



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
Standing Committee on Legal and Constitutional Affairs

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**Terms of Reference**

**Northern Territory  
Statehood Steering Committee**

**17 August 2004  
(as amended 24 March 2005)  
(further amended 30 November 2006)  
(further amended 24 November 2008)**

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## Preamble

THAT, WHEREAS on 30 June 2008 the Chief Minister of the Northern Territory reiterated the Northern Territory Parliament's recommitment to the achievement of Statehood for the Northern Territory and that the Standing Committee on Legal and Constitutional Affairs in its deliberations would take into account and be guided by the following:

- a) The process would be community based, not imposed upon the community.
- b) The Standing Committee would facilitate and provide resources to this community based process.
- c) The Parliament's aim to achieve Statehood within 5 years, noting the significance of the 100 year anniversary in 2011:
  - (i) the holding of public consultations on Statehood in 2009 and 2010;
  - (ii) the drafting of a new constitution;
  - (iii) the holding of a Constitutional Convention in 2010/2011; and
  - (iv) a subsequent referendum if so supported.
- d) A central principle for the Northern Territory to achieve Statehood is the respect for and proper recognition of the Indigenous people of the Northern Territory and that the Indigenous people are to be involved in all stages of the process.

AND, WHEREAS

- (a) On 28 August 1985, Northern Territory Legislative Assembly established a bi-partisan parliamentary Committee on Constitutional Development to report and make recommendations on a Constitution for the new State and the principles upon which it should be drawn; the method to be adopted to have a draft new state Constitution approved by or on behalf of the people of the Northern Territory; and the issues, conditions and procedures pertinent to the entry of the Northern Territory into the Federation as a new State. That Committee tabled its final report including a draft constitution in the Legislative Assembly on 26 November 1996;
- (b) During the period 26 March to 9 April 1998 a Constitutional Convention (called the Statehood Convention) was convened and subsequently recommended the form of a 'Statehood Constitution' to the Legislative Assembly and urged Statehood for the Northern Territory 'as soon as possible';
- (c) On 3 October 1998, the Northern Territory community rejected Statehood in a Territory wide indicative referendum thus halting the Northern Territory's push in becoming Australia's Seventh State by 2001;
- (d) In the wake of Referendum's 'No' vote, the Legislative Assembly, on 7 October 1998, resolved that the Standing Committee on Legal and Constitutional Affairs (the Standing Committee) conduct an inquiry into and report on reasons for the failure of the Northern Territory Referendum and to ascertain support for the Northern Territory gaining Statehood by 2001. The Committee was also required to recommend to the Assembly appropriate means whereby community support for Statehood could be achieved;
- (e) On 30 April 1999, The Standing Committee tabled its *Report into Appropriate Measures to Facilitate Statehood* in the Legislative Assembly recommending, among other things:

*That there be a public education program to inform Territorians about what Statehood means and about the process of constitutional development, presented in a dispassionate, balanced and informative manner. It is essential that the education program not be presented in a 'political propaganda' manner and it should be validated by independent sources. It is recommended that the Standing Committee on Legal and Constitutional Affairs be directly involved in the broad development of the education program and the engagement of an independent consultant to devise and implement the program. Specific strategies should be developed for effective consultations and education in Aboriginal communities. This should commence as soon as possible to take advantage of the enhanced awareness of the issue, which currently exists in the community (Recommendation 3);*

- (f) On 25 October 2001, the Legislative Assembly resolved to enhance the Standing Committee's primary Terms of Reference to inquire into and report on such constitutional and legal matters that are referred to it by the Legislative Assembly or the Attorney General, by providing additional Terms of Reference to the Committee the power upon its own motion to address matters concerning:
- (i) Legal or constitutional issues, including law reform, parliamentary reform, administrative law, legislative review and inter-governmental relations.
  - (ii) The Northern Territory's ongoing constitutional development that may also be tied to a future grant of Statehood.
  - (iii) Other specific inter-governmental relationships that the Attorney-General may wish the Committee to address or investigate;

AND WHEREAS on 13 February 2004 the Standing Committee resolved, pursuant to its additional Terms of Reference of 25 October 2001 to address matters concerning the Northern Territory's ongoing constitutional development that may also be tied to a future grant of Statehood, that Terms of Reference be prepared relating to the establishment of an advisory committee to the Standing Committee on Northern Territory Statehood and constitutional development, with a membership comprising the Standing Committee and representatives from major stakeholders and others within the Northern Territory, to advise and assist the Standing Committee in its deliberations in respect of this matter;

AND THAT on 17 August 2004, the Legislative Assembly;

- (a) endorsed following the Terms of Reference of the Northern Territory Statehood Steering Committee, tabled on 25 June 2004; and
- (b) authorised the Standing Committee on Legal and Constitutional Affairs to appoint the membership of the Northern Territory Statehood Steering Committee in accordance with the Terms of Reference tabled on that day;  
subject to -  
the Speaker tabling in the Assembly for its adoption –
  - (i) the membership of the Northern Territory Statehood Steering Committee; and
  - (ii) a Speaker's Determination authorising the level and terms and conditions of payment of meeting/sitting fees and travel allowances paid to Northern Territory Statehood Steering Committee members, pursuant to paragraphs 48 to 50 of the Terms of Reference above; and
- (c) notwithstanding paragraph 4 of the Terms of Reference, may by resolution dissolve the Northern Territory Statehood Steering Committee.

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# Northern Territory Statehood Steering Committee

## Terms of Reference

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### Definitions

1. In these Terms of Reference, unless the contrary intention appears:

**Alternate member** means a person who is nominated, under clauses 30, 31 and 32, by a member of the Statehood Steering Committee to attend and participate in a meeting of the Statehood Steering Committee or its committees, in his or her stead for the period of that meeting;

**Chair** means the person who has been:

- (a) deemed to be Chair of the Steering Committee Executive Group under clause 22 to act as Chair of the Steering Committee Executive Group; or
- (b) appointed as a Chair of a Select Working Committee under clause 52 to act as Chair of a Select Working Committee; or
- (c) appointed as a Chair of a committee or subcommittee established under these terms of reference to act as Chair of a committee or subcommittee;

**Chairman** means the person who has been elected as Chairman of the Standing Committee on Legal and Constitutional Affairs, pursuant to the Standing and Sessional Orders to act as Chairman of the Northern Territory Statehood Steering Committee under clause 6 (a).

**Co-Chair** means the person who has been appointed as Co-Chair of the Statehood Steering Committee by the Standing Committee under clause 6 (b) to act as Co-Chair of the Northern Territory Statehood Steering Committee;

**Committee or subcommittee** means a committee or subcommittee of the Northern Territory Statehood Steering Committee, including the Steering Committee Executive Group established under clause 20 and a Select Working Committee established by the Statehood Steering Committee under clause 51;

**Committee member** means a member of a committee or subcommittee of the Statehood Steering Committee or the Steering Committee Executive Group or a Select Working Committee established by the Statehood Steering Committee;

**Constitutional/Legal Adviser** means the person who has been nominated, from time to time, by the Solicitor General of the Northern Territory as Constitutional/Legal adviser under clause 11 to act as Constitutional/Legal adviser to the Statehood Steering Committee;

**Executive Group** means the Steering Committee Executive Group established under clause 21.

**Executive Officer of the Statehood Steering Committee** means the person who is the Executive Officer of the Statehood Steering Committee, appointed by the

Standing Committee, to act as the Executive Officer of the Statehood Steering Committee under clause 11 and the Executive Group established under clause 21;

**Legislative Assembly** means the Legislative Assembly of the Northern Territory;

**Member of the Legislative Assembly** means a member of the Legislative Assembly of the Northern Territory;

**Northern Territory Statehood Steering Committee or Statehood Steering Committee** means the body established under clause 2;

**Secretariat** means the body established under clause 8;

**Secretary of the Standing Committee on Legal and Constitutional Affairs** means the person who is the Secretary of the Standing Committee on Legal and Constitutional Affairs;

**Select Working Committee** means a committee established by the Statehood Steering Committee under clause 51;

**Senior chair** means the Chairman for the purpose of these Terms of Reference to act as the senior Chair over the Co-Chair in the conduct of the business and proceedings of the Statehood Steering Committee.

**Speaker** means the Speaker of the Legislative Assembly of the Northern Territory;

**Standing Committee** means the Standing Committee on Legal and Constitutional Affairs established under the Standing Orders;

**Standing Orders or Sessional Orders** mean the Standing Orders and Sessional Orders of the Legislative Assembly of the Northern Territory;

**Statehood Steering Committee member** means the person holding the office of the Chairman or the Co Chair or a person who has been appointed to be a member of the Northern Territory Statehood Steering Committee under clause 6;

**Statehood Steering Committee Program** means the program prepared by the Statehood Steering Committee under clause 26; and

**Steering Committee Executive Group or Executive Group** means the Steering Committee Executive Group established under clause 20.

## **Establishment of a Northern Territory Statehood Steering Committee**

2. Pursuant to the resolution of the Standing Committee of 25 June 2004, an advisory committee to the Standing Committee called the Northern Territory Statehood Steering Committee (the Statehood Steering Committee) is hereby established.

## **Purpose of the Northern Territory Statehood Steering Committee**

3. The purpose of the Northern Territory Statehood Steering Committee is to provide advice and assistance to the Standing Committee on matters concerning the Northern Territory's ongoing constitutional development that may also be tied to a future grant of Statehood and in particular:
  - (a) provide advice to the Standing Committee in reviewing the process of constitution-making in the Northern Territory to date, for the purpose of developing recommendations on a Constitution for the new State and the principles upon which it should be drawn and the method to be adopted to have a draft new state Constitution approved by or on behalf of the people of the Northern Territory;

- (b) in reviewing the process of constitution-making in the Northern Territory to date, the Statehood Steering Committee may, as it considers appropriate, have regard to:
  - (i) the form and content of the draft constitution in the Report that was prepared by the former Parliamentary Committee on Constitutional Development and was tabled in the Legislative Assembly on 27 November 1996 and the draft constitution that was the outcome of the Constitutional Convention held during the period 26 March to 9 April 1998 that was tabled in the Legislative Assembly on 13 August 1998;
  - (ii) such reports and papers that have been tabled in the Legislative Assembly (including those from the former Parliamentary Committee on Constitutional Development) from time to time relating to the matter of Northern Territory Statehood, and the debates in the Assembly on those reports and papers; and
  - (iii) any other reports, submissions, papers and documents relating to the matter of Northern Territory Statehood and constitutional development, whether or not they have been tabled in the Legislative Assembly;
- (c) provide advice to the Standing Committee in identifying and developing strategies and programs in educating the Northern Territory community on Statehood and constitutional development; and
- (d) provide assistance to the Standing Committee in undertaking a role in promoting the awareness of Statehood and constitutional development to the Northern Territory community.

### **Life of the Northern Territory Statehood Steering Committee**

- 4. The Statehood Steering Committee shall come into existence on the day that these Terms of Reference are endorsed by resolution of the Standing Committee and shall continue to exist until:
  - (a) the Administrator prorogues the Legislative Assembly, pursuant to section 22 (1) of the *Northern Territory (Self-Government) Act 1978*; or
  - (b) the Standing Committee and the Statehood Steering Committee have mutually agreed to dissolve the Statehood Steering Committee, which will take effect upon the date fixed by resolution of the Standing Committee.
- 5. If the Statehood Steering Committee ceases to exist under clause 4 (a) and upon the Administrator giving notice of the holding of a session of the Legislative Assembly, pursuant to section 22 (2) of the *Northern Territory (Self-Government) Act 1978* and subject to the Standing Orders and Sessional Orders of the Legislative Assembly, the Standing Committee may resolve to re-establish the Statehood Steering Committee on such terms and conditions as it thinks fit.

#### **5A. CONTINUANCE OF ADMINISTRATIVE FUNCTION**

Despite clauses 4 and 5, members of the Statehood Steering Committee who are not members of the Legislative Assembly continue in office until the Assembly first meets following prorogation of the Assembly.

The Members who continue in office under sub-clause (1) may carry out the administrative functions of the Statehood Steering Committee and any other activities of the Statehood Steering Committee previously authorised by the Legal and

Constitutional Affairs Committee but must not carry out any other functions or activities.

## **Composition of the Statehood Steering Committee**

6. The Statehood Steering Committee shall comprise the following membership:
- (a) the Member of the Legislative Assembly of the Northern Territory, appointed for the time being to the Standing Committee and who has been elected as Chairman of the Standing Committee, pursuant to the Standing and Sessional Orders, to hold the office of Chairman;
  - (b) a person residing in the Northern Territory who, in the Standing Committee's opinion, has a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood, being a person not being a member of the Statehood Steering Committee under clauses 6 (a) or (c), appointed by the Standing Committee to hold the office of Co-Chair;
  - (c) 2 Members of the Legislative Assembly of the Northern Territory appointed for the time being to the Standing Committee and chosen from time to time by the Standing Committee;
  - (d) such other persons, not being Members of the Legislative Assembly, the number to be determined by the Standing Committee, residing in the Northern Territory who have a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood, being a person appointed by the Standing Committee from among applicants following public advertisement in the media as the Standing Committee thinks fit;
  - (e) the Standing Committee, when considering appointments to the Statehood Steering Committee under the preceding clause may take into account the following stake-holder groups:
    - (i) Northern Territory Indigenous groups/organisations;
    - (ii) Northern Territory municipal, local and community governments;
    - (iii) Business and pastoral groups/organisations;
    - (iv) Trade Unions and Industry groups/organisations;
    - (v) Ethnic community groups/organisations;
    - (vi) Educational or marketing institutions, groups or organisations;
    - (vii) Women's organisations;
    - (viii) Northern Territory Council of Churches and the Ministers Fraternal and other religious groups;
    - (ix) Specific pressure, lobby or interest groups, that have a commitment to the achievement of Statehood for the Northern Territory;
    - (xii) Young Territorians; and
    - (xiii) Senior Territorians.
  - (f) notwithstanding clause 6 (e) the Standing Committee may also appoint other persons residing in the Northern Territory who, in its opinion, have a strong commitment in the matters concerning the Northern Territory's ongoing constitutional development that is tied to a future grant of Statehood; and

- (g) Statehood Steering Committee members, other than members of the Standing Committee, are appointed for the life of the Statehood Steering Committee, but in any case may be discharged from office at any time by the Standing Committee.
- (h) The total number of Statehood Steering Committee members is not to exceed 25.

**Duties and responsibilities of Members of the Statehood Steering Committee**

- 7. The duties and responsibilities of the members of the Statehood Steering Committee are as follows:
  - (a) to attend all Statehood Steering Committee meetings and functions unless they tender an apology;
  - (b) to keep informed about the Statehood Steering Committee purpose, policies, and programs;
  - (c) to review agenda and supporting materials prior to Statehood Steering Committee meetings;
  - (d) to serve on Select Work Committees and other committees, where appropriate, and to take on special assignments as required;
  - (e) to contribute to the work of the Statehood Steering Committee;
  - (f) to keep up-to-date on Northern Territory Statehood and constitutional development generally; and
  - (g) to adhere to any protocols endorsed by the Standing Committee.

**Secretariat**

- 8. There shall be a Secretariat of the Statehood Steering Committee comprising a Chairman and a Co-Chair.
- 9. The Secretariat shall be supported by the Executive Officer of the Statehood Steering Committee, the Constitutional/Legal Adviser nominated from time to time by the Solicitor-General of the Northern Territory, the Secretary of the Standing Committee on Legal and Constitutional Affairs and such other administrative and specialist persons as approved by the Standing Committee and the Speaker.
- 10. The initial voting Officers of the Statehood Steering Committee are identified in Column 1 and hold office in the following manner in Column 2:

<b>Column 1</b>	<b>Column 2</b>
Chairman	The person elected as Chair of the Standing Committee, from time to time, pursuant to the Standing and Sessional Orders of the Legislative Assembly of the Northern Territory;
Co-Chair	The person who has been appointed by the Standing Committee to hold the office of Co-Chair under clause 6 (b);

11. The initial non-voting Officers of the Statehood Steering Committee are identified in Column 1 and hold office in the following manner in Column 2:

<b>Column 1</b>	<b>Column 2</b>
Executive Officer of the Statehood Steering Committee	The person who has been appointed by the Standing Committee to hold the position of Executive Officer of the Statehood Steering Committee under clause 13;
Secretary of the Standing Committee on Legal and Constitutional Affairs	The person who holds the position of Executive Officer of the Standing Committee on Legal and Constitutional Affairs;
Constitutional/Legal Adviser	The person nominated, from time to time, by the Solicitor-General of the Northern Territory.

12. The Statehood Steering Committee shall be provided with all necessary staff, facilities and resources by the Legislative Assembly of the Northern Territory and shall be empowered, with the prior written approval of the Standing Committee and the Speaker, to appoint other persons with specialist knowledge including secretarial and administrative support for the purposes of the Statehood Steering Committee.
13. There shall be an Executive Officer of the Statehood Steering Committee, appointed by the Standing Committee, who shall serve under the direction and supervision of the Executive Group as the principal executive officer of the Statehood Steering Committee.
- 13A The Minister for Statehood and the Shadow Minister for Statehood may from time to time seek advice or information on Statehood issues from the Office of the Clerk of the Legislative Assembly. A copy of any advice or information where prepared by the Secretariat, Statehood Steering Committee, will be tabled at the next Executive Group meeting following the date of its submission to the Clerk.
14. The Constitutional/Legal Adviser shall be the principal constitutional and legal adviser to the Statehood Steering Committee and the Executive Group.

### **Duties and responsibilities of Chairman and Co-Chair**

15. The Chairman and the Co-Chair shall take the chair at the beginning of the deliberations of the Statehood Steering Committee and shall proceed to the business in the manner prescribed by these Terms of Reference.
16. The Chairman and the Co-Chair shall jointly have the powers and perform the duties as follows, unless the contrary intention appears:
- (a) they shall preside over meetings of the Statehood Steering Committee when present;
  - (b) they shall preserve order and decorum within Statehood Steering Committee meetings, and shall prevent personal reflection, abuse and offensive language, and confine Statehood Steering Committee members to the issues under discussion; and
  - (c) they shall exercise such other powers and perform such other duties as are provided by these Terms of Reference or as incidental thereto or as are in their opinion, necessary or convenient for enabling the Statehood Steering Committee to function effectively.

17. The Chairman shall have the powers and perform the duties as follows, unless the contrary intention appears:
  - (a) notwithstanding the joint powers of the Chairman and the Co-Chair under the preceding clause, the Chairman for the purpose of these Terms of Reference shall be regarded as the senior Chair and shall have the final say in case of any disagreement with the Co-Chair;
  - (b) as the senior Chair, he or she shall announce a consensus or result or declare the vote according to the fact on all questions before the Statehood Steering Committee and the Statehood Steering Committee Executive Group; and
  - (c) when necessary or required, he or she shall certify all official acts and all vouchers for payment of the expenditures of the Statehood Steering Committee.
18. In the temporary absence of:
  - (a) the Chairman to preside over a meeting of the Statehood Steering Committee, or in the event of his or her temporary inability to preside, his or her powers and duties shall be exercised and performed by a member of the Standing Committee who is a member of Statehood Steering Committee and who has been elected by the Standing Committee members of the Statehood Steering Committee present to act as Chair for that meeting; or
  - (b) the Co-Chair to preside over a meeting of the Statehood Steering Committee, or in event of his or hers temporary inability to preside, his or her powers and duties shall be exercised and performed by a member of the Statehood Steering Committee who is not a member of the Standing Committee and who has been elected by the Statehood Steering Committee members who are not members of the Standing Committee present to act as Co-Chair for that meeting.
19. In the event of a permanent vacancy in the office of the Co-Chair through death, resignation or otherwise, the Co-Chair shall be appointed pursuant to clause 6 (b), to fill such vacancy.

### **Steering Committee Executive Group**

20. There shall be a Steering Committee Executive Group of the Statehood Steering Committee (the Executive Group) which shall comprise:
  - (a) the Chairman and the Co-Chair;
  - (b) 2 members of the Standing Committee chosen by the Standing Committee under clause 6 (c); and
  - (c) 2 members of the Statehood Steering Committee (other than a member of the Standing Committee) who have been members of the Statehood Steering Committee for a period of at least 12 months, elected annually by the members of the Statehood Steering Committee at its first meeting following this condition coming into effect and subsequently at its first meeting of each calendar year. Such members will hold office for one year but are able to nominate for re-election.
21. Vacancies in respect of the membership of the Executive Group shall be filled in the same manner as required by these Terms of Reference for the appointment in respect of which there is a vacancy.

22. The Chairman shall be Chair of the Executive Group.
23. In the temporary absence of the Chairman to preside over a meeting of the Executive Group, or in event of his or her temporary inability to preside, his or her powers and duties shall be exercised and performed by a member of the Standing Committee who is a member of Executive Group and who has been elected by the Standing Committee members of the Executive Group to act as Chair for that meeting.
24. Meetings of the Executive Group shall not be open to the public unless otherwise ordered by the Executive Group.
25. The Executive Group shall have the following duties and functions, in addition to any other duties and functions in these Terms of Reference:
  - (a) to consider and report to the Standing Committee upon such changes to the Terms of Reference of the Statehood Steering Committee and changes in organisation of the Statehood Steering Committee as shall be referred to it by the Statehood Steering Committee;
  - (b) to oversee the administration and conduct of the Statehood Steering Committee, including the planning for finances, personnel, printing and physical arrangements of the Statehood Steering Committee and its officers and staff, and related matters, including the scheduling of dates and times for meetings of the Statehood Steering Committee and the designation of locations for any meetings, including any of its Select Working Committees and other committees;
  - (c) to examine and consider all proposals for inclusion or otherwise to the Statehood Steering Committee Program;
  - (d) to meet on such dates and at such times and at such places as the Chairman determines from time to time;
  - (e) to assist the Statehood Steering Committee in determining the matter, membership, powers and procedures of committees established by the Statehood Steering Committee;
  - (f) to assist the Statehood Steering Committee in examining and considering all proposals and all other matters not germane to the work of committees established by the Statehood Steering Committee and make recommendations to the Statehood Steering Committee for action thereon;
  - (g) to organise the call for and receive submissions from the public on any matter relevant to the work of the Statehood Steering Committee;
  - (h) to organise the holding of public sessions of the Statehood Steering Committee;
  - (i) to consider and report to the Statehood Steering Committee upon any other matters referred to it by the Standing Committee; and
  - (j) to report from time to time to the Standing Committee on the matters undertaken by the Executive Group in pursuance of these Terms of Reference.

### **Statehood Steering Committee Program**

26. The Statehood Steering Committee in pursuance of these Terms of Reference shall meet at least four times each year and be responsible for the establishment of a program of work (the Steering Committee Program) in respect of the purposes that are assigned to the Statehood Steering Committee under clause 3, including but not limited to the development of strategies, programs, operational guidelines, work

plans and budgets and other related matters for the efficient operation of the Statehood Steering Committee and its committees.

27. The preparation of and the carrying out of the Steering Committee Program and Statehood Steering Committee decisions and recommendations shall be the responsibility of the Steering Committee Executive Group.
28. Statehood Steering Committee business shall proceed in line with the Steering Committee Program. To ensure flexibility, the Chairman and Co-Chair, after consulting the Steering Committee Executive Group, may amend the Steering Committee Program if, in their opinion, they consider it necessary for the effective conduct of business.

### **Relationship of the Standing Committee with the Statehood Steering Committee**

29. The Standing Committee will meet with the Statehood Steering Committee not less than twice each calendar year or more frequently if deemed required by the Standing Committee.
- 29A. The Minutes of the Statehood Steering Committee meetings and the Executive Group meetings will be provided to the Standing Committee. The Standing Committee may provide a response to matters noted in the Statehood Steering Committee and Executive Group meeting minutes, as well as other matters referred to it.
- 29B. When the Statehood Steering Committee has agreed upon the form and content of a report or any other documented outcome, the original thereof shall be signed by the Chairman and the Co-Chair, and shall be submitted to the Standing Committee. Copies shall then be prepared and certified by the Executive Officer and one copy delivered to each Statehood Steering Committee member.

### **Alternates**

30. Where a member of the Statehood Steering Committee (other than the Chairman or Co-Chair or a member of the Standing Committee) is unable to attend a meeting of the Statehood Steering Committee or its committees he or she shall be able to nominate a person who is not a member of the Statehood Steering Committee to be his or her alternate to attend and participate in a meeting of the Statehood Steering Committee or its committees, for the period of that meeting.
31. Where the Co-Chair is unable to attend a meeting of the Statehood Steering Committee Executive Group he or she shall be able to nominate a member of the Statehood Steering Committee, not being a member of the Standing Committee, to be his or her alternate to attend and participate in a meeting of the Executive Group, for the period of that meeting.
32. Where a member of the Standing Committee who is a member of the Statehood Steering Committee, pursuant to clause 6 (c), is unable to attend a meeting of the Statehood Steering Committee or its committees, that member may nominate another member of the Standing Committee, who is not a member of the Statehood Steering Committee, to be his or her alternate to attend and participate in a meeting of the Statehood Steering Committee or its committees for the period of that meeting.
33. An alternate member so nominated by a member of the Statehood Steering Committee under clauses 30, 31 and 32 may participate in a meeting of the Statehood Steering Committee or its committees as if he or she were a full member of the Statehood Steering Committee.

34. All nominations from members of the Statehood Steering Committee and appointments in respect of alternates attending and participating in meetings of the Statehood Steering Committee and its committees shall be provided in writing to the Executive Officer of the Statehood Steering Committee at least 24 hours prior to a meeting.

## **Quorum**

35. One third of the Statehood Steering Committee membership shall constitute a quorum for the transaction of business of the Statehood Steering Committee and 3 members of the Executive Group shall constitute a quorum for the transaction of business of the Executive Group unless the Statehood Steering Committee or the Executive Group (as the case may be) otherwise decides.
- 35A. A quorum for an Executive Group meeting shall include at least one Member of the Legislative Assembly and one member who is not a Member of the Legislative Assembly.
36. Notwithstanding clause 35, there is no requirement for a quorum of other committees of the Statehood Steering Committee for the transaction of committee business unless the Statehood Steering Committee otherwise decides.

## **Motions and Voting**

37. Any resolution or motion or the taking of any action by the Statehood Steering Committee or its committees in any of their respective deliberations will be determined if possible by consensus of the members present.
38. In the event that a consensus cannot be reached in pursuance of clause 37, a majority of members present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action by the Statehood Steering Committee or its committees in any of their respective deliberations.
39. The decision of the Chairman or the Chair of a committee on a show of hands shall be final.
40. When a member of the Statehood Steering Committee or its committees moves a motion, the Chairman or the Chair of a committee shall state it or, if in writing, it shall be read aloud before discussion. Motions shall be moved by a member of the Statehood Steering Committee or its committees and seconded by another such member of the Statehood Steering Committee or its committees.
41. The mover with consent of the seconder may withdraw a motion at any time before amendment or announcement of the decision.
42. Resolutions relating to the business of the Statehood Steering Committee or its committees may be introduced as provided by these Terms of Reference and their consideration shall follow the same procedure as is provided by these Terms of Reference for motions.
43. The Chairman and the Co-Chair in any of the deliberations of the Statehood Steering Committee or the Executive Group shall in all cases be entitled to vote on all matters before the Statehood Steering Committee or the Executive Group, and where there is an equality of votes on any question the Chairman, as the senior Chair, shall have a casting vote.
44. Subject to clause 43, a member of the Statehood Steering Committee or any of its committees shall have one vote only on any matter before the Statehood Steering Committee or committee as the case may be.

## **Responsibility for Statements made by Statehood Steering Committee Members**

45. Deliberations of the Statehood Steering Committee or any of its committees do not attract parliamentary privilege or immunity. Members of the Statehood Steering Committee are responsible for their own statements and actions whether in the Statehood Steering Committee or outside. No responsibility will be assumed by the Legislative Assembly or the Northern Territory Government for assistance to Statehood Steering Committee members in response to defamation proceedings or other action relating to their statements or actions.

## **Documents of the Statehood Steering Committee**

46. With the leave of the Statehood Steering Committee, a member of the Statehood Steering Committee may table documents relevant to the issue under discussion by handing them to the Chair. During the deliberations of the Statehood Steering Committee, tabled documents will be held in the Standing Committee secretariat and made available to Statehood Steering Committee members on request.
47. Unless otherwise ordered by the Statehood Steering Committee, all documents received by the Statehood Steering Committee during its life shall remain in the custody of the Standing Committee, provided that on the application of a department, agency or person, any document, if not likely to be further required, may in the Speaker's discretion, be returned to the department, agency or person from whom it was obtained.

## **Sitting fees and travel expenses**

48. The Co-Chair and other members of the Statehood Steering Committee (other than Members of the Legislative Assembly, full-time employees or officers of the Government of the Northern Territory, which shall include officers of the Legislative Assembly of the Northern Territory, or any other person employed in the Northern Territory Public Sector) shall receive a meeting fee per day, the amount to be determined by the Standing Committee from time to time and subject to approval by the Speaker.
49. The term "meeting fee per day" means any one period of 24 hours in which the Statehood Steering Committee or its committees meets, whether in one meeting or in successive meetings.
50. Subject to the discretion and prior approval of the Speaker, members of the Statehood Steering Committee (other than those categories of persons excluded under clause 48, may be entitled to the payment of reasonable travel expenses and allowances where necessary to attend meetings of the Statehood Steering Committee or its committees whether they are held in Darwin or elsewhere.

## **Select Working Committees**

51. The Standing Committee may, on the recommendation of the Statehood Steering Committee, establish Select Working Committees to assist the Statehood Steering Committee in its deliberation in examining and reporting of specific subjects and issues relating to Northern Territory Statehood and constitutional development such as, but not limited to:
  - (a) Legislative and Executive matters.
  - (b) Legal/judicial system.
  - (c) Electoral matters.

- (d) Local government.
  - (e) Indigenous rights and other matters.
  - (f) Entrenchment of rights.
  - (g) Promotion and education of Statehood and constitutional development.
  - (h) Terms and conditions of Statehood.
  - (i) Regional issues, with any such Committee to include the local Member(s) of the Legislative Assembly.
52. The Statehood Steering Committee shall appoint a member of the Statehood Steering Committee to be Chair of a Select Working Committee. The Statehood Steering Committee may fill any vacancies of Chairs of Select Working Committee in the same manner.
  53. The Chair of a Select Working Committee shall have a deliberative vote only.
  54. The Standing Committee shall determine, on the recommendation of the Statehood Steering Committee or otherwise, the inclusion of additional persons who are not members of the Statehood Steering Committee to be members of a Select Working Committee where there are budget implications.
  55. In the event of the Chair of a Select Working Committee not being present at a meeting of a Select Working Committee, the members present shall elect another Select Working Committee member to act as Chair at that meeting.
  56. The Chairman and the Co-Chair shall be ex-officio members of all Select Working Committees, shall be informed of and may attend all meetings of a Select Working Committee and may participate in its deliberations, but shall not vote.
  57. A Select Working Committee shall consider such proposals as are determined by the Statehood Steering Committee and shall draft and submit to the Statehood Steering Committee, for its consideration any final report or paper including recommendations pertaining to the business of the committee. Any member of a Select Working Committee may submit a minority report to the Statehood Steering Committee.
  58. No Select Working Committee may hold meetings during the meetings of the Statehood Steering Committee or the Executive Group without permission of the Statehood Steering Committee or the Executive Group (as the case may be) or meet outside of Darwin without the prior written approval of the Chair.
  59. Subject to clause 58, a Select Working Committee shall give at least 5 days written notice to the Executive Officer of the proposed time and place of meetings, and the Executive Officer shall make such notice public.
  60. Subject to the provisions of these Terms of Reference, the Statehood Steering Committee may determine the powers and procedures of a Select Working Committee, and in the absence thereof, each Select Working Committee shall determine the same.

## **General Provisions**

61. A record shall be kept in the Minutes of Proceedings of the Statehood Steering Committee and its committees of the names of members attending each meeting and of every motion or resolution or amendment moved, together with the name of the mover and seconder thereof.
62. Members of the public and representatives of the news media may attend and report any public sessions of the Statehood Steering Committee or a Select Working

Committee, unless otherwise ordered by the Statehood Steering Committee or a Select Working Committee.

63. The Statehood Steering Committee may authorise the televising of the Statehood Steering Committee or a Select Working Committee in public sessions under such arrangements, as the Chairman, in consultation with the Speaker, considers appropriate.
64. Subject to these Terms of Reference, the powers and procedures of the Statehood Steering Committee and its committees shall be as determined by the Standing Committee from time to time.
65. The foregoing provisions of these Terms of Reference, so far as they are inconsistent with the Standing Orders or Sessional Orders of the Legislative Assembly, have effect.
66. Nothing contained in the foregoing provisions of these Terms of Reference, shall prohibit or impede the lawful conduct by the Standing Committee of its business as a Committee of the Legislative Assembly pursuant to the provisions of its Terms of Reference, the Standing Orders or Sessional Orders of the Legislative Assembly.
67. These Terms of Reference shall take effect on the date hereof.