



**Legislative Assembly
Parliament of Victoria**

Fact Sheet 27

Parliamentary Committees

Introduction

Parliamentary committees are groups of members of Parliament who conduct investigations and make recommendations about topics of particular interest to the Parliament.

Types of Committees

There are three types of parliamentary committees. They are:

- Joint Investigatory Committees — appointed each Parliament to investigate issues in particular subject areas
- Select Committees — dealing with particular investigations
- Domestic Committees — focusing on the operations of Parliament.

Joint Investigatory Committees

The *Parliamentary Committees Act 2003* sets out the functions and powers of investigatory committees. At the start of each Parliament, the Legislative Assembly and the Legislative Council appoint members to the various committees. In practice, members will express interest in specific committees to their party leader, who will consider that when nominating them. All members can serve on committees, but in the case of investigatory committees, ministers do not serve. Shadow ministers are likely, however, to serve on the committee related to their shadow portfolio.

Joint investigatory committees are made up of members of both Houses, and are administered by one House or the other. Those administered by the Department of the Legislative Assembly in the present Parliament are:

- Drugs and Crime Prevention Committee
- Electoral Matters Committee
- Family and Community Development Committee
- Public Accounts and Estimates Committee
- Rural and Regional Committee
- Scrutiny of Acts and Regulations Committee.

The Department of the Legislative Council administers:

- Economic Development and Infrastructure Committee
- Education and Training Committee
- Environment and Natural Resources Committee
- Law Reform Committee
- Outer Suburban/Interface Services and Development Committee
- Road Safety Committee.

All of the joint investigatory committees are supported by the Joint Committee Administration Office.

The joint investigatory committees are given terms of reference either by the Assembly or Council under the *Parliamentary Committees Act 2003* or by the Governor in Council. Usually, the terms of reference will set out a time frame for conducting the inquiry.

Some examples of terms of reference issued to committees are:

- Drugs and Crime Prevention Committee — *Inquiry into Misuse/Abuse of Benzodiazepines and other forms of Pharmaceutical Drugs in Victoria*
- Family and Community Development Committee — *Inquiry on the Involvement of Small and Medium Size Business in Corporate Social Responsibility*
- Scrutiny of Acts and Regulations Committee — *Inquiry into Redundant and Unclear Legislation — Repeal of Corporations Laws Inquiry.*

Select Committees

Select committees, sometimes known as specific purpose committees, can also be set up to conduct particular inquiries, normally looking at a single issue, and are usually drawn from the members of one House. Select committees are appointed under standing orders by resolution of the relevant House and exist for a length of time specified in the resolution or until the Assembly expires, whichever happens first. The resolution will set out the committee's terms of reference and will state when it must report to Parliament. A select committee can release discussion papers and interim reports, and will table a final report.

While select committees have been relatively uncommon in the Assembly in recent years, they are still potentially a part of Assembly practice. The last Assembly select committee was the Community Welfare Services Files Committee, established in 1979, while the last joint select committee was the Parliament of Victoria Committee, set up in 1991. The Legislative Council, however, has had a number of operative select committees in recent years.

Domestic Committees

Domestic committees are essentially select committees, in that they are purpose-specific, and are not primarily 'investigatory' in nature.

The House Committee is established by the *Parliamentary Committees Act 2003*, and members are appointed by resolutions of the two Houses. Its members are drawn from both Houses, as the House Committee is responsible for services which benefit the Parliament as a whole, for example finance, organisation development and building maintenance.

The Dispute Resolution Committee was established under the *Constitution Act 1975* following amendments to the Act in 2003. Its purpose is to consider bills upon which the two Houses cannot agree. It is made up of members of both Houses who meet together to come to a resolution about how the bill in question can be passed by both Houses.

In addition, the Assembly has two domestic select committees, set up by resolution of the House:

- Privileges Committee — to consider issues relating to members' parliamentary rights and immunities and requests for right of reply
- Standing Orders Committee — to review the procedural rules of the House.

Investigations and Reports by Committees

Conducting an Inquiry

Investigatory and select committees, and domestic committees to a lesser extent, conduct their inquiries using the procedures described below.

Committees are a part of Parliament, and constitute a great deal of individual members' time. They can call for witnesses, summons documents and conduct interviews, as well as ask for voluntary submissions from relevant people and organisations. Committees will invariably advertise in newspapers forthcoming public hearings, or calls for submissions, so that the broader public can take part. Public hearings will often take place outside the Melbourne metropolitan area. Committee members and staff sometimes travel interstate and internationally to study other places' experiences with the issue under investigation.

Committee proceedings and witnesses appearing before them are protected by parliamentary privilege. Section 50 of the *Parliamentary Committees Act 2003* also provides that joint investigatory committee proceedings and documents published by them do not give rise to a cause of action in law, and cannot be the subject of court proceedings.

Progress on Investigations

At the end of each month a document is issued called *Progress on Investigations*. This is available from the Assembly Procedure Office or on Parliament's website [choose Committees → Progress on Investigations]. Committees frequently conduct more than one investigation at a time, and the *Progress on Investigations* reflects the stage each investigation has reached every month. This applies to the inquiries undertaken by investigatory and select committees, but not domestic committees. It is a very useful way of keeping track of investigations.

Tabling Committee Reports

During the course of an investigation, committees will often release discussion papers, and table interim reports. Once an inquiry has been completed, a final report is tabled in the Assembly by the committee's chair or representative. If Parliament is not sitting within 21 days of a committee adopting a report, the committee may choose to 'table' the report out of session, by giving a copy to the Clerk of each House, who makes it available to members. After that it is publicly available from the relevant committee's website, the Assembly Procedure Office where stocks allow, and the committee directly.

Domestic committees may report to the House on a matter affecting their responsibilities although they tend to focus on day-to-day administration of domestic matters rather than long-term investigations. However, the Privileges Committee reports to Parliament relatively often under Standing Order 227 (see *Fact Sheet 11: Right of Reply by Persons Referred to in the House*) and other privilege matters.

Members may make statements about parliamentary committee reports tabled in the House during the current Parliament (excluding some reports by the Scrutiny of Acts and Regulations Committee). This practice is covered by standing orders. Statements can be made on a sitting Wednesday, and the overall time for statements is 30 minutes, or until six members have spoken, whichever is the shorter.

Government Response

When an investigatory committee reports it makes recommendations to Parliament, and in effect to the Government, about the subject investigated. Under the *Parliamentary Committees Act 2003*, the Government is obliged to present to the Parliament its response to the recommendations made by an investigatory committee within six months.

Often the committee's recommendations form the basis for the Government's legislative reform and, as the recommendations are made by all-party committees, can enjoy support from all sides of the House. The Government is not, however, under any obligation to adopt any of the recommendations. Government responses are available from the Assembly Procedure Office after tabling.

Contacting the Committees

More information about parliamentary committees can be found on Parliament's website or by contacting: Joint Committee Administration Office, Parliament House, Spring Street, East Melbourne Vic 3002, phone 03 8682 2800.

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Fact Sheets

The Legislative Assembly Procedure Office has produced a series of Fact Sheets that explain parliamentary procedure and terminology. All Fact Sheets are available on Parliament's website www.parliament.vic.gov.au or through the Procedure Office.

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