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Legislative Assembly of the Northern Territory

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STANDING ORDERS COMMITTEE

FIFTH REPORT

AUGUST 1989

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

STANDING ORDERS COMMITTEE

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MEMBERSHIP OF COMMITTEE

- 1.1. On 28 April 1987, the Standing Orders Committee was appointed with the following membership:

Mr Speaker
Mr Bell
Mr Hanrahan
Mr Lanhupuy
Mr Poole

- 1.2 At its meeting on 26 November 1987, Mr Speaker Vale was elected Chairman of the Committee.
- 1.3 On 17 May 1988, Mr Poole was discharged from further attendance on the Committee and Mr Coulter was appointed to be a Member of the Committee. On 16 August 1988 Mr Firmin was appointed to be a Member of the Committee in the place of Mr Hanrahan who had resigned as a Member of the Assembly.

APPROPRIATION BILLS - SPEAKING TIMES IN COMMITTEE OF THE WHOLE

- 2.1 In its Fourth Report your Committee stated that six hours should provide sufficient time for Opposition and other Members to question in Committee of the Whole the proposed expenditure contained in an Appropriation Bill. Your Committee recommended that a Sessional Order be adopted the purpose of which was to limit such debate on an Appropriation Bill to six hours.
- 2.2 The Assembly adopted the recommendations contained in that Report on 25 May 1988 and thus the Sessional Order was operative when the Legislative Assembly considered the Appropriation Bill 1988-89 during the October sittings in 1988.
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- 2.3 The Legislative Assembly resolved itself into Committee of the Whole to consider the Appropriation Bill on Wednesday, 5 October 1988 and at the conclusion of six hours of consideration the Sessional Order came into force. Following consideration of a number of procedural motions and a number of votes, the Committee agreed to the Bill without amendment and it was so reported to the Assembly. The Report was adopted and a motion for the Third Reading of the Bill was moved.
- 2.4 During debate on that motion the Treasurer moved that the Divisions which were being considered by the Committee at the time the Sessional Order came into force and the Remainder of the Bill be recommitted. The motion having been agreed to, a further $4\frac{1}{2}$ hour debate took place in Committee, on the following day, before the Bill was passed.
- 2.5 It is obvious to your Committee that the Sessional Order did not work as it did not have the full support of the Assembly. Your Committee, however, is still concerned at the total time taken in Committee of the Whole in considering annual Appropriation Bills. It reiterates that the time taken has grown from 4 hours 10 minutes in 1986 to 10 hours 30 minutes in 1989. It considers that this time is excessive.
- 2.6 After deliberation, your Committee came to the view that the practice in force prior to revision of the Standing Orders in 1985 should be reinstituted on a trial basis for the consideration of the annual Appropriation Bill in Committee of the Whole. Under this practice, on each Question a Member may speak twice for a maximum period of ten minutes but on each question the Minister in charge has no such time limitation.
- 2.7 Your Committee therefore recommends that, by separate motions:
- (a) The Assembly rescind the Sessional Order which limits to six hours debate in Committee of the Whole when considering annual Appropriation Bills; and
 - (b) adopt the following amendment to Standing Order 77, on a trial basis as a Sessional Order:

"omit the part headed 'In Committee' and insert in its stead:
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'In Committee

Annual Appropriation Bill -

Each Question before the Chair -
Minister in charge

No limitation

Other Members

2 periods each
not exceeding
10 minutes

All other Questions before the Chair -

Member in charge of a bill

No limitation

Other Members

Unlimited, each speech
not to exceed 10
minutes'."

SUPPLEMENTARY QUESTIONS

- 3.1 On 16 August 1988, the Speaker, The Hon R W S Vale, MLA, made a statement to the Assembly relating to a practice which had developed in the Legislative Assembly of permitting Supplementary Questions to be asked immediately following and supplementary to an original Question and its answer.
- 3.2 Standing Order 119 states in part "....At the discretion of the Speaker supplementary questions may be asked to elucidate an answer". In the House of Representatives, prior to 1950, questions based on answers to earlier questions including an answer to the immediately preceeding question were not permitted. The House of Representatives in that year amended its Standing Orders to permit Members to ask questions based on previous answers at Question Time. Such questions were called 'Supplementary Questions'. The amendment of the Standing Orders did not and still does not permit a Member to ask a Supplementary Question immediately following an answer being given to an original question. The amendment merely permitted questions to be asked in the normal course of Question Time based on, or supplementary to, answers previously given.
- 3.3 Since Mr Speaker's statement of 16 August 1988 in which he referred the matter to the Standing Orders Committee, no 'Supplementary Questions' have been permitted to be asked

which were immediately supplementary to an answer given. This practice, in the opinion of your Committee, has worked well.

- 3.4 Your Committee also notes that it is seldom that a member wishing to ask a question in Question Time does not have the opportunity to do so. It believes that, provided questions and answers are concise and relevant, members should continue to have little difficulty in asking questions.
- 3.5 The old practice of immediate Supplementary Questions, however, gave certain members the opportunity for additional questions, thus limiting the opportunity of others.
- 3.6 Your Committee therefore is of the opinion that the interpretation given by the Assembly to Standing Order 119 should be the same as the interpretation given by the House of Representatives since 1950. Immediate Supplementary Questions should not be permitted.
- 3.7 Your Committee therefore recommends that the Assembly adopts the practice of the House of Representatives whereby questions, supplementary to questions and answers already given in Question Time, are permissible but that such Supplementary Questions have no immediate precedence over other questions.

AUTOMATIC ADJOURNMENT OF THE ASSEMBLY

- 4.1 Earlier this year the Member for Macdonnell, Mr Bell, wrote to the Leader of Government Business, Mr Coulter, requesting that consideration be given to the introduction of a form of automatic adjournment for the Legislative Assembly. Mr Coulter undertook to raise the matter with the Standing Orders Committee.
- 4.2 Your Committee has given the matter consideration. It was informed by Mr Coulter that to ease the burden of the Assembly, it is intended that the Assembly sit for an additional three days in 1990. It was anticipated that these additional sitting days would permit a better spread of the workload of the Assembly and would reduce the need for late sittings.
- 4.3 Following this assurance your Committee determined that it would take no further action on the matter at this stage.


ROGER VALE
CHAIRMAN