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# **Standing Committee on Procedure and House Affairs**

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**Chair**

**The Honourable Larry Bagnell**



## Standing Committee on Procedure and House Affairs

Tuesday, April 30, 2019

• (1900)

[English]

**The Chair (Hon. Larry Bagnell (Yukon, Lib.)):** Good evening, and welcome to the 151st meeting of the Standing Committee on Procedure and House Affairs. I should also say good morning to our witness, who is in Canberra, where it's 9 a.m. on Wednesday.

As we continue our study of parallel debating chambers, we are pleased to be joined by Claressa Surtees, the Acting Clerk of the Australian House of Representatives, who is appearing via video conference. Before we get to your opening statement, the clerk and analysts, at my request, pulled together a few short clips from both Westminster Hall and the Federation Chamber, so we can have a better sense of what these second chambers actually look like. There are two videos from each chamber, the first being the opening of the sitting and the second showing the lead-up to a suspension for division bells in the main chamber.

[Video presentation]

**The Clerk of the Committee (Mr. Andrew Lauzon):** That was Westminster Hall.

Next, you'll see the Federation Chamber in Australia.

**An hon. member:** Can the witness see this video?

**The Chair:** She's there every day.

[Video presentation]

That was fascinating. Thank you very much, Mr. Clerk. That was great. It really gives us a sense of what they do there.

We have before us, Claressa Surtees, the Acting Clerk of the Australian House of Representatives. Hello, can you hear us now?

• (1905)

**Ms. Claressa Surtees (Acting Clerk of the House, House of Representatives of Australia):** Yes, I can hear you.

**The Chair:** Perfect.

Thank you very much for being here for us.

We will give you some time to give us introductory remarks, and then some of the committee members will probably have questions for you.

**Ms. Claressa Surtees:** Thank you very much, Chair.

Good evening, members.

My name is Claressa Surtees. I appear before the committee in my official capacity as Acting Clerk of the House of Representatives of the Parliament of Australia.

I'm pleased to be able to speak with you in relation to your committee's study of parallel debating chambers. In 1994 the House of Representatives amended the Standing Orders to establish the Main Committee, as it was then called, as a parallel debating chamber. This establishment gave effect to recommendations of the House procedure committee in a 1993 report. The Main Committee met for the first time on June 8, 1994, so as you see, it's coming up for its 25th birthday next month.

The Main Committee was renamed the Federation Chamber in 2012. Over time its role has expanded, as have its hours of meeting. The parallel chamber allows extended time to debate mostly non-contentious bills, as well as committee and delegation reports and government papers. The agenda also permits private members, other than the Speaker and the ministers, opportunities to raise and debate matters of concern to them. Overall it assists the House with not only its legislative function but also government accountability, ventilation of grievances and matters of interest or concern.

The Standing Orders provide that the Deputy Speaker has principal authority in relation to the Federation Chamber in the same manner as the Speaker does in the House. With the establishment of the Main Committee, the office of Second Deputy Speaker was created to assist the Deputy Speaker in this regard. This office is filled through an election process and is held by a non-government member.

Through practice, the Deputy Clerk is the clerk of the Federation Chamber and has responsibilities for the minutes of proceedings.

The establishment of this second debating chamber has had an enduring impact on the work of the House of Representatives. Aside from the additional opportunities it has provided to members to speak on proposed legislation and matters of their own choosing, it has had an impact on resourcing. Just like the chamber, the Federation Chamber must be supported by chairs and clerks and broadcasting and Hansard services.

Of course, the other aspect of this is that those requirements have contributed to building capability. The Federation Chamber has been a valued initial venue for the professional development of chairs and of clerks.

The venue itself must be suitable for the purpose. For us, this meant the adaptation of a committee room, but that means that room is alienated for most other purposes for which it had previously been used.

The Federation Chamber meets every day the House sits, for 21.5 hours each sitting week.

It meant a fundamental change to the legislative process. Prior to the establishment of the Main Committee, detailed consideration of bills was taken by a committee of the whole membership of the House in the chamber. However, with the establishment of the Main Committee, the name of this stage of the legislative process was changed to consideration in detail. The key motivating factor for the establishment of the Main Committee was to provide a second legislative stream to ease pressure on the legislative business of the House, because the guillotine had been increasingly used and, therefore, debate often was limited.

In particular, the parallel debating chamber may consider bills referred to it for the second reading stage and the consideration-in-detail stage. An immediate improvement was noted by the reduction of the use of the guillotine in 1994. Only 14 bills were guillotined in that year, compared to 132 in the previous year.

Originally only bills where there was no disagreement were to be considered in the Main Committee. However, before long, more controversial bills were referred, as long as there was agreement to this end. The role of the Main Committee has expanded over the years.

●(1910)

The enduring feature of the Federation Chamber is that it operates on the principle of consensus, and from the beginning, procedures were designed to strongly encourage co-operative debate. In particular, the quorum requirements—the Deputy Speaker or the chair, one government member and one non-government member—mean that quorum can be lost easily. The requirement for unanimous decisions provides any member with the ability to have a question considered unresolved and the matter then reported to the House for a decision.

Although it is formally the government's decision which bills and other matters are referred to the Federation Chamber, the co-operative nature of operations in this second chamber makes referral of government business items also contingent on agreement with the opposition.

There have been several reviews into the operation of the second chamber. The procedure committee's 2015 inquiry labelled the Federation Chamber an unparalleled success and concluded that it had earned its permanent place in the functioning of the House, having met the aims first put forward and evolved with the needs of the House. Review and recommendations designed to increase effectiveness have continued, including in relation to providing for a more interactive debate.

Some of the measures that are trialled in the Federation Chamber are later confirmed in the standing orders and then introduced into the House itself.

Thank you, Chair. Those are my opening remarks.

**The Chair:** Thank you very much. This is very interesting.

Before I go to questions, I'll ask a quick one.

In our system, when a bill is passed at second reading, it then goes to one of 30 different committees, depending on the subject. Are you saying that detailed study of your bills used to be in committee of the whole, but the bills now go to a main committee that sits in the Federation Chamber?

**Ms. Claressa Surtees:** Our system is a little bit different, Chair. The stage you have of referral to the investigative committees doesn't happen in the House of Representatives as a matter of course. It is possible for individual bills to be referred to committees, but it isn't a common practice in our House.

The way the legislative process takes place is that the bill is presented in the House and read a first time. The sponsoring minister moves the second reading and makes the significant second reading speech, and after that, a bill may be referred to the Federation Chamber for the remainder of the second reading debate and then the consideration-in-detail stage, at the conclusion of which it must be referred back to the House for the final process.

●(1915)

**The Chair:** Mr. Simms.

**Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.):** Thank you, Madam. We really appreciate this.

I'm going to follow up on the Chair's questioning, because it fascinates me that consideration-in-detail stage.

We have a committee system. We have 24 standing committees here. Once bills have passed second reading stage, they go into the committee stage for detailed study. What you're telling us is that consideration in detail now takes place in that chamber, and it is similar to the process of committee of the whole.

Is that correct?

**Ms. Claressa Surtees:** That is correct. There is no strong practice in our House for bills to be referred to standing committees for inquiry.

**Mr. Scott Simms:** That leads to my question.

So there is no voting at second reading; it automatically goes there. Is that correct, or do they vote to send it there?

**Ms. Claressa Surtees:** There is a vote when the question on the second reading is put. If a bill is to be referred to the Federation Chamber, that would usually happen before the conclusion of the second reading stage.

It is possible for a bill to be referred to a committee, and that would also happen before the conclusion of the second reading stage. The expectation would be that the committee's report back to the House would then be a matter to be considered during the second reading debate. If any amendments were to be moved, they would be moved on the bill during the consideration-in-detail stage.

Our two processes between the two Houses are really quite different, I think

**Mr. Scott Simms:** Yes, it is, and I find it fascinating.

I want to go back to the comment you made about the guillotining of certain bills. Here we call it “time allocation”. The current government receives criticism about time allocation; the former government probably received even more. However, it is quite common, and we do it for that reason.

It seems that we don't have the mechanism by which to quell that. For instance, I know that in Great Britain in the mid-1990s, in the Westminster system, they introduced bill programming.

Your answer to that, though, is the parallel chamber. You went from over 100 guillotining motions down to about 14.

**Ms. Claressa Surtees:** That's correct.

These days we also refer to them slightly differently. We refer to “debate management motions” these days, but they're not as common as they used to be. The process for them is usually by a notice on the Notice Paper. Even though we still have provisions in the Standing Orders for these arrangements, they're no longer relied upon.

**Mr. Scott Simms:** I see.

You said that you have certain committees that deal with this. You can refer to an actual standing committee.

**Ms. Claressa Surtees:** We do. We have quite an extensive list of standing committees established under the Standing Orders, and some other committees that are established through resolution. The Standing Order committees reflect, in a general sense, the portfolio areas of the government. If a bill were to be referred to a committee, it would go to the related subject matter committee.

**Mr. Scott Simms:** Thank you for that.

There are two themes we're getting from our debate here about a parallel chamber. Yours obviously is the originator and the U.K. followed shortly thereafter. There are two schools of thought, for me, anyway. One would be allowing other material to be addressed through the parallel chamber, such as with petitions, with other forms of debate, something that's not being talked about in the primary chamber. What fascinates me more is the fact that we can ease the pressure on the main chamber so that more people can have a say in the debate.

Was that the genesis of your Federation Chamber?

• (1920)

**Ms. Claressa Surtees:** If I understand your question, the genesis of the Federation Chamber was that because of the pressure on the legislative program, members were very unhappy that they had no opportunity to take part in the debate.

**Mr. Scott Simms:** Is that the case?

**Ms. Claressa Surtees:** That was the case.

**Mr. Scott Simms:** Interesting. That's what I was looking for, because I think in our case that is of a great deal of interest, or at least it is to me personally.

With regard to the other aspects of the Federation Chamber, is it say, open to petitions? Can you debate certain petitions that come to the House?

**Ms. Claressa Surtees:** The process we have in place for petitions is that when they are presented, there is a petitions committee that

considers whether or not to accept petitions. They are approved by that committee. They can be physically presented by a member during a short speech in the Federation Chamber or in the House, but we don't have a period during which the petitions are routinely debated.

**Mr. Scott Simms:** Okay.

You also brought up this prospect. If I want to introduce a topic into the legislature, the most common way for me as a Canadian member of Parliament is to introduce it through a motion or a private member's bill. Then I have to wait my turn to talk about it within the main chamber.

If I want to bring up a specific topic to discuss in the Federation Chamber, whether it's a motion or a bill, how would I do that?

**Ms. Claressa Surtees:** I think the processes sound a bit similar.

In the House of Representatives, a member would give notice of a motion or a bill. We have a selection committee that chooses the agenda for the next sitting Monday. There are periods set aside in the House itself and in the Federation Chamber for private members' business. At those opportunities, the scheduled selected items are available for debate by the sponsor and, if the amount of time is sufficient, then for other speakers on the debate.

**Mr. Scott Simms:** Thank you very much.

**The Chair:** Thank you.

Mr. Nater.

**Mr. John Nater (Perth—Wellington, CPC):** Thank you, Mr. Chair.

Thank you, Madam Clerk, for joining us. I understand you're in the middle of an election down there, so I guess it might be a little slower for you at this point in time. We appreciate your expertise and your wisdom on this subject matter.

I want to start with a bit of a simple question. In terms of proximity to the main chamber, exactly how far away is it? How long would it take to walk from the Federation Chamber to your main chamber?

**Ms. Claressa Surtees:** I've not tried it on a sitting day, but I would think it would take perhaps two minutes to walk from the Federation Chamber to the chamber.

In our case, the amount of time available for a division is four minutes for the ringing of the bells. This time was set when the building was first occupied by the Parliament as providing an opportunity for someone walking, but not running, from the furthest point from the chamber in order to be able to get there in time to take part in the vote.

**Mr. John Nater:** This is fascinating. We're lazy with 30-minute bells here.

I want to go to some of the timing of the Federation Chamber. You mentioned 21.5 hours per week in terms of the sitting of the Federation Chamber. For the House of Representatives itself, how long does it sit per week? Is it four days a week?

**Ms. Claressa Surtees:** Yes. The usual pattern of sitting for the House has been, for many years, four days: Monday, Tuesday, Wednesday and Thursday. At the moment, the current timing for the sittings is 36 hours a week. We don't sit any later than 8 p.m. these days. It has been a lot later in the past, but at the moment it's 8 p.m.

The Federation Chamber initially was scheduled to meet for two periods of about three hours on two days of the sittings, but it has grown over the years, and now there's an indicative order of business that sees the Federation Chamber meeting on each of the sitting days, on each day the House sits.

• (1925)

**Mr. John Nater:** That's fascinating. Basically, then, I'm to infer that despite the increase in sittings in the Federation Chamber, it hasn't taken time away from the House of Representatives itself. It has still maintained its full sitting schedule.

**Ms. Claressa Surtees:** Yes and no, I suppose, is the answer to that.

The House used to sit until 11 p.m. on Mondays and Tuesdays. Clearly, it no longer sits that late. It sits until 8 p.m., but at the same time, we don't have a dinner break, so there's time saved. There has been no diminution in the overall number of hours available for the business of the House.

**Mr. John Nater:** You mentioned in the opening comments that typically the Federation Chamber is used for less contentious debates on government legislation. You also mentioned that from time to time more contentious debates could be conducted in the Federation Chamber, but that it is done with agreement from the opposition.

Is that a formal process whereby the official opposition agrees to a more contentious debate? What process or procedure is in place in terms of scheduling both the less contentious and also, more importantly, the more contentious debates? How is that agreement reached?

**Ms. Claressa Surtees:** This sort of negotiation takes place outside the chamber, so we don't have a great visibility on it. I know what happens. The leader of the House and the manager of opposition business will negotiate over the matters to be scheduled for the agenda for the Federation Chamber, so there is agreement.

As I tried to indicate, if there weren't agreement, if there were a great deal of unhappiness, it would be very easy to withdraw the quorum because the quorum is the chair, one government member and one non-government member. If the opposition were unhappy, it could simply leave the chamber and the proceedings would immediately suspend.

The issue of how contentious some of the legislation is, or some of the other items perhaps, I think is quite interesting. We've always had the main appropriation bills considered in the Federation Chamber. There's always been an opportunity for members to take quite opposing views about policy during the course of the debate on the budget bills. That hasn't prevented the bills being debated in the

Federation Chamber, and it's actually regarded as quite a successful aspect of the operations there.

**Mr. John Nater:** I want to follow up very briefly about the concept of the quorum. It's basically a safeguard against a government using the Federation Chamber... Was that designed that way, that quorum was meant as a safeguard, or has that just developed organically as a safeguard?

**Ms. Claressa Surtees:** No, you're right. It was designed that way. It was designed so that the Federation Chamber could be regarded as operating on a consensus basis. There is no fixed seating in the Federation Chamber. In the House itself, members have identified seats with their names attached. In the Federation Chamber that's not the case. Members can sit wherever they like. Although the usual convention of government to the right of the chair and non-government to the left of the chair is usually followed, it's not a requirement. In fact, members can sit wherever they wish.

**Mr. John Nater:** You mentioned near the beginning of your remarks that the recommendations for the Federation Chamber came out of a report from your procedure committee. Was there an effort there in terms of a consensus report? Was that a consensus report from the outset? Was there all-party agreement to create the chamber at the beginning in terms of developing it in the first place?

• (1930)

**Ms. Claressa Surtees:** Yes, it was. It was developed in the context of there being a great deal of unhappiness of members not having an opportunity to debate. Of course, the options to solve this problem are quite limited. It meant extra sitting days, so coming to Canberra for more days, or longer sitting days—at the time they were already quite long days—or to develop this second stream, this second debating chamber. I think members were very [*Technical difficulty—Editor*]

**The Chair:** We are not suspended.

**Ms. Claressa Surtees:** I understand that we're trying to address the problem, but I'm happy to continue if that would be appropriate.

**The Chair:** Yes, that's okay. We can hear you. We just can't see you. You can just finish what you were saying.

**Ms. Claressa Surtees:** I think we were talking about the consensus nature of the operation of the Federation Chamber.

The members don't have individual seating in the Federation Chamber, so that means they can sit anywhere they would like to, although there is a tendency to maintain the government to the right and opposition to the left arrangements, reflective of the chamber. This contributes to the more co-operative approach to the way the proceedings are conducted.

**The Chair:** I think the question was whether there was consensus with all parties to create the chamber.

**Ms. Claressa Surtees:** Okay. Yes, in terms of the report of the procedure committee, the committee had membership from all parties in the House and there was a great deal of satisfaction with the solution that was proposed in the report. There's not a great desire to come to Canberra for extra sitting days or to, indeed, have longer sitting days, but certainly the parallel debating stream was something they were quite pleased with proposing.

• (1935)

**The Chair:** Thank you.

Now we're going to change our questioner. We're going to Mr. David Christopherson.

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you, Chair.

Thank you, Madam Clerk, for your time. This is very informative and very helpful. Thank you again.

John and I were wondering whether any of your states have adopted the parallel chamber process.

**Ms. Claressa Surtees:** I've had an opportunity to discuss it with a number of the Speakers from the state parliaments. I'm not aware that any of them have actually put the arrangements in place. They're certainly always very interested to come and observe proceedings when they visit Canberra. We often talk about the impact the second chamber might have on the overall ability of the House to conduct its business, but I'm not aware that any of them have actually established a second chamber at this stage.

**Mr. David Christopherson:** Thank you.

I have a couple of quick questions before I delve into a little more minutiae.

Are they televised?

**Ms. Claressa Surtees:** Yes, they are. All the meetings of the Federation Chamber are televised in the same way the proceedings of the House are. We don't have a parliamentary television channel. When I say "televised", it's through the website. All the proceedings are streamed through the website.

**Mr. David Christopherson:** I used to be a deputy speaker, and tasks aren't all that onerous. You're doing a lot of the grunt work for the Speaker. On the big stuff, the Speaker calls the shots, as they should.

You said that in this chamber, the Deputy Speaker is treated like the Speaker, and is the main official. I wonder, given the new responsibilities, did the Deputy Speaker get a pay increase when they upped the responsibilities?

**Ms. Claressa Surtees:** It was 25 years ago, so I wasn't in a position to observe what impact there was. However, with the introduction of a new position, I can only assume that would probably have been the case, because the new position—the Second Deputy Speaker—receives a certain level of remuneration as well. There is a recognition that it does provide an extra challenge for the Deputy Speaker, in terms of contribution to the roster and that sort of thing.

**Mr. David Christopherson:** Thank you.

The terminology is interesting. The guillotining and time allocation remind me of when I was much younger, in the 1970s, with the auto workers. We called it guided democracy. Everybody has a term for the hand on the throat.

The reason I raise this is that in my experience, governments will sometimes want to guillotine a bill because of the debate that's happening in the House, and the media attention, but at the end of the day, it's usually because of time management. The most expensive commodity for government vis-à-vis the House is House time. It's almost like an airport, where you have planes ready to take off. You have ministers lined up, all trying to cajole the House leader to get their bill in the House. It's often about that pressure, as opposed to the politics around the issue. There are exceptions.

You said there was less guillotining by a big number. You also said that you didn't deal with contentious issues, as a rule, although you're starting to now. Were there that many non-contentious issues that required guillotining? Why? Was it time management or was it more small-p politics?

**Ms. Claressa Surtees:** They're very good points.

The issue was time management. The government at the time had a big legislative agenda, and so a lot of bills were awaiting passage, or debate and then passage. It was about time management, and this was the solution proposed. The bills could be adequately debated and still be passed in a timely manner, so that the initiatives could be implemented, or the programs put in place.

• (1940)

**Mr. David Christopherson:** I have to say that, initially, I was attracted because of the non-partisan nature of the House. You wouldn't necessarily be giving the government more time, because that creates a political problem. You should have seen what we went through here around whether or not we would continue to sit on Fridays, and the fight's not over. These things have a significant impact.

How do the rules of that chamber facilitate the contentious issues they're dealing with? Here's my thinking: If we follow the idea that government's motivated more by time management than by trying to extinguish backbenchers' rights to get up and have their say, then this chamber would not necessarily hand the government more time. You're going to use the same amount of time in the House. It does allow more debate by more members, but it's under a different set of rules. With it being so easy to collapse the chamber, for instance, how are you managing to deal with some of the contentious issues, where right from the get-go, you're not getting agreement on what time you're going to order coffee, let alone on any amendments?

**Ms. Claessa Surtees:** What the operation of the Federation Chamber permits is for two streams of legislation to be debated at the same time. For example, at the time that a bill about higher education is being debated in the Federation Chamber, there can be a debate in the House about something to do with tax policy. Two separate bills are being debated at the same time. This means that the government can be progressing two bills over the course of a single day, whereas that may not have been possible in the past.

In our system, members have an opportunity to speak for 15 minutes in the second reading debate on a bill, so they're limited. I know that's not the case in some jurisdictions where they might be unlimited, but there is a limitation on the length of a member's speech in the second reading debate. If a lot of members wish to speak, then of course this will take hours. We have only 150 members, so it's a smaller chamber than yours; nevertheless, it's hours of debate.

It's not that the debate is going to be stopped because of the contentious nature of the legislation or the proposals, but it's just that if there were unhappiness about the bill being in the Federation Chamber at all, it is very easy to withdraw the quorum and then automatically the bill must be referred back to the House. I have to say this doesn't happen very often. It's usually because there has been quite careful negotiation between the leader of the House and the manager of opposition business to agree on the agenda for the Federation Chamber, so the bill will progress.

At the detail stage, if there are amendments being proposed by the opposition and they would like to record the formal division, then of course that must go back to the House. There are no divisions in the Federation Chamber.

**Mr. David Christopherson:** Right.

Very good. Thank you very much for the fulsome answers.

**The Chair:** Now we'll go to Mr. Graham, who speaks a little quickly so you'll have to listen carefully.

**Mr. David de Burgh Graham (Laurentides—Labelle, Lib.):** I will try to be cautious.

You say that all bills go to the secondary debating chamber to be looked at. Is each bill looked at clause by clause in that chamber, and do they go through each line of the bill, or is that another process altogether?

If we have 24 committees' worth of bills going as one committee, that seems impractical.

**Ms. Claessa Surtees:** Not all bills go to the Federation Chamber. They can either go to the Federation Chamber or remain in the main chamber for debate. The stage of our legislative process in which bills may be considered clause by clause we now refer to as consideration in detail. We hardly ever have a clause-by-clause approach these days.

Although the Standing Orders recognize the default position as clause by clause, usually a bill is taken as a whole by leave. Then if there is a debate about particular aspects of the bill, that can occur. If there are amendments, they can be moved and then voted on during that debate.

For us, the clause by clause is the consideration-in-detail stage, where members have opportunities of five minutes at a time to speak to the issues, and as with the other debates in the House, the call will vary from side to side. It's five minutes for one.

• (1945)

**Mr. David de Burgh Graham:** How much time would a typical bill spend in the Federation Chamber?

**Ms. Claessa Surtees:** Probably it would only be there for that day, and then it would be concluded to the consideration-in-detail stage and then referred back to the House.

**Mr. David de Burgh Graham:** Can a point of order of any sort be entertained?

**Ms. Claessa Surtees:** It can be, yes. The Deputy Speaker or the person in the chair would then consider that matter.

**Mr. David de Burgh Graham:** You said that the House does not sit later than 8 p.m. on any day. How long do votes take there? We have situations where voting could go 30 or 40 straight hours here. Does that ever happen there?

**Ms. Claessa Surtees:** Most of the decisions of the House go on the voices. If a division is called, then it will be considered immediately. Our votes are usually resolved within about 15 minutes, but that's just the count.

If there is a successive division, then, of course, that would be taken immediately after the first one.

**Mr. David de Burgh Graham:** If you have 20 successive divisions starting at 5 p.m. to 8 p.m., do you continue past 8 p.m., or does it suspend until the next day?

**Ms. Claessa Surtees:** Oh, I see what you mean.

Every evening we have an adjournment debate, so at 7:30 p.m. on the Monday, Tuesday and Wednesday, the days conclude at 8 p.m. At 7:30 p.m. we have what we call an automatic proposal of the question to adjourn. Because of the Standing Orders, we would conclude the division that was in progress at the time in the House, and then the adjournment debate would commence.

**Mr. David de Burgh Graham:** It concludes just the vote that's taking place, and not the successive votes.

**Ms. Claessa Surtees:** No. We just conclude the first division, and then, under the Standing Orders, the automatic adjournment would intervene.

**Mr. David de Burgh Graham:** That's fascinating.

Is there anything bad about the Federation Chamber?

**Ms. Claessa Surtees:** Well, of course, that reference there was to the House because we don't have divisions in the Federation Chamber.

The Federation Chamber will always adjourn when the House is adjourned. It typically commences half an hour after the commencement of the House and adjourns half an hour before the scheduled adjournment of the main chamber.



**Mr. David de Burgh Graham:** Does the other House have any similar process, and is there ever any overlap between the two?

**Ms. Claressa Surtees:** Are you asking about the Senate?

**Mr. David de Burgh Graham:** Yes.

**Ms. Claressa Surtees:** The Senate doesn't have a second debating chamber, no.

**Mr. David de Burgh Graham:** Is there any circumstance in which senators would attend the secondary debating chamber?

**Ms. Claressa Surtees:** They don't attend in a formal sense. Of course, if they are curious or interested in a matter that's before the Federation Chamber, they are able to attend as a visitor in the same way as members of the public, but I can't say I can recall having seen a senator in the Federation Chamber while I've been there.

• (1950)

**Mr. David de Burgh Graham:** That's all I have for the moment.

Thank you very much.

**The Chair:** I'm going to open it up now to an informal process for anyone who has one question. Don't take too long, so everyone gets a chance.

Go ahead, Stephanie.

**Mrs. Stephanie Kusie (Calgary Midnapore, CPC):** Thank you very much, Madam Clerk, for joining us today.

I'm a little skeptical about the possibility of a secondary chamber. Do you have any opinions to share with the committee as to whether the newly created parallel debating chamber should be provisional or permanent? Do you think this is something that can be done on a test run, or do you think that, once it has been established, it's hard to rescind it?

**Ms. Claressa Surtees:** What I can say is that when our second debating chamber was first introduced, some members were skeptical. They weren't welcoming. Some of the ministers didn't like going there, so they'd send the junior ministers.

That level of resistance has completely disappeared. There is absolutely no sense that people resent having to go to the Federation Chamber. In fact, during the debate on the appropriation bills, the ministers go. We had the deputy prime minister there responding to issues during the consideration-in-detail stage of the budget bills.

It's grown in authority over the years. I guess with any change to long-established procedures, there is always concern about how valuable it will be and whether you will actually be able to achieve what you're trying to address to overcome the issues. An approach that allows some flexibility is probably a good one, and if there is a need to adjust whatever the original arrangements are, then I think that would be helpful. Certainly, in the case of our Federation Chamber, it has evolved since it first commenced. It's gone from two days for a few hours, if required, to each day on which the House sits, with indicative hours of business for the Federation Chamber.

Of course, if the business that's been allocated is concluded, then the Federation Chamber can conclude earlier. I think members appreciate, too, that it's not that people have to go there just because it's available. It's only going to be operating when there's actual business that needs to be addressed. That's the way it works.

I hope that addresses some of your issues.

**Mrs. Stephanie Kusie:** Yes, it does. Thank you.

Similar to what my colleague asked, can you think of any unintended consequences that could arise from establishing a parallel debating chamber? Is there something that doesn't seem obvious, which became apparent? Was there a residual outcome you didn't anticipate or that was not anticipated in establishing the parallel chamber?

**Ms. Claressa Surtees:** Inevitably, having another debating chamber means there can be greater demands on a member's time. It's a busy time for members of our Parliament. I can imagine it's the case with yours. A lot is going on on a sitting day. The committees are meeting. The House is operating. Visitors are coming in all the time. So members' diaries are quite full. The members need to be careful not to double-book themselves; by that I mean put their name on the list to speak at the same time as a matter comes up in both chambers, because of course they need to make sure that they can fulfill their commitments about speaking.

A little flexibility is necessary with things like speaking lists. Members might need to converse with their colleagues to adjust the order in which they're expecting to speak in the two chambers. It can be visible sometimes. Members literally dash from one chamber to meet a commitment in the other.

What perhaps wasn't anticipated was the evolution of the Federation Chamber itself and [*Technical difficulty—Editor*] that is conducted now in the Federation Chamber has really grown. Members in particular appreciate the short speaking [*Technical difficulty—Editor*]. It wasn't always the case, but every time the Federation Chamber meets on any day, the first period is set aside for constituency statements, so members have an opportunity to speak for three minutes. They can say a lot in three minutes, reflecting on the good work of people in their communities. They really value those opportunities.

At the moment, the members include ministers. Some ministers have an opportunity to speak about their constituencies during those three-minute periods. Ministers did not have an opportunity to do that before. The Standing Orders were changed about 10 years ago to enable ministers to have that opportunity as well as just private members having that opportunity, and I know the ministers have valued that. Otherwise, of course, they have the opportunities to speak as a minister, but not necessarily to talk about something in their constituencies. Those sorts of things have been very valued.

• (1955)

**Mrs. Stephanie Kusie:** Upon reflection of establishing the secondary chamber, I'm wondering if your Parliament has determined less severe democratic alternatives to establishing a secondary chamber that would have potentially achieved the same objectives that were set out for establishing the secondary chamber. I'm certain they could be wide and varied, but does anything immediately come to mind, such as, instead of setting up this entire secondary chamber they could just have...fill in the blank?

**Ms. Claressa Surtees:** I'm not aware of any other proposals for a procedural change that might have been considered at the time. As I mentioned before, the obvious issue is if you don't have enough time to debate legislation, so you need to create more time. How you create more time is perhaps through having more sitting days, longer sitting days or this second debating chamber.

**Mrs. Stephanie Kusie:** Thank you very much, Madam Clerk, for being here with us today and for providing this information.

**Ms. Claressa Surtees:** Thank you.

**The Chair:** I have two quick questions, just to finish off.

You said that most of the decisions were done by voice vote. Could you say roughly what percentage? Does that mean for most votes, how individual MPs voted is not recorded?

**Ms. Claressa Surtees:** What I should have said—if I didn't—was that most decisions of the House are taken on the voices. The chair will put the question, “All those of that opinion say 'aye', and of the contrary, 'no'. I think the ayes have it”. That will be the conclusion of the decision.

If the outcome is challenged and a division is called, then of course we go through the formal process, but yes, most decisions in the House will be taken on the voices. There is not a list of who voted which way because unless the announcement by the chair is challenged, then the presumption is that there is no challenge.

On the very rare occasions where only one member dissents, then of course that member can have the dissent recorded in the votes. One name would be there. We need two voices for division.

● (2000)

**The Chair:** This is my last question. Here we have 24 standing committees, based on the portfolios. They spend a lot of their time, maybe the majority of their time, doing a detailed review of legislation, of various bills.

If your committees don't do that, what do they do?

**Ms. Claressa Surtees:** The House committees typically look at more long-term inquiries into public policy issues. They'll have terms of reference either directly from the House or perhaps referred from a minister and they'll be looking at issues of public policy.

That's the nature of our committee work.

**The Chair:** Is that it for everyone?

Thank you very much. This has been fascinating. We'll definitely have to come and visit soon. You've given us lots of new ideas and uses of the second chamber, which is totally different, as Mr. Simms said, from Westminster.

Thank you very much for taking this time for us. It has been very, very helpful.

**Ms. Claressa Surtees:** Thank you very much, Chair. It has been my privilege to be able to discuss these matters with you, and should there be anything you'd like to follow up on, I'd be only too pleased to respond.

Thank you.

**The Chair:** Thank you.

The meeting is adjourned.







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