



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

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**Standing Committee on Legal and Constitutional Affairs**

# **Annual Report**

## **2010-11**

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Report deemed as a  
Tabled Paper in the  
Legislative Assembly, in  
November 2011



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# Chair's Overview

This annual report advises the Legislative Assembly of the Northern Territory of the activities of the Standing Committee on Legal and Constitutional Affairs for the period 1 July 2010 to 30 June 2011 in accordance with the resolution of the Legislative Assembly of 9 September 2008.

During the year the Committee has seen significant progress on its Statehood reference, culminating in a joint announcement by the Chief Minister and Leader of the Opposition of plans to hold a Constitutional Convention with elected delegates from 21 to 29 April 2011.

The last half of 2010 saw the completion of the work of the Statehood Steering Committee (SSC). Since 2005 the SSC has conducted a range of consultation and education programs. In 2010 the SSC conducted 50 public forums across the Territory and developed 10 recommendations for the Statehood program.

As recommended by the SSC, its last meeting was on 6 December 2010 and the Northern Territory Statehood Steering Committee (NTCCC) was established to advise the LCAC on arrangements for a constitutional convention. The NTCCC has been working to implement the SSC's vision of a "peoples' convention" to draft a constitution for the Territory.

The LCAC is most grateful to the former members of the SSC for the significant work they did over five years to engage with the people of the Territory and develop a model for the Statehood program that will represent their views and interests. Thanks also go to the members of the NTCCC for bringing their considerable skills and insights to the task of planning for the convention.

I would like to particularly thank the Members of the Committee for their constructive and creative work with the Committee. A clear message from the 1998 referendum result was that Statehood could only be achieved if it had bipartisan support and if a truly participative means of developing a constitution could be developed. The Committee members have taken up that challenge with an open and inclusive approach.

On behalf of the Committee, I commend this Annual Report to the House.

A handwritten signature in blue ink that reads "Jane Aagaard". The signature is written in a cursive, flowing style.

**The Honourable Jane Aagaard MLA**



# Committee Members



**The Honourable Jane AAGAARD, MLA**

Member for Nightcliff

**Party:** Australian Labor Party  
**Parliamentary Position:** Speaker  
**Committee Membership:**  
 Standing: House; Standing Orders; Members' Interests; Legal and Constitutional Affairs  
 Chair: House, Legal and Constitutional Affairs, NT Constitutional Convention Committee



**Ms. Marion SCRYMGOUR, MLA**

Member for Arafura

**Party:** Australian Labor Party  
**Committee Membership:**  
 Standing: Legal and Constitutional Affairs; House; Public Accounts; Subordinate Legislation and Publications  
 Sessional: Environment and Sustainable Development; Council of Territory Co-operation  
 Select: Youth Suicides in the NT  
 Chair: Environment and Sustainable Development, Youth Suicides in the NT  
 Other: NT Constitutional Convention Committee



**Mr. Michael GUNNER, MLA**

Member for Fannie Bay

**Party:** Australian Labor Party  
**Parliamentary Position:** Government Whip  
**Committee Membership:**  
 Standing: Legal and Constitutional Affairs; Public Accounts; Standing Orders; Subordinate Legislation and Publications; Members' Interests  
 Sessional: Environment and Sustainable Development;  
 Other: Statehood Steering Committee  
 Chair: Public Accounts; Estimates, Subordinate Legislation and Publications



**Ms. Kezia PURICK, MLA**

Member for Goyder

**Party:** Country Liberals  
**Parliamentary Position:** Deputy Leader of the Opposition; Shadow Minister for Primary Industry, Fisheries and Resources; Statehood; Women's Policy  
**Committee Membership:**  
 Standing: Legal and Constitutional Affairs Committee  
 Sessional: Council of Territory Co-operation-Animal Welfare Sub-committee  
 Select: Youth Suicides in the NT  
 Other: NT Constitutional Convention Committee



**Mr. Peter CHANDLER, MLA**

Member for Brennan

**Party:** Country Liberals  
**Parliamentary Position:** Shadow Minister for Education and Training; Natural Resources, Environment and Heritage; Parks and Wildlife  
**Committee Membership:**  
 Standing: Legal and Constitutional Affairs  
 Sessional: Environment and Sustainable Development

# Committee Secretariat

Committee Secretary: Mr Russell Keith (from 30 November 2010)  
Mr Ian McNeill PSM (until 29 November 2010)

Research Officer: Ms Maria Viegas

Research/ Administrative Officer: Ms Lauren Copley (from 15 August 2011 &  
30 November 2010 to 9 February 2011)  
Mrs Pauline Lewis (from 10 February to  
12 August 2011)  
Ms Jane Gunner (until 29 November 2010)

Committee Support Assistant: Ms Kim Cowcher

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# 1. INTRODUCTION

## **Establishment of Committee**

The Standing Committee on Legal and Constitutional Affairs (LCAC) is established by Standing Order 21B of the Legislative Assembly of the Northern Territory (at Appendix A).

## **Additional Terms of Reference**

At the establishment of the Committee for the 11<sup>th</sup> Assembly on 9 September 2008 the Legislative Assembly resolved:

1. The Standing Committee on Legal and Constitutional Affairs shall inquire, consider, make recommendations and report to the Assembly from time to time on:
  - (a) any matter concerned with legal or constitutional issues, including law reform, parliamentary reform, administrative law, legislative review and inter-governmental relations;
  - (b) the legal or constitutional relationship between the Northern Territory and the Commonwealth;
  - (c) any proposed changes to that legal or constitutional relationship, including the admission of the Northern Territory as a new state of the Commonwealth; or
  - (d) any proposed changes to the Commonwealth Constitution that may affect the Northern Territory and/or its residents;
  - (e) with the approval of the Attorney-General, any other matter concerning the relationship between the Northern Territory and the Commonwealth and/or the states in the Australian federation;
2. The Legal and Constitutional Affairs Committee may meet with any other State or Commonwealth Parliamentary Committees to inquire into matters of mutual concern.
3. The Northern Territory Statehood Steering Committee continues in existence with the same terms of reference adopted by resolution of the Ninth Assembly on 17 August 2004 and as amended on 24 March 2005.

4. Resolutions or business transacted by the previous Legal and Constitutional Affairs Committee are taken to be the resolutions of this Committee, unless otherwise amended.
5. The Legal and Constitutional Affairs Committee shall report to the Assembly as soon as possible after 30 June each year on its activities during the preceding financial year.

Subsequently, with the completion of the work of the Statehood Steering Committee and its recommendation that a constitutional convention committee be established to assist with the preparation of a convention, the Assembly resolved on 2 December 2010 that the reference to the Legal and Constitutional Affairs Committee passed by the Assembly on 9 September 2008 be amended by adding the following paragraphs:

6. The Committee shall appoint a Northern Territory Constitutional Convention Committee (NTCCC) to report to the Standing Committee from time to time to assist with the implementation of the Statehood Program as determined by the Standing Committee leading up to and including a Constitutional Convention.
7. The membership, chairs, functions and procedures of the NTCCC shall be as determined by the Standing Committee from time to time.
8. The sitting fees of members of the NTCCC shall be as determined by the Speaker.

### **Functions of the Committee**

The LCAC derives its authority from the *Northern Territory (Self-Government) Act* (Cth), the *Legislative Assembly (Powers and Privileges) Act* (NT) and Standing Orders of the Northern Territory Legislative Assembly.

Under its Terms of Reference, the LCAC can inquire into and report to the Legislative Assembly on any matter referred to it by the Attorney-General or the Legislative Assembly as well as any issue in connection with a legal or constitutional matter affecting the NT as the Committee deems necessary.

### **Powers of the Committee**

Under its Terms of Reference the Committee has power to appoint sub-committees and to refer to any such sub-committee any matter that it is

empowered to examine. Three members constitute a quorum of the Committee and three members constitute a quorum of a sub-committee.

The Committee or any sub-committee also has the power to:

- (a) send for persons, papers and records;
- (b) to adjourn from place to place;
- (c) to meet and transact business in public or private session;
- (d) to sit during any adjournment of the Assembly;
- (e) print from day to day such papers and evidence as may be ordered by it; and
- (f) unless otherwise ordered by the Committee, a daily *Hansard* shall be published of such proceedings of the Committee as they take place in public.

No subcommittees were established during the reporting period.

## 2. COMMITTEE PROGRAM

### Meetings

During the reporting period the Committee met seven times, as set out in the following table.

**Table 1: Summary of Deliberative Meetings**

<b>NO.</b>	<b>DATE</b>	<b>KEY AGENDA ITEMS AND RESOLUTIONS PASSED</b>
12	27 July 2010	<ul style="list-style-type: none"> <li>• Statehood – discussed having 3 delegates plus a reserve from each Assembly electoral division and panels of experts, a two phase constitutional convention, compulsory election, the establishment of a Convention Committee, the winding up of the Statehood Steering Committee and the continuation of the Office of Statehood.</li> <li>• NSW inquiry into Members on juries – discussed invitation to make a submission.</li> </ul>
13	12 August 2010	<ul style="list-style-type: none"> <li>• Statehood – considered the establishment of a Constitutional Convention committee, inviting the Electoral Commissioner, expert panellists, Chairing the Convention and meeting with Federal parliamentarians.</li> <li>• NSW inquiry into Members on juries – agreed to submission.</li> </ul>
14	20 October 2011	<ul style="list-style-type: none"> <li>• Statehood – arrangements for meeting with Federal Ministers and parliamentarians</li> <li>• LCAC Annual Report</li> <li>• Reference into the form of the NT Parliament – consideration of conducting a benchmarking exercise on the NT Parliament</li> </ul>
15	24 November 2010	<ul style="list-style-type: none"> <li>• Statehood – deferral of visit to Canberra, dissolution of Statehood Steering Committee, Membership and arrangements for Constitutional Convention Committee, Convention panellists, election of delegates, Convention Chairs, the Office of Statehood and funding.</li> <li>• Reference into the form of the NT Parliament – further consideration of benchmarking of the NT Parliament</li> <li>• Reform of the Australian Federation – invitation to hearing from Senate Committee.</li> </ul>
16	18 January 2011	<ul style="list-style-type: none"> <li>• Statehood – panellists, updating the Northern Land Council, the inclusion of 16 year olds in the election of delegates, reports of the Statehood Steering Committee, proposals for legislation and funding for the election and convention, visit to Canberra.</li> </ul>
17	23 February 2011	<ul style="list-style-type: none"> <li>• Statehood – correspondence with four Land Councils,</li> <li>• Reform of the Australian Federation – appearance before Senate Committee.</li> </ul>
18	5 May 2011	<ul style="list-style-type: none"> <li>• Statehood – rescheduling of convention and election, convention venue.</li> </ul>

## **Inquiry References**

### **Grant of Statehood for the NT Reference**

On 18 June 2003, the then Chief Minister referred to the LCAC the Northern Territory Government's recommitment to the achievement of Statehood under certain conditions, including that the process would be community driven.

In February 2004, the LCAC recommended that a Statehood Steering Committee be established consisting of members of the Standing Committee as well as representatives of major stakeholders and others from around the Northern Territory, to advise and assist the Standing Committee in the achievement of a grant of Statehood. On 17 August 2004 the Legislative Assembly endorsed the Terms of Reference developed by the Standing Committee for such a body and authorised that the LCAC to appoint members to the body. The Statehood Steering Committee was continued by resolutions of the 10<sup>th</sup> and 11<sup>th</sup> Assemblies on 29 June 2005 and 9 September 2008.

The Statehood Steering Committee completed its work during the reporting period and recommended a Constitutional Convention Committee be established to advise the LCAC on preparations for the Convention.

On 2 December 2010, the Assembly resolved to amend the reference to the Committee to include the establishment of the Northern Territory Constitutional Convention Committee to report to the LCAC to assist with the implementation of the Statehood Program leading up to and including a Constitutional Convention.

The work regarding Statehood is outlined in the following chapter.

### **Proposed Inquiry into the Form of Parliament at Statehood**

At Meeting No. 6 of the Committee on 6 May 2009, the LCAC resolved to undertake an inquiry into the possible form of parliament the NT could have in the event that Statehood is achieved. In response to that resolution, during the reporting period, the Committee gave consideration to benchmarking the NT Parliament using the framework developed by the Commonwealth Parliamentary Association and World Bank Institute.

## **Reports**

During the period, the Committee tabled the following reports:

- Annual Report 2009 – 2010
- Statehood Steering Committee, Final Report and Recommendations to the Legislative Assembly Standing Committee on Legal and Constitutional Affairs
- Towards Northern Territory Statehood: Issues for Consideration

## **Future Program**

The Committee will continue to plan for the NT Towards State 7 Constitutional Convention with the assistance of the NTCCC. The critical dates for the convention are:

Opening of nominations: 27 January 2012

Election for delegates: 24 March 2012

Constitutional Convention (Darwin): 21-29 April 2012

Reconvening of Constitutional Convention (Alice Springs): 2013



### **3. STATEHOOD PROGRAM**

The Committee made significant progress with its Statehood reference during the reporting period, including:

- the completion of the work of the Statehood Steering Committee;
- submitting the recommendations of the SSC to the Government for consideration;
- progressing the Statehood Program as recommended by the SSC by:
  - establishing the NTCCC to advise on the details for the Constitutional Convention;
  - developing proposals for the election of delegates and conduct and structure of the convention; and
  - making necessary preparations for the holding of the convention, including providing direction on the invitation of panellists, the logistical needs of the convention, and publicity and promotion.

In noting the recommendations of the SSC, members of the Assembly expressed their support.

The Government adopted the recommendations of the SSC and on 17 June 2011 the Chief Minister and Leader of the Opposition together announced the plan to hold the Convention from 21 to 29 April 2012.

While the SSC had recommended the Convention be held in November 2011, the Government decided that the election of delegates to the Convention should coincide with local government elections to be held on 24 March 2012. The LCAC therefore recommended that the convention be re-scheduled for 21 to 29 April 2012.

#### **Statehood Steering Committee**

During the reporting period, the Statehood Steering Committee completed its community consultation and public education, having held 50 public forums throughout the Territory during 2010.

With the completion of its consultation work, the SSC made 10 recommendations for the Statehood Program, setting out a framework for the development of a draft constitution, including holding a constitutional convention with elected delegates meeting first in Darwin and the following year in Alice Springs.

The recommendations also included the conclusion of the SSC and the establishment of the Northern Territory Constitutional Convention Committee to advise the LCAC on preparations for the convention.

NO.	DATE	KEY ISSUES
26	28 July 2010	<ul style="list-style-type: none"> <li>• Discussions with Minister for Statehood, Director, Territory 2030 Implementation Unit, NT Electoral Commission</li> <li>• Considered draft Terms and Conditions of Statehood Discussion Paper</li> <li>• Discussed final reporting and completion of the SSC's work, forums, and holding a convention.</li> </ul>
27	6 December 2010	<ul style="list-style-type: none"> <li>• Joint meeting with LCAC</li> <li>• Briefing by Minister for Statehood</li> <li>• Adoption of Final Report and Recommendations</li> <li>• Adoption of Information Paper on the Terms and Conditions of Statehood</li> </ul>

The LCAC tabled the Information Paper on the Terms and Conditions of Statehood and Final Report and Recommendations in February 2010.

### **Northern Territory Constitutional Convention Committee**

In response to the Statehood Steering Committees recommendations and in accordance with the resolution of the Assembly, the LCAC appointed the NTCCC to advise it on the implementation of the Statehood program and the holding of the Constitutional Convention.

The members of the Committee were:

- Hon Jane Aagaard MLA (Chair)
- Ms Fran Kilgariff (Co-Chair)
- Ms Kezia Purick MLA
- Ms Marion Scrymgour MLA
- Ms Lynette De Santos
- Mr John Rawnsley

- Mr Matthew Story
- Prof George Williams AO

The meetings of the NTCCC, and the major issues for its consideration, are set out in the table below.

<b>NO.</b>	<b>DATE</b>	<b>KEY ISSUES</b>
1	13 December 2010	<ul style="list-style-type: none"> <li>• Office of Statehood staff and reporting</li> <li>• Roles of LCAC and NTCCC</li> <li>• Year ahead</li> </ul>
2	19 January 2011	<ul style="list-style-type: none"> <li>• Panellists for the convention</li> <li>• Drafting of a constitutional framework document</li> <li>• Report on discussions with Electoral Commissioner</li> <li>• Election process</li> <li>• Convention logistics</li> <li>• Public information campaign</li> </ul>
3	25 February 2011	<ul style="list-style-type: none"> <li>• Discussion held with Northern and Central land councils</li> <li>• Drafting of a constitutional framework document</li> <li>• Research on convention processes</li> <li>• Funding submission to Government</li> <li>• Convention logistics</li> <li>• Public information campaign</li> </ul>
4	29 March 2011	<ul style="list-style-type: none"> <li>• Conduct of previous conventions</li> <li>• Convention process – draft convention program and rules</li> <li>• Recommended commissioning A/Prof Twomey to draft constitutional framework document</li> <li>• Convention venue</li> </ul>
5	6 May 2011	<ul style="list-style-type: none"> <li>• Convention process – draft convention program and rules</li> <li>• Drafting of framework document</li> <li>• Convention venue</li> </ul>
6	17 June 2011	<ul style="list-style-type: none"> <li>• Panellists</li> <li>• Report on meeting with LGANT</li> <li>• Written brief to Land Councils</li> <li>• Convention process – draft convention program and rules</li> <li>• Report on meeting with Electoral Commissioner</li> <li>• Public information campaign</li> </ul>

## **APPENDICES**

### **Appendix A: Standing Committee on Legal and Constitutional Affairs Terms of Reference (Section 21B of the Standing Orders)**

#### **21B<sup>10</sup> LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE**

- (1) A committee to be known as the Committee on Legal and Constitutional Affairs shall be appointed at the commencement of each Assembly to inquire, report and make recommendations upon such constitutional and legal matters as may be referred to it by:
  - (a) the Attorney-General; or
  - (b) resolution of the Assembly.
- (2) <sup>11</sup>The committee shall consist of 5 members.
- (3) Any appointed alternate opposition member may participate in a meeting of the committee or sub-committee as if they were a full member provided only that two opposition alternate members shall vote at a deliberative meeting of a committee or sub-committee.
- (4) Any appointed alternate government member may participate in a meeting of the committee or sub-committee as if they were a full member provided only that three government members shall vote at a deliberative meeting of a committee or sub-committee.
- (5) In the event of an equality of voting, the Chair shall have a casting vote.
- (6) The committee have power to appoint subcommittees and to refer to any such subcommittee any matter which the committee is empowered to examine.
- (7) Three members of the committee constitute a quorum of the committee and three members of a subcommittee constitute a quorum of the subcommittee.
- (8) The committee or any subcommittee have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly.
- (9) The committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the committee, a daily Hansard shall be published of such proceedings of the committee as take place in public.
- (10) The committee have leave to report from time to time and any member of the committee has power to add a protest or dissent to any report.

- (11) Unless otherwise ordered by the committee, all documents received by the committee during its inquiry shall remain in the custody of the Assembly provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the department or person from whom it was obtained.
- (12) Members of the public and representatives of the news media may attend and report any public sessions of the committee, unless otherwise ordered by the committee.
- (13) The committee may authorise the televising of public hearings of the committee under such rules as the Speaker considers appropriate.
- (14) The committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the committee
- (15) The committee be empowered to consider the minutes of proceedings, evidence taken and records of similar committees established in previous Assemblies.
- (16) The foregoing provisions of this resolution, so far as they are inconsistent with standing orders, have effect notwithstanding anything contained in the Standing Orders.

<sup>10</sup> SO21B New Standing Order, adopted 20 August 1998, (Minutes page 210).

<sup>11</sup> SO21B Amended and adopted new membership to 7 on 14 October 1998, (Minutes page 244).

## **Appendix B: Extracts from the NT Statehood Steering Committee Terms of Reference**

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### **Establishment of a Northern Territory Statehood Steering Committee**

- (2) Pursuant to the resolution of the Standing Committee of 25 June 2004, an advisory committee to the Standing Committee called the Northern Territory Statehood Steering Committee (the Statehood Steering Committee) is hereby established.

### **Purpose of the Northern Territory Statehood Steering Committee**

- (3) The purpose of the Northern Territory Statehood Steering Committee is to provide advice and assistance to the Standing Committee on matters concerning the Northern Territory's ongoing constitutional development that may also be tied to a future grant of Statehood and in particular:
- (a) provide advice to the Standing Committee in reviewing the process of constitution-making in the Northern Territory to date, for the purpose of developing recommendations on a Constitution for the new State and the principles upon which it should be drawn and the method to be adopted to have a draft new state Constitution approved by or on behalf of the people of the Northern Territory;
  - (b) in reviewing the process of constitution-making in the Northern Territory to date, the Statehood Steering Committee may, as it considers appropriate, have regard to:
    - (i) the form and content of the draft constitution in the Report that was prepared by the former Parliamentary Committee on Constitutional Development and was tabled in the Legislative Assembly on 27 November 1996 and the draft constitution that was the outcome of the Constitutional Convention held during the period 26 March to 9 April 1998 that was tabled in the Legislative Assembly on 13 August 1998;
    - (ii) such reports and papers that have been tabled in the Legislative Assembly (including those from the former

- Parliamentary Committee on Constitutional Development) from time to time relating to the matter of Northern Territory Statehood, and the debates in the Assembly on those reports and papers; and
- (iii) any other reports, submissions, papers and documents relating to the matter of Northern Territory Statehood and constitutional development, whether or not they have been tabled in the Legislative Assembly;
  - (c) provide advice to the Standing Committee in identifying and developing strategies and programs in educating the Northern Territory community on Statehood and constitutional development; and
  - (d) provide assistance to the Standing Committee in undertaking a role in promoting the awareness of Statehood and constitutional development to the Northern Territory community.

**Life of the Northern Territory Statehood Steering Committee**

- (4) The Statehood Steering Committee shall come into existence on the day that these Terms of Reference are endorsed by resolution of the Standing Committee and shall continue to exist until:
  - (a) the Administrator prorogues the Legislative Assembly, pursuant to section 22(1) of the Northern Territory (Self-Government) Act 1978; or
  - (b) the Standing Committee and the Statehood Steering Committee have mutually agreed to dissolve the Statehood Steering Committee, which will take effect upon the date fixed by resolution of the Standing Committee.
- (5) If the Statehood Steering Committee ceases to exist under clause 4 (a) and upon the Administrator giving notice of the holding of a session of the Legislative Assembly, pursuant to section 22 (2) of the Northern Territory (Self-Government) Act 1978 and subject to the Standing Orders and Sessional Orders of the Legislative Assembly, the Standing Committee may resolve to re-establish the Statehood Steering Committee on such terms and conditions as it thinks fit.

**5A. CONTINUANCE OF ADMINISTRATIVE FUNCTION**

Despite clauses 4 and 5, members of the Statehood Steering Committee who are not members of the Legislative Assembly continue

in office until the Assembly first meets following prorogation of the Assembly.

The Members who continue in office under sub-clause (1) may carry out the administrative functions of the Statehood Steering Committee and any other activities of the Statehood Steering Committee previously authorised by the Legal and Constitutional Affairs Committee but must not carry out any other functions or activities.

### **Composition of the Statehood Steering Committee**

- (6) The Statehood Steering Committee shall comprise the following membership:
- (a) the Member of the Legislative Assembly of the Northern Territory, appointed for the time being to the Standing Committee and who has been elected as Chairman of the Standing Committee, pursuant to the Standing and Sessional Orders, to hold the office of Chairman;
  - (b) a person residing in the Northern Territory who, in the Standing Committee's opinion, has a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood, being a person not being a member of the Statehood Steering Committee under clauses 6 (a) or (c), appointed by the Standing Committee to hold the office of Co-Chair;
  - (c) 2 Members of the Legislative Assembly of the Northern Territory appointed for the time being to the Standing Committee and chosen from time to time by the Standing Committee;
  - (d) such other persons, not being Members of the Legislative Assembly, the number to be determined by the Standing Committee, residing in the Northern Territory who have a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood, being a person appointed by the Standing Committee from among applicants following public advertisement in the media as the Standing Committee thinks fit;
  - (e) the Standing Committee, when considering appointments to the Statehood Steering Committee under the preceding clause may take into account the following stake-holder groups:
    - (i) Northern Territory Indigenous groups/organisations;



- (ii) Northern Territory municipal, local and community governments;
  - (iii) Business and pastoral groups/organisations;
  - (iv) Trade Unions and Industry groups/organisations;
  - (v) Ethnic community groups/organisations;
  - (vi) Educational or marketing institutions, groups or organisations;
  - (vii) Women's organisations;
  - (viii) Northern Territory Council of Churches and the Ministers Fraternal and other religious groups;
  - (ix) Specific pressure, lobby or interest groups, that have a commitment to the achievement of Statehood for the Northern Territory;
  - (xii) Young Territorians; and
  - (xiii) Senior Territorians.
- (f) notwithstanding clause 6 (e) the Standing Committee may also appoint other persons residing in the Northern Territory who, in its opinion, have a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood; and
- (g) Statehood Steering Committee members, other than members of the Standing Committee, are appointed for the life of the Statehood Steering Committee, but in any case may be discharged from office at any time by the Standing Committee.
- (h) The total number of Statehood Steering Committee members is not to exceed 25.

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**Steering Committee Executive Group**

- (20) There shall be a Steering Committee Executive Group of the Statehood Steering Committee (the Executive Group) which shall comprise:
- (a) the Chairman and the Co-Chair;
  - (b) 2 members of the Standing Committee chosen by the Standing Committee under clause 6 (c); and
  - (c) 2 members of the Statehood Steering Committee (other than a member of the Standing Committee) who have been members of the Statehood Steering Committee for a period of at least 12 months, elected annually by the members of the Statehood Steering Committee at its first meeting following this condition

coming into effect and subsequently at its first meeting of each calendar year. Such members will hold office for one year but are able to nominate for re-election.

- (21) Vacancies in respect of the membership of the Executive Group shall be filled in the same manner as required by these Terms of Reference for the appointment in respect of which there is a vacancy.
- (22) The Chairman shall be Chair of the Executive Group.
- (23) In the temporary absence of the Chairman to preside over a meeting of the Executive Group, or in event of his or her temporary inability to preside, his or her powers and duties shall be exercised and performed by a member of the Standing Committee who is a member of Executive Group and who has been elected by the Standing Committee members of the Executive Group to act as Chair for that meeting.
- (24) Meetings of the Executive Group shall not be open to the public unless otherwise ordered by the Executive Group.
- (25) The Executive Group shall have the following duties and functions, in addition to any other duties and functions in these Terms of Reference:
  - (a) to consider and report to the Standing Committee upon such changes to the Terms of Reference of the Statehood Steering Committee and changes in organisation of the Statehood Steering Committee as shall be referred to it by the Statehood Steering Committee;
  - (b) to oversee the administration and conduct of the Statehood Steering Committee, including the planning for finances, personnel, printing and physical arrangements of the Statehood Steering Committee and its officers and staff, and related matters, including the scheduling of dates and times for meetings of the Statehood Steering Committee and the designation of locations for any meetings, including any of its Select Working Committees and other committees;
  - (c) to examine and consider all proposals for inclusion or otherwise to the Statehood Steering Committee Program;
  - (d) to meet on such dates and at such times and at such places as the Chairman determines from time to time;
  - (e) to assist the Statehood Steering Committee in determining the matter, membership, powers and procedures of committees established by the Statehood Steering Committee;

- (f) to assist the Statehood Steering Committee in examining and considering all proposals and all other matters not germane to the work of committees established by the Statehood Steering Committee and make recommendations to the Statehood Steering Committee for action thereon;
- (g) to organise the call for and receive submissions from the public on any matter relevant to the work of the Statehood Steering Committee;
- (h) to organise the holding of public sessions of the Statehood Steering Committee;
- (i) to consider and report to the Statehood Steering Committee upon any other matters referred to it by the Standing Committee; and
- (j) to report from time to time to the Standing Committee on the matters undertaken by the Executive Group in pursuance of these Terms of Reference.

**Appendix C: Resolution Establishing the Northern Territory Constitutional Convention Committee**

Extract from Legislative Assembly Minutes of 2 December 2010

**8. LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE – AMENDMENT OF TERMS OF REFERENCE – MOTION AGREED TO:**

The Leader of Government Business (Dr Burns), pursuant to notice, moved - That, the reference to the Legal and Constitutional Affairs Committee passed by the Assembly on 9 September 2008 be amended by adding the following paragraphs:

(6) The Committee shall appoint a Northern Territory Constitutional Convention Committee (NTCCC) to report to the Standing Committee from time to time to assist with the implementation of the Statehood Program as determined by the Standing Committee leading up to and including a Constitutional Convention.

(7) The membership, chairs, functions and procedures of the NTCCC shall be as determined by the Standing Committee from time to time.

(8) The sitting fees of members of the NTCCC shall be as determined by the Speaker.

Debate ensued.

Question – put and passed.