

House Rules

The caretaker is coming

The Prime Minister's decision to give the country eight months' notice of the election date got some people thinking about whether this meant the caretaker conventions applied immediately.

ACCORDING to *House of Representatives Practice*, a parliamentary procedure and practice handbook, Australia's caretaker conventions will kick in on the day the House is dissolved by the Governor-General.

From that time on a set of conventions will apply to limit the activities of the government, because with a dissolved House of Representatives the executive is not held accountable for its decisions in the normal manner.

These caretaker conventions will stay in place until the election result is clear, or a new government has been appointed.

Generally speaking, the conventions make sure a new government is not bound by important decisions made just prior to a general election which would limit its freedom of action.

During the caretaker period, a government must avoid making major policy decisions that are likely

to create a commitment for an incoming government, make significant appointments, or enter into major contracts.

Of course, the normal business of government and general administration continue. The ministry and cabinet may meet if they need to, but governments must avoid involving departmental employees in election activities.

The 2010 version of the Department of the Prime Minister and Cabinet's *Guidance on Caretaker Conventions* outlines the major points in more detail.

For example, in the area of major policy decisions, the document states that if the government had to make a major decision, the minister would usually consult his or her opposition counterpart beforehand.

It is also worth noting that the conventions do not apply to promises



on future policies announced as part of an election campaign.

Ministers may still request factual material during the caretaker period but agencies may decide to decline the request if it is clearly for use during an election campaign.

With the House dissolved, this also means that all committees of the House and joint committees expire. •



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