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Legislative Council Committees

Committee systems are often associated with the work of upper houses, as they complement the function of a “house of review”.

In a bi-cameral system, the government will not necessarily have control of the Upper House. As such, upper houses and, by extension, their committees, are sometimes regarded as having greater independence from government.

Committees enable the House to look closely at particular issues, take evidence in hearings, and commission research into matters without occupying the time of the entire membership of the House in the process.

The committee system offers the advantages of a division of labour and specialisation to enable the House to deal with complex or controversial matters more thoroughly. Committees also provide a forum which is less partisan than the Chamber.

While committees of the House have existed for a long time, the system of standing committees in their current form is a relatively recent phenomenon, dating from 1989.

Standing Committees of the Legislative Council

The Standing Committees of the Legislative Council are permanent committees, which are largely organised by particular functions, such as reviewing different types of legislation. The three standing committees listed below primarily deal with different types of legislation.

Legislation Committee

The Legislation Committee is the most general of the three legislation committees. It focuses on the feasibility, clarity and technical accuracy of any bill (rather than the policy behind it) referred to it by the House. The Committee is prohibited from considering the policy basis for a bill unless ordered to by the Legislative Council.

Uniform Legislation and Statutes Review Committee

This Committee inquires into legislation which has resulted from agreements the government has entered into with other governments. These

agreements often seek to introduce identical or similar laws in each jurisdiction. The Committee also reviews the form and content of existing laws (statutes) and inquires into and reports on proposals to reform those laws.

Joint Standing Committee on Delegated Legislation

Delegated legislation is not subject to the same degree of scrutiny as other legislation, being made under an Act that has already been passed by the Parliament. Local government by-laws, such as the power to issue parking fines, are typically made under delegated legislation.

This Committee reviews such laws to ensure, among other things, they do not exceed the powers allowed by the parent Act; they do not unduly trespass on established rights, freedoms or liberties; and do not contain matters which are more properly dealt with by an Act of Parliament.

Other Standing Committees

Public Administration Committee

This Committee inquires into and reports on the structure, efficiency and effectiveness of present arrangements for the public administration of the State.

Estimates and Financial Operations Committee

This Committee considers and reports on matters relating to the estimates of expenditure laid before the Legislative Council each year (also known as the ‘Budget’), as well as the financial administration of the State.

Environment and Public Affairs Committee

This Committee performs two distinct functions, dealing with matters relating to the natural environment and investigating matters raised in petitions to the Legislative Council. All petitions presented to the Legislative Council are considered. The Committee may recommend action be taken in relation to matters raised in petitions.

Procedure and Privileges Committee

Procedure and Privileges Committees are common to most Westminster-style parliaments, and are responsible for the internal affairs of a House. They review the law and customs of Parliament, the rules of procedure of the House and its committees, and recommend to the House such alterations in that law, customs, or rules that, in their opinion, will assist or improve the proper and orderly transaction of the business of the House or its committees. Matters of privilege may also referred to the Committee.

For further information about Legislative Council committees, please contact:

Telephone: (08) 9222 7300
Facsimile: (08) 9222 7805
Freecall: 1800 199 187
Website: www.parliament.wa.gov.au



A witness at a Legislative Council Committee hearing

Select Committees

Select committees are set up for a particular purpose and dissolve once their inquiry is completed. Previous Legislative Council select committees have inquired into a range of issues, including the Department for Community Development's Foster Care Assessments; the Department of Education and Training; Privilege; Immunisation and Vaccination Rates in Children; and the Police Raid on the *Sunday Times*.

Committee of the Whole House

The "Committee of the Whole House" is a phrase used to describe the process where the detail of a bill is considered by the House. That is, each clause of a bill can be debated. The procedural rules surrounding this debate are more flexible and better suited to detailed examination of legislation.

