

Parliamentary Committees

November 2013

Parliamentary Committees consist of a small number of Senators or Members of the House of Representatives (or both) appointed to conduct inquiries and report back to the Parliament. They have both Government and non-Government members and have considerable powers to undertake work on behalf of the Parliament.

Committees perform functions which the Houses of Parliament themselves are not well fitted to perform: carrying out inquiries, examining evidence, hearing witnesses, conducting detailed discussions and formulating reasoned conclusions. As they are small and can operate concurrently, their work is able to cover a wide range of matters. By concentrating on specific tasks or subjects, Committees also offer the benefits of specialisation.

This Occasional Paper provides a basic overview of the Parliamentary Committee system and its inquiries.

The Hawker Britton *Guide to Participating in the Inquiry Process* is available [here](#). It focuses on the process of providing written submissions to inquiries, attending and giving evidence at Parliamentary Committee hearings and further opportunities to participate in the inquiry process.

Overview of the Committee system

Committee proceedings are recognised as proceedings of the Parliament and are accorded the same protection as proceedings in the Senate or House of Representatives.

There are various kinds of Committees, with their functions dependant on the type of Committee and on the work it is undertaking.

Membership

Committees draw their membership from and report to either the House of Representatives or the Senate or, in the case of Joint Committees, both Houses of Parliament. Statutory Committees are those established by Act of Parliament. All existing Statutory Committees are Joint Committees.

Types of Committees

- **Standing Committees** are committees appointed for the life of a Parliament and are usually re-established in some form in successive Parliaments. Examples include the House Standing Committee on Infrastructure and Communications, the Senate Foreign Affairs Defence and Trade Legislation Committee and the Joint Parliamentary Standing Committee on Public Works.

- **Select Committees** are appointed when required to inquire into and report upon a particular matter and have a limited life. Examples of matters examined by select committees in recent times include the Lucas Heights reactor contract, uranium mining and milling, Medicare, the administration of Indigenous affairs, mental health and climate policy.

Form of committees

Both Standing and Select committees can take various forms. These include: Inquiry Committees, Internal Committees and Legislative Scrutiny Committees.

- **Inquiry Committees** inquire into and report on any matters referred to them, including legislation and public policy. These Committees specialise by subject area, between them covering most areas of federal government activity. Examples include the Parliamentary Inquiry into Multiculturalism in Australia and Inquiry into IT Pricing.

There are also Inquiry Committees specific to the Senate:

- **Senate Legislative Committees** consider proposed legislation. This includes proposed government expenditure legislation (estimates of expenditures) referred to them by the Senate. These estimates are contained in the main appropriation bills introduced into Parliament as part of the Budget in May (budget estimates), and in the additional appropriation bills introduced in November or at other points in the year (additional estimates). The Hawker Britton Occasional Paper on Senate Estimates is available [here](#). Legislative Committees also inquire into and report on any bills or draft bills referred to them, scrutinise annual reports and examine government administration.
- **Senate References Committees** inquire into and report upon various general matters referred to them by the Senate. The scope of inquiries and their terms of reference may range from the very broad and to discrete and specific areas. The Legal and Constitutional Affairs Committee, for example, has inquired into matters such as the Australian Republic, access to legal aid, progress towards Aboriginal reconciliation, and electoral equality.
- **Legislative Scrutiny Committees** assess legislative proposals against a set of accountability standards that focus on the effect of proposed legislation on individual rights, liberties and obligations, and also on Parliamentary propriety. The Regulations and Ordinances Committee performs a similar task, but for all subordinate legislation.
- **Internal Committees (also called domestic committees)** are those whose functions are concerned with the powers and procedures of the House, the Senate or the administration of Parliament. Sometimes the term 'Investigatory Committee' is used to describe committees other than domestic or internal committees. However, Domestic or Internal Committees may also have investigative functions.

Current and upcoming Committee inquiries

Details of Committee inquiries, including their terms of reference, are usually published in the major newspapers. Information can also be obtained from the Committee Secretariat at Parliament House in Canberra.

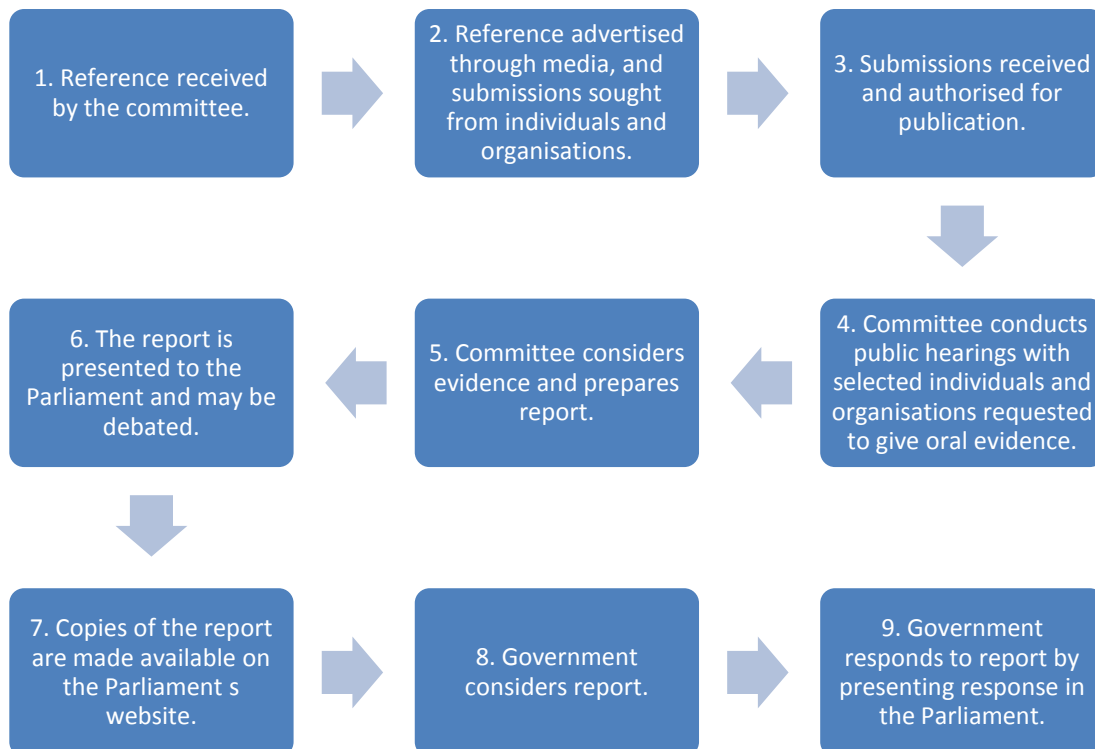
Individuals or organisations with an interest in a particular subject area can contact the relevant Committee and ask to be placed on its mailing list for information on inquiries.

The House news [website](#) and the [About the House magazine](#) also provide news and articles about Committee activities.

The inquiry process at a glance

The scope and purpose of each inquiry undertaken by a Committee is outlined in the terms of reference for the inquiry. Depending on the type of Committee, these may be referred to the Committee by the House, the Senate, by a Minister, or by a law, or be developed by the Committee itself. In practice, the terms of reference for a new inquiry are often developed by negotiation between the Committee and the Minister who is responsible for the subject area of the inquiry.

The following table summarises the key stages in the inquiry process.



Further information

The Hawker Britton guide to participating in the inquiry process is available [here](#).

The Hawker Britton Occasional Paper on Senate Estimates and Supplementary Budget Estimates is available [here](#).

Further information on Senate Committees is available [here](#).

Further information on House Committees is available [here](#).