

What is an Upper House ?

- In the Australian Parliament the upper house is the Senate, in the Australian States it is called the Legislative Council, in the United Kingdom it is the House of Lords. In the Northern Territory we do not have an upper house.
- An upper house can have different functions and limitations.
- For example the Australian Senate cannot originate bills to appropriate money or impose taxes; only the House of Representatives can do that.
- The Senate was established as the States' House, the place in the Commonwealth Parliament where an equal number of members come from each State. But, the modern political party system can be said to have eroded the States' House role and the Senate has taken on the 'house of review' function as its main role in the political system.
- The Constitution provides a method for resolving deadlocks which might arise in the event of a disagreement between the houses. If the Senate twice fails to pass a bill from the House of Representatives, under certain specified conditions, the Governor-General may simultaneously dissolve both houses, in which case elections are held for all seats in both houses.
- This double dissolution procedure is the only exception to the rule of fixed terms for senators. If the deadlock persists after the elections the Governor-General may convene a joint sitting of the two houses to resolve the matter.
- Does the Northern Territory want or need an upper house? Sometimes people say that the Commonwealth Parliament is our upper house but this is not a correct interpretation of the role of an upper house. The Commonwealth can currently override all Northern Territory Laws and abolish self government; an upper house could not do that.
- The Statehood Steering Committee discussion called *Constitutional Paths to Statehood* asks Territorians to think about Bicameralism – an upper and lower house of Parliament. You can comment on this issue in response to the Discussion Paper even if you read this after the date for submissions in December 2007. The Paper is available on the Statehood website.
- Maybe an upper house for the Northern Territory could be a part time body that meets regularly but not as often as the Legislative Assembly. Maybe it would have as few as five or seven members with a function to ask questions of the Bills coming from the Assembly. These options are worth considering, what do you think?

