

# Committee of the whole House and beyond



# Outline

- What is committee of the whole House (CWH)?
- The role of officials
- Pitfalls, pratfalls, and perils
  - Limits on what CWH can do
  - Amendments – admissibility, order of consideration, fiscal implications
  - Advising your Minister
  - Behaviour of officials in the Chamber

# What is the committee of the whole House?

- A creature of the House
  - Powers and functions derived from the House
  - Reports to the House
- Detailed consideration of bill (and amendments)
- Chaired by Deputy Speaker or Assistant Speaker
- Minister at the Table

# Limitations

- Considers only matters referred by House
- But can vary an instruction by unanimous agreement
- Dealing with disorder
- Cannot adjourn itself
- Cannot refer a matter to a select committee

# The chairperson

- Sole judge of matters arising
  - Relevance of debate
  - Giving the call to speak
  - Admissibility of amendments
  - Termination of speeches
  - Acceptance of closure
  - Maintenance of order
- Calling the Speaker to rule

# Instructions to committee of the whole House

- To consider a matter beyond its authority
  - Amendments outside the scope of a bill
  - To consider the bill in a certain way
- Only one instruction per member
- Generally debatable
- Can be varied by leave in CWH

# Considering bills in CWH

- Part by Part (the default provision)
- 5 minute speeches
- Closure of debate
- Voting on amendments
  - Members' amendments
  - Minister's amendments
- Schedules
- Preliminary clauses
- Dividing a bill
- Report to House

# Amendments

- Supplementary Order Papers and other amendments
- Relevance of amendments
  - Outside the scope
  - Inconsistent with previous decision
  - Amendments to other Acts
  - Fiscal implications
- Amendments of member in charge of bill
- Government amendments
- Amendments with fiscal implications



# Amendments with fiscal implications

- Appropriate advisers must be available for CWH stage
- 24-hour rule (SO 322)
  - Chairperson rules out of order
  - Chairperson acts on advice
  - Lower test of fiscal impact
- Financial veto (SOs 318 – 321)
  - May be debated
  - No question put

# Third reading and Royal assent

- Bill reprinted showing CWH amendments
- Minister's responsibility to have available for third reading
- Timing of assent
  - Order in which passed
  - Size and complexity
  - Availability of signatories
- Availability of statute copies

# Officials in the Chamber

- Where to sit
- Dress standards
- The floor of the House
- Advising the Minister
- Demeanour



Office of the Clerk of the House of Representatives

