



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

ANNOTATED STANDING ORDERS

IN FORCE AS OF
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ANNOTATIONS AS AT 15 FEBRUARY 2022

3RD EDITION

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PART ONE

FREQUENTLY USED PRACTICE AND PROCEDURE

CHAPTER ONE

GENERAL RULES, DEFINITIONS AND APPLICATIONS

STANDING ORDER 1

General Rule about Application and Interpretation

Rulings and interpretation of these Standing Orders is the responsibility of the Speaker or Member presiding in the chair, guided by previous rulings and the practices of the Assembly and, if required, the most recent edition of the House of Representatives Practice¹.

STANDING ORDER 2

Definitions and Application of Standing Orders

Definitions

In these Orders unless the contrary intention appears:

“Session” means the series of sittings —

- (1) from the calling together of the Assembly after a general election until the Assembly is prorogued, or
- (2) from the calling together of the Assembly after a prorogation until the Assembly is next prorogued.

“Sitting day” means a meeting of the Assembly from the ringing of the bells at the appointed time until the adjournment of the Assembly.

“An Assembly” means the series of sittings comprised of one or more sessions from the calling together of the Legislative Assembly after a general election until it is prorogued prior to the next general election or the holding of an extraordinary general election.

“Chief Minister” means the Minister designated as Chief Minister by the Administrator.

“Minister” means a Member appointed to a ministerial office² by the Administrator with such designation as the Administrator from time to time determines³.

“Speaker” means the Member elected to be Speaker pursuant to Standing Order 214 and in the absence of that Member means the Deputy Speaker. Where the words “Presiding Officer” or “Chair” occur these words mean the same as “Speaker” who is the principal office holder in the Assembly.

“The Assembly” means the Legislative Assembly of the Northern Territory of Australia constituted by the *Northern Territory (Self-Government) Act 1978*.⁴

¹ [House of Representatives Practice](#)

² Section 4(1) *Northern Territory (Self-Government) Act 1978 (Cth)*; section 17 *Interpretation Act 1978*

³ Sections 34 & 36 *Northern Territory (Self-Government) Act 1978 (Cth)*; section 19 *Interpretation Act 1978*

⁴ *Northern Territory (Self-Government) Act 1978 (Cth)*

“The Chamber” means the area within the walls enclosing the Speaker’s Chair, the Table and Members’ seats but does not include areas specifically set aside for visitors or seating allocated to advisors.

“The Administrator” means the person for the time being acting as Administrator of the Northern Territory.⁵

Application

These Standing Orders are the rules of the Assembly made under the power granted by section 30 of the *Northern Territory (Self-Government) Act 1978*.⁶ They are of continuing effect and apply until changed by the Assembly.

⁵ Section 32 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

⁶ Section 30 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

CHAPTER TWO

SITTING DAYS, QUORUM AND ADJOURNMENT

STANDING ORDER 3

Meetings of the Assembly

Unless otherwise ordered the Assembly meets each year in accordance with a program of sittings provided to the Assembly for that year.

STANDING ORDER 4

Changes to the Scheduled Meetings of the Assembly

When the Assembly is meeting, a Minister may move a motion without notice at any time to set the next meeting or a future meeting or meetings of the Assembly and when the Assembly is not meeting, the Speaker may set an alternative time for the next meeting and will advise all Members of the change.

STANDING ORDER 5

Quorum at Time of Meeting

See Page 82 for [Resolution on Remote Participation in Sittings](#)

If there are not ten Members present by five minutes after the appointed meeting time on any given day, then the meeting of the Assembly is adjourned until the next scheduled day or suspended by the Speaker to a time later the same day.

STANDING ORDER 6

Member not to leave the Chamber at Commencement

No Member may leave the Chamber within the first five minutes of the commencement of a meeting of the Assembly unless a quorum of ten Members is present.

STANDING ORDER 7

Prayers

Text of Prayer and Acknowledgment of Country are specified in [Sessional Order 5](#).

Prayers are conducted by the Speaker or a nominee at the commencement of each day in accordance with an order of the Assembly.

STANDING ORDER 8

Quorum Not Present for a Division

If there is no quorum present after a division has been called, no vote of the Assembly will be recorded and the Speaker will adjourn the Assembly either:

- (1) to the next meeting day, or

- (2) if the Speaker considers that a quorum will be present at a later time on the same day the Speaker will nominate that time and the Assembly will be suspended until that time. If when that time is reached there is still no quorum, the Assembly will be adjourned to the next scheduled meeting.

STANDING ORDER 9

Member calling a Lack of Quorum⁷

- (1) If a Member states that a quorum is not present in the Assembly, the Speaker will count the Members present and if there are fewer than 10 Members (including the Speaker or Member presiding) the bells will be rung for three minutes or until a quorum is present, whichever comes first.
- (2) If after three minutes there are still not 10 Members present, the Speaker will adjourn the Assembly either:
 - (a) until the next meeting day, or
 - (b) if the Speaker considers that a quorum will be present at a later time on the same day, the Speaker will nominate that time and the Assembly will be suspended until that time. If when that time is reached there is still no quorum, the Assembly will be adjourned to the next meeting day.

STANDING ORDER 10

Recommencement of Proceedings

If proceedings have been interrupted because of a lack of a quorum and the meeting of the Assembly has been suspended to later the same day or adjourned to the following day, proceedings may only recommence at the point they were interrupted by a motion being moved after notice has been given.

STANDING ORDER 11

Member not to leave the Chamber during Ringing of the Bells for a Quorum

When a Member has called attention to the lack of a quorum no Member may leave the Chamber until either a quorum is present or three minutes have passed.

STANDING ORDER 12

Adjournment Motion

The Assembly may adjourn on the motion of a Minister moved at any time without notice or amendment.

Amended by **Sessional Order 14: Adjournment Statements**

(1) Whenever a Minister proposes pursuant to Standing Order 12 that the Assembly adjourn, the Speaker shall put the question to the Assembly without debate.

(2) If the question to adjourn is agreed, an Adjournment Statement may be made by any Member for up to ten minutes for each Member.

(3) At the conclusion of all Adjournment Statements, the Assembly will adjourn with no further question being put.

⁷ Sections 23 & 64 [Northern Territory \(Self-Government\) Act 1978](#)

CHAPTER THREE

RULES OF DEBATE

STANDING ORDER 13

Order Maintained

The Speaker is responsible for maintaining order in the Assembly.

STANDING ORDER 14

Speaker Standing

If the Speaker stands, any Member speaking or seeking the call must sit and the Assembly will be silent.

STANDING ORDER 15

Respect for the Chair

When entering or leaving the Chamber, or when passing across the Chamber a Member will bow to the Speaker.

STANDING ORDER 16

Movement Restricted when Question being put

When the Speaker is putting a question, no Member may walk out of or across the Chamber.

STANDING ORDER 17

Moving around in the Chamber

No Member may move or stand between the Speaker and any Member who is speaking.

STANDING ORDER 18

Seeking the Call and Addressing the Speaker

A Member seeking the call to speak will stand up to seek recognition from the Speaker. If recognised, the Member addresses the Speaker.

STANDING ORDER 19

Speaking While Seated

If a Member is unable to stand the Speaker may permit the Member to speak while seated.

STANDING ORDER 20

No Interruption of Debate

When a Member is speaking other Members must not make any noise or disturbance.

STANDING ORDER 21

Member Called and Member to be Heard

When two or more Members are seeking the call, the Speaker calls upon the Member who in the opinion of the Speaker stood up first. Any Member may move that a Member who has sought the call but not received the call 'be now heard'. The question must be put immediately and decided without amendment or debate.

STANDING ORDER 22

One Speech Only

No Member may speak twice on a question before the Assembly except in explanation or reply when a reply is permitted.

STANDING ORDER 23

Explanation of Speech

A Member who has already spoken on a question may again be briefly heard to explain some material part of his or her speech which has been misquoted or misunderstood but cannot introduce any new matter or debate the matter again or interrupt any Member already speaking.

Order of Continuing Effect 3 removed previous Standing Order 23A, Speaking in Languages other than English. It reverted the Assembly to the practice of leave being sought by Members, as required, to contribute in languages other than English.

STANDING ORDER 24

Reply

A Member may speak in reply if the Member has moved a substantive motion, a motion that a bill now be read a second time or a motion that a bill now be read a third time. The reply must be confined to matters raised in debate and no reply is permitted for a Member who has moved an amendment.

STANDING ORDER 25

Reply Closes Debate

The reply of the mover of the original question closes the debate.

STANDING ORDER 26

Personal Explanation

A Member may, with the leave of the Speaker when there is no question before the Assembly, explain how he or she has been misrepresented or explain another matter of a personal nature. The explanation should be succinct and may not be debated.

STANDING ORDER 27

Decision is Final

No Member may speak on a question after it has been decided.

STANDING ORDER 28

References to Other Debates

A Member must not refer to debates of the same session unless the reference is relevant to the matter under discussion.

STANDING ORDER 29

Reflection on Previous Vote

A Member may not reflect adversely on a vote of the Assembly except during debate on a motion that a vote be rescinded.

STANDING ORDER 30

Respect for Head of State

No Member may refer to the Australian Head of State or their representative in the Commonwealth, a State or a Territory in a disrespectful manner or in a manner intended to influence Members during a debate.

STANDING ORDER 31

Offensive or Disorderly Words

A Member must not use offensive words against the Legislative Assembly or a Member of the Assembly, another Australian Parliament or Member of that Parliament, or a Member of an Australian or the Northern Territory Judiciary.

All imputations of improper motives to a Member and all personal reflections on other Members will be considered highly disorderly unless discussed during moving of and debate on a substantive motion alleging misconduct by that Member.

The Speaker may rule that highly disorderly words not be published in the Parliamentary Record.

STANDING ORDER 32

Speaker to Intervene

When the Speaker hears offensive or disorderly words the Speaker will intervene to ensure order.

STANDING ORDER 33

Speaker to Determine whether words are Disorderly

When the Speaker's attention is drawn to specific words the Speaker will determine whether or not the words are offensive or disorderly.

STANDING ORDER 34

Member not to be referred to by Name

A Member must refer to other Members by their title of office or by the name of their electorate.

STANDING ORDER 35

Relevance to Subject

A Member may not digress from the subject being debated or discussed. This will not apply to the Address in Reply, a motion to adjourn the Assembly, or an Appropriation or Supply Bill where matters relating to public affairs may be debated.

STANDING ORDER 36

Anticipation of Matter listed on Notice Paper

A Member may not anticipate the discussion of any subject which appears on the Notice Paper which in the opinion of the Speaker is likely to be debated within a reasonable timeframe. However the Speaker should not prevent an incidental reference to a matter on the Notice Paper.

STANDING ORDER 37

When Interruption is Allowed

A Member may only interrupt another Member who is speaking as follows:

- (1) to call attention to a point of order
- (2) to call attention to a matter of privilege suddenly arising
- (3) to call attention to the lack of a quorum
- (4) to call attention to the presence of strangers
- (5) to move "that the question be now put"

- (6) to move “that the Member be not further heard”
- (7) to move that the discussion be concluded.

STANDING ORDER 38

Irrelevance or Tedious Repetition

If the Speaker has called a Member’s attention to engaging in irrelevance or tedious repetition and they persist, the Speaker may direct the Member to cease speaking. The same Member may then request the Speaker put the question that they be further heard. That question will then be put to the Assembly immediately without amendment or debate.

STANDING ORDER 39

Matters Not Open to Debate

- (1) Except where a Member moves a motion (j) “that the debate be adjourned”, where they may briefly state their reasons for so moving and one other Member may speak briefly in rebuttal, the following questions are not open to debate and are put without debate or amendment:
 - (a) that a Member “be now heard” (SO 21)
 - (b) that a Member “be further heard” (SO 38)
 - (c) that a Member “be not further heard” (SO 45)
 - (d) that a Member “be granted an extension of time” (SO 43)
 - (e) “that the question be now put” (SO 44)
 - (f) “that the business of the day be called on” or “discussion be concluded” (SO 66)
 - (g) “that the ruling of the Chair be dissented from” (SO 48)
 - (h) that a Member “be suspended” (SO 51)
 - (i) “that strangers or visitors be ordered to withdraw” (SO 244)
 - (j) “that the debate be adjourned” (SO 40)
- (2) Should any of these questions be negatived, no similar proposal will be received if the Speaker is of the opinion that it is an abuse of the Orders or practice of the Assembly, or it is moved for the purpose of obstructing business.

STANDING ORDER 40

Procedure for Adjourning a Debate

A Member who has not spoken to the question or who has the right of reply may move the adjournment of a debate. The question is put immediately and determined without amendment or debate.

Subject to the provisions of Standing Order No 39, if the question is resolved in the affirmative, the debate is adjourned. If no motion for the resumption of the debate is moved, the resumption of the debate becomes an order of the day for the next meeting of the Assembly and the Member on whose motion the debate was adjourned may speak first on the resumption of the debate.

If the motion for the adjournment of debate on a question is negatived, the Member moving the motion may speak at a later time in the debate.

STANDING ORDER 41

Question of Adjournment and Resumption

When a debate is adjourned, a motion may be moved immediately without notice to appoint a time for the resumption of the debate on either the same day or another day. Debate on this question is restricted to the proposed date and time of the resumption of the debate.

STANDING ORDER 42

Member Speaking - Leave to Continue Remarks Later

A Member may not adjourn the debate on which they are speaking but may seek the leave of the Assembly to continue their remarks later.

If leave is granted, the debate is adjourned. If the Member does not then move pursuant to Standing Order 41 to appoint a time and date for resumption of debate, the debate will be called on after the last order of the day listed on the Notice Paper for consideration that day.

The Member who was granted leave may speak first on the resumption of the debate.

STANDING ORDER 43

Speech Time Limits

The maximum period for which a Member may speak on any subject indicated in this Standing Order and the maximum period for any debate, will not, unless otherwise ordered, exceed the period specified in the following schedule:

Election of Speaker or appointment of Chair	
Each Member speaking	5 minutes
Address in Reply	
Each Member	30 minutes
Mover in reply	20 minutes
Discussion of a matter of public importance	
Whole discussion not to exceed	2 hours
Proposer	20 minutes
Member next speaking	20 minutes
Any other Member	15 minutes
Bills	
Second Reading	
Mover	45 minutes
Member next speaking	45 minutes
Any other Member	30 minutes
Mover in reply	30 minutes
Consideration of a Bill in Detail	
For each question under consideration:	
Member in charge of a bill	unlimited
Other Members (more than one speech is permitted on each question)	Each speech not to exceed 10 minutes
Bills	
Third Reading	
Mover	10 minutes
Member next speaking	10 minutes
Any other Member	5 minutes
Mover in reply	10 minutes
Motion to Suspend Standing Orders	
Mover	10 minutes
Member next speaking	10 minutes
Any other Member	5 minutes

Motion to set a time and date to resume an adjourned debate	
Mover	5 minutes
Member next speaking	5 minutes
Any other Member	3 minutes
Ministerial Reports (amended by Sessional Order 8)	
Whole debate	2 hours
Minister, First Opposition Member, first non-political party affiliated (independent Member)	20 minutes (no extensions)
All Other Members	10 minutes
Ministerial Statements and Tabling Statements	
Minister	unlimited
Member next speaking	30 minutes
Any other Member	20 minutes
Condolence Motions	
Each Member speaking	unlimited
Debates not otherwise provided for	
Mover	30 minutes
Member next speaking	30 minutes
Any other Member	20 minutes
Mover in reply	20 minutes
Motion for adjournment of the Assembly to close the business of the day	
Each Member	10 minutes

On motion, determined without debate and agreed to by the Assembly, a Member may continue a speech interrupted by this Standing Order for one period of 10 additional minutes, except in the instances of:

- (1) a discussion of a Matter of Public Importance
- (2) any debate with a time limit of 10 minutes or less
- (3) a Censure Motion, or
- (4) a Motion expressing a Want of Confidence.

STANDING ORDER 44

Closure – Motion to put the Question

When debate has commenced on any question either in the Assembly or in Committee, a Member may move without notice (whether or not another Member is addressing the Chair) “that the question be put”. The motion is put immediately and decided without amendment or debate. If the question is negatived the debate is resumed where it was interrupted and the time taken in deciding the question “that the question be now put” is not taken from the time allotted to the Member whose speech was interrupted.

STANDING ORDER 45

Motion - Member no Longer to be Heard

A motion may be moved that a Member who is speaking, except a Member giving a Notice of Motion or formally moving the terms of a motion allowed under the Standing Orders, "no longer be heard" the question is put immediately and decided without amendment or debate.

STANDING ORDER 46

Point of Order

Any Member may at any time raise a point of order with the Speaker, which, until disposed of, suspends everything else.

STANDING ORDER 47

Member to Resume Seat and Speaker to Rule

When a point of order is raised, the Member interrupted resumes their seat and, after the question of order has been stated to the Speaker by the Member, the Speaker rules.

STANDING ORDER 48

Dissent from Ruling

If a Member objects to a ruling of the Speaker, the objection must be expressed immediately and a motion of dissent must be submitted in writing and then moved by the Member who expressed the objection.

The terms of the written motion must be seconded by another Member when submitted.

The Member seconding the motion may next speak to the motion and the remaining debate on the motion will proceed immediately, taking precedence over all other business of the Assembly until disposed of.

CHAPTER FOUR

DISORDER

STANDING ORDER 49

Member Excluded for One Hour

- (1) If the Speaker considers the conduct of a Member is disorderly, the Speaker may order the Member to leave the Assembly immediately for a period of one hour. The requirement to leave is final, not subject to dissent and cannot be debated.
- (2) If a Member fails to leave the Chamber immediately when ordered to do so, the Speaker may name the Member pursuant to the process described in Standing Orders 50 and 51.
- (3) After leaving the Assembly Chamber the Member may only attend during the one hour period of exclusion for the purpose of voting in any division or being counted for a quorum, but must depart when the vote has been declared or a quorum formed.

STANDING ORDER 50

Naming of a Member

The Speaker may name any Member who has –

- (1) persistently and wilfully obstructed the business of the Assembly
- (2) been guilty of disorderly conduct
- (3) used objectionable or disorderly words, which they have refused to withdraw
- (4) persistently and wilfully refused to conform to any Standing Order, or
- (5) persistently and wilfully disregarded the authority of the Speaker

STANDING ORDER 51

Suspension after Naming

If a Member has been named by the Speaker, the Speaker immediately puts the question: *That the Member for ... be suspended from the service of the Assembly.* No amendment, adjournment or debate is allowed.

STANDING ORDER 52

Periods of Suspension

- (1) A Member who has been named and excluded from the Assembly under Standing Order 50 and Standing Order 51 is suspended as follows:

- (a) For 24 hours if it is the first occasion in the calendar year.
 - (b) For the second occasion in the same calendar year, they are suspended for a period of two meeting days in addition to any period on the day of suspension being ordered.
 - (c) For the third and any subsequent occasion they will be excluded for three meeting days in addition to any part of the day of the suspension being ordered.
- (2) For the purposes of this Standing Order, any suspension in a previous session of the Assembly during the same calendar year is disregarded.

Should any period of suspension prevent a Member from attending the Legislative Assembly for three or more consecutive meeting days, for the purposes of section 21(2)(c) of the *Northern Territory (Self-Government) Act 1978*, the Member is deemed to have been granted the permission of the Assembly to be absent.

STANDING ORDER 53

Extreme Disorder by a Member

When the conduct of a Member is so highly disorderly that the procedure in Standing Order 52 would be inadequate to ensure the urgent protection of the dignity of the Assembly, the Speaker orders the Member to leave the Chamber immediately and once the Member has departed, the Member is named by the Speaker and the question for the suspension of the Member is put immediately. If the question for the suspension of the Member is resolved in the negative, the Member may return to the Chamber.

STANDING ORDER 54

Effect of a Suspension and Exclusion from the Chamber

A Member suspended from the service of the Assembly is excluded from the Chamber and its galleries and may not attend any meetings of Assembly committees.

STANDING ORDER 55

Severe Disorder

In the case of severe disorder occurring either in the Assembly or in its galleries, the Speaker may adjourn the Assembly without a question being put, or may suspend any meeting for such time to be advised to Members or until the ringing of the bells to indicate a resumption of the meeting.

STANDING ORDER 56

Disobedience of a Member

A Member who disobeys an order of the Assembly may be ordered to attend to answer for their conduct and a motion to this effect can be moved without notice.

STANDING ORDER 57

Arrest of Unauthorised Persons

If any person other than a Member disturbs the operation of the Chamber or a Committee, any authorised officer pursuant to s.5 of the *Legislative Assembly (Security) Act 1998*⁸ may immediately remove the person or take the person into custody.

LEGISLATIVE ASSEMBLY (SECURITY) ACT 1998 - SECT 5

Authorised persons

- (1) The following persons are authorised persons for the purpose of this Act:
 - (a) the Clerk within the meaning of the *Legislative Assembly (Powers and Privileges) Act 1992*⁹
 - (b) the Deputy Clerk within the meaning of the *Legislative Assembly (Powers and Privileges) Act 1992*¹⁰
 - (c) the Clerk Assistant within the meaning of the *Legislative Assembly (Powers and Privileges) Act 1992*¹¹
 - (d) the Serjeant at Arms of the Assembly
 - (e) a member of the Police Force
 - (f) a person, employed by a security firm within the meaning of the *Private Security Act 1995*¹² that is engaged to provide the services of crowd controllers in relation to the Assembly precincts, who:
 - (i) is directed by the security firm to provide the services of a crowd controller in relation to the Assembly precincts, and
 - (ii) holds a crowd controller's licence within the meaning of the *Private Security Act 1995*¹³ (not being a crowd controller's transitional licence or a crowd controller's provisional licence within the meaning of that Act).
 - (g) a person appointed under subsection (2).
- (2) The Speaker may, in writing, appoint an employee within the meaning of the *Public Sector Employment and Management Act 1993*¹⁴ to be an authorised person.

STANDING ORDER 58

Dealing with Removed Persons

When any person is removed under Standing Orders 56 or 57 their removal is reported to the Assembly by the Speaker without delay; and the Assembly determines the consequences.

⁸ Section 5 [Legislative Assembly \(Security\) Act 1998](#)

⁹ Section 3 [Legislative Assembly \(Powers and Privileges\) Act 1992](#)

¹⁰ Section 3 [Legislative Assembly \(Powers and Privileges\) Act 1992](#)

¹¹ Section 3 [Legislative Assembly \(Powers and Privileges\) Act 1992](#)

¹² Section 7 [Private Security Act 1995](#)

¹³ Section 5 [Private Security Act 1995](#)

¹⁴ Section 13 [Public Sector Employment and Management Act 1993](#)

CHAPTER FIVE

BUSINESS OF THE ASSEMBLY AND ORDERS OF THE DAY

STANDING ORDER 59

Conduct of Business

Any motion connected with the Assembly's conduct of business may be moved by a Minister at any time without notice.

STANDING ORDER 60

Routine of Business

The Assembly conducts its business on each meeting day according to a Sessional Order as adopted by the Assembly from time to time.

Sessional Order 1: Routine of Business

Pursuant to Standing Order 60 the Routine of Business is:

Tuesday and Thursday:

1. 10:00
Prayers and Acknowledgement of Country
Ministerial Reports
2. Government Business – Notices and Orders of the Day
3. 14:00
Notices
Petitions
Questions
4. Government Business – Notices and Orders of the Day
5. Ministerial Policy Statements and Forecasts
6. Papers
7. Consideration of Committee Reports, Government Responses and Auditor-General's Reports
8. Debates on Petitions and Responses to Petitions
9. Discussion pursuant to Standing Order 66 (Matter of Public Importance)

Wednesday

1. 10:00
Prayers and Acknowledgement of Country
Ministerial Reports
2. Ministerial Reports
3. Government Business – Notices and Orders of the Day
4. 14:00
Notices
Petitions
Questions
5. General Business – Notices and Orders of the Day
6. 19:00
Government Business
7. Papers

Text of Prayer and Acknowledgment of Country are specified in **Sessional Order 5**.

STANDING ORDER 61

Precedence of Business of the Assembly

When occurring, 'Business of the Assembly' will always appear first on the Notice Paper and be dealt with prior to any other business before the Assembly.

Business of the Assembly is:

- (1) a motion concerning the qualification of a Member
- (2) a motion to disallow, disapprove or declare void and of no effect any instrument or part of any instrument made under the authority of any Act which provides for the instrument to be subject to disallowance or disapproval by the Assembly
- (3) an order of the day for the presentation of a report from any committee of the Assembly
- (4) a motion or order of the day for the appointment or membership of any committee of the Assembly
- (5) business related to any message from the Administrator to the Assembly. Messages from the Administrator will also be considered Business of the Assembly.

STANDING ORDER 62

Presentation of Papers and Reports from Committees

Notwithstanding Sessional Orders outlining the routine of business pursuant to Standing Order 60, reports of any Assembly Committee or any papers to be presented may be presented whenever there is no other business being considered by the Assembly.

STANDING ORDER 63

Order and Precedence of Government Business

The Chief Minister, Leader of Government Business or a Minister acting on behalf of the Chief Minister, may arrange any business introduced by a Minister on the Notice Paper as Government Business as required which will take precedence over General Business except where the Sessional Orders provide otherwise.

STANDING ORDER 64

Order and Precedence of General Business

Members with General Business listed on the Notice Paper may re-order and postpone their own Notices and Orders of the Day so long as their re-ordering or postponement does not alter the ranking of another Member's item on the Notice Paper to move that Member further down the ranking of Notices or Orders of the Day unless that other Member agrees.

Notification of re-arrangement of Notices or Orders of the Day will be advised by the relevant Whip and/or Independent Member and any affected Member to the Clerk, the counterpart Whip or Whips and any other Independent Member ~~by the close of the meeting on the day immediately preceding the General Business day~~ **by 18.00 on the day immediately preceding General Business day (amended by [Sessional Order 9](#))**.

STANDING ORDER 65

Consideration of Committee Reports, Auditor General's Reports and Government Responses

Where on any meeting day there are orders of the day for the resumption of debate on motions for the consideration or adoption of reports of committees, reports of the Auditor-General or government responses to such reports then at the time allocated in the Sessional Order for consideration of such reports, they will be called on for consideration in the order in which the respective reports or government responses were presented.

STANDING ORDER 66

Discussion of a Matter of Public Importance

- (1) A Member may propose to the Speaker that a matter of public importance be submitted to the Assembly for discussion.

The Member proposing the matter must present the proposal in writing to the Speaker at least two hours before the time fixed for the meeting of the Assembly, and on the day for presentation.

If the Speaker determines that it is within the competence of the Assembly and it is otherwise in order, the proposal is communicated to a Minister and to the Leader of the Opposition as soon as possible.

At the allocated time, the Speaker will read the proposal to the Assembly. The proposed discussion must be supported by four Members, including the proposer, rising in their places. The Speaker then calls upon the Member who proposed the matter to speak.

- (2) At any time during the discussion, a motion may be made by a Member "that discussion be concluded". Such a motion must be put immediately and decided without amendment or debate and, if agreed to, Business proceeds according to the Routine of Business on the Notice Paper. A motion under Standing Order 44 (closure of question) or Standing Order 40 (adjournment) will not be in order.
- (3) In the event that more than one matter is presented for the same day, priority is given to the matter which, in the opinion of the Speaker, is the most urgent and important and no other proposed matter is read to the Assembly on that day.

STANDING ORDER 67

Precedence of a Censure Motion

A motion which is moved without notice during the course of Question Time, and prior to the Leader of Government Business asking further Questions to be placed on the written question

paper, which seeks to censure the Government or a Minister, may be accepted by the Government and given precedence over all other business. Once accepted, the motion will be moved and a copy circulated. If not accepted to take precedence, then the normal routine of business will prevail and notice may be given at the usual time.

STANDING ORDER 68

Motion of No Confidence

Where a Member wishes to move a Motion of No Confidence in the Government the Member must give notice of the motion three clear days prior to the Motion of No Confidence being called on and debated.

A Minister may give precedence for notice to be given ahead of any other business at any time there is no question before the Chair.

After the lapse of three clear days, the Motion will be given precedence over all other business and be listed on the Notice Paper as the first item in the category: *Business of the Assembly*.

The form the Notice will take will be to express that: *The Assembly, pursuant to section 24(1)(a) of the Electoral Act 2004,¹⁵ expresses that the Government no longer possesses the confidence of the Assembly.* Any reasons may be expressed in the remainder of the motion.

If the Speaker receives a letter signed by an absolute majority of Members of the Assembly requesting a special meeting in order for the Notice of a Motion of No Confidence to be given before the already scheduled meeting, and a subsequent meeting day to take place three days later for the Motion to be debated, the Speaker will convene a special meeting of the Assembly as soon as possible.

STANDING ORDER 69

Seeking leave of the Assembly

A Member who has the call may seek the leave of the Assembly. Leave must be unanimous and granted without any dissent.

¹⁵ [Electoral Act 2004](#)

CHAPTER SIX

NOTICES OF MOTIONS AND MOTIONS

STANDING ORDER 70

Giving Notice of a Motion

Motions require notice, unless otherwise provided in Standing Orders or the Assembly grants leave.

When a Member wishes to give notice that they will move a motion, they will provide a signed copy of the notice to the Clerk stating the day the motion is proposed to be moved and the terms of the motion in the form of a succinct and concise proposition. The Member will, when Notices are called on, rise and orally give their notice.

Only a Minister may give two or more notices consecutively unless no other Member has any notice to give.

STANDING ORDER 71

Giving Notice of Motion by Proxy

A Member may give notice of a motion on behalf of a Member who is absent and the notice of motion will be signed by the originating Member stating the name of the Member acting on their behalf, and the notice must also satisfy the requirements of Standing Order No 70.

STANDING ORDER 72

Amending a Notice of Motion

~~A Member may amend their notice by providing an amended signed notice to the Clerk and notifying the Assembly during the time set aside for notices where they will present their amended notice. The amended notice must be given prior to the calling on of the original notice.~~

Suspended by **Sessional Order 13: Amending a Notice of Motion**

A Member may amend a notice already given so long as the amendment proposed is limited to grammatical changes and/or matters which would not change the meaning of the original proposed motion by providing an amended signed notice to the Clerk and notifying the Assembly during the time set aside for notices where they will present their amended notice. The amended notice must be given prior to the calling on of the original notice.

STANDING ORDER 73

Withdrawing a Notice of Motion

A notice of motion may be withdrawn by the Member by notifying the Assembly at any time when there is no other question before the Chair.

STANDING ORDER 74

Order of Notices on the Notice Paper

Notices will appear on the Notice Paper and have precedence over each other in the order in which they are received by the Clerk at the Table.

A Member may postpone their motion or the motion of another Member with the permission of that Member by moving a motion without notice whenever there is no other question before the Chair.

STANDING ORDER 75

Notice may be Divided if it Covers Unrelated Topics

If a notice of motion is given which contains matters not relevant to each other, the Speaker may instruct the Clerk to divide the notice.

STANDING ORDER 76

Language and Content of a Notice of Motion

A notice of motion may not contain unparliamentary language or content which contravenes any Standing Order. Such a notice may be ordered by the Speaker to be amended or withdrawn from the Notice Paper.

STANDING ORDER 77

Change of Day for Moving Motion

A Member who has given notice of a motion may change the day proposed for moving the motion to a later day by notifying the Clerk in writing prior to the calling on of the motion. Upon receiving this advice the Clerk will advise the Members of the Legislative Assembly as soon as possible through the most convenient available channel.

STANDING ORDER 78

Notices must be for Another Day

Except for a notice of motion given and accepted by a Minister under Standing Order No 67, or as otherwise provided in these Standing Orders, notices of motion must be for a day subsequent to the day when notice is given.

STANDING ORDER 79

Motions Not Dealt With

If, at the adjournment of the Assembly, any motions on the Notice Paper have not been called on, such motions will be set down on the Notice Paper for the next meeting day.

STANDING ORDER 80

Motions of Thanks or Condolence

A motion for a vote of thanks of the Assembly or of condolence will generally be given precedence as a matter of courtesy.

STANDING ORDER 81

Notice will Lapse if Member is not Present or Fails to Rise

If a Member is not in their place or fails to rise when the notice of motion they have given is called on, it will be withdrawn from the Notice Paper. If the Member is absent, another Member may, at their request, either move the motion or postpone the motion to a later time or date.

STANDING ORDER 82

Possession of a Motion

After a motion has been moved it is in the possession of the Assembly and cannot be withdrawn without leave.

STANDING ORDER 83

A Motion which Anticipates Business already on the Notice Paper

A matter already on the Notice Paper must not be anticipated by giving Notice of a Motion covering the same matter unless it is a more effective form of proceeding. When deciding whether the matter proposed is or is not in order on the ground of anticipation, the Speaker will consider the probability of the matter anticipated being called on for consideration by the Assembly on the same or next meeting day.

STANDING ORDER 84

Repeating the Same Motion if Withdrawn

A motion which has been withdrawn from the Notice Paper before being decided may be moved again during the same session.

STANDING ORDER 85

Question or Questions to be put at the end of Debate

As soon as debate on a motion has concluded, the Speaker puts the question to the Assembly for decision. If any Member requests the Speaker to divide a complicated question then the Speaker may order that a complicated question is divided into parts to be put to the Assembly for decision part by part.

STANDING ORDER 86

Decision on a Question Before the Assembly

A question being put is resolved in the affirmative or negative by the majority of voices "Aye" or "No"¹⁶.

¹⁶ Section 27 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

STANDING ORDER 87

Speaker to State Opinion on Result of a Question being Put

The Speaker states whether in their opinion the “Ayes” or “Noes” have it. If this opinion is challenged, the question is decided by a division. A call for a division must be supported in accordance with the rule in Standing Order No 125.

STANDING ORDER 88

Limit on Repeating the Same Question

Except by leave of the Assembly no question or amendment may be proposed which is the same in substance as any question which the Speaker considers has recently been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded. This Standing Order does not operate to prevent any proposal for the disallowance of or disapproval of an instrument of a legislative or administrative character substantially the same in effect as one previously disallowed or disapproved during the same session.

STANDING ORDER 89

Rescission of Vote, Order or Resolution

An order, resolution or other vote of the Assembly may be read and rescinded subject to the following rules:

- (1) A rescission requires seven days' notice
- (2) If the rescission is to correct a mistake or irregularity then one day's notice will be sufficient
- (3) The Assembly may grant leave for a mistake or irregularity to be rectified immediately, and
- (4) If 12 months have elapsed since the order, resolution or other vote was made or taken, one day's notice is sufficient.

CHAPTER SEVEN

AMENDMENTS TO MOTIONS AND QUESTIONS

STANDING ORDER 90

Amending Motions and Questions

A question having been proposed may be amended:

- (1) by omitting certain words only
- (2) by omitting certain words in order to insert or add other words, or
- (3) by inserting or adding words.

STANDING ORDER 91

Amendments to be in Writing

An amendment to any motion before the Assembly must be in writing and signed by the mover.

STANDING ORDER 92

Amendments must be Relevant

Every amendment must be relevant to the question which it proposes to amend.

STANDING ORDER 93

Speaker's words when putting a Question to Omit Words

When the proposed amendment is to omit certain words, the Speaker or Chair puts the question "that the words proposed to be omitted, be omitted".

STANDING ORDER 94

Speaker's words when putting a Question to Omit in order to Insert or Add Words

When the proposed amendment is to omit words in order to insert or add other words, the Speaker puts the question "that the words proposed to be omitted, be omitted", which, if resolved in the negative, disposes of the amendment; but if in the affirmative, the next question is: "that the words proposed to be inserted (or added) be inserted (or added)".

STANDING ORDER 95

Speaker's words when putting a Question to Insert or Add Words

When the proposed amendment is to insert or add certain words, the Speaker puts the question "that the words proposed to be inserted (or added) be inserted (or added)".

STANDING ORDER 96

Speaker's use of Alternative words Permitted

If no Member objects, the Speaker may put the question "that the amendment be agreed to" in place of the question or questions stated in Standing Orders 93, 94 and 95.

STANDING ORDER 97

No Inconsistent Amendments Allowed

No amendment may be moved which is inconsistent with a previous decision on the question.

STANDING ORDER 98

Order of Moving must be Sequential

No amendment may be moved to any part of a question after a later part has been amended, or after a question has been proposed on an amendment, unless the proposed amendment has, by leave, been withdrawn.

STANDING ORDER 99

A Decision Cannot be Subverted

No amendment may be moved to any words which the Assembly has resolved will not be omitted, or which have been inserted in, or were added to a question, however the addition of other words may be permitted if they do not change the meaning of the decision.

STANDING ORDER 100

Order of Disposal of Amendments

An amendment proposed is to be disposed of before another amendment to the original question can be moved.

STANDING ORDER 101

Withdrawal of Amendment

A proposed amendment may, by leave, be withdrawn.

STANDING ORDER 102

Amendments to Amendments

Amendments may be moved to a proposed amendment as if such proposed amendment were an original question.

STANDING ORDER 103

Order of Amendments

When an amendment is moved to omit words in the main question in order to insert or add other words, no amendment to the words proposed to be inserted or added can be considered until the question “that the words proposed to be omitted, be omitted” has been determined.

STANDING ORDER 104

Main Question as Amended

When amendments have been made, the main question is put as amended.

STANDING ORDER 105

Original Question

When amendments have been moved but not made, the question is put as originally proposed.

CHAPTER EIGHT

QUESTIONS SEEKING INFORMATION

STANDING ORDER 106

Question Time and Questions to Ministers

- (1) Question Time will occur according to the adopted Routine of Business and be conducted in conformity with the Standing Orders.
- (2) The global time limit for Questions is approximately one hour. This period may be increased or decreased at the discretion of a Minister.
- (3) Questions may be put to a Minister relating to public affairs, to proceedings pending in the Assembly, or to any matter of administration for which they are responsible.
- (4) (a) Questions must be succinct, concise and direct and not exceed one minute.
(b) One supplementary question may be asked per Question Time by a non-Government Member and it must be asked immediately by the same Member who asked the original question. The supplementary question may not exceed 30 seconds and the answer not exceed one minute.

STANDING ORDER 107

Questions to Members who are not Ministers

Questions may only be put to a Member who is not a Minister if the question relates to the timing, procedure or clauses of a bill, motion, or other public matter connected with the business of the Assembly which the Member has charge of.

STANDING ORDER 108

Questions to a Chair of Committee

Questions may be put to the Chair of a committee relating to the activities of that committee: provided that —

- (1) unless leave of the Assembly is granted for them to be asked at question time, such questions may be asked only as written questions
- (2) they will not attempt to interfere with the committee's work or anticipate its report, and
- (3) the Chair answers such questions only on the basis that answers are made on behalf of the committee.

STANDING ORDER 109

Manner and Form of Questions

The following rules apply to questions —

- (1) Questions cannot be debated.
- (2) Questions should not contain:
 - (a) statements of fact or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated
 - (b) arguments
 - (c) inferences
 - (d) imputations
 - (e) insults, or
 - (f) hypothetical matter.
- (3) Questions should not ask Ministers:
 - (a) for an expression of opinion
 - (b) to announce new policy of the government, but may seek an explanation regarding the policy of the government and its application, or
 - (c) for a legal opinion.
- (4) Questions should not refer to proceedings in consideration in detail not reported to the Assembly.
- (5) Questions may not be asked which reflect on or are critical of the character or conduct of those persons whose conduct may be challenged only on a substantive motion and questions critical of the character or conduct of other persons must be asked in writing.

STANDING ORDER 110

Answers to Questions Without Notice

- (1) Answers will be concise and directly relevant to the question asked.
- (2) No answer will exceed three minutes.

STANDING ORDER 111

Repeating Questions Already Answered

A question which has been answered cannot be asked again during the same Question Time period.

STANDING ORDER 112

Power of Speaker to Change Language

The Speaker may direct that the language of a question be changed if it is not in conformity with the Standing Orders.

STANDING ORDER 113

Written Questions for Lodgement on the Question Paper

A Member asking a question on notice will deliver it to the Clerk or to the Table Office. The Question must be in writing and signed by the Member and the Clerk will place the question on the Question Paper in the order received.

STANDING ORDER 114

Replies to Questions

- (1) A reply to a written question must be delivered to the Clerk. A copy of the reply will be provided to the Member who asked the question; the question and reply will be printed in the Parliamentary Record.
- (2) A Minister should respond to a written question within 30 days of receipt. If a Minister does not answer the question within 30 days the Member who asked the question may at the conclusion of Question Time ask the Speaker to write to the Minister seeking reasons for the delay.

STANDING ORDER 115

Answers to Questions Asked on the Same or Previous Days and Responses to Matters raised in Adjournment

At the conclusion of Question Time, after the request that 'all further Questions be placed on the Question Paper', Ministers may answer or give supplementary answers to:

- (1) Questions asked on the same day during Question Time
- (2) Questions Asked on previous days during Question Time
- (3) Questions raised during the debate on the motion for the Adjournment of the Assembly.

The total time taken for the giving of all such answers by all Ministers will not exceed 10 minutes.

STANDING ORDER 116

Questions to Speaker

A question may be put to the Speaker at Question Time relating to any matter of administration for which the Speaker is responsible.

CHAPTER NINE

MINISTERIAL STATEMENTS

STANDING ORDER 117

When A Ministerial Statement May be Made

A Minister may make a statement on:

- ~~(1) government policy~~
- ~~(2) a government decision~~
- ~~(3) government action, or~~
- ~~(4) proposed government action~~

~~at any time when there is no question before the Assembly; provided that copies of the statement are available for distribution to Members when the Minister commences the statement.~~

STANDING ORDER 118

Motions on Ministerial Statements

When any statement has been made to the Assembly pursuant to Standing Order 117, a Member may move, without notice, either or both of the motions:

- (1) that the statement be printed or made available in an accessible format
- (2) that the Assembly take note of the statement

if the motions are not moved at the conclusion of the statement, either or both may be moved, on notice on another day.

Suspended by **Sessional Order 7: When a Ministerial Policy Statement or Ministerial Forecast may be made**

A Minister may make a policy statement or deliver a forecast for consideration by the Assembly on matters relating to:

- (a) government policy
- (b) a government decision
- (c) government action, or
- (d) proposed government action,

at any time when there is no question before the Assembly; provided that copies of the statement are distributed to the Members by 18:00 the day prior to when the statement or forecast is made. Such statements and forecasts are to be treated as confidential until delivered in the Assembly by the Minister.

See **Sessional Order 6** for Ministerial Reports

CHAPTER TEN

PETITIONS

STANDING ORDER 119

Petitions

Petitions may be presented to the Assembly by any Member provided that:

- (1) every petition must be respectful and not contain irrelevant statements
- (2) every petition must be neatly written, printed or reproduced by mechanical (or other) process, without interlineation or erasure
- (3) every petition must contain a request or prayer at the end
- (4) every petition must be in the English language, or be accompanied by a translation certified to be correct by the Member who lodges it
- (5) every petition must be signed by at least one person on the sheet on which the petition is inscribed
- (6) every petition must be signed by the parties whose names are on the petition, by their own hand, and by no one else, except in the case of incapacity or sickness. Persons unable to write must affix their marks in the presence of a witness, who also affix their signature. For electronic petitions see (9) below
- (7) every signature must be written upon the petition or upon sheets containing the prayer of the petition, and not pasted or otherwise transferred upon. For electronic petitions see (9) below
- (8) no letters, affidavits or other documents may be attached to any petition
- (9) any petition signed by electronic means or which claims to have been electronically endorsed by petitioners will be certified by the presenting Member that to the best of his or her knowledge the petition has been endorsed by the number of petitioners claimed
- (10) a petition for presentation to the Assembly can be lodged with the Clerk only by a Member, but a Member cannot lodge a petition from themselves
- (11) every Member lodging a petition with the Clerk for presentation to the Assembly will affix their name at the beginning, and
- (12) every petition must be lodged with the Clerk at least two hours prior to the time of the meeting of the Assembly on the day on which it is proposed to present it, and when presented the petition must bear the Clerk's certificate that it conforms with the Standing Orders.

STANDING ORDER 120

Motion on Petition

Where any petition has been presented in accordance with Standing Order 119 any Member may move that the petition be read and, in moving confines their remarks to a brief statement of the persons from whom the petition comes, of the number of signatures attached to the petition, of the material allegations contained in the petition, and the meaning or substance as contained in the request or prayer. If the motion is carried, a Clerk reads the petition.

STANDING ORDER 121

Action on Petition

~~On presentation of a petition, no debate upon or relating to it is allowed. It is laid upon the Table of the Assembly and a Member may move, without notice, a motion to refer the petition to a committee of the Assembly and may also move "that the petition be printed".~~

Suspended by **Sessional Order 12: Action on Petition**

- (1) After a petition has been read in the Assembly, any Member may move, without notice, that the petition be referred to the Public Accounts Committee for consideration as to whether the petition should be debated.
- (2) If the committee recommends to the Assembly that the petition should be debated, the recommendation of the Committee will be notified to the Clerk who will read the recommendation to the Assembly at the commencement of the next meeting day, where any Member may, without notice, move the report be adopted.
- (3) If the motion is agreed, the debate on the petition will be set down on the Notice Paper as an order of the day on the following meeting day of the Assembly to be considered at the time in the Routine of Business made available at item 8 for Debates on Petitions and Responses to Petitions.
- (4) When the order of the day is called on, the Member who moved that the Assembly adopt the recommendation will move that the Assembly note the petition. This motion cannot be amended.
- (5) The debate may comprise a maximum of two Members speaking for up to five minutes each and two other Members speaking for up to three minutes each.

STANDING ORDER 122

Terms of Petition referred to Minister

A copy of the terms of every petition lodged with the Clerk and received by the Assembly will be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.

STANDING ORDER 123

Response to a Petition

A Minister must respond to a petition forwarded by the Clerk within 12 meeting days of it being sent. The response will be lodged with the Clerk for presentation to the Assembly. The response will be announced at the end of the time for presentation of petitions. There is no requirement for a Minister to respond to a petition which is in similar terms to a petition previously presented to the Assembly and which has been responded to.

CHAPTER ELEVEN

DIVISIONS¹⁷

STANDING ORDER 124

Calling a Division

When the Speaker states that the “Ayes” or the “Noes” have it, the Speaker’s statement may be challenged by Members calling for a division.

STANDING ORDER 125

Division to be Supported by Two Members

More than one Member is required to call for a division. If only one Member calls for a division, that Member may inform the Speaker that they wish their dissent to be recorded in the Minutes of Proceedings and in the Parliamentary Record and their dissent will be recorded.

A division called by the Chief Minister or Leader of the Opposition does not require the Speaker to hear a second voice of support.

STANDING ORDER 126

Call for a Division Withdrawn after Leave Granted

At any time before the tellers begin to count the Members voting in a division, if leave is granted, a call for a division may be withdrawn and the division will not proceed.

STANDING ORDER 127

Voting in Divisions Not to Change

Every Member must vote in a division in accordance with how they called the vote on their voice. Where a Member calls “Aye” or “No”, their vote in the division must be the same and be recorded as such in the Minutes of Proceedings.

STANDING ORDER 128

Member who Calls a Division Must Remain to be Counted

A Member calling for a division may not leave the Chamber and must vote with those who, in the opinion of the Speaker, were in the minority when the Speaker's decision on the voices was given.

¹⁷ Section 27 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

STANDING ORDER 129

Bells Rung to Signal a Division is in Progress

- (1) Before a division is taken, the Clerk rings the division bells and the doors will not be closed until after the lapse of three minutes.
- (2) When successive divisions are taken and there has been no intervening debate after the first division, the bells for the ensuing division are rung for one minute only.

STANDING ORDER 130

Members Present to be Counted

After the lapse of three minutes from when the bells commenced ringing no Member may enter or leave the Chamber until after the completion of the division.

STANDING ORDER 131

Assembly Divides

When all Members are in their places, the Speaker states the question to the Assembly, and then directs the "Ayes" to proceed to the right of the Chair and the "Noes" to the left.

STANDING ORDER 132

Members Present Must Vote

The Members supporting the call for a division and every other Member present in the Chamber must vote, except the Speaker (or Member presiding) for whom voting is optional. Once the Members are on their respective sides the Whips act as the Tellers. If the Whips are not present, the Speaker appoints a Teller for each side.

Standing Order 132A

Proxy Votes Allowed

Members may vote when not in attendance in the following circumstances:

1. A pre-registered Member nursing an infant may give their vote in writing to the Clerk at the Table for any division
2. Pre-registration means a Member with the responsibility for nursing an infant who has advised the Speaker in writing that they have this responsibility on Assembly meeting days
3. The proxy vote must be in writing on an approved form
4. A vote may be in a blanket form or on an individual form but not both.
5. If a blanket form has been received by the Clerk at the Table it overrides any attempt at individual proxy voting for the period the blanket form applies

6. A blanket form advises the Assembly that a Member is voting with either the Government or the Opposition on each and every division during the period of the blanket form's validity.
7. A pre-registered Member who has not lodged a blanket proxy form may lodge an individual form at each division
8. An individual form must refer to the time and date of the vote being taken and be signed by the Member on the approved form and may be conveyed to the Clerk at the table by any Member on behalf of the pre-registered Member prior to the conclusion of the division
9. The proxy vote in either blanket form or individual form must be conveyed in hard copy only to the Clerk at the Table on the form as approved by the Speaker and may not be conveyed to the Clerk by electronic means
10. For the purposes of Standing Orders any proxy vote given in accordance with this resolution is to be treated as if it was a vote given by the Member present in the Chamber
11. This resolution is not extended or adapted to apply to Members who are not pre-registered and/or are not able to be present in the Chamber for other reasons

STANDING ORDER 133

Recording the Count

The tellers count the Members voting and the Clerks record the vote of each Member present.

STANDING ORDER 134

Result of Division Declared

The Speaker declares the result of the division to the Assembly.

STANDING ORDER 135

If Only One Member on a Side During Division

If only one Member appears on a side in a division, the division will be cancelled and the Speaker declares the decision of the Assembly. The one Member may inform the Speaker that they wish their dissent to be recorded in the Minutes of Proceedings and in the Parliamentary Record and their dissent will be recorded.

STANDING ORDER 136

Question of Order arising During Division

While the Assembly is dividing Members may speak to a question of order arising out of or during the division.

STANDING ORDER 137

Divisions Recorded

Lists of divisions will be recorded in the Minutes of Proceedings and in the Parliamentary Record.

STANDING ORDER 138

Confusion or Error During Division

Where there is some confusion or an immediately discernible error in relation to the numbers recorded, the Speaker may consult the Whips and if the error cannot be resolved, then the question will be put again and a further division will take place.

STANDING ORDER 139

Record of Division Corrected

If a complaint is made to the Assembly that a division has been inaccurately reported, the Speaker may have the Clerk correct the record.

STANDING ORDER 140

Casting Vote

If the Speaker or Member presiding exercises a casting vote pursuant to section 27(2) of the *Northern Territory (Self Government) Act 1978*,¹⁸ the reasons stated will be entered in the Minutes of Proceedings and into the Parliamentary Record.

Sessional Order 2: Pairs

Unless otherwise ordered, the existence of a pair arrangement will be noted in the division lists in the Minutes of Proceedings and the Parliamentary Record when the relevant whips or non-party aligned Members have advised the Table Office that a pairing arrangement is in place.

¹⁸ Section 27(2) [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#), the Speaker or presiding member is entitled to vote and shall have casting vote where there is an equality of votes on any question.

CHAPTER TWELVE

BILLS – INTRODUCTION AND PASSAGE

STANDING ORDER 141

Notice and Introduction of Bills

- (1) Before introducing a bill a Member must give notice of their intention to present a bill on the next or another sitting day.
- (2) A notice of intention to introduce a bill is a document which must specify the short title and the serial number of the bill, the day for presentation and signed by the Member.
- (3) A Member must give notice by stating its terms to the Assembly when Notices are called on in the Routine of Business and delivering a copy to the Clerk at the Table.
- (4) Except by leave of the Speaker, a Member may not give notice of intention to introduce a bill which has not been printed.
- (5) A Member who has given notice may alter its terms by notifying the Assembly and delivering to the Clerk an amended notice, either on the same day or on any day prior to that for introducing a bill, or the Member may withdraw the notice by notifying the Assembly.
- (6) On the calling on of the notice to present a bill a Member will present to the Assembly a printed copy of the bill with their signature appended.
- (7) The Standing Orders apply as if a notice of intention to present a bill were a notice of motion.

STANDING ORDER 142

Title and Contents of a Bill

Every clause of a bill presented to the Assembly must come within the title of that bill being relevant to the subject matter and purpose of the bill.

STANDING ORDER 143

First Reading of a Bill

On the presentation of a bill by a Member it will be read a first time without question being put.

STANDING ORDER 144

Only Title of Bill to be Read

When the Speaker calls the Clerk to read a bill, on each occasion only the long title will be read.

STANDING ORDER 145

Second Reading of a Bill

When a bill has been read a first time and is called on for presentation of the second reading, the Member in charge of the bill will move either

- (a) “that the bill be now read a second time”; or
- (b) “that the second reading of the bill be made an order of the day for a later hour (or day)”.

STANDING ORDER 146

Explanatory Statement to be Tabled

Unless the bill is the Appropriation Bill, when a Member concludes their second reading speech they will table a signed Explanatory Statement.

STANDING ORDER 147

Time Restriction on Passage of a Bill

A period of one month must elapse between the giving of the second reading speech of a bill and the Assembly considering the question “that the bill be now read a second time”.

STANDING ORDER 148

After Second Reading of a Bill

Immediately after the bill has been read for a second time the Assembly will proceed to consider the bill in detail, however if the Assembly agrees to forego this then:

- (1) a motion may be moved by a Minister or the Member in charge of the bill, that the consideration in detail stage be deferred to another either specified or unspecified time or
- (2) a motion may be moved “that the bill be referred to a committee” or
- (3) leave may be sought “that the bill be now read a third time”.

STANDING ORDER 149

Limits on Third Reading Debate

Debate on the question a bill be read a third time is limited to consideration of the content of the clauses in the bill at that stage and may not introduce new material or canvass matters already considered during the second reading debate or the consideration in detail stage.

STANDING ORDER 150

Resumed Consideration in Detail upon Report Back From Select Committee

When a bill has been referred to a select committee pursuant to Standing Order 148 (2) and the report of the select committee has been presented in the Assembly the bill in the context of the report delivered will then be considered in detail either immediately or on motion as an order of the day for a later hour.

CHAPTER THIRTEEN

BILLS - AMENDMENTS AND CONSIDERATION IN DETAIL

STANDING ORDER 151

Long Title during Consideration in Detail

In the Consideration in Detail Stage of a bill, the title and preamble of a bill are postponed without a question being proposed and the clauses are considered in order with a question being proposed by the Speaker on each clause, "that the clause stand as printed". The words of enactment at the head of the bill are not considered.

STANDING ORDER 152

Order of Consideration in Detail

- (1) A bill will be considered in the following order:
 - (a) clauses, as printed and proposed clauses, in their numerical order
 - (b) schedules, as printed and proposed schedules in their numerical order
 - (c) postponed clauses (not having been postponed until after certain other clauses)
 - (d) preamble, and
 - (e) title.
- (2) When reconsidering a bill or a bill upon report back from a select committee, the same order will be followed as far as possible.
- (3) When considering an Appropriation or Supply Bill, any schedule expressing the services for which the appropriation is to be made will be considered before the clauses and, unless the Assembly otherwise orders, that schedule will be considered by proposed expenditures in the order in which they are shown.
- (4) When considering a bill to impose taxation, any schedule must be considered before the clauses.

STANDING ORDER 153

Amendments Consistent with Bill

An amendment may be moved to any part of a bill provided it is within the title or relevant to the subject matter of the bill and conforms to the Standing Orders.

STANDING ORDER 154

Amendments to be in Writing

Except by leave of the Assembly, no amendment may be proposed unless

- (1) it is in writing and signed by the mover, and
- (2) copies of it are immediately available for circulation to Members.

STANDING ORDER 155

Discussion Confined to Question

The discussion is confined to the clause or amendment being considered in detail.

STANDING ORDER 156

Postponement of Clauses

A clause, or a clause which has been amended, may be postponed.

STANDING ORDER 157

Clause as Amended

If a clause is amended, the further question to be proposed is "that the clause stands as amended".

STANDING ORDER 158

No Repetition

No amendment or new clause or schedule may be moved if it is substantially the same as one already negatived, or which is inconsistent with one that has been already agreed to, unless it is being considered on a re-committal of the bill.

STANDING ORDER 159

Amendment of Title

If any amendment has been made to the bill not coming within the original title, the title will be amended and a question put, "that the title, as amended, be the title of the bill".

STANDING ORDER 160

Conclusion of Consideration in Detail

When the detail stage has been completed, the question will be put immediately “that the bill (or the bill as amended) be agreed to” and determined without amendment or debate.

STANDING ORDER 161

Report to Assembly Required before Assembly takes Notice

The Assembly takes no notice of any proceedings of a select committee on a bill, until such proceedings have been reported to the Assembly.

STANDING ORDER 162

Reconsideration of a Bill

At the conclusion of Consideration in Detail stage of a bill, a Member may move that the bill be reconsidered either in whole or in part.

STANDING ORDER 163

Third Reading

At the conclusion of Consideration in Detail after the Assembly has agreed to the question that the bill (as amended) be agreed to, it may be moved that the third reading of the bill be taken later or a motion may be moved and the question put “that the bill be now read a third time”.

STANDING ORDER 164

Completion and Disposal of a Bill

After the third reading no further question will be put, and the bill is a proposed law with the title agreed to in the consideration of the bill.

STANDING ORDER 165

Subsequent Amendments Permitted

Amendments falling within any of the following classes of amendments may be made, by the Clerk acting with the authority of the Speaker, to proposed laws, before they are presented for assent:

- (1) amendments of a formal nature necessary or desirable to any of the long title, the short title, and the method of citation
- (2) amendments correcting clerical, numerical, grammatical or typographical errors and other amendments of a verbal or formal nature, and
- (3) amendments to the citation of an Act.

STANDING ORDER 166

Presentation for Assent

After a bill has been passed to be a proposed law it will be certified by the Clerk as a true copy and be presented to the Administrator for assent.¹⁹

¹⁹ Section 7 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

CHAPTER FOURTEEN

MESSAGES FROM THE ADMINISTRATOR

STANDING ORDER 167

Messages to be Announced to Assembly

A message from the Administrator will be announced to the Assembly by the Speaker at the first available opportunity on a meeting day taking precedence over other matters, but not be announced during a debate or interrupting a Member who is speaking.

CHAPTER FIFTEEN

PROCEDURES FOR APPROPRIATION AND SUPPLY²⁰

STANDING ORDER 168

Financial Proposals: Announcement of Message from the Administrator

A message from the Administrator recommending an appropriation of revenue or moneys for the purpose of a bill will be announced before the bill to which it relates is presented²¹.

STANDING ORDER 169

Administrator's Recommendation to Amend to Appropriate Moneys

A message from the Administrator recommending an appropriation of revenue or moneys for the purposes of an amendment to be moved to a bill will be announced before the amendment is moved.

STANDING ORDER 170

Appropriation Bill must be recommended by Administrator

A proposal for the appropriation of public moneys must be recommended to the Assembly by a message from the Administrator received in the same session of the Assembly as the bill is introduced. No amendment of the same proposal to increase, or extend the objects and purposes or alter the destination of the recommended appropriation is possible unless a further message is received.

STANDING ORDER 171

Supply Bills, Appropriation Bills and Taxation Proposals Do Not Require Notice

An Appropriation or Supply Bill or a bill or proposal dealing with taxation may be presented to the Assembly by a Minister without notice.

STANDING ORDER 172

Taxation Proposals made by a Minister Only

A proposal for the imposition, increase, or alleviation, of a tax or duty, or for the alteration of the incidence of a tax or duty may only be made by a Minister. Only a Minister may move an amendment to increase, or extend the incidence of, the charge defined in that proposal unless the charge increased or the incidence of the charge increased does not exceed that already existing under any law of the Territory.

²⁰ Part V – Finance [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

²¹ Section 11 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

PART TWO

OTHER PRACTICE, PROCEDURE, COMMITTEE AND ADMINISTRATIVE MATTERS

CHAPTER SIXTEEN

COMMITTEES OF THE ASSEMBLY

STANDING ORDER 173

Standing Orders Committee

- (1) A Standing Orders Committee will be appointed at the commencement of each Assembly to inquire into and report on the Standing Orders and procedures of the Assembly and its committees.
- (2) The Committee must consist of the Speaker and at least four other Members, but no more than five other Members.

STANDING ORDER 174

Committee of Privileges

- (1) A Committee of Privileges must be appointed at the commencement of each Assembly to inquire into and report on complaints of breach of privilege which may be referred to it by the Assembly and act as the Committee of Members' Interests pursuant to s.3 of the *Legislative Assembly (Disclosure of Interests) Act 2008*.
- (2) The Committee will consist of five Members.

STANDING ORDER 175

House Committee

- (1) A House Committee must be appointed at the commencement of each Assembly to advise the Speaker on matters relating to the operation of Parliament House and its precincts including:
 - (a) building operations
 - (b) repairs, renewals, and alterations to the Parliament House and all fittings and furniture
 - (c) information technology services for the Assembly and Members
 - (d) the library services provided to the Assembly and Members
 - (e) allocation of rooms
 - (f) catering for Parliament
 - (g) maintenance and upkeep of gardens, parking areas and associated roadways, and
 - (h) any other matter referred to it by the Speaker or the Assembly.

Amended by **Sessional Order 4: Committee of Members' Interests**

This Assembly, pursuant to section 3 of the *Legislative Assembly (Disclosure of Interests) Act 2008*, assigns the Standing Orders Committee to act as the Committee of Members' Interests for the purposes of this act.

- (2) The committee will consist of the Speaker and four other Members.

STANDING ORDER 176

Subordinate Legislation and Publications Committee

- (1) A Subordinate Legislation and Publication Committee must be appointed at the commencement of each Assembly to examine and report upon all instruments of a legislative or administrative character and other papers which are required by statute to be laid upon the Table.
- (2) The Committee must consist of five Members.
- (3) The Committee will, with respect to any instrument of a legislative or administrative character which the Legislative Assembly may disallow or disapprove, consider:
 - (a) whether the instrument is in accordance with the general objects of the law pursuant to which it is made
 - (b) whether the instrument trespasses unduly on personal rights or liberties
 - (c) whether the instrument unduly makes rights and liberties of citizens dependent upon administrative and not upon judicial decisions
 - (d) whether the instrument contains matter which in the opinion of the Committee should properly be dealt with in an Act
 - (e) whether the instrument appears to make some unusual or unexpected use of the powers conferred by the statute under which it is made
 - (f) whether there appears to have been unjustifiable delay in the publication or laying of the instrument before the Assembly and
 - (g) whether for any special reason the form or purport of the instrument calls for elucidation.
- (4) The Committee, if it is of the opinion that an instrument should be disallowed or disapproved:
 - (a) will report that opinion and the grounds thereof to the Assembly before the end of the period during which any notice of the motion for disallowance of that instrument may be given to the Assembly and
 - (b) if the Assembly is not meeting, may refer its opinion and the grounds thereof to the authority by which the instrument was made.
- (5) The Committee, if it is of the opinion that any matter relating to any paper which is laid upon the Table of the Assembly should be brought to the notice of the Assembly, may report that opinion and matter to the Assembly.
- (6) The Committee will inquire into and report, from time to time, on the printing, publication and distribution of publications or such other matters as are referred to it by the Speaker or the Assembly.

Requirement for separate Subordinate Legislation and Publications Committee **suspended by Sessional Order 10**, which assigns all duties under this Standing Order to be undertaken by the Legal and Constitutional Affairs Committee as established under Standing Order 178.

- (7) For the purposes of this Standing Order, “instrument of a legislative or administrative character” has the same meaning as that defined in the *Interpretation Act 1978*.²²

STANDING ORDER 177

Public Accounts Committee

- (1) Public Accounts Committee will be appointed at the commencement of each Assembly and have the following duties:
- (a) to examine the accounts of the receipts and expenditure of the Northern Territory and each statement and report tabled in the Legislative Assembly, pursuant to the *Financial Management Act 1995* and the *Audit Act 1995*
 - (b) to report to the Legislative Assembly with such comments as it thinks fit, any items or matters in or arising in connection with those accounts, statements or reports, or in connection with the receipt or disbursement of the moneys to which they relate, to which the committee is of the opinion that the attention of Parliament should be drawn
 - (c) to report to the Legislative Assembly any alteration which the committee thinks desirable in the form of the public accounts or in the method of keeping them or in the method of receipt, control, issue or payment of public moneys
 - (d) to inquire into and report to the Legislative Assembly on any question in connection with the public accounts of the Northern Territory
 - (i) which is referred to it by a resolution of the Assembly or
 - (ii) which is referred to it by the Administrator or a Minister
 - (e) to inquire into and report to the Legislative Assembly on any matters within the executive authority of Ministers of the Territory to which the committee is of the opinion that the attention of the Assembly should be drawn.
- (2) The Committee will consist of six Members.
- (3) The Committee must take care not to inquire into any matters which are being examined by a Select Committee of the Assembly especially appointed to inquire into such matters and any question arising on possible overlap may be referred to the Assembly for determination.
- (4) The Committee will elect a Government Member as Chair.
- (5) The Committee will have power to appoint sub-committees and to refer to any such sub-committee any matter which the Committee is empowered to examine.
- (6) The Committee will provide an annual report of its activities to the Assembly.

²² Section 17 [Interpretation Act 1978](#)

STANDING ORDER 178

Legal and Constitutional Affairs Committee

- (1) A Legal and Constitutional Affairs Committee will be appointed at the commencement of each Assembly to inquire into and report on such constitutional and legal matters as may be referred to it by:
 - (a) the Attorney-General, or
 - (b) a resolution of the Assembly.
- (2) The Committee will consist of 5 members.

Order of Continuing Effect 4 establishes and provides the functions and membership of a Standing Committee on the ICAC.

STANDING ORDER 179

Appointment of Membership of Committees

The Assembly may appoint committees by motion moved on notice and Members will be appointed to or discharged from a committee by motion moved on notice.

Substitution of Committee Members, see **Sessional Order 11**.

STANDING ORDER 180

Appointment of Select Committees

A motion to appoint a Select Committee must specify the day for the reporting of the committee's proceedings to the Assembly. The Member chairing the committee will present the final report of the committee on or before that day, unless the Assembly grants an extension of time.

STANDING ORDER 181

Membership when Assembly not meeting

If the Assembly is not meeting, the relevant Whip or non-party aligned Member may nominate the appointment or discharge of a Member of a committee in writing to the Speaker. The change in membership must take effect from the time the Speaker receives the nomination. At the next meeting, the Speaker will report the change to the Assembly.

STANDING ORDER 182

Speaker and Deputy Speaker on Committees

The Speaker and Deputy Speaker may only be appointed to a committee if a Standing or other Order requires the appointment, or if they consent.

STANDING ORDER 183

Member with Pecuniary Interest not to sit on Inquiry

No Member may sit on a committee if that Member has a particular direct pecuniary interest in a matter under inquiry by the committee. If the eligibility of a Member to sit on a committee is challenged, the committee may report the matter to the Assembly for resolution.

STANDING ORDER 184

Quorum

- (1) A quorum for a committee is three members, unless the Assembly orders otherwise. If at any time a quorum is not present, the Member chairing will suspend the proceedings until a quorum is present, or will adjourn the committee.
- (2) If a quorum is not present within 15 minutes from the time appointed for the meeting of a committee, any Member present may depart after recording their name with the Secretary, who will convene a meeting for another time.

STANDING ORDER 185

Convening Meetings

Notice of meetings will be given by the Secretary for the committee:

- (1) if there is no Chair of the committee, at the direction of the Clerk
- (2) pursuant to resolution of the committee
- (3) at the direction of the Chair of the committee, or
- (4) upon a request by a majority of the committee.

STANDING ORDER 186

Committee Chairs

- (1) Each committee will have a Chair and a Deputy Chair.
- (2) The Deputy Chair will act as the Chair during the absence of the Chair during a meeting or during a vacancy in the position of Chair.
- (3) The Member chairing a meeting will have both a deliberative and a casting vote.
- (4) If the position of Chair or Deputy Chair is vacant, the committee will elect a Member by ballot to fill the vacancy before conducting further business.
- (5) If neither the Chair nor Deputy Chair is present at a meeting, the members present will elect another Member to act as Chair at the meeting.

STANDING ORDER 187

Subcommittees

- (1) A committee may appoint subcommittees of three or more of its members and may refer to a subcommittee any matter which the committee may examine.
- (2) A committee will appoint the Chair of each subcommittee, who will have a deliberative and a casting vote. If the Chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present will elect another member of that subcommittee to act as Chair at the meeting.
- (3) A quorum of a subcommittee is two of its members.
- (4) Members who are not members of a subcommittee may participate in the public proceedings of the subcommittee but may not vote, move any motion or be counted for the purpose of a quorum.

STANDING ORDER 188

Records of Proceedings and Documents

- (1) The Secretary records the proceedings of the committee or subcommittee in the Minutes of Proceedings. The minutes are then confirmed by the committee or subcommittee and signed by the Member chairing.
- (2) Documents presented to the committee or subcommittee will be recorded in the Minutes of Proceedings.
- (3) The Speaker may permit any person to examine and take extracts from evidence submitted to, or documents and records of, committees of the former Legislative Council, and/or the Legislative Assembly, which are in the custody of the Legislative Assembly and which have been in its custody for at least 5 years: provided that such evidence was not taken in camera or that such documents and records are not of a confidential or restricted nature; and the Speaker reports to the Assembly each disclosure of evidence and or documents and records permitted taken and the name of the person or persons to whom disclosure has been made.

STANDING ORDER 189

Proceedings and Meetings of a Committee

- (1) A committee or subcommittee may conduct proceedings using any means approved by the Assembly and in the following manner
 - (a) in private meeting
 - (b) by hearing witnesses, either in public or in private and
 - (c) in the form of any other meeting, discussion or inspection conducted under the practice of committees of the Assembly.
- (2) A committee may conduct proceedings using audio-visual or audio links with members of the committee or witnesses not present in one place. If audio-visual or

audio link is used, committee members and witnesses must be able to speak to and hear each other at the same time regardless of location.

- (3) A committee or subcommittee may conduct proceedings at any time or place as it sees fit, except that it will not meet during meetings of the Assembly except by order of the Assembly.

STANDING ORDER 190

Power to Call for Witnesses and Documents

- (1) A committee or subcommittee may call for witnesses to attend and for documents to be produced.
- (2) The Member chairing a committee or subcommittee will direct the Secretary of the committee or subcommittee to invite or summon witnesses pursuant to Standing Order 202 and section 18 of the *Legislative Assembly (Powers and Privileges) Act 1992* and to request or require documents to be produced as determined by the committee or subcommittee.

STANDING ORDER 191

Power to Make Use of Records of Previous Committees

A committee or subcommittee may consider and make use of the evidence and records of similar committees appointed during previous Assemblies.

STANDING ORDER 192

Examination of Committee Witnesses

- (1) The examination of witnesses before a committee will be conducted by the Members of the committee in accordance with procedures agreed to by the committee and subject to the rules of the Assembly.
- (2) The examination of witnesses will be recorded in a transcript of evidence.

STANDING ORDER 193

Admission to Hearings

- (1) When a committee is examining witnesses, visitors may be admitted but must withdraw if requested by the Member chairing the committee or any Member of the committee and must withdraw when the committee is deliberating.
- (2) A Member of the Assembly, although not a member of a committee, may participate in the committee's public sessions and question witnesses, unless the committee orders otherwise, but may not vote and must withdraw when the committee is deliberating or taking evidence in camera.

STANDING ORDER 194

Publication of Evidence

- (1) A committee or subcommittee may authorise publication of evidence given before it or documents presented to it.
- (2) A committee's or subcommittee's evidence, documents, proceedings and reports may not be disclosed or published to a person (other than a Member of the committee or a parliamentary employee assigned to the committee) unless they have been:
 - (a) reported to the Assembly, or
 - (b) authorised for publication by the Assembly, the committee or the subcommittee.
- (3) A committee may resolve to:
 - (a) publish media releases, discussion papers or other documents or preliminary findings, or
 - (b) divulge evidence, documents, proceedings or reports on a confidential basis to persons for comment.
- (4) A committee may resolve to authorise a Member of the committee to give public briefings on matters related to an inquiry. An authorised Member may not disclose evidence, documents, proceedings or reports which have not been authorised for publication. The committee determines the limits of the authorisation.
- (5) Evidence taken by, documents presented to, minutes of proceedings and reports of a committee that have not been reported to the Assembly may not, unless authorised by the Assembly or the committee, be disclosed or published by any Member of such committee or by any other person.

STANDING ORDER 195

Power to Report from Time to Time

A committee may report to the Assembly from time to time.

STANDING ORDER 196

Draft Report Considered

- (1) The Chair of a committee will prepare a draft report and present it to the committee at a meeting convened for report consideration.
- (2) The report may be considered at once if copies have been circulated in advance to each member of the committee. The report will be considered paragraph by paragraph. When consideration of the chapters of the report is completed, the appendices are then considered in order.
- (3) After the draft report has been considered, the whole or any paragraph may be reconsidered and amended.

- (4) A Member objecting to any portion of the report may vote against it or move an amendment when the particular paragraph or appendix is under consideration.
- (5) A Member protesting about the report or dissenting from all or part of it may add a protest or dissenting report from the main report.

STANDING ORDER 197

Alternative Draft

If any Member, other than the Member chairing the committee, submits a draft report to the committee, the committee first decides which report will proceed.

STANDING ORDER 198

Adoption of Report

When a committee has settled consideration of a draft report, it will adopt the report.

STANDING ORDER 199

Endorsement of Report and Papers

- (1) Every report of a committee will be signed by the Member chairing the committee.
- (2) Any papers laid before the committee will be endorsed by the Secretary of the committee.
- (3) Any protest or dissenting report must be signed by the Member or Members dissenting.

STANDING ORDER 200

Tabling of Report

- (1) A Member of a committee will table the Committee's report together with the minutes of proceedings in the Assembly.
- (2) The Member tabling a report may make a Tabling Statement.
- (3) Upon tabling of a report and the conclusion of any tabling statement, any Member may move, without notice, "that the report be noted" or "that the report be adopted."
- (4) If the Assembly is not meeting, the Chair of the Committee may send the report to the Speaker or Deputy Speaker if the Speaker is unavailable. When the Speaker or Deputy Speaker receives the report its publication is deemed to be authorised by the Assembly. A Member of the committee must then table the report in the Assembly as soon as possible.

STANDING ORDER 201

Government Responses to Committee Reports

- (1) On the tabling of a report from a committee, which recommends that action be taken by the Government, the Clerk is to refer the report to the relevant Minister(s), who must within six months of a report being tabled, report to the Assembly what action, if any, the Government proposes to take in relation to each recommendation of the committee.
- (2) If at the time at which the Minister seeks to report to the Assembly, the Assembly is not meeting, a Minister may present the response to the Clerk.
- (3) A response presented to the Clerk is:
 - (a) on presentation, and for all purposes, deemed to have been tabled and its publication authorised by the Assembly
 - (b) reported to the Assembly at its next meeting.
- (4) If a Government response to a committee report has not been tabled within six months of the report being tabled, the relevant Minister (or Minister representing the Minister) will:
 - (a) present to the Assembly at the next available opportunity a signed statement stating the reasons for the delay in presentation of the response, and
 - (b) make themselves available to appear at the next reasonably available opportunity following a request by the relevant committee to answer its questions on that statement.
- (5) The Speaker is to provide a report to the Assembly twice each year on the status of Government responses to committee reports.

CHAPTER SEVENTEEN

WITNESSES

STANDING ORDER 202

Summons

The Assembly or a committee may order a witness, not being a Member, to attend before it or to produce papers to it by summons issued pursuant to section 18 of the *Legislative Assembly (Powers and Privileges) Act 1992*. The Clerk, or in the case of an order from a committee either the Clerk or the Secretary of the committee, will issue the summons so ordered.

STANDING ORDER 203

Non-Attendance of Witness

If a witness fails or refuses to attend or to give evidence, the Assembly will be advised and deal with the matter.

STANDING ORDER 204

Assembly Examining Members

When the attendance of a Member is ordered by the Assembly for examination by the Assembly they will be called by the Speaker to attend in their place.

STANDING ORDER 205

Committee Examining Members

If a committee desires the attendance of a Member as a witness, the Chair will, in writing, request them to attend; but should they refuse to attend, or to give evidence or information as a witness to the committee, the committee informs the Assembly, and will not request the Member to attend the committee again.

STANDING ORDER 206

Committee Receiving Allegations Against Members

- (1) Only the Privileges Committee may inquire into or make findings about the conduct of a Member, unless the Assembly directs another committee to review the conduct of a Member.
- (2) If a committee (other than the Privileges Committee) receives information or an allegation about a Member, the committee must inform the Member and give the Member an opportunity to make a submission about the matter. Unless the committee considers the matter is without substance, it will report the matter to the Assembly and wait for its directions.

STANDING ORDER 207

Protection of Witnesses

All witnesses examined before the Assembly, or any committee, are entitled to the protection of the Assembly in respect of anything that may be said by them in their evidence.

STANDING ORDER 208

Examination of witnesses

- (1) A Member giving evidence to the Assembly will be examined in his or her place.
- (2) A witness (other than a Member) must be examined at the Bar, unless the Assembly otherwise orders.
- (3) The Speaker examines the witness, and questions by Members are taken to be asked through the Speaker.
- (4) A witness before a committee or subcommittee is examined according to the procedure agreed on by the committee.

STANDING ORDER 209

Officers giving Evidence about Proceedings

No officer of the Assembly or person employed to record or transcribe evidence before the Assembly or any committee of the Assembly may give evidence elsewhere in respect of any proceedings or examination of any witness without the leave of the Assembly.

STANDING ORDER 210

Procedures to be followed by Assembly Committees for the Protection of Witnesses

Unless otherwise ordered the following procedures will be followed by Committees of the Assembly when dealing with witnesses and prospective witnesses:

- (1) a witness will be invited to attend a Committee meeting to give evidence: A witness will be summoned to appear (whether or not the witness was previously invited to appear) only where the Committee has made a decision that the circumstances warrant the issue of a summons.
- (2) where the Committee desires that a witness produce documents relevant to the Committee's inquiry, the witness will be invited to do so, and an order that documents be produced will be made (whether or not an invitation to produce documents has previously been made) only where the Committee has made a decision that the circumstances warrant such an order.
- (3) a witness will be given reasonable notice of a meeting at which the witness is to appear, and supplied with a copy of the Committee's terms of reference, a statement of the matters expected to be dealt with during the witness's appearance, and a copy of these procedures: where appropriate, a witness may be supplied with a transcript of relevant evidence already taken.

- (4) a witness will be given an opportunity to make a submission in writing before appearing to give oral evidence.
- (5) reasonable opportunity must be available for a witness to raise any matters of concern to the witness relating to the witness's submission or the evidence the witness is to give before the witness appears at a meeting.
- (6) a witness will have reasonable access to any documents that the witness has produced to the Committee.
- (7) a witness will be offered, before giving evidence, the opportunity to make application, before or during the hearing of the witness's evidence, for any or all of the witness's evidence to be heard in private session, and will be invited to give reasons for any such application. If the application is not granted, the witness will be notified of reasons for that decision.
- (8) the Committee may table in the Assembly or publish evidence given in private session after consideration of the circumstances and deliberating that the circumstances are so extraordinary as to warrant such disclosure. Before giving any evidence in private session, a witness will be informed that it is within the power of the Committee to authorise publication of such evidence and that the Assembly also has the power to order the production and publication of such evidence.
- (9) a Member, in a protest or dissent added to a report, may not disclose evidence taken in camera unless so authorised by the Committee.
- (10) should the Committee consider it essential that evidence given or information received in private session is published or that it is essential that such evidence or information be included in the Committee's report the Chairman or Secretary of the Committee must make every effort to discuss the matter with the relevant witness in an effort to minimise any potential damage to the witness which may flow from that publication or usage.
- (11) the Chairman will take care to ensure that all questions put to witnesses are relevant to the Committee's inquiry and that the information sought by those questions is necessary for the purpose of that inquiry. Where a Member of the Committee requests discussion of a ruling of the Chairman on this matter, the Committee will deliberate in private session and determine whether any question which is the subject of the ruling is to be permitted.
- (12) where a witness objects to answering any question put to the witness on any ground, including the ground that the question is not relevant or that the answer may incriminate the witness, the witness will be invited to state the ground upon which objection to answering the question is taken. Unless the Committee determines immediately that the question should not be pressed, the Committee will then consider in private session whether it will insist upon an answer to the question, having regard to the relevance of the question to the Committee's inquiry and the importance to the inquiry of the information sought by the question: If the Committee determines that it requires an answer to the question, the witness will be informed of that determination and the reasons for the determination, and will be required to answer the question only in private session, unless the Committee determines that it is essential to the Committee's inquiry that the question be answered in public session; and where a witness declines to answer a question to which the Committee has required an answer, the Committee will report the facts to the Assembly.

- (13) where a Committee has reason to believe that evidence about to be given may reflect adversely on a person, the Committee will give consideration to hearing that evidence in private session.
- (14) where a witness gives evidence reflecting adversely on a person and the Committee is not satisfied that that evidence is relevant to the Committee's inquiry, the Committee will give consideration to expunging that evidence from the transcript of evidence, and to forbidding the publication of that evidence.
- (15) where evidence is given which reflects adversely on a person and action of the kind referred to in paragraph (14) is not taken in respect of the evidence, the Committee will provide reasonable opportunity for that person to have access to that evidence and to respond to that evidence by written submission and appearance before the Committee.
- (16) a witness may make application to be accompanied by counsel and to consult counsel in the course of a meeting at which the witness appears. In considering such an application, the Committee will have regard to the need for the witness to be accompanied by counsel to ensure the proper protection of the witness. If an application is not granted, the witness will be notified of reasons for that decision.
- (17) a witness accompanied by counsel will be given reasonable opportunity to consult counsel during a meeting at which the witness appears.
- (18) an officer of a department of the Territory or of the Commonwealth may not be asked to give opinions on matters of policy and be given reasonable opportunity to refer questions asked of the officer to superior officers or to a Minister.
- (19) reasonable opportunity will be afforded to witnesses to make corrections of errors of transcription in the transcript of their evidence and to put before the Committee additional material supplementary to their evidence, and
- (20) where the Committee has any reason to believe that any person has been improperly influenced in respect of evidence which may be given before the Committee, or has been subjected to or threatened with any penalty or injury in respect of any evidence given, the Committee will take all reasonable steps to ascertain the facts of the matter. Where the Committee considers that the facts disclose that a person may have been improperly influenced or subjected to or threatened with penalty or injury in respect of evidence which may be or has been given before the Committee, the Committee will report the facts and its conclusions to the Assembly.

CHAPTER EIGHTEEN

PROCEDURE FOR THE FIRST MEETING AND THE OFFICERS OF THE ASSEMBLY

STANDING ORDER 211

*Meeting of a New Assembly after a General Election*²³

On the first meeting day of the session of the Assembly after a general election, Members will assemble at the time appointed and the following procedure will occur:

- (1) The Clerk reads the notice calling the Assembly together.
- (2) The Administrator or the Deputy to the Administrator will be introduced by the Serjeant at Arms to the Assembly Chamber and proceed to the Chair.
- (3) The writ of the election²⁴ will be laid upon the Table by the Clerk, and Members will make and subscribe the oaths or affirmations of allegiance and of office, in the form set forth in the schedule to the *Northern Territory (Self-Government) Act 1978* and the Administrator will sign the oaths/affirmations.²⁵
- (4) The Administrator or the Deputy of the Administrator will then announce his/her departure for the Assembly to elect a Speaker.
- (5) The Clerk will act as Chair of the Assembly to officiate over the election of a Speaker.²⁶
- (6) Upon election, the Speaker assumes the Chair and suspends the meeting of the Assembly to present him/herself to the Administrator and introduce all Members to the Administrator.
- (7) The Assembly resumes with the Speaker announced by the Serjeant at Arms and the Speaker then taking the Chair to inform the Assembly that the Administrator will attend to declare the causes of calling the Assembly together.
- (8) The Serjeant at Arms then announces the arrival of the Administrator and conducts the Administrator to the Chair; the Speaker leaves the Chair to sit to the right of the Administrator.
- (9) The Administrator declares the causes for calling the Assembly together.
- (10) The Administrator then provides a copy of the speech to the Speaker and withdraws from the Chamber.
- (11) After the Administrator has withdrawn, some formal business demonstrating the independence of the Assembly may be transacted or the Assembly may instead proceed directly with ordinary business.
- (12) The Speaker then reports to the Assembly the receipt of a copy of the Administrator's Speech.
- (13) The Speech having been reported by the Speaker, a motion for an Address-in-Reply will be moved by a Minister and seconded and each Member wishing to speak will be called to speak in reply.

²³ Section 4 [Electoral Act 2004](#)

²⁴ Sections 23, 24 & 25 [Electoral Act 2004](#)

²⁵ Sections 13, 17 & 38 and Schedules 2, 3 & 5 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

²⁶ Section 24 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

STANDING ORDER 212

Presentation of Address in Reply

The Address-in-Reply, as adopted by the Assembly, will be presented to the Administrator by the Speaker, accompanied by any Members who wish to attend, and the Speaker will report the Administrator's response to the Assembly.

STANDING ORDER 213

Meeting for New Sessions after Prorogation

On the first day of the session of the Assembly after prorogation, Members assemble at the time appointed by the Administrator²⁷, the Clerk reads the Notice calling the Assembly together and the Assembly proceedings follow the routine in Standing Order 211 where relevant.

STANDING ORDER 214

Election of a Speaker

The election of a Speaker will be conducted in the following manner.

- (1) At the opening of an Assembly, after the Members have been sworn in or made an affirmation or at any time the office of Speaker is vacant then an election will be conducted by the Clerk acting as Chair.
- (2) A Member will be called by the Clerk to nominate a Member who is present to be elected as Speaker by saying; *I nominate the Member for X to be the Speaker of this Assembly.*
- (3) The motion must be seconded.
- (4) The Clerk will ascertain if the nominee accepts the nomination or not.
- (5) The Clerk then asks *is there any further proposal?* If there is no further proposal, the Clerk will say *the time for proposals has expired.* No Member may then address the Assembly or propose any other Member, and the Clerk will, without a question being put, declare the Member so proposed and seconded to have been elected as Speaker, and the Member will then be conducted to the Chair by their proposer and seconder, and take the Chair of the Assembly as Speaker.
- (6) If more than one Member is proposed the Clerk will, after the second proposal and after each subsequent proposal (if any) is made and seconded, ask *is there any further proposal?*, and if there is no further proposal the Clerk will say *the time for proposals has expired.*
- (7) When the time for proposals has expired, Members may debate the nominations.
- (8) No Member may speak for more than five minutes.
- (9) At any time during the debate a motion may be moved that the question be put. The Clerk will then put the question, without debate. In the event of the numbers being

²⁷ Sections 22 & 63 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#). The Administrator appoints session times by notice published in the *Government Gazette*

equal, the question is decided in the negative. Upon the carrying of the question or upon the cessation of the debate otherwise, the election proceeds.

- (10) Before the Assembly proceeds to a ballot the bells must be rung for three minutes.
- (11) Each Member present will deliver to the Clerk a ballot paper in writing, containing the name of the candidate for whom he/she votes and the votes will be counted by the Clerks at the Table; and the candidate who has the greater number of votes and the majority of the votes of Members present will be the Speaker and conducted to the Chair.
- (12) The Member who has the greatest number of votes is elected Speaker, provided it is a majority of the votes of the Members present; but if no candidate has a majority, the name of the candidate having the least number of votes will be excluded from subsequent ballots, and a fresh ballot must take place; and this will be done as often as necessary, until one candidate is declared to be elected as Speaker by a majority of Members present.
- (13) If at any ballot it is impossible by reason of an equality of votes to determine which name is excluded from subsequent ballots, a special ballot must take place at which there is submitted only the names of those candidates who have received equal votes. At a special ballot each Member will write on their ballot paper only the name of the candidate they wish to retain. The candidate whose name appears upon the least number of ballot papers is excluded from subsequent ballots.
- (14) At any time after the result of the first ballot is declared, but before the commencement of the second or subsequent ballot, a candidate may withdraw from the election which proceeds as if they had not been nominated.
- (15) If by reason of an equality of votes a ballot or special ballot is rendered inconclusive; the Clerk declares so and unless by a withdrawal another ballot or special ballot is rendered unnecessary, causes another ballot or special ballot to be taken. If after the counting of votes the equality continues the Clerk declares so. The meeting is then suspended for 30 minutes and when the Assembly reassembles the votes are taken again, unless this is rendered unnecessary by a withdrawal.
- (16) In the event of there still being an equality of votes, the Clerk declares such to be the case, and determines by lot which of the candidates, having the same number of votes, is withdrawn, as though that Member had obtained the lesser number of votes.
- (17) Whenever at any stage a withdrawal leaves only one candidate remaining they are declared elected as Speaker and conducted to the Chair.
- (18) Having been conducted to the Chair, the Member elected gives their acknowledgment to the Assembly for the honour conferred and sits in the Chair and the Mace (which until then lay under the Table) is now laid upon the Table.

STANDING ORDER 215

Election of Deputy Speaker

At the commencement of each Assembly, or whenever the office becomes vacant by virtue of a previous Deputy Speaker resigning by informing the Speaker, or by being appointed to Ministerial office pursuant to s.37 of the *Northern Territory (Self-Government) Act 1978*,²⁸ a Member who is not a Minister will be elected by the Assembly to be the Deputy Speaker.

The Deputy Speaker is the Acting Speaker at any time the Speaker is absent or unable to perform the function of the Speaker in accordance with section 25 of the *Northern Territory (Self-Government) Act 1978*.²⁹

²⁸ Section 37 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

²⁹ Section 25 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

The Deputy Speaker is elected in the following manner:

- (1) A motion is moved, without notice, that a Member be elected Deputy Speaker of this Assembly, and the motion must be seconded.
- (2) The Speaker then asks if there is any further motion and, if there is not, will say that the time for motions has expired. No member may then address the Assembly or move any motion for the election of a Member as Deputy Speaker, and the Speaker, without question put, will declare the Member named in the motion to have been elected Deputy Speaker.
- (3) If more than one motion for the election of the Deputy Speaker is moved and seconded, the Speaker will, after the second motion and after each subsequent motion (if any), ask if there is any further motion and, if there is not, will say that the time for motions has expired.
- (4) When the time for motions has expired, debate may ensue, but it must be relevant to the election.
- (5) No Member may speak for more than five minutes.
- (6) At any time during the debate, a motion without notice may be moved by a Member rising in their place, and whether any Member is addressing the Assembly or not, "that the question be now put", the question is then put and decided without amendment or debate.
- (7) Upon the carrying of the question "that the question be now put", or upon the cessation of the debate otherwise, the election of the Deputy Speaker proceeds as provided in this Standing Order.
- (8) Before the Assembly proceeds to a ballot, the bells must be rung for three minutes.
- (9) When only two motions for the election of Deputy Speaker are moved and seconded, each Member present delivers to the Clerk a ballot paper in writing, containing the name of the Member named in one or other of the motions for whom they vote, and the votes are counted by the Clerks at the Table; and the Member who has the greater number of votes is the Deputy Speaker.
- (10) When more than two motions for the election of Deputy Speaker are moved and seconded, the votes are taken in the same manner, and the Member who has the greatest number of votes is the Deputy Speaker, provided they have a majority of votes of the Members present; but if no Member has such majority, the name of the Member having the least number of votes is excluded from subsequent ballots, and a fresh ballot takes place; and this is done as often as necessary until one Member has a majority of votes of Members present when they become Deputy Speaker.
- (11) If, after any ballot in which the names of only two Members are submitted, there is an equality of votes, the Speaker must exercise their casting vote and the Member for whom the casting vote is given becomes the Deputy Speaker.
- (12) If, after any ballot in which the names of more than two Members are submitted, it is impossible by reason of an equality of votes to determine which name will be excluded from subsequent ballots:

- (a) if there is an equality of votes for two Members, the Speaker exercises their casting vote and the name of the Member for whom the casting vote is not given is excluded from subsequent ballots
 - (b) if there is an equality of votes for more than two Members, a special ballot takes place at which there are submitted only the names of those Members who have received equal votes and in which case each Member will write on their ballot paper only the names of the Members they wish to retain. The name of the Member who receives the least number of votes will be excluded from subsequent ballots. If, by reason of a continued equality of votes, the special ballot is inconclusive, then, unless a name is withdrawn, the sitting is suspended for 30 minutes. When the meeting is resumed, the votes are taken again unless this is rendered unnecessary by a withdrawal, and
 - (c) in the event or there still being an equality of votes, the Speaker will declare such to be the case and determine by lot which of the candidates having the same number of votes is withdrawn, as if that Member had the least number of votes.
- (13) At any time after the result of the first ballot is declared, but before the commencement of any subsequent ballot, a Member whose name was submitted in the first ballot may withdraw and all further proceedings will take place as if a motion for their election as Deputy Speaker had not been moved.
- (14) When a withdrawal leaves only one Member in respect of whom a motion for election as Deputy Speaker is before the Assembly, that Member is declared to have been elected Deputy Speaker.

STANDING ORDER 216

Absence of Speaker on a Meeting Day

If the Speaker is absent from a meeting of the Assembly, the Clerk will inform the Assembly at the commencement of the meeting and the Deputy Speaker will take the Chair.

STANDING ORDER 217

Absence of Speaker and Deputy Speaker at Same Time

When the Assembly is informed by the Clerk of the absence of both the Speaker and Deputy Speaker, the Members present, if a quorum exists, will proceed to elect an Acting Speaker to take the Chair for the duration of the absence/s.

If a Speaker has not been appointed by the Assembly, the Administrator may appoint a Speaker in accordance with s.26 of the *Northern Territory (Self-Government) Act 1978*.³⁰

³⁰ Section 26 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#)

STANDING ORDER 218

Deputy Speaker to take Chair

The Deputy Speaker or an Acting Deputy Speaker may assume the Chair as required.

STANDING ORDER 219

Acting Deputy Speakers

From time to time, the Speaker may nominate (and may also revoke a nomination) for a Member or Members to act as Deputy to take the Chair if requested by the Speaker or Deputy Speaker.

STANDING ORDER 220

Clerk Absent from Meeting of the Assembly

If the Clerk is absent from the Assembly on a day the Assembly meets then the Deputy Clerk will perform the duties of the Clerk. If both the Clerk and Deputy Clerk are absent on a meeting day, the First Clerk Assistant will perform the duties of the Clerk and the next most senior Clerk Assistant will perform the duties of the Deputy Clerk.

STANDING ORDER 221

Office of Clerk Vacant

During any vacancy in the office of Clerk all powers, functions, and duties of the Clerk will be exercised and performed by the Deputy Clerk.

CHAPTER NINETEEN

ATTENDANCE, SEATING, LEAVE OF ABSENCE, MINUTES, RECORDS AND BROADCASTING

STANDING ORDER 222

Member Attendance and Absence Recorded

Member attendance and absence on a day the Assembly meets will be recorded in the Minutes of Proceedings.

STANDING ORDER 223

Member Seating in Chamber

Member seating is a matter for determination by the Speaker.

STANDING ORDER 224

Member Absent on Leave

The Assembly may grant a leave of absence for any Member by agreeing to a motion moved which explains the reason and period of absence. If granted, the Member is excused from attending a meeting of the Assembly or any Committee for the duration. Such a motion may be moved without notice at any time when there is no question before the Chair.

STANDING ORDER 225

Leave Forfeited if Member Attends the Assembly

A Member given leave forfeits the remainder of their leave if they attend the Assembly before the leave period expires.

STANDING ORDER 226

Minutes of Proceedings to be Kept

The Clerk will record and make available minutes of each meeting day's proceedings.³¹

STANDING ORDER 227

Custody of all Records

Under the direction of the Speaker, the Clerk has custody of all documents created by and presented to the Assembly and the Speaker has discretion to release any original documents lodged by another party.

³¹ See Section 29 [Northern Territory \(Self-Government\) Act 1978 \(Cth\)](#).

STANDING ORDER 228

Broadcasting of Assembly and Committee Proceedings

Unless otherwise ordered the Assembly authorises the broadcast, rebroadcast and televising of all or portions of the debates or proceedings of the Assembly or a committee for the purposes of s.23 of the *Legislative Assembly (Powers and Privileges) Act 1992* in accordance with the following provisions:

- (1) Recordings and broadcasts of the Assembly may be made only from the Legislative Assembly system, unless otherwise approved by the Speaker or his or her delegate and in accordance with guidelines determined by the Speaker from time to time.
- (2) Recording and broadcast of sound and vision of committee proceedings are subject to any conditions or restrictions agreed to by that committee.
- (3) Broadcasts of excerpts will be used only for the purposes of fair and accurate reports of proceedings, and will not be used for:
 - (a) political party advertising or election campaigns
 - (b) satire or ridicule or
 - (c) commercial sponsorship or commercial advertising.
- (4) Reports of proceedings will be such as to provide a balanced presentation of differing views.
- (5) Excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported.
- (6) Excerpts must be placed in context. Commentators should identify Members by name.
- (7) Events or activity in the galleries are not part of the proceedings and excerpts in relation to such events may not be used.
- (8) Where the audio excerpts of the proceeding are used on television, their use may be that of audio over still frames or overlay material.
- (9) The Speaker is empowered from time to time to make and publish rules and guidelines in a *Speaker's Determination* which may limit, and/or provide guidance about the reporting of proceedings and the conduct and behaviour of media representatives. Such rules and guidelines will be tabled in the Assembly and made available on the Assembly website.

CHAPTER TWENTY

PRIVILEGE

STANDING ORDER 229

Procedure for Consideration of Privilege Motions

A matter of privilege suddenly arising during the course of a meeting of the Assembly may be raised at the time it is alleged to have occurred and all other business will be suspended until the matter is disposed of.

At all other times, a matter of privilege may only be raised by written notification to the Speaker seeking precedence over other matters on the Notice Paper and the following procedure will apply:

- (1) On receipt of a written request outlining the alleged breach of privilege seeking precedence to move the Assembly consider the matter, the Speaker will determine as soon as possible whether the proposed motion relating to the matter should have precedence over all other business.
- (2) When considering whether to grant precedence the Speaker must have regard to the principle that the Assembly's power to adjudge and deal with contempt is only to be used when it is necessary to provide reasonable protection to the Assembly and its Committees and for Members against improper acts which would obstruct them in the performance of their duties.
- (3) Precedence will not be granted if the Speaker takes the view the matter raised is trivial or not requiring the immediate and urgent attention of the Assembly.
- (4) Precedence will not be granted if another remedy exists to deal with the alleged contempt or breach of privilege.
- (5) The Speaker's decision will be communicated to the applicant Member in writing.
- (6) If the Speaker grants precedence, the Speaker will announce to the Assembly that precedence has been granted for a motion to be moved immediately.
- (7) If the motion pertains to alleged behaviour of another Member there is no obligation on the Speaker to forewarn the other Member.
- (8) Until the Speaker responds in writing to the applicant Member, that Member may take no further action in the Assembly on the matter raised with the Speaker.
- (9) If the Speaker determines that the proposed motion relating to the matter should not be accorded precedence, the applicant Member may give notice at the usual time according to the Assembly's adopted Routine of Business of a motion to be moved on a subsequent meeting day.
- (10) Where notice of a motion is given under paragraph (9) and the Assembly is not expected to meet within one week immediately after the day on which the notice is given, the motion may be moved on the same day.

STANDING ORDER 230

Motions Concerning a Finding of Contempt

A motion to:

- (1) determine that a person has committed a contempt, or
- (2) impose a penalty upon a person for a contempt

may be moved at least one meeting day after notice of the motion has been given.

STANDING ORDER 231

Criteria to be taken into account by Speaker in determining whether a motion arising from a matter of privilege should be given precedence of other business.

Unless otherwise ordered, in determining whether a motion arising from a matter of privilege should have precedence of other business, the Speaker will have regard only to the principle that the Assembly's power to adjudge and deal with contempt should be used only where it is necessary to provide reasonable protection for the Assembly and its committees and for Members against improper acts tending substantially to obstruct them in the performance of their functions and should not be used in respect of matters which appear to be of a trivial nature or unworthy of the attention of the Assembly; and the existence of any remedy other than that power for any act which may be held to be a contempt.

STANDING ORDER 232

Procedures for the Protection of Witnesses before the Privileges Committee

In consideration of any matter referred to it which may involve, or gives rise to any allegation of contempt, the Committee of Privileges will observe the procedures set out Standing Order 210 and the following:

- (1) A person will be informed, in writing, as soon as possible of the nature of any allegations, known to the Committee and relevant to the Committee's inquiry, against the person, and of the particulars of any evidence which has been given in respect of the person.
- (2) The Committee will extend all reasonable opportunity to respond to such allegations and evidence by:
 - (a) making a written submission to the Committee
 - (b) giving evidence before the Committee
 - (c) having other evidence placed before the Committee and
 - (d) having witnesses examined before the Committee.
- (3) Where oral evidence is given containing any allegation against, or reflecting adversely on, a person, the Committee will ensure as far as possible that that person is invited to be present during the hearing of that evidence, and afford all reasonable

opportunity for that person, by counsel or personally, to examine witnesses in relation to that evidence.

- (4) A person appearing before the Committee may be accompanied by counsel, and be given all reasonable opportunity to consult counsel during the appearance.
- (5) A witness will not be required to answer in public session any question where the Committee has reason to believe that the answer may incriminate the witness.
- (6) Witnesses will be heard by the Committee on oath or affirmation.
- (7) Hearing of evidence by the Committee will be conducted in public session, except where:
 - (a) the Committee accedes to a request by a witness that the evidence is heard in private session
 - (b) the Committee determines that the interests of a witness would best be protected by hearing evidence in private session or
 - (c) the Committee considers that circumstances are otherwise such as to warrant the hearing of evidence in private session.
- (8) The Committee may appoint, on terms and conditions approved by the Speaker, counsel to assist it.
- (9) The Committee may authorise, subject to rules determined by the Committee, the examination by counsel of witnesses before the Committee.
- (10) As soon as practicable after the Committee has determined findings to be included in the Committee's report to the Assembly, and prior to the presentation of the report, a person affected by those findings will be advised of the findings and afforded a reasonable opportunity to make submissions to the Committee, in writing and orally, on those findings. The Committee must take these submissions into account before making its report to the Assembly.
- (11) The Committee may recommend to the Speaker the reimbursement of costs of representation of witnesses before the Committee. Where the Speaker is satisfied that a person would suffer substantial hardship due to liability to pay the costs of representation of the person before the Committee, the Speaker may make reimbursement of all or part of such costs as the Speaker considers reasonable and
- (12) Before appearing before the Committee a witness will be given a copy of this Standing Order.

STANDING ORDER 233

Exercise of Freedom of Speech

- (1) When speaking in the Assembly or in a committee, Members should take the following matters into account:
 - (a) the need to exercise their valuable right of freedom of speech in a responsible manner

- (b) the damage that may be done by allegations made in the Assembly to those who are the subject of such allegations and to the standing of the Assembly
 - (c) the limited opportunities for persons other than Members of the Assembly to respond to allegations made in the Assembly
 - (d) the need for Members, while fearlessly performing their duties, to have regard to the rights of others and
 - (e) the desirability of ensuring that statements reflecting adversely on persons are soundly based.
- (2) Whenever the Speaker considers it is desirable to do so, the Speaker may draw the attention of the Members to the guidance contained in this Standing Order.

Right of Reply for persons who are referred to in the Legislative Assembly, see **Sessional Order 3.**

CHAPTER TWENTY-ONE

BALLOTING

STANDING ORDER 234

Ballot to be Conducted upon Agreement by Assembly

A ballot may be taken whenever the Assembly agrees to conduct a ballot.

STANDING ORDER 235

Bells to Be Rung to Signify a Ballot is Proceeding

Before the Assembly proceeds to any ballot, the division bells will ring for three minutes.

STANDING ORDER 236

Procedure for Conducting a Ballot

Unless otherwise expressly provided, a ballot will be conducted by the Clerk who will be provided a name or list of names by each Member present. If any list contains a greater or lesser number of names than are to be chosen it is immediately invalid and not counted.

When all the lists are collected, the Clerk will report to the Speaker the name or names of the Members having the greatest number of votes, and these Members are declared as appointed.

In the event of an equality of votes, the names of the Members are submitted to a further ballot. In the event of there still being an equality of votes, the Speaker exercises a casting vote and the Member for whom the Speaker gives a casting vote is appointed.

CHAPTER TWENTY-TWO

PAPERS AND DOCUMENTS

[Order of Continuing Effect 1](#) allows electronic tabling and distribution of Tabled Papers.

STANDING ORDER 237

Papers and Documents may be Ordered by the Assembly

Papers may be ordered to be laid before the Assembly. The Clerk will convey the order of the Assembly to the Minister concerned and when received the papers will be laid on the Table by the Clerk.

STANDING ORDER 238

Form of Address Seeking Documents in relation to the Administrator

Motions for the production of documents or correspondence addressed to the Administrator, or for any information emanating from the Administrator, will be in the form "That an Address be presented to the Administrator", to that effect.

STANDING ORDER 239

Presentation of Papers and Documents to the Assembly and Deemed Papers

Papers may be presented in the Assembly by the Speaker, by a Committee Chair furnishing a report from a Committee, by any prior resolution of the Assembly, as required by any statute, by command of the Administrator, or by leave of the Assembly.

Ministers may lay upon the Table a document at any time when they have the call.

Papers may be either presented in the Assembly or may be deemed to have been presented by delivering them to the Clerk, who will record them in the Minutes of Proceedings as *Deemed Papers*.

STANDING ORDER 240

Tabled Papers are Public Documents

Unless otherwise ordered, all papers and documents presented to the Assembly will be considered public and the publication of such documents is authorised.

Papers are available for inspection at the offices of the Assembly by Members and by other persons. Copies of an entire document or in part may be made, and a fee may be levied by the Clerk for the cost of copying any material.

STANDING ORDER 241

Documents Quoted from may be Ordered to be Tabled

A document which relates to public affairs which is quoted from by a Minister must be tabled upon request by any Member unless the Minister states the document quoted from is confidential.

STANDING ORDER 242

Motions on Tabled Papers

When a paper is tabled in the Assembly as provided in this Chapter, a Member may move without notice, or subsequently with notice any of the following:

- (1) that the paper be made available in an accessible format
- (2) that the Assembly take note of the paper
- (3) that the publication of the paper not be permitted.

Order of Continuing Effect 2: Annual Tabling of Register of Member's Interests

The Assembly agree that the Register of Members' Interests be tabled annually in the Assembly during the second sittings period of each year and the tabled document will be made available on the Assembly website with a notation that subsequent updates should be sought from the registrar as the tabled document is a report of interests as at a moment in time and the legislation requires Members to ensure consistent updating.

CHAPTER TWENTY-THREE

VISITORS (STRANGERS)

STANDING ORDER 243

Seating of Visitors

The Speaker determines who may sit in the Speaker's Gallery and may admit distinguished visitors to a seat on the floor of the Chamber.

When required, Members may reserve two seats in the public galleries for their visitors by advising the Serjeant at Arms.

STANDING ORDER 244

Visitors Ordered to Leave

Any Member may move without notice that visitors must leave any meeting of the Assembly or committee. The question "visitors must immediately leave" will be put by the Speaker and decided without debate. The Speaker may at any time require the departure of visitors.

STANDING ORDER 245

Chamber access for Members Only

Except with the permission of the Speaker, who may exercise discretion in the case of nursing parents with young infants, only Members are permitted on the floor the Chamber during meetings of the Assembly. On other days, the permission of the Speaker is required for a visitor to enter onto the floor of the Chamber.

CHAPTER TWENTY-FOUR

ADDRESSES TO THE HEAD OF STATE

STANDING ORDER 246

Motions to Address the Head of State or Representative

A motion may be moved on notice to present an Address to Australia's Head of State, their representative in either Australia or in the Northern Territory.

STANDING ORDER 247

Address of Congratulations or of Condolence to the Royal Family

Addresses of congratulation or condolence to members of the Royal Family may be moved by a Minister without notice.

STANDING ORDER 248

Addresses to Head of State or Royal Family to be via the Administrator

All Addresses made pursuant to Standing Order 246 and 247 will be forwarded to the Administrator of the Northern Territory by the Speaker who will request the Administrator forward the Address for presentation to Australia's Head of State or their representative.

STANDING ORDER 249

Presentation of Address to the Administrator

Addresses to the Administrator will be presented in person by the Speaker, unless the Assembly otherwise orders.

STANDING ORDER 250

When an Address is Presented by the Whole Assembly

When an Address is ordered to be presented by the whole Assembly, the Speaker, accompanied by Members of the Assembly, will proceed to the place the Administrator appoints and the Speaker will read the Address to the Administrator. The Members who moved and seconded the Address will stand on the Speaker's left.

STANDING ORDER 251

Administrator's Reply

The Administrator's reply to any Address presented by the whole Assembly is to be reported by the Speaker.

CHAPTER TWENTY-FIVE

THESE STANDING ORDERS

STANDING ORDER 252

Suspension of Standing Orders

When there is no question before the Chair, any Standing or Sessional Order or other Order of the Assembly may be suspended by a vote of an absolute majority of 13 or more Members when a motion is moved without notice.

STANDING ORDER 253

Majority Required to Suspend Standing Orders with Notice Given

When a motion for the suspension of any Standing or Sessional Order or Order of the Assembly appears on the Notice Paper, the motion must be supported by a majority of Members present in order to take effect.

STANDING ORDER 254

Limitation on Consequence of Suspension of Standing Orders

A suspension of Standing Orders is limited in its operation to the particular purpose for which suspension has been sought.

STANDING ORDER 255

Status of Standing Orders

These Standing Orders will continue in force until altered, amended, or repealed.

Resolution on Remote Participation in Sitings

Resolution of 30 November 2021 as amended by the resolution of 15 February 2022.

That the Assembly permits the conduct of Assembly meetings remotely by audio visual or audio link during any week in which a declaration is in force for a public health emergency under the *Public and Environmental Health Act 2011* or for a situation of emergency, a state of emergency, or a state of disaster under the *Emergency Management Act 2013* on the following terms:

1. The Speaker will advise all Members as soon as convenient that due to an emergency or disaster declaration Members will be able to participate in the meetings of the Assembly remotely pursuant to this resolution.
2. Members attending remotely will verify their presence when they join the proceedings, but not so as to interrupt a Member who has the call, by stating their name and the electorate they represent and their presence will be recorded by the Clerk.
3. Except as provided by this resolution, as far as the Speaker deems practicable the Standing and Sessional Orders will apply to Members participating remotely in the same way as to the Members present in the Chamber.
4. The Speaker may make rulings to temporarily adjust the procedural requirements of Standing and Sessional Orders to facilitate the orderly conduct of proceedings with Members participating remotely.
5. A Member participating remotely may advise the Speaker that they are exercising their vote on all questions in accordance with their respective whip. The Member will be taken to vote accordingly for as long as they continue in the link unless they advise otherwise. The Speaker may seek confirmation that a Member is still in the link if required.
6. After the ringing of the bells for a division, the Speaker will ask each Member participating remotely who has not advised they are voting with their whip to state their vote, and the Clerk and tellers will record the vote accordingly.
7. If the audio link fails, any vote on a matter will be delayed until the Speaker is satisfied that all Members participating remotely are able to vote or the Speaker orders otherwise.

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