



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Information Manual

ESTIMATES COMMITTEE

PUBLIC HEARINGS

Monday 19 – Wednesday 21 June 2017

As at 30 May 2017

This document has been produced to provide information to agency and Ministerial officers on the administrative and procedural arrangements for the Estimates Committee for 2017.

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1 INTRODUCTION

1.1 Establishment and Authority of the Committees

- 1.1.1 The Estimates Committee was established by a resolution of the Legislative Assembly on 11 May 2017 (see Appendix A). That resolution provides the primary rules for the operation of the Committee.
- 1.1.2 The Committee is also empowered by, and subject to, applicable Standing Orders of the Legislative Assembly. In particular, Standing Order 109 regarding questions, Chapter 16 and Standing Order 210 apply (Appendix B, C & D).
- 1.1.3 The Committee is also governed, and empowered by, the *Legislative Assembly (Powers and Privileges) Act*.

1.2 Matters Considered by the Estimates Committee

- 1.2.1 The role of the Estimates Committee is to examine and report on the:
- (a) estimates of proposed expenditure contained in the Appropriation (2017-2018) Bill (the Appropriation Bill) and related budget documents:
 - 1. Budget 2017-18 Budget Paper No. 1, Speech
 - 2. Budget 2017-18, Budget Paper No. 2, Budget Strategy and Outlook
 - 3. Budget 2017-18, Budget Paper No. 3, Agency Budget Statements
 - 4. Budget 2017-18, Budget Paper No. 4, The Infrastructure Program
 - 5. Budget 2017-18, Northern Territory Economy
 - 6. Budget 2017-18, Regional Highlights
 - 7. Budget 2017-18, Northern Territory Economy Overview
 - 8. Budget 2017-18, Budget Overview
 - (b) activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy and Territory Generation, with reference to those corporations' Statements of Corporate Intent 2017-18, and
 - (c) the performance of Agencies as outlined in their Annual Reports.

1.3 Membership

1.3.1 On 11 May 2017, the Assembly appointed the following Members to the Estimates Committee:

Ms Ngaree Ah Kit, MLA, Member for Karama (Chair)

Mr Gary Higgins, MLA, Member for Daly (Deputy Chair)

Mrs Robyn Lambley, Member for Araluen

Mr Terry Mills, MLA, Member for Blain

Ms Sandra Nelson, MLA, Member for Katherine

Mr Chansey Paech, MLA, Member for Namatjira

Ms Selena Uiibo, MLA, Member for Arnhem

1.3.2 Any Members of the Assembly may participate in the Committees' public hearings, provided that at any time a quorum of 3 members of the Estimates Committee is maintained (SOs 184 & 193(2)). Proxy Members can also make up the quorum if previously nominated to the Chair in writing.

1.3.3 A form for nominating proxies is at Appendix G. Proxies can also be nominated by email.

1.4 Method of Operation

1.4.1 The Committee will hold hearings for up to 30 hours in relation to the estimates of proposed expenditure contained in the Appropriation Bill and related budget documents, and Government Owned Corporations' Statements of Corporate Intent on:

- Monday, 19 June 2017
- Tuesday, 20 June 2017
- Wednesday, 21 June 2017

1.4.2 At these hearings, the Committee may ask questions of the responsible Minister and Department about each output in the Budget. The Ministers are to attend the Committee's hearings at the scheduled time and should be accompanied by the agency officers that the Minister considers appropriate to assist in answering questions on the Budget outputs under consideration.

1.4.3 Questions relating to proposed expenditure and outputs are directed to the relevant Minister. A Minister may refer a line of questions to an agency officer and may intervene and take back the questions at any time.

- 1.4.4 The Committee shall issue schedules setting out the dates of appearance by Ministers and the order in which budget outputs will be considered.
- 1.4.5 Hearings relating to Government Owned Corporations operate in a similar manner, except that questions are put to the relevant Board Chair in the first instance, and there is no scheduled order for issues for questioning.
- 1.4.6 A further round of hearings for up to 30 hours in relation to Agencies' Annual Reports will be held on:
- Tuesday, 28 November 2017
 - Wednesday, 29 November 2017
 - Thursday, 30 November 2017

2 ATTENDANCE AT HEARINGS

2.1 Order of Appearance by Ministers

2.1.1 For the June hearings on the estimates of proposed expenditure contained in the Appropriation Bill and on the Government Owned Corporations' Statements of Corporate Intent, the Committee has agreed to the following schedule for hearings:

Monday, 19 June 2017

8.00 am Hon. Nicole Manison, MLA

2.00 pm Hon. Michael Gunner, MLA

7.00 pm Close

Tuesday, 20 June 2017

8.00 pm Hon. Natasha Fyles, MLA

12.30 pm Hon. Kezia Purick, MLA

1.00 pm Hon. Gerald McCarthy, MLA

4.30 pm Hon. Ken Vowles, MLA

6.30 pm Close

Wednesday, 21 June 2017

8.00 am Hon. Lauren Moss, MLA

10.00 am Hon. Eva Lawler, MLA

1.30 pm Hon. Dale Wakefield, MLA

5.00 pm Power and Water Corporation

5.30 pm Jacana Energy

6.00 pm Territory Generation

6.30 pm Close

2.1.2 The Committee will issue a detailed schedule indicating the order each Budget output will be considered. Agencies should be prepared to support the relevant Minister whenever an output under their administration is scheduled for consideration. For example, the Department of the Attorney-General and Justice will need to be available at the time of the appearance of the Minister for Health when considering the Health and Community Services Complaints Commission.

2.1.3 The schedule of appearance for the Speaker, Ministers and Board Chairs for the November hearings on Agencies' Annual Reports will be issued closer to the time.

2.2 Committee Support

- 2.2.1 The Department of the Legislative Assembly's Committee Office, under the Chair's direction, is responsible for administration and other operational matters for the Committee.
- 2.2.2 The Committee Office staff are available to assist all Members, and Ministerial and Agency officers on matters relating to the Estimates Committee process. The Committee Office can be contacted on 8946 1485 or Estimates.LA@nt.gov.au.

2.3 Entry of Witnesses to Parliament House

- 2.3.1 Entry will be through the main entrance to Parliament House, State Square. The direction through to the Litchfield Room on Level 3 will be signposted and assistance will be provided by front of house security staff in directing witnesses to the appropriate lift.

2.4 Lists of Witnesses

- 2.4.1 Departmental contact lists should be provided to the Committee Secretary in advance of the Estimates Committee hearings. The list should contain the courtesy title, name and job title of each witness. Last minute changes to the published list must be advised to the Committee Secretariat by telephone on 8946 1485 or email to Estimates.LA@nt.gov.au.

2.5 Appearing Before the Committee

- 2.5.1 Witnesses will be seated at tables opposite the Committee and immediately in front of the gallery to give evidence.
- 2.5.2 Typically, the Minister or Board Chair will be accompanied by the relevant Chief Executive for the outputs under consideration. Other officers who might be required to give evidence may be seated at the table if space allows or may sit in the gallery and be called to the table if required. Up to six witnesses can sit at the table.
- 2.5.3 To assist accurate recording, witnesses should identify themselves before speaking, both when first introduced to the Committee and whenever re-entering the discussion.
- 2.5.4 Each microphone at the table can be turned on or off by pressing the button on its base.

2.6 Documents Provided by Witnesses

2.6.1 If departments intend to provide any documents prior to or at the hearing they must supply at least eight copies unless otherwise agreed.

2.7 Facilities for Witnesses and Government Officers

2.7.1 The Elsey Room, which is opposite the Litchfield Room where the hearings will be held, will be available to witnesses and other Government officers as a waiting and communications room. The room will have:

- tea and coffee,
- television coverage of the hearing,
- computer, printer and phone,
- WiFi and cable access to the NT Government network.

2.7.2 Users of the Elsey Room are reminded to keep noise to a minimum so as not to interfere with the hearing and to allow other users listening to proceedings to hear.

2.7.3 WiFi will be available in the Litchfield and Elsey rooms for those set up to access the NT Government wireless network. Those intending to use WiFi will need to ensure their agency has given them appropriate access before attending the hearing. As they are on a separate network, Police, Education and Power and Water need to make prior arrangements to be able to gain access to their networks via Parliament House WiFi or cables.

2.8 Mobile Phones and Tablet Computers

2.8.1 Mobile phones must be silent and no conversations should be conducted in or near the Litchfield Room. As noted above, the NT Government wireless network will be accessible.

2.9 Catering

2.9.1 Tea and coffee will be available to departmental officers in the Elsey Room.

2.9.2 The Speaker's Corner Cafe will be open from 7.30 am to 4.00 pm.

2.9.3 With advance notice, the cafe can also provide catering outside this time. For further details, menus and order forms call 8946 1439 or go to http://karensheldoncatering.com/speakers_corner_cafe.

2.9.4 Self catering for functions is not permitted in Parliament House.

3 CONDUCT OF THE HEARINGS

3.1 Venue

3.1.1 Estimates Committee public hearings are to be held in the Litchfield Room on Level 3 of Parliament House.

3.2 Basic Procedures

3.2.1 When the Estimates Committee considers proposed expenditure, the Chair shall declare the proposed expenditure open for examination and call for questions.

3.2.2 The Chair exercises a deliberative vote and, in the event of an equality of votes, a casting vote.

3.2.3 Participating Members who are not members or a proxy for a member of the Committee may not move motions or vote on any matters before the Committee.

3.2.4 The quorum of the Committee is three of the Members of the Committee or their proxies.

3.2.5 Motions relating to the substance of the proposed expenditure are not moved during public hearings. Rather, they may be dealt with at deliberative meetings at which the Committee determines the contents of its report to the Legislative Assembly.

3.2.6 Committee Members may move motions on and debate procedural issues, such as deferral of items until later in the day's hearing. If any debate is likely on a procedural motion, the Committee will go into private session.

3.3 Swearing of Witnesses

3.3.1 Witnesses are **not** normally sworn prior to questioning.

3.4 Scope of Questions (Admissibility) and the Role of the Chair

3.4.1 The Minister or Board Chair answering a question may call upon agency officers to provide relevant information. Officers may answer questions at the request of the Minister or Board Chair, but shall not be required to comment on policy matters.

3.4.2 Any questions going to the operations or financial positions of the departments and agencies which seek funds in the estimates are relevant questions for the purpose of Estimates hearings. While the scope of relevance is broad and latitude in questioning allowed, Standing Order 109 and the need for relevance do apply.

In particular, questions must be relevant to the output under consideration at the time, and once passed an output will not normally be revisited.

- 3.4.3 It can be expected that the discussion will range from items of detail to broad policy matters. As a general guide, the Chair will normally leave it to the Minister or Board Chair appearing to raise any objection to the scope or relevance of questioning.
- 3.4.4 In allocating the call, the Chair shall maintain the order as detailed in her opening address.
- 3.4.5 If a dispute by a Member as to the admissibility of a question does arise, the Chair will give a ruling. If any objection is made to a ruling of the Chair, such objection must be taken at once and the Committee will go into a private deliberative session to resolve the matter.

3.5 Recording of Proceedings (Hansard)

- 3.5.1 The Estimates Committee hearing will be recorded and transcribed by *Hansard*.
- 3.5.2 Transcripts of each day's hearings will be uploaded to the Committee's website at <https://parliament.nt.gov.au/committees/estimates-committee-2017> the following morning. Progress of the Estimates hearings can also be followed on Twitter. The Northern Territory Legislative Assembly can be found at <https://twitter.com/LegAssemblyNT> or via @LegAssemblyNT.
- 3.5.3 Members of the Assembly requiring a Hansard rush should use the same procedures and forms as for Assembly Hansard rushes.

3.6 Broadcasting and Media Access

- 3.6.1 The hearings will be broadcast within Parliament House and on the Internet unless the Committee orders otherwise. The webcast will be available from <https://parliament.nt.gov.au/about-parliament/broadcast-and-media-accreditation/video-broadcast>
- 3.6.2 Standing Order 228 authorises the broadcast of the hearings, subject to the Speaker's Determination DLA05 and any conditions or restrictions agreed by the Committee (see Appendix E).
- 3.6.3 Media will have access to the public galleries. An audio feed will be available from the media outlet panel at the back of the Litchfield Room and video will be available through the Chamber broadcast room off the Main Hall on level 2.

3.7 Material Received at Hearings

- 3.7.1 Documents may be presented to the Committee during their hearings. Unless the Committee orders otherwise, documents presented to it are deemed to have been made public.

3.8 Confidential Documents

- 3.8.1 The Committee may resolve to treat a document presented to it as confidential. However, the Committee or the Assembly may, at a later time, order the publication of a document originally presented on a confidential basis.
- 3.8.2 Any requests for confidentiality should be made very clear to the Committee and witnesses are to be made aware of the conditions above.

3.9 Written Questions

- 3.9.1 On 9 May 2017 the Assembly adopted the recommendations that “the written questions system under Chapter Eight of the Standing Orders be the only system used for questions in advance for Estimates hearings” and that “the time within which a Minister must respond to written questions should be modified so that any written question asked within a week of the introduction of an appropriation Bill must be responded to at least one clear day before the first day of the Estimates hearings.”
- 3.9.2 Written questions relating to matters before Estimates may be asked through the Assembly’s normal written questions process under Standing Orders 113-114. There is no alternative written questions process for the Estimates hearings.

3.10 Questions Taken on Notice

- 3.10.1 At the discretion of the Ministers or Board Chairs, questions asked at hearings may be taken ‘on notice’ and subsequently answered in writing.
- 3.10.2 The Chair will ensure that the terms of a question on notice are clarified and will allocate the question a number.
- 3.10.3 After the production of the transcript for the hearing, the Committee Secretary will upload the questions and, where applicable, answers to the Questions Taken on Notice table on the Estimates Committee’s webpage at <https://parliament.nt.gov.au/committees/estimates-committee-2017> .
- 3.10.4 There is no prescribed format for answers to Questions taken on notice. However, a suggested template is at Appendix F and a word version is also available on the Committee’s webpage.

- 3.10.5 The suggested procedure for agencies to use when providing Ministers with draft answers to Questions taken on notice is to prepare a ministerial briefing with a letter to the Chair of the Estimates Committee attaching the answers.
- 3.10.6 Unless the Committee orders an earlier date, answers to questions taken on notice during the June hearings must be provided to the Committee Secretariat by **13 July 2017**.
- 3.10.7 Electronic copies of the answers should be forwarded to the Committee Secretariat at: Estimates.LA@nt.gov.au.

3.11 *In-Camera* Hearings

- 3.11.1 All hearings of the Committee are open to the public unless the Committee orders otherwise.
- 3.11.2 If an answer to a question includes information of a confidential nature, the witness may ask that the evidence be taken *in camera* and give reasons for that request. The Committee will then decide whether to close that part of the hearing to the public.

3.12 Other Matters

- 3.12.1 Unless otherwise provided in the Assembly's resolution establishing the Committee, the general rules applying to Assembly committees apply. Please refer to the Legislative Assembly of the Northern Territory *Committee Manual* for further information.¹

¹ <https://parliament.nt.gov.au/committees/committee-manuals-and-guidelines>

4 AFTER THE HEARING

4.1 Distribution of Hansard

- 4.1.1 The *Hansard* report of the hearings will be posted on the Committee's website the following morning.
- 4.1.2 Agency officers and ministerial staff wishing to be informed when the transcript will be available should contact the Committee Secretariat on telephone 8946 1485.

4.2 Corrections to Hansard

- 4.2.1 Ministers and Agency officers who give evidence are required to submit any corrections directly to *Hansard* within seven days of the hearing by sending material electronically to: melissa.johnson@nt.gov.au. Hard copy material should be addressed to Editor of Debates, Parliament House, via internal mail or posted to GPO Box 3721, Darwin, NT, 0801.

4.3 Tabling of Report in the Assembly

- 4.3.1 The Committee's report on the Appropriation Bill and consideration of Government Owned Corporations; Statements of Corporate Intent is to contain any resolutions or expressions of opinion of the Committee and be presented to the Assembly when it meets on Thursday, 22 June 2017. The Assembly will then debate the question "that the expenditure proposed in the Appropriation (2017-2018) Bill be agreed to, and the Estimates Committee's report be noted."
- 4.3.2 The maximum time for this debate is 5 hours, with Ministers and Shadow Ministers limited to 20 minutes each and other Members limited to 10 minutes each.

APPENDIX A: TERMS OF REFERENCE - ESTIMATES COMMITTEE

Resolution of 11 May 2017

The Legislative Assembly resolved that:

1. There be appointed an Estimates Committee of the Legislative Assembly (the Committee) for the purposes of examining and reporting on the:
 - (a) estimates of proposed expenditure contained in the Appropriation (2017-2018) Bill (the Appropriation Bill) and related budget documents,
 - (b) activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy and Territory Generation, with reference to those corporations' Statements of Corporate Intent 2017-18, and
 - (c) the performance of Agencies as outlined in their Annual Reports.
2. The membership of the Committee will be four Government Members and one Opposition Member and two non-party aligned Members to be appointed by motion without notice. Pursuant to SO193(2), Members of the Assembly who are not members of the Committee may participate in public hearings of the Committee, provided that at any time a quorum of 3 members of the Committee is maintained. Proxy Members can also make up the quorum if previously nominated to the Chair in writing.
3. Unless otherwise ordered by the Committee, the Committee will hold hearings:
 - (a) for up to 30 hours in relation to 1(a) and (b) on:
 - Monday, 19 June 2017
 - Tuesday, 20 June 2017
 - Wednesday, 21 June 2017.
 - (b) for up to 30 hours in relation to 1(c) on:
 - Tuesday, 28 November 2017
 - Wednesday, 29 November 2017
 - Thursday, 30 November 2017.
4. The Committee shall examine the proposed expenditure contained in the Appropriation Bill by portfolios in accordance with the schedule to be published by the Committee and the proposed expenditure shall be considered on an output by output basis for each portfolio unit.
5. The Committee shall publish a schedule of the times allotted for hearing from Ministers, the Speaker and Board Chairs.
6. The maximum total time of the appearance at all hearings of each of the Chief Minister and the Treasurer shall be 8 hours, and for each other Minister and the Speaker shall be 7 hours.
7. All hearings of the Committee are to be open to the public unless the Committee orders otherwise.
8. All questions should conform to Standing Order 109 and answers will be concise and directly relevant to the question asked.

9. Answers to questions taken on notice during the June hearings, or additional information about an answer given by or on behalf of a Minister, the Speaker or Board Chair, are to be written and given to the First Clerk Assistant by 13 July 2017, or other earlier time decided by the Committee. For the November hearings, such answers or information are to be submitted by 14 December 2017. Answers or additional information so received are deemed to be documents presented to the Committee.
10. The Clerk of the Legislative Assembly is authorised to publish a transcript of the Committee proceedings, whether or not it has been edited, as soon as practicable.
11. Evidence taken in public by the Committee and documents presented to the Committee are deemed to be authorised for publication by the Committee, unless the Committee orders otherwise.
12. At a hearing of the Committee, the Chair may, after a warning, order any Member of the Assembly whose conduct, in the opinion of the Chair, continues to be disorderly or disruptive to immediately withdraw from the Committee for a period of 1 hour.
13. Following its second reading, the Appropriation (2017-2018) Bill stands referred to the Committee for report by 22 June 2017.
14. The Committee is to report on its consideration of Annual Reports at the next available sitting day.
15. When the Committee's report on the Appropriation Bill is presented the Assembly shall immediately consider the question:

that the expenditure proposed in the Appropriation (2017-2018) Bill stand as part of the Bill, and the report of the Estimates Committee be noted.
16. The following time limits shall apply to the debate on the Committee's report on the Appropriation Bill:
 - Ministers, Leader of the Opposition and Shadow Ministers: 20 minutes;
 - Any other Member: 10 minutes;
 - The maximum period for consideration shall be 5 hours.
17. When the question on the expenditure proposed in the Appropriation (2017-2018) Bill is agreed to, the following question is proposed and put immediately:

that the remainder of the Bill stand as part of the Bill.
18. When the Appropriation Bill has been agreed to by the Assembly, the third reading may be taken into consideration immediately.
19. Pursuant to Standing Order 4, the dates on which the Assembly will meet during November will be 21, 22 and 23 November 2017.
20. This resolution shall have effect notwithstanding anything contained in Standing and Sessional Orders.

APPENDIX B: STANDING ORDER 109, MANNER AND FORM OF QUESTIONS

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 facts 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 committee 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.

APPENDIX C: STANDING ORDERS CHAPTER 16 – COMMITTEES OF THE ASSEMBLY

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 shall 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.

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 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 then signed by the Member chairing.
- (2) Documents presented to the committee or subcommittee shall 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 a 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.
- (2) The Member chairing a committee or subcommittee shall 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* 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 WITNESSES

- (1) The examination of witnesses before a committee shall 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 shall 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.

274. 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 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
 - (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 shall first decide upon with 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 shall 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 RESPONSE 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.

APPENDIX D: STANDING ORDER 210 – WITNESS PROCEDURES

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 Chairman 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 Chairman 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 Chairman 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 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.

APPENDIX E: ORDERS & DETERMINATION REGARDING BROADCASTING

Standing Order 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 section 23 of the *Legislative Assembly (Powers and Privileges) Act* 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 his or her 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.

Legislative Assembly of the Northern Territory Speaker's Determination No DLA05 of 2017: Media Coverage Of Parliamentary Proceedings

I, KEZIA DORCAS TIBISAY PURICK, Speaker of the Legislative Assembly of the Northern Territory, hereby determine the following conditions for the broadcasting, rebroadcasting and televising of proceedings of the Assembly and its committees:

1. GENERAL

- 1.1 All individuals working for media organisations to cover proceedings of the Legislative Assembly of the Northern Territory must be accredited by the Speaker or the Speaker's delegate.
- 1.2 Accreditation may be granted by the Speaker or Speaker's delegate upon receipt of a written request from the Editor/Chief of Staff on behalf of a licensed electronic or print media organisation and may include requests for individual accreditation for nominated staff members of that organisation.
- 1.3 A electronic or print media organisation may seek enduring accreditation for itself and/or nominated staff members by the method outlined in 1.2 above.
- 1.4 An accredited media organisation may seek to vary individual accreditation by making the relevant request to the Speaker in writing.
- 1.5 By requesting and being granted accreditation, a media organisation and/or staff member representing an organisation implicitly undertakes to observe and comply with the conditions set out in this Determination.
- 1.6 The Speaker or Speaker's delegate may at any time revoke accreditation for any media organisation or any individual working for a media organisation.

2. DEFINITIONS

- 2.1 '**Accredited media organisation or personnel**' means an organisation or an individual working for that organisation, each of whom have been authorised by the Speaker or the Speaker's delegate as a Media/Press Gallery Member and who may carry out coverage of the Assembly's proceedings pursuant to the conditions of this Determination.
- 2.2 '**Assembly's Proceedings**' means the business transacted by the Legislative Assembly on designated meeting days, and the public hearings of Legislative Assembly Committees.
- 2.3 '**Cover**' means take notes or record by electronic means the Assembly's proceedings subject to the limitations contained in this Determination. Coverage includes still and video photographic recordings and sound for electronic and print media and includes web cast of the Assembly's proceedings on the Legislative Assembly web site and, in circumstances specified and approved by the Speaker, includes still and video photographic recordings and sound for electronic and print media.
- 2.4 '**Electronic media**' means licensed television and radio broadcasters and Internet-based news media.
- 2.5 '**Enduring accreditation**' means authority to cover the Assembly's proceedings pursuant to the conditions of this Determination for the life of that Assembly. That is, from the first time the Assembly convenes following a General Election until that Assembly is prorogued prior to the next General Election.
- 2.6 '**Galleries**' means all galleries, both public and press/media, surrounding the Chamber of the Legislative Assembly.

- 2.7 **'Print media'** means publications, including newspapers and magazines.
- 2.8 **'Record'** means to take notes or use electronic means to capture the Assembly's proceedings subject to the limitations contained in this Determination. 'Record' includes capturing the web cast of the Assembly's proceedings from the Legislative Assembly web site, in circumstances specified and approved by the Speaker, includes still and video photographic vision and sound for electronic and print media.

3. CONDITIONS OF RECORDING AND BROADCASTING OF THE ASSEMBLY'S PROCEEDINGS

- 3.1 Directions of the Speaker, Deputy Speaker or Acting Deputy Speaker on the floor of the Chamber must be observed at all times.
- 3.2 Recording of a Member who has the call will be no closer than a head-and-shoulders shot of the Member concerned.
- 3.3 Under no circumstances shall a recording be made of papers on a Member's desk, material on a Member's computer screen or any Member who does not have the call of the Speaker.
- 3.4 The only exception to Conditions 3.2 and 3.3 above is for wide shots of the entire Chamber that do not encroach on any Member's privacy, papers on the Member's desk or images on the Member's computer screen.
- 3.5 No record of the Assembly's proceedings taken by electronic or print media organisations gathered in any way contrary to these conditions may be broadcast or printed.

4. CONDUCT OF ACCREDITED MEDIA PERSONNEL

- 4.1 Electronic devices must be switched to silent at all times in the galleries.
- 4.2 Under no circumstances shall any electronic device be used to record sound and/or vision of parliamentary proceedings.
- 4.3 Electronic devices may be used in the Media Gallery only for composition and transmission of reports of parliamentary proceedings.
- 4.4 Media personnel will be silent while in the galleries and avoid any conduct that would draw attention to the galleries, including draping items over the rail, standing in the doorway, conversing and eating or drinking.
- 4.5 Media personnel are not permitted on the floor of the Chamber except when approved by the Speaker and must wear business attire (including ties for men).
- 4.6 Accredited media personnel will be provided with access to Parliament House. The Manager of Security should be contacted to arrange access.
- 4.7 Accredited media personnel may not enter lobbies on Level 2 or the corridors adjacent to the Chamber on Level 2, nor may they enter the dining areas, Members and Guests Lounge or CPA Lounge on Level 4 without the prior approval of the Speaker.
- 4.8 Media conferences and interviews are not permitted in the public areas of Parliament House.

5. DIRECT BROADCAST AND RE-BROADCAST OF PARLIAMENTARY PROCEEDINGS FROM INTERNET WEB STREAM

5.1 Direct broadcast and re-broadcast of all parliamentary proceedings is authorised to an approved broadcaster subject to the conditions set out in this Determination:

- (a) through the Northern Territory Government Intranet/Internet web cast network and
- (b) through the in-house sound, vision and recording system.

6. PENALTIES FOR NON-COMPLIANCE

6.1 Failure to comply with the conditions set out in this Determination may result in accreditation being withdrawn immediately by the Speaker or the imposition of other penalties under the *Legislative Assembly (Powers and Privileges) Act* and/or the *Legislative Assembly (Security) Act*.

7. ACCREDITED MEDIA LIST

7.1 Office of the Speaker to administer list of accredited media representatives.

Dated this 21st day of DECEMBER 2016

KEZIA DORCAS TIBISAY PURICK
Speaker

APPENDIX F: TEMPLATE FOR ANSWERS TO QUESTIONS ON NOTICE

ESTIMATES COMMITTEE
Question Taken on Notice

Date:

Subject:

From:

To:

Agency:

Number:

Question:

Answer:

APPENDIX G: PROXY MEMBERSHIP NOMINATION FORM



Legislative Assembly of the Northern Territory

**ESTIMATES COMMITTEE 2017
PROXY MEMBERSHIP NOMINATION FORM**

Pursuant to Clause 2 of the Estimates Committee 2017 Terms of Reference:

I, Party Whip/Committee Member nominate
(insert name) (cross out whichever is not applicable)

..... to act as proxy for.....
(insert name) (insert name)

on from to.....
(insert day and date) (insert times)

Signature of Nominator:

If Committee member is not a party-aligned Member:

Signature of Nominee:

On 18 May 2017 the Committee resolved that:

- (1) *A Member of the Committee, or the Whip of that Member's party, may nominate in writing to the Chair another Member of the same party to stand as proxy for the Committee Member for a period.*
- (2) *A Member of the Committee who is not a party-aligned Member may nominate in writing to the Chair another Member to stand as proxy for the Committee Member with the consent, in writing, of that Member.*
- (3) *A Member standing proxy for a Member has the rights of a Committee Member under the Standing Orders.*