia	148	50	one third	33.3%
Canada	282	20	as number	7.1%
New Zealand	95	20	as number	21%
India	544	55	one tenth	10%
U.K.	650	40	as number	6.2%

Australian States

Victoria	81	20	as number	25%
N.S.W.	99	20	as number	21%
S.A.	47	15	as number	32%
W.A.	57	19	one third	33.3%
Tasmania	35	14	as number	40%
Queensland	82	16	as number	19.5%

SUBMISSIONS

Submissions were received from the following:

Mr A.R. Browning, Clerk of the House (3 submissions)
Mr A.G. Cadman, M.P.
Mr J.M. Campbell, Principal Parliamentary Reporter
Mr P. Duncan, M.P.
Mr R.F. Edwards, M.P. (2 submissions)
Mr T.A. Fischer, M.P.
Mr B. Haddy, Executive Director, ACT Division, National Heart
Foundation of Australia
Mr R. Hargreaves, Acting Government Printer
The Hon. R.J.L. Hawke, M.P., Prime Minister
Dr. H.A. Jenkins (former Speaker of the House)
Mr J.M. Jorgensen, Secretary, Joint House Department
The Hon R.C. Katter, M.P.
Mr J.V. Langmore, M.P.
Mr H. de S.C. MacLean, Parliamentary Librarian
Mr P.E. McLean, Manager A.C.T., Ansett Airlines of Australia
Mr M.J. Maher, M.P.
Mr I. Marsh, Australian Graduate School of Management, University
of New South Wales (Member of the Australasian Study of
Parliament Group)
Mr J. Pender, Clerk of the A.C.T. Legislative Assembly (Member of
the Australasian Study of Parliament Group)
Mr K. Penny, Assistant Director General, Australian Archives
Mr A.S. Rees, Acting Security Controller, Joint House Department
The Hon. G.G.D. Scholes, M.P.
Mr G.A. Smith, Manager A.C.T., Trans Australia Airlines
Mr J.H. Snow, M.P.
Mr C.W. Tuckey, M.P.
Mr P.N.D. White, M.P.

Prior to the commencement of this inquiry the Committee resolved that it should avail itself of the wealth of experience and ideas held by former Members of the House of Representatives and that the Chairman should write to recently retired Members inviting them to make a submission on any matters they felt warranted the Committee's examination. Replies were received from the following:

The Rt. Hon. J.D. Anthony
The Hon. Sir William Aston
The Hon. L.H. Barnard
The Hon. C.E. Barnes
Mr J.W. Bouchier
The Hon. Sir Nigel Bowen
The Hon. J.F. Cope
The Hon. R.J. Ellicott
The Hon. Dr D.N. Everingham
The Rt. Hon. J.M. Fraser
Mr G.O'H. Giles
Mr B.W. Graham
The Hon. A.J. Grassby
The Hon. P. Howson
The Hon. R.McN. Holten
Mr J.M. Hyde
The Hon. Sir James Killen
The Rt. Hon. Sir William McMahon
The Hon. P.J. Nixon
Mr L.S. Reid
Mr B.D. Simon
The Rt. Hon. Sir Billy Snedden
Dr R.J. Solomon
The Hon. A.A. Street
The Hon. Sir Reginald Swartz
The Hon. E.G. Whitlam
Mr W. Yates

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