

ORIGINAL PAPER

No. 626
Laid on the Table
11 / 03 / 2026

O'Gallagher

PAPER TABLED		
<i>11</i>	<i>3</i>	<i>26</i>
CLERK: <i>W</i>		



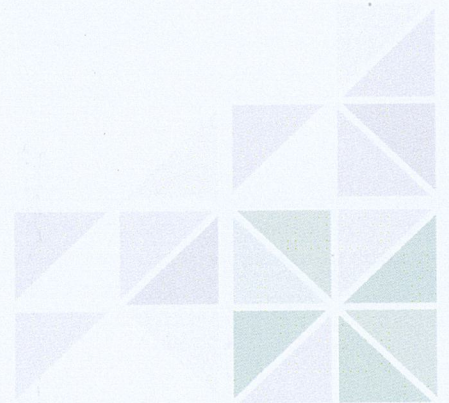
Legislative Assembly of the Northern Territory

Standing Orders Committee

Review of Standing Orders Phase 1

March 2026

A handwritten signature in blue ink, appearing to be 'P. ...'.



Review of Standing Orders Phase 1



Legislative Assembly of the Northern Territory

Parliament House

State Square

Darwin NT 0800

Web: www.parliament.nt.gov.au

Contents

Committee Members	4
Terms of Reference	5
Recommendations	6
1 Introduction	7
Conduct of the review	7
2 Response to consultation	8
3 Summary of proposed changes	9
Appendix A: Proposed changes to Standing Orders	12
Appendix B: Proposed amended Sessional Orders	64

Committee Members

Chair:	Mr Brian O’Gallagher MLA Member for Karama
Deputy Chair:	Hon Robyn Lambley MLA Member for Araluen
Members:	Mr Manuel Brown MLA Member for Arafura Hon Steven Edgington MLA Member for Barkly Mr Andrew Mackay MLA Member for Goyder
Contact Details:	GPO Box 3721 DARWIN NT 0801 Tel: +61 08 8946 1450 Email: Russell.Keith@nt.gov.au

Terms of Reference

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.

Recommendations

Recommendation 1

The Committee recommends that the Assembly adopt the changes to the Standing Orders identified in Appendix A.

Recommendation 2

The Committee recommends that the Assembly adopt the amended Sessional Orders at Appendix B.

1 Introduction

- 1.1 This report recommends a number of minor changes to the Standing Orders to improve their clarity and readability. It is the first step in a 3-phase review of the Standing Orders being undertaken by the Standing Orders Committee.
- 1.2 This first phase is to correct errors, simplify wording, and incorporate Sessional Orders which have become accepted practice. This review is not aimed at any substantive changes to the Assembly's procedures.
- 1.3 The second phase will review the structure of the Standing Orders to make them easier to use and to more fully and clearly provide for the Assembly's practices.
- 1.4 The third phase will give consideration to whether specific practices should be changed.

Conduct of the review

- 1.5 The Committee agreed to review the Standing Orders at its meeting of 29 July 2025. It then considered options for changes over 5 meetings and provided a Consultation Paper to all members with proposed changes on 27 November 2025 seeking feedback by 23 January 2026. Feedback was received from 2 members.
- 1.6 The Committee reviewed its proposed changes in light of that feedback and proposed the changes to Standing Orders at Appendix A for the Assembly's consideration.

2 Response to consultation

- 2.1 The Committee received 2 responses to its consultation paper.
- 2.2 The Hon Robyn Cahill MLA noted the proposed changes looked reasonable and raised questions regarding maintaining order during adjournment speeches and the appropriateness of a member reading a speech on behalf of another. The Committee is not proposing any changes in response to these issues.
- 2.3 Justine Davis MLA strongly advocated for maintaining adjournment speeches at 10 minutes rather than reducing to 5 minutes as proposed in the consultation paper, and stated her concern was shared by the crossbench and Opposition members. As this phase of the review was aimed at uncontroversial matters and this objection was raised, the Committee is not proposing a change to the speech time limit in this report.

3 Summary of proposed changes

- 3.1 The majority of proposed amendments are minor word changes to correct errors, provide clarity, or remove ambiguity.
- 3.2 Amendments also incorporate the Sessional Orders on the Routine of Business, pairs, Ministerial Reports, Ministerial Statements, order and precedence of General Business, substitution of committee members, and debate on petitions.
- 3.3 Paragraph numbering has been made consistent, and added where this will aid clarity.
- 3.4 Consistent with the Territory's drafting style and the practice of most jurisdictions, gendered language has been removed.
- 3.5 'Before the Chair' is replaced with 'before the Assembly' rather than using the 2 different terms that mean the same thing.
- 3.6 Standing Order 10 is deleted as unnecessary and lacking clarity. Following deletion, any item of business interrupted due to lack of quorum will be treated as other interrupted business.
- 3.7 Standing Order 16 is deleted as unnecessary and lacking clarity.
- 3.8 Standing Orders 18 and 19 are merged and restructured for clarity
- 3.9 Standing Orders 20 and 37 are merged to remove inconsistency and for clarity.
- 3.10 Standing Order 31 is divided to give equal prominence to its 2 elements, and the paragraph on the Speaker removing words from the record moved to the Standing Order on the Speaker intervening.
- 3.11 Standing Order 37 is merged with Standing Order 20.
- 3.12 Standing Orders 40 and 41 are merged for clarity.
- 3.13 Standing Order 43 providing debate times is amended to include:
 - times for Ministerial Reports and debates on petitions currently in Sessional Orders
 - a 30 minute time limit for committee report tabling statements
 - the timings for Question Time
 - prohibition of speech extensions in debates or discussions with a global time limit (which includes a Matter of Public Importance)
- 3.14 Standing Orders 50 to 54 regarding suspension of a member are rearranged for clarity.
- 3.15 Standing Order 60 brings the Routine of Business back from the Sessional Orders.
- 3.16 Standing Order 64 is amended in line with Sessional Order 8.

- 3.17 Messages from the Administrator are removed from Business of the Assembly as they are provided for under Standing Order 167.
- 3.18 Standing Order 74 provides for a member to postpone a notice by advice rather than move a motion to be consistent Standing Orders 77 and 81.
- 3.19 Standing Orders 86 and 87 are moved to the Divisions chapter as Standing Order 123A and 123B.
- 3.20 Standing Order 117 is amended as provided by the Sessional Order on Ministerial Statements.
- 3.21 The Sessional Order on Ministerial Reports is incorporated (with minor amendment) as Standing Order 118B.
- 3.22 The Sessional Order on debate on petitions is incorporated into Standing Order 121, with amendment to provide the mover and a Minister may speak for 10 minutes.
- 3.23 Standing Orders 123A and 123B are relocated Standing Orders 86 and 87.
- 3.24 Standing Orders 129 to 132 are rearranged for clarity.
- 3.25 Standing Order 133 incorporates the Sessional Order on pairs.
- 3.26 Standing Orders 165 and 166 amended to remove reference to 'proposed laws' to keep consistency with the use of the term 'bill'. 'Proposed law' is the term for a bill in the *Northern Territory (Self Government) Act 1978*, as it is in the Australian Constitution, but 'bill' is the term used in Standing Orders of the House of Representatives and elsewhere in the Assembly's Standing Orders.
- 3.27 Standing Order 183B incorporates the Sessional Order on substitution of committee members.
- 3.28 The provision appointing the Deputy Speaker as the Acting Speaker in the absence or inability of the Speaker is moved out of Standing Order 215 regarding the election of the Deputy Speaker to a new Standing Order 215B.
- 3.29 Paragraph (10) of Standing Order 229 is deleted because of its uncertain application and anomalous effect.
- 3.30 The provision for the Speaker to make reimbursement of legal expenses in Standing Order 232 is changed to a recommendation due to a lack of financial authority to make such payment.

Recommendation 1

The Committee recommends that the Assembly adopt the changes to the Standing Orders identified in Appendix A.

- 3.31 As the proposed changes incorporate Sessional Orders 1, 2, 5, 6, 8, 10, and 11, those Sessional Orders should be revoked if the changes are adopted. Sessional Order 10 would also need to be amended to remove the speech time limits put within the Standing Orders. The Committee also proposes the inclusion of a 45 minute first reading speech time limit, consistent with the time for second reading

speeches under the Standing Orders. Proposed amended Sessional Orders are at Appendix B for the Assembly's consideration.

Recommendation 2

The Committee recommends that, if recommendation 1 is adopted, the Assembly adopt the amended Sessional Orders at Appendix B.

Appendix A: Proposed changes to Standing Orders

PART ONE

FREQUENTLY USED PRACTICE AND PROCEDURE

CHAPTER ONE

GENERAL RULES, DEFINITIONS AND APPLICATIONS

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 Practice.

2 Definitions and Application of Standing Orders

Definitions

In these Orders unless the contrary intention appears:

“Session” means the series of sittings —

- (a) from the calling together of the Assembly after a general election until the Assembly is prorogued, or
- (b) 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.

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

“Minister” means a member appointed to a ministerial office by the Administrator with such designation as the Administrator from time to time determines.

“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*.

“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.

3 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*. They are of continuing effect and apply until changed by the Assembly.

CHAPTER TWO

SITTING DAYS, QUORUM AND ADJOURNMENT

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 by the Speaker.

4 *Changes to the Scheduled Meetings of the Assembly*

- (1) 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.
- (2) When the Assembly is not meeting, the Speaker may set an alternative day or time for the next meeting and will advise all members of the change.

5 *Quorum at Time of Meeting*

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.

6 *Member not to leave the Chamber at Commencement*

No member may leave the Chamber within the first five minutes of the time for commencement of a meeting of the Assembly unless a quorum of ten members is present.

7 *Prayers*

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

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:

- (a) to 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 scheduled meeting.

9 *Member calling a Lack of Quorum*

- (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.

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.

12 *Adjournment Motion*

The Assembly may adjourn on the motion of a Minister moved when there is no question before the Assembly without notice or amendment.

CHAPTER THREE

RULES OF DEBATE

13 *Order Maintained*

The Speaker is responsible for maintaining order in the Assembly.

14 *Speaker Standing*

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

15 *Respect for the Chair*

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

17 *Moving around in the Chamber*

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

18 *Procedure when members wish to speak*

A member who wishes to speak:

- (a) Will stand and seek the call.
- (b) When called by the Speaker, may speak from the member's place or the Table.
- (c) Will address the Speaker.
- (d) If unable to stand, by permission of the Speaker may seek the call and speak while seated.

20 *No Interruption of Debate*

When a member is speaking other members must not make any noise or disturbance, except a member may interrupt another member to:

- (a) call attention to a point of order
- (b) call attention to a matter of privilege suddenly arising
- (c) call attention to the lack of a quorum
- (d) call attention to the presence of strangers
- (e) move "that the question be now put"
- (f) move "that the member be not further heard"
- (g) move that the discussion be concluded.

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.

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.

23 Explanation of Speech

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

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.

25 Reply Closes Debate

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

26 Personal Explanation

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

27 Decision is Final

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

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.

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.

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.

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.

31A Reflections on Members

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.

32 Speaker to Intervene

- (1) When the Speaker hears offensive or disorderly words the Speaker will intervene to ensure order.
- (2) The Speaker may rule that highly disorderly words not be published in the Parliamentary Record.

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.

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.

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.

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.

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.

39 Matters Not Open to Debate

- (1) The following questions are not open to 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 "discussion be concluded" (SO 66)
 - (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” (except that the mover may briefly state their reasons and one other member may speak briefly in rebuttal) (SO 40)
- (2) Should any of these questions be negated, 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.

40 Procedure for Adjourning a Debate

- (1) 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.
- (2) If the question is resolved in the affirmative, 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 for the resumption of the debate. If no such motion is moved, the resumption of the debate becomes an order of the day for the next meeting of the Assembly.
- (3) The member on whose motion the debate was adjourned may speak first on the resumption of the debate.
- (4) If the motion for the adjournment of debate on a question is negated, the member moving the motion may speak at a later time in the debate.

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 40(2) 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.

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 speech (multiple allowed):	
Member in charge of a bill	unlimited
Other members	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 Statements	
Minister	unlimited
Member next speaking	30 minutes
Any other member	20 minutes
Ministerial Reports	
Whole debate	2 hours
Minister reporting, first Opposition member, first crossbench member	20 minutes
All other members	10 minutes
Committee Report Tabling Statement (SO 200(2))	
Member tabling	30 minutes
(any 'take note' debate as for 'debate not otherwise provided')	
Debate on petitions	
Mover and a Minister	10 minutes
4 other members	3 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
Questions	
Question	1 minute
Answer	3 minutes
Supplementary question	30 seconds
Answer to supplementary question	1 minute

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:

- (a) a debate or discussion with a global time limit
- (b) any debate with a speech time limit of 10 minutes or less
- (c) a Censure Motion, or
- (d) a Motion expressing a Want of Confidence.

44 Closure – Question be now put

When debate has commenced on any question, a member may move without notice (whether or not another member is addressing the Chair) “that the question be now put”. The question on the closure motion is put immediately without amendment or debate. If the question is negated 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.

45 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 without amendment or debate.

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.

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.

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.

CHAPTER FOUR

DISORDER

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 Chamber 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 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.

50 Naming of a Member

The Speaker may name any member who has, in the Speaker's opinion —

- (a) persistently and wilfully obstructed the business of the Assembly
- (b) engaged in disorderly conduct
- (c) used offensive or disorderly words, which they have refused to withdraw
- (d) persistently and wilfully refused to conform to any Standing Order, or
- (e) persistently and wilfully disregarded the authority of the Speaker

51 Suspension after Naming

- (1) 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.
- (2) The period of suspension is:
 - (a) 24 hours for the member's first occasion in the calendar year.
 - (b) 2 meeting days in addition to any period on the day of suspension being ordered for the second occasion in the same calendar year, .
 - (c) 3 meeting days in addition to any part of the day of the suspension being ordered for the third and any subsequent occasion, .
- (3) For the purposes of this Standing Order, any suspension in a previous session of the Assembly during the same calendar year is disregarded.
- (4) 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.

52 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.

53 Extreme Disorder by a member

When the conduct of a member is so highly disorderly that the procedure in Standing Order 51 would be inadequate to ensure the urgent protection of the dignity of the Assembly, the

Speaker may order the member to leave the Chamber immediately. Once the member has departed, the Speaker may name the member 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.

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.

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.

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* 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*
 - (b) the Deputy Clerk within the meaning of the *Legislative Assembly (Powers and Privileges) Act 1992*
 - (c) the Clerk Assistant within the meaning of the *Legislative Assembly (Powers and Privileges) Act 1992*
 - (d) the Serjeant at Arms of the Assembly
 - (f) a member of the Police Force
 - (g) a person, employed by a security firm within the meaning of the *Private Security Act 1995* 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* (not being a crowd controller's transitional licence or a crowd controller's provisional licence within the meaning of that Act).
 - (h) 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* to be an authorised person.

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.

CHAPTER FIVE BUSINESS OF THE ASSEMBLY AND ORDERS OF THE DAY

59 Conduct of Business

Any motion regarding the timing or ordering of business may be moved by a Minister at any time without notice.

60 Routine of Business

The Assembly conducts its business on each meeting day according to the following routine:

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

NB: as provided elsewhere in the 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, ministerial reports, motions for leave of absence or the suspension of Standing Orders, and the tabling of committee reports.

61 Precedence of Business of the Assembly

Business of the Assembly has precedence over 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) business related to any message from the Administrator to the Assembly.

62 Presentation of Papers and Reports from Committees

Reports of any Assembly Committee may be presented whenever there is no question before the Assembly.

63 Order and Precedence of Government Business

A 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 Standing Orders provide otherwise.

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 crossbench member(s) and any affected member to the Clerk, the counterpart Whip or Whips and any other crossbench member(s) by 6.00 pm on the day immediately preceding the General Business day.

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 Routine of Business 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.

66 Discussion of a Matter of Public Importance

- (1) A member may propose to the Speaker that a definite 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 Clerk will email the proposal to members 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 the 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.

67 *Precedence of a Censure Motion during Question Time*

A motion which is moved without notice during the course of Question Time which seeks to censure the Government or a Minister may be accepted by the Government and given precedence over all other business. If accepted the mover speaks to the motion and debate proceeds with precedence until disposed of. If not accepted, the motion lapses. This Standing Order does not affect motions on notice censuring the Government.

68 *Motion of No Confidence*

A Motion of No Confidence in the Government cannot be moved until after 3 clear days after notice has been given in the Assembly, pursuant to section 24 of the *Electoral Act 2004*.

A Minister may give precedence for notice to be given at any time there is no question before the Assembly.

The motion will state that the Assembly, pursuant to section 24(1)(a) of the Electoral Act 2004, does not have confidence in the Government. 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 a Notice of a Motion of No Confidence to be given, the Speaker will convene a special meeting of the Assembly as soon as possible.

69 *Seeking leave of the Assembly*

A member who has the call may seek the leave of the Assembly to do something that is not otherwise permitted by the Standing Orders. Leave may only be granted if no member present objects.

CHAPTER SIX

NOTICES OF MOTIONS AND MOTIONS

70 Giving Notice of a Motion

- (1) Motions require notice, unless otherwise provided in the Standing Orders or the Assembly grants leave.
- (2) To give notice of a motion, a member will:
 - (a) 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 concise proposition, and
 - (b) rise and orally give their notice when Notices are called on.
- (3) Only a Minister may give two or more notices consecutively unless no other member has any notice to give.

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.

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.

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 Assembly.

74 Order of Notices on the Notice Paper

- (1) Notices will appear on the Notice Paper and have precedence over each other in the order in which they were given to the Assembly.
- (2) A member may postpone their motion or the motion of another member with the permission of that member by advising the Assembly when there is no other question before the Assembly.

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.

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.

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 by email.

78 *Notices must be for Another Day*

Notices of motion must be for a day subsequent to the day when notice is given.

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.

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.

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.

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.

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.

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.

85 *Dividing a complicated question*

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.

88 *Limit on Repeating the Same Question*

Except by leave of the Assembly, no question or amendment may be proposed which the Speaker considers is the same in substance as any question that 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.

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

90 *Amending Motions and Questions*

A question having been proposed may be amended:

- (a) by omitting certain words only
- (b) by omitting certain words in order to insert or add other words, or
- (c) by inserting or adding words.

91 *Amendments to be in Writing*

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

92 *Amendments must be Relevant*

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

93 *Speaker's words when putting a Question to Omit Words*

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

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)".

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)".

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.

97 *No Inconsistent Amendments Allowed*

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

98 *Order of Moving must be Sequential*

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

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.

100 Order of Disposal of Amendments

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

101 Withdrawal of Amendment

A proposed amendment may, by leave, be withdrawn.

102 Amendments to Amendments

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

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.

104 Main Question as Amended

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

105 Original Question

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

CHAPTER EIGHT

QUESTIONS SEEKING INFORMATION

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.

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.

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.

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.

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.
- (3) A Minister may redirect the answering of a question to another Minister.

111 Repeating Questions Already Answered

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

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.

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.

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.

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.

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 AND REPORTS

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 distributed to members by 6.00 pm the day prior to when the statement is made.

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

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.

118B 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) After delivering the report, the Minister will move that the Assembly take note of the Report.
- (5) 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.
- (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.

CHAPTER TEN PETITIONS

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 their 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.

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 confine 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.

121 *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 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 a Minister 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.

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.

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 referral to the member presenting the petition and presentation to the Assembly. The response will be announced at the time allocated in the Routine of Business. 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

DIVISIONS

123A 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”.

123B 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 125.

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.

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.

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.

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.

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.

129 Procedures for a division

- (1) If the Assembly is to divide, the Clerk rings the division bells for three minutes, or if there has been no intervening debate from a previous division, for one minute.
- (2) After the bells have rung for the required time and the Speaker directs that the doors be locked, no member may enter or leave the Chamber until after the completion of the division.
- (3) When the doors are locked, 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, and appoints tellers for each side.
- (4) No member may move around the Chamber from the commencement of the count until the Speaker declares the result.

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.

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 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

133 Recording the Count

- (1) The tellers count the members voting and the Clerks record the vote of each member present.
- (2) 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.

134 Result of Division Declared

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

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.

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.

137 *Divisions Recorded*

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

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.

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.

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*, the reasons stated will be entered in the Minutes of Proceedings and into the Parliamentary Record.

CHAPTER TWELVE

BILLS – INTRODUCTION AND PASSAGE

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.

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.

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.

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.

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)”.

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.

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”.

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, unless:

- (1) the member in charge of the bill moves that the consideration in detail stage be deferred to another specified or unspecified time, or
- (2) a member moves that the bill be referred to a committee, or
- (3) the Assembly gives the member in charge of the bill leave to move that the bill be now read a third time.

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.

150 Resumed Consideration in Detail upon Report Back From a Committee

When a bill has been referred to a committee pursuant to Standing Order 148 (2) and the report of the committee has been presented in the Assembly, the bill will be considered in detail immediately unless a motion makes the bill an order of the day for a later time.

CHAPTER THIRTEEN

BILLS - AMENDMENTS AND CONSIDERATION IN DETAIL

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.

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 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.

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.

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.

155 Discussion Confined to Question

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

156 Postponement of Clauses

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

157 Clause as Amended

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

158 *No amendment inconsistent with previous decision*

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.

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".

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.

161 *Report to Assembly Required before Assembly takes Notice*

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

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.

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".

164 *Completion and Disposal of a Bill*

After the third reading the bill has been passed by the Assembly and no further question may be put.

165 *Subsequent Amendments Permitted*

Amendments falling within any of the following classes of amendments may be made to a bill by the Clerk acting with the authority of the Speaker 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.

166 *Presentation for Assent*

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

CHAPTER FOURTEEN

MESSAGES FROM THE ADMINISTRATOR

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 SUPPLY

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 presented.

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.

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.

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.

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.

**PART TWO
OTHER PRACTICE, PROCEDURE, COMMITTEE AND
ADMINISTRATIVE MATTERS**

CHAPTER SIXTEEN

COMMITTEES OF THE ASSEMBLY

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.

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.

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

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.
- (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*.

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.

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.

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.

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.

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.

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.

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.

183B *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.

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.

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.

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.

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.

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.

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.

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 in accordance with Standing Order 210 and, if relevant, 232.
- (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.

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.

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.

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.

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.

195 Power to Report from Time to Time

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

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.

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.

198 *Adoption of Report*

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

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.

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.

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

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.

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.

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.

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.

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.

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.

208 Examination of witnesses

- (1) A member giving evidence to the Assembly will be examined in their 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.

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.

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 Chair 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 Chair 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 Chair 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 or organisation 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

211 Meeting of a New Assembly after a General Election

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 election 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.
- (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.
- (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.

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.

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 Administrator, the Clerk reads the Notice calling the Assembly together and the Assembly proceedings follow the routine in Standing Order 211 where relevant.

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 ballot be now taken. The Clerk will then put the question, without debate. In the event of the numbers being 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.

215 Election of Deputy Speaker

At the commencement of each Assembly, or whenever the office becomes vacant, a member who is not a Minister will be elected by the Assembly to be the Deputy Speaker.

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 ballot be now taken". The question is then put and decided without amendment or debate. Upon the carrying of the question or upon the cessation of the debate otherwise, the election proceeds.
- (7) Before the Assembly proceeds to a ballot, the bells must be rung for three minutes.
- (8) 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.
- (9) 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.
- (10) 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.

-
- (11) 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.
- (12) 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.
- (13) 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.

215B Deputy Speaker may be Acting Speaker

The Deputy Speaker is appointed 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*.

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.

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*.

218 Deputy Speaker to take Chair

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

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.

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 the next most senior Clerk Assistant will perform the duties of the Deputy Clerk.

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

222 *Member Attendance and Absence Recorded*

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

223 *Member Seating in Chamber*

Member seating is determined by the Speaker.

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 Assembly.

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.

226 *Minutes of Proceedings to be Kept*

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

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.

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 their 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

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.

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.

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 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.

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 recommend that

the Territory 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.

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.

CHAPTER TWENTY-ONE BALLOTING

234 Ballot to be Conducted upon Agreement by Assembly

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

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.

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

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.

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.

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*.

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.

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.

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 Assembly take note of the paper
- (2) that the publication of the paper not be authorised.

CHAPTER TWENTY-THREE VISITORS (STRANGERS)

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.

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.

245 Chamber access for Members Only

Except with the permission of the Speaker, only members are permitted on the floor of 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

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, or their representative in either Australia or in the Northern Territory.

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.

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.

249 Presentation of Address to the Administrator

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

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.

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

252 Suspension of Standing Orders

When there is no question before the Assembly, 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.

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.

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.

255 Status of Standing Orders

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

Appendix B: Proposed amended Sessional Orders

1. 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.

2. 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.

3. **Speech Time Limits**

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

Bills	
First Reading	
Mover	45 minutes
Bills	
Motions to declare the bill urgent (Sessional Order 6.5(2)(b))	
Mover and all members	5 minutes each

4. **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.

5. **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.

6. **Introduction and Passage of Bills**

Chapter 12 of the Standing Orders is suspended and the following applies:

6.1 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.

6.2 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.

6.3 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.

6.4 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.

6.5 Bill’s referral to the Legislative 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 second reading of the bill will be made an order of the day for the first Assembly meeting after 28 days have elapsed, unless the Assembly refers the bill to the Legislative Scrutiny Committee or declares the bill to be urgent in accordance with paragraph (2).
- (2) The member in charge of the bill may move either:
 - (a) a motion referring the bill to the scrutiny committee for report by a particular date, with the question to be put without amendment or debate; or
 - (b) “that the bill be declared urgent”, to which the mover or any other member may speak for 5 minutes.
- (3) 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”.
- (4) After the first reading of an annual appropriation bill, a Minister may move that the bill be read a second time.

6.6 Scrutiny Committee Reports on Bills

- (1) The Legislative 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.

6.7 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)”.

6.8 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”.

6.9 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.

7. 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:
 - (a) any bill referred to it by the Assembly;
 - (b) 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 Standing Order 60)

Tuesday	Wednesday	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	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
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 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
	7.00 pm	
	8. Government Business 9. Papers 10. Adjournment	