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PERSONNEL OF THE COMMITTEE

Mr D F DALE MLA CHAIRMAN
Mr N R BELL MLA
Mr D W COLLINS MLA
Mr W W LANHUPUY MLA
Mr M J PALMER MLA

REPORT FROM THE PUBLICATIONS COMMITTEE ON THE DESIRABILITY
OF THE INTRODUCTION OF A PARLIAMENTARY PAPERS SERIES FOR
THE LEGISLATIVE ASSEMBLY

1 INTRODUCTION

- 1.1 On 30 April 1984 Mr Speaker wrote to the Chairman of the Publication Committee in the following terms:

Dear Mr Chairman,

Pursuant to Standing Order 18(a), I request that the Standing Committee on Publications inquire into and report to the Assembly, by the first sitting day in 1985, on the following:

- a) The desirability of the introduction of a Parliamentary Paper Series for the Northern Territory Legislative Assembly together with the desirability of the printing, as part of such a series, of appropriate papers presented to the Assembly since Self-Government or since the initial first sitting of the Assembly on 20 November 1974; and
- b) what changes, if any, to the Northern Territory legislation, would be necessitated by the introduction of such a series.

Yours sincerely,

ROGER STEELE

- 1.2 Your Committee commenced meeting on the reference on 5 June 1984.

- 1.3 On 12 June 1984 your Committee wrote to the then Attorney-General, the Hon J Robertson MLA and sought advice as to what changes, if any, to the Northern Territory Legislation, would be required for the introduction of a Parliamentary Papers Series. The Attorney-General's reply is attached as Appendix 'A'.
- 1.4 In its inquiry the Committee held meetings and took evidence from the following witnesses -
- Mr H G Smith, Clerk of the Legislative Assembly
 - Dr T Schmitz, Librarian of the State Reference Library
 - Mr M Loos, State Reference Library
 - Mr J Ashton, Manager, Government Information Centre
 - Mr G L Duffield, Government Printer

A transcript of the evidence given to the Committee accompanied by submissions received is tabled together with this report.

- 1.5 The Committee wishes to thank the then Chief Minister (Hon P A Everingham), the then Minister for Community Development (Hon D Manzie) and the then Attorney-General (Hon J Robertson) for their assistance and for making officers of their departments available to the Committee.
- 1.6 On 10 September 1984 the Secretary of the Committee Mr P Hawkins, commenced an attachment at Parliament House for four weeks. During his attachment, he familiarised himself specifically with the workings

of the Commonwealth Parliamentary Papers system and with the relationship between the Australian Information Service, the Government Printing Office and the Departments of the Senate and the House of Representatives. For his advice to the Committee and for the subsequent knowledge that he has been able to bring to the Committee and to this inquiry, your Committee expresses its thanks.

- 1.7 Your Committee's report is in three parts. The first is concerned with Parliamentary Papers and the desirability of introducing a Parliamentary Papers Series for the Legislative Assembly; the second deals with the inclusion in the Series of appropriate papers presented to the Legislative Assembly since Self-Government or of including those presented since the first sittings of the Legislative Assembly; the third deals with the changes, if any, to Northern Territory Legislation which would be required for the introduction of such a series.

PART I

2 PARLIAMENTARY PAPERS

- 2.1 Papers are tabled in Parliaments for a number of reasons. They are tabled for the information of members, in support or in explanation of government policy, as a prelude to government policy, to promote comment or discussion and as an aid to the oversight of the administration by the Parliament.
- 2.2 Papers tabled in the Legislative Assembly are a necessary adjunct in the workings of the Members

of the Assembly and are of interest not only to Members, but also to the public and the press. These papers are valuable not only at the time they are presented but also in the future as a reference source on both the Northern Territory Government and the Legislative Assembly.

2.3 The Legislative Assembly preserves original tabled papers. However, additional copies of very few of these papers are held and there is no permanent collection of tabled papers readily available to members and to the public for immediate use. Thus there is no immediate access to much of the information which should be available to members in their decision making.

2.4 Papers may be presented to the Legislative Assembly in a number of ways:

a) Standing Order 217 provides that papers may be presented in the following three specific ways:

- by the Speaker;
- pursuant to statute; and
- by command of the Administrator or by a Minister.

b) Pursuant to Standing Order 216, papers may be ordered to be laid before the Assembly by resolution of the Assembly. The Clerk shall communicate to the member concerned all orders for papers made by the Assembly and, when received, such papers shall be laid on the Table by the Clerk. A resolution of the

Assembly, pursuant to Standing Order 216, for the tabling of papers, is known as a return to order. This practice is not often used in the Assembly. However, in many other parliaments, motions to have papers returned to order occur and are frequently moved.

- c) Pursuant to Standing order 219, a document relating to public affairs which is quoted from by a Minister, unless stated by the Minister to be of a confidential nature, shall, if required by any Member, be laid on the Table. Again, Standing Order 219, although used more often than Standing Order 216, has not been used in the Assembly to any marked degree.

- 2.5 Most papers are presented pursuant to statute or by command of the Administrator or by a Minister. Papers which are presented pursuant to statute, in the main, are delivered to the Clerk and recorded in the Minutes of Proceedings. Such papers are deemed to have been presented to the Assembly on the day on which they are recorded in the Minutes of Proceedings. Certain papers, not required to be presented by statute, are presented by Ministers. In most Australian parliaments, it is considered that papers presented by a Minister are presented by the command of either the Governor-General or the Governor. If a Minister wishes to table a paper in his capacity as a Member, he does so by leave of the Chamber, as would any other Member of the legislature.

2.6 Standing Order 217 differentiates between a paper presented by command of the Administrator and a paper presented by a Minister. Your Committee is not certain where the line of demarcation rests.

3 REASONS FOR PRESENTATION OF PAPERS TO THE LEGISLATIVE ASSEMBLY

- 3.1 Subordinate legislation and other instruments of a legislative character are tabled so that they are public documents; so that Members can be aware of changes in law etc; and also so that such subordinate legislation etc can be perused by Members with a view to it receiving either tacit acceptance or so that, pursuant to section 63 of the Interpretation Act, if there is disagreement with the instrument, a motion for disallowance can be moved.
- 3.2 Pursuant to statute, annual reports and, in many instances, the financial statements of departments and statutory authorities, are tabled for the information of Members. This is part of the process by which the legislature oversees the administration of the Executive and of bodies set up by the legislature. It is part of the responsibility that the Executive has to the legislature.
- 3.3 Ministers may present papers on the operation of their departments, on new policy, on changes in policy or on proposals which they may wish to put before the legislature at a later stage. Once again, this is part of the process of Ministerial responsibility and is based on the precept that

the legislature should be kept informed of the administrative processes of the Government. Such papers in Westminster system style parliaments are known as "white" and "green" papers.

- 3.4 "White" papers (a term which was coined in the House of Commons) are those papers presented in parliament which comprise statements of government policy on particular matters. They are generally used as a vehicle for debate on government policy, are factual and do not usually include arguments in defence of the policy.
- 3.5 "Green" papers are papers which are laid on the Table by Ministers seeking comment and debate. They may be proposals upon which the government intends to legislate in the future or alternatives of policy on which the government seeks the considered opinion of the legislature and an expression of community feelings.
- 3.6 From time to time, such papers are presented in the Australian parliaments, especially the Federal Parliament.

4 THE PURPOSE OF A PARLIAMENTARY PAPERS SERIES

- 4.1 The rationale behind the establishment of a Parliamentary Papers Series is to preserve in a permanent, convenient and accessible form those papers presented to parliament which have particular importance as part of the state or national record and to enable any Member of parliament or any ordinary citizen to refer to such documents

without any undue difficulty despite any lapse of time since initial publication.

4.2 In 1976, the Commonwealth Joint Committee on Publications inquired into, amongst other matters, whether the Commonwealth Parliamentary Papers Series was fulfilling adequately the following purposes:

4.3 a) that adequate copies of Parliamentary Papers were available for the use of Senators and Members;

b) that the Parliamentary Papers were available for -

- sale to the public; and
- free distribution to libraries, government, tertiary institutions etc.

c) that each Parliamentary Paper was available to be bound at the end of the year into a series of volumes and preserved in a convenient and accessible form as a permanent record; and

d) that in accordance with the Parliamentary Papers Act, persons who publish any paper which has been ordered to be printed were afforded protection against civil or criminal proceedings.

4.4 In the establishment of any Parliamentary Papers Series, the following purposes could therefore be considered to be the main purposes for its introduction:

- a) that a Parliamentary Papers Series should provide Members of the legislature with a readily available record of the activities of successive governments in previous years, so that they may fulfil their legislative obligations with the fullest possible knowledge;
- b) that Members of the legislature may be fully aware of the activities of government as they occur from time to time; and
- c) that there is on the state record, available on demand to the public and to all researchers, information on the activities of governments, present and past, and the legislature.

5 PRACTICE IN OTHER PARLIAMENTS

Of all the Australian parliaments, the Northern Territory alone does not have a Parliamentary Papers Series. In fact, most parliaments which are modelled on the Westminster system have a Parliamentary Papers Series.

THE COMMONWEALTH PARLIAMENT

5.1 Since Federation, the Commonwealth Parliament has ordered the printing of many of the papers presented to it which it considered to be of sufficient importance and general interest to warrant being printed and kept in the national record.

- 5.2 However, until 1965, many important papers were not included in the Parliamentary Papers Series. Following the report of the Commonwealth Joint Select Committee on Parliamentary and Government Publications in 1964 (the Erwin Report), this situation has been rectified. The growth of the Commonwealth Parliamentary Papers Series could be considered as an acknowledgement of parliament's fundamental right to information. For example, in 1980, 400 papers were ordered to be printed compared with 202 papers in 1969.
- 5.3 The number of publications issued each year by Commonwealth and State departments and agencies has grown since the Second World War. Official publications of the pre-war days are largely confined to the reports required for presentation to parliament, to Acts, statutory rules, statistical bulletins, the Commonwealth Gazette, arbitration awards, electoral rolls and the like.
- 5.4 The Public Service Board told the Erwin Committee that -
- "Post-war developments in the breadth and character of departmental functions have completely changed the picture. The new departments concerned with broad questions ... have found it essential to work closely with the public and to keep the public informed of their activities and ideas. One consequence has been a significant increase in the output of publications."
- 5.5 The importance of Commonwealth Parliamentary Papers Series is unquestioned. They form an important part of the national record, providing

information on the machinery and activities of government, as well as reflecting, in many ways, the life and work and aspirations of the Australian people. Official publications are of vital interest and are used extensively by Members of parliaments in all phases of their work.

- 5.6 Since federation, a number of inquiries have been held into parliamentary and government publications by joint committees of both Houses of the Australian Parliament. In none of the reports of these committees has the efficacy of the Parliamentary Papers Series been questioned. Rather they have been directed at improving the format, scope, distribution and availability of the Series.
- 5.7 Most papers are ordered to be printed following recommendations of the Joint Committee on Publications. When a paper is ordered to be printed by either House of the Federal Parliament, it is given a series number on a special, easily identifiable cover with a notation of the date of the paper's presentation to parliament and the date on which it was ordered to be printed. This notation attracts privilege to the document, pursuant to the Parliamentary Papers Act. The papers are printed in a standard size. Departments, statutory authorities and the Australian Government Publishing Service liaise closely with the Clerks of Papers of both Houses on the preparation of papers to be tabled in Parliament. Thus annual reports and reports from departments and statutory authorities are normally presented to parliament in a printed form and a B5 size.

- 5.8 The Government Printer puts aside an agreed number of copies of each report so that, when the report is ordered to be printed, it is only necessary to print and attach appropriate covers. Following an order to print, it is usual that only the parliamentary paper copies will be sold by the Government Publishing Service. Departmental copies do not attract privilege. A number of parliamentary papers copies are also set aside to be bound on an annual basis containing an index together with the Journals of the Senate and the Votes and Proceedings of the House of Representatives. Free distribution lists for both paperback and hard bound volumes of the reports are maintained and controlled by the Clerks of both Houses. A number of libraries and State Parliaments receive free hard bound copies of the series and a number of libraries receive paperback copies of the series with indexes and other material and undertake binding themselves.
- 5.9 Copies of individual reports are available for purchase from the Australian Government Publishing Services bookshops in the capital cities, whilst the public may read copies of reports in most university and State libraries.
- 5.10 Senators and Members of the House of Representatives advise their Clerks of Papers of the categories of parliamentary papers which they wish to receive and automatically receive a copy of each parliamentary paper which falls within those categories in their daily wrappers. Also, each Senator and

Member is entitled to a limited number of additional copies of every parliamentary paper. The limit has been changed from time to time. It has been set as high as six additional copies. Each Senator and Member is issued with a card which entitles him or a member of his staff to obtain two copies of any document held for sale by the Australian Government Publishing Service bookshops, free of charge, at any time. It can thus be seen that a Member of the Australian Parliament is well catered for.

- 5.11 A sale price is set on each parliamentary paper and these papers are available for sale to the public through the Australian Government Publishing Service bookshops.
- 5.12 The ordering and printing of the parliamentary papers are undertaken by the Australian Government Publishing Service and through that office by the Government Printer. Some difficulties were experienced with the interposition of this office between the Federal Parliament and the Government Printer but these have been overcome in recent years.
- 5.13 The Federal Parliament bears the cost of all copies of parliamentary papers printed on its behalf but does not bear the cost of papers for sale in the Australian Government Publishing Service bookshops. In most cases, the cost to the parliament is only the "run-on" cost of the additional copies required. Departments and statutory authorities pay for printing their own copies. Even so, the

cost of the Parliamentary Papers Series in Canberra is quite considerable. In the 1981-82 budget, parliamentary printing, which includes not only the Parliament Papers Series but also the cost of Bills, Acts, Notice Papers, Journals and Votes and Proceedings, was estimated at \$510 000 for the Senate and \$1 021 000 for the House of Representatives.

- 5.14 As your Committee understands it, similar if in some cases less comprehensive systems exist in all States of the Commonwealth and in New Zealand.

UNITED KINGDOM PARLIAMENT

- 5.15 The UK Parliament produces two series of papers - Command Papers Series and Parliamentary Papers Series.

- 5.16 The printing of a Command Paper, in the accepted parliamentary format, can be authorised by a Minister or by his departmental head. Command Papers may be presented during a recess, whilst statute papers may be presented only when Parliament is in session. One important use to which a Command Paper may be put is as a vehicle for a statement of government policy - a "white" paper. Command Papers are normally printed on the authority of the Minister presenting them and they are numbered in a separate series.

- 5.17 House of Commons papers, however, which comprise a separate series, must be ordered to be printed by the House of Commons. Whilst House of Commons papers enjoy the absolute privilege accorded to them by the British Parliamentary Papers Act, the

Command Papers do not come within the ambit of the Act.

6 PRESENT SITUATION IN THE LEGISLATIVE ASSEMBLY OF THE
NORTHERN TERRITORY

6.1 Standing Order 218 provides -

"Unless it be otherwise ordered, all papers and documents presented to the Assembly shall be considered public and the publication of such documents shall be considered to have been authorised by the Assembly. Papers not ordered to be printed may be inspected at the offices of the Assembly by Members and, with permission of the Speaker, by other persons, and copies thereof or extracts therefrom may be made."

6.2 In certain cases, sufficient copies are printed to be held by the Government Information Centre, e.g. Regulations. Copies of other papers, such as annual reports, are available from the author department. However, the only existing complete set of tabled papers is the collection of original tabled papers held in the Legislative Assembly in the custody of the Clerk. These papers are considered public and the publication of such documents is considered to have been authorised by the Assembly, pursuant to Standing Order 218.

6.3 Although all papers which have been presented to the Assembly may be inspected at the offices of the Assembly by Members and, with the permission of the Speaker, by other persons and copies thereof or extracts therefrom made, there is considerable difficulty for members of the public to gain access to such papers. Even when the new Parliament House is constructed, your Committee does not consider that members of the public should have immediate

and unrestricted access to such papers. Libraries in the Northern Territory hold certain of the papers which have been presented to the Assembly. As your Committee understands it, no library in the Northern Territory has a complete set of the reports which have been presented since Self-Government. There is thus a definite vacuum in the public record. The vacuum will continue to expand unless a Parliamentary Papers Series is introduced.

- 6.4 Should a Member of the Assembly wish to see tabled papers which relate to departments or to proposed legislation, very often his only avenue would be to read, or obtain a copy of, an original tabled paper or papers. This in itself could be difficult, as no printed consolidated list of papers tabled exists. Therefore, without considerable research, neither the Member nor an officer of the Assembly could be certain that the documents obtained are all the relevant documents which have been presented to the Assembly.
- 6.5 Tertiary education facilities in the Northern Territory will grow and, in ensuing years, could be decentralised. Students and academics in the Northern Territory will be disadvantaged if libraries of tertiary institutions do not hold copies of papers which have been presented to the Legislative Assembly since Self-Government.
- 6.6 Standing Order 18 of the Legislative Assembly states that -

"... all petitions and papers presented to the Assembly which have not been ordered to be printed shall stand referred to the (Publications) committee which shall report from time to time as to what petitions and papers ought to be printed and whether wholly or in part ...".

- 6.7 This is the primary function of your Committee but it is a function which has never been undertaken. Without a Parliamentary Papers Series, such an operation would have little purpose. In evidence given to the Erwin Committee, in 1964, the then National Librarian stated, "The more you can mobilise material into series which become well known and therefore indexed and bibliographically controlled as a whole, the easier it is for serious enquirers to get access to it."
- 6.8 In his submission dated 8 September 1976 to the Joint Committee on Publications - Inquiry into the Purpose, Scope and Distribution of the Parliamentary Papers Series - D H Borchardt, Chief Librarian of La Trobe University, stated, "There can be no doubt that Parliamentary Papers represent the most important series of documents emanating from the legislature, since they represent considered opinions, statements of policy, programmes and planning data for the socio-political life of the nation."
- 6.9 In the opinion of your Committee, these statements have as equal an application to the Northern Territory as they had to the Commonwealth.

7 THE COST OF AN ANNUAL PARLIAMENTARY PAPERS SERIES

- 7.1 Theoretically, it would be most desirable for the Northern Territory Legislative Assembly to bring itself into line with State and Federal Parliaments and introduce a Parliamentary Papers Series. However, before making a final recommendation, your Committee determined that it would look at the cost of producing and distributing the papers which would be included in that Series.
- 7.2 Certain tabled papers already receive a wide dissemination in the community and are readily available from other sources - for example, regulations, agreements and determinations, notifications of the acquisition of land and Public Service By-Laws, as well as certain other documents are normally printed elsewhere and are available either in the Government Gazette or other volumes. It would not be normal to publish such papers in the Parliamentary Papers Series unless the Assembly determined otherwise, for a specific reason.
- 7.3 Your Committee therefore looked at the papers which were tabled in 1983 to ascertain what the annual cost of the production of a Parliamentary Papers Series would be.
- 7.4 On 12 October 1984, the Government Printer, at the request of your Committee, provided estimates of the cost of producing a Parliamentary Papers Series. The Government Printer costed sixty of the papers which were tabled in 1983. These were

the papers which it was considered that your Committee would have recommended for printing had a Parliamentary Papers Series been in existence. The list of these sixty papers is attached as Appendix "B".

7.5 The Government Printer was asked to provide the cost on two bases:

a) fifty copies of each of the sixty papers tabled produced on a "run-on" basis. In making such an estimate, the Government Printer was requested to take as understood that each author body would have its report printed by the Government Printer in a standard B5 size and that the cost to the Legislative Assembly would therefore be the run-on cost of fifty additional copies plus the cost of printing and attaching a standard Parliamentary Paper cover. The Government Printer estimated such a cost to be \$74 800; and

b) fifty copies of each of the sixty papers produced in B5 size but with all papers needing to be typeset. It was estimated that the cost of printing the papers would be \$373 000.

7.6 A perusal of the papers tabled in 1984 indicates that similar costs would obtain for printing papers tabled in that year.

7.7 On the assumption that the Government would instruct its Departments and authorities to produce papers which would ultimately be tabled

in the Legislative Assembly in a standard B5 size, printed by the Government Printer and on the further assumption that the numbers of tabled papers produced in emergencies by government bodies, not in that size, would be minimal, it can be anticipated that the cost of printing an annual Parliamentary Papers Series would be approximately \$110 000. If the cost of binding and postage for a free list were added to this cost, it is estimated that the annual cost of the Series would not exceed \$180 000.

- 7.8 Your Committee does not consider this to be too high a price to pay for the benefits of a Parliamentary Papers Series.

3 SUMMARY

8.1 Your Committee is of the opinion that if the Legislative Assembly is to function and grow along the lines of other Westminster type parliaments, a Parliamentary Papers Series system should be introduced and that funding for such a system should be made readily available. Your Committee is also of the opinion that, in order to limit the expenditure on such a Series, Parliamentary Papers for the Northern Territory should be introduced along similar guidelines to those in operation in the Commonwealth Parliament.

8.2 Your Committee therefore recommends:

- a) that a Parliamentary Papers Series for the Northern Territory be commenced immediately;
- b) that the Government instruct its departments and statutory authorities to prepare all documents to be presented to the Legislative

Assembly in a standard format on standard B5 sized paper. This size paper is currently in use for the production of Acts, By-Laws and the Parliamentary Record as well as documents which emanate from the Commonwealth Parliament and certain of the State parliaments;

- c) that wherever possible, the paper to be used in such documents be at least of 63 g.s.m. but should there be a noticeable "see-through" capacity in such paper, that a greater paper weight be utilised;
- d) that an interdepartmental committee be established consisting of officers of the Government Printer, the Government Information Centre, the Treasury, the Chief Minister's Department and the Legislative Assembly to make recommendations to the Government on standards to be observed in departmental publications, including publications which may be recommended by future publications committees to be printed as Parliamentary Papers;
- e) that the above interdepartmental committee make recommendations to the Government on procedures to be followed in the preparation of papers to be presented to the Legislative Assembly, with a view to limiting the cost of the publication of the Papers and ensuring that, wherever possible, the cost of the printing of Parliamentary Papers be only a "run-on" cost together with the cost of covers; and

- f) that the Publications Committee be given a continuing role in reviewing the functioning of the Parliamentary Papers Series.

PART II

9 DATE OF COMMENCEMENT OF SERIES

- 9.1 Your Committee was requested to report on whether it was desirable to print, as part of the Parliamentary Papers Series, appropriate papers presented to the Assembly since Self-Government or since the initial first sitting of the Assembly on 20 November 1974.
- 9.2 Although your Committee has not had the opportunity to examine each paper presented to the Legislative Assembly since 1978, it has been able to peruse a list of the papers presented since then and is of the opinion that approximately five hundred of the papers tabled between Self-Government in 1978 and the end of 1984 could be recommended for printing. Recent discussions with the Government Printer indicated that since many of these papers would be capable of being photoreduced and being printed by the use of offset machinery, it would not be necessary to typeset most of them.
- 9.3 Under these circumstances, your Committee is of the opinion that the cost of printing the relevant papers tabled from 1978 to 1984 would lie somewhere between \$850 000 and \$950 000. Whilst this appears to be

a considerable expenditure, your Committee is of the view that it would not be possible to print all of these papers in one financial year; rather it would see a catch-up period of up to five years. Thus the expenditure could be spread over a five year period and would not necessarily create an inordinate drain on the Public Purse.

- 9.4 Your Committee has considered arguments for and against commencing the Parliamentary Papers Series from the initial first sitting of the Legislative Assembly in 1974.
- 9.5 Two factors have influenced it in its decision to recommend not commencing the Series at that date. These are:
- a) Whilst the establishment of the Legislative Assembly marked the commencement of the first fully elected legislature in the Territory, this could be considered but one of the steps in the path to Self-Government;
 - b) the cost of extending the Series back to that date;
- 9.6 Your Committee therefore does not consider it advisable to recommend that the Series be commenced from the initial first sitting of the Assembly on 20 November 1974. Rather it considers that, for the purposes of the Members of the Legislative Assembly, researchers and tertiary institutions, the appropriate date to start such a Series would be the commencement of Self-Government in the Territory.

9.7 Despite this, your Committee believes it should also be given the task of examining all those documents presented to both the Legislative Council and to the Legislative Assembly prior to 1978 which relate specifically to the movement towards Self-Government with a view to recommending their incorporation in the Parliamentary Papers Series, in a special volume or volumes. Such a collection would be of great historical value.

PART III

10 THE ADEQUACY OF THE PRESENT LEGISLATION

10.1 The Hon J M Robertson, MLA, (then Attorney-General) advised your Committee on 10 July 1984 that it appeared that no changes in Northern Territory Legislation would be necessary to allow the introduction of a Northern Territory Parliamentary Papers Series. (See para 5, Appendix "A".)

10.2 After considering sections of the Legislative Assembly (Powers and Privileges) Act, relevant parts of Erskine May's 19th Edition of Parliamentary Practice, the then Attorney-General advised that the "appropriate course for publication of a Parliamentary Papers Series would be to rely on the specific provision in section 11 [of the Legislative Assembly (Powers and Privileges) Act] and seek general authorisation from the Legislative Assembly for incorporation of the tabled papers in the proposed Series". (See Appendix "A".)

10.3 Your Committee agrees with this view.

11 APPRECIATION

11.1 Your Committee expresses its appreciation to Mr J Ashton, Manager of the Government Information Centre and Dr T Schmitz, Principal Librarian, State Reference Library, for appearing before the Committee to give information and advice on the format, the appropriate standard, the costing, the volume, the distribution arrangements and other matters concerning the introduction of a Parliamentary Papers Series.

11.2 Your Committee wishes to make special mention of the assistance provided by the Government Printer, Mr G L Duffield and the Clerk of the Legislative Assembly, Mr H G Smith and his staff.

12 RECOMMENDATIONS

12.1 Your Committee recommends:

- a) that a Parliamentary Papers Series for the Northern Territory be commenced immediately;
- b) that the Government instruct its departments and statutory authorities to prepare all documents to be presented to the Legislative Assembly in a standard format on standard B5 sized paper. This size paper is currently in use for the production of Northern Territory Acts, By-laws and the Parliamentary Record as well as documents which emanate from the Commonwealth Parliament and certain of the State Parliaments;

- c) that wherever possible, the paper to be used in such documents be at least of 63 g.s.m. but should there be a noticeable "see-through" capacity in such paper, that a greater paper weight be utilised;
- d) that an interdepartmental committee be established consisting of officers of the Government Printer, the Government Information Centre, the Treasury, the Chief Minister's Department and the Legislative Assembly to make recommendations to the Government on standards to be observed in departmental publications, especially those publications which may be recommended by future Publications Committees to be printed as Parliamentary Papers;
- e) that the above interdepartmental committee make recommendations to the Government on procedures to be followed in the preparation of papers to be presented to the Legislative Assembly, with a view to limiting the cost of the publication of the Papers and ensuring that, wherever possible, the cost of the printing of Parliamentary Papers be only a "run-on" cost together with the cost of covers;
- f) that the Publications Committee be given a continuing role in reviewing the functioning of the Parliamentary Papers Series;
- g) that, for the purpose of the Members of the Legislative Assembly, researchers and tertiary institutions, the Series include appropriate

papers tabled in the Assembly from the first sitting day after Self-Government in the Territory;

- h) that the Series be augmented by incorporating in it documents presented to the Legislative Council and the Legislative Assembly prior to Self-Government which relate specifically to the movement towards Self-Government;
- i) that the Publications Committee be empowered to examine such papers and make recommendations for their printing.

D F DALE
CHAIRMAN



Rec'd
13 JUL 1984

ATTORNEY-GENERAL

G.P.O. BOX 3146
DARWIN NT 5794

10 JUL 1984

Mr. Don Dale, M.L.A.
Chairman
Standing Committee on Publications
of the Legislative Assembly
G.P.O. Box 3721
Darwin, N. T. 5794

Dear Don,

I refer to your recent request regarding the changes, if any, required to Northern Territory legislation should a Parliamentary Paper Series for the Northern Territory Legislative Assembly be introduced.

Sections 11, 12(1) and 12(2) of the Legislative Assembly (Powers and Privileges) Act appear to be relevant.

Section 11 provides:

"It shall be lawful for the Assembly to authorize the publication of any document laid before it or of any evidence given before it."

Sections 12(1) and 12(2) provide:

"(1) When the Assembly has ordered a document or evidence to be printed the Assembly shall be deemed, unless the contrary intention appears in the order, to have authorized the Government Printer and the Clerk to publish the document or evidence.

"(2) The Assembly shall be deemed to have authorized the Government Printer and the Clerk to publish the notice paper and the minutes of the proceedings of the Assembly and the report of the debates and proceedings of the Assembly."

Section 12(2) appears to allow for the publication of Parliamentary Papers, on the basis that they are classified as "proceedings of the Assembly". Erskine May in his 19th Edition of Parliamentary Practice (1976) states that the expression "proceedings in Parliament" includes everything said or done by a Member in the exercise of his functions whilst in the House as well as everything said or done in either House in the transaction of Parliamentary business. However, I believe a more appropriate course for publication of a Parliamentary Paper Series would be to rely on the specific provision in section 11 (above) and seek general authorization from the Legislative Assembly for incorporation of tabled papers in the proposed series.

In short, it appears that the introduction of a Parliamentary Paper Series and the printing of appropriate papers presented to the Assembly are already covered by Northern Territory legislation, and no further changes would be necessary to implement your proposal.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jim Robertson". The signature is stylized with a large, sweeping initial "J" and "R".

JIM ROBERTSON

APPENDIX "B"

PAPERS TABLED IN 1983 WHICH WOULD BE LIKELY TO BE PRINTED AND
INCORPORATED IN A PARLIAMENTARY PAPERS SERIES

Annual Report 1979-80, Industries Training Commission
Annual Report 1980-81, Industries Training Commission
Annual Report 1981-82, Police Force
Annual Report 1981-82, Araluen Arts and Cultural Trust
Annual Report 1981-82, Department of Community Development
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