



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

FOURTEENTH ASSEMBLY

SESSIONAL ORDERS AND ORDERS OF CONTINUING EFFECT

Adopted 20 October 2020

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SESSIONAL ORDERS FOR THE 14th ASSEMBLY

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. Responses to Petitions
9. Discussion pursuant to Standing Order 66 (Matter of Public Importance)

Wednesday

1. 10:00
Prayers and Acknowledgement of Country
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

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.

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

- (1) Where 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 and
- (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)
 - (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, or 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. 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.

5. Prayers and Acknowledgement of Country

Pursuant to Standing Order 7 prayers and an Acknowledgement of Country are conducted by the Speaker or a nominee 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 sacred 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.

6. Ministerial Reports

- (1) On each Assembly meeting day after Prayers, 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 18:00 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 and the first non-political party affiliated (independent) Member speaking may speak for 20 Minutes and all other Members may speak for ten 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.
- (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) If more than one Minister submits a Ministerial Report to the Office of the Clerk for consideration on the same sitting day precedence will be determined by the order in which they were received in the office.

7. When a Ministerial Policy Statement or Ministerial Forecast may be made

Standing Order 117 is suspended and 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.

8. Speech Time Limits

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

Ministerial Reports	
Whole debate	2 hours
Minister, First Opposition Member	20 minutes (no extensions)
All Other Members	10 minutes

9. Order and Precedence of General Business Changes Require Notification by 18.00 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 18.00 on the day immediately preceding the General Business day”.

10. 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.

11. 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 that is standing aside, that another Member will attend that committee for a period of time or particular inquiry, or
 - (b) where the Member is not a party-aligned Member, that Member may nominate in writing to the Chair, or to the Deputy Chair if it is the Chair that 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.

12. 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 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.

ORDERS OF CONTINUING EFFECT

ORDER 1

Electronic Tabling and Electronic Distribution of Tabled Papers

(ADOPTED BY THE ASSEMBLY MAY 2013 – TABLED PAPER 298)

Recommendation 1

The Committee recommends that an electronic Tabled Papers database be developed and that:

- (1) The Speaker direct the Department of the Legislative Assembly to prepare a business case detailing:
 - (a) the options for establishing an electronic Tabled Papers database
 - (b) associated costs of implementing and maintaining an electronic Tabled Papers database; and
 - (c) implementation timeframe;
- (2) The Treasurer provide the resources required to implement an electronic Tabled Papers database.

Recommendation 2

The Committee recommends that the Standing Orders be amended to provide for the tabling of hard copy and electronic copies of documents, and that the Assembly refer the following draft order to the Standing Orders Committee for consideration and report:

- (1) The Subordinate Legislation and Publications Committee shall determine and publish the number of hard copies of documents tabled by the Speaker, Ministers and Members required to be supplied to the Clerk.
- (2) When tabling a paper a Member must provide to the Clerk a single hard copy of the paper and if the paper is required to be tabled by statute or Standing Orders:
 - (a) an electronic copy in a form approved by the Subordinate Legislation and Publications Committee; and
 - (b) additional hard copies in the quantities decided and published by the Subordinate Legislation and Publications Committee in accordance with (1).
- (3) The Clerk and parliamentary officers are not required to supply Members hard copies of reports and documents once the copies supplied in accordance with (2)(b) have been distributed.

NOTATION – the Assembly resolved to receive and store electronic papers. While aspects of the recommendation such as discrete additional funds being made available were not fulfilled, the required outcome for the Assembly has taken effect by virtue of use of electronic means to table and retrieve documents of the Assembly using the Territory Stories database.

ORDER 2

Annual Tabling of Register of Member's Interests

(ADOPTED BY THE ASSEMBLY MARCH 2016 – TABLED PAPER 1723)

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.

ORDER 3

Speaking in Languages other than English

(ADOPTED BY THE ASSEMBLY MARCH 2019 – TABLED PAPER 1120)

- (1) The Assembly removes Standing Order 23A.
- (2) The Assembly reverts to the previous practice of leave being sought by Members as required to contribute in languages other than English and the Assembly may either grant or deny leave at its discretion.
- (3) The Speaker makes arrangements if requested to assist the Member where leave is granted for that Member to participate in a language other than English.
- (4) Members seeking leave to speak in languages other than English must provide the Speaker with adequate notice for the Speaker to make any arrangements to provide assistance so that the Member may be understood and the Parliamentary Record may accurately report the contribution if the leave of the Assembly to speak in the other language is granted.
- (5) "Arrangements" may include use of an interpreter, or relying upon the Member providing their own translation orally or in writing. Where a translation is provided only in writing, other Members will be permitted an opportunity to respond to any concerns they have about content in written translations.

ORDER 4

Establishing an ICAC Standing Committee

(ADOPTED BY THE ASSEMBLY FEBRUARY 2020 – TABLED PAPER 1535)

This Assembly:

- (1) Establishes a Standing Committee on the ICAC and designates it to receive reports and perform other functions in relation to the Independent Commissioner Against Corruption (Commissioner) pursuant to Section 5 of the *Independent Commissioner Against Corruption Act 2017* (the Act).
- (2) The functions of the Committee are to:
 - (a) perform the functions of the Assembly Committee under the Act.
 - (b) examine each Annual Report of the Commissioner and the Inspector under section 128 and 137 of the Act.

- (c) report to the Assembly on matters relating to tabled reports which have been referred to the Legislative Assembly by the Commissioner under section 53 and 54 of the Act.
 - (d) examine trends in similar bodies in Australia and internationally, including trends in the legislation and administration of these bodies, to ensure the NT ICAC remains fit-for-purpose.
- (3) The Committee's functions do not include:
- (a) investigating a matter relating to particular conduct, or
 - (b) reconsidering a decision to investigate, not to investigate or to discontinue investigation of a particular complaint, or
 - (c) reconsidering the findings, recommendations, determinations or other decisions of the Commissioner or the Inspector, in relation to a particular investigation, preliminary inquiries, audit, review, referral, or complaint.
- (4) The membership of the Committee will be two Government Members of which one will be Chair and the other the Deputy Chair of the committee, one Opposition Member and one non-party aligned Member. Membership of the Committee will be subject to conflict of interest considerations to ensure members are free from perceived or actual bias.