



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

RULES OF DEBATE

Most business in the Assembly occurs through voting on questions made after *debate* (formal discussion) on *motions* (proposals) *moved* (put forward) by Members.

Rules

The rules of debate are set out in the Standing Orders. Where necessary, Standing Orders are interpreted and applied by the Speaker, Deputy Speaker or Acting Deputy Speaker.

Rulings

Rulings of the Speaker are an important interpretation of the Standing Orders. Rulings may be challenged immediately by a Member but in practice this rarely happens. The motion takes precedence over all other Assembly business and the question is put to a vote.

The call

To speak, a Member must seek the call, which is allocated by the Speaker in accordance with Standing Order 21. Members are usually called from each side of the Chamber alternately, and the Chief Minister, Ministers and Leader of the Opposition are normally given the call before other Members.

The right to speak

A Member may speak once on a substantive motion. If an amendment to the motion is moved, a Member who has already spoken to the motion may also speak to the amendment.

The Member who moves a substantive motion may exercise a right of reply which then closes the debate. The question is put by the Speaker at the close of the debate. There is no right of reply on a procedural motion, such as a motion to suspend Standing

Orders or to a Member who has moved an amendment. In the Consideration in Detail stage, Members may speak more than once to a question.

Time limits

Time limits apply to Members' speeches. If a point of order is called when a Member is speaking, then the time comes out of the Member's speaking time, except in Question Time when the clock is stopped. Clocks on either side of the Chamber show the time remaining for a Member's speech.

May speeches be read?

There is no rule against the reading of speeches.

Quoting documents in speeches

A document quoted from by a Minister must be tabled upon request by any Member unless it is confidential. A Member may read from a document to quote it in debate but not to circumvent the rules of the Assembly. For example, a Member may not quote a document in order to use unparliamentary language.

Content of speeches

Speeches must not digress from the motion being debated, except for motions on:

- the address-in-reply to the Administrator's speech on the Opening of an Assembly
- the Assembly adjourning
- the second reading of an Appropriation Bill or Supply Bill, as matters relating to public affairs may be debated then.

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SUMMARY

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Speeches must not:

- digress from the motion being debated
- refer to any debate of the same session
- reflect unfavourably upon any vote of the Assembly
- anticipate debate on a subject that appears on the Notice Paper.

Members are required to address the Speaker.

- refer to any debates of the same session (unless relevant to the matter being debated)
- reflect adversely upon any vote of the Assembly (unless for a motion to rescind a vote)
- anticipate debate on a subject appearing on the Notice Paper.

The rule against anticipation (Standing Order 83) specifies that the Speaker can rule whether a matter being discussed which is on the Notice Paper is likely to be before the Assembly within a reasonable time.

Courtesies of debate

Members are required to address the Speaker. Any comments about other Members should be in the third person, e.g. 'Madam

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Speaker, the Member for X is mistaken.'

Members are not allowed to:

- speak disrespectfully of the Queen or her representative in the Commonwealth, States or Territories
- use offensive words against Members, the Assembly, Members of another Australian Parliament, or the Judiciary.

Conduct during debate

The Speaker is responsible for keeping order in the Chamber. Members must:

- acknowledge the Speaker (by bowing) on entering and leaving the Chamber
- be seated and be silent when the Speaker rises during a debate.

Members must not:

- walk or stand between the Speaker and the Member speaking
- walk out of or across the Chamber when the Speaker is putting a question
- leave the Chamber when a quorum has been called.

Examples of causes of disorder that have resulted in disciplinary action in the Legislative Assembly include: inappropriate attire; using unparliamentary language; raising frivolous points of order; and disregarding the authority of the Chair.

Interrupting the debate

A Member may only interrupt another Member already speaking:

- to raise a point of order or privilege

- to call attention to the lack of a quorum.

Interjections are technically disorderly but may be tolerated in some circumstances. Points of order are usually determined immediately, but the Speaker may decide to determine a point of order at a later time.

The Speaker may also hear argument from Members on the point of order before determining it.

No debate permitted

Standing Order 39 allows the following questions to be put without debate or amendment:

- that a Member 'be now heard', 'be further heard', 'be not further heard' or 'be granted an extension of time'
- 'that the question now be put'
- 'that the business of the day be called on' or 'discussion be concluded'
- 'that the ruling of the Speaker be dissented from'
- that a Member 'be suspended'
- strangers or visitors 'be ordered to withdraw'
- 'that the debate be adjourned'.

Disorder

A Member who:

- persistently and wilfully obstructs the business of the Assembly
- has been guilty of disorderly conduct
- used objectionable or disorderly words, which they have refused to withdraw
- persistently and wilfully refuses to conform to any Standing Order

- persistently and wilfully disregards the authority of the Speaker.

may be 'named' by the Speaker. In effect the Speaker is reporting to the Assembly that the Member has been disorderly.

Once named, another Member may move 'that the Member named be suspended from the service of the Assembly'.

Periods of suspension

If any Member is suspended from the Assembly, they are suspended for:

- 24 hours on the first occasion
- two meeting days on the second occasion within a calendar year
- three meeting days on the third occasion within a calendar year.

Withdrawal from the Chamber

Instead of suspending a Member from the Assembly, the Speaker may order a Member who they consider disorderly to withdraw from the Assembly for one hour. The Member must immediately leave the Chamber and not return, except for the purpose of voting in a division or being counted when a quorum is called. After voting or being counted, the Member must leave again.

A new Member's first speech

Certain conventions apply to a new Member's first speech:

- the new Member is heard without interjection or interruption
- the new Member should not directly criticise other Members or provoke interjections or points of order
- the Chamber is expected to be well attended.