



Following the parliamentary

legislative process on-line

With the Internet, it is now possible to follow the legislative process on-line. If you want to find out what laws are being made by the Parliament, what stage legislation has reached in its passage through the Parliament, and what is being said in debates on proposed laws, then you should try the Parliament's Internet site at www.aph.gov.au.

The journey begins

Legislation may be introduced in either the House of Representatives or the Senate. However, the legislative powers of the two Houses are not equal, and matters relating to the collection or expenditure of public money (ie taxation and appropriation) must originate in the House of Representatives. For this reason, and the fact that most Ministers are Members of the House, most bills (80-90%) commence their legislative passage in the lower House. The House of Representatives Internet site, from which you can access much information about legislation introduced to the House, is at www.aph.gov.au/house.

Giving notice

Most bills (except taxation or Budget bills) require notice (ie advance warning) to be given of their introduction. This is done by a Minister placing a notice on the Notice Paper (the House's agenda of business). The notice indicates the Minister's "intention to present, at the next sitting, a Bill for an Act to ... [remainder of bill's long title]". A Notice Paper is produced for each sitting and is available at www.aph.gov.au/house/info/notpaper/index.htm.

Introduction

Government bills are introduced during periods set aside in the routine of business for government business (www.aph.gov.au/house/info/sittings/routine.htm). A Daily Program is prepared each sitting, detailing the

expected order in which business will be considered (www.aph.gov.au/house/info/daily/daily.pdf).

At the appropriate time, a Minister will rise and present his or her Bill, which is then "read a first time" by the Clerk.

It is the usual practice for the Minister to then immediately move that the bill "be now read a second time", and make his or her speech on the bill, explaining its purpose, general principles and effect. Although not available until the next day, a copy of the Minister's second reading speech is recorded in Hansard (www.aph.gov.au/hansard/index.htm).

Until this time, the bill would have been treated as confidential (notwithstanding that earlier drafts may have been previously circulated for public comment). However, as the bill is being introduced it is being loaded on to the Parliament's Billsnet site (www.aph.gov.au/legis.htm) where it can be found under the Bills link, and is available in PDF or Word format

At the end of his or her speech the Minister presents an explanatory memorandum, explaining the reasons for the bill and outlining its provisions. If the Parliament has been provided with an electronic version of this, it too is available from the Billsnet site.

Debate on the bill is then adjourned and set down as an item of business on the Notice Paper for a future sitting.

Second reading debate

The second reading debate is normally resumed by the Opposition "shadow minister" for the portfolio area, and other Members follow. Their speeches are recorded in Hansard. The Notice Paper and Daily Program are useful tools to monitor when proceedings will be resumed, as is the Internet site of the Department of the Prime Minister and Cabinet (www.pmc.gov.au/briefing/parinfo.html) where draft weekly programs are listed.

Once the second reading has been agreed to, the House has agreed to the bill in principle.

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Consideration in detail

The consideration in detail stage, as the name suggests, is the stage where a bill is examined in detail, perhaps clause by clause, and where changes or amendments are proposed and debated. Details of proposed amendments can be found on the Billsnet site.

Third reading

Following the consideration in detail stage is the third reading stage. This stage is usually a formality, although occasionally debate occurs.

When the motion – That the bill be read a third time – has been agreed to, the Clerk again reads out the long title of the bill. The bill has now passed the House.

If a bill is amended, a consolidated copy of the bill is produced incorporating the amendments. A copy is available under the Bills link on Billsnet, and is annotated as being a "third reading print".

Senate proceedings

The bill is conveyed to the Senate for its concurrence, where a similar process through the Senate is followed. Any Senate

amendments are reported to the House by way of schedules of amendments, also available on the Billsnet site.

Assent

Once both Houses agree on the text of a bill, a copy is prepared for the Governor-General's assent. This copy is not available on the web site.

Following assent, the bill is now an Act, and it leaves the parliamentary domain. Copies of Acts may be found on the Attorney-General's Scaleplus site <http://scaleplus.law.gov.au>

Other resources

Other useful on-line resources include:

- Daily Bills List (on the Billsnet site), which tracks the progress of bills through both Houses, up to and including Assent.
- Votes and Proceedings, www.aph.gov.au/house/info/votes/index.htm which are the formal minutes of the House.
- Bills Digests, www.aph.gov.au/library/pubs/bd/index.htm prepared by the Parliamentary Library, which provide a synopsis and analysis of each bill.

Did you know?

From GST to bears in China!

Did you know that 107 petitions on 53 subjects were presented to the House of Representatives in the Autumn – Winter sittings this year?

Those petitions contained 70,666 signatures and covered a wide range of issues of international and broad Australian interest – ranging from the GST to bears in China.

However, they also included representation on issues of importance to individual communities. Petitions concerning the Commonwealth Bank in Thomastown and Lalor East; the family court in Newcastle; Medicare offices in Innaloo and Mirrabooka in Western Australia; the noise level of training aircraft in Coolangatta; post offices in Fairfield/Alpington, Miller's Point, and Wollombi and SBS television coverage on the mid-north coast of NSW were presented.

A petition is basically a request for action. Any citizen or resident may petition the House to take action. For example, petitions may ask the House to introduce legislation, or to repeal or change existing legislation, or to take action for a certain purpose or for the benefit of particular persons. However, the subject of a petition

must be a matter on which the House has the power to act. That is, it must be a Federal rather than State matter.

Every petition presented is referred to the Minister responsible for the matter that is the subject of the petition. Ministers may respond by lodging a response to be read in the House or they may write personally to petitioners. In some cases a Minister may order administrative action to be taken in response to a particular grievance.

To find out more about petitions and how they can be lodged, you can access *Factsheet No: 11 Petitions* by visiting the House Internet site: www.aph.gov.au/house/info/factsht or by requesting your copy from the Chamber Research Office on (02) 6277 4685.

If you have questions on any aspects of the operations or processes of the House, we will do our best to give you a response. Email your questions to liaison.reps@aph.gov.au or write or fax Liaison and Projects Office, House of Representatives, Parliament House, CANBERRA ACT 2600, Fax: (02) 6277 8521.