



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

Standing Orders Committee

**Report on Proposed Sessional Order for Reordering of General
Business on the Notice Paper**

MAY 2017



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Report on Proposed Sessional Order for Reordering of General Business on the Notice Paper

Introduction

At its meetings on 23 March 2017 and 10 May 2017, the Standing Orders Committee considered the operation of Standing Order 64 which states:

Order and Precedence of General Business

Members with General Business listed on the Notice Paper may re-order and postpone their own Notices and Orders of the Day so long as their re-ordering or postponement does not alter the ranking of another Member's item on the Notice Paper to move that Member further down the ranking of Notices or Orders of the Day unless that other Member agrees.

Notification of re-arrangement of Notices or Orders of the Day will be advised by the relevant Whip and/or Independent Member and any affected Member to the Clerk, the counterpart Whip or Whips and any other Independent Member by the close of the meeting on the day immediately preceding the General Business day.

Background

This Standing Order was considered by the Committee of the 12th Assembly and was developed to allow for more flexibility than its predecessor, previous Standing Order 93A which was framed as follows:

Order and Precedent of General Business

Opposition and Independent Members are able to re-order Opposition and Independent Notices and Orders of the Day and postpone Notices and Orders of the Day provided the ranking of Opposition and Independents' Notices and Orders of the Day remain in the same position on the Notice paper.

Notification of re-arrangement of Notices or Orders of the Day / to be advised by Opposition Whip and/or Independent Member to the Clerk, Government Whip, Independent Members and Opposition Whip by the close of sittings on the Tuesday immediately preceding the General Business day.

The Committee noted that the previous iteration of this Standing Order was drafted as if General Business excludes Government Members from introducing motions and bills for consideration; this was not the intention and is not the purpose of General Business.

General Business is private Members' business and allows any Member to introduce items. The Speaker's Bulletin from August 2013 states:

During the August sittings, comment was made in debate about a Government Member giving notice of a motion to be considered during the time reserved for General Business.

I remind Members that General Business is available for use by any Member of the Assembly.

The redraft was intended to clarify the process for altering the order without impacting upon ranking. The intention being that Member X cannot re-order unilaterally or in collusion with other Members to disadvantage Member Y's ranking.

Arguably it was not contemplated that the re-order would become a matter of consistent use to give Notice the day prior for those new motions to be inserted in place of 'place holder' motions given months previously.

Committee Consideration

The Committee considered the recent increase in the use of the Standing Order and the interpretation of the role of the Clerk and the required notifications from the Member in possession of the Notice to the other Members.

The Committee considered whether the Clerk requires confirmation from all interested parties as mentioned in the Standing Order to 'permit' the re-order according to the Standing Order.

Some interpretations suggest that the Member doing the arranging can advise the Clerk that all other relevant Members have been advised and this will suffice.

On 21 March 2017 the Opposition Whip initiated an innovation where all the independents, her and the Government Whip signed off on the re-order and handed the signed document to the Clerk.

The Committee considered this approach and decided that it was desirable to formalise a 1700 (5pm) deadline to the Clerk for notification to all Members which is preferable to the existing end of adjournment notification deadline (vague).

The Committee preferred a scanned notification being circulated to all 25 Members by email from the Table Office once received, rather than awaiting the Notice Paper which is not formally finalised until 10am on an Assembly meeting day.

The Committee proposes a Sessional Order (while the Standing Orders are subject to the more comprehensive year-long review).

Recommended Sessional Order:

Order and Precedence of General Business

Standing Order 64 is suspended and Members with General Business listed on the Notice Paper may re-order and postpone their own Notices and Orders of the Day so long as their re-ordering or postponement does not alter the ranking of another Member's item on the Notice Paper to move that Member further down the ranking of Notices or Orders of the Day unless that other Member agrees.

Notification of re-arrangement of Notices or Orders of the Day will be signed by all Members impacted by the change and both the Opposition and Government Whips and provided in writing to the Clerk by 1700 (5.00pm) the day prior to the moving of the motion and the Clerk will circulate the Notification to all Members within one hour of receipt.

Proposed Format

Notification of re-arrangement of General Business Notices and/or Orders of the Day

The undersigned Members agree to the reorder of General Business Notices and/or Orders of the Day as follows:

[General Business Notices Number X becomes General Business Notices Number Z and General Business Notices Number Z becomes General Business Notices Number X.]

OR

[General Business Notices Number X is replaced by the General Business Notice given by the Member for ABC at notice today.]

OR

[Similar relevant text.]

Signed

.....

Members impacted by the re-arrangement

.....

Opposition Whip

.....

Government Whip

Date.....

.....

Signed Receipt by Clerk (by 1700 the evening prior to General Business Day)