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

Office of the Clerk of the House of Representatives
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