

Tabling when Parliament is not sitting

— guide for government departments and agencies

Most documents can only be tabled in Parliament on a sitting day. However some Acts allow for a document to be presented to Parliament when Parliament is not sitting (a non-sitting day). Use this guide to work out if this applies to your document and how to arrange tabling on a non-sitting day.

To find out more about tabling generally see the [Guide to tabling](#).

Contents

Which documents?	1
When is Parliament ‘not sitting’?.....	2
What to do?	2
Giving notice	2
Providing the document for tabling.....	3
What to provide	3
When to provide it	3
Tabling.....	3
FAQs	3
Can I request a specific tabling time?	3
When can I table a government response to committee report?	3
Contact us	4

Which documents?

To check if your document can be tabled when Parliament is not sitting, you need to look at the Act that requires the document to be tabled. If the Act allows for the document to be presented on a non-sitting day, then you can do so.

Samples

<i>Inquiries Act 2014 s 109</i>	<i>Audit Act 1994 s 59</i>
109 Tabling of Formal Review report (1) The relevant Minister may cause a copy of the report of a Formal Review to be laid before each House of Parliament or, if neither House is sitting, to be given to the clerk of each House.	(4) If the Auditor-General proposes to transmit the report to the Parliament when the Parliament is in recess, the Auditor-General must—
<i>Financial Management Act 1994 s 46</i>	<i>Financial Management Act 1994 s 53A</i>
(3B) If the relevant Minister proposes to transmit a report to the Parliament on a day on which neither House of the Parliament is sitting, the relevant Minister must—	(6B) If the relevant Minister proposes to transmit a report to the Parliament on a day on which neither House of the Parliament is sitting, the relevant Minister must—

When is Parliament ‘not sitting’?

Usually this means a day on which both Houses are not sitting. But check your Act. It may have a different definition.¹

You can find the planned sitting days on our website: parliament.vic.gov.au. Remember that the sitting days can change at late notice. You can only table using non-sitting day provisions if Parliament is not meeting that day.

What to do?

Giving notice

Some Acts require you to give notice of your intention to table a document when Parliament is not sitting. If your Act includes this requirement, you must write to the clerks giving notice.

The notice letter should:

- state that you are giving notice of the intention to table a document when Parliament is not sitting
- name the document
- name the Act/section it is being tabled under
- state which day the document will be tabled
- be signed by the minister/agency head (as appropriate) or someone who can sign on their behalf.

Address your letter to the clerks:

Mr Robert McDonald	Ms Bridget Noonan
Clerk of the Legislative Council	Clerk of the Legislative Assembly
Parliament House	Parliament House
Spring Street	Spring Street
East Melbourne VIC 3002	East Melbourne VIC 3002

You can send 1 letter addressed to both clerks jointly.

Email it to tabling@parliament.vic.gov.au.

When to provide it

Most Acts require one day’s notice. That means one clear business day. For example, if a document is to be tabled on Friday, you must give notice on Wednesday.

We must receive your notice **by 2.00 pm** on the day that the notice needs to be sent out so we can ensure the clerks are available to table your document. For example, if a document is to be tabled on Friday, we must have received notice by 2.00 pm on Wednesday.

¹ For example an Act may only allow a tabling on a non-sitting day if each House is adjourned to a day and hour to be fixed by the Presiding Officer or if Parliament is not sitting within a certain number of days of the document being adopted.

Providing the document for tabling

What to provide

To table the document, you need to provide us with:

- a tabling letter
- pdf copy of your document
- hard copies (if required).

For more information these requirements, see the [Guide to tabling](#).

When to provide it

You can provide us the tabling letter, pdf and hard copies (if required) on the day you are tabling or in advance.

We must receive everything **by 2.00 pm** at the latest on the day you are tabling, so we can ensure the clerks are available to table your document.

Tabling

On the day of tabling, once we have received the tabling letter, pdf and hard copies (if required) from you, we will:

- load the document into the [tabled documents database](#)
- email all members a link to the document in the database.

The document will also be tabled in Parliament on the next sitting day.

FAQs

Can I request a specific tabling time?

You may ask for the Clerks to table your document at a specific time, however this is subject to their availability.

Please [contact us](#) in advance to check.

When can I table a government response to committee report?

Different rules govern different committees, so it depends on what committee you are responding to. Most government responses can be tabled on any non-sitting day.

But responses to:

- Electoral Matters Committee
- Integrity and Oversight Committee
- Pandemic Declaration Accountability and Oversight Committee
- Public Accounts and Estimates Committee
- Scrutiny of Acts and Regulations Committee —

can only be tabled on a non-sitting day if that day is exactly six months after the committee report was tabled.² If that day is a weekend or public holiday, the response may be tabled the following business day. Otherwise, the response must be tabled on a sitting day.

² The *Parliamentary Committees Act 2003* is unclear on this issue. Therefore the clerks and the Department of Premier and Cabinet agreed to this approach.

Contact us

Email us at tabling@parliament.vic.gov.au

Call us on

9651 8563 — Assembly Procedure Office

9651 8678 — Council Table Office