



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

# FIFTEENTH ASSEMBLY

## SESSIONAL ORDERS

As amended on 26 November 2024

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# SESSIONAL ORDERS FOR THE 15<sup>th</sup> ASSEMBLY

## 1. Routine of Business

Pursuant to Standing Order 60 the Routine of Business is:

### **Tuesday and Thursday:**

10.00 am

1. Prayers and Acknowledgement of Country
2. Business of the Assembly (if any)
3. Government Business – Notices and Orders of the Day

2.00 pm

4. Notices
5. Petitions
6. Questions
7. Government Business – Notices and Orders of the Day
8. Papers
9. Responses to Petitions
10. Consideration of Committee Reports, Government Responses and Auditor-General's Reports
11. Debate on petitions
12. Matter of Public Importance

### **Wednesday**

10.00 am

1. Prayers and Acknowledgement of Country
2. Business of the Assembly (if any)
3. Government Business – Notices and Orders of the Day

2.00 pm

4. Notices
5. Petitions
6. Questions
7. General Business – Notices and Orders of the Day

7.00 pm

8. Government Business
9. Papers

Pursuant to Standing Orders, items that can occur at any time when there is no question before the Assembly (ie between items of business) include messages from the Administrator, personal explanations, ministerial statements, motions for leave of absence or the suspension of Standing Orders, and the tabling of committee reports.

## 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 have advised the Table Office that a pairing arrangement is in place.

## 3. Right of Reply for persons who are referred to in the Legislative Assembly

- (1) When a person who has been referred to by name, or in such a way as to be readily identified, in the Assembly, makes a submission in writing to the Speaker:

- (a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person
- (b) requesting that the person be able to incorporate an appropriate response in the parliamentary record

and if the Speaker is satisfied:

- (c) that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious, or offensive in character as to make it inappropriate that it be considered by the Standing Orders Committee
- (d) that it is practicable for the Standing Orders Committee to consider the submission under this resolution

the Speaker will refer the submission to that committee.

- (2) The committee may decide not to consider a submission referred to it under this resolution if the committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious, or offensive in character, and such a decision will be reported to the Assembly.
- (3) If the committee decides to consider a submission under this resolution, the committee may confer with the person who made the submission and any Member who referred in the Assembly to that person.
- (4) In considering a submission under this resolution, the committee will meet in private session.
- (5) The committee will not publish a submission referred to it under this resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Assembly.
- (6) In considering a submission under this resolution and reporting to the Assembly the committee will not consider or judge the truth of any statements made in the Assembly or of the submission.
- (7) In its report to the Assembly on a submission under this resolution, the committee may make either of the following recommendations:
  - (a) that no further action be taken by the Assembly or by the committee in relation to the submission; or
  - (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the committee, be published by the Assembly or incorporated in the *Parliamentary Record*and will not make any other recommendations.
- (8) A document presented to the Assembly under paragraph (5) or (7):
  - (a) in the case of a response by a person who made a submission, will be succinct and strictly relevant to the questions in issue and will not contain anything offensive in character
  - (b) will not contain any matter the publication of which would have the effect of:

- (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1)(a)
  - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) The committee may agree to guidelines and procedures, not inconsistent with this resolution, to apply to the consideration by it of submissions.
- (10) This resolution will continue in force unless and until amended or rescinded by the Assembly in this or a subsequent Assembly.

### **Procedure and Development of Guidelines**

#### *Submissions from persons referred to in debate*

A person who has been referred to in a debate in the Assembly may make a submission, claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that his or her privacy has been unreasonably invaded, by reason of that reference, and requesting that an appropriate response be incorporated in the parliamentary record.

Submissions must be sent to the Speaker. If the Speaker is satisfied that the matter is not obviously trivial, frivolous, vexatious, or offensive, and that it is practicable for the committee to consider the submission under the procedure, he or she must refer it to the Standing Orders Committee.

The Standing Orders Committee may decide not to consider a submission if it considers that the submission is not sufficiently serious or that it is frivolous, vexatious, or offensive. Such a decision must be reported to the Assembly.

When it considers a submission, the Standing Orders Committee:

- may confer with the person who has lodged it, and the Member(s) who referred to the person
- may meet in private session
- may not consider or judge the truth of any statements made in the Assembly or in the submission
- may not publish the submission or its proceedings in relation to the submission, but may present minutes of its proceedings and all or part of the submission to the Assembly.

In a report under the procedure the committee can only recommend that a response by the person, in terms agreed by the person and the committee and specified in the report, be published by the Assembly and incorporated in *Hansard*, or that no further action be taken by the Assembly or the committee. The committee may not make any other recommendation. A recommended response must be succinct and strictly relevant to the questions in issue and must not contain anything offensive in character. A recommended response must not contain any matter the publication of which would unreasonably adversely affect or injure a person, or unreasonably invade a person's privacy; nor may it contain material which would unreasonably add to or aggravate any such adverse effect.

The Standing Orders Committee is authorised to agree to guidelines and procedures, not inconsistent with the resolution establishing the procedure, to apply to the consideration of submissions.

## Adopted Guidelines

- an application must be received within three months of the making of the statement to which the person wishes to respond unless, because of exceptional circumstances, the committee agrees to consider an application received later
- applications should only be considered from natural persons, they should not be considered if lodged by or on behalf of corporations, businesses, firms, organisations or institutions
- applications should only be considered from persons who are Australian citizens or residents
- an application must demonstrate that a person who is named or readily identified, has been subject to clear, direct and personal attack or criticism, and has been damaged as a result
- applications must be concise, be in the character of a refutation or explanation only and must be confined to showing the statement complained of and the person's response and must not contain any offensive material
- applications should not be considered from persons who wish to respond to a statement or remarks made in connection with the proceedings of a standing or select committee—such persons should contact the committee direct on the matter
- in considering applications, the committee will have regard to the existence of other remedies that may be available to a person referred to in the Assembly and whether they have been exercised.

## 4. Prayers and Acknowledgement of Country

Pursuant to Standing Order 7 prayers and an Acknowledgement of Country are conducted by the Speaker at the commencement of each day as follows:

Prayer:

*Almighty God we humbly beseech thee to vouchsafe thy blessing upon this Assembly. Direct and prosper our deliberations to the advancement of thy glory and the true welfare of the people of the Northern Territory.*

*Our Father, which art in heaven, hallowed be thy name, thy kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive them that trespass against us, and lead us not into temptation, but deliver us from evil, for thine is the kingdom, and the power and the glory, forever and ever, Amen.*

Acknowledgement of Country:

*We acknowledge the Larrakia people – the traditional Aboriginal owners of the land on which this Assembly meets.*

*We also acknowledge the traditional owners of all the lands we represent and thank them for their custodianship of country. We pay our respects to all traditional owners and their cultures, to elders past and present, and any elders who may be here today.*

## **5. Ministerial Reports**

- (1) During Government Business when there is no question before the Assembly, Ministers may speak in the Assembly to report on matters relating to their portfolio responsibilities pertaining to Government policy; decisions; proposed decisions; actions; proposed actions; and/or matters of public interest.
- (2) The topic of each Ministerial Report must be provided to the Office of the Clerk by no later than 6.00 pm on the day prior to the day when the report will be delivered.
- (3) The Office of the Clerk will forward the notified topic to each member by email to the member's NTG hosted email account as soon as practicable after it has been received.
- (4) The Minister delivering the report may speak for 20 minutes, the first Opposition member speaking may speak for 20 minutes, the first crossbench member speaking may speak for 20 minutes and all other members may speak for 10 minutes.
- (5) In order for there to be a debate, the Minister will move that the Assembly take note of the Report.
- (6) The time limit for the entire debate on any Ministerial Report is two hours. If debate is adjourned or interrupted, the remaining time becomes an order of the day for a later hour or a future day.
- (7) At the conclusion of two hours the Speaker will immediately put the question on any amendments and the motion moved by the Minister.
- (8) Notified topics for ministerial reports will be listed on the Notice Paper until they have been delivered by the Minister.

## **6. When a Ministerial Statement may be made**

Standing Order 117 is suspended and a Minister may make a statement 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 members by 6.00 pm the day prior to when the statement is made.

Such statements and forecasts are to be treated as confidential until delivered in the Assembly by the Minister.

## 7. Speech Time Limits

In addition to Standing Order 43 the following time limits apply:

<b>Ministerial Reports</b>	
Whole debate	2 hours
Minister, first Opposition member, first crossbench member	20 minutes (no extensions)
All other members	10 minutes
<b>Debate on petitions</b>	
First 2 members	10 minutes
Next 4 members	3 minutes
<b>Bills</b>	
<b>Motions for managing bills (Sessional Order 13.5(1))</b>	
Mover and all Members	5 minutes each

## 8. Order and Precedence of General Business Changes Require Notification by 6.00 pm the Day Prior

Standing Order 64 is amended so that the following words 'by the close of the meeting on the day immediately preceding the General Business day' are replaced to read: 'by 6.00 pm on the day immediately preceding the General Business day'.

## 9. Subordinate Legislation and Publications Committee Duties Assigned to Legal and Constitutional Affairs Committee

The Assembly suspends the requirement to appoint a separate Subordinate Legislation and Publications Committee as required by Standing Order 176 and assigns all of the duties under that Standing Order to be undertaken by the Legal and Constitutional Affairs Committee as established under Standing Order 178.

## 10. Substitution of Committee Members

- (1) In the case of illness or inability to attend by a member of any committee, or where a member decides to stand down from a committee for a period of time or for a particular inquiry,
  - (a) where the member is a Government or Opposition member, the relevant whip may nominate in writing to the Chair, or to the Deputy Chair if it is the Chair who is standing aside, that another member will attend that committee for a period of time or particular inquiry, or

- (b) where the member is a crossbench member, that member may nominate in writing to the Chair, or to the Deputy Chair if it is the Chair who is standing aside, that another member has agreed and will attend that committee for a period of time or particular inquiry, with the letter of nomination being signed by both members.
- (2) Where a member is appointed in accordance with (1) that member has all the rights of the member replaced.
- (3) Where the member substituted in accordance with (1) is the Chair or Deputy Chair, the committee will elect a member to be the Chair or Deputy Chair for the duration of the substitution.

## **11. Action on Petition**

Standing Order 121 is suspended and the following applies:

- (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 to determine whether the petition should be debated.
- (2) If the committee determines that the petition may be debated, it will notify the Clerk of its decision in writing and the debate of the petition will be set down on the Notice Paper as an order of the day for Debates on Petitions.
- (3) When the order of the day is called on, the Member who moved that the petition be referred to the Public Accounts Committee will move that the Assembly note the petition. This motion cannot be amended. The mover and next member may speak for up to 10 minutes, and 4 other members may speak for up to 3 minutes. The mover may not speak in reply.
- (4) An order of the day for Debates on Petitions interrupted by the routine of business will be listed first of such orders of the day on the Notice Paper.

## **12. Annual Tabling of Register of Member's Interests**

The Register of Members' Interests shall be tabled in the Assembly during the second sittings period of each year, except for any part of the register that relates to the interests of children under the age of 18, and the tabled document will be made available on the Assembly website with a notation that access to the updated and complete register is available from the registrar.

## **13. Introduction and Passage of Bills**

From 26 November 2024, Chapter 12 of the Standing Orders is suspended and the following applies:

### **13.1 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.

### **13.2 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.

### **13.3 First Reading of a Bill**

- (1) On presenting a bill the Member will table a signed Explanatory Statement unless the bill is an annual appropriation bill.
- (2) The Member will then move “That the bill now be read a first time” and give a speech explaining the bill (‘explanatory speech’). This question will be put without amendment or debate.
- (3) If the question for the first reading of the bill fails, the bill shall proceed no further.

### **13.4 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.

### **13.5 Bill’s referral to the Legislation Scrutiny Committee, Urgency or Second Reading Debate after 28 days have elapsed**

- (1) After the first reading of a bill, other than an annual appropriation bill, the Member in charge of the bill is to immediately move either:
  - (a) a motion referring the bill to the scrutiny committee for report by a particular date; or
  - (b) “that the bill be declared to be urgent”; or
  - (c) “that the second reading of the Bill be made an order of the day for the first Assembly meeting after 28 days have elapsed”.
- (3) The mover and any other Member may speak for up to five minutes to this motion and then the question is to be put.

- (4) This motion may be amended, but if the motion, with or without amendment, is defeated, then the bill shall proceed no further.
- (5) If the bill is declared to be urgent, the Member in charge of the bill shall move:
  - (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”.
- (6) After the first reading of an annual appropriation bill, a Minister may move that the bill be read a second time.

### **13.6 Scrutiny Committee Reports on Bills**

- (1) The Legislation Scrutiny Committee’s report on a referred bill may recommend whether to pass the bill and may recommend amendments to the bill that are relevant to the subject matter of the bill.
- (2) The committee must table its report on a bill by the date set by the Assembly for report.
- (3) The Assembly may change the date set for a report on a bill by motion.
- (4) Following the tabling of a report on a bill or expiry of the date for report, the second reading of the bill will be set down on the notice paper as an order of the day or, the Member in charge of the bill may move without notice “that the bill be now read a second time”. A motion to take note of, or adopt, the report cannot be moved.
- (5) The Member in charge of the bill may also immediately table a Government response to any proposed revision of the bill where the Government has been made aware of the proposed recommendations.

### **13.7 Second Reading of a Bill**

On the order of the day for the second reading of a bill being called on the Member in charge of the bill shall 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)”.

### **13.8 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:

- (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) leave may be sought “that the bill be now read a third time”.

### **13.9 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.

## **14. Establishment of Legislative Scrutiny Committee**

- (1) The Assembly appoints a Legislative Scrutiny Committee
- (2) The membership of the scrutiny committee will comprise three Government Members, one Opposition Member and one crossbench Member.
- (3) The functions of the scrutiny committee shall be to inquire and report on:
  - (b) any bill referred to it by the Assembly;
  - (c) in relation to any bill referred by the Assembly:
    - (i) whether the Assembly should pass the bill;
    - (ii) whether the Assembly should amend the bill;
    - (iii) whether the bill has sufficient regard to the rights and liberties of individuals, including whether the bill:
      - (A) makes rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review; and
      - (B) is consistent with principles of natural justice; and
      - (C) allows the delegation of administrative power only in appropriate cases and to appropriate persons; and
      - (D) does not reverse the onus of proof in criminal proceedings without adequate justification; and
      - (E) confers power to enter premises, and search for or seize documents or other property, only with a warrant issued by a judge or other judicial officer; and
      - (F) provides appropriate protection against self-incrimination; and
      - (G) does not adversely affect rights and liberties, or impose obligations, retrospectively; and
      - (H) does not confer immunity from proceeding or prosecution without adequate justification; and
      - (I) provides for the compulsory acquisition of property only with fair compensation; and
      - (J) has sufficient regard to Aboriginal and Torres Strait Islander tradition; and
      - (K) is unambiguous and drafted in a sufficiently clear and precise way.

- (iv) whether the bill has sufficient regard to the institution of Parliament, including whether a bill:
  - (A) allows the delegation of legislative power only in appropriate cases and to appropriate persons; and
  - (B) sufficiently subjects the exercise of a delegated legislative power to the scrutiny of the Legislative Assembly; and
  - (C) authorises the amendment of an Act only by another Act.
- (4) The committee will provide an annual report of its activities to the Assembly.

**Routine of Business (as per Sessional Order 1)**

<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>
<b>10.00 am</b>		
1. Prayers and Acknowledgement of Country 2. Business of the Assembly (if any) 3. Government Business – Notices and Orders of the Day	1. Prayers and Acknowledgement of Country 2. Business of the Assembly (if any) 3. Government Business – Notices and Orders of the Day	1. Prayers and Acknowledgement of Country 2. Business of the Assembly (if any) 3. Government Business – Notices and Orders of the Day
<b>2.00 pm</b>		
4. Notices 5. Petitions 6. Questions 7. Government Business – Notices and Orders of the Day 8. Papers 9. Responses to Petitions 10. Consideration of Committee Reports, Government Responses and Auditor-General's Reports 11. Debate on Petitions 12. Matter of Public Importance 13. Adjournment	4. Notices 5. Petitions 6. Questions 7. General Business – Notices and Orders of the Day	4. Notices 5. Petitions 6. Questions 7. Government Business – Notices and Orders of the Day 8. Papers 9. Responses to Petitions 10. Consideration of Committee Reports, Government Responses and Auditor-General's Reports 11. Debate on Petitions 12. Matter of Public Importance 13. Adjournment
	<b>7.00 pm</b>	
	8. Government Business 9. Papers 10. Adjournment	