

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

Minutes of Proceedings
OF THE
FIRST
LEGISLATIVE ASSEMBLY

No. 1

Wednesday, 20 November 1974

THE FIRST LEGISLATIVE ASSEMBLY assembled in the Legislative Assembly Chamber, Darwin at 1400 hours on Wednesday, 20 November 1974, being the first day of the meeting of the Assembly for the dispatch of business pursuant to the Notice set out hereunder:—

THE NORTHERN TERRITORY OF AUSTRALIA
NOTICE

By His Honour the Administrator of the Northern Territory of Australia.

WHEREAS by the *Northern Territory (Administration) Act 1910-1974* it is amongst other things provided that the Administrator may appoint such times for holding the sessions of the Legislative Assembly for the Northern Territory as he thinks fit:

NOW, THEREFORE, I, JOHN NORMAN NELSON, the Administrator of the Northern Territory of Australia, in exercise of the power conferred by the said *Northern Territory (Administration) Act 1910-1974*, by, by this notice, appoint Wednesday, 20 November 1974, as the day for the said Legislative Assembly for the Northern Territory to assemble and be holden for the dispatch of divers urgent and important affairs and all members of the said Legislative Assembly for the Northern Territory are hereby required to give their attendance accordingly at the Legislative Assembly Chamber, Darwin, at the hour of two o'clock in the afternoon on the said twentieth day of November, One thousand nine hundred and seventy four.

J. N. NELSON
Administrator

(L.S.)

1. SWEARING IN OF MEMBERS: His Honour William Edward Stanley Forster the Senior Judge of the Supreme Court of the Northern Territory took the Chair and presented his Authorisation to administer oaths:—

His Honour the Administrator of the Northern Territory of Australia.

To His Honour William Edward Stanley Forster the Senior Judge of the Supreme Court of the Northern Territory of Australia.

Greeting:

WHEREAS by section four of the *Northern Territory (Administration) Act 1910-1974* it is amongst other things enacted that every Member of the Legislative Assembly shall, before taking his seat, make and subscribe before the Administrator or some person authorised by him, an Oath or Affirmation of Allegiance in the form set forth in the Schedule to the Constitution of the Commonwealth of Australia and an Oath or Affirmation of Office in the form set forth in the aforesaid *Northern Territory (Administration) Act 1910-1974*.

NOW, THEREFORE, I, JOHN NORMAN NELSON, the Administrator aforesaid, do by these Presents command and authorise you to attend at the Chamber of the Legislative Assembly at Darwin on Wednesday, the twentieth day of November, One thousand nine hundred and

seventy four on the opening of the Assembly at two o'clock in the afternoon of that day, and there and then to administer the said Oaths or Affirmations to much Members of the Legislative Assembly as are present.
Made under my hand and the Public Seal of the Northern Territory of Australia aforesaid this twelfth day of November, One thousand nine hundred and seventy four.

J. N. NELSON
Administrator

(L.S.)

2. RETURNS TO WRITS FOR ELECTION: The returns to the writs for the election of members of the Legislative Assembly held on 19 October 1974 were laid on the Table and the following members named in the returns made and subscribed the oaths or affirmations required by law:—

Bernard Francis Kilgariff — Alice Springs
Rupert James Kentish — Arnhem
Ian Lindsay Tuxworth — Barkly
Nicholas Dondas — Casuarina
John Leslie Stuart MacFarlane — Elsey
Grant Ernest John Tambling — Fannie Bay
James Murray Robertson — Gillen
Paul Anthony Edward Everingham — Jingili
Roger Michael Steele — Ludmilla
David Lloyd Pollock — MacDonnell
Roger Ryan — Millner
Milton James Ballantyne — Nhulunbuy
Aline Dawn Lawrie — Nightcliff
Ronald John Withnall — Port Darwin
Elizabeth Jean Andrew — Sanderson
Roger William Stanley Vale — Stuart
Marshall Bruce Perron — Stuart Park
Hyacinth Tungutalum — Tiwi
Godfrey Alan Letts — Victoria River

His Honour Mr Justice Forster then retired from the Chamber.

3. ELECTION OF SPEAKER: The Clerk presiding, Dr Letts moved that Mr Kilgariff do take the Chair as Speaker.

Mr Everingham seconded the motion and Mr Kilgariff informed the Council that he accepted nomination.

There being no further nominations Mr Kilgariff was declared elected as Speaker and conducted to the Chair.

Mr Speaker thanked the Assembly for the honour it had conferred upon him and received congratulations.

4. ATTENDANCE OF HIS HONOUR THE ADMINISTRATOR: Mr Speaker and Members of the Assembly were received by His Honour the Administrator within the precincts of the Assembly. Mr Speaker presented himself as the choice of the Legislative Assembly and His Honour congratulated him upon his election. Mr Speaker and Members returned to the Chamber.
5. COMMISSION TO ADMINISTER OATHS TO MEMBERS: Mr Speaker announced that he had received from His Honour the Administrator the following Commission which was laid on the Table:—

His Honour the Administrator of the Northern Territory of Australia.

To Bernard Francis Kilgariff Esquire, M.L.A.

Greetings:

WHEREAS by section four of the *Northern Territory (Administration) Act 1910-1974* it is amongst other things enacted that every Member of the Legislative Assembly shall, before

taking his seat, make and subscribe before the Administrator, or some other person authorised by him, an Oath or Affirmation of Allegiance in the form set out in the Schedule to the Constitution of the Commonwealth of Australia and an Oath or Affirmation of Office in the form set out in the Second Schedule to aforesaid Act:

NOW, THEREFORE, I, JOHN NORMAN NELSON, the Administrator aforesaid do by these Presents command and authorise you from time to time, in the Legislative Assembly Chamber, Darwin to administer the said Oaths or Affirmations of Allegiance and of office to such Members of the Legislative Assembly as have not already taken and subscribed the same since their election to the Assembly.

Given under my hand and the Public Seal of the Northern Territory of Australia, this twentieth day of November, One thousand nine hundred and seventy four.

J. N. NELSON
Administrator

(L.S.)

6. **SPEECH FROM THE CHAIR:** His Honour the Administrator entering the Chamber, Mr Speaker left the Chair and His Honour delivered, from the Chair, a speech declaring the cause of his calling the Assembly together.
His Honour then left the Chamber.
7. **LEGISLATIVE ASSEMBLY (SPEAKER) BILL 1974 (Serial 1);** Dr Letts presented the Bill which was thereupon read a first time.
On the motion of Dr Letts the second reading was made an order of the day for a later day.
8. **ADDRESS IN REPLY:** Dr Letts presented an Address in Reply to the Administrator's speech in the following terms:
MAY IT PLEASE YOUR HONOUR—
We, the Legislative Assembly for the Northern Territory, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Honour for the Speech which you have been pleased to address to the Assembly.
Dr Letts moved, that the Address be agreed to.
Mr Tungutalum seconded the motion.
Debate adjourned and the resumption of the debate made an order of the day for a later hour.
SUSPENSION OF SITTING: The sitting was suspended between 1506 and 1511 hours.
9. **STANDING ORDERS:** Dr Letts, by leave, laid on the Table draft standing orders for the Assembly and moved That the standing orders be repealed and that the draft standing orders which were tabled this day be adopted as the standing orders of the Assembly.
Debate ensued.
Question put and passed.
10. **EXECUTIVE MEMBERS AND THEIR FUNCTIONS—STATEMENT:** Dr Letts, by leave, made a statement relating to the designation of members as Executive Members and the functions for which they would be responsible.
11. **ELECTION OF CHAIRMAN OF COMMITTEES:** Dr Letts moved that Mr MacFarlane be elected Chairman of Committees, which motion was seconded by Mr Everingham.
Mr MacFarlane informed the Assembly that he accepted nomination.
There being no further nominations, Mr MacFarlane was declared elected as Chairman of Committees.
Members congratulated Mr MacFarlane, who made his acknowledgements to the Assembly.

12. **APPOINTMENT OF HOUSE COMMITTEE:** On the motion of Dr Letts, Mr Speaker, Miss Andrew, Mr Vale, Mr Steele and Mr Tuxworth were appointed members of the House Committee.
13. **APPOINTMENT OF STANDING ORDERS COMMITTEE:** On the motion of Dr Letts, Mr Speaker, Mr Ryan, Mr Vale, Mr Ballantyne and Mr Everingham were appointed members of the Standing Orders Committee.
14. **APPOINTMENT OF PUBLICATIONS COMMITTEE:** On the motion of Dr Letts, Mr Dondas, Mr Pollock, Mr Ballantyne, Mr Perron and Mrs Lawrie were appointed members of the Publications Committee.
15. **APPOINTMENT OF PRIVILEGES COMMITTEE:** On the motion of Dr Letts, Mr Tungutalum, Mr MacFarlane, Mr Kentish, Miss Andrew and Mr Withnall were appointed members of the Privileges Committee.
16. **SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE:** On the motion of Dr Letts, Mr Tungutalum, Mr Robertson, Mr Ballantyne, Mr Kentish and Mr Withnall were appointed members of the Subordinate Legislation and Tabled Papers Committee.
17. **DELEGATES TO AUSTRALIAN CONSTITUTIONAL CONVENTION:** Dr Letts moved, by leave, that Dr G. A. Letts and Mr R. J. Withnall be appointed as delegates of this Assembly to attend the sittings of the Australian Constitutional Convention and its committees.
That in the event of either delegates being unable to attend the Convention Mr P. A. E. Everingham be a substitute delegate.
Question put and passed.
18. **NATIONAL PARKS STATEMENT:** Dr Letts, by leave, made a statement relating to a National Parks Bill under consideration in the Australian Parliament, and, by leave, tabled certain documents.
Mr Withnall, by leave, moved That the statement be noted, and was granted leave to continue his remarks on the resumption of the debate.
Debate adjourned and the resumption of the debate was made an order of the day for a later day.
19. **PUBLIC SERVICE BILL 1974 (Serial 3):** Dr Letts, by leave, presented the Bill which thereupon was read a first time.
On the motion of Dr Letts, the second reading was made an order of the day for a later day.
20. **ADJOURNMENT:** Mr Everingham moved—That the Assembly do now adjourn.
Debate ensued.
Question put and passed.
And then the Assembly at 1540 hours adjourned until tomorrow at 1000 hours.

PAPERS: The following papers were deemed to have been presented on 20 November 1974, pursuant to statute.

Annual Reports:

Northern Territory Port Authority 1972/73

Tennant Creek Town Management Board 1973/74

Determinations and Agreements:

- Agreement between Administrator and Northern Territory Firefighters Association dated 19/9/74
Agreement between Administrator and Northern Territory Senior Prison Officers Association dated 19/9/74
Agreement between Administrator and Northern Territory Prison Officers Association dated 1/11/74

Minutes of Meetings of Town Management Boards:

- Katherine — 23/9/74;
— 21/10/74.
Tennant Creek — 24/9/74;
— 22/10/74.

Regulations 1974:

- No. 23 — Amendment of the By-laws of the Municipality of Darwin.
No. 24 — Amendments of the Port By-laws.
No. 25 — Amendments of the Motor Vehicle (Motor Hire Car) Regulations.
No. 26 — Hospital Advisory Boards (Fees and Allowances) Regulations.
No. 27 — Amendments of the Freehold Titles Regulations.
No. 28 — Amendments of the Veterinary Surgeons Regulations.
No. 29 — Amendments of the Small Craft By-laws.
No. 30 — Amendments of the Small Craft By-laws.

ATTENDANCE: All members attended the sitting.

F. WALKER
Clerk of the Assembly

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 2

Thursday, 21 November 1974

1. The Assembly met at 1000 hours pursuant to adjournment—Mr Speaker Kilgariff took the Chair and Prayers were read.
2. **MESSAGES:** The following Message was received:—

Message No. 1:

I inform the Assembly that I have withheld assent to the *Landlord and Tenant (Control of Rents) Ordinance (No. 2) 1974*.

I have included a statement of reasons for tabling in the Assembly.

(Sgd.) J. NELSON
Administrator

The Clerk laid on the Table the Statement of Reasons for withholding assent to the Ordinance.

Northern Territory (Administration) Act 1910-1974
Section 4Z

Statement of Reasons for Withholding of Assent to the Landlord and Tenant
(Control of Rents) Ordinance (No. 2) 1974

The Landlord and Tenant (Control of Rents) Ordinance (No. 2) 1974 was passed by the Legislative Council for the Northern Territory and presented to the Administrator of the Northern Territory.

The Administrator, on 24 October 1974, withheld assent to this Ordinance.

The Ordinance contained five sections and a Schedule. Sections 1 and 2 were citation sections, section 3 was a commencement section relating to a section which was not passed by the Council, section 4 was a formal drafting amendment; section 5 was a formal amendment repealing reference to an already repealed section and the Schedule related to provisions which had been defeated during consideration by the Legislative Council.

The only effect of the Ordinance would have been to make formal amendments. If the Ordinance were made, however, subsequent formal amendments would be necessary to remove those parts relating to provisions which were not passed by the Legislative Council.

The Administrator decided that assent to this Ordinance should be withheld and the formal amendments were made the subject of normal statute law revision.

(Sgd.) REX PATTERSON
Minister for the Northern Territory

3. **QUESTIONS:** Questions without notice were asked.
4. **DEPUTY CHAIRMEN OF COMMITTEES:** The following Warrant nominating Deputy Chairmen of Committees, pursuant to standing order 11, was laid on the Table by Mr Speaker:—

THE LEGISLATIVE ASSEMBLY FOR THE NORTHERN TERRITORY
WARRANT

Pursuant to the provisions of Standing Order number eleven, I hereby nominate—

Marshall Bruce Perron,
James Murray Robertson, and
Hyacinth Tungutalum

to act as Deputy Chairman of Committees when requested to do so by the Chairman of Committees.

Given under my hand this twenty-first day of November, One thousand nine hundred and seventy-four.

(Sgd.) B. F. KILGARIFF
Speaker

5. **LEGISLATIVE ASSEMBLY (SPEAKER) BILL 1974 (Serial 1):** The order of the day having been read for the second reading—Dr Letts moved—That the Bill be now read a second time.

Debate ensued.

Bill declared to be urgent: Mr Speaker, pursuant to standing order 152, declared the Bill to be urgent but qualified his declaration by stating that his decision on this occasion had been influenced by the circumstances of an imminent prorogation.

Question put and passed.

Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Bill, by leave, taken as a whole and agreed to.

The Assembly resumed—Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

6. **THE ADMINISTRATOR'S SPEECH—PROPOSED ADDRESS IN REPLY:** The order of the day having been read for the resumption of the debate on the proposed Address in Reply.

Question put and passed.

7. **NATIONAL PARKS STATEMENT:** The order of the day having been read for the resumption of the debate on the motion of Mr Withnall, That the Statement be noted.

Debate resumed.

Question put and passed.

8. **PUBLIC SERVICE BILL 1974 (Serial 3):** The order of the day having been read for the second reading—Dr Letts moved—That the Bill be now read a second time.

Bill declared urgent: Mr Speaker, pursuant to Standing Order 152, declared the Bill to be urgent for reasons similar to those given for his earlier declaration.

Debate ensued.

Question put and passed.

Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 and 2 agreed to.

Clauses 3 to 6, by leave, taken together and agreed to.

New Clause—

On the motion of Dr Letts the following new clause was inserted in the Bill:—

“6A. Section 50 (1) of the Principal Ordinance is amended by inserting after paragraph (b) the following paragraph:

‘(c) for prescribing branches of the Department of the Administrator;’.”

Clause 7 agreed to.

Clause 8—

On the motion of Dr Letts the following amendment was made:—

Omit "the creation of the office is" and substitute "the purported creation of the office and any purported appointment of a person to the office before the commencement of this Ordinance is".

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed—Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

9. SPECIAL ADJOURNMENT: Dr Letts moved—That the Assembly, at its rising, adjourn until a date and time to be fixed by Mr Speaker.
Question put and passed.
 10. ADJOURNMENT: Mr Everingham moved—That the Assembly do now adjourn.
Debate ensued.
Question put and passed.
And then the Assembly at 1200 hours adjourned until a date and time to be fixed by Mr Speaker.
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ATTENDANCE: All members attended the sitting.

F. WALKER
Clerk of the Assembly

THE NORTHERN TERRITORY OF AUSTRALIA

Minutes of Proceedings

OF THE

FIRST

LEGISLATIVE ASSEMBLY

No. 3

Thursday, 2 January 1975

1. The Assembly met at 1130 hours pursuant to the Resolution of 21 November 1974—Mr Speaker Kilgariff took the Chair and Prayers were read.

2. **MESSAGES OF CONDOLENCE:** Mr Speaker informed the Assembly that telegrams of condolence have been received from the Presiding Officers of other legislatures and expressed appreciation on behalf of the Assembly.

Mr Speaker read the following telegram as being representative of those received:

Mr B. F. Kilgariff
Speaker of the Legislative Assembly Darwin

On behalf of all members of the Senate and Members of the House of Representatives, we send best wishes to you, to the Members of the Legislative Assembly, and to the people of Darwin. We are all distressed at the loss of life and suffering caused by cyclone Tracy and extend our sympathy to the people of Darwin. The magnificent fortitude of the people and their determination to surmount the havoc caused by the cyclone are an inspiration to all Australians. Our thoughts and high regard will be with Members of the Legislative Assembly when they meet in emergency session on Thursday.

Signed JUSTIN O'BYRNE
President of the Senate
JAMES F. COPE
Speaker of the House of Representatives

3. **QUESTIONS:** Questions without notice were asked.

4. **COMPOSITION OF DARWIN RECONSTRUCTION COMMISSION:** Dr Letts, by leave, made a statement relating to the composition of the Darwin Reconstruction Commission.

Dr Letts, by leave, tabled relevant Papers.

Mr Everingham, by leave, moved—That the Northern Territory Legislative Assembly representative on the Darwin Reconstruction Commission be the Majority Leader in the Assembly.

Debate ensued.

Question put and passed.

5. **SUSPENSION OF STANDING ORDERS:** Dr Letts, by leave, moved That so much of standing orders be suspended as would prevent the presentation to the Assembly during these sittings of typewritten Bills without notice and their passage through all stages.
Question put and passed.
SUSPENSION OF SITTING: The sitting was suspended between 1222 and 1400 hours.
6. **LEAVE OF ABSENCE TO MEMBERS:** Mr Steele moved That leave of absence for these sittings be granted to Mr MacFarlane and Mr Ballantyne as transport facilities were not sufficient to enable their attendance.
Question put and passed.
7. **CYCLONE DISASTER EMERGENCY BILL 1975 (Serial 4):** Dr Letts presented the Bill which was thereupon read a first time.
Dr Letts moved—That the Bill be now read a second time.
Debate ensued.
Question put and passed—Bill read a second time.
Mr Withnall moved—That the Committee stages be later taken.
Question put and passed.
8. **DISTINGUISHED VISITOR:** Mr Speaker informed the Assembly that the Opposition Leader in the Australian Parliament, The Honourable Mr Bill Snedden was present in the gallery.
Mr Speaker formally welcomed the distinguished visitor.
9. **CYCLONE DISASTER RELIEF FUND BILL 1975 (Serial 5):** Mr Everingham presented the Bill which was thereupon read a first time.
Mr Everingham moved—That the Bill be now read a second time.
Debate ensued.
Debate adjourned.
10. **CYCLONE DISASTER (MORATORIUM) BILL 1975 (Serial 6):** Mr Withnall presented the Bill which was thereupon read a first time.
Mr Withnall moved—That the Bill be now read a second time.
Debate ensued.
Debate adjourned.
11. **APPRECIATION OF HELP IN NATURAL DISASTER:** Dr Letts, by leave, moved—
That this Assembly recognizes with sincere gratitude the efforts to succour the people affected by the recent cyclone and the effort to alleviate the effects of the greatest natural disaster Australia has suffered.
That this Assembly places on record its deep appreciation of the participation in those efforts of the Natural Disaster Committee, the citizens of Darwin and other centres in the Territory, all arms of government, Australian, State and local, the people of Australia, the governments of other countries and international agencies and a multitude of voluntary and service organizations.
Debate ensued.
Question put and passed.

12. ADJOURNMENT: Mr Steele moved—That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1615 hours adjourned until tomorrow at 1000 hours.

PAPERS: The following papers were deemed to have been presented on 2 January 1975, pursuant to statute.

Annual Report:

Northern Territory Architects Board 1973/74

Minutes of Meetings of Town Management Boards:

Katherine—18/11/74;

—11/12/74.

Tennant Creek—2/12/74

Financial Statements:

Corporation of the Municipality of Alice Springs 1973/74

ATTENDANCE: All members attended the sitting except Mr MacFarlane and Mr Ballantyne who had been granted leave of absence.

F. K. M. THOMPSON
Acting Clerk of the Assembly

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 4

Friday, 3 January 1975

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1. The Assembly met at 1000 hours pursuant to adjournment—Mr Speaker Kilgariff took the Chair and Prayers were read.

SUSPENSION OF SITTING: The sitting was suspended between 1002 and 1100 hours.

2. QUESTIONS: Questions without notice were asked.

3. CYCLONE DISASTER EMERGENCY BILL 1975 (Serial 4): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clause 1 agreed to.

Clause 2—

On the motion of Dr Letts the following amendment was made:—

Omit "section 15" and substitute "sections 3 and 15".

Clause, as amended, agreed to.

Clauses 3 and 4 agreed to.

Clause 5—

On the motion of Dr Letts the following amendments were made:—

Omit the definition of "controller".

After the definition of "cyclone disaster" insert the following definition:

"Deputy Director" means a person to whom the Director has delegated a power or function under section 8:".

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7—

Debate ensued.

On the motion of Mr Withnall further consideration of the clause was postponed.

Clause 8—

On the motion of Dr Letts the following amendment was made:—

Omit from sub-clause (1) "a person" and substitute "one or more persons".

Clause, as amended, agreed to.

Clause 9 negatived.

New clause—

On the motion of Dr Letts the following new clause was inserted in the Bill:—

"9.(1) The Director may authorize such persons or persons included in such class or classes of persons as he considers necessary to render assistance in relation to the cyclone disaster.

"(2) An authorized person may give such directions to any person as are necessary for giving proper assistance in carrying out or giving effect to the powers of the Director under this Ordinance in connexion with the emergency created by the cyclone disaster."

Clause 10—

Mrs Lawrie moved as an amendment—

Add at the end the following sub-clause:

“(3) A person who was, on 25 December 1974, a *bona fide* resident of Darwin shall not, by action under this section, other than under sub-section (1) (j), be prohibited from returning to the cyclone disaster area or be compelled to leave the cyclone disaster area.”

Debate ensued.

Question put.

The Committee divided (The Deputy Chairman, Mr Robertson in the Chair).

AYES 2

Mrs Lawrie
Mr Withnall

NOES 15

Miss Andrew
Mr Dondas
Mr Everingham
Mr Kentish
Mr Kilgariff
Dr Letts
Mr Perron
Mr Pollock
Mr Robertson
Mr Ryan
Mr Steele
Mr Tambling
Mr Tungutalum
Mr Tuxworth
Mr Vale

And so it was resolved in the negative.

On the motion of Mr Withnall further consideration of the clause was postponed.

Clauses 11 and 12 agreed to.

Clause 13—

On the motion of Dr Letts the following amendment was made:—

Omit from sub-clauses (1) and (2) “controller” and substitute “Deputy Director”.

Clause, as amended, agreed to.

Clause 14—

On the motion of Dr Letts the following amendment was made:—

Omit from sub-clause (1) “controller” and substitute “Deputy Director”.

On the motion of Mr Tambling the following further amendment was made:—

Omit “from” from sub-clause (2) and substitute “as a result of”.

Clause, as amended, agreed to.

Clause 15—

On the motion of Dr Letts the following amendment was made:—

Omit from sub-clause (1) “this section” and substitute “section 3 and this section”.

Clause, as amended, agreed to.

Progress to be reported, and leave asked to sit again.

The Assembly resumed—Mr Deputy Chairman reported accordingly and the report was adopted.

SUSPENSION OF SITTING: The sitting was suspended between 1200 and 1400 hours.

4. CYCLONE DISASTER RELIEF FUND BILL 1975 (Serial 5): The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
Question put and passed—Bill read a second time.
The Assembly resolved itself into a committee of the whole.

(In the committee)

Clause 1 agreed to.

Clause 2—

On the motion of Mr Everingham the following amendments were made:—

After "accident" in paragraph (b) of the definition of "distressed person" insert "or illness".

After "or injury" in paragraph (c) of that definition insert "or illness".

Omit "or injury" from paragraph (d) of that definition and substitute "or injury or illness".

Clause, as amended, agreed to.

Clause 3 agreed to.

Clause 4—

On the motion of Mr Everingham further consideration of the clause was postponed.

Clauses 5 and 6 agreed to.

Clause 7 negatived.

Clause 8—

On the motion of Mr Everingham the following amendment was made:—

After "account" in sub-clause (1) insert "or accounts".

Clause, as amended, agreed to.

Clause 9 negatived.

New clause—

On the motion of Mr Everingham the following new clause was inserted in the Bill, after debate:—

"9. The moneys of the Board shall be applied by the Board—

(a) for the purpose of sections 10 and 11;

(b) for such municipal purposes within the area damaged by the cyclone as the Board determines;

(c) in payment or discharge of the expenses, charges and obligations incurred or undertaken by the Board; and

(d) in payment of out of pocket expenses of members of the Board."

Clauses 10 to 12 agreed to.

Clauses 13 to 16, by leave, taken together and agreed to.

Clause 17—

On the motion of Mr Everingham the following amendments were made:—

Omit from sub-clause (1) "1,000 dollars" and substitute "10,000 dollars".

Omit from sub-clause (2) "100 dollars" and substitute "1,000 dollars".

Clause, as amended, agreed to.

Clause 18 agreed to.

Progress to be reported, and leave asked to sit again.

The Assembly resumed—Mr Deputy Chairman reported accordingly and the report was adopted.

5. CYCLONE DISASTER (MORATORIUM) BILL 1975 (Serial 6): The order of the day having been read for the resumption of the debate on the question—
That the Bill be now read a second time—
Question put and passed—Bill read a second time.
The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 5 agreed to.

Clause 6—

On the motion of Mr Withnall further consideration of the clause was postponed.

Clauses 7 to 10 agreed to.
 Clauses 11 to 15, by leave, taken together and agreed to.
 Progress to be reported, and leave asked to sit again.

The Assembly resumed—Mr Deputy Chairman reported accordingly and the report was adopted.

6. CYCLONE DISASTER EMERGENCY BILL 1975 (Serial 4): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly.

SUSPENSION OF SITTING: The sitting was suspended between 1422 and 1450 hours.

The Assembly resumed.

The Assembly again resolved itself into a committee of the whole.

(In the committee)

Clause 16 agreed to.

Postponed clause 7.

On the motion of Dr Letts the following amendment was made after debate:—
 Omit "controller" and substitute "Deputy Director".

Clause, as amended, agreed to.

Postponed clause 10—

On the motion of Mr Withnall the following amendment was made, after debate:—

Add at the end the following sub-clause:

"(3) A person who, on the date of commencement of this Ordinance, resides in Darwin shall not, by action under this section, other than under sub-section (1) (j), be prohibited from returning to the cyclone disaster area or be compelled to leave the cyclone disaster area."

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed—Mr Deputy Chairman reported the Bill and the report was adopted.

Question—That the Bill be now read a third time—put.

Debate ensued.

Question put and passed.

The Bill was read a third time and passed to be an Ordinance.

7. CYCLONE DISASTER RELIEF FUND BILL 1975 (Serial 5): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly.

The Assembly again resolved itself into a committee of the whole.

(In the committee)

Postponed clause 4—

Clause negatived, after debate.

New clause—

On the motion of Mr Everingham the following new clause was inserted in the Bill, after debate:—

“4.(1) The Board shall consist of—

- (a) the Administrator;
- (b) the Mayor of the Corporation of the City of Darwin;
- (c) a person nominated by the Corporation of the City of Darwin;
- (d) the leader of the Majority Party in the Legislative Assembly or a person nominated by him; and
- (e) 2 other residents of Darwin appointed by the Administrator in Council.

“(2) The Administrator in Council shall appoint one of the members of the Board to be the Chairman of the Board.

“(3) Where the Chairman is or is expected to be absent from duty or there is a vacancy in the office of the Chairman, the Administrator shall appoint a member to be acting Chairman during the absence or until the filling of the vacancy.

“(4) A member of the Board may be reimbursed for out of pocket expenses reasonably incurred by the member in the performance of his duties under this Ordinance.”.

Title agreed to.

The Assembly resumed—Mr Deputy Chairman reported the Bill.

Mr Withnall moved—That the Bill be now recommitted to the committee of the whole Assembly for reconsideration of clause 9.

Question—put and passed.

The Assembly again resolved itself into a committee of the whole.

(In the committee)

On recommittal—

Clause 9—

On the motion of Mr Withnall the following amendment was made after debate:—

Add at the end the following sub-clause:

“(2) In addition to applying moneys of the Board as provided by sub-section (1), the Board may out of moneys of the Board make grants to charitable bodies that are assisting or have assisted distressed persons.”.

Clause, as amended, agreed to.

The Assembly resumed—Mr Deputy Chairman reported the Bill and the report was adopted.

Question—That the Bill be now read a third time—put.

Debate ensued.

Question put and passed.

The Bill was read a third time and passed to be an Ordinance.

8. CYCLONE DISASTER (MORATORIUM) BILL 1975 (Serial 6): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly.

The Assembly again resolved itself into a committee of the whole.

(In the committee)

Postponed clause 6—

On the motion of Mr Withnall the following amendment was made, after debate:—

Add at the end of clause 6 the following sub-clauses:

“(5) Where in a contract or agreement in respect of which a moratorium order is made, a periodical or other payment is provided for—

(a) the time for payment of the earliest periodical or other payment that would have fallen due during the period of the moratorium, had that moratorium order not been made, shall be postponed for a period equal to the period during which the moratorium order was in force; and

(b) the time for payment of each subsequent periodical payment shall be postponed for a period equal to the period of postponement of the first-mentioned periodical payment.

“(6) On the expiration of a moratorium order, both the debtor and creditor shall, with respect to the debt, have the same rights and obligations as they respectively had immediately before the making of the moratorium order.”.

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed—Mr Deputy Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

9. SPECIAL ADJOURNMENT: Mr Steele moved—That the Assembly, at its rising, adjourn until a date and time to be fixed by Mr Speaker.

Question put and passed.

10. ADJOURNMENT: Mr Pollock moved—That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1515 hours adjourned until a date and time to be fixed by Mr Speaker.

ATTENDANCE: All members attended the sitting except Mr MacFarlane and Mr Ballantyne who had been granted leave of absence.

F. K. M. THOMPSON
Acting Clerk of the Assembly

THE NORTHERN TERRITORY OF AUSTRALIA

Minutes of Proceedings

OF THE

FIRST

LEGISLATIVE ASSEMBLY

No. 5

Tuesday, 7 January 1975

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1. The Assembly met at 1600 hours being the time fixed by Mr Speaker pursuant to adjournment—Mr Speaker Kilgariff took the Chair and Prayers were read.
 2. **SUSPENSION OF STANDING ORDERS—RINGING OF BELLS:** Dr Letts, by leave, moved—That so much of standing orders be suspended insofar as they require the ringing of the bells at any stage of the proceedings and that the suspension remain in force until repealed.
Question put and passed.
The sitting was suspended between 1606 and 1706 hours.
 3. **DARWIN CYCLONE RELIEF TRUST FUND:** Dr Letts, by leave, moved—
That this Assembly approves:—
 - (a) the creation of the Darwin Cyclone Relief Fund Trust by deed bearing date 7 January 1975; and
 - (b) the appointment of the trustees named thereinand pledges its support and assistance to all persons concerned with the execution of the trust.
Debate ensued.
Question put and passed.
 4. **LEAVE OF ABSENCE TO MEMBERS:** Mr Steele moved—That leave of absence for this sitting day be granted to Mr Dondas, Mr MacFarlane, Mr Tungutalum, Mr Tuxworth, and Mr Vale.
Question put and passed.
 5. **USE OF TAPE RECORD OF SITTING:** Dr Letts, by leave, moved—That Mr Speaker be authorized to make available to the press, radio and television, copies of the unedited tape recording of the debates of today's sitting.
Question put and passed.
 6. **SPECIAL ADJOURNMENT:** Mr Steele moved—That the Assembly at its rising adjourn until a date and time to be fixed by Mr Speaker.
Question put and passed.

7. **ADJOURNMENT:** Mr Steele moved—That the Assembly do now adjourn.
Debate ensued.
Question put and passed.
And then the Assembly at 1742 hours adjourned until a date and time to be fixed by Mr Speaker.
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ATTENDANCE: All members attended the sitting except Mr Dondas, Mr MacFarlane, Mr Tungatalum, Mr Tuxworth and Mr Vale who had been granted leave of absence.

F. H. WALKER
Clerk of the Assembly

FIRST LEGISLATIVE ASSEMBLY

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