



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

**13<sup>th</sup> Assembly**

**Committee of Members' Interests**

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**Report into the Matter of Tabled Information  
disclosing a Home Address**

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**MAY 2017**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

## Committee of Members' Interests

### Report into the Matter of Tabled Information disclosing a Home Address

#### Introduction

The Chair of the Committee of Members' Interests received correspondence from the Member for Brennan advising of an 'error' on his Register entry which was tabled in the Assembly on Thursday 23 March 2017.

The Member for Brennan's entry on the Register discloses his home address. A copy of the correspondence is attached as Annexure 1.

The member requested the Committee ask the Assembly to have the content removed.

#### Background

The *Legislative Assembly (Disclosure of Interests) Act 2008* provides that the Clerk of the Legislative Assembly is the Registrar of Members' Interests.

While s.4 of the Act provides for alterations when Interests change, it does not address alterations for errors. However the Register could arguably be altered for errors in the form it takes in the Office of the Clerk by notification to the Clerk pursuant to s. 4(3) of the Act.

The Member is able to 'alter' his hard copy register by updating the content. The Member has not done so.

The Member is unable to alter a tabled paper. The Speaker also has no capacity to amend a tabled paper.

The Assembly itself controls its records and documents, delegation to the Speaker is limited to specific instances in Standing Orders. Delegation does not extend to altering the content of a tabled paper.

In relation to the *Legislative Assembly (Disclosure of Interests) Act*, s. 5 of the Act requires:

#### Register of interests

- (1) The Clerk must keep a register of interests disclosed under this Act.
- (2) The register is to be kept as directed by the Committee of Members' Interests.
- (3) The register is to be available for inspection under reasonable conditions to be laid down by the Committee of Members' Interests from time to time.
- (4) In determining conditions for inspection, the Committee of Members' Interests must give effect to the principle that the information recorded in the register should be generally available to the public unless there is good reason to restrict its availability.

Pursuant to s.5 (3) of the Act, the Assembly, pursuant to Committee recommendation has recently added a procedure for tabling to broaden the 'inspection' process.

The tabled Register of Interests document was uploaded in compliance with the Assembly's requirements immediately upon the Deputy Speaker tabling the report on 23 March 2017.

Upon tabling, a document is in the possession of the Assembly and is 'public' which permits it being available for inspection. Tabled papers are public documents: Standing Order 240.

At the request of Government to the Speaker the Table Office removed the tabled paper content from the website on the evening of 23 March 2017.

The Register of Members' Interests is a privileged document as it is a product of the actions of a Committee of the Assembly.

The Chair and the membership of the Committee of Members' Interests acknowledge that they are required to seek Assembly approval to alter tabled documents

Privilege applies to its contents and how it is treated. Tabled documents attract privilege. Interfering with a tabled paper would be a serious matter of privilege. s. 6(2) of the *Legislative Assembly (Powers and Privileges) Act* makes it absolutely clear that tabled papers are privileged documents.

### **Recommendation**

The Committee recommends the Assembly agree to redacting the Member's home address on the Register and an explanatory notation is placed on the tabled paper: *Content redacted by resolution of the Assembly on 11 May 2017*



**Tony Sievers** MLA  
MEMBER FOR BRENNAN



*Working for Brennan - Your Local Voice*

11 April 2017

Ms Natasha Fyles  
Chair of the Committee of Members' Interests  
NT Legislative Assembly

*TASH*  
Dear Ms Fyles

It has come to my attention that there is an error in my Register of Interests and I have inadvertently detailed my home address.

I would appreciate the Committee of Members' Interests considering this matter and the assistance of the Committee to rectify this error.

Thank you for assistance in this matter.

Kind regards

A handwritten signature in black ink, appearing to be 'Tony Sievers', written over the words 'Kind regards'.

Tony Sievers  
Member for Brennan