



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

CONSIDERATION OF BILLS

What is a bill?

If Cabinet decides to proceed with an idea, the proposed law is a Government Bill. An individual Member can also introduce a bill, which is known as a Private Member's Bill.

To become an act, a bill must pass through a number of formal stages in the Assembly, be agreed to by a majority of Members and be assented to by the Administrator.

Who drafts a bill?

The Office of the Parliamentary Counsel drafts proposed legislation based on instructions from a Government Department if it is a Government Bill or a Member for a Private Member's Bill.

Who is a sponsor?

When a bill is introduced into the Assembly it will have a sponsor. This is usually the Minister responsible for the relevant portfolio for a Government Bill. Alternatively, it is the Member who introduces a Private Member's Bill.

Procedural stages

The stages for the passage of a bill to an act are:

- first reading
- second reading
- consideration in detail
- third reading
- enactment.

First reading

When a bill is introduced, it is circulated electronically to all Members and the sponsor moves 'that the bill be read a first time'.

The Clerk then reads the long title of the bill. This is the first reading of the bill.

Second Reading

The sponsor then moves 'that the bill be read a second time', delivers an explanatory speech which outlines the purpose of the bill, how it will operate and what it is designed to achieve, and tables an Explanatory Statement that explains each clause of the bill.

A Member will then move 'that debate be adjourned' and the Speaker puts the question to a vote.

When the bill returns to the Assembly, once at least 30 days have elapsed, Members resume debate on the question 'that the bill be read a second time'. All Members may speak in second reading debate.

At the conclusion of debate, the Speaker puts the question to a vote that 'the bill be read a second time'. If it is agreed, the Clerk again reads the long title. This is the second reading of the bill.

After the second reading, the Assembly considers the bill in detail. If the Assembly agrees to forego this stage then leave is sought for the bill to be read a third time.

SUMMARY

A proposal before the Assembly to create a new law or to amend an existing one is called a bill

Procedural Stages:

- First reading
- Second reading
- Consideration in Detail
- Third reading
- Enactment.

Urgency

There are mechanisms for bills to be considered on urgency either by leave of the Assembly or by suspension of Standing Orders.

Consideration in Detail

At the Consideration in Detail stage, the Assembly examines the bill clause by clause and may amend the bill.

All Members may ask the sponsor of the bill detailed questions on how it will operate and may propose changes. Members may speak multiple times (up to ten minutes for each speech) to each question. Sponsors are not limited by a maximum time for speaking.

A bill is examined in the following order:

- clauses
- schedules
- the preamble
- the title.

CONSIDERATION OF BILLS

Consideration of separate clauses

Clauses are considered in order. Beginning with the first clause, the Speaker reads the number of the clause and states:

The question is that the clause stand as printed.

After all the clauses are agreed to, the Speaker states and seeks agreement for the questions for the schedule, preamble and title.

Clauses taken together

The Assembly may agree to consider clauses in groups or all of them together. The Speaker asks:

Is it the wish of the Assembly that clauses ... to ... be considered together?

If there is no objection, the Speaker says:

There being no objection, it is so ordered.

Bill taken as a whole

A bill can be taken as a whole by leave of the Assembly.

The Speaker asks:

Is it the wish of the Assembly that the bill be taken as a whole?

If there is no objection, the Speaker says:

There being no objection, it is so ordered. The question is that the bill stand as printed.

Amendments

An amendment may be made to any part of the bill either:

- by submitting an amendment schedule
- during debate from the floor, but the amendment must be in writing with copies

immediately available for circulation.

Amendment schedules are prepared by the Office of the Parliamentary Counsel and are given to all Members.

Types of amendments

There are three different forms of amendments to a bill:

- omitting words
- replacing words
- adding words.

After a Member has proposed an amendment, and it is discussed if required, the Speaker states:

The question is that the amendment be agreed to.

When all amendments have been made to a clause, the Speaker states:

The question is that clause ... as amended stands.

How is an amendment made?

All amendments must be in writing and signed by the Member proposing the amendment.

Amendment schedules have each amendment numbered. A Member says:

I move amendment number...

If moving an amendment from the floor, the Member must say precisely what their amendment is. For example:

I move that all words after 'people' be omitted.

Third Reading

Once Consideration in Detail has concluded, the sponsor moves 'that the bill be read a third time'. This is the last opportunity for Members to speak on the bill. When the question for the third reading is agreed to, the Clerk

again reads the long title of the bill and it passes to be a proposed law.

Enactment

The bill for an act is certified by the Clerk as a true representation of what has been passed by the Assembly and is presented to the Administrator for assent. On receiving this assent, the bill becomes an act.

Acts commence either on assent or at a date to be gazetted. Whether immediately or a later time, this is the date of enactment.