



COMMITTEE OF THE WHOLE

DEFINITION AND PURPOSE

Most deliberations of the Senate take place either in the Senate or in its standing or special committees. On occasion, deliberations will take place in a Committee of the Whole, which combines elements of procedure followed by the Senate and its committees. A Committee of the Whole is composed of all senators and may be formed to deliberate on a bill or other matter before the Senate.¹ It meets in the Senate Chamber, but its proceedings are generally less formal than those of the Senate itself.

The Senate generally sits in Committee of the Whole to receive officials nominated for appointment to positions such as the Senate Ethics Officer, the Privacy Commissioner, the Official Languages Commissioner, the Auditor General or the Parliamentary Budget Officer.² The Senate has also used this process to consider the subject matter of bills, as well as to study urgent bills such as back-to-work legislation.³

PROCESS FOR COMMITTEE OF THE WHOLE

Although a Committee of the Whole is indeed a committee and meets in the Senate Chamber, its proceedings are governed by rules that differ in some respects from those governing the Senate and its standing or special committees. A Committee of the Whole is established and exists only for the duration of the mandate given to it by the Senate. Although no notice is required for a motion proposing that the Senate resolve into a Committee of the Whole, in most cases notice is given so that senators can be aware of when the committee will meet and to establish any special conditions that will apply to the committee's proceedings (e.g., maximum duration).⁴

CHAIR AND WITNESSES

The Speaker of the Senate does not preside over the proceedings of a Committee of the Whole. The Speaker *pro tempore* or another senator called upon by the Speaker presides instead.⁵ The chair of the committee sits at the table in the

chair usually occupied by the Clerk of the Senate. The mace is placed under the table and a table officer serves as clerk of the Committee of the Whole. In a Committee of the Whole, a senator does not need to stand or be in their assigned seat to speak.⁶ Witnesses may be invited onto the floor of the Senate to give testimony before a Committee of the Whole.⁷

A minister who is not a member of the Senate may be invited to sit in the chamber, next to the Leader of the Government, and take part in the debate of a Committee of the Whole when the committee is considering a bill or any other matter that is the responsibility of a department or the Government of Canada.⁸

PROCEDURE IN COMMITTEE OF THE WHOLE⁹

The *Rules of the Senate* apply in Committee of the Whole with the following exceptions:

- a senator is not limited to one intervention; they may speak as many times as they are given the floor by the Speaker;
- each intervention by a senator is limited to 10 minutes;
- any standing vote is taken immediately, without bells to call in the senators;
- there can be no arguments against the principle of a bill;
- there can be no motions for the previous question or for an adjournment; and
- notice is not required for a motion or an amendment.

A Committee of the Whole must suspend its work at 6 p.m., just like the Senate.¹⁰ The committee cannot exempt itself from this, nor any other provision of the Rules. Only the Senate itself — properly constituted, with the Speaker in the chair and the mace on the table — can grant such an exemption.

In practice, the motion to establish a Committee of the Whole often specifies conditions for its work, which only the Senate — not the committee — can change.

REPORT AND CONCLUSION OF WORK¹¹

While a Committee of the Whole is sitting, any senator may propose “that the chair do now leave the chair” or “that the chair do now report progress and ask leave to sit again.” These motions must be decided immediately, and cannot be debated or amended. If such a motion is defeated, a similar motion cannot be proposed unless an intermediate proceeding takes place. If the motion for the chair to leave the chair is adopted, it brings an end to the committee’s work. The chair does not

report to the Senate, and the bill or other matter is dropped from the Orders of the Day.¹²

If the motion for the chair to report progress and ask for leave to sit again is adopted, the Committee of the Whole can continue to sit at a later time if the Senate agrees to the committee's request.

Once a Committee of the Whole has completed its work, it reports back to the Senate and ceases to exist.

FOR ADDITIONAL INFORMATION ON COMMITTEES OF THE WHOLE

[Senate Procedure in Practice](#) (Chapter 9)

FOR ADDITIONAL INFORMATION ON OTHER POINTS COVERED IN THIS NOTE

[Senate Procedural Note No. 2, Order of Business of Sitings](#)

[Senate Procedural Note No. 3, Debate](#)

[Senate Procedural Note No. 4, Voting](#)

[Senate Procedural Note No. 5, Legislative Process](#)

[Senate Procedural Note No. 9, The Speaker of the Senate](#)

[Senate Procedural Note No. 10, Decorum](#)

[Senate Procedural Note No. 14, Leave of the Senate](#)

References

¹ Appendix I of the *Rules of the Senate* (see definition of Committee of the Whole). Also see, *Senate Procedure in Practice*, June 2015, pp. 182-184. Although extremely rare, it is possible to refer a Senate private bill to a Committee of the Whole, in which case special rules would apply (see rules 11-9, 11-16 and 11-17).

² For examples, see *Debates of the Senate*, June 14, 2023, June 14, 2022, and May 15, 2020.

³ For an example, see the debate on C-29, An Act to provide for the resumption and continuation of operations at the Port of Montreal, *Debates of the Senate*, April 30, 2021.

⁴ Rules 5-7(o) and 12-31(1).

⁵ Bourinot, *Parliamentary Procedure and Practice*, 4th ed. (1916), p. 393.

⁶ Rule 12-31(3)(b).

⁷ Rule 12-31(5).

⁸ Rule 12-31(4).

⁹ Rule 12-31(3).

¹⁰ Rule 3-3(1)

¹¹ Rule 12-32.

¹² Rule 12-32(2).