NORTHERN TERRITORY OF AUSTRALIA

GUIDANCE ON CARETAKER CONVENTIONS

These guidelines have been prepared by the
Department of the Chief Minister
March 2012

GUIDANCE ON CARETAKER CONVENTIONS

CONTENTS

1. Introduction
   - 1.1 The Caretaker Period and Caretaker Conventions
   - 1.2 Application of the Caretaker Conventions
   - 1.3 Notification of the Caretaker Period and Conventions

2. Operations of Government
   - 2.1 Cabinet and Executive Council
   - 2.2 Major Policy Decisions
   - 2.3 Appointments
   - 2.4 Major New Contracts or Undertakings
   - 2.5 Intergovernmental Meetings
   - 2.6 Hosting Dignitaries
   - 2.7 Departmental Liaison Officers

3. Operations of Government Agencies
   - 3.1 General
   - 3.2 Ministerial Correspondence
   - 3.3 Provision of Draft Speeches, Information or Advice to Ministers
   - 3.4 Legislation and Subordinate Legislation
   - 3.5 Public Speaking
   - 3.6 Approval of Grants
   - 3.7 Hospitality by Agencies
   - 3.8 Statutory Authorities and Government Owned Corporations and Companies
   - 3.9 Use of Agency Premises

4. Advertising, Information Programs and Communications
   - 4.1 Advertising
   - 4.2 Media Releases
   - 4.3 Websites
   - 4.4 Other Materials
   - 4.5 Agency Queries on Advertising, Information Programs and Communications

5. Important Agency Responsibilities during the Caretaker Period
   - 5.1 Cabinet Documents
   - 5.2 Incoming Government Briefings
   - 5.3 Selected Services to Ministerial Offices by NT Government Agencies
   - 5.4 Pre-Election Fiscal Outlook Report

6. Guidelines for Consultation by the Opposition with Agency Officers

7. Political Participation by NT Public Sector Officers

Appendix A: Guidelines for Advertising during the Caretaker Period

Appendix B: Selected Services to Ministerial Offices by NT Government Agencies

1. INTRODUCTION

1.1 The Caretaker Period and Caretaker Conventions

1.1.1 It is accepted practice within governments at both State/Territory and Commonwealth levels that special arrangements apply with regard to the operation of government in the "caretaker period" immediately before and after a general election.

1.1.2 The caretaker period commences from the prorogation (suspension) of the Legislative Assembly by the Administrator (usually the same day as the writ is issued for general election). The caretaker period continues until:

- the election result shows the Government is returned, or
- in the event of a change of Government, the new Government is appointed by way of swearing in of the new Ministers by the Administrator.

1.1.3 Section 23(1) of the *Electoral Act* provides that for the purpose of determining the date for a general election if the previous general election was not an extraordinary general election, a general election is to be held on the 4th Saturday in August in the 4th year after the year in which the previous general election was held. On this basis, the next general election is scheduled to be held on 25 August 2012. The statutory 19 day period between the issue of the writ for the general election and polling day requires that the writ be issued on 6 August 2012.

1.1.4 Section 23(2) of the *Electoral Act* provides that for the purpose of determining the date for a general election, if the previous general election was an extraordinary general election, the general election is to be held on the 4th Saturday in August in the 3rd year after the year in which the extraordinary general election was held.

1.1.5 A caretaker period also takes effect when a motion of no confidence in the Government is passed by the Legislative Assembly (section 24 of the *Electoral Act* refers). In such cases, a caretaker period will exist during the "period of no confidence" which is defined in section 24(3) of the *Electoral Act* to be the period starting on the day the motion of no confidence is passed and ending 8 clear days after it is passed. The period of no confidence will come to an end if there is a vote of confidence in the Government by the Assembly or, following the conclusion of the period of no confidence, on the day the Administrator appoints an alternative government. Alternatively, if at the conclusion of the period of no confidence the Administrator issues a writ for a general election, the caretaker period will continue for the period described in paragraph 1.1.2 above. The caretaker conventions described in this document apply to any period of no confidence in the Government as defined by the *Electoral Act*.

1.1.6 During the caretaker period, the business of government continues and ordinary matters of administration still need to be addressed. However, each general election brings with it the possibility of a change of government, and for this reason it is appropriate for governments to operate in ways that will not limit the freedom of action of an incoming government. These arrangements are not legally binding and so are known as "caretaker conventions". Their application in individual cases requires judgement and common sense.

1.1.7 The basic caretaker conventions require a government to avoid:

- decisions on major policy initiatives
- making appointments of major significance, or
- entering major contracts or undertakings.

1.1.8 The basic conventions are directed to decision-taking, not to policy announcements. The caretaker conventions do not apply to new policy initiatives which a Government may announce as part of its election campaign to be implemented following the election.

1.2 Application of the Caretaker Conventions

1.2.1 The guidelines in this document apply to all Northern Territory Government Ministers and to all officers of Northern Territory Government Agencies.

1.2.2 To ensure the consistent application of caretaker measures within Agencies, Agencies should appoint a senior officer to be the initial contact for caretaker enquiries. It is expected the Agency Chief Executive Officer will be the decision-maker in relation to these guidelines and be the primary contact in relation to their Minister's office and staff of the Agency in relation to the application of the caretaker conventions. If an issue cannot be resolved at Agency level, advice can be sought from the Cabinet Office in the Department of the Chief Minister on telephone 8999 6539.

1.3 Notification of Caretaker Period and Conventions

1.3.1 At the time of the issue of the writ for a general election, the Chief Minister will write to Ministers advising them of their role as the caretaker Government and providing them with a copy of these guidelines.

1.3.2 The Chief Executive Officer of the Department of the Chief Minister will write to all NT Public Sector Agency Chief Executive Officers advising them of the commencement of the caretaker period and that the caretaker conventions are to apply to all Agency activities.

2. OPERATIONS OF GOVERNMENT

2.1 Cabinet and Executive Council

2.1.1 The functions of Cabinet and the Executive Council will generally cease during the caretaker period and do not resume until the incoming Government is formed. Should it be necessary for Cabinet to convene, any deliberations and decisions should be made in the context of the caretaker conventions.

2.1.2 In exceptional circumstances, and with the consent of the Administrator, the Executive Council may convene during the caretaker period to handle urgent non-controversial matters.

2.1.3 Cabinet documents and related records held in Ministerial Offices are to be clearly identified and promptly returned to the Cabinet Office before the expiry of the caretaker period.

2.2 Major Policy Decisions

2.2.1 Governments should avoid making major policy decisions during the caretaker period that are likely to commit or limit the freedom of an incoming government. Whether a particular policy decision qualifies as "major" is a matter for judgement. Relevant considerations include not only the significance of the decision in terms of policy and resources, but also whether the decision is a matter of contention between the Government and Opposition in the election campaign.

2.2.2 The conventions apply to the making of decisions, not to their announcement. Accordingly, the conventions are not infringed where decisions made before prorogation of the Legislative Assembly are announced during the caretaker period. However, it is preferable that decisions be announced prior to the commencement of the caretaker period, especially if their announcement is likely to cause controversy. Care should be taken that NT Government resources are not used to make announcements that involve party-political activities.

2.2.3 If circumstances require the Government to make a major policy decision during the caretaker period that would potentially bind an incoming government, consultation between the caretaker Government and the Parliamentary Opposition should occur.

2.2.4 The above restrictions do not apply to the implementation of major policy decisions taken and announced before the caretaker arrangements came into effect.

2.2.5 During an election period, Ministers may not request the development of new policy initiatives but may request factual material from Agencies. In this regard, reference should also be made to the later section on "Provision of Information or Advice to Ministers".

2.3 Appointments

2.3.1 The Government should avoid making appointments of significance during the caretaker period. Factors to consider when deciding whether a particular appointment is significant include the inherent importance of the position and the degree to which the appointment may be controversial or a matter of disagreement between the major parties contesting the election.

2.3.2 If deferring the appointment is impracticable, usually for reasons associated with the proper functioning of an Agency or Government body, there are several options:

- make an acting appointment
- make a substantive, but short term appointment to extend until shortly after the end of the caretaker period, or
- if those options are not practicable, the Minister could consult the relevant Parliamentary Opposition spokesperson regarding a full term appointment.

2.4 Major New Contracts or Undertakings

2.4.1 Government should avoid entering into major contracts or undertakings during the caretaker period which could potentially commit an incoming Government to a particular course of action. When considering whether a contract or undertaking qualifies as “major”, Agencies should consider:

- the monetary value of the commitment
- whether the commitment involves a routine matter of administration or rather implements or entrenches a policy, program or administrative structure which is politically contentious, and
- whether the commitment requires Ministerial approval.

2.4.2 If a contract or undertaking cannot be deferred until after the caretaker period for commercial or legal reasons, or for essential continuity of government reasons, there are a number of options. The Minister could consult the relevant Parliamentary Opposition spokesperson regarding the commitment. Agencies could, where applicable, explain the implications of the election to the contractor and ensure that contracts include provision for the termination of the contract or undertaking should the incoming Government not wish to proceed. In the case of tenders, it may be appropriate to warn potential

tenderers about the implications of the election and the possibility that the tender might not be completed.

2.5 Intergovernmental Meetings

2.5.1 During the caretaker period, Ministers would not normally represent the Northern Territory at intergovernmental meetings. Where it is not convenient to postpone such a meeting, a senior Agency officer should attend as an observer to ensure the Northern Territory is informed of the deliberations, and brief the Minister afterwards as necessary. The Agency officer should make it known that he/she is constrained by caretaker conventions and is not authorised to commit the incoming Government to proposed actions that may be discussed at the meeting.

2.5.2 The Chief Executive of the Department of the Chief Minister will write to jurisdictional counterparts to advise of the timing of the election and the application of caretaker arrangements.

2.6 Hosting Dignitaries

2.6.1 It is preferable that visits to the Northern Territory by dignitaries be deferred by the Chief Minister until after the caretaker period, particularly where there is an expectation that agreements are to be made or negotiations undertaken.

2.6.2 In those cases where it is determined that a visit will still proceed during the caretaker period, dignitaries are to be advised of the election announcement and any changes in arrangements for the visit, including the reduced availability of Ministers.

2.7 Departmental Liaison Officers

2.7.1 Where Departmental Liaison Officers (DLOs) have been provided by Agencies to assist Ministers' offices with necessary liaison work with Agencies, the need for that work should be reviewed at the commencement of the caretaker period.

2.7.2 If there is ongoing work of a liaison nature during the caretaker period, DLOs may remain with Ministers' offices. However, DLOs are NT Public Sector staff and therefore are to avoid assisting Ministers in ways that could create a perception that they are involved in party-political activities.

3. OPERATION OF GOVERNMENT AGENCIES

3.1 General

3.1.1 While the NT Public Sector is required at all times to act in an apolitical manner, the circumstances of the caretaker period require special attention to ensure the impartiality of the NT Public Sector and its ability to serve whichever Government is elected.

3.1.2 The general rule during the caretaker period is that the normal business of Government continues until the wishes of the incoming Government are known. However, a number of aspects of an Agency's usual activities are affected by the caretaker period as outlined in the following sections.

3.2 Ministerial Correspondence

3.2.1 During the caretaker period, Ministers usually sign only the minimum of correspondence. In some circumstances, correspondence which would otherwise normally be signed by a Minister may be signed by a Chief Executive Officer. In such cases, the correspondence should make it clear that the correspondence is being sent from the Agency due to Government being in caretaker mode. Judgement should be exercised in determining when such action is appropriate.

3.2.2 It is important that Agency correspondence during the caretaker period does not assume or imply that one party or another will form the Government after the election.

3.2.3 Care should be taken to protect the NT Public Sector from perceptions of partisanship. Correspondence that requires an explanation of Government policy should not commit the Government to post-election action, nor should it imply that the policy will continue if the Government is re-elected. References to post-election action are to be expressed in terms of the "incoming Government".

3.3 Provision of Draft Speeches, Information or Advice to Ministers

3.3.1 Ministers may continue to request draft speeches and factual material from Agencies during the caretaker period, and material relating to the day-to-day business of government should continue to be supplied to Ministers in the usual way. The purpose to which such material is put is for Ministers to determine. However, to avoid controversy in the election period about claimed breaches of the apolitical and impartial role of the NT Public Sector, it may be appropriate to decline a request for assistance if it requires the use of significant resources and is clearly for use in the election campaign. If in

doubt, Agencies should discuss with the Minister or his/her senior staff the purpose for which the material is to be used. In the case of ministerial speeches for use in the caretaker period, these should only be provided by agencies where the speech relates to portfolio or other regular government activities.

3.3.2 In most instances, Agencies should also decline requests for policy advice during the caretaker period. There might, however, be urgent issues on which advice clearly should be provided to Ministers to allow responsible ongoing administration. Requests for legal advice on issues affecting the Minister in his or her capacity as a candidate should be declined. Agency officers who feel there is a difficulty with a particular request from a Minister should raise the matter with their Chief Executive Officer who, if necessary, may consult with the Chief Executive Officer of the Department of the Chief Minister.

3.3.3 Agencies can proceed with policy development work during the caretaker period so that they are in a position to provide advice to the incoming government, provided that contact with Ministers' offices is not required.

3.4 Legislation and Subordinate Legislation

3.4.1 All Bills which have been introduced in the Legislative Assembly but are yet to be passed, automatically lapse when the Assembly is prorogued.

3.4.2 Every effort should be made to ensure that Bills passed by the Assembly are presented to the Administrator for assent prior to prorogation of the Assembly. Advice will be sought by the Clerk of the Legislative Assembly if it is considered necessary to present a proposed law to the Administrator for assent during the caretaker period.

3.4.3 Where a commencement notice for a new Act has been signed by the Administrator, every effort should be made to ensure that publication (gazettal) of the notice occurs prior to prorogation of the Assembly. If a commencement notice has been signed by the Administrator but not published at the time of prorogation, consideration needs to be given as to the appropriateness of publishing it during the caretaker period. Once the caretaker period has commenced, Ministers should avoid requesting the Administrator to sign commencement documentation for Acts.

3.4.4 It is possible, where there is a genuine need and where there is no infringement of the basic caretaker conventions, for subordinate legislation (e.g. regulations) to be made by the Administrator, acting on the advice of the Executive Council, during the caretaker period (see also section 2.1 on Cabinet and Executive Council).

3.5 Public Speaking

3.5.1 NT Public Sector officers should generally decline to speak publicly during the caretaker period. However, routine media comment of an operational nature is permissible.

3.5.2 If officers are invited to speak at a public meeting, forum etc, they should seek permission beforehand from the Chief Executive Officer of their Agency. Chief Executive Officers should assess public speaking engagements by staff on a case-by-case basis, taking into account any requirement to ensure the flow of information to the public as appropriate.

3.5.3 NT Public Sector officers should not attempt to explain or promote Government policies during this time.

3.6 Approval of Grants

3.6.1 The payment of grants approved prior to the caretaker period can proceed but should be forwarded by the Agency rather than by a Minister or another member of the Government. During the caretaker period, commitments should not be made in respect of grant applications received during the caretaker period or which were lodged before commencement of that period but are awaiting decision.

3.7 Hospitality by Agencies

3.7.1 Agencies should exercise care in hosting official functions during the caretaker period to avoid any perception that the function is for electioneering or political purposes. Generally speaking, such functions should only proceed where they were scheduled prior to the calling of the election.

3.7.2 If Agency resources are being used to host an official function during the caretaker period where a Minister is present, it is appropriate to give the Parliamentary Opposition spokesperson the opportunity to attend.

3.8 Statutory Authorities and Government Owned Corporations and Companies

3.8.1 The relationship between Ministers and bodies such as statutory authorities and government companies varies from body to body. However, those bodies should observe the caretaker conventions and practices unless to do so would conflict with their legal obligations or compelling commercial/organisational requirements.

3.9 Use of Agency Premises

3.9.1 In the case of official functions involving the use of Agency resources, it would generally be appropriate for the Opposition spokesperson, member or candidate to be given the opportunity to be present. Where candidates, other than the Chief Minister or Ministers, seek to visit premises or facilities, Agencies should as far as possible be even-handed in their responses and assistance to Government and Opposition. There may be occasions where Agency premises can appropriately be used during the caretaker period by political parties for public events, such as media conferences, or where they are the obvious place for a function. The Agency's Chief Executive Officer should be consulted before proceeding to approve the use of agency premises for party political purposes during the caretaker period. Existing Agency policies regarding political party activities and materials in Agency premises (e.g. in Department of Education schools and Department of Health hospitals) continue to apply during the caretaker period.

3.9.2 While there should be no difficulty with the responsible use by all parties campaigning in an election of Agency premises that are normally open to the public, it is most important during an election campaign that public servants not become caught up with party political activity. For that reason, it is not appropriate that use of premises extend to such activities as engaging public servants in political dialogue or using public servants for logistical support for political functions. Nor should use of premises unreasonably disrupt the normal operations of the offices concerned.

3.9.3 Ministerial visits to Agencies for consultations are in order for the conduct of routine government business, in accordance with the caretaker conventions.

4. ADVERTISING, INFORMATION PROGRAMS AND COMMUNICATIONS

4.1 Advertising

4.1.1 The definition of advertising is broad and includes print, radio, television, cinema, web, all outdoor advertising, and social media (e.g. Facebook Twitter, YouTube).

4.1.2 Agencies should review all public information campaigns at the beginning of the caretaker period and decide whether those campaigns should continue or be deferred. Campaigns that highlight the role of particular Ministers or address issues that are matter of contention between the parties are normally discontinued. Campaigns that are of an operational nature, such as general recruiting campaigns and public health campaigns, usually continue.

4.1.3 At the beginning of the caretaker period, individual Agencies should review arrangements for the distribution of printed and other materials, including newsletters, brochures and booklets. Agencies should avoid active distribution of material during the caretaker period if it promotes Government policies or emphasises the achievements of the Government or a Minister. Passive display of material, such as continued placement in the Agency's offices or distribution in response to requests, is acceptable. Electronic bulletin boards and email systems provided by Agencies should not be used to publish political material. Material from political parties and how-to-vote material should not be displayed.

4.1.4 Agencies should also be aware that the conduct of information campaigns during the election period is regulated by legislation. Section 42 and Schedule 2 of the *Broadcasting Services Act 1992* deal with radio and television broadcasts and sections 328 and 328A of the *Commonwealth Electoral Act 1901* deals with electoral printed material, video recordings and material on the internet. The Northern Territory *Electoral Act* also contains relevant provisions. In broad terms, the legislation requires that any advertisement or literature which is actively distributed and contains material likely to affect voting must identify the person who authorised the material and, in the case of printed matter, the name and address of the printer.

4.1.5 In all cases, the person authorising the advertisement will need to be named in the manner described at Appendix A. This person is likely to be the Chief Executive Officer or a senior delegate, as the named individual becomes personally responsible for the advertising material. For this reason, the authorising officer should be satisfied that each advertisement placed during an election period is necessary, factual and free from political inference.

4.2 Media Releases

4.2.1 During the caretaker period, Agencies should ensure that any media releases focus on issues of public interest relating to the day-to-day operations of the Agency.

4.3 Websites

4.3.1 Agency websites may, in most cases, retain the material placed on the website before the commencement of the caretaker period. As stipulated in the Government's policy contained in the document *Ministerial Media Releases on NTG Agency Websites* (issued by the Strategic Communications Unit in the Department of the Chief Minister), Agency websites do not carry Ministerial media releases and during the caretaker period must carry authorisations on at least the home page in the form shown at Appendix A. During the caretaker period, any Ministerial messages must be removed from Agency websites.

Agencies should add only the following material to their websites during the caretaker period:

- purely factual material, and
- information on existing policies and programs unless the information includes political material.

4.3.2 As per the policy mentioned above, where Agency websites contain links to websites outside the nt.gov.au domain, Agencies should ensure visitors understand that they are linking to a non-government website, through the use of entry/exit messages or other mechanisms as appropriate.

4.3.3 As a general rule during the caretaker period, Ministerial media releases and alerts should be placed on the website of the relevant political party. Where Ministers determine a need to issue media releases and alerts through Agency maintained/funded websites in their own name, these should be restricted to administrative or operational information of high public interest and of a time-sensitive nature e.g. health alerts, flood alerts.

4.3.4 Any interactive functions of websites and social media forums (e.g. Facebook, Twitter and YouTube) within the nt.gov.au domain such as discussion groups or blogs which allow unmoderated comment or debate should be moderated during the caretaker period. Words such as the following could be used -

> In the period preceding the Northern Territory general election, the NT Government assumes a caretaker role. It is important during that time that NT Government resources are not used to communicate political material. As this website is hosted by the Department of [Y], the site will be moderated during the caretaker period to ensure that political material is not placed on the site.

4.4 Other Materials

4.4.1 During the caretaker period, Agencies should avoid the active distribution of materials such as brochures, newsletters, DVDs and booklets that have an emphasis on the achievements of Government.

4.5 Agency Queries on Advertising, Information Programs and Communications

4.5.1 Where queries on advertising, information programs and communications issues during the caretaker period arise and are not able to resolved at Agency level, these should be directed to the Director, Strategic Communications in the Department of the Chief Minister for advice.

5. IMPORTANT AGENCY RESPONSIBILITIES DURING THE CARETAKER PERIOD

5.1 Cabinet Documents

5.1.1 Cabinet documents are treated as confidential to the Government which created them. Accordingly, such documents are not available to succeeding Governments drawn from different political parties. The Cabinet Handbook, which is available on the NT Government intranet site, provides further guidance for Agencies on this topic.

5.1.2 Before the date of the election, Chief Executive Officers of Agencies are to ensure that all Cabinet documents in an Agency's possession are to be accounted for and securely stored.

5.1.3 In the event of a change of government, any Cabinet documents not strictly required for retention by the Agency are to be destroyed under the supervision of the Agency secretariat or the Cabinet Office, with any retained Cabinet documents to be stored subject to the appropriate security arrangements.

5.2 Incoming Government Briefings

5.2.1 During the caretaker period, Agencies are required to prepare two sets of briefing documents. The first set should be prepared on the basis that the current Government will be returned, and the second set on the basis that there is a change in government.

5.2.2 The briefing documents should provide the incoming Minister with a comprehensive statement on the organisation, its structure, budget, functions and major current issues facing the Agency.

5.3 Selected Services to Ministerial Offices by NT Government Agencies

5.3.1 There are certain services provided to Ministerial offices by Agencies which require consideration/review when an election is called. These are addressed in Appendix B.

5.4 Pre-Election Fiscal Outlook Report

5.4.1 Pursuant to section 17 of the *Fiscal Integrity and Transparency Act 2011*, the Under Treasurer must publicly release a pre-election fiscal outlook report within 10 days after the issue of the writ for an election. The purpose of pre-election fiscal outlook reports is to provide updated information on the fiscal outlook for the Northern Territory.

6. GUIDELINES FOR CONSULTATION BY THE OPPOSITION WITH AGENCY OFFICERS

6.1 In order to ensure a smooth transition in the event of a change in Government, the following guidelines for pre-election consultation between the Parliamentary Opposition and Agency officers should apply –

(a) Consultations with Agencies are initiated by the Opposition spokesperson making a request to the relevant Minister to meet with Agency personnel. The Minister is to notify the Chief Minister as to the nature of the request and whether it has been granted.

(b) Agencies are to be represented in such discussions by the relevant Chief Executive Officer, accompanied by senior Agency officers if necessary.

(c) The subject matter of the discussions between Agency officers and Opposition spokespersons should relate only to the machinery of Government and its administration. Discussions may also relate to the resources generally available in the portfolio area to implement policies of the incoming Government.

(d) Agency officers are not authorised to provide an opinion on the merits of Government or Opposition policy.

(e) Queries about approval of particular requests for Opposition consultation should be handled between the relevant Minister and the Chief Minister. Requests which involve an unreasonable amount of work by the Agency may properly be denied by the Minister on the advice of the Chief Executive Officer.

7. POLITICAL PARTICIPATION BY NT PUBLIC SECTOR OFFICERS

7.1 NT Public Sector officers should not use Agency resources or their position to support particular political issues or parties during the election campaign.

7.2 While it is recognised that NT Public Sector officers have the right to participate in public life, potential conflicts of interest, whether real or perceived, should be brought to the attention of the relevant Chief Executive Officer in accordance with the *Northern Territory Public Sector Principles and Code of Conduct* made under the *Public Sector Employment and Management Act*.

7.3 NT Public Sector employees should also refer to the publication *NTPS employees and elections – Guidelines for public sector employee conduct during election periods and Procedures for contesting Federal, State and Territory or Local Government elections* as published by the Office of the Commissioner for Public Employment. This publication deals with matters such

as employee conduct during election periods, public comment on government policy, individual comment, political participation and procedures for public servants contesting Federal, State, Territory or local government elections. This document can be found at the following website:
http://www.ocpe.nt.gov.au/working_in_the_ntps/people_management2/ntps_employees_and_elections

APPENDIX A

GUIDELINES FOR ADVERTISING DURING THE CARETAKER PERIOD

Newspapers: Print advertising is controlled under the *Electoral Act*. All advertisements must comply as follows:

- The word ADVERTISEMENT must appear at the top of each advertisement in a minimum 10pt Helvetica font (or equivalent).
- The advertisement must be authorised by a named person on behalf of the Northern Territory Government. For example:

> Authorised by Mike Burgess on behalf of the Northern Territory Government, Department of the Chief Minister, Mitchell Street, Darwin.

Television: The standard authorisation tags placed on Northern Territory Government television advertisements will need to be expanded to include the name of the individual authorising the advertisement.

At the end of each advertisement, a black screen will appear carrying the following words in white text. For example:

> Authorised by Jeffrey Moffet on behalf of the Northern Territory Government, Department of Health, Mitchell Street, Darwin.
>
> Spoken by J Bloggs and L Smith.

At the same time these words appear on screen, the words of the first paragraph must also be spoken.

Some advertisements have been exempted from using authorisation tags on television and radio advertisements during non-election periods. These exemptions do not apply during election periods.

Radio Advertising: The normal authorisation tags will need to be extended during an election period. At the end of each advertisement, the following words must be spoken, for example:

> Authorised by Mark Sweet on behalf of the Northern Territory Government, Department of Business and Employment, The Esplanade, Darwin.
>
> Spoken by J Bloggs and L Smith.

Again, any exemptions from using the authorisation tag do not apply during an election campaign.

Outdoor Advertising (billboards, buses, taxis, outdoor signage, airport signage, etc): Agencies should review any existing outdoor advertising or signage and authorise it as soon as the caretaker period commences. General project and road signage is not affected. Signage which carries promotional messages must be authorised, usually by placing a "sticker" or some other additional signage on it. The words must use the following format:

> Authorised by David Ritchie on behalf of the Northern Territory Government, Department of Lands and Planning, Cavenagh Street, Darwin.

There is no minimum size required for this authorisation.

Internet/Intranet websites: All Agency websites must carry authorisations on at least the home page. Information in the metadata tag is not enough. The authorisation may appear in the footer of the home page. For example:

> Responsibility for comment in this website is taken by Gary Barnes on behalf of the Northern Territory Government, Department of Education and Training, Mitchell Street, Darwin.

To ensure there is no confusion about what the Chief Executive Officer is taking responsibility for, Agencies should either include an appropriate disclaimer on their website or make it clear to the user when they are leaving the Agency website.

APPENDIX B

SELECTED SERVICES TO MINISTERIAL OFFICES BY NT GOVERNMENT AGENCIES

1. Information Technology Services to Ministerial Offices

During the caretaker period, Agencies need to take steps to ensure that Agency resources are not used to support any particular political party. For example, Agencies providing IT services such as email accounts to Ministerial offices do not need to withdraw such services to Ministers' offices, but they should review those services to ensure they continue to be appropriate.

2. Ministerial Websites

Agencies may continue to maintain or fund the maintenance of the website during the caretaker period if that was the practice prior to the caretaker period. Material placed on the Minister's website before the caretaker period may be retained, as may links between the Minister's and the Agency's websites.

3. Financial Entitlements of Ministers and their Staff

During the caretaker period, Agency provision of entitlements for Ministers and their staff should be assessed on a case-by-case basis. Agencies should not cover claims relating to the election campaign or a political event, as these costs are to be borne by the respective political party.

Examples of claims that would not be covered include requests for additional laptop computers or mobile telephones for Ministers or their staff unless there is a demonstrable official purpose.