



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

# **Information Manual**

## **ESTIMATES COMMITTEE**

### **PUBLIC HEARINGS**

**Tuesday 12 – Wednesday 20 June 2018**

**As at 30 April 2018**

This document has been produced to provide information to agency and Ministerial officers on the administrative and procedural arrangements for the Estimates Committee for 2018.

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## Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>4</b>
1.1	Establishment and Authority of the Committees.....	4
1.2	Matters Considered by the Estimates Committee .....	4
1.3	Membership .....	4
1.4	Method of Operation .....	4
<b>2</b>	<b>ATTENDANCE AT HEARINGS</b>	<b>6</b>
2.1	Order of Appearance by Ministers .....	6
2.2	Committee Support .....	6
2.3	Entry of Witnesses to Parliament House .....	7
2.4	Lists of Witnesses .....	7
2.5	Appearing Before the Committee .....	7
2.6	Documents Provided by Witnesses .....	7
2.7	Facilities for Witnesses and Government Officers.....	7
2.8	Mobile Phones and Tablet Computers .....	8
2.9	Catering .....	8
<b>3</b>	<b>CONDUCT OF THE HEARINGS</b>	<b>9</b>
3.1	Venue.....	9
3.2	Basic Procedures.....	9
3.3	Swearing of Witnesses .....	9
3.4	Scope of Questions (Admissibility) and the Role of the Chair .....	9
3.5	Recording of Proceedings (Hansard) .....	9
3.6	Broadcasting and Media Access .....	10
3.7	Material Received at Hearings.....	10
3.8	Confidential Documents.....	10
3.9	Written Questions .....	10
3.10	Questions Taken on Notice .....	10
3.11	<i>In-Camera</i> Hearings .....	11
3.12	Other Matters .....	11
<b>4</b>	<b>AFTER THE HEARING</b>	<b>12</b>
4.1	Distribution of Hansard .....	12
4.2	Corrections to Hansard.....	12
4.3	Tabling of Report in the Assembly.....	12
APPENDIX A:	Terms of Reference - Estimates Committee.....	13
APPENDIX B:	Standing Order 109, MANNER AND FORM OF QUESTIONS .....	15
APPENDIX C:	Sessional Orders 15 and 16 .....	16
APPENDIX D:	Standing Order 210 – Witness Procedures .....	17
APPENDIX E:	Orders & Determination Regarding Broadcasting.....	19
APPENDIX F:	Template for Answers to Questions on Notice .....	22

## **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 22 March 2018 (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 (2018-2019) 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 2018-19, and
  - (c) the performance of Agencies as outlined in their Annual Reports.

### **1.3 Membership**

- 1.3.1 The Assembly appointed the following Members to the Estimates Committee:
- Ms Selena Uibo, MLA, Member for Arnhem (Chair)
  - Ms Sandra Nelson, MLA, Member for Katherine (Deputy Chair)
  - Mrs Kate Worden, MLA, Member for Sanderson
  - Mr Paul Kirby, MLA, Member for Port Darwin
  - Mr Gary Higgins, MLA, Member for Daly
  - Mr Terry Mills, MLA, Member for Blain
  - Mr Gerry Wood, MLA, Member for Nelson
- 1.3.2 Pursuant to Sessional Order 16(2) any Members of the Assembly may participate in the Committees' public hearings and question witnesses unless the committee orders otherwise, but may not vote. Such Members do not count towards quorum, which is three Committee Members (SO 184).
- 1.3.3 In the case of illness or inability to attend by a Member of the committee, or where a Member decides to stand down from the committee for a period of time, substitution can occur by following the procedure in Sessional Order 15.

### **1.4 Method of Operation**

- 1.4.1 The Committee will hold hearings for up to 60 hours on:
- Tuesday, 12 June 2018
  - Wednesday, 13 June 2018
  - Thursday, 14 June 2018
  - Monday, 18 June 2018
  - Tuesday, 19 June 2018

- Wednesday, 20 June 2018

- 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.

## **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:

Tuesday, 12 June 2018

8.00 am Hon. Kezia Purick, MLA

9.00 am Hon. Nicole Manison, MLA

5.30 pm Close

Wednesday, 13 June 2018

8.00 am Hon. Michael Gunner, MLA

4.30 pm Close

Thursday, 14 June 2018

8.00 am Hon. Natasha Fyles, MLA

3.30 pm Hon. Gerald McCarthy, MLA

10.30 pm Close

Monday, 18 June 2018

8.00 am Hon. Ken Vowles, MLA

3.00 pm Close

Tuesday, 19 June 2018

8.00 am Hon. Lauren Moss, MLA

3.30 pm Hon. Eva Lawler, MLA

9.00 pm Close

Wednesday, 20 June 2018

8.00 am Hon. Dale Wakefield, MLA

3.30 pm Power and Water Corporation

5.30 pm Jacana Energy

6.30 pm Territory Generation

7.30 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.

### **2.2 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](mailto: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](mailto: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 nine 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:
- water
  - 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 Water 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](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 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 (including substitute Members).
- 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-2018> 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 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-2018>.
- 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 **12 July 2018**.
- 3.10.7 Electronic copies of the answers should be forwarded to the Committee Secretariat at: [Estimates.LA@nt.gov.au](mailto: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.<sup>1</sup>

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<sup>1</sup>[https://parliament.nt.gov.au/\\_data/assets/pdf\\_file/0006/368295/Committee\\_Manual\\_Practice\\_and\\_Procedures.pdf](https://parliament.nt.gov.au/_data/assets/pdf_file/0006/368295/Committee_Manual_Practice_and_Procedures.pdf)

## **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: [Annemarie.Lloyd@nt.gov.au](mailto:Annemarie.Lloyd@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, 21 June 2018. The Assembly will then debate the question "that the expenditure proposed in the Appropriation (2018-2019) Bill stand as part of the Bill, and the report of the Estimates Committee 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 22 March 2018

This Assembly resolves 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 (2018- 2019) 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 2018-19, and
  - (c) the performance of Agencies as outlined in their Annual Reports.
2. The membership of the Committee will be four Government Members, one Opposition Member and two non party aligned Members to be nominated in writing to the Speaker by the relevant Whip or non-party aligned Member.
3. Quorum will consist of 3 members of the Estimates Committee
4. The total time for hearings of the Committee may not exceed 60 hours.
5. The Committee will publish a schedule of the days and times of hearings by 28 April 2018. The Committee may only amend the published schedule with the consent of the Leader of Government Business.
6. 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.
7. The Committee shall publish a schedule of the times allotted for hearing from Ministers, the Speaker and Board Chairs.
8. 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.
9. All hearings of the Committee are to be open to the public unless the Committee orders otherwise.
10. All questions should conform to Standing Order 109 and answers will be concise and directly relevant to the question asked.
11. 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 within 21 days, or other earlier time determined by the Committee. Answers or additional information so received are deemed to be documents presented to the Committee.
12. 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.
13. 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.
14. 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.

15. Following its second reading, the Appropriation (2018-2019) Bill stands referred to the Committee for report by 21 June 2018.
16. The Committee is to report on its consideration of Annual Reports at the next available sitting day after the conclusion of hearings.
17. 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 (2018-2019) Bill stand as part of the Bill, and the report of the Estimates Committee be noted.
18. 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.
19. When the question on the expenditure proposed in the Appropriation (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.
20. When the Appropriation Bill has been agreed to by the Assembly, the third reading may be taken into consideration immediately.
21. 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:           SESSIONAL ORDERS 15 AND 16**

**15. Substitution of Committee Members**

- (1) In the case of illness or inability to attend by a Member of a committee, or where a Member decides to stand down from a committee for a period of time or for a particular inquiry,
  - (a) where the Member is a Government or Opposition Member, the relevant Whip may nominate in writing to the Speaker another Member to attend that committee for a period of time or particular inquiry, or
  - (b) where the Member is not a party-aligned Member, that Member may nominate in writing to the Speaker another Member to attend that committee for a period of time or particular inquiry, with the letter of nomination being signed by both Members.
- (2) Where a Member is appointed in accordance with (1), that Member has all the rights of the Member replaced.
- (3) Where the Member substituted in accordance with (1) is the Chair or Deputy Chair, the committee will elect a Member to be the Chair or Deputy Chair for the duration of the substitution.

**16. Other Members Participating in Committee meetings**

- (1) Standing Order 193 (2) is suspended.
- (2) A Member of the Assembly, although not a member of the committee, may participate in the committee's meetings and question witnesses unless the committee orders otherwise, but may not vote.



## **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 2018: MEDIA PERSONNEL AT PARLIAMENT HOUSE**

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

**1. GENERAL**

- 1.1 Media personnel 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 employer.
- 1.3 Accreditation is for the period of the Assembly, unless revoked earlier by the Speaker.
- 1.4 Media organisations and/or staff members must observe and comply with the conditions set out in this Determination.

**2. DEFINITIONS**

- 2.1 'media personnel' means an individual working for a recognised media outlet.
- 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 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 'galleries' means all galleries, both public and press/media, surrounding the Chamber of the Legislative Assembly.
- 2.6 'print media' means publications, including newspapers and magazines.
- 2.7 '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.
- 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 designated areas of Parliament House only.
- 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 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**

Failure to comply with the conditions set out in this Determination may result in immediate removal from the galleries and accreditation being withdrawn by the Speaker or the imposition of other penalties.

Dated this 19th day of DECEMBER 2017

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:**

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**Number:**

**Question:**

**Answer:**