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NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly

Parliamentary Record

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Third Assembly

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Sessional Committee — Parliament House

Mr Speaker
Mr Dondas
Mrs Lawrie
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PART I

DEBATES

DEBATES

Tuesday 25 May 1982

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I read message No 10 from His Honour the Administrator of the Northern Territory.

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to impose a royalty on minerals recovered in the Northern Territory and for related purposes.

Dated this 21st day of May 1982.

E.E. Johnston
Administrator.

PETITION
Abortions Performed in NT

Mr EVERINGHAM (Chief Minister): Mr Speaker, I present a petition from 239 citizens of the Northern Territory relating to abortions performed in the Territory and praying for certain amendments to the Criminal Code Bill. The petition bears the Clerk's Certificate that it conforms with the requirements of Standing Orders and I move that the petition be received and read. I should say, Mr Speaker, that I have collated these petitions which are identical but which were handed to various members of the government party. This represents the total of the various pages that were handed to the government members.

Motion agreed to; petition received and read:

To the Honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petitioners of the undersigned citizens of the Northern Territory respectfully showeth that there were 447 abortions performed in the Northern Territory in 1980 and that the abortion rate for that year was higher than for any previous year since the law was changed in 1974. Your petitioners humbly pray that the Legislative Assembly, as an initial step to save unborn unhman life, will amend the Criminal Code Bill so as to (a) specifically exclude abortions performed for essentially social reasons, (b) reduce to 20 weeks the maximum period at which they are permitted to be performed and (c) redefine the medical indication of possible 'grave injury' to read 'grave permanent injury', and your petitioners, as in duty bound, will ever pray.

MINISTERIAL STATEMENT
Northern Territory Auditor-General's Office

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, at the time of self-government, an arrangement for external audit services as required under the Financial Administration and Audit Act was agreed between the Northern Territory government and the Commonwealth Auditor-General. On 30 April 1981, the Prime Minister presented to the Commonwealth parliament a review of Commonwealth functions by a committee chaired by Sir Phillip Lynch. Included amongst the recommendations was that the service performed by the Commonwealth Auditor-General for the audit of Northern Territory authorities be discontinued. I

might mention that amongst those recommendations was a recommendation that Uluru National Park be transferred to the Northern Territory. That one has not been carried out. My government protested against this decision and urged that it be reversed. Our protests were to no avail. The harsh and unrelenting Commonwealth went ahead with that decision and we were thrown out in the world to find an auditor-general of our own.

In considering the setting up of the Northern Territory Auditor-General's Office, I gave consideration to the involvement of the private sector. I wrote to firms of accountants and auditors in the Northern Territory and, predictably, received a very keen response to such a proposal. Following the response from the private sector, arrangements were made to employ Mr Brian Walton, whom most honourable members would know, as a consultant to assist the Territory government in the establishment of an office for the Northern Territory Auditor-General and to formulate arrangements and procedures which would apply to audit work for the Territory government.

Following the work undertaken by Mr Walton, which included liaising with private sector firms, the Commonwealth Auditor-General, the Australian Society of Accountants, the Institute of Chartered Accountants in Australia and senior Northern Territory public servants, the decision was made to establish a Northern Territory Auditor-General's Office. This was to consist of an Auditor-General and not more than 7 supporting staff to undertake audit work which would permit maximum involvement of the private sector. I reported to this Assembly on this development when discussing the 1980-81 Auditor-General's report on 2 December 1981. The Auditor-General designate appointed, who took up duties on 1 February this year, is Mr Graham Carpenter who was formerly a partner in the firm of chartered accountants in Alice Springs, Pannell Kerr Forster and Co. I have a vested interest, Mr Speaker, as they do my tax returns. Previously, Mr Carpenter had lived in Darwin. We hope that he will be appointed formally by the Administrator with effect from 1 July 1982.

The approach to the Northern Territory government audit will be unique in Australia in that it will involve the private sector in all aspects of government audit. In some states, in differing degrees, the private sector is involved in the audit of local government and some statutory authority audits. The Auditor-General has been instructed by my government to retain full control of the operations of the audits including the planning and implementation of the audit program. He has been instructed to make engagements, at his sole discretion, of authorised auditors from the private sector for periods of up to 3 years. The question of quality control on the work to be performed is to be a shared responsibility between the Auditor-General and the authorised auditors. In general, the Auditor-General therefore has full control of the operating functions of the audit, including all reporting responsibilities; that is, developing a mixed team approach to auditing between his office and the private sector authorised auditors.

I have been informed by the Auditor-General that he has recently completed an evaluation of the interested private sector firms and has made a decision on those firms from whom persons are likely to be appointed as authorised auditors. He advises that he has conditionally appointed 7 authorised auditors based in Darwin and 2 in Alice Springs.

Mr Speaker, as I understand it, his assessment certainly did not relate to the capacity of firms to do normal accounting on behalf of their clients. His assessment related to their capacity to carry out the detailed and complex audit requirements of the Northern Territory government. Therefore, firms that have not immediately been appointed as authorised auditors should not take this as any slur upon their professional reputation or integrity or even capacity. The Auditor-General will be allocating responsibilities to the authorised

auditors prior to the end of June 1982. He will be making arrangements for payment at hourly rates for work performed. Obviously, he will be keeping strict control over time budgets.

The transitional arrangements agreed to with the Commonwealth Auditor-General are as follows. Firstly, the Commonwealth Auditor-General has agreed to complete the audit for the public accounts and the Treasurer's statement for 1981-82 and to prepare the Annual Report to parliament for presentation in October-November 1982. Secondly, the Commonwealth Auditor-General has agreed to finalise the audits of any other entities for 1981-82 accounts or earlier for which statements are presented in final form prior to the end of June 1982. Thirdly, the Northern Territory Auditor-General will take over all other audits on 1 July 1982 as they then are. Fourthly, the Commonwealth Auditor-General will provide the Northern Territory Auditor-General in due course with all audit files for Northern Territory government audits since 1 July 1978. Fifthly, the Northern Territory Auditor-General will appoint the Commonwealth Auditor-General and his staff members as authorised auditors to carry out the audit work required after 30 June 1982. Finally, the Northern Territory Auditor-General will be signing all necessary audit reports after 30 June 1982, including some which will relate to audit undertaken by the Commonwealth Auditor-General. The Northern Territory Auditor-General will naturally be reviewing all necessary files prior to signing any audit reports. As such, whilst this year's Auditor-General's Report will be signed by the Northern Territory Auditor-General, it will in the main be based on work undertaken by the Commonwealth Auditor-General.

Mr Speaker, at this stage, I wish to again thank the Commonwealth Auditor-General for his services in the past. We leave his fold reluctantly. Mr Carpenter, the Auditor-General designate, has indicated that he is receiving invaluable assistance from Mr Leon Stringer, the Chief Commonwealth Auditor resident in the Northern Territory and from Mr Keith Brigden, the Commonwealth Auditor-General, on the setting up of his office and for this we are most appreciative.

Mr Speaker, I should not sit down without recording the thanks of myself and the government to Mr Brian Walton who came out of retirement to accept the consultancy to assist us in the establishment of the Auditor-General's Office. I do sincerely thank him for his work which, in my opinion, was thorough, satisfactory and professional.

LOTTERIES AND GAMING BILL
(Serial 184)
RACING AND BETTING BILL
(Serial 185)

Continued from 16 March 1982.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition will be moving some amendments to this legislation. That does not mean that we are opposed to the legislation. It takes into account a couple of anachronisms under the previous act. I do not know that there is much point in going through a blow-by-blow description of every clause, paragraph and verb in the bills. I might leave that to the honourable member for Tiwi.

The amendments that we will be introducing in committee stages are very simple. There are amendments to clause 5 which deals with sweeps and raffles. The bill refers to people having a common employer. Certainly, my electorate office is on a floor where there is a sweep conducted every year around Melbourne Cup time. There are quite a number of employers on that floor. The amendments will take account of that anachronism.

Proposed new clause 5A takes into account the situation where a person purchases a ticket in good faith, gives the vendor his name and address and

then finds out that he had to be present at the drawing to make the ticket valid. I think we have probably all been caught by that one. It is of no great import to the bill. It certainly may save a few dollars for a few people.

By clause 18, the Treasurer will be able to establish a sports development fund. I propose that it be called the sports and recreation development fund. Not everybody is able to leap around tennis courts. In our declining years, some of us would enjoy chess. That is considered recreation and not sport. Those activities and other similar activities should enjoy the support of government. We have the Minister for Youth, Sport and Recreation; he is not simply the Minister for Sport. There is a definite term 'recreation' and all our amendments deal with the changing of the title of that fund from a 'Sports Development Fund' to a 'Sports and Recreation Development Fund'.

That is the first part of the legislation. The second part is very minor. It takes out those parts of the previous Lottery and Gaming Act which dealt with gaming and lotteries and leaves it intact as a Racing and Betting Act. It will make it easier for licensed bookmakers to be able to pick up the Racing and Betting Act instead of having to wade through the whole Lottery and Gaming Act. As the minister said in his second-reading speech, it does increase the penalties for illegal operators. With the activities of some SP bookmakers down south becoming somewhat curtailed by recent police endeavours, it would seem necessary that these penalties be increased. The opposition supports the bills.

Mr HARRIS (Port Darwin): Mr Speaker, I am very pleased to speak in support of these bills. It is very pleasing to see at long last that various clubs and approved associations will be given the opportunity to raise funds and to improve their facilities by taking part in legal sweeps and approved games of chance. It is also further pleasing to note that people who have been taking part in the sweeps illegally for many years will now be able to do so legally. Of course, these sweeps and other games of chance have been taking place in the various clubs and associations in the Territory for many years.

I can remember attending many fetes and fund-raising functions in my youth where games such as crown and anchor, piquet and two-up were played quite openly and witnessed by everyone. Most people who attended those functions took part in those particular events. It was indeed interesting to see people scatter when the constabulary arrived to investigate illegal happenings at the particular fete. One event that I can remember very clearly was a fete held at the St Mary's School. Often they had fund-raising activities at what was known as the Palais. Crown and anchor and other games were played quite openly and money was raised for a good cause. The method of disposing of the spoils when the troops arrived was quite interesting. These types of things have been going on for a long time.

I do not believe that anyone was hurt financially during that period with these small sweeps because not a great deal of money was involved. Of course, I was referring initially to Darwin when it had a population of just under 10,000. In small towns, you find generally that the local people set the standards to a degree and I think that that is something that happens today as well. Problems do arise when the population grows and you have many thousands of people. The opportunity for more money to turn over occurs and this places the government in a dilemma because it does not want to make tight controls and restrictions on people's freedom but it also has a responsibility to make sure that no one is in fact ripped off or taken for a ride by unscrupulous operators.

Another area where a great deal of money was turned over in the past in the Territory was in the pool rooms that were operating some years ago. When

the word came through that someone was coming around to investigate, people disappeared through the windows of these pool rooms taking all the balls and everything with them. When the police did arrive, all that was left was the pool table and the cues. The other sweep that was carried on for many years illegally was the Tomaris Darwin Melbourne Cup Sweep which was established by my father in 1934. Until 1961, the sweep was carried on illegally. Things seemed to go pretty well until 1961 when some pressure was brought to bear on the then Legislative Council which passed a law to make the sweep legal. That is a good example where a blind eye was turned for many years. The money from the sweep was used for a good cause. Perhaps the authorities were not prepared to test the public reaction to closing that sweep down at that particular time.

As can be seen, there have been funds raised from sweeps and various other games over a period of time to assist schools and various associations and clubs. I am very pleased to see that certain games and other means of raising money will now become legal. After all, we have been taking part in these activities for many years. One of the problems is gauging when something is about to reach the stage where it can be abused. I guess that the warning sign is the amount of money that is involved.

There are 2 areas in this particular bill that we will have to keep a very close eye on in the future. I want to make it quite clear here that I am not disagreeing with the proposal that has been put forward in the bill. Those areas are bingo and calcuttas. When this act becomes law, both of these areas will not be controlled and both can involve a great deal of money. In his second-reading speech, the Treasurer mentioned that the turnover for bingo was about $1m a year. You will find that there are clubs turning over between $15,000 and $20,000 a year in bingo. At present, that is fine but it is still a reasonable amount of money. With super bingo on the horizon, which will involve a great deal more money, and possibly a super super bingo, we will reach the stage where a great deal of money will be involved and the opportunity will be there for people to abuse the system and for people to be ripped off. I want to make it quite clear that I am not disagreeing with the proposal that bingo and calcuttas be given a free rein. Many clubs have been in dire straits in the past few years, particularly since random breath testing was introduced. A number of clubs have found it very difficult to make ends meet and I welcome the opportunity that is being given by this bill for them to become involved in other fund-raising areas, to increase their membership and to improve their facilities. There is no doubt that bingo is a game by which they will be able to make a considerable amount of money.

Another area that is of growing concern - and I do not agree with the member for Nhulunbuy that it is a minor area, particularly since the crack-down of the New South Wales and Victorian governments on illegal SP shops - is the infiltration of southern operators into other states and territories. It is a very real problem. I know of one situation in the Territory at the moment where there is a person who is deeply involved with one of the SP operations in Victoria now working in one of the betting shops in Darwin. It is quite legal. There is nothing wrong with that, but I do think that you have to take a very careful note just where people have come from and what they have been involved in in the past. These operators are dealing in millions, not in thousands. They are completely different to local people and some of our local bookmakers have had their fingers burnt by becoming involved with them.

I would have liked to have seen the penalties increased a little bit more than they have been. I am not suggesting that we become like Queensland and have $15,000 for a first offence and then up to $50,000 for the third and subsequent offences but I believe that it could have been a little higher than we have in this bill. To these people, $2000 is not a great deal of money.

Another matter that I would like to comment on is the issue of the Northern Territory having its own lottery. This idea has been thrown around in Darwin and other parts of the Territory for many years. The only way that we are able to have a lottery of our own is to tie in with one of the states. It needs to be pointed out that it is not a matter of just saying that we want to become involved and that is it. It is a matter for negotiation between the various governments and people involved in lotteries such as Tattersals. It is up to those governments and people to come to some agreement as to how the particular lottery is to operate. The percentage contribution in ticket sales from the population of the Northern Territory would be very minor indeed compared to the amounts that are purchased in these other states. It is a matter of our being accepted by these other groups.

For us to run our own lottery, Mr Speaker, would be impossible. I speak from experience here. People want a quick turnover. They want to be able to win large amounts of money on a regular basis. As an example, once again I use the Tomaris sweep. We start to sell tickets to that sweep in July of each year. We continue to sell those tickets until the second Tuesday in November, which is Melbourne Cup Day. That is a 3-month period. Over that period, we sell 25,000 tickets and the first prize is around $12,000. It is a big effort to sell those tickets. At one stage, when my father was alive, he and I approached the Darwin City Council with a view to letting it take over the Tomaris sweep so that Darwin would have its own lottery. We felt that perhaps the council could put more effort into it and increase the sales considerably. Unfortunately, the city council did not take up the option at the time. As I said, the only way to have our own lottery so that people have frequent opportunities to win large amounts of money and the government is able to receive something back from the particular lottery is to tie in with the larger operators.

I would like to ask the minister to indicate in his reply whether, in the agreement the government has come to with Tattersals, there is allowance for the government to withdraw from its proposal if there is any change in the percentage return back to the government. This could happen if the Victorian government decided to change its legislation and alter the percentage that it would receive back from Tattersals. Such a change could mean that the percentage returned to the Northern Territory government could be affected. I ask if that point has been covered in that particular agreement.

Finally, Mr Speaker, it is a little disappointing that so few clubs and associations responded to the minister's efforts to obtain input from them on this particular piece of legislation. 160 responses from 800 clubs is a pretty poor show. I do not know how we can get the public to respond. It is very difficult to calculate or gauge people's true feelings if they do not participate when asked to do so.

I welcome the bills, Mr Speaker, but I do emphasise the fact that there is a need to monitor very closely bingo and calcuttas. It is very good that at long last we people who have taken part in these sweeps illegally for a number of years will now be able to do so legally. I support the bill.

Mr SMITH (Millner): Mr Speaker, there are some reservations amongst sporting organisations about the Lotteries and Gaming Bill. Basically, those reservations relate to the ability of sporting organisations to raise their own finances without reliance on government schemes. Now that the casino has been in operation for 3 or 4 years, it seems clear that sporting organisations, as a consequence, have found it more difficult to raise funds through their own endeavours. Despite comments at the time of its establishment that the casino would rely basically on outside money, it now seems clear that it is supported to a large extent by money coming from within the Darwin area. Sporting organisations have felt the pinch in the last 1 or 2 years.

To refer to the comments of the previous member, bingo is not the answer for these organisations. A number of them find it unattractive to run bingo games now. Particularly in the Australian football scene, I know that a number of clubs which previously relied largely on bingo for fund-raising have now dropped it because the money is not there any more. They say that the money is going into the casino instead. In that context, they see it as possible that the amendments to the Lotteries and Gaming Bill will further reduce their own ability to raise money. When we look at instant lotto as being made available on an agency basis to established clubs, it is clear that clubs that want to be agents but do not have the permanent facilities required by the Racing and Gaming Commission may well find themselves in a disadvantaged position.

This raises the general question of the increasing power being taken by this government to allocate money for sporting organisations. I think we should be aware that, by its actions, the government is reducing the power of sporting organisations to finance their own affairs and, to some extent, is stepping in to fill the breach itself. I am not saying I disagree with the actions but we should be aware of their effects. The government stepping in to fill the breach shapes, to some extent, the direction sporting organisations will follow. That is best expressed through the grants-in-aid scheme where the government has very clear guidelines for the granting of assistance. This is reflected clearly by sporting organisations when they apply for these grants-in-aid.

Mr Speaker, it is most important when we look at the Sports Development Fund that we recognise the limitations of present government money for sporting organisations. With this new fund, we should endeavour to widen the possibility for sporting and recreational groups to gain access to money from the fund. That is why we have proposed the amendment to include the word 'recreational' in the title of the fund. As the honourable member for Nhulunbuy stated, a large number of people are interested in recreational pursuits who are not eligible under the government's present guidelines for government funding. It has been a pattern of Australian life over the past few years that the percentage of people involved in organised sporting activities has reduced, and the percentage of people involved in more informal recreational activities has increased. I ask that the government recognise this when it comes to the allocation of finance from this new fund. The present basis for government funding is restricted very much to organised groups. It is for incorporated groups with normal office bearers. There are a number of other requirements. I accept that this is probably necessary, for audit purposes as much as anything else, but by taking that line a number of other groups with legitimate interests, particularly in the recreational area, miss out under the present system.

I would like to suggest to the government that, in the administration of this fund, the guidelines be broadened so that groups that are not organised at present but which have interests in common are encouraged to be organised. I suggest that some money be set aside for these groups to provide them with the ability to organise themselves so that, at a later stage, they can apply for larger amounts of money to further their aims and objectives. This approach has been adopted in a number of the states. The common term applied to it is the concept of seeding money. Seeding money has the connotation of planting something from which something grows. That is the principle we are talking about here. If we help people to become organised in these more informal areas, they can obtain, at a later stage, their share of the cake. Under the present guidelines, of course, they are prevented from doing that. I hope, quite seriously, that the government will take that up.

There is another area that has come to my attention in the last few days that hopefully can be encompassed within a new Sports and Recreational Development Fund, and that is the concept of sports injury. On the weekend, a sports

injury forum was held at the Hotel Telford. Unfortunately, the sporting organisations did not see the need to attend and it was basically a forum of people connected with St John. It was quite clear to me, after attending that seminar for some time, that there is a large area of need surrounding sports injuries and that something has to be done about it before too many people receive serious injuries and suffer through actual physical injury and possibly wrong treatment given afterwards. I do not believe that government regulation is the answer but I believe that the government needs to put in some money to encourage sporting organisations and first-aid groups to get together so that people can be trained and develop expertise in the area of sports injury. In the unfortunate case of serious sports injuries occurring, they will not then be aggravated by incorrect treatment. I think the provision of money under the sports development fund for training in first-aid would be a proper way to fund that area. I hope that the government will see that its guidelines are wide enough to support that type of thing. With those comments, Mr Speaker, I reiterate that the Labor Party supports the bills.

Mr DONDAS (Youth, Sport and Recreation): Mr Speaker, I rise to support the bill to amend the Lottery and Gaming Act. I shall comment mainly on division 4 relating to clauses 18 and 19 - the Sports Lotto and the Instant Money section of the bill.

In the Instant Money game, people are able to buy a ticket for $2.10 or $2.20. There are a series of 6 boxes marked on the ticket that are covered by a substance which can be scratched off quite easily. If a person is lucky enough to have 3 identical numbers, he wins a prize. Most of that type have a value of between $2, $5 and $10. The chance of winning $10,000 is fairly remote in that particular series. Upon producing a winning ticket, you write your name and address on the back and that ticket eventually goes into a draw. There is an Instant Money draw every 8 or 9 weeks and all those people who have winning tickets have a chance of winning up to $0.5m. That is where the real success in the Instant Money game lies. Sporting organisations that are capable of franchising that through their clubs will make a handsome profit out of it which can consequently help develop their sport. I certainly support the inclusion of the Instant Money game in this bill.

Sports Lotto is another game that has been sold in the Northern Territory for a number of years under the guise of Tattslotto, Crosslotto and another New South Wales lotto game. The New South Wales and South Australian lottos were getting very little revenue from those Northern Territory organisations. Of course, Tattslotto has nearly $1m worth of sales here regularly and we were making a reasonable amount from it. However, when the Treasurer put a proposal that we have Sports Lotto, I seized it with both hands because the Treasurer indicated to me that any funds from Instant Money and Sports Lotto would go into a sports development fund.

Since self-government in 1978, the Northern Territory CLP government has put $1.64m into the development of sport. I will pick up a couple of points the member for Millner made in relation to other types of funding. The Treasurer indicated to me that, in our first year, Instant Money and Sports Lotto revenue would be in the order of $2m. That excited me greatly considering the fact that we only had $1.6m for a 3-year period. Consequently, I was very pleased to be able to convince my colleagues that the funds derived from those sales and from the sale of other lotteries should be put into a sports development fund. I will refer briefly to the amendment proposed by the member for Nhulunbuy in relation to clause 18. It will widen the definition of 'sport' to include recreation and I certainly support that because I think that it should have the widest definition possible. I certainly hope that the sponsor of the bill shares my feelings. It will open up a wide range of recreational facilities.

The existing policy allows Victoria, New South Wales and South Australia to sell their lotteries here. Because the Northern Territory has become a member of the Australian lotto bloc, the New South Wales lotto, the South Australian lotto and the South Australian Instant Money game will cease to exist here on 1 July.

The income from lottery sales in the Northern Territory in the first year is expected to exceed $2m. With inflation, by about 1985 or 1986, we could be looking at something like $3.5m going into that pool for sports development. The Commonwealth did not leave us very much in the way of sporting facilities in Darwin and the Northern Territory. In fact, local governments have provided most of the infrastructure for sporting facilities in Darwin and the Northern Territory. I believe the council did a very good job in the development of the Gardens Oval facility. I believe it is something to be proud of, but it costs money. Over the last 5 or 10 years, the priority for sports funding has been very low. This bill should lead to some sort of planned development for facilities right throughout the Northern Territory.

I mentioned that we have put $1.6m into sport over the last 3 years. That was right throughout the Northern Territory and not just in Darwin. Many people seem to think that everything happens in Darwin and the Northern Territory finishes at Berrimah. That has never been my view. We have provided generous funds to Darwin, to Alice Springs, to Katherine and to Tennant Creek. What has been done by this government in relation to the development of sport is on record.

The member for Millner had reservations about the operation of the fund. He did not address himself directly to the bill. I appreciate that he has a philosophy regarding funding and sports development. He was a bit concerned that this government would not pay any regard to passive sports. He said that the club has to be an incorporated body. That is true, Mr Speaker, because there are such things as audits. The other important thing is that taxpayers' money is involved. We must have guidelines and rules. In some cases, the minister responsible has the option of being able to direct a division of community services to provide a particular level of funding to an organisation that does not meet those requirements. That is a rare situation. If we did not have rules, we would certainly get into all kinds of strife.

The guidelines are there for the instant appraisal of applications for travel subsidies. In March 1980, the travel subsidy scheme was introduced to allow organisations to be able to plan to send their teams interstate to participate in national championships. The rule was that, unless there were 4 competing states at national championships, there would be no funding because there are also the club championships and state championships. We wanted Territory sportsmen to get the best experience possible and the only way was to provide the travel subsidy scheme. Sporting organisations do not have to beg, borrow or steal. They approach the division with their requirement to participate in a national championship of which there are 4 or more states participating. They might wish to send an under-19 team and ask for 50% of the air fares. We give it to them, Mr Speaker.

Our scheme in the Northern Territory is the best in Australia by far. In Western Australia, you get 50% of a group travel fare. In the Northern Territory, you get 50% of an economy fare which allows sporting organisations to approach the airlines and obtain a 33.33% on air travel and 50% on bus travel. They are very lucky down there. They can go between Melbourne and Sydney in a day on the bus for about $65 with the special rates. The travel subsidy scheme must have guidelines. If you do not have guidelines, Rafferty's Rules will apply. That is not my way of operating.

The honourable member for Millner said that the opening of the casino has flattened the sporting organisations and has taken away their income. Mr Speaker, last night at the Commonwealth Games appeal dinner, 2 very small organisations - unlike the Northern Territory Football League which collects thousands of dollars at the gate every Saturday - gave generously. The Northern Territory Cycling Association, a very small body, offered $1500 to the Commonwealth Games appeal. I believe also that a cheque for $1000 was given last night by the Northern Territory Amateur Swimming Association to the Commonwealth Games appeal. The organisations that get up off their butts can make money. It has nothing to do with the casino. It has nothing to do with bingo. It is just that there are some very lazy organisations out there.

I also believe in the user-pays principle. An organisation might like to undertake a project at a cost of $60,000 for its members or to promote its particular sport. There is no way in the world that it would receive $60,000. If its members worked like devils to raise $20,000 and asked for the extra $40,000, then that would be promotion. That would be helping to develop its sport.

I do not wish anybody to say that we do not provide financial infrastructure to small organisations. The Chess Club is a recreational club but it has the infrastructure there if it wants to develop. There are some organisations such as the Riders and Drivers Association that want eventually to develop world-class racing circuits. Their ideals and their goals are very different and they work much harder to attain them. Other organisations are happy to sit by and take things as they come. I refer to very small organisations such as the Top End Mineral Club. What has the Top End Mineral Club to do with sport and recreation? That particular body has received grants-in-aid through our grants-in-aid scheme. The honourable member inferred that you had to be a sporting organisation to receive grants-in-aid from this government. That is not true. Any organisation that has a reasonable management and is incorporated will receive a fair hearing from this government.

We have provided seeding grants. The honourable member for Millner is 3 years late, Mr Speaker. We have been providing seeding grants to small organisations to get them going: $500 for equipment, $300 for uniforms etc. We have done it through our Life Be In It Campaign and through the Department of Youth, Sport and Recreation. Seeding grants already exist.

I also attended the Ambulance Officers Institute of Australia seminar last Saturday morning. In fact, I opened it and I was very disappointed that the honourable member for Millner was not there for my opening speech. At that particular time, I said that I believe that sporting organisations have the responsibility of providing people to St John Ambulance so that they could be trained to provide a service to people who were injured in those sports. I said it on Saturday morning, Mr Speaker, and I will say it again. I believe it is up to the sporting organisations themselves to have some members train with St John Ambulance. St John Ambulance do not have hundreds of people to spare. It is doing a very good job and it receives some financial assistance through grants-in-aid from the Department of Health for its operation. I believe that the sporting organisations must have their people trained and standing by at weekends.

Mr PERRON (Treasurer): Mr Speaker, I am pleased to note honourable members' general support for the proposals put forward in this legislation. It will place the Northern Territory in the position of having fairly progressive legislation on this subject. It seems to me from my discussions with interstate ministers and officials that it is an area which is regarded with such sensitivity by other states that they are all virtually afraid to tackle most of the areas of lottery and gaming and, to some extent, betting. Because

it is a matter of such sensitivity within various electorates, it tends to be left alone. Could I give a couple of examples, Mr Speaker?

In Western Australia, I was surprised to learn that the conduct of bingo is strictly limited to charitable organisations. I thought that it would at least extend to sporting organisations because it seems that every politician in the community supports sporting organisations as being honourable institutions. They believe that playing bingo may get totally out of hand in the community and lead to goodness knows what. The proposal that sporting organisations should be allowed to play bingo to raise funds was introduced into the parliament in Western Australia a while back and defeated by the upper house. That is how seriously it is taken over there.

Queensland, which is fairly conservative on these matters as a rule, has various games called lucky envelopes. One can see pensioners and others in the streets selling what are called lucky envelopes. They have little ticket dispensing machines the proceeds of which go to charitable organisations. You buy a ticket for 20¢ and tear off the cover of the ticket. If you have a series of numbers that match a series of numbers on the prize schedule, you receive a prize. What their law very strictly enforces is that, when you tear off this piece of paper on the 20¢ ticket, you are not offended by seeing such things as cards, aces or dice or anything else which may connote the true sense of gambling. They do not mind numbers or letters but they will not have Queensland citizens offended by these terrible little signs. Such is the attitude of state politicians towards some of these matters.

The honourable member for Port Darwin expressed some disappointment at responses from the community in these matters and I have to share that concern. Our first circular to 800 organisations in the Territory seeking their input to the original legislation resulted in 160 replies. In fact, that is a fairly good return. There were suggestions as to what we should do to liberalise small raffle conditions and bingo. After the legislation was introduced at the last sittings, I again sent letters to 800 organisations broadly outlining what the legislation provided and seeking responses. We have received 10 replies. Perhaps there are many people who think that the legislation before the House is reasonable in its present form. I hope that is the case.

The honourable member for Port Darwin also asked whether, in the agreement between Tattersals in Victoria and the Northern Territory government to run Sports Lotto and an Instant Money game in the Northern Territory, we are protected if the various percentages which are paid in Victoria change. I can assure the honourable member that the present arrangement is that the Northern Territory will receive 100% of the taxes collected by the Victorian government on Territory sales of lotto. On the Territory sales of Super 66, we get 75% of the Victorian taxes and 75% of the Victorian taxes on Instant Money sold in the Northern Territory. The reason we are not getting 100% on all of them is that there is a similar arrangement between Victoria and Tasmania on this matter. It seems that we may have to wait until that matter is up for renegotiation to try to squeeze a bigger percentage out of the Victorian government.

The agreement that we have with Tattersals is that the Treasurer may determine that agreement if the Territory government receives less than the amount already agreed with the Victorian government. That is only one area of protection in the agreement; there are other protections we have agreed to with the company. As the Minister for Youth, Sport and Recreation outlined, the benefit to the Territory from the arrangement will be substantial. We have organised the Instant Money game in the Northern Territory to be such that, of every 75,000 winning tickets that are sold in the Territory, there will be a draw in the Northern Territory to select one of those tickets. The winner of

that draw will be one of 10 people in what is called the super draw which is conducted in Victoria for $0.5m. Even if the person does not win $0.5m, the maximum prize of that group of 10 people is $5,000. Working on averages, in every 10 super draws, we should have a Territorian picking up something like $0.5m. As the Minister for Youth, Sport and Recreation outlined, one of the principal outlets for Instant Money tickets will be clubs which fulfil certain criteria, particularly in their accounting sphere and also having premises which can be used as agencies for Instant Money games.

The Tomaris sweep is protected because it has been part of the Darwin scene for many years. It is a lottery and a permit will have to be applied for but I would certainly see no problem at all in perpetuating that aspect of the Darwin way of life.

The member for Port Darwin also mentioned that we are very liberal on bingo and calcuttas, and indeed we are. In relation to bingo, we not only do not require the bingo tax, and that is fairly standard in the states, but we also do not require people to have permits to run bingo. We do not require returns. We have left it completely open to the clubs to run bingo. If indeed that proves to be too liberal, the matter will be dealt with by the government. The same applies with calcuttas. In fact, there are disputes among people as to what a calcutta is. The traditional calcuttas that are run in the Territory seem to be more popular in Central Australia than in the north. We do not propose to interfere in any way with the operation of these organisations.

As my own amendments have only just been circulated, I would seek to postpone the committee stage until tonorrow so that members can read them. In relation to the member for Nhulunbuy's amendments, I see no problem in inserting the word 'recreation' after 'sports'. As far as the minister's fund is concerned, there has always been some problem in defining some sports. Perhaps including the word 'recreation' is the way to do it. Once you talk about darts, chess and marching girls and many others, you could argue all day whether some of those are sports or not. I will study the proposed amendment further but, at first reading, it causes me little concern.

Mr Speaker, in conclusion, could I just touch on the matter of sports insurance. I am disappointed that more people do not take the opportunities that are available to insure themselves. I do not think there is a limitation on the types of sports on which individual cover can be obtained although some of them are regarded as fairly hazardous occupations. There is also coverage by organisations for their members. When we tried to motivate organisations to put submissions to government as to how they saw a sports insurance scheme operating, that did not work. We could not get the interest. The Territory Insurance Office has taken up the series of arrangements which the Minister for Youth, Sport and Recreation has touched upon. Insurance schemes only work with mass participation. To have mass participation, the best possible schemes are clearly national ones. Even if the Territory had some form of compulsory system of sportsmen registering and contributing, the pool would probably be so small that premiums would be ridiculous. But the opportunity is there today and has been for a long time for every person who feels he may be at risk in a sport to become insured.

I would hope that there are no calls in the future for the government to use the funds that end up in the Sports Development Fund to obviate the responsibility on individuals to contribute towards their sports insurance because it seems to me that it would be somewhat unfair if general funds were used to contribute to a scheme which covers a vast range of sports, and indeed recreational pursuits, some of which are not very hazardous at all. Some are very hazardous. It is the individual's choice as to which one he cares to take up. I hope

that more individuals and their organisations accept some real responsibility instead of seemingly taking the attitude that perhaps too many of us take: it won't happen to me.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

CHILD WELFARE AMENDMENT BILL
(Serial 187)

Continued from 10 March 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the purpose of this bill is to require that suspected cases of child abuse are reported to the appropriate authorities. Child abuse is defined as in the principal act, the old Child Welfare Ordinance, in the following terms: 'A person who assaults, ill-treats or exposes a child, or causes or procures a child to be assaulted, ill-treated or exposed, is guilty of an offence'.

In my view, and I said this in the course of the last sittings, it is unfortunate that we have had to proceed by way of amendment to the old act and that a new child welfare legislation has not been introduced into the Assembly incorporating this issue of the reporting of child abuse. I believe that this is an item of legislation which reflects very closely and seriously the increased community concern on the issue of child assault. The community's view is that it is something which should be dealt with in legislation. Nevertheless, we should recall that the concept of child abuse is quite a recent one and, even in the past decade, it has changed in 2 respects. I refer members to the Law Reform Commission's Child Welfare Report which is a lengthy and most excellent document. It contains a substantial chapter on this issue of child abuse.

In the early 1970s, child abuse was characterised as a problem of individual deviancy and an occasion for the imposition of severe criminal sanctions. Towards the end of the decade, there was a change in the orientation of the community's concern. Parents who maltreated their children were viewed not as isolated deviants, but as members of a society subject to pressure to which many individuals could succumb. The report went on to say that the changes in society's attitude were reflected in the way in which this matter was handled. As we are still working within the confines of the old Child Welfare Act, unfortunately we are still treating child abuse in the old way rather than in the new as we would hope to. Nevertheless, I think this legislation is welcome as an expression of community concern about this issue. It follows a particular unfortunate incident which occurred recently within my own electorate.

The amendment, of course, will not achieve very much at all unless it is backed up with appropriate mechanisms within the Department of Community Development which is the department, in conjunction with other authorities, with the responsibility to ensure that appropriate steps are taken once a case of suspected child abuse is reported. Since the minister did not deal with this in his second-reading speech, I sincerely hope that, in his reply, he will outline the procedures which have been developed within the department for handling cases after they have been reported. It is most important, indeed essential, that the matter be dealt with the utmost care and tact but also, in certain cases, with expediency.

This legislation will bring us into line with the situation that now exists in most states in Australia. I believe that all except Western Australia have legislation requiring that cases of child abuse be reported. It is dif-

ferent in that most states define the classes of persons required to make reports. Indeed, I believe that, in some cases, it is only binding upon medical practitioners to do so. This particular piece of legislation requires all people who genuinely suspect child abuse to report it to the appropriate authorities as defined in the existing Child Welfare Act. Certainly, I support that. Within my electorate people have said to me: 'I think that this person who lives nearby is beating his child'. They are persons who should also report and it should not be simply left to medical practitioners who might become aware of this problem. Nevertheless, it is obvious from the second-reading speech of the minister that he expected the medical profession to react fairly strongly to this particular part of the legislation. I sought responses from people in the medical profession, amongst others, and I only received one reply, which I was very pleased that the person had given the time and effort to make. It repeated the traditional argument that such reporting would be an invasion of privacy.

These arguments were canvassed at length by the Law Reform Commission and are set out in the document that I referred to earlier. There are quite solid arguments against the reporting of child abuse. Some people feel that it will discourage parents who require help from seeking help. There is, of course, the question of breach of confidentiality which some professionals, particularly doctors, might feel is involved. It is said that there is no proof that compulsory reporting does not put as many children at risk as those whom it assists and it is felt also by some that provisions for compulsory reporting are virtually unenforceable. There is also the question of what has happened and how effective the mechanisms are once reporting has taken place. The commission canvassed all these views and also the arguments in favour of compulsory reporting. I quote from its principal positive arguments:

> *Children need special protection by the law because they have fewer means to help themselves. Moreover, the child's right to preservation of his health and life outweighs the right of a family to freedom from interference. Compulsory reporting therefore underlines the law's commitment to the protection of children.*

There are other arguments in favour of compulsory reporting in that it allows the extent of the problem to be gauged so that appropriate methods to alleviate it can be introduced.

It has been shown that the introduction of compulsory comprehensive reporting legislation is inevitably accompanied by an increase in the number of cases coming to notice. So it does seem to be effective in that way.

Mr Speaker, I think that it is most appropriate that we pass this legislation today as an indication of what I firmly believe is the view of the Northern Territory community on this issue. I hope to see similar provisions incorporated in the new Child Welfare Bill which we hope will soon come before us in this Assembly. I also sincerely hope that the minister will outline to the Assembly the mechanisms that his department has put into train to ensure that, once reporting takes place, the problems are alleviated.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, it has been mentioned fairly frequently around the community that doctors are not all that keen to become involved in the reporting side of child welfare. A general attitude seems to be that they want to fix up any problems which are brought to them and then leave it at that. Unfortunately, that tends to play into the hands of bullies. That is one aspect which should be looked at. I believe that adults who bash children are cowards. They tend to break down when they are stood up to. I believe that is an argument that should be considered strongly by the medical

profession. They should stand up and be counted. This bill aims to enhance that situation.

The average citizen does not like to become involved. He tends to mind his own business and lead a quite life. That does not always satisfy his conscience. People have a tendency to be a bit like Pontius Pilate, desiring to wash their hands of a matter or, like the Pharisee, walk on the other side of the road and pretend they did not see it.

I believe quite strongly that we do have a public duty in this particular area. There is also a valid argument that, if doctors are obliged to report, parents who have abused a child to the extent where medical attention is needed will not seek that attention and the child would be worse off. However, I think that this can be covered, at least in part, by making it everybody's duty to report if they believe that abuse is occurring. That would involve neighbours and particularly teachers. Teachers see the children nearly every day. It would involve teachers more than doctors in the first instance. Any teacher who suspects that there is an abuse - and it may be a junior teacher who has suspicions about a very small child - should take the matter up with the principal of the school. Under this bill, the principal would have to report the suspected abuse. A parent in a fit of rage might abuse a child and bruise him. That would be quite clear to an alert teacher. The parent might well be tempted to keep the child away from school. Again, an alertness to absenteeism and the reason for the absenteeism might well do some good for the child.

The bill provides that every citizen is obliged to report where there are reasonable grounds and also protection for the person reporting. Of course, it would be very foolish for someone to intervene with threats of reporting. I think that would tend to create a bad situation. Reporting should be confidential and the checking to see if abuse has actually taken place should be done with a great deal of skill and wisdom, as the member for Fannie Bay mentioned. A lot more good will be done quietly behind the scenes than by making a great noise about it. On the other hand, if someone is trying to be vindictive by laying a charge of child abuse, then that should be dealt with in a reasonable manner too. There is no room for that sort of attitude in this particular legislation.

The bill is welcomed by the community, particularly by social workers who tend to see the effects of child abuse more often than we do. I believe that they will act out their part very responsibly. The whole thing is a matter of balance between the privacy of the family and the child's welfare. I believe that a balance can be struck and some good can be done to protect those children who are subject to child abuse. I support the bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise to support the bill. It is overdue but I welcome the government now directing its attention to the problem of child abuse which occurs with ferocity and, unhappily, with regularity in our society and, in fact, in all societies.

In 1973 in the United Kingdom, a Maria Colwell died at the age of 7. She died of multiple injuries in Brighton. Her stepfather, William Keppel, was found guilty of her murder on 16 April 1973. On 19 July 1973, the Court of Appeal substituted a finding of manslaughter for that of murder and sentenced him to 8 years' imprisonment. Following this horrific case in the United Kingdom, Her Majesty's government established a committee of inquiry into the care and supervision provided in relation to Maria Colwell. Mr Speaker, if any member has a particular interest in the protection of children in our society, I recommend to him the report of that inquiry, which is available from Britain.

It becomes apparent when reading the entire report that the problems which faced Maria, and resulted in her death, have their analogy in a recent tragic case in the Northern Territory. Whereas the British case provided the catalyst for an entire inquiry, the death of the child in Darwin as a result of injuries inflicted by members of his family has been responsible for this small amendment to the Child Welfare Act. Mr Speaker, I am well aware that the minister knows of the deficiencies existing in that act and I am sure that he is instructing his officers and the draftsmen to produce a better act with regard to the protection of these most vulnerable members of our society.

The analogies between the deaths of Maria Colwell and the child who died in Darwin are very strong. In the conclusions of the report in the United Kingdom, Olive Stevenson, one of the people reporting to Her Majesty and to the House of Commons, said in her conclusion: I share my colleagues' views on the failure of various systems for which all of us must take a share of the responsibility. In my opinion, by far the most serious failures in this sad story were in communications within and between agencies.

Mr Speaker, whatever legislation is passed in this Assembly, and certainly this has my full support, the communication between reporting bodies in a case of suspected child abuse is of the most vital importance - and I use 'vital' in its proper meaning.

Over the last few years, the British have paid a great deal of regard to child abuse within the community and this country may pay heed to what they have done and the conclusions they have reached. In 1973 again - a dramatic year in the United Kingdom in regard to child abuse - a book was published called 'Children in Distress'. It was written by Alec Clegg and Barbara Meggson. I quote from that book, firstly from page 61:

> *One of the freedoms an Englishman enjoys is the freedom to make his children miserable by a whole variety of means short of grievous bodily harm. Then, of course, the services themselves inevitably on occasion break down, and sometimes the law itself does what may be thought right for the parent but what is wrong for the child, the victim in the case, whose wishes and affections are so seldom consulted.*

Mr Speaker, most members of the Assembly will be aware that, in the past, society has paid far greater heed to the so-called rights and desires of the parents than what is the inherent right of the child: the need for proper protection, which may have to come from society as a whole, and may have to override the so-called rights of the parents. I quote from page 78 of Children in Distress:

> *All too often the belief is that, in almost every case, the best way to help the deprived child is to cure the family. When children are in need of social help, their need is often clamant and pressing. Every day counts and the sooner pressure can be removed, the sooner will normal learning be resumed. But social work with an adult, with an alcoholic or a man who is work-shy or with a feckless and incompetent mother may take years to achieve and, in this time, the child may be severely damaged.*

Mr Speaker, it is my fear that all too often social workers are pushed into the need to buttress the family - which apparently has some magical connotation - when, in fact, the family environment may be, to the child, the most cruel and repressive existence that can be imagined on earth. All too often social workers appear to disregard the child's needs with the trendy platitude: we must protect the family at all costs. Mr Speaker, unhappily in casework, 'at all costs' has been at a cost to the child who does not know of access to

other welfare agencies, who does not know his standing at law and who is the victim because of the trendy supposition that the family is paramount.

Again, the authors have addressed this at some length. They say on page 78:

> *The solution to this whole dilemma might be to leave the curative work to a social work committee and establish a positive, well-constructed and properly financed, preventative service for children based on the schools.*

That is fine, of course, if the children are of school age. I was interested to hear the suggestion from the honourable member for Alice Springs that schools must play a greater role in the early detection and reporting of child abuse if it is suspected. It is not often that I agree with the honourable member for Alice Springs but, on this occasion, I do. In the Maria Colwell case and that of Stephen Menhenniot, another child who was tortured to death by his father in the United Kingdom, the abuse of those children was first noticed in schools. The schoolmasters and the heads of the schools constantly contacted the various welfare agencies. What happened was that they all reported to each other and no one ever did anything. As a result, both children died and the United Kingdom was forced to re-evaluate the laws regarding protection of children and, in fact, brought in an entirely new act.

Mr Speaker, what we are coming to realise is that children are not property but human beings with a certain inalienable right to the protection of society. One early and fairly dramatic illustration of this in Australia was when Australian law in the various states and the Northern Territory - I was present at the time - reserved the right to interfere to enable blood transfusions to be given to children to save life, notwithstanding the opinions of their parents based on a particular religious belief. It is an example where society moved to protect the child, notwithstanding the wishes of the parents. I see that, in this bill, and in the second-reading speech of the minister, he is saying that the Northern Territory legislature reserves the right to protect children as is needed.

The honourable member for Alice Springs spoke of the need to protect parents from persons laying a charge wilfully and maliciously. My understanding is that any charge under the act would be brought by the Director of Child Welfare. I find it difficult to believe that the Director of Child Welfare would maliciously, capriciously or wilfully bring charges against a person for child abuse. He would not proceed in a court until sufficient evidence warranted such a procedure.

The honourable member for Fannie Bay spoke of the need for the introduction of new legislation. I understand the minister is concerned about this. If we look at the old Child Welfare Act, we find provisions which are patently absurd. For example: 'neglected child', amongst other things, means 'a child who resides in a reputed brothel or associates or dwells with a person known to the police or reputed to be a prostitute whether that person is the mother of the child or not'. I find it difficult to believe that the Director of Child Welfare and the court would take cognizance of a charge against a woman or a man who may or may not be a known prostitute who is adequately caring for the child. The old days of the inference that, if one is a prostitute, one is a bad parent have patently gone. The present Child Welfare Act also says that a 'neglected child' means 'a child who associates or dwells with a person who has been convicted of vagrancy'. With your support, Mr Speaker, we repealed the old vagrancy laws in 1973.

Mr SPEAKER: Not with my support, honourable member.

Mrs LAWRIE: I bring these examples forward, Mr Speaker, to point out the need for a complete revision of the Child Welfare Act. This is not a criticism of the bill before us which is an emergency measure arising out of recent community concern about what was happening with child abuse and some professional reluctance to report suspected abuse to the relevant authority.

Mr Speaker, I support the bill. I recognise the urgent need for a revision of the entire act. I also note with pleasure that, under the Child Welfare Act, the definition of a 'child' is a person under 17 years. This act applies to all children no matter what their ethnic background is. We are reinforcing the protection society affords children whether they be in isolated communities, in urban areas or any other place under our jurisdiction.

I can only support the plea of the honourable member for Fannie Bay for new legislation to be introduced. I also ask the minister to indicate what support systems will be made available for people who report suspected cases of child abuse. All too often, they feel that their call or their letter or their personal approach will be put in a file called, 'We will look at it some time'. I support the legislation and look forward to a new Child Welfare Act being introduced as a matter of some urgency,

Mr B. COLLINS (Opposition Leader): Mr Speaker, I rise to indicate my support for the bill and to speak briefly to it, particularly in relation to a matter that has been raised by the honourable members for Fannie Bay and Nightcliff and because of some experience that I have had with this problem of child abuse. In the whole calendar of crimes against society, crimes against children - certainly in my view and I suspect in the view of most people - occupy the top place. Most people find them abhorrent. I am talking about all crimes against children: crimes of sexual abuse, physical abuse and mental abuse. Those crimes against children become particularly abhorrent when the people inflicting that kind of abuse are the people who are responsible for those children.

Mr Speaker, the aspect of the bill that I want to touch on is that section which provides for reporting, not simply by members of the medical profession but by everyone. Although I have some reservations about how it will work, I will be interested to see how it will work. I support that particular section. Someone said to me this morning in an interview on ABC radio that he felt that the Northern Territory was being legislated to death because there was far too much legislation. I might add, for the benefit of the Assembly, that I did not agree with that view and put my reasons for disagreeing with the view. However, I have been reluctant to support legislation dealing with child abuse on one ground. For some time, I have examined the matter, as has the honourable member for Fannie Bay, and read extensively on all the reports, particularly those of the Australian Law Reform Commission. I was not persuaded by the arguments about invasion of privacy but the particular aspect that did worry me was the fear raised that legislation of this kind would lead people not to report such things.

I have bored the Legislative Assembly on many occasions with accounts of the 8 years I spent as an officer with the St John Ambulance Brigade, and I have no hesitation or embarrassment about boring the Assembly once more. The reason that I am particularly pleased at the provisions in this bill, with the reservations that I have that they apply to all sections of the community, is that one of the many unforgettable experiences I had serving in that brigade were those experiences involving assaults against children, and they were numerous. You could always walk away from the most horrific road accidents involving multiple casualties and forget about it 10 minutes afterwards, but you could never walk away from the calls you received at midnight or 1 or 2

o'clock in the morning to pick up a child who had mysteriously fallen out of his cot onto the floor or run into a door or in some other way had been injured. Of course, I knew and the person who was with me knew and the parents of the child knew that we knew that what the child had come in contact with was the fist or the old blunt instrument wielded by either the father or the mother or indeed, in some cases, both. It generally meant that you lost your sleep for that night because you could not go back to sleep again. You sat up the rest of the night talking about it. One of the reasons that you did not do anything about it and that you lost so much sleep over it - and this is going back a few years - was that the procedures available for dealing with the matter and reporting the matter were considered to be ineffective. In the main, the matters were not reported. That is what happened. You had to just walk away from it; you forgot about it.

I had a recent experience with some friends of mine who live in the northern suburbs in a rented house. They had a neighbour who loudly and regularly subjected his young son to horrific abuse, verbal and physical. I witnessed it myself on a number of occasions when I visited these friends. The fellow concerned was a very keen rugby union player with muscles in his eyebrows. He became so emotionally upset listening to this on regular occasions that eventually he and his wife moved out of this rented house and lived somewhere else. He told me that he was frightened that one night he would jump the fence and flatten this particular character. He told me that they had reported the incidents - and this is going back 2 years - but had not received very satisfactory responses to their reporting. What I would like the minister to explain - and I rise today to ask for this in response to hearing it raised by honourable members on this side of the Assembly - for the benefit of members and the public is what will happen after the reporting takes place.

In conclusion, Mr Speaker, I would like to say that I would like the government to give very close attention if it can - and I realise how very difficult it will be - to the potential problem of non-reporting of these incidents or the failure of parents or anyone else in fact in charge of children to seek medical attention for them because of the reporting provisions. With those comments, I support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising today to speak in support of this legislation, I make my views quite plain. I view maltreatment and abuse of young children in a very black and white light. In much of my thinking, there are grey areas but this is a very black and white situation. I suggest that this legislation was brought about by the recent death of a very young child after it had been abused and maltreated for a number of years.

Mr Speaker, no group of people condones physical violence to young children, but it happens all too frequently as other honourable members have said today. I would like to make the observation that I have never seen parent animals display the same mistreatment and violence to their young as human adults to do their young. I have been observing dogs for about 20 years and I know quite a bit about their behaviour. I know more about dogs than other animals. I have never seen a bitch maltreat or seriously damage her pups to the point of their death. The younger the pups or, in other animals, the younger the cubs are, the more care that is extended to them. In the animal kingdom, it is usually the mother which exerts the care over the young. Depending on the attack that is mounted on her or her young, the mother displays all the ferocity at her disposal. It is a pity some human mothers could not protect their young in the same way.

As I said in my opening remarks, I have no sympathy at all with adults who maltreat young children to the point of death or permanent injury. We

have heard the excuses mitigating parents' undesirable behaviour. The child was unwanted or the mother has been subject to emotional upset for some reason or another. We have heard of the excuse of nervous breakdowns given for this bad treatment of children. We have heard of financial problems and other social problems that have been given as excuses for parents' treatment of children. None of these excuses hold water.

There has been so much dissemination of literature on safe contraceptive practices that it amazes me that so many unwanted children are born into this world. All women's magazines - both 'mumsy' magazines or sophisticated working women's magazines - carry some form of information regarding contraception or avoidance of pregnancy. There is no excuse for a woman bearing an unwanted child. The information is available to her to avoid the pregnancy and it is her decision and her decision alone whether she has the child. That is the way I see it. Even after having an unwanted child, a mother can still dispose of the child to the hundreds of childless couples who are crying out for children. There is no need for parents to work off their guilt on an unwanted child. You do not hear of guilt, maltreatment and viciousness being extended to children, even in very large families, if a child is wanted. It is always an unwanted child.

I hope that I am putting my views unemotionally. I do not think that any good is done by considering this subject in an emotional fashion. Apart from the loathing that I have for the whole situation of child bashing, I feel it is an utter waste. A baby could be given to a childless couple. People are crying out for children to adopt, to love and to care for. Some couples look overseas to adopt children, often because they cannot have children.

I would like to mention that I have never seen any maltreatment of young Aboriginal children. Perhaps I would not see it but I feel certain it would have been brought to my attention. I am not saying that Aboriginal people do not maltreat their children in certain circumstances but what I have observed is the love and attention given by Aboriginal people to young children. This does not only apply to women of child-bearing years. I have been in groups where babies are not only nursed and cuddled by the mother but are handed around and nursed and cuddled by other women. I have also observed teenage males do it. I think that it is a very nice way for the whole community to show love and attention to the little children.

In reading through the Child Welfare Bill, I noted the maximum penalties which could be meted out to people who maltreated children. I consider them to be absolute peanuts because we all know that maximum penalties are seldom invoked. The penalty is usually much less than the maximum so sums of $400 or 12 months' imprisonment and $100 or 3 months' imprisonment are absolutely peanuts if a parent or an adult can viciously maltreat a very young child. I have visited both jails in Darwin and my remarks are directed to the people who are in Darwin Prison. I have seen the conditions under which they live. To impose 12 months' imprisonment on a parent or an adult who has viciously maltreated a child is just a comfortable respite away from the hurly-burly of life. The punishment does not fit the crime.

In considering the amendment to the bill, I would say that people will have to overcome their natural reticence to poke their nose into other people's affairs and become involved to the detriment of those other people. It is a fact that the closer we live together in a community - and I am talking about town communities as against country communities - the higher personal social barriers we put around ourselves in order to maintain our privacy. The higher these personal social barriers are, the harder it is to go through them. Not only must we go through our own social barrier of reticence but we must also

penetrate somebody else's social barrier. People find this very hard. It is only natural. I think that people living in the country, because they do not live so close to each other, have more concern for each other. They do not have that area of social privacy to worry about. They do not feel threatened if people come close to them because normally they move and work in a wider, extended atmosphere.

I hope that this amendment to the legislation will be fruitful and do what it is intended to do, namely, cut down on the incidence of maltreatment and crime that is directed at young children. This bill has my full support.

Mr DOOLAN (Victoria River): Mr Speaker, I will speak briefly to this bill. The opposition thoroughly commends and supports it.

The Minister for Community Development, in his second-reading speech, quoted from an NT News report of 27 March which said: 'The medical profession, for reasons known only to itself, does not record instances of child abuse even though it has the first contact with the child'. I have always been intrigued to know what rationale lay behind this thinking of medical practitioners. I include my own brother who is a doctor. He could never give me a satisfactory answer. I have received many inquiries and many and varied answers and I have yet to be satisfied with any that has been given. Like the honourable sponsor of the bill, I would also be most interested to hear the comments of members of the medical profession on this bill. I know that all members of the Legislative Assembly, and indeed the general public, are most concerned about the existing legislation which applies only to serious offences and does not cover assault on a child, which this amendment will now rectify.

From my own experience, Mr Speaker, there are numerous cases of parents or guardians committing some pretty dreadful assaults on children without being arrested or charged. I was a gazetted welfare officer for some 2 decades and District Welfare Officer in 2 different areas of the Territory. I saw many horrible cases of children being brutally and repeatedly assaulted. The parents of these unfortunate children walked away scot free on almost every occasion. Actually I would like to see this amendment extended to include stupid and vicious parents who, although they may not physically assault a child, have some nasty little habits such as locking kids in cupboards and darkened rooms and leaving them there for hours. Incidentally, that happened in the case of the little boy who was murdered at Kurringal. Such behaviour by a sadistic parent is by no means uncommon and, again, I have had personal experiences of such cases. A child may emerge from this solitary confinement suffering no visible signs of assault, but God only knows what sort of mental anguish and trauma the poor kid has gone through while he was locked in the dark. Surely this sort of thing must constitute a form of mental assault, particularly on a young mind at its most impressionable stage.

I would like the minister to give some thought to this suggestion. Perhaps this aspect is covered by using the word 'ill-treating' as well as 'assault' but I would be happy to see something more specific included. There are more cases of kids being punished in this manner than the public is aware of and, unless the solitary confinement carries on for a very long period, it is a very hard thing to detect.

I think proposed subsections 70A(1) and (2) are excellent and hopefully will lead to more reporting of cases of child abuse. Subsection 70A(2), which prevents any civil or criminal action lying against a person who, in good faith, makes a report under subsection 70A(1) and a defamation action against a person who, in good faith but mistakenly, reports his suspicions that another person has been abusing a child, makes very good sense indeed.

I believe what constitutes an assault could have different connotations and the matter of good faith would have to be examined very carefully. An over-zealous person could construe what constitutes an assault by a parent on a child quite differently from another person. When I was a kid, there was a very stupid old adage: spare the rod and spoil the child. Of course this is quite wrong and stupid. However, despite the fact that I am certainly no advocate of corporal punishment, either at school or at home, sometimes a light slap on a little bare bum with a hand would do more good than cajoling and wheedling and threatening all day. I am talking about a light slap with the hand - not hurting a child. Technically, such action would certainly constitute assault but it could hardly be legitimately or sensibly construed as constituting an assault worthy of a charge being made against the parent or guardian or whoever. As the honourable member for Nightcliff pointed out, though it is hardly likely that the Director of Social Welfare would be charging people with assault for something like that.

I would like to cite one action that happened here in Darwin at one time. A lady of a particular ethnic origin took a child to school. The teacher saw what were obviously round burns on the child's back. The woman had no English at all. An interpreter was brought in and it transpired that a very old custom was practised by a certain class of people within that ethnic group who claimed that an attack of asthma could be relieved by putting a hot cork on the child's back and that is what had been done. The cure was probably worse than the complaint. She was not charged over it, but one could say legitimately that the teacher was not trying to cause harm. I think she was duty bound to take the kid down to the police station. The mother was acting in good faith also. It is the kind of thing that must be looked into pretty carefully to assess what constitutes an assault. I am not suggesting for one minute that people should try to cure asthma with burnt corks, but that is a factual case.

I raise these matters not to criticise the bill in any way, Mr Speaker, but merely to draw attention to the question of what would or would not constitute an assault worthy of punishment by the law. Rare cases would have to be looked at carefully. In extremely rare cases - and the only incident I have heard of is the one I related - it could occur that, a person inflicting what would appear to be quite serious assault on a child, is actually acting in good faith. I agree, however, that it is a very remote possibility that something like that could happen. I commend the bill, Mr Speaker.

CRIMINAL LAW CONSOLIDATION AMENDMENT BILL
(Serial 188)

Continued from 10 March 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this a very small bill which seeks to redress a deficiency in the criminal law of the Northern Territory in respect to a particular category of sexual offences. The opposition supports the bill.

The honourable Chief Minister quite correctly said in his second-reading speech that this matter would be taken up in any case with the passage through this Assembly of the Northern Territory's criminal code. That is, in fact, correct. On the occasion of the passage through this Assembly of the 5th, 10th, 21st or 305th draft of the Oakey-Dorling or Sturgess or - dare I say it - even the Everingham criminal code, this matter will be taken up. I mention this because one of the sections of the last draft of the criminal code that I thought was substantially well drafted and effective was the section dealing with sexual offences. I liked the way that all offences in that particular area were consolidated into one easily-readable part of the code. I think that

it is an extremely useful thing wherever possible, and I concede that it is not always possible, to be able to present legislation which is capable of being read and understood by people who are not draftsmen or lawyers. I think that that section of the criminal code will more than adequately deal with this particular problem.

The opposition supports the government in seeing the necessity that, in the meantime, this category of crimes, in this case crimes against children, is prevented from happening and this deficiency in the law is corrected before the passage of the Criminal Code Bill through the Assembly. The opposition supports the bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I have some difficulty with this bill which, on the face of it, appears to be small and simple. Firstly, without wishing to appear to be tedious, the English in the bill is suspect. Proposed subsection (2) reads: 'A person who leads, takes or entices away a child under the age of 16 years knowing that he has neither the lawful authority or consent of the person' - surely that should be 'nor' - 'having the lawful care or charge of the child with the intention of subjecting the child to sexual intercourse or an indecent act by himself or another person or of having that child participate in or exposed to indecent, obscene behaviour is guilty of a misdemeanour'. I have no quarrel with that as a principle but, if one looks at it carefully, it appears that a person who leads, takes or entices away a child under the age of 16 years with the lawful authority or consent of the person having the lawful care or charge of the child is not guilty of the same offence. I ask the Attorney-General to indicate to the Assembly why it is necessary to have this sentence knowing he has neither the lawful authority nor consent of the person having the lawful care or charge of the child. I assume he will reply saying that, if a person has the lawful care and custody of a child, implicit in that is the inability to give another person consent to entice the child if that child is under 16 years for the purposes specified in the bill. Nevertheless, because of the way the legislation is phrased, there is an inference that, if a person obtains the consent of the guardian of the child to take the child away for these purposes, the offence therefore is not created but must exist in another part of the criminal law. Mr Speaker, any hint of ambiguity should be removed.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, the case which gave rise to the introduction of this legislation happened in Alice Srpings a few months back. It was alleged that a child of about 10 years was approached by a man trying to offer her $2 to entice her to the Todd River. Fortunately, an adult person witnessed this and was able to intervene and nothing happened. The parents called the police and the would-be abductor is alleged to have freely admitted that his intention was to have intercourse with that particular child. Very understandably, the parents were upset about the matter. When the case was examined, it was found that there was a loophole in the law and nothing could be done about it because we do not have a law against abduction. That certainly upset the parents considerably and a petition was passed around Alice Springs. Honourable members will remember that the member for Stuart presented a petition regarding this particular problem and, as a result, we have this legislation to plug the gap.

In that case, the abduction did not actually occur and it was very fortunate that it did not occur. This bill covers actual abduction with intent to commit an indecent act. I am advised that, in common law, to 'attempt' means that you have to come very close to committing the crime. I tend to agree with the member for Nightcliff that the wording 'without the parental consent' does tend to make things more confusing. It is obviously very clear from other law that no parent can give permission for his child to be taken to be sexually abused.

I believe that it could be worded a little more clearly. What is not clear to me is whether an offence has been committed if an actual abduction does occur and there is no proof that an attempt to commit an indecent act with the child is involved. Common law says that you have to do more than just plan to commit an indecent act; you have to come very close to actually committing the act before attempt would be allowed in a court of law. I would suggest that there would be very few cases in the Territory where the would-be abductor would frankly admit what his intention was. I would like the Chief Minister to advise me on this particular matter. I personally believe that it should be an offence, certainly a lesser offence but nevertheless an offence. I support this attempt to close this loophole.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, reading the Criminal Law Consolidation Act and ordinance to which this amendment relates was a trip into the past. I found the language very quaint but not completely unintelligible. In reading through it, I must comment on section 116A as it refers to a definition of 'cattle'. There is an all-embracing definition of 'cattle'. It is a pity that the people responsible for redrafting legislation in the Northern Territory now did not pay a bit of attention to the definition of 'cattle' and 'stock'. At the moment, our legislation relating to definitions of 'stock' is very fragmented and nobody seems to be caring very much and this is to the detriment of the industry dealing with that.

Mr Speaker, this amendment is well-intentioned and realistically, if not legally, I believe it refers to females under the age of 16 or males under the age of 16. I asked the Attorney-General what would be the outcome in 2 different cases: firstly, where there was an age difference of a few years between the abductor and the abductee and, secondly, where there was a greater age difference between the abductor and the abductee. I understand that each case would be considered on its merits by the court at the particular time. All particulars would be taken into account. I have not crystallised my thoughts on which case is more important.

In supporting this legislation and in considering a new criminal code bill, I would like to draw attention to the age differences in the different sections. I find this disparate list of ages rather distracting. In the present section 69, dealing with forced marriage and carnal knowledge, it refers to a female of any age. In the present section 68, which deals with the same matter, the age of the female is specified as under 18 years. In proposed new section 70 in the present legislation, again dealing with the abduction of a female, the age is under 14 years. I believe section 76 would cover kidnapping and it would give added weight in certain circumstances to this legislation; that is, abduction for sexual or indecent purposes. I support this legislation and I feel certain that it will fit into the context of the new criminal code when it becomes law.

Mr EVERINGHAM (Attorney-General): Mr Speaker, there were 2 points that arose in debate that I think are worthy of reply. The point raised by the member for Nightcliff was a very good one: why are the words 'knowing that he has neither the lawful authority or consent of the person having the lawful care or charge of the child' necessary? If one applied what one would consider to be common sense, they are not. Mr Speaker, I agree with the member for Nightcliff but, unfortunately, the case in Alice Springs failed because the judge held that it turned on a point made in an English decision that what was necessary to constitute abduction included substantial interference with the parent's rights. In the case in Alice Springs, there had been no such substantial interference with the parent's rights. I have not read this decision. If I had known about it earlier, I might have taken that somewhere else.

In any event, we are now stuck with this position and, hopefully, we will have a code at least within the next 6 or 12 months and I might say that I am prepared to produce mark 5 and mark 6 of the code until I can secure public acceptance. I regard the Leader of the Opposition as a person of whom I have to take notice. I wish he would talk to me quietly about these things because I think it better that the public have confidence in these documents. He has mentioned the Sturgess draft of the code. I am not fully familiar with that draft of the code because I have not been through all of it yet. A couple of weeks ago, I had the opportunity of discussing the code at considerable length with Mr Sturgess in Brisbane after I had discussed other matters with him, and to my considerable satisfaction, I must confess.

Mr B. Collins: Financial satisfaction?

Mr EVERINGHAM: I am not sure about that. In any event, it was my view that, whilst I have every respect for Mr Dorling and Mr Oakey who have done a tremendous job, there is no doubt that Mr Sturgess is recognised throughout the code states as being the top criminal man. Therefore, I thought he should be given a look at it and a chance to play around with it. He is also recognised as a prominent civil libertarian and he served on the Lucas Committee in Queensland inquiring into the police, the report of which the Queensland government suppressed. I have great respect for Mr Justice Lucas, Mr Sturgess and the inspector who served on that committee.

Mr Sturgess, I believe, will produce a document into which I would like to have a couple of policy inputs. I believe that he will produce a document that will wear a mantle of authority and give the public the confidence in the code that it should have. When I table the new code next week, I hope to be able to advise honourable members - and my staff will contact them in the meantime - when Mr Sturgess will be available in the Territory to lead a seminar on the code for all members.

Mr B. Collins: I've been asking for that for 6 months.

Mr EVERINGHAM: You are getting it. You see how cooperative the government is. After all, perhaps you should have asked for it 6 months earlier because you let 12 months go by before you said anything about the code.

Mr B. Collins: I wasn't Leader of the Opposition then.

Mr EVERINGHAM: Members of the Legislative Assembly have a duty to their constituents, Mr Speaker.

In any event, I think I have explained the point that concerned the member for Nightcliff. Nevertheless, with respect to Mr Dorling and his men, I think that this is very cumbrously drafted. He and I will have a talk about it a bit later.

The member for Tiwi asked me what situation would prevail if, say, a boy of 18 enticed away a girl of 15 or 16. Rather than incorporate some cumbrous provision that, in my opinion, probably would not work well anyway, we have to allow 2 discretionary facilities. Firstly, no prosecution need be brought at all. That is at the discretion of the Attorney-General and it is the discretion that he has in every case. If the Attorney-General thinks that the offence does not warrant prosecution, he does not have to launch a prosecution. Secondly, if there is an offence and a conviction is recorded, it is up to the judge to decide what the penalty will be. That is a discretion that judges have and I am sure that they would exercise it responsibly. Therefore, I would not see any point in building in additional safeguards. There are those 2 safeguards that, in my view, are quite sufficient as the document stands.

I do not propose to take the bill through the third-reading at this stage but I would like to take the second-reading and we can take the committee stage tomorrow or the next day.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

BUSHFIRES AMENDMENT BILL
(Serial 183)

Continued from 16 March 1982.

Mr BELL (MacDonnell): Mr Speaker, I rise to express the opposition's support for this particular amendment. The legislation will introduce into the Bushfires Act a system of appeal against any government decision made when it is felt necessary to provide such things as firebreaks and to remove combustible material.

It would appear that this has been necessary in the past. Previously, the minister could require the establishment of firebreaks and the removal of such flammable material purely at his own discretion. As the honourable Chief Minister said in his second-reading speech, this is deemed by some people in the community to be verging on the dictatorial. Therefore, this appeal system has been introduced and it is the Director of Conservation who will manage this appeal system.

Under a proposed new subsection (3A), a person may appeal against the decision of the director to recommend that certain works be carried out to lessen the risk of fire in bush areas. I wish to put one small question to the Chief Minister in regard to this bill. I would be interested to find out how often section 47 has had to be employed in the past. I would be very interested to hear also to what extent the Bushfires Council is using its authority to demand that firebreaks be used and in which sort of areas such requirements are made.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this bill brings us up-to-date bushfire legislation on a particular aspect and remedies a lack which existed previously and which was pointed out relatively recently by an incident. I will not mention names but this incident involved a certain person in the rural community who was requested to put in firebreaks but who objected to this request for reasons valid by his reckoning. I think it was at the wrong time of the day or wrong time of the year; I cannot remember the exact reason but I seem to remember that he did have justice on his side at the time.

The old legislation gave no right of appeal to a decision of the minister relating to firebreaks and the removal of flammable material. This new legislation mentions the director as the active agent, not the minister. Let us hope that the director mentioned in this legislation is active and works actively to implement this legislation when requested by the Bushfires Council. Realistically, we know that it is the Chief Fire Control Officer who is the legman and has the knowledge and expertise on bushfire control and management, but he needs the clout of the director to back him up and the director needs the minister to back him up also.

Mr Deputy Speaker, I have a good working knowledge of the Bushfires Council of the Northern Territory both from a personal point of view in fighting fires myself for a number of years and from a personal interest in its operation. Recently, I attended an evening of talks organised by the group

'Trees' on the subject of fire management and control in the rural area. On this evening, there were speakers from 'Trees', from the fire brigade as we were considering an area under its control, from Telecom because of fire control necessary around its isolated installations in the rural area and from the Bushfires Council itself. Far and away the best speaker, and the speaker with the most experience, common sense and general nous, was the Bushfires Council representative, the Chief Fire Control Officer, Mike Rowell. He acknowledged that bushfires should be unnecessary in an ideal situation under ideal conditions but he had enough worldly experience to know that we will have bushfires in the dry season for many years to come. Realistically, with both feet on the ground, we must look at the control of bushfires, both those intentionally lit and those which are wild.

I have spoken on the subject of bushfire control before and, whilst I agree with a lot of the ideals and aims of the group 'Trees' in that its supporters look with great abhorrence on the bushfires in the rural area and further down the track in pastoral and agricultural areas, I feel that, for various reasons, the situation will remain the same for a number of years. It may change slowly as people come to the realisation that perhaps fires are not necessary every year. Until that time is reached, bushfires will be lit both intentionally and unintentionally for good reasons and bad reasons. We can only try to remedy the situation slowly.

The situation is further confounded and confused by the fact that fires must be considered differently in different situations - an urban situation, in an area such as the rural area outside Darwin and in the agricultural and pastoral areas. Fires occur in each of these areas. They are lit intentionally and unintentionally for different reasons and each area must be considered separately. However, from the point of view of legislation, they must be considered together. Therefore, if we are to take a completely new look at legislation controlling bushfires, it has to be very general so as to include these 3 areas but not put any particular area at a disadvantage in its fire control.

I support this legislation knowing that there are people like Mike Rowell and the Bushfires Council to administer it. It is a pity that the draftsman for the Water Supply and Sewerage Bill could not state as clearly in that legislation the ranks of owners and or occupiers of land under different conditions as was stated in this legislation.

The amendments proposed in this bill deal mainly with a direction given to a person to make firebreaks and remove flammable material and the right of appeal. As I see it, the bill seeks to amend section 47 and deals first of all with the director making or directing an inspection of the particular area under consideration. The second step is that the director may direct, and in all probability will if he considers it necessary, that a letter be written to the person that a further notice will be served on him to do certain things. The person to whom the letter is written has 72 hours or 3 days in which to appeal to the director against the decision if he thinks it is necessary. The fourth step is that, if no appeal is made by the person to whom the notice was directed, or the reasons for objection to the appeal are insufficient in the view of the director, a notice can be served on the owner of the land where a firebreak is needed or flammable material is to be removed. However, the legislation does not specify that this notice is to be in writing. I was not able to ascertain why the notice did not have to be served in writing although the process was initiated by the director sending a letter stating that a notice would be served later. I can only assume that 'in writing' was omitted at this juncture as the need to plough the firebreak or remove the flammable material could be urgent. As I understand it, if the person affected objects to this notice - which possibly is not in writing - he may appeal to the minister in

writing within 7 days after receipt of the notice, and that is the finish of the whole situation.

I welcome these amendments to the bushfires legislation, Mr Deputy Speaker. We had reasons some years ago to object to the ploughing of firebreaks around our place at the 13½-mile. We did not object on bushfire grounds to the removal of flammable material. We objected on the ground that the firebreak would have gone through an area of unique interest, namely, an area that had a lot of magnetic anthills. At the particular time, after a lot of action on our behalf at 8.01 am because time was of the essence, we were able to stop the action of the person ploughing the firebreak straight through the magnetic anthill area until it was given more consideration. I support the legislation.

Mr VALE (Stuart): Mr Deputy Speaker, the bill before the Assembly centres on 2 very important issues: the democratic right of the citizen to appeal against an order and the prevention and control of bushfires for the welfare of the whole community. Fires or bushfires are a great concern to us all, particularly to those living in the rural area who are at the mercy of the threat of a fire to their very livelihood.

It is extremely important that the Director of the Conservation Commission should have the authority to require persons to establish firebreaks or to remove flammable material from their land so that, in the event of a bushfire, it is not there to assist in the spread of a fire. In the electorate of Stuart, there are some areas of country where the grass is now over 1m tall as a result of the recent heavy rains in Central Australia and this will become a major fire hazard when the grass dries off later in the season. If a bushfire started in an area like this, there would be little hope of stopping it before it had burnt our many square miles of grazing land, and this would be a major blow to the fencing, yards and other improvements on pastoral properties, not to mention the stock losses which would probably occur in such a fire.

Whilst firebreaks and the removal of flammable materials from the property will not stop a major bushfire by themselves, they will certainly go a long way towards ensuring that the fire is not unnecessarily aided. Firebreaks also constitute a line of defence from which a fire can be fought. Therefore, I have no quarrel with the provisions relating to the establishment of firebreaks and the removal of flammable material in view of the disaster and havoc that can be wrought by a fire that is out of control.

The amendment does not lessen the authority of the Director of the Conservation Commission to require that precautions against the outbreak of a fire be taken. What the amendment does propose is that a pastoralist or any other person upon whom such an order is placed has the right to appeal against the order if he feels that it is unnecessary or unjust. The right of an appeal is a basic, democratic right of the individual similar to the right to a fair and unbiased hearing. These rights must logically extend to those areas of law where arbitrary decisions are made with the common good in mind. If the rights of individuals did not extend to these areas, then the very existence of these rights would be in question. The bill does not seek to downgrade the necessity to have safeguards such as firebreaks. It merely seeks to ensure that individuals have the right to appeal against a harsh or arbitrary application of provisions of the Bushfires Act and this right is important as the basic right of the individual. Mr Deputy Speaker, I support the bill.

Mr EVERINGHAM (Chief Minister): There was one point raised by the member for MacDonnell in his speech supporting the legislation. He wanted me to give details of whether these notice provisions are used and, if so, how frequently. I am not in a position to give that information at the present. I

do not really see it as being relevant to the passage of the bill at this stage and I would certainly be prepared to provide it later. Mr Deputy Speaker, I commend the bill to all honourable members.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that the third reading of this bill be taken forthwith.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr STEELE (Primary Production): Mr Speaker, I move that the Assembly do now adjourn.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITION
Abortion Law

Mr B. COLLINS (Opposition Leader): Mr Speaker, I present a petition from 117 citizens of the Northern Territory relating to abortions performed in the Territory and certain amendments to the Criminal Code Bill. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. Mr Speaker, I would advise you that this is a composite petition from a number of petitions given to various members of the opposition. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and the members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth that there were 447 abortions performed in the Northern Territory in 1980 and that the abortion rate for that year was higher than for any previous year since the law was changed in 1974. Your petitioners humbly pray that the Legislative Assembly, as an initial step to save unborn human life, will amend the Criminal Code Bill so as to (a) specifically exclude abortions performed for essentially social reasons; (b) reduce to 20 weeks the maximum period at which they are permitted to be performed; and (c) redefine the medical indication of possible 'grave injury' to read 'grave permanent injury'. Your petitioners, as in duty bound, will ever pray.

Nhulunbuy Hospital

Mr LEO (Nhulunbuy): Mr Speaker, I present a petition from 229 citizens of the Northern Territory relating to health services at Nhulunbuy. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory of Australia, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth that the present Northern Territory government health policy, which has resulted in severe cutbacks of our regional health and hospital services, is having an adverse effect on the health and well-being of the Nhulunbuy regional community. Your petitioners therefore humbly pray that the honourable members of the Legislative Assembly will act to reopen Ward 1 to lower the risk of potential cross-infection caused through overcrowding, and your petitioners, as in duty bound, will ever pray.

East Arm Hospital

Mr DOOLAN (Victoria River): Mr Speaker, I present a petition from 21 citizens of the Northern Territory relating to the future use of East Arm Hospital. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. Mr Speaker, I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth that it would be a tragic waste to close down the East Arm leprosy hospital without replacing it with other urgently needed services for Aboriginal people of the Top End on such an appropriate site. Your petitioners therefore humbly pray that the land and facilities be set aside for the use of an East Arm Aboriginal health and resources centre and that no move be made to sell or otherwise dispose of the site until this option has been fully investigated and discussed by the Assembly, and your petitioners, as in duty bound, will ever pray.

MINISTERIAL STATEMENT
Yulara Tourist Village Project

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I table papers and make a statement on the Yulara Village project.

These documents detail the program for the construction and financing of the Yulara Tourist Village signed on 16 April 1982 by the Northern Territory government, by White Industries Ltd and by other parties.

Following construction of the airport, water supply, sewerage system and commencement of construction of the powerhouse at Yulara, the government agreed to develop the tourist village by the use of private capital through a selected developer. Four firm proposals were received in July 1981 and the White Industries Ltd development scheme, covering investigation, design, construction, finance and management of the village, was selected. The Conservation Commission was nominated as the client authority and negotiations commenced to detail the project. Extensive briefing sessions were held with government departments and authorities, tourist bodies, the public, and the transport and construction industries to seek and assess local advice on the project.

The Heads of Agreement between the Northern Territory government, the Conservation Commission, the Northern Territory Development Corporation and White Industries Ltd was signed on 20 November 1981 and, although this document was previously made public, I now table it for inclusion with the other documents.

Following extensive consultations with the Conservation Commission, White Industries Ltd submitted on 7 December 1981 design report No 2 and associated reports on civil and structural engineering, landscape and environmental protection, engineering services and development feasibility studies. These reports set out White Industries Ltd's developed concept and reaffirm the economic and practical feasibility of its approach. White Industries Ltd submitted development report No 2 in February 1982. This report and supporting documentation covered details of market requirements, financing, income projections, sensitivity analysis, cost benefit analysis, environmental aspects, architecture and planning.

The conservation Commission assessed these submissions and sought independent advice on financial and legal aspects in addition to consulting with the Departments of Law and Treasury. Somewhere amongst all those papers, there is an index of sorts and there are letters from Price Waterhouse and Co, and Allen Allen and Hemsley speaking about the documents, the financial approach and so on.

The village is to be constructed by the Yulara Development Company. This company has 3 shareholders: the Territory Insurance Office, White Industries Ltd and City National. The company will engage White Industries Ltd as the project management responsible for design, construction and management of the village and City National will be retained as the financial advisers to the project. The project management and financial advisers' agreements are tabled.

Mr Speaker, I refer honourable members to paragraphs 37 and 38 of the document entitled, I think, 'proposed financial arrangements'. I think those are the 2 paragraphs that will interest honourable members most.

The company will construct an international standard tourist resort comprising 2 separate resort hotels, camping grounds, visitors centre, shopping and community areas, residential areas, school, service areas and facilities for the Uluru National Park. Details are included in exhibits 1 and 2 attached to the development agreement. A full range of choices will be available to visitors from the international 4-star hotel to low-budget camping and bunk house facilities. The village will initially cater for 4200 visitors each day and a maximum daily population of 5000 persons. Further development outside the scope of works currently planned could increase the maximum visitor capacity to 6500 per day as may be required by 1994.

Detailed design work and site preparation has commenced and the village will be substantially completed by September 1984. The direct cost of the facility is estimated at this stage to be $49.086m and the agreed development cost, which includes direct cost, management cost, escalation cost, design cost and construction cost is estimated at $110.34m. The details are included in the agreed program as exhibit 1 to the development agreement.

To facilitate the necessary financial agreements, the Northern Territory Development Corporation has provided the financiers with a letter of guarantee covering borrowing during the construction period and the government has provided a letter of comfort supporting the development corporation. These letters are included amongst the documents tabled.

As part of the development agreement, White Industries Ltd will be responsible for negotiating for the sale or lease of the village components to end users. It is the government's intention to lease back components such as the school, police station and Conservation Commission accommodation. A resort management company is to be established for marketing and co-ordination of the commercial activities. Overall town management will be the responsibility of the Conservation Commission, and operations will be determined by future agreement between the various parties.

The project offers substantial benefits to the Northern Territory, including new employment opportunities and a substantial increase in the tourist industry cash flow. It is estimated that the project will create a minimum of 660 new jobs throughout the Northern Territory, including 290 additional jobs at Ayers Rock and 200 in the Alice Springs tourist industry. There will be a substantial increase in Aboriginal employment in the Ayers Rock area. The tourist industry cash flow is expected to rise from $21.5m per annum in 1984-85 to $37m per annum in 1989-90.

The Conservation Commission has established the Yulara Project Office in Alice Springs to provide proper control of the project and to facilitate consultation and co-ordination with departments and authorities, and local industry and commerce. Construction will be undertaken by direct contracts and emphasis will be placed on directing work to Northern Territory contractors.

Somewhere in all those documents, there are 1 or 2 clauses that say that.

Special attention is being given to minimise the impact of the construction force on the Ayers Rock tourist industry, the Uluru National Park and areas surrounding the construction site, Aboriginal sites and customs. Consultation has commenced with departments and authorities, the tourist industry and Aboriginal groups in the area. Each contract will contain specific clauses as part of the environment protection specification.

Mr Speaker, not every document connected with the arrangements has been tabled but almost all documents have. I have made a couple of deletions in relation to specific costs of individual items. I have not put in the specific cost of hotels. I have also deleted the cost of camp sites because, on the advice available to me, this would give an unfair initial advantage to persons tendering for these particular projects. Obviously, we want the tendering to be as competitive as possible. In this regard, contrary to the normal government practice, we must accede to the wishes of the commercial operators who are handling the project for us. Where these details have been deleted, I am prepared to provide them on a strictly confidential basis to any honourable member. I will provide them orally on application to myself. I am not prepared to provide them in writing.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Government Land and Development Dealings

Mr SPEAKER: Honourable members, I have received from the honourable member for Millner, a letter proposing that a definite matter of public importance be discussed today, namely, the concern of the Northern Territory population at the activities of this government in relation to recent land and development dealings. Is the proposal supported? The proposal is supported.

Mr SMITH (Millner): Mr Speaker, land is obviously an emotional subject anywhere and we have to look no further than the current Falkland Islands dispute to see what can be done to nations by what are, in most people's minds, apparently useless pieces of rock located in the ocean. It is obvious in the Falkland Islands dispute that Britain and Argentina are not concerned about the number of sheep or the 1800 people on the island; they are concerned with ownership of the land.

In the Northern Territory, questions of land have had a similar impact in the last few years. No one in the Northern Territory has gone to war over land questions but land matters have taken up much Assembly time and discussion generally. By land matters, I refer to things like land rights and the extended exercise that has taken place and still is taking place in the area of pastoral leases. It proves that land in the Northern Territory is an issue on which emotions are easily aroused. It is an issue on which governments have to be extremely careful.

Mr Speaker, when the Minister for Lands and Housing disposes of Crown land, he is in fact selling assets of the Territory community. There are 2 conflicting principles in an action when such land is disposed of. The first principle is whether or not it is necessary to offer concessions to ensure that development goes ahead, bringing with it obvious benefits to the community. The second principle is the price that can be asked for the land so that the community which owns the land can obtain the best possible return from the sale of its asset.

While the optimal balance of these 2 considerations is difficult, it is the belief of the Labor Party that this government has acted in such a way that there has been a significant undervaluation of the community's interest in recent actions involving direct land sales.

Mr Speaker, according to the Department of Lands in its document headed 'Direct Sale Guidelines', direct land sales can be made to the public under certain circumstances. These circumstances relate to situations where there is no suitable land available on the open market, where there is to be an extension to an existing project, where there are specific site requirements such as size or location, where there is a proposal for a large-scale development over a number of adjoining blocks. As well as these general circumstances, the Department of Lands states quite clearly: 'Land applications for normal residential development will not be considered'. In relation to commercial sites, the position is also made quite clear by the department: 'Prime commercial sites for uses such as hotel, motel, shopping centres etc are normally released by public auction'.

While these are the rules set out by the department, they are not the rules currently being applied by the minister. There have been 2 recent examples where this government has failed in its responsibilities to the Territory community. The first such example was the direct sale of a parcel of land to the Sabah-based company, Gardens Hill Development Pty Ltd, for $500,000. There are 2 other blocks in the vicinity of the Gardens Hill project, one of which, I understand, is reserved for housing. I understand that this block is to be auctioned by the department within the next 12 months. Why then should the first block not also be auctioned? This would have allowed for the maximisation of the return to the public purse for the disposal of the asset. The price placed on the block by the Valuer-General could have been used as a reserve price in such an auction. Why not put in the auction the second smaller block to assess the commercial value of the block that has now been made available to the Sabah-based group? If in such a prestige location, the government is concerned as to what sort of development will take place, it could maintain the control necessary to ensure a high quality development by calling for expressions of interest. The government would then be able to choose from a range of options the best proposal offering. The best proposal ought to offer the best possible balance between the 2 conflicting principles mentioned earlier.

Mr Speaker, the industry has estimated the value of this Gardens Hill block at around $2m, this being based on its development potential. Given this somewhat conservative value, the Territory community has forgone in the order of $1.5m from the sale of this land. In other words, the Territory government has lost out badly on that aspect of the deal. It raises the question of whether there was a need for considerable government concessions to get this type of development off the ground. I think not. Before we ever heard of the Gardens Hill development, there had been several multi-storey, luxury flat proposals announced for which detailed planning is now under way. A.V. Jennings submitted proposals for such a development on the Esplanade, Redco submitted to the government proposals for such a development in Smith Street. Michael Anthony has submitted a similar proposal for Smith Street west. There is Raffles Tower in Woods Street west and the Paspalis proposal for the old Fannie Bay Hotel site. There are many proposals and the reason is obvious. Investors have assessed the market, determined that it is buoyant and then made investment decisions on straight commercial lines without assistance from the government. It would therefore appear in the case of the Gardens Hill development that the government may well have jumped in with assistance before considering whether or not it is needed or appropriate.

Mr Speaker, the second example of the government overstepping the bounds of what is reasonable is the action of the minister in selling a block of land to the developer White Industries Ltd for $700,000 without first calling for expressions of interest or offering the block at auction. There is no doubt that there is a need for additional hotel accommodation in Darwin and in the rest of the Territory. A recent survey indicated that Darwin was short of some 600 to 700 hotel rooms. As a result of this potential demand for high-quality hotel accommodation, the following hotel projects have recently been announced in Darwin: the Burgundy Royale project, a Jennings Industries project on the Esplanade, a Suttons proposal to build a multi-storey hotel and a proposal by the Telford group to build a multi-storey hotel on its Telford Top End site. Following the announcement of the Burgundy Royale proposal, Jennings changed its mind and,as mentioned earlier, intends now to build luxury flats. All in all, the hotel development market is buoyant. The potential of Darwin as a tourist centre is gradually being realised. Obviously, the developers can see that, on a straight commercial basis, there is money to be made.

In this situation, it would have been preferable to advertise that the land was available and to call for expressions of interest from parties who might be in a position to assess all proposals and then establish the best terms, both in relation to the type of development and the value of the Crown land that was on offer. If, after these parcels of land were made available and expressions of interest were called, there was no satisfactory response, the government would not be under any obligation to take up any of these proposals. It would then be open to the government to reconsider what incentives might be necessary to get the project off the ground.

We have a situation where there is a strong demand for high-rise residential and hotel accommodation, and developers have shown a willingness to supply such accommodation. This is the classic free-market situation so beloved by conservative governments yet, after this potential has been exposed and the industry has reacted in a positive manner, this government has turned around and decided that market forces have no place. Instead, this government has decided to offer these blocks at prices considerably below their commercial value.

Mr Speaker, the Territory Labor Party sees a place for direct land grants as part of the general method of the disposal of Crown land. Such a method must be properly used, and only in appropriate circumstances. The guidelines issued by the Department of Lands for the use of direct land sales, if accurately followed, would prove satisfactory. There is a need for consistency in the application of all government policy and especially in the area of the disposal of public land. Such consistency is not apparent in the actions of the Minister for Lands and Housing.

Mr PERRON (Lands and Housing): Mr Speaker, I was caught a little unawares. I thought there would be some real substance to the member's speech since he moved this matter as a matter of public importance. The member for Millner said there is strong demand in the private sector, the hotel market is buoyant and things are all so very rosy that the government really should relax, fold its arms and just let events take their course. Why should the government be out there trying to urge on anybody in this field at all?

Of course it is true that the Northern Territory, by Australian standards, is booming. We have growth statistics which would be the envy of any state in Australia at the present time. That has been the case since shortly after self-government. But that has not been an accident. It was not simply events taking their course that made the Northern Territory the desirable place it is at the present time for investment and for people to live. That situation

has been created largely by this government. The honourable member for Millner seems to think that it just occurred and would have occurred had the government really not had the guts to take some hard decisions since self-government. He is certainly very wrong.

Mr Speaker, one of the principal reasons for the move to self-government was the appalling system of land administration under Commonwealth rule. The Commonwealth was not interested in promoting the Northern Territory and encouraging it to do anything whatsoever. The Northern Territory was simply administered; it was allowed to exist.

Those things that happened in the Territory pre-self-government had to happen. Minerals were lying in vast quantities on top of the ground and mining simply had to happen despite any form of government administration. But people who came to the Territory over the years, some of them with substantial resources, drive and incentive, were largely frustrated by long fights with the bureaucracy in their attempts to get even a square inch of land. I believe that the attitude purveyed by the federal bureauracy in the Territory largely led to the push for self-government by those people who could see enormous potential in this place if only people with resources, drive and will were allowed to get on with the job. Largely that boils down to administration and availability of land.

When the government came into power at self-government, we decided to adopt a direct land policy and move away from the insane Commonwealth system whereby, if someone eventually convinced the bureaucracy that there was a need for a particular industry and that land should be released, that land would be put to auction. It did not matter that someone may have spent considerable time and effort in identifying land and rustling up resources to do something. Any scheme put to it and any initiative shown would be cast aside straight away. The bureaucracy would say: 'That's terrific. You have convinced us that there is a need for this particular industry so we will put it to auction because that is the fair way and we can keep our noses really clean'. Its view was that no inference could be drawn at an auction that any one was favourably treated. I guess it was a typical case of the public service protecting itself at all possible cost. But the cost was the lack of development in the Territory.

We adopted a policy which, though modified over the period, is largely still the same: if a person comes to us and identifies Crown land which is suitable for a particular purpose, and the person has the resources or access to the resources to develop that land, then we are prepared to sell him the land directly at market value or, in rare cases, at less than market value. However, we have adopted that policy being quite aware that there could be accusations of favoured treatment. Mr Speaker, that is part of the penalty for adopting such a policy. We refused to continue the old way of administering the Territory, which was done simply out of fear of criticism.

Our policy has been very successful and we have assisted by way of direct sale of land to individuals at market price such things as horse-riding schools and agricultural pursuits. Because of our policy, industries have been attracted to the Territory, in some cases years ahead of their time. We have assisted with veterinary clinics, vehicle storage facilities and commercial recreation. We have provided waterfront leases at Frances Bay. People have tried for 20 years to get land on the foreshores of Frances Bay for marine-related activities but no way in the world could they get one square inch of it. We have provided land for tourist purposes, abattoirs, nurseries and aircraft maintenance facilities. We used the direct sales system to sell land back to persons who had it acquired from them in the 32-square-mile acquisition area. It was deemed that the government no longer required that land so we sold it back directly to them at an established value.

However, the opposition would see us auctioning all these blocks and defeating the very purpose of our policy. Mr Speaker, it has even been suggested in the press of late by at least one writer that even the block of land which we sold directly to Federal Hotels on Mindil Beach for the casino should have been auctioned. I guess that exemplifies the absurdity of suggesting that everything should be auctioned because, when attracting a casino to the Northern Territory, we were concerned to get the right people with the resources, the integrity and the experience to run a casino. Auctioning the land just does not fit in with that.

Mr Speaker, the honourable member tried to bring forward a couple of items specifically to show that something terrible had been done. In quoting from the Lands Department pamphlet on direct sales, he outlined some of the criteria and asked why we should be selling land for residential purposes when the pamphlet says 'Land applications for normal residential development will not be considered'. It does not say 'Land applications for residential development will not be considered'; it says 'Land applications for normal residential development will not be considered'. There is a difference.

The policy is designed partly to avoid persons seeking to buy from the government a block of land in the street to build their house on - the types of blocks which are traditionally sold at auction. We did not want people wasting their time and ours by coming en masse to say; 'Well, this is great. We have had our eye on a block that has had a road put past it and we would like to get it directly without going to auction'. If the government did intend to sell land directly for residential purposes, the word 'normal' would not be in there.

The honourable member for Millner quoted another extract: 'Prime commercial sites for uses such as hotel, motel, shopping centres etc are normally released by public auction'. It does not say 'only released by public auction' but 'are normally released by public auction'. Again, it gives the opportunity to the government - and we are happy to have that opportunity - to consider innovative and substantial proposals which are put to government and to accept them where we believe it is warranted, and charge market rent. Indeed, if a proposal warrants it, we also assist with financial incentives as well.

Mr Speaker, the member's argument that we have done something wrong or were somehow inconsistent was really defeated by his own argument that there is a very strong demand in the Northern Territory, particularly in the hotel industry. He used the word 'buoyant'. There are proposals popping up out of the woodwork everywhere for large-scale hotel developments in the Territory. That is terrific. But very few of those proposals will ever come to fruition without some form of government assistance and this government is prepared to consider the assistance because we want those proposals. The offers that other countries make to obtain international-standard hotels are very attractive. They are probably more attractive than we are prepared to consider. But those governments know how to get development in a tight international market where, at least in this country, commercial interest rates these days are running at 18% to 22%. The private sector does not thrive in this area on those interest rates without some form of assistance. It is booming in the Northern Territory and it is booming because we have caused it to. Overseas visits have been made by ministers of this government. Trade missions and officers of the government have been sent overseas, as well as around Australia, regularly promoting the Northern Territory. That has paid off and we have figures that we can be proud of in Australia today and which the states would love to have.

The honourable member for Millner made the point that somehow we had sold

land cheaply. He said we had sold land for $0.5m. I think he said that the industry said the land was worth $2m so the government has done the taxpayers out of $1.5m. As honourable members know, there was some controversy over the price of a block of land that the government offered for sale to a developer. The developer has yet to respond formally to the offer.

The government uses the Valuer-General, of course. Indeed, every government uses its Valuer-General for valuations and all governments trade in land - they buy and develop all the time. Valuers-General are public servants. Hopefully, they act as independent bodies with no particular axe to grind and without bias. They offer advice to governments on market values. I do not see that we should feel guilty because we turned to these professional people. They have undergone a 5-year training period to become professional valuers. We should not be embarrassed to accept the market valuation of the Valuer-General.

A block of land which is to have a covenant of about $8m has a very small market. The market for such a piece of land is very small. In order to ascertain a reasonable value for this particular piece of land, the government engaged 3 Darwin valuers to prepare a valuation. They submitted a report pointing out that they had the advantage over the Valuer-General of subsequent transactions in land as several months had elapsed between the time when the Valuer-General had valued it and the time when these 3 valuers had valued it. I seek leave to table that document.

Leave granted.

Mr PERRON: Mr Speaker, the honourable member for Millner is fairly new in the Assembly and I guess he has still much to learn. I suggest that, before he decides to accept a valuation of $2m for a piece of land because someone out in the community suggests it and some newspaper happens to print it, he would be wise to use the services of valuers when he wants to know the value of land.

Ms D'ROZARIO (Sanderson): Mr Speaker, the honourable member for Millner might have been in the Assembly only a short time but I suggest that he has learnt more in his short time here than the honourable Treasurer has in all his years.

It is clear that the member for Millner has not made any suggestion that there should not be a direct land grant scheme operating in the Northern Territory. That suggestion was not made by the member for Millner but, because the Treasurer has a capacity for either blatantly misrepresenting things or not listening at all, he proceeded on the basis that this was the suggestion. I know as well as the Treasurer would know that the direct land grant system is not a new thing in the Northern Territory. The provision for a direct land grant scheme has existed in the Crown Lands Act since the mid-1950s.

To the credit of the Treasurer, in his first stint as Minister for Lands and Housing, he made a policy decision that the provisions of the Crown Lands Act ought to be invoked more often. There was no argument with that decision from the opposition at that time. Certainly, we are in agreement that the morass of activities that had to take place in order to lay hands on a block of land was an impediment to development and that some impediments ought to be removed. At that time, I was opposition spokesman for lands and housing. I recall that I raised no objection to the introduction of the new policy by the government. Let us be quite clear on one point: the opposition does not object to the operation of the direct land grant system. What we are saying is that there have been instances in the Territory where the scheme has

operated in contravention of the published policy of the Northern Territory government.

Mr Speaker, we all say that every developer ought to know where he stands in relation to government before he starts his development. Certainly, I would be the first to agree that it is a very long process to undertake even a relatively simple development in the Northern Territory and people ought to have much clearer guidelines as to where they are before they start. We do not argue there. What we are talking about is a balance between the interests of the public and the interests of private developers. We are not saying that there ought to be no development or that all development ought to take place on absolutely competitive lines.

We have said, in this Assembly and in the press, that we would welcome government giving the same sort of stimulus to the manufacturing sector as it does to the multi-unit residential development sector or the hotel development sector. This is grossly underdeveloped in the Northern Territory. I noticed that the minister included industry in the types of users that had availed themselves of this particular scheme. It is true that 1 or 2 industrial applicants have been able to lay hands on a block of land under the operation of this particular scheme but the number of successful industrial applicants is nowhere near the number of those who would normally be categorised as multi-unit residential developers or hotel developers.

The point being made by the member for Millner is that there are sectors of industry that do not need such assistance, but there are sectors of industry - such as manufacturing - which we would dearly love to see stimulated in the Northern Territory. The government ought to give more concession to those sectors of industry. There is a published policy but some developers have been given blocks of land in apparent contravention of that policy.

We all concede that there has been a lot of development in the Northern Territory since self-government. I would not suggest that all of this was by accident, and I have been the first to give credit where it is due, in public and in this Assembly. I have also raised some reservations about particular applicants whom I did not see as needing assistance but as being able to cope for themselves and as having established markets for their services and, therefore, as being quite competitive.

The honourable Minister for Lands and Housing raised the question of the Mindil Beach casino. He attributed this particular remark to the press and I noticed that he did not attribute it to anybody in this Assembly. He said that it had been suggested that the site be auctioned. I repeat that that suggestion was not made here. It might have been made by the press. If he had listened to what the honourable member for Millner was saying, he would have heard him suggest how these applicants ought to be dealt with. The giving of a piece of land to the casino was in fact the example being used by the honourable member for Millner. He said that, if the government was concerned as to what sort of development would take place, it could maintain the control necessary and ensure the quality of development that it required by calling expressions of interest and then accepting, from a range of options prepared by the developers, the best proposal that was on offer.

We were all in this Chamber at the time the casino was being mooted and that is exactly what happened. The government called expressions of interest from developers and a number of people responded. It just so happened that Federal Pacific Hotels came up with the best proposal. At the time, there was some argument about whether the site should have been at Mindil Beach but the argument was not whether a site ought to be given. The argument was the location of the

site. Never was it suggested by anyone in this Chamber that the Mindil Beach site ought to have been auctioned. Again, Mr Speaker, we had this red herring tossed into the ring by the Treasurer because he obviously does not consider it worthy of his attention to listen to what anyone says.

The problem with giving these highly concessional advantages to competitive commercial proposals is that, firstly, there are a large number of such developments on the ground. Certainly, some of the developments that have not been in receipt of government assistance are in a far more advanced state of progress than the White Industries Ltd one and the Gardens Development Pty Ltd proposal at Gardens Hill. It is quite clear that, although the procedures for getting these proposals actually constructed are tedious, some developers manage them without the concessions that are offered to others.

If the honourable minister, both as Treasurer and as Minister for Lands and Housing, believes that the procedures are so drawn out, then he should be doing something about the legislation because that is the basis for these procedures. There is no point in saying that applicants find it very tedious and therefore we should give them a hand. The appropriate way to give them a hand would be to give all applicants the same hand by amending the legislation if in fact he thinks it is deficient.

The other point about these highly concessional approaches to particular developers is that it is now becoming increasingly obvious that all developers who intend to invest in the Northern Territory are beginning to look first at what the government has to offer. If this happens, the government will clearly not be in a position to assist all developers and the reverse effect might occur. The Treasurer says that he is trying to stimulate development - and of course we commend him for that - but if all developers decided that their first consideration should be the degree of assistance offered by the government, the government will not be able to extend the same degree of assistance to all developers and the opposite effect would occur and developers would go elsewhere. That is not something that the opposition would like to see.

We have not stated at any time in this Assembly or any other place that we are against the introduction of new developments into the Territory. The Treasurer would know that because, on many occasions, I have been contacted by developers about particular developments and asked whether I find them objectionable and I have said: 'No'. When the policy for the direct land grant system was first published, I was rung by the press and asked whether I agreed with it. I pointed out the fact that these provisions already existed in the Crown Lands Act and had been there for 30 years. If I had objected to them, I would have moved amendments to the Crown Lands Act to have them removed.

Mr Speaker, we are talking about what the Territory public gets out of these developments. In our view, and the honourable member for Millner has said this, the developments that ought to be assisted are those which are entirely new types of development and which have particular advantages for the Northern Territory. They may be innovative or non-existent here. Those are the sorts of developments which ought to be assisted by the government. It does seem as if anything which has a high construction value is looked at by the government and given assistance. There are a number of sectors of industry which should be assisted. The government has not assisted these sectors to the same degree.

We commend the efforts being made to generate interest in investment in the Northern Territory but it does appear that one has to be within a certain category of use before the government will take the risk of giving assistance. I have a view, with respect to the tourist industry, and I am sure that it is shared by many tourist operators in the Northern Territory. If you cannot get a good

yield out of a tourist accommodation proposal in the Northern Territory or on the Queensland coast, there is nowhere in Australia where you could get a good yield. It is quite clear that in the 2 locations that I have mentioned, the tourist accommodation industry is very buoyant indeed. It does not require the commercial concessions that are being extended to it by this government. On the other hand, the secondary industry sector, the export abattoir sector and some other embryonic industries are in need of such assistance and help should be extended to those sectors.

The Treasurer has completely misrepresented the view put by the honourable member for Millner. He has persisted with the view that the opposition is against development and therefore against the 2 particular companies that have been offered the respective pieces of land on the Esplanade and at Gardens Hill. I am at pains to explain that that is not the view of the opposition. Certainly, there is no suggestion that we have anything at all against the 2 particular companies who are proposing these developments. I would hope that the Minister for Industrial Development will give us his views on how development ought to be stimulated in the Northern Territory.

Mr ROBERTSON (Community Development): Mr Speaker, I think all honourable members would be aware that, at the time of the initial investigation of the so-called Gardens Hill project, I was in fact Minister for Lands and Housing. A fair bit seems to have been made about the necessity or otherwise of obtaining the best deal possible, and the best land use. The guidelines under the direct sales scheme clearly provide for unique projects. At the time, not only was there no proposed project the equivalent of that put forward by the proposed developers of the Gardens Hill site, but there was no proposed project of even a similar nature.

It is widely known by the business community and by the community generally that the first and foremost rule of direct sales is that an application to government for a project which is the first application for that type of project shall be considered through to the stage of assistance or rejection before any other application for direct sales can take place. From my recollection, that is precisely what happened in this particular instance. There was no equivalent proposal or anything like it before me at the time. The project, I would suggest, was of enormous proportions. It was a project of great imagination and, in my view, was unique in the Northern Territory context. It was that uniqueness that led me to instruct the Department of Lands, in my then capacity as Minister for Lands and Housing, to proceed with negotiations.

Mr Speaker, the question of using a Valuer-General's price as a reserve price would seem to me to indicate a complete lack of knowledge as to just what the Valuer-General's assessment of value is. As the Treasurer has pointed out, once rapid movement of land takes place, values increase. The Valuer-General's view at the time of giving his valuation as Valuer-General of the Commonwealth - and, of course, Valuer-General in our act - was that that was the market value of the land at that time. If one was then to place on sale by way of auction land at what the Valuer-General considers to be the market value of that land, then quite clearly any developer would regard the Northern Territory government as being less than sincere in wanting to see development go ahead.

How many times have we found that land put forward on that sort of basis has indeed drawn no bids. It will be recalled that the block of land near the Gap in Alice Springs, which is currently having a hotel-motel built on it by a group of Alice Springs and Adelaide businessmen, was put up for direct sale at a price of $150,000. The Valuer-General consequently in advice to me through the department valued that land at $220,000 because of the shift in prices between the time of the original offer and the time I decided I would do exactly

what the opposition suggests: put that block of land up for auction. Mr Speaker, the reality is that not one single bid was made for that block of land on which a $3½m to $4m hotel is now being built; not a single bid. I then quite deliberately took a ministerial decision - and I make no apologies for it whatsoever - to revert back to the Valuer-General's original price as a concession to get something built on it. I personally promoted that block of land, finally found a buyer for it and charged the price of the Valuer-General's assessment at the time the block was originally available for direct sale by way of expressions of interest.

None of the systems which have been suggested by the member for Millner added up to a stamp in the end result. There was no development on that site. Development is occurring only by government initiative, which indeed attracted a measure of disquiet from the local press. Most certainly, it did. I was quite prepared to accept that then as I do now. It is up to government to make a conscious decision within the rules - and no rules had been breached in that instance or in this instance - to ensure that development takes place where that development is desirable.

As the Treasurer pointed out, the attitudes of the opposition are precisely the attitudes of the Commonwealth in the 1950s and 1960s when nothing happened in this Territory. If we maintained that attitude, nothing would have happened now. If the Labor Party ever gets into government, nothing will happen then.

Mr Speaker, I said: 'If the Labor Party ever gets into government'. The honourable member for Sanderson said: 'Every developer should know where he stands in relation to government'. I would also suggest that every developer should know where he stands in relation to a party which holds itself out to be an alternative government.

I was somewhat surprised at the decision of the Leader of the Opposition some time ago to remove the shadow portfolio of lands and housing from the member for Sanderson. The answer came to me only this morning. I raise this because I think the public is entitled to know what weight it can place upon the words uttered this morning by the member for Sanderson.

Mr Speaker, you would be aware and honourable members would be aware that that honourable member was shadow spokesman for lands and housing, which includes town planning. In particular, she was the spokesman during the month of October 1980. I was amazed this morning to be given a document which has a covering letter from Cridland and Bauer dated 17 October 1980. It is a submission to the Town Planning Authority. I will not go into the full titles of these people. It starts off: 'Statement by David McGuinness of Sydney BA... Managing Director of David McGuinness Pty Ltd Australia... David McGuinness and Associates - Alberta, Canada. Partner - the Bennett McGuinness Group, Texas, USA and retail consultants and' - Would you believe, Mr Speaker? - 'June D'Rozario, Diploma of Technology, Town Planning, MRAPI, Bachelor of Economics, consultant town planner and economist'. It starts: 'Introduction: We have been retained by Lend Lease Investments Pty Ltd, managers of Casuarina Square, to evaluate the impact of a proposed B2 local business zone on land to the north of the Centre as exhibited by the Northern Territory Planning Authority in October 1980'. What we had during the period of that person's shadow ministerial responsibility in this place - that person representing the views of some 47% to 48% of the Northern Territory public - was a member who is on the take by way of consultancy fees from a company no less than Lend Lease Investments Pty Ltd.

Mr B. COLLINS: Mr Speaker, a point of order!

Mr SPEAKER: What is the point of order?

Mr B. COLLINS: The Leader of the House knows full well that no reflection may be made on a member's character in this Assembly other than by way of a substantive motion.

Mr ROBERTSON: Mr Speaker, I was not making a reflection on character at all.

Mrs Lawrie: You said: 'on the take'.

Mr ROBERTSON: 'By way of consultancy fees'.

Mr SPEAKER: I ask the member to withdraw the words 'on the take'.

Mr ROBERTSON: Mr Speaker, I withdraw the words 'on the take'. The fact of the matter is that while that person was representing people in this House, the same individual was being paid by Lend Lease to represent it before the Town Planning Authority. I raise this, Mr Speaker, because I wonder what other consultancies the honourable member has.

Mr B. COLLINS: It's none of your business.

Mr ROBERTSON: Yes, I think it is very much ...

Mr SPEAKER: Order, order!

Mr ROBERTSON: The honourable member says that it is none of my business. Well, I would suggest that it is the business of this House. I would also suggest that it is the business of the public. I wonder what other consultancies the honourable member may have. Could I go as far to suggest that it could possibly be a consultancy to some of the other competing applicants?

PERSONAL EXPLANATION

Ms D'ROZARIO (Sanderson): Mr Speaker, the honourable Leader of the House alleged ...

Mr EVERINGHAM: Mr Speaker, point of order! The honourable member for Sanderson has not claimed to have been misrepresented.

Mr SPEAKER: Does the honourable member claim to have been misrepresented?

Ms D'ROZARIO: Mr Speaker, I claim to have been misrepresented in a matter of fact. The Leader of the House alleged that, in October 1980, whilst I was the shadow Minister for Lands and Housing, I acted as a consultant to Lend Lease. Mr Speaker, this matter is incorrect. After the election of June 1980, I was removed from the shadow portfolio of lands and housing and I took the portfolio of economic development and consumer affairs. At the time that I acted as consultant to that company, I was not shadow Minister for Lands and Housing as alleged by the Leader of the House.

PUBLIC SERVICE AMENDMENT BILL
(Serial 204)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

Members will be aware that a Northern Territory Auditor-General designate has been appointed with a view to the Northern Territory government accepting

responsibility from the Commonwealth for the audit function as from 1 July next. Honourable members will also recall that it is the intention that the majority of audits of Northern Territory departments and authorities be performed under contract by private accountancy firms, with the Auditor-General's office being responsible for programming the audits and exercising quality control over the work performed. It sounds a bit like a biscuit factory to me. It is envisaged that initially the Auditor-General will require public service staff to assist him in this task.

In initiating action to create the positions required for the office of the Auditor-General, a serious problem has come to light. The current wording of section 26 of the Public Service Act, under which positions in the public service are created by the Executive Council, is such that, because the office of the Auditor-General is neither part of a department nor a department nor a prescribed authority in its own right, no determination can legally be made under that section of the act in respect to the staff of the Auditor-General's office. This bill seeks to rectify that situation.

Clause 2 vests in the Auditor-General the powers of a departmental head under the Public Service Act and regulations in respect of staff under his direct control. This provision is identical to that applying under the Public Service Act for the Commissioner of Police. Clause 3 empowers the Auditor-General and the Commissioner of Police to report to the Public Service Commissioner to enable the Public Service Commissioner to make a recommendation, under section 26 of the Public Service Act, to the Executive Council for the creation or abolition of public service positions within the organisations in question.

Mr Speaker, I think from memory that I have applied to you for speedy passage of this bill on the grounds of hardship, presumably to the persons concerned. If I have not done so, Sir, it must be that I am intending to seek the passage of the bill by suspension of Standing Orders. There is some element of hardship there and I think I have written to you. In any event, I will be seeking passage of this legislation through the current sittings.

I commend the bill to honourable members.

Debate adjourned.

MINERAL ROYALTY BILL
(Serial 221)

Bill presented and read a first time.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the bill be now read a second time.

In the March 1982 sittings, I introduced into this Assembly the Mineral Royalty Bill (Serial 198). As with the earlier draft bill, the bill was widely circulated to interested parties for comment and suggestions as to how it could be improved. As honourable members will recall, this bill provided for a profits-based royalty of 18%. Features of the proposed system included: straight line depreciation of assets over a maximum period of 15 years; a full interest deductibility; loss carry forward provisions; generous exploration deductions, including transferability; an exemption of profits from processing; and exemption of existing mines. Negotiations to bring existing mines under the new royalty arrangements are imminent.

In response to my request for comments on the bill, a large number of submissions were received, a great majority of which included favourable reactions

to the substantial changes that have been made to the earlier draft proposal. These submissions dealt mainly with matters of detail rather than matters of principle or policy and many constructive comments were made. As a further element in the review process, the government has availed itself of high-level legal advice on the complex legal issues involved in such an innovative piece of legislation.

As a result of this very detailed examination of the bill, it became apparent that a large number of amendments were required, principally to ensure that the bill fully reflects the intent of the government as expressed in my second-reading speech on the former bill, and to ensure that the bill, once enacted,is administratively workable. The vast majority of these amendments are concerned with relatively minor legal and drafting matters. The philosophy of the bill remains unchanged and no policy changes of significance have been made.

Mr Speaker, my objective in introducing a redrafted bill has been to avoid a very time-consuming process of dealing with a large number of minor amendments in committee. Probably the most significant of the amendments incorporated in the new bill are those dealing with the appeal provisions. As members will be aware, the Commonwealth has been engaged in a guerilla war with tax avoiders for quite some time. We do not intend that this will be the case with the Territory's new royalty legislation and have thus incorporated quite a number of secretarial and ministerial discretions in the bill. It has always been our intent that appeals could be made against these discretions. However, our advice is that the appeal mechanism provided for in the earlier bill was not wholly satisfactory. We have therefore decided to provide for the establishing of boards of review to consider appeals against royalty assessments and discretionary decisions. Such boards will have full powers to investigate and recommend upon such matters subject to appeal. Ultimate control will remain with the government as the board shall make recommendations to the minister who will then decide the matter. Provision is made for further appeals to the Supreme Court on matters of law.

Other significant amendments designed to ensure that the bill reflects the government's intent concern provisions to allow the carry forward of exploration productions, to allow full interest deductibility, including interest on working capital, and to specify criteria upon which discretions are to be exercised. Amendments of an administrative nature include the introduction of a secrecy provision providing significant penalties for the unauthorised disclosure of highly sensitive information that mineral producers shall be required to provide as part of the royalty assessment procedure.

Mr Speaker, the philosophy and policies underpinning this bill have been subjected to the most thorough and exhaustive public review over the best part of a full year. Both the draft bill of June 1981 and the bill of March 1982 have been extensively commented upon by interested parties. It is therefore proposed that this bill be passed through all stages at this sittings. I commend the bill to honourable members.

Ms D'ROZARIO (Sanderson): Mr Speaker, whilst I appreciate that other members of this Assembly may not be quite ready to proceed with any contribution to the second-reading debate, by agreement between the minister and myself, the opposition and some members of its staff were provided with a copy of the new bill in order to permit the second reading to proceed at this stage.

I would also like to take this opportunity to thank the minister for making himself and his staff available to brief members of the opposition on the details of the amendments which are quite numerous but do not in any significant way alter

the thrust of the legislation.

Mr Speaker, this is the only opportunity that has been presented to us to state our philosophy on the Mineral Royalty Bill. The first bill has now been withdrawn and no debate ensued on the Green Paper. So I think that it is appropriate for the opposition to spell out its view on the Mineral Royalty Bill both for the benefit of the government members and also for the benefit of the entire industry. The Labor Party, both federally and in the Northern Territory, is committed to the orderly and balanced development of Australia's mineral resources. We certainly recognise the role that the mining industry has played and will continue to play in the Northern Territory in providing employment, improving basic infrastructure and increasing export and domestic earnings. I make this statement even though it is available in all our published documents on party policy because the industry is apparently still in some doubt as to what the attitude of the Labor Party is towards the mining industry. Let me make it quite clear that we do recognise the significant role that it has played and will continue to play in the Northern Territory economy.

It is also the view of the opposition that mineral resources belong to the Australian people and the benefits which accrue from the exploitation of these resources ought to be shared equitably between those who exploit them and those who own them. In this, it appears we are of the same view as the government. This bill is precisely about that matter and we are pleased to support it.

We also support the method by which this distribution of benefits is to occur. I refer to the provision in this bill for the levying of the profits-related royalty. It would be ideal if such a royalty could be imposed uniformly across the nation. That would ensure that regional imbalances in mining investment were reduced and that the benefits associated with mineral occurrences were not distributed according to geological distribution but according to the needs of the Australian people as a whole. It is quite clear both to us and the Northern Territory government that the federal government has no intention of imposing a royalty on mining enterprises operating in Australia. Given that as a fact of life, it is incumbent on the Northern Territory government to obtain for Northern Territory citizens a fair share of minerals owned by them. Again, we commend the introduction of this bill.

In view of the heavy involvement of the mining industry in the Northern Territory and the generally low levels of royalty which we have hitherto obtained, it is appropriate that we look at the prospective shares of benefits which will accrue to the industry and to the Territory community at large. It is a matter of some personal disappointment to me that this particular bill will not apply to existing mines in the Territory. Whilst we appreciate the constitutional reasons for that, it does mean that it will be several years before significant revenue from this particular bill will be seen by the Northern Territory Treasury.

Mr Speaker, there is some agreement between the mining industry, the government and the opposition that royalty payments should be related to profits. There is a general consensus between this legislature and the industry that the profits-related royalty which has been chosen as the type of royalty to be imposed is the correct one. From the point of view of the legislature, the proportional profits royalty performs very well in terms of economic efficiency and returns to the community. Because it differentiates between the quality of ore taken, the incentives for premature exploitation are reduced and, as a result, when this bill is finally in operation and applicable to mines, we can expect a relatively stable stream of revenue. It needs to be said, because this should always be a consideration for government, that this is not the

cheapest form of royalty system to administer. Certainly the forms that we have currently operating in the Territory such as tonnage-related and revenue-related systems are much easier and much cheaper to administer. The particular type that has been chosen in this bill is not quite as administratively cheap but its benefits will far outweigh the costs of administering it provided we are not flooded with appeals.

Mr Speaker, the Green Paper made the points that all royalty systems that were investigated were imperfect and the choice for the legislature would always be one between imperfect options, and that, whichever one was chosen, we would have to make trade-offs. On the examination of the criteria that were used, there does seem to be a fair degree of consensus that the right method has been chosen.

The proportional-profits royalty benefits the industry because it is responsive to changes in costs and mineral prices and the imposition of the royalty occurs only in years during which the mine is profitable. I think this needs to be emphasised because of some of the statements that have emanated from the industry in recent times. If we wanted to have a technically pure form of proportional-profits royalty, we would not have this system where nothing was paid in years when there was no profit accruing. In fact, a payment would have to be made to a mine if it incurred losses. We are quite clearly saying that, if there is no profit made, there will be no royalty paid.

I would have thought that would benefit the industry. Whereas there is a consensus about the type of royalty that should apply, there is a clear difference between the industry and the legislature as to what a royalty is and what its imposition is expected to achieve. There has been the most amazing rhetoric from the mining industry on this point which I would have thought was quite basic to the reasons for imposing a royalty anyway. Our view is clearly that the royalty is a price. As minerals, by and large, are reserved to the Crown in right of the Territory, it is consistent for the Territory government to charge a price for minerals that belong to its people.

The industry, however, takes a completely different view of what a royalty is or appears to be. In its various submissions to the government and its statements to the press, it is quite clear that, from the point of view of the industry, the royalty is a tax. I suppose that everybody knows what a tax is but it is very hard to find a definition. In any case, the industry is quite clear and has referred in its submissions to an imposition on income and has called it an additional income tax being imposed by the Territory government in addition to those income taxes which currently apply in respect of the federal government. If we could just look at what we are attempting to do, the deficiency in the logic of the industry's argument becomes quite clear. I suppose the industry view is reinforced by the conditions which are quite obvious in this bill: that the royalty will be paid to the government and that it is to be based on mine profits. Notwithstanding those 2 conditions, the industry's view that the royalty is a tax is quite wrong. The reason for exploring this concept is because we persist in our view that the royalty is a price.

Governments sell many commodities and many services in the normal course of their operations. I can list you several examples of goods and services which Territorians are used to purchasing from their government: land, publications, bonds, houses, used equipment, trees and public utilities. These goods and services are freely purchased by citizens of the Territory from the government. When citizens of the Territory pay for these goods, they are regarded as prices. They are regarded as payments for commodities and not as taxes.

It is clear that the prices or charges that are made for these commodities are clearly seen by Territorians, and quite correctly so in my view, as prices for the commodities they have purchased. But, of course, when the government wishes to make a charge for minerals that belong to the people, then the mining industry screams at the prices that it charges as a tax. This attitude is clearly quite wrong because, where minerals are privately owned, as occurs from time to time in Australia, and the royalty is paid to a private person, then it is regarded by the industry as a price. But when we talk about exactly the same situation, when the minerals are reserved for the Crown, then the charge for them in the mind of the industry - presumably because it is charged by the government - is not a price but a tax. The deficiency in logic here on the part of the industry is that it sees all charges and all sources of government revenue as taxes.

Mr Speaker, the government stated in its royalty paper that the overriding objective of the royalty policy is to maximise the contribution of the mining industry to the long-term welfare of Territorians. It was further desired that this objective should be met within the normal goals of economic policy; namely, economic efficiency, equity, stability and growth. I wish to say quite categorically that the opposition does not take any offence at that statement of policy. However, the reference to maximising the contribution of the mining industry has obviously conveyed an impression to the industry that it has been singled out to be taxed unfairly. The proposed royalty is to be based on profits and this is perhaps another reason that the industry regards the royalty as a tax rather than a price.

There is a general consensus between the legislature and the industry that this type of royalty is superior to all other types that operate here and overseas and there is nothing further to be gained in pursuing the industry's argument of whether this is a tax. But I have been at pains to make the distinction because much of the industry's attitude to that bill is based on the fact that it sees the imposition of a royalty as a specific mechanism applicable only to it and as a means of gaining additional taxation revenue. Therefore, it sees itself as bearing a disproportionate burden of tax.

Mr Speaker, I hope I have been able to show that the royalty payments which will be made by mines under this legislation are not taxes but fair prices to Territorians for the minerals owned by them. I appreciate, however, that the industry's interest is in containing its costs but, although I appreciate that point, I would also say that there is no merit in artificially keeping the price of mineral input low. In the past, and this is quite clear if one looks at the levels of royalty that have hitherto obtained in the Territory, the price of mineral input has been very low indeed and a policy of deliberatively maintaining the condition will simply exacerbate the existing distortions that are apparent in the production sector. These are not necessarily in the best economic interests of the Territory.

In the past, the lower level of royalty that has prevailed in the Territory has contributed to a diversion of resources to exploration and mining as opposed to manufacturing and processing. The industry would no doubt deny this claim but, if one looks at the composition of investment in the production sector, then it becomes quite obvious that this is in fact the case in the Territory economy. One small example of this is the fact that, as at July 1981, for every dollar invested in mining in the state of Queensland, 47 cents were invested in manufacturing projects. In Victoria and New South Wales, the ratio was much higher. In Victoria, for every dollar invested in mining projects, 81 cents were invested in manufacturing projects, and the equivalent figure in New South Wales was 86 cents. When we look at the Northern Territory structure of investment, we see that, for every dollar invested in mining projects in the Northern

Territory, only 1 cent was invested in manufacturing. In my view, this clearly points up the fact that resources have been diverted to the mining and exploration sectors and that very little attention has been paid by the private sector to manufacturing, relatively speaking. It is my view that, to continue to hold down royalties will only serve to entrench these impediments to the establishment of a healthy manufacturing sector, a matter in which I have a great deal of interest. This is undesirable for the long-term economic development of the Northern Territory.

We come then to the view that the industry has put that the royalties should be 7% of the pre-tax profits instead of 18% which is specified in this bill. For the reasons that I have already outlined, 7% is far too low and that figure ought to be rejected. I think the industry now realises that no one else supports that figure of 7%.

A feature of the proportional-profits royalty that is proposed by this bill is that it will be based strictly on a proportion of pre-tax profits. The legislature is in agreement with the type of royalty chosen. However, I have had some representations from members of the community who have raised questions relating to the opportunity to manipulate profits on the part of mining companies in order to avoid payment of royalties. I suppose one should welcome the opportunity for members of the public to think about the matters that are being raised in this legislature. I certainly thank them for the submissions that they made to me. However, I can allay some of the fears that were expressed by these people. They of course thought that tonnage or revenue-related royalties would be easier to administer and present far less opportunity for manipulation of profits and, therefore, avoidance of royalty payments. As I mentioned earlier, it is certainly true that these tonnage and revenue-related royalties are cheaper to administer but the benefits to be had from a properly administered profits-based royalty will in the long run outweigh the costs of administering it. As I already mentioned, the profits-related royalty is superior in its objectives for achieving efficiency and equity than are the tonnage and revenue-related royalties. As has been pointed out by people who have spoken to me about this, it is true that royalties in the rest of Australia are, for the most part, based on tonnages or revenue and there are very few examples of profits-related royalties available in Australia. However, Mr Speaker, a notable example does exist within the boundaries of the Northern Territory and that of course is the Nobles Nob Gold Mine in Tennant Creek where the payments are in the nature of rent and are levied at the rate of 2½% of net profit.

The main fear of those who doubt the effectiveness of profits-based royalty is that mining companies may resort to the well-known technique of transfer pricing in transactions with asscoiated companies in an attempt to avoid paying royalty. Although it must be admitted that there is very little Australian experience in the administration of profits-based royalties, some safeguards were available in the original bill and have been strengthened in the amending bill. I believe that these will reduce the leakages from prospective royalty revenue.

After studying the bill, I feel that some of the factors which will reduce the opportunity for royalty avoidance are the provisions that the bill will apply on a mine basis; that is, not on a company basis but on an individual mine basis. The other factor I think should be apparent to most of the people making representations: the prices of most of the minerals that are of significance to the Territory economy are determined by contractual agreements and by the established metals exchanges.

I will give some examples of price setting in respect of significant Territory minerals: bauxite, lead, manganese and copper. I will run through

what actually happens with the pricing of these minerals and show that it is quite difficult to manipulate the prices.

In respect of bauxite, we know that Australia is one of the world's largest producers. The only 2 larger producers are Jamaica and Guinea. The prices are set in long-term supply contracts. There also exists an association of suppliers known as the International Bauxite Association which has a say in price determination for this particular product. Clearly, there is a world market there with a world price and it would be difficult to manipulate that price to any great extent. In respect of lead, Australia is the world's largest exporter of lead bullion and refined lead, and 90% of the total mine production is processed and the prices are set in short-term supply contracts.

In respect of manganese, the Territory, in particular, is in a fairly good position. Australia as a whole is a large exporter, third only to South Africa and Gabon. There is only the one producer, BHP, which operates mainly out of Groote Eylandt. Prices are set in annual contracts. Again, it is difficult to envisage that Gemco, being one of the largest suppliers on the international market, would have much interest in manipulating its prices to meet a very local condition in the Northern Territory. With respect to copper, 2 situations exist, one in respect of refined metals and the other in respect of ores and concentrates. In both cases, the prices are set by the London Metals Exchange. In the case of refined metals, they operate on short-term contract prices. But in the case of concentrates the prices tend to be long term; in many cases, for the life of the mine. They are also based on the London Metals Exchange prices but with deductions applicable for refining and treatment.

Mr Speaker, I note that, in clause 4(4) of the amending bill, there is an amended definition of the value of a mineral commodity. The value of a mineral commodity is defined in this particular clause as being the amount agreed between the royalty payer and the secretary or, in the absence of an agreement, the amount determined by the minister. The minister must have regard to a number of factors which are listed on page 10 of the bill: the grade of the mineral commodity; the point of sale; the nature of the market; the terms of relevant contracts or sales agreements; the state of the market at any time; the provisions of the contract; prices paid to producers elsewhere in arms-length transactions; prices recommended by international associations of governments of countries producing the mineral commodity; and such other matters as the minister thinks fit.

Such conditions exist with respect to the minerals that I have outlined and the associations and established metals exchanges determine prices on a daily basis. All these matters will be taken into account in coming to what is a reasonable value of the mineral and will therefore reduce the opportunity to avoid liability to pay royalty. I find that definition a very good one indeed, having regard to the manner in which the prices of mineral commodities are determined on world markets.

The industry itself raised a number of questions in its submissions relating to the definition of 'profits'. This point is important because the definition of 'profits' and the manner in which profits are reported will of course determine the amount of royalty that any particular mine will be liable to pay.

Many of the points are supported, in principle, by the opposition. I was pleased to see from discussions with the minister and his staff that a number of these points have been taken up and have been incorporated in the amending bill.

I will go through some of the matters that have been amended because they

are key areas in the definition of 'profit'. One was the amount of interest expenditure that would be allowed as a deduction. It is a fact of life in the mining sector that interest costs are a very major part of expenditure and, as a matter of principle, they should be accurately reflected in determining whether a mine is profitable or not. The industry made a submission that all interest loan service fees and expenditure in the nature of interest incurred on funds borrowed to finance capital assets and exploration should be eligible deductions. I believe that the amending bill has met that particular request from the industry.

The industry requested also that the discretion of the minister contained in clause 4(6) of the bill should be removed. This is a discretion on the part of the minister to determine the maximum rate of interest that would be allowed as a deduction. That particular discretion has been retained. I think that the reasons for having retained it are quite legitimate. The industry has put forward the view that interest on funds borrowed in the mining sector can be significantly higher than the commercial rates pertaining to other sectors of industry. This particular view has been borne out in a recent study by the Australian Graduate School of Management and that study showed that interest on funds borrowed for mining projects was 2 or 3 percentage points higher again than the interest rates which applied to other risk ventures. I feel that there is a program which would meet the industry's objection in that respect. That is contained in subclause (7) which requires the minister to have regard to the relevant money market and the appropriate commercial market levels. Presumably, the minister would exercise that discretion in respect of borrowing specifically for mining ventures. Notwithstanding that interest here could be much higher than in other sectors, the minister would take that into account rather than the general rate of interest which applied.

One of the other matters which were raised by the industry was the deductibility of costs relating to mine closure and mine rehabilitation after the extractive part of the process had been completed. The industry submitted that these costs should be fully deductible for the purposes of determining profits. This matter has been addressed in the amending bill. It is to be found in the definition of 'eligible operating expenditure' on page 6 of this bill. We now have a completely new definition of 'eligible operating expenditure'. In paragraph (b) of that particular definition, we have an amount which could be deducted which is directly attributable to the closure of the mine or the rehabilitation of the land comprised in the relevant mining tenement.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that an extension of time be granted to the honourable member.

Motion agreed to.

Ms D'ROZARIO (Sanderson): Mr Speaker, I thank honourable members.

I think that particular matter has also been accommodated in the amending bill. One of the more desirable effects which hopefully will flow from this particular treatment of mine rehabilitation and closure is that mining companies will have some incentive to have a continuing program of mining rehabilitation rather than deferring it indefinitely.

The industry also submitted that there ought to be a provision for the apportionment of head office costs. Again, this would be a normal type of deduction that would apply, for example, in the Income Tax Assessment Act. That particular matter has been taken up in paragraph (h) of the definition of

'eligible operating expenditure' in which a deduction will be allowed in respect of any other payment considered by the secretary to apply. Presumably, that would take into account things like the apportionment of head office costs.

Some other technical amendments have been taken up which would also inflate the definition of 'profits'. These largely relate to the occurrence in the old bill of the phrase 'amounts of expenditure paid or incurred'. The industry feared that this could mean that the amounts would be taken into account twice and that they could be charged a royalty both at the time of the extraction and at the point of sale. All the phrases which could have given the interpretation of double counting have been amended and it is now quite clear that royalty will only be due once rather than the royalty payer being subject to royalty again when he sold his product.

The main new part of this bill is the provision relating to appeals from the discretionary powers of the secretary and the minister. There is in fact a completely new section in this bill which is division 2 of part III which relates to the objection and appeals procedures. Here again, the industry requested this. It has been included in order to allow people to have some review of the decisions which would be made by the secretary or the minister in respect of the amount of royalty to be paid and the basis on which it was assessed. The procedure roughly parallels the procedures which are available in the Income Tax Assessment Act.

There is one question which I would like to raise with the minister concerning this particular part and that is the final appeal provision which is available to an appellant, and that is to be found in clause 35 of the bill. By this particular division there will be a board of review which will consist of members nominated by the minister. The board will be chaired by a judge of the Supreme Court. Further to that board's findings, there exists a further right to appeal which is contained in subclause 35(1) but that appeal can only be on a point of law. That is specified in 35(1). This particular clause specifies further in subclause (3) that the appeal will be to a single judge of the Supreme Court.

The difficulty that arises is that the question of law that is being appealed against has already been determined by the Board of Review which is itself headed by a Supreme Court judge. We now have a provision that that decision will be subject to review by another Supreme Court judge sitting alone. It is perhaps inappropriate having one judge look at another judge's decision. Perhaps what is appropriate would be to allow an appeal to the full bench of the Supreme Court rather than just a single judge. The reason that this should be so is that subclause (4) further provides that there is no further appeal from the decision of the Supreme Court, constituted by a single judge, on an appeal under this particular section. It would appear appropriate that, if there is to be an appeal on a point of law, it be to a full court, given the fact that the Chairman of the Board of Review is himself a Supreme Court judge.

By and large, this particular bill has tightened up a number of the difficulties that members of the mining industry had. However, in their final discussion with me last week, they said that the level of royalty was so unacceptable to them that anything we could do in respect of altering the definition of 'profit' would offer only marginal relief. Mr Speaker, I do not accept that view. I believe it is time the industry participated on a more equal footing with Territorians in the development of the mining industry and we look forward to a few years hence when some revenue should be flowing in from this particular measure.

It is disappointing that the effects of this bill will not be felt for

for some years, but there are constitutional constraints which we all must accept. It is hoped that, when existing royalty agreements expire, companies will apply to come under the provisions of this particular act. The opposition commends this bill.

Debate adjourned.

MOTION

Submission to Ombudsman of Complaints about Darwin Prison

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that this Assembly refer to the Ombudsman for investigation under section 15(1) of the Ombudsman (Northern Territory) Act the present treatment and recent complaints of prisoners at the Darwin Prison.

Recent reports of lack of proper treatment of prisoners at Darwin Prison raise important matters of public concern. The opposition is concerned at the reports allegedly coming from inmates of the prison. The Minister for Community Development has not so far given any information regarding the increasing allegations, despite almost daily reports of prisoners' claims in the media. Apart from some remarks the minister made in the Assembly today, the only response was as reported in the NT News on 20 May 1982. A spokesman for the minister said he doubted anybody in the department or even the Territory could comment on the claims. That response is not satisfactory as a reflection of the department's control and awareness of what is going on in the Territory prison system. Also, it is extremely disturbing if the allegations reported are true.

A speedy and independent investigation of this issue would be an appropriate way to resolve it. Section 15(1) of the Ombudsman (Northern Territory) Act says: 'The Legislative Assembly or a committee of the Assembly may refer to the Ombudsman for investigation any matter within his jurisdiction'. Mr Speaker, prisons are within the Ombudsman's jurisdiction. Once the Ombudsman has carried out his investigations, he is required by section 15(2) of the act to submit his report to you, Mr Speaker. The Ombudsman should make himself available to receive the complaints from the prisoners and investigate them so that the true situation at Darwin Prison can be ascertained and I suggest this would be to the benefit of everyone.

Mr ROBERTSON (Community Development): Mr Speaker, I am the first to recognise the sincerity with which the Leader of the Opposition puts forward this motion. Certainly, it is true that I have not chosen to become particularly public on this matter. I think many honourable members would be aware of the reasons why without my stating them and certainly the public at large would be aware of those reasons.

In respect of the prisoners, and particularly long-term prisoners, there is absolutely no doubt that they love nothing more than to read about themselves. As minister, I certainly would not want to do anything which would encourage that particular habit. It is quite prevalent in any prison system in Australia and, indeed, in respect of the most notorious person in this whole affair. The honourable member has not named any particular person as having made the complaints. While I appreciate and respect his reasons for not doing so, I think it would be rather pointless not to mention that the NT News, in its incredible campaign of inaccuracy, innuendo and distortion in relation to allegations made by convicted prisoner Donald Tait, is in fact the catalyst for this debate. I think the opposition seeks further information on the situation in relation to that prisoner, the prison generally and the government's position rather than wishing to refer this matter to the Ombudsman. I think that is quite reasonable and this is the proper place for this information to be elicited.

I cannot support the motion for many reasons. One reason is that the Prisons Act already provides for the Ombudsman to do precisely what the Leader of the Opposition now wishes this Assembly to refer to him. Indeed, he has done it extensively over the last couple of years. In 1980-81, I had no problem with prisoners complaining to the Ombudsman. While I may not have introduced that legislation into this Assembly, as then Minister for Community Development for the first time around, I was one of the arthitects of it.

The Ombudsman has a role in relation to complaints by prisoners against the administrative decisions within the prison system. Nonetheless, I think that, while the Ombudsman is in a position to make observations about the propriety of administrative decisions, he is not equipped or trained in the area of correctional services and rehabilitation.

During 1980-81 there were 71 complaints of which 42 were not sustained, 8 were referred to the department for recommendations, 6 were outside the jurisdiction of the Ombudsman and 15 were discontinued. Quite clearly, in that year, the Ombudsman was quite active in fulfilling his statutory responsibilities in respect of prisoners.

What has happened is a concerted and mischievous campaign, if I may suggest that, by a certain employee of the NT News. I think, in this particular case, the Star has been party to the action. It has not been with the same motivation as the NT News reports. I will provide information on that later. Quite clearly, this type of report would not come out if it were not actively aided and abetted, or at least directly encouraged, by the media printing what I believe is scurrilous material. It is completely one-sided, presented through the paper to the public from people who are convicted of crimes against Australia and crimes against the people of the Northern Territory. If that is the quality of journalism at the level of the Chief of Staff of the NT News, frankly I am quite certain that the public, its advertisers, and its readers will be as disgusted as I am.

Mr Speaker, the NT News is not even consistent in its own headlines. Initially, there was an announcement: 'Tait Reported on Hunger Strike'. Then, just a week later, we read: 'Hunger Strike Denied Tait'. Then came: 'Gaol Fast Protest'. All these were compliments of the NT News. Then we read: 'Government Check On Prison Claim'. Incidentially, I did not say that, Mr Speaker. I think it must be a figment of someone's imagination, just as the whole saga has been. Further on came: 'Tait Fast-Reports Conflict'. The only thing that I can find in conflict is the NT News' own heading: 'Tait Explains His Fast'. 'Tait's Tale' was another one. It is almost like the Melbourne Truth, with headlines of that nature. Then came: 'Robertson Silent Over Tait'. For heaven's sake, I am not in the business of promoting prisoners in their seeking of glory within a prison system in the Northern Territory.

What is the basis of the information that the public is being fed? Before we look at that, let us look at the actual condition of Mr Tait. This is the jeopardy that the press gets itself into by believing one side of the story. This is a medical report of 6 May 1982:

> *This prisoner suffers from hypertension and angina although electrocardiograms have always been normal even after exercise. He is receiving diuretic and beta for his hypertension and has on many occasions been told to lose weight. On 4 March 1982, I was told that the prisoner was refusing medication. On examination, I found that the prisoner understood the seriousness and, not surprisingly, he had a rebound pressure of 180/100. Subsequently, I learnt that the prisoner had also stopped eating, thus losing*

the weight he had always been advised to lose. The result is that his blood pressure is now 120/90. He is still not taking any drugs and he has cut down on his use of glycerol trinitrate which he takes for angina when it occurs. In fact, on examination today, I found the prisoner to be in better health than ever. However, I am quite sure that, even allowing for the fat that he has been burning up while not eating, he is in fact getting some food from somewhere. He would otherwise be very wasted and unwell. Unfortunately, the fact that he still produces faeces is no evidence as the body still continues to excrete stools even when starved.

There is a further medical report by the same visiting medical officer of 20 May 1982 for the Director of Correctional Services in his own hand: 'I have today examined Mr Donald Tait. He remains in fair health and in fact, by reducing, has brought his blood pressure within the normal limits without medication. However, if he continues his present path, he will inevitably become very sick and require hospitalisation'.

Mr Speaker, I am aware of Speaker Snedden's decision that the sub judice rule only applies from the time that a charge is actually laid. The fact is that Mr Tait admits in the press that he is not complaining about the way he is treated but about the treatment of long-term prisoners. The position in our prison system would be as good as any in this country. There are available to all prisoners, long term and short term, a wide range of educational facilities. Further education, advanced education, technical and further education, catering schools, boilermaker certificates, bookbinding and library training are available in our system. It is significant that Donald Tait has never once asked to be enrolled in any one of those courses whatsoever or, to the best of our knowledge, made any approach to any officer of the system to enrol in any one of those courses.

The reality is that Mr Tait is aware of certain legal proceedings which may well be pending against him in the state of New South Wales. It is quite obvious that Mr Tait would be more than happy, to say the least, to be transferred to New South Wales while serving a current sentence. In the event of a conviction in relation to that particular charge pending, he would also be aware that his chances of a concurrent sentence would be fairly good. I am not saying he is guilty of anything or is going to be charged with anything. All I know is that he is aware of such charges being a possibility. Quite obviously, he would rather be transferred before his sentence is completely served because of the possibility of serving any future sentence concurrently. The motive is a purely personal one. It is not related at all to improving the lot of prisoners.

Mr Speaker, this motion does not relate to that particular prisoner at all. I will not name the other one. A prisoner wrote a fairly lengthy letter to me recently. The nub of his complaint was that a particular typing seat had been 'deprived him'. The matter of a typewriter which he purchased being made available to him was the other complaint. If the NT News, in particular, got hold of that information that these meanies in the prison system had deprived the gentleman of a typewriter, I have absolutely no doubt at all that we would see very similar arguments to those we have seen in respect of the complaints of Mr Tait.

According to forensic tests, the typewriter the gentleman used to write me a personal letter is exactly the same typewriter as that he used to type this incredible document headed: 'Inside the Berrimah Prison - Profiles of Tait'. I might add that the man has some journalistic skills and is well known to a couple of journalists here. It goes on as if he was writing about the hero of our times,

Lord Mountbatten, the terms are so glowing in respect of that particular gentleman. An attempt was made to smuggle this open letter to the press out of the Darwin Prison. The typeset and the impact pressure were checked by forensic scientists who not only established that the letter he had written to me - demanding that the use of his typewriter be maintained - was typed on the same typewriter but that it was also typed by the same person who typed this letter which I will now read. It was inserted in an excellent book, 'The Talisman'.

Dear Pat,
Could you photostat 5 copies of the enclosed and get them off. Jim might possibly have thoughts on who else may wish copies. So if it is not too much trouble, give him a buzz. In any event, try and get these 5 copies off as soon as possible. Ta. Envelopes to be typed to the following please: Chief of Staff - Attention, Mr Jack Ellis, NT News PO Box 1300 Darwin NT 5794; Editor Attention Mr Jim Bowditch, Darwin Star; Representatives of AAP, Chief of Staff of ABC News.

I must say that the ABC News has been impeccable throughout this whole thing. It obviously does not run around in gutters. We have a situation where the media has been printing smuggled documents. Unfortunately, on the last occasion when Mr Tait personally handed this document to someone to smuggle out of the jail, that particular person had the good sense and sense of duty to hand it to the appropriate authorities. I did not name any of the other parties. Quite clearly, the possibility of legal proceedings is being considered at this moment by the Northern Territory Department of Law.

Mr Speaker, the allegations are baseless. They have been blown out of all proportion. Not only does the Ombudsman already make himself available freely and readily to prisoners with problems and complaints but so too, in the Darwin area alone, do 5 independent prison visitors, including ministers of religion, justices of the peace and citizens of standing. It is interesting that these people who smuggle documents out of the prison system contrary to the law do not approach such people in any way whatsoever. I am personally aware of other people who regularly visit the jail and who are held in high regard by the hard working prison staff down there and, indeed, I would suggest by certain elements of the prison population who are also not approached by prisoners. Instead, they mischievously and quite improperly peddle stuff by way of smuggling. No system is utterly secure although I think our prison system, just by its sheer record, is probably the best in this country. That is a tribute not only to the design of the building but more particularly to the efforts of the prison officers who work within the prison.

While we may have disagreements at times, I have the utmost faith not only in the senior staff of that prison system but very much in the officers who carry out the policies of this government and the system. I would like to say how pleased I was during the visit of ministers and administrators and officers of correctional services throughout this country recently to Darwin Prison and Gunn Point Prison Farm to see the courtesy and cooperation of the prison officers, who have a hard enough job as it is, when they had a whole heap of people trooping through. Their cooperation and courtesy was a credit to them. I think the way that prison officers conduct themselves in a most difficult task is very much a total credit to them.

Mrs LAWRIE (Nightcliff): Mr Speaker, some people are their own worst enemies. Without naming the person, I think one of the present residents of Darwin Prison at times does himself a disservice through his actions. He ends up prejudicing any degree of freedom he attains. I am not referring to Don Tait.

I visit Darwin Prison more regularly than any other member of the Assembly and I have probably been there more times than the rest of the Assembly put together. The day before this latest expose appeared in the popular press, I was at Darwin Prison visiting prisoners. One of the reasons for my scepticism about this whole exercise was the fact that at no time did any prisoner say to me that Don Tait would like to see me or that Don Tait is in trouble or that I ought to know about it.

Mr Speaker, as you know, Sir, having served with me in the Legislative Council, I have been interested in the treatment of prisoners since my first election in 1971. Under the chairmanship of the late Mr Justice Ward, then the honourable member for Ludmilla, I travelled around Australia looking at the conditions of prisoners in this country with a view to reforming the system and certainly improving what was then the iniquitous set of rules and conditions under which prisoners lived in Fannie Bay Gaol. All these things came to pass. Members will be aware that I was bitterly critical of the present Minister for Transport and Works when he introduced the present Prisons Act. I still find certain difficulties with that act, particularly the part dealing with the hearing of charges against breaches of prison discipline by people within the confines of the prison.

Notwithstanding all those facts - whether Nightcliff has a particularly bad criminal record,I am not sure - but I am known to the majority of prisoners at Berrimah and to a lesser degree to those at Gunn Point. I visit with regularity. I do not connive and smuggle in or out goods or letters or anything else. I believe I have earned the trust of the prison staff. Initially they were most defensive of my presence. Now, if I visit to see a particular prisoner, quite often the staff - and the Minister is aware of this - will come up and say: 'Oh Mrs Lawrie, Joe Bloggs wants to see you too. Do you mind?' At times I will say: 'Look, I am too busy' or 'I cannot wait now. I am due back at the office. Would you kindly tell the prisoner I will be back later this week?' They do that. If I have time, I see them. It does appear that the prisoners in Darwin Prison have pretty open access to me. I do not know how the system works with other members but certainly I have by any standard anywhere in Australia very open access to prisoners with complaints.

Because of the number of complaints and the number of letters and personal visits with prisoners, I have learnt to exercise my own judgment as to when a prisoner is suffering some stress which leads him to believe that the entire world is against him when that is not true, or when a prisoner has justified worries and concerns many of which relate to family or property which may be under threat of seizure from a finance company. I have access to B block, the maximum security area. Prison authorities no longer insist that, even in that maximum security area, I can only make non-contact visits.

Having this constant access and considering that the last visit was only one day before this controversy broke, I find it difficult to believe that not one prisoner has suggested to me that there are problems regarding Don Tait. It concerns me that prisoners' names should have to be mentioned. That is a fact of life in this case and therefore I am breaching no confidence when I say that I have spoken with Don Tait. I have received letters from him and, on the second last occasion on which I spoke to him, he was concerned about his health. He was overweight and he suffers from angina. The last time he said he was feeling a lot better and he would have to take better care of his own physical problem.

One of the sympathies I have with the minister responsible for the administration of prisons is the very definite feeling amongst prisoners - of which he is aware - that they do not like to have a variety of people assuming the

right to walk through the prison to look at them as though they were so many cattle or sheep in the pen. They are entitled to a degree of their own privacy. What we have to watch very carefully is treading the extremely delicate balance between providing that privacy, which is their entitlement, and also watching after the genuine community concern that prisoners are not being treated unreasonably or harshly or kept from lodging a legitimate complaint. One of the best ways in which society can protect the abuse of prisoners is to allow reasonable access to a variety of people to go there out of a real interest and not simply out of curiosity.

The honourable minister has stated that there are a number of people who by statute have access to the prisoners: visiting justices, medical officers, visiting people who are directed to listen to the complaints of prisoners if they wish to lay a complaint, and members of the Assembly. I do not know how many members here get regular mail from prisoners. I do. In some cases, the mail is marked 'uncensored'. In other cases, I know it has been censored because they have the prison officer's initials on the top of the page. Indeed, for the last 6 months,I have not received a letter which has been subject to the blocking out of passages. This happened under a previous administration and is not happening at the moment. That seems to me to be a particularly futile exercise anyway because, if the prisoner requests my presence and I go and see him, he will promptly tell me what was blocked out by the supervising authority.

Mr Speaker, whilst I appreciate reasons for the bringing forward of this motion by the Leader of the Opposition, I do say that, rather than the Ombudsman or a variety of officials going in as a matter of course or as a response to what the minister regards as a trumped up press campaign, perhaps the greatest safety and protection of those prisoners is a visit by people whom they invite. I come back to that point: I do not go to Darwin Prison at my own whim. I do not land at the door and say,'Hello, I would like to see a few prisoners'. That is not my role and the prisoners may feel very strongly about that. I go by their invitation. I always have the letters with me in case I need to prove that I have been asked. That has never been necessary. I find it difficult to believe that, with these constant visits and with the trust which I know is placed in me by at least 15 of those prisoners, some of whom are in the maximum security wing, that this has not been brought to my attention on my contact visits.

I share the concern of all members that the health of prisoners there should be safeguarded, that their interests should be safeguarded and that society should be assured that they are not subjected to harsh or inhumane treatment. The greatest safeguard against that is visits to the prison by a variety of people, including their elected representatives.

Mr B. COLLINS (Opposition Leader): Mr Speaker, like the honourable member for Nightcliff, and no doubt other members of this Assembly, I too have occasion to visit the prison as, unfortunately,quite a number of my constituents end up in there also. I wish to place on record the fact that on no occasion have any bars been put in the way of my seeing anyone nominated. In fact, I have had the same experience as the member for Nightcliff. Prison officers - a number of whom I know extremely well and have known for years - have said to me: 'So-and-so is in here also from Maningrida. Would you like to see him?'

Just to put the record straight, it may occur to some honourable members that, if I wished to raise this matter, I could easily have gone out to the prison myself. Very deliberately,I chose not to do that for the reasons already outlined by the Leader of the House. Mr Speaker, the honourable minister is perfectly correct. I raised this matter as an information-gathering exercise. I am perfectly satisfied with the explanation the minister has offered to the Assembly and I would seek leave to withdraw the motion.

Leave granted; motion withdrawn.

PLUMBERS AND DRAINERS LICENSING BILL
(Serial 181)
WATER SUPPLY AND SEWERAGE BILL
(Serial 182)

Continued from 16 March 1982.

Mr LEO (Nhulunbuy): Mr Speaker, before I get to the bills themselves, I would like to thank the sponsor of these bills and his department for the assistance I have been given. I believe a number of amendments are proposed. They have yet to be sorted out correctly. Today is more or less an opinion-forming exercise where the minister hopes to get as much input to the bill as is possible. I shall make what small contribution I can.

My initial concern with the 2 bills is that they both relate to water supply and sewerage districts. In fact, I have found out that the third largest town in the Northern Territory is neither water-supplied nor a sewered district. These 2 bills will mean nothing to Nhulunbuy. I ask the minister to consider Nhulunbuy as part of the Territory. The people in that community deserve and, indeed, need the protection that the health provisions of this type of legislation provide, not because people who maintain the services in Nhulunbuy at present are in any way remiss but, as a matter of course, legislation in the Northern Territory should at least cover all major population centres. I would ask the minister to address himself to that.

The Water Supply and Sewerage Bill basically replaces the present Supply of Services Act. It is quite extensive. The old act has been revamped but basically the bill has the same intent as the old act. I believe one cause of consternation is the way that charges for the supply of water will be applied. There is some consternation amongst the government ranks as to whether or not they should be levied on the owner of a property or the tenant. I appreciate that it is very expensive for the Department of Transport and Works to collect charges if meters have to be read continuously through the year whenever a building changes occupancy. However, one of the principles involved in excess water charges is related to consumer awareness and trying to bring about consumer awareness via the hip pocket nerve. It is a reasonably successful way for people to relate to the cost of services. On balance, while it may be expensive for the department to continue to read meters throughout the year, it is also worth while that we continue to remind consumers of the cost of providing these services.

Proposed section 42 deals with the powers of the director in relation to inspection of material over and above the Australian Standards Association. This is very worth while. While the Australian standards apply to most of the population of Australia, I am led to believe that some of the materials recommended are simply not suitable for the tropics and it is appropriate that the director have the right to recommend the use or otherwise of those materials which have been recommended by the Australian Standards Association.

Part IV of the bill deals with penalties. These penalties reflect the offences and - to be very clear about this - the supply of water and the disposal of waste can have a horrendous effect on a community. There are quite a number of diseases that can be inflicted on a very broad section of the population and, in some cases, at lightning speed. The penalties certainly reflect that and also, in a number of cases, the need to protect the sewerage system from people who, without regard for the general community, dump various noxious wastes down their systems.

The Plumbers and Drainers Licensing Bill deals with the establishment of a Plumbers and Drainers Licensing Board and the powers and functions of that board. The main innovation would be that the Territory's plumbers would fall into line with the licensing requirements of other plumbers throughout Australia. They would be subject to the same examinations for certificates of competency as those set down by the Australian New Zealand Reciprocity Association. This is essential. Then we can bring plumbers into the Territory and insist that they have the qualifications which are asked for in the rest of Australia and throughout New Zealand. It is a plus for the Territory in that our plumbers will be as qualified as any in Australia and every plumber that I have spoken to commends those areas of the bill which apply to that.

There is some difficulty with clause 38 of the bill which deals with work done by an unlicensed person. It has to be decided whether or not to make it legal for people to change washers in cisterns and make minor repairs in their own house. Under the present act, it is an offence to change a tap washer. It is an offence to change a washer in a cistern. How to legislate for these commonsense, day-to-day plumbing repairs required around any house without introducing a minor repairs' definition which would eventually emcompass 3 pages itemising and defining every single job that a householder would be allowed to perform is beyond me. I do not know of a single place where a person has been prosecuted for inserting a tap washer. I cannot think of a single case where that has been done. The Chief Minister may have some personal knowledge of inserting tap washers but I am afraid I do not share his experience. It seems to me impossible to legislate for these eventualities.

What must be realised by the public is that people would not be prosecuted for such minor repairs carried out at home but that it is essential to their own health and to their neighbours' health that plumbing repairs be left to qualified plumbers. It would be ludicrous to try to include in legislation all these minor repairs that most people take for granted. It would be an absolute waste of time. I suppose we have things in the law that we are not going to enforce. That is an endless debate. There are many things in law which are not regularly enforced. They are more a guide for the public to follow.

I would hope that the present section 38 of the bill is not tampered with and that the minister proceeds with that section in its present form. To conclude, both of these bills rely upon the declaration of a water supply or sewerage district. They do not apply to Nhulunbuy and I would ask the minister to direct himself to that in the near future. I support the bills.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak to the 2 cognate bills that we have before us. I do so with some reservation. I realise the importance of these bills. I realise the enormous effort and time that has gone into the preparation of these 2 bills. The people responsible are to be commended for their efforts. But I believe that there are many considerations that have to be looked at. I hope the minister in his reply will be able to satisfy some of my queries.

Every now and again we have the opportunity to take a long hard look at just where we are heading as far as regulations and controls are concerned. It may be controls and regulations over people's activities or regulations on business, tenancy etc. The opportunity is here today in the form of these 2 bills: the Water Supply and Sewerage Bill in the case of services and the Plumbers and Drainers Licensing Bill as far as licensing is concerned.

I am not really much of a water supply and sewerage man. I have occasionally changed the odd tap and I have had some experience setting out irrigation systems.

I have been involved in the actual work there so I have had a little experience in that area. However, it has indeed been an interesting experience reading through these bills, particularly the Water Supply and Sewerage Bill. This is the bill that I wish to direct my comments to today because there are a number of clauses that worry me.

I tried to relate the provisions of the bill to how they would affect me as a handy man. I was a little concerned at the tremendous power that the director had and I query whether some of the clauses should really have been included; for example, clause 54 covering waste disposal units. I can foresee industrial waste disposal units causing problems. Large units could be used to grind all types of materials which would be passed into the mains sewerage system. But, in this particular case, we are referring to small household disposal units. These units can be purchased from hardware stores and I guess some of us have actually installed them at home. Under the clause that has been mentioned, unless people obtain written approval from the director to install one of these waste disposal units, then they are liable to a penalty of $500.

What really hit me was subclause (2). If one of these waste disposal units had been installed prior to the commencement of this act, then the occupier of the premises must, within a period of 3 months, notify the director in writing that he has a waste disposal unit on his premises. I find it difficult to understand in the first place why such a small unit as a household waste disposal unit should require written approval. I query whether or not the director is able to deny approval.

Even accepting that there is good reason, I cannot see how we would enforce the provisions in subclause (2). There are thousands of waste disposal units in houses in Darwin and other areas which will come under this particular act. I point out that it is the occupier who is required to write to the director to obtain approval. A person moving into a place accepts that a waste disposal unit is there according to law. I cannot see how we could police this particular subclause. I query whether it is necessary. We would require a massive education program to let people with waste disposal units know that, when these bills become law, they will be required within 3 months to notify the director, and that, if they do not, they are liable to a penalty of $500.

I might say here that, in most cases, owners do not have a clue of what is required to be registered or licensed as far as the fittings or fixtures in a house are concerned. Most of these matters are taken care of by architects, contractors or builders. I have a waste disposal unit in my house and it is only because I am involved here that I know it will be a requirement, if this law is passed, to notify the director in writing within 3 months that I have such a unit. That is ridiculous.

Another clause that does concern me - and it is fitting to raise it today, this being the year of the tree - is clause 58. If a tree is planted within 1.5m of a sewerage main, and the director requires access to that main, he is able to remove that tree. That is fair enough. But where adult trees are concerned, I think that it is an entirely different matter. Some trees have enormous root systems. Banyan trees, for example, have roots which can travel up to 40m. If these roots have caused damage or blocked the sewer, the director is able to notify the owner of the property in writing to remove that tree. If he does not comply, then he is liable to a penalty of $500. The director is able then to authorise people with machinery to enter onto the land where that tree is - and it could be 30m or 40m away - and remove that tree. After that, he is able to bill the owner for reasonable costs.

I know that there are times when trees have to be removed. When I was on the city council, there was great debate about whether a particular tree should be removed or not. A sewerage main had to go right through the middle of it. After debate took place, it was decided to leave this tree. The whole system was restructured and redesigned to leave this beautiful big tree where it was. I believe in most cases that people do think seriously before they take action as far as trees are concerned, particularly the older trees. To be able to take this drastic course of action, without any legal means of having the direction reconsidered, concerns me.

Mr Speaker, one of the provisions I am very pleased to see included in this particular bill is the issuing of identification cards to authorised persons. Subclause 28(6) states: 'An authorised person shall, on request, show his identification card to the owner or occupier of the land'. I think that consideration should be given to making it a requirement that any authorised person must present that particular certificate to the owner or occupier of land which he has entered or which he intends entering.

There are a few other questions I would like to touch on quickly. I hope that the minister will take note of these queries and perhaps give in his reply some answer. I have not been able to check whether my concerns are warranted but I would like to put them forward. Clause 35 deals with definitions. Again, I am probably nit-picking but, as the honourable member for Nhulunbuy said, everyone who changes washers in taps has actually been breaking the law anyway. If I change a brass tap to a stainless steel tap, I would be committing on offence. That is how this definition would read: 'an alteration in the type of material used for that installation'. I think that we are going a little too far when we start to get onto washers and taps. I would like the minister to address this particular problem.

Clause 36 states that work is to be of the prescribed standard. All plumbing and draining work carried out, whether for reward or not, in an area in which this legislation applies shall be in accordance with the regulations. I might have property - and I am not talking about a farm property which has a bore on it - where I wish to install some piping from which water is to flow. This is in no way to be permanently connected to the mains system but is to be used for an hour a day when it is connected by a hose from the mains system. If it is in a particular area, then that work would have to be carried out by a licensed plumber. An orchid house could be set up with pipes carrying the water through it. I could have a hose connecting from the mains system to the orchid house. The orchid house plumbing would have to be carried out by a licensed plumber. Is that really necessary?

We have clauses which deal with cross-connection. It is very important that those particular clauses should be in the bill. But where there is an irrigation system on a farm which is 0.5 km from the mains system, and is not in any way to be connected to the mains system, the way I interpret this bill is that it would be required to have a licensed plumber do the work. These things cost money. There is no danger to anyone and there is no threat to the health of anyone. That being the case, I cannot see why a person must comply with such regulations. I hope that I am wrong in that regard. The way I interpret the bill is that all that irrigation work would have to be carried out by a licensed plumber.

Mr Speaker, these are just some of the concerns that I have about the Water Supply and Sewerage Bill. It is necessary to have flexible legislation. It is necessary to have controls over the various types of materials and a uniform code of workmanship. However, I do ask that we look very carefully at the bills before us. We should not include clauses that do not have a

bearing on the health, safety or protection of people. Anything that does not affect those areas should not be included. I support the bills.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Minister for Transport and Works can go back to sleep again because I am not going to direct my mind to the specific clauses in this bill. I think it is appropriate to remind ourselves that the provision of water and sewerage systems of a very high standard is absolutely essential to the maintenance of standards of good health in the community. If one looks at the larger urban centres in the Northern Territory where we have a sophisticated European-type system of sewerage disposal and water distribution, we see that in rural communities in the Northern Territory, where lower standards of environmental health services or sometimes a complete lack of services exist, there is an equivalently lower standard of health. There is a very clear relationship between those 2 things. I am sure we all look forward to the day when all people in the Northern Territory are able to enjoy the highest standard of environmental services in water supply and sewerage and waste disposal. Of course this costs a great deal of money.

This leads me to consider a matter which is of some concern to me as the representative of an urban electorate in Darwin: the continuing provision of services of the high standard which people expect. There is no doubt that, in our urban centres in the Northern Territory, people take for granted - as people do in the rest of Australia - that they will have good sewerage systems and sufficient water supplies. They never think of what it costs. The fact of the matter is that it costs a great deal indeed. It costs an even greater amount of money to provide those services in isolated places and in tropical areas such as the Northern Territory. I understand there is no larger European settlement closer to the equator than Darwin. This indicates that we are in a unique situation and it is a matter to which we must address ourselves.

People look at electricity services and they are increasingly realising that they are costly. On the other hand, they take their water and sewerage systems very much for granted. They do not appreciate what they cost to provide. Certainly, they are not expected to pay proportionately. The system runs very much at a loss and undoubtedly will continue to do so.

In the old areas of Darwin, the central zone sewerage system in the future will require a great deal of work done to it. It is an old system which suffers from various deficiencies. As a result of Cyclone Tracy, its connections were broken off and not repaired properly. The cost of replacing and repairing the system will be enormous. I do not know how the Minister for Transport and Works will be able to overcome this problem but I do think that it is something that we need to be aware of. I think some effort will have to be made to alert the people of Darwin and the Northern Territory that, if they want to enjoy the high standards which are enjoyed in developed countries, it will cost a great deal and, particularly in Darwin, a lot of work will need to be done. That will be a very major matter indeed.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to speak this afternoon on these 2 bills regarding the provision of sewerage and water services and the regulations applying to plumbers and drainers, I am cheered by the fact that the Minister for Transport and Works has said that he intends introducing many amendments to these bills. I will go through the bills separately rather than generally.

The first bill relates to the provision of sewerage and water services. I found it to be grossly deficient in the first definition: the definition of 'domestic sewerage'. If the draftsman does not know the difference between sewage and sewerage, I do not hold much hope for the rest of the bill. I found

it very difficult to read the definition of 'owner'. For something as routine as the supply of water and sewerage services, the easier it is for the ordinary person to read the legislation, the better it will be for the whole community. Tradesmen like plumbers and drainers will have to deal with this legislation. I found it extremely difficult to read and I am not certain that I understand it correctly. I hope that, if amendments are made, the definition of 'owner' will be clearly expressed. Proposed subparagraph 6(1)(a)(ii) seems to presuppose that amendments to the Crown Lands Act will go through unamended in respect of perpetual leases and perpetual pastoral leases.

I was pleased to see in the bill that the powers of delegation are the same as in other legislation. That was easy to read. Clause 11, notice of operations, is quite extensive and details what a person may or may not do and what the director may do when different sewerage constructions are effected. As I see it, the whole clause seems to be overwhelmingly in favour of the government in respect of entry for survey and construction of water and sewerage mains and ancillary activities. Again, reading through all of clause 11, an owner who is gainfully employed shall not complain about any inconvenience or monetary loss caused by his attendance when entry and inspection is made on the property. That includes possible capital loss. Not only has the owner to grin and bear the intrusion but he shall not obstruct these works even if holding strong objections to them, and shall give all assistance in accordance with this legislation. I think that this may be taking things a little too far and coming on a bit heavy. It may well be in the interests of the community and the public that a person not offer any obstruction but to be required to give all assistance is going a little too far.

I do not consider the safeguards extended to the landholder by subclause 11(6) are adequate. Subclause 11(7) mentions culpability on the part of the government and speaks of adequate protection for the landholder. The big question is: who assesses the damages? The owner might have a particular reason for assessing damages in one way and the government, represented by the director, may have reasons for assessing them another way. The penalty for not welcoming with open arms the intrusion of people who survey and inspect your property can amount to $4000, which seems to me to be a little heavy.

I do not have any disagreement with clauses 15 and 16 except that, as they perform very similar services, they should be worded similarly. There are inconsistencies between them and I think that should be taken into account again to make it easier for the people who are to work by this legislation.

Clause 21 covers disconnection or restriction of a water supply. Under paragraph 21(1)(d), water supply to a consumer can be cut off, either temporarily or permanently, where the consumer or other person on the land obstructs an authorised person lawfully on the land in the exercise of his powers under this act. I cannot understand why this should be so. Perhaps there should be some penalty, but it seems a bit Draconian to cut off the water supply.

Subclause 21(1)(e) says that, where a habitable dwelling is no longer erected on land to which there is a supply, unless the owner of that land requests in writing that the supply to the land be continued, the director will discontinue it. I cannot understand why the director is concerned. Clauses 12 and 13 provide that charges can be levied where services pass land that is owned. The owner will have to pay to have it connected to his block and, if anybody uses it with or without the knowledge of the owner, the owner will be billed. It is unfair to the owner, of course, but I cannot see why the director is concerned.

Clause 22 relates to disconnection on request. No fee or charge shall be

made for the disconnection of water but shall be made for the disconnection of sewerage. Again, I could not clearly see a reason for this differentiation.

Clause 24 provides that the director may, for the purpose of measuring the amount of water supplied to a consumer, place a meter on or in close proximity to that consumer's land. Particularly in the rural area, meters are not always on the consumer's land and sometimes not even in close proximity to that land. They are near the trunk main. I would like to see a lot of attention paid to this in the future because it could be open to abuse as the pipe between the consumer and the meter can be broken or tapped illegally.

Subclause 25(4) says that a charge be made for the supply of water through a meter installed under subclause (1) etc. It then lists the basis for charges. I could not find mention that an ordinary block of land is metered likewise for the supply of water running through it.

Now we come to a very interesting piece of legislation: paragraph 27(1)(d) which covers access to the meter. A meter is not considered accessible if an apparently aggressive dog is running around. I agree with that, but the clause also says: 'or other animal is loose on the land'. I do not know if it means an aggressive animal or just any other animal loose on the land. Not only is it loose on the land, Mr Speaker, but I find it very loose legislation. There are dogs in town but I do not think that many people have any other animals running around their blocks. Certainly it could cause a bit of confusion in the rural area. If we had town water at our place, someone who came to read the meter could find a wallaby running around.

Clause 28 provides that an authorised person may, at all reasonable times, enter land where a meter is located or proposed to be located. That should be more definite. The proposal may not be definite in the first place and yet this inspector or authorised person can poke and pry around. I think it is unnecessary.

Clause 28 also provides that an authorised person may clear a blockage in a sewer, enter a sewer etc. It states certain liberties that may be taken in carrying out the job, but it does not mention any inconvenience to the owner of the land where this sewerage distribution main may be or any ill effects or inconvenience the person may suffer or what can be done about that. If there was some damage, no doubt there would be debris on the person's block and the inconvenience of the smell.

Paragraph 30(1)(b) provides that, where water which has already passed through a meter is lost due to a leakage in the Territory-owned part of the service, the minister may assess the consumption. I cannot quite understand how that could happen. As I understand it, the Territory would own the works to the meter and the consumer would own from the meter on. Perhaps my knowledge of engineering and plumbing is not as extensive as it should be.

I will comment briefly about the work needing to be of a prescribed standard. I mentioned the leaky taps and the washers that have to be replaced. What a person does beyond the meter is more than 50% his business because it is highly unlikely the ordinary person could interfere with the water supply by introducing contaminants to the detriment of the rest of the community. I would be violently against that. Any other activity, as long as it is on his property and on his side of the meter, should be his own business.

Clause 38 relates to what a licensed person may do. I do not think that would go down very well in the rural area should it become a water supply area.

People are used to doing their own work. They are do-it-yourself people and I do not think they should be penalised for working for themselves.

Clause 39 mentions that the work must be inspected as soon as practicable. Perhaps other wording cannot be included there. Drainage, sewerage and water works usually have very deep drains. If they are not properly fenced and controlled, they can present quite a danger to the general public. I would like to ask the minister if 'trade waste' would include waste from an abattoir. I assume it would.

I was intrigued by subclause 51(3): 'Notwithstanding anything contained in this section, a person other than a licensed person may change a washer'. I think that is pretty good. Clause 56 relates to building over a sewer. Whilst I realise that a permanent dwelling over a sewer is completely unrealistic, I hope that reason prevails when people want to put things like demountable garden sheds over sewers in urban areas.

Clause 60 relates to unauthorised use of water. 'Subject to subsection (4), a person shall not, unless authorised in writing so to do by the director, use, whether on his land or elsewhere, a device or fitting ... in such a manner that water used by him is not recorded on a meter'. I would speak violently against this provision should it become rule in the rural area. There are several people who are just starting out in the rural area and who do not have the financial resources to put down a bore. They take their water from the town supply at a public watering point. To legislate against this is penny pinching to the extreme. If the rural area does come to be a water supply area and this prevails, I will be violently against it. I think most of the people, whether they are using public watering points or not in the rural area, would also be against it.

In regard to the Plumbers and Drainers Licensing Bill, I would like to ask the minister if this legislation was asked for by the trade. If it was, it is only fitting that we should fit in with their wishes. I am hoping that that is the case.

Clause 6 relates to composition of the board. I do not have any disagreement with the actual composition of the board. It mentions that 2 people must hold advanced tradesman qualifications in the combined trades of plumbing and draining. It mentions the dismissal of members. If these plumbers and drainers do not have a trade association, it appears from my reading of this legislation that the Industries Training Commission would have the power to dismiss them. I do not think that is what should be done by this legislation. I cannot suggest who would be competent to dismiss these people. I do not really think the Industries Training Commission is the body to do it.

Clause 16 gives the functions and powers of the board. It is a comprehensive list of functions which cannot be added to. I was rather concerned to read in subclause 16(b) that the board has the power to issue or cancel certificates of competency and reciprocity certificates for advanced tradesmen and journeymen. Comparing that to clause 21, it should only cancel certificates in cases of misbehaviour against their trade of plumbing or draining. Clause 21 says the board may cancel the certificate of competency issued to a junior or advanced tradesman only in circumstances where the certificate was issued in error. I do not consider that clause 21 is correct. I think it should be written more with a view to fitting it in with clause 6(b) so that, if a person is incompetent or is guilty of misbehaviour against the trade, then he can have his certificate cancelled also.

I was pleased to read of the reciprocity between Australia and New Zealand.

I have not seen this mentioned in legislation before where it relates to trades. I applaud this. I believe it already exists between certain professional groups which come under the legislation of the Northern Territory.

Clause 38 relates to carrying out work when unlicensed. I would like to mention the work that is done in the rural area by people on their own blocks. If the rural area does become a water supply area, and clause 28 is not changed, there will be quite a bit of trouble one way or another. Quite a few of my constituents, including my husband, will be in jail for long periods of time or they will be up for quite a few fines. People out in our area do as much for themselves as they can. I cannot see why they should be penalised if they are doing work for themselves which does not interfere with community standards.

In conclusion, the minister has said that he intends bringing in several amendments to these 2 pieces of legislation. I hope that, if these amendments are brought in, the people in the rural area will not be penalised.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I appreciate the opportunity to express an opinion upon the 2 bills. I thank the minister for allowing this. He has mentioned a considerable number of amendments.

I do have several real concerns with this particular bill and I hope that I might be able to put forward a few workable suggestions to solve some of the problems that I see. The member for Tiwi mentioned a couple of things that interest me. She said about clause 30 of the Water and Sewerage Supply Bill that she could not understand how it could be that, after being metered, water could leak onto Crown land before it got to a person's property. Normally, one would expect that the meter would be just on the property. Therefore, the pipes would be on the property and, if the leakage develops, then one should say that it is the duty of the owner to get it fixed. However, there is one classic example in Alice Springs of a water meter at least 300m from a property. It is on the Stuart Highway. It goes to 2 properties and, unfortunately, the pipe after that meter often is run over by cars going up a river bed. It often gets damaged and a considerable amount of water is lost. I think it only fair that the minister have the power to assess the amount of water that the people actually pay for in this particular case. Ideally, of course, the meter should be moved right up to the boundaries and 2 meters be put in.

She was also concerned about illegal tapping into a water supply still on Crown land. Well, of course, that is an offence and is well and truly covered. She also said that she hoped that legislation was agreeable to the people in the trade. This is where I disagree. There is a film out called 'I'm for the hippopotamus'. Well I must state my case here: I am for the consumer. I will elaborate upon that as I go on.

The member for Fannie Bay mentioned that there is a very high standard of water and sewerage reticulation in the Territory. I would agree. It is very important. Health is a vital consideration. She also mentioned that, in the town areas, it is better than some of the rural area of Darwin. However, as I understand it, much of the rural area of Darwin in not under reticulated supply. Of course, if it is people's own supply, it is not covered by the bill. She said people are not aware of the cost. I was not aware of the cost. I am not completely aware of the cost now. But I have had it indicated to me that what we pay and what it costs for water are rather a long way apart. She mentioned that people are aware of the cost of electricity because, if they look at their bills, they know that they are being charged half of the actual cost. Perhaps the government could consider indicating on water bills the real cost so that people might be a little more careful.

The member for Nhulunbuy suggested that the hip pocket nerve is what makes people realise. I am afraid that is the cruel truth of it and I am very pleased to hear that he has that opinion because I am of much the same opinion. However, I am not at all as happy as he is about clause 38 of the Plumbers and Drainers Licensing Bill. Mr Speaker, I have been doing what a lot of other people have been doing. I have been apparently committing offence after offence for many years. Ignorance is no excuse. Then again, neither I nor a lot of other people have been hauled over the coals for illegal plumbing. It is going on all the time. He did mention that, for some reason or other, it was most important that plumbing be done only by a licensed plumber. Why a licensed plumber should have such a better knowledge or such better interest for the health of people in a household, I do not really know. He did not explain that. He did say that people do change taps and washers etc and that we cannot stop them. It was all too hard to listen to. I hope to be able to suggest some remedies for that particular problem.

Turning to the bills, I think the best way to get people to save water is to get them to realise the charges actually involved in supplying water. I have already gone over those particular points. The Water Supply and Sewerage Bill mentions that the owner should be charged. It was suggested that it would cause less problems to collect money from the owner than from a lessee. That may be true but, by the same token, if someone is renting a property, the cost of the water will be included in the rent. It is likely then that the owner will charge extra to make sure it is covered or, on the other hand, the lessee use more water because he is being charged a set amount. Wastage could be a consequence of that. It is a matter of balance between the 2 - which is the lesser of the 2 evils.

Clause 37 mentions a permit to carry out work. On the drainage aspect, I agree to a point but, on the plumbing side, I have grave reservations. The procedure at the moment to carry out plumbing or draining work is to apply for a permit on the right form, pay the fee, submit a plan or have one drawn up for another fee. A permit could then be granted. It is also necessary to complete a 'commence work' notice and the supervision of the job must be done at least by an advanced tradesman. A completion notice is required and 3 days must be allowed for inspectors to come and inspect. In some situations, I suppose, goodwill would cover this. Waiting for water or toilet services over that period could be somewhat difficult. Then there is the inspection fee, and the inspector, if he is satisfied, would issue a certificate.

I rather like the idea of a certificate. However, I am somewhat concerned about the amount of supervision and how much it is going to cost because the consumer is the one who will be hit in the long run. If a journeyman or an apprentice is doing the job, according to the definition on page 2, he has to have an advanced tradesman watch over his shoulder and make sure that the job gets done properly. But even then, the advanced tradesman is not trusted. He has to have the inspector come around and check it yet again. I can see that these checks and inspections and so forth are simply going to add to the cost. I ask what the advantage is to the consumer. I am somewhat dubious about the advantages of all this checking. It is costly; it is over-supervised. Sure, health is important and that is why I feel that the sewerage work should require inspection.

I like the idea of the inspection certificate. I believe it should be part of the household papers. I would have the building inspector sign those papers for each stage of the house construction and the papers made available when the house is sold. That would be useful for sale purposes but there is no guarantee that, with all this checking, we would have an absolutely foolproof system. Nobody can guarantee that it would be trouble free.

As for building over sewerage lines, that is really covered by the building permit. One of the first duties of a building inspector is to check to see where the sewerage lines are. If building is to take place over the lines, then it does not necessarily mean that it cannot proceed. It may be necessary to dig now and surround the pipes with concrete so that the risk of having to dig them up is very small. That is a sensible rule.

Subclause 60(4) mentions that a hydrant can only be used for fire-fighting purposes. I would like it to take into account the use of filling swimming pools. At the moment, if you want to fill your swimming pool, you find someone who has a fire hose to lend you. A carton often does wonderful things in that direction. You go to the water branch and give the staff the dimensions of your pool. I did it myself just recently. They calculate the volume. I paid for the water and we went and filled the pool. It is happening all the time. I just joined the queue with the rest of them. I believe that is a useful service.

Also, fire hydrants are often used by the council and contractors for road waterings etc and for the trees along the streets in Alice Springs. I would hate to see that stopped. I am not saying that it should not be paid for but I would not like to see it stopped by that particular clause.

On the subject of water waste, if the cost of water was brought to people, then far less water would be wasted. It has not happened over the latter few years but, in my early days in Alice Springs, there were continual complaints about certain people leaving sprinklers on seemingly day and night. They were getting free water or someone else was paying for it as part of their contract and there was a great deal of abuse of it. It gained a lot of criticism, and deservedly so.

On the subject of prescribed materials, one way of handling this to make it legal for prescribed types of material only to be available in the Territory. If a particular material is found to be unsatisfactory and could be replaced by something better, then the action would be that suppliers would get rid of their stocks of the less satisfactory material and supply the better material. I think that is in everybody's interest.

These bills allow a reciprocity or portability of a tradesman's experience and his certificates so that he can go interstate or to New Zealand etc. In a sense, I support this idea. I cannot see why a Territory-trained person should be disadvantaged if he wants to enter into trade in other states. This will be a costly business to set up and administer. However, I worry about the wisdom of what other states are doing in this matter. I see this bill as supporting the old guild system, protecting in a sense the high priest of plumbing and maybe some bureaucratic kings. I may not be liked for saying that but that is the way I see it. It will certainly make it costly for the taxpayer. The consumer will be the one to pay, and I ask to what advantage. The consumer is the person whom I am interested in.

Clause 38 of the Plumbers and Drainers Licensing Bill and clause 51 of the Water Supply and Sewerage Bill state that a person can change a washer. My own experience in plumbing started in about 1975 when I was working on a garden project for the Alice Springs High School. We wanted to get some water into an area which was a part of the old Connellan airstrip. It was nice hard ground, believe you me. So having got a few dollars out of the principal, I went around to see one of the plumbers. I told him what I wanted to do and he said to use PVC pipe instead of iron. He gave me some glue and lengths of pipe and said that, for the uprights, I would need iron pipe because the PVC rots if it is exposed to the air. Back I went to the school with the kids. We got out there, we dug the trenches and we put in this particular line. I always wanted to know what

the name of that particular glue was because it was tremendous stuff. All you had to do, having cleaned up the ends of the pipe, was to wipe a bit around the inside of the female joint, some on the male joint, bond them together and give it about an eighth of a turn. It was then stuck solid. It would take full pressure from then on. Since then I have only had glue that must be left for about 24 hours before any real pressure could be put on it.

At my own home, I have changed the lines of pipes around the place with PVC. Iron pipes have rotted and I have replaced them. I put in a swimming pool and had to reroute the pipe around it. As far as I am concerned, the whole matter is child's play. Modern materials are very simple to use. They are designed that way. They are designed for the handyman and I am sure that is what the manufacturers intended.

It would take a large number of inspectors to police this. The courts would be jammed and offences against drunkenness would pale into insignificance because people are effectively breaking the law all the time. South Australia is expecting to introduce legislation on this but I consider it to be very heavy-handed legislation. That state does not have inspectors persecuting people but I was told that there was always the fear of water contamination and, should that happen to clobber people, the legislation is available to do something about it. Well, I do not know. I see it possibly as desired by those who have a vested interest in the plumbing business. If we can threaten and frighten law-abiding people into not doing it, then that means there is more work available for the tradesmen. I certainly would prefer an honest approach to this. Let us say so. Let us make it an offence to contaminate the water supply.

Apart from that, I do not see a great deal of danger. Surely a person working on his own property has his own health and that of his family in mind. We expect him to take as much interest in that as anybody else. I am not at all keen on the business of lodging a plan, particularly for the plumbing side - the water pipes. I do not believe that it is necessary. If a pipe is the type that breaks, all that is really needed is an axe to cut out the piece. The pipe must be dried, the ends cleaned with steel wood or some cleaner and a new piece glued in. It is as simple as that. There is no real mystique behind the whole thing.

On the other hand, with the sewerage side, I believe the plan is necessary. It involves more expensive materials, it goes in deeper and in time the plan which is lodged with the Water Division can be very useful. When I was extending my house, I thought I would have to dig down and cement around the sewerage line. Fortunately, I went in and checked the sewerage plan and found that the pipes diverged away from the house, much to my relief. It is important those plans be available. The health aspects of the sewerage side certainly concern me. Certainly, I am very supportive of the idea of definite inspection before connection with sewerage. The certificate should be there.

I believe a handyman can do a lot on the sewerage side. There will be a code he can follow and he can get advice from suppliers. These people are happy to give it. Digging trenches is a difficult and very costly side of the whole exercise but, if the person who owns property can do it, a considerable amount of money can be saved. Plastic pipes are available now. A person should be able to set them out, get them inspected, do the job and then have the whole thing given a thorough inspection and paid for according to the amount of time involved in that particular inspection. A certificate should then be issued to become part of the household papers.

On the plumbing side, I think a private owner of land should be able to

take over from the meter on the property. He has his own best interests at heart. He should be able to carry out what work he wishes. If something goes wrong, if a pipe bursts, it is going to be that particular person who has the problem. I suggest that it would be a good system, if the owner wants to have a certificate for the work that he has done around his own place, that he follow the normal rules as suggested and then pay for an inspector to come around and look over the work to see that it is up to standard. If it is satisfactory, then the inspector could issue a certificate which becomes part of the papers of that household. If a person is wise when considering the purchase of a house, he inspects the whole thing thoroughly. Certain things, however, cannot be inspected. If a certificate is there, signed by a licensed inspector to say the work has been thoroughly checked and is to standard, the prospective buyer knows everything is all right even though the work was done by a home handyman.

I do not believe, Mr Speaker, that we should necessarily follow the practices of the states in this area. To protect the consumer, maybe a guarantee to make good any defective workmanship for a period of time after should be available from licensed plumbers and drainers. If a person wants to do his own work or get a friend in to help him, or even just get someone and pay him for the work on the side - which should of course be declared in income tax and is one of those areas of concern to Mr Howard - there is no such guarantee. The best thing is to have certificates. The need to have this advanced certificate before one can effectively take on a job concerns me. I believe that the tradesman should be quite capable in his own right to do most of these things once he has become a journeyman. If the work is going to be inspected by an inspector, is the extra cost to employ an advanced certificated person warranted? I know the advanced certificate is part of the reciprocity agreement. If it is required by a state, I think our own people should have access to it so that they can go interstate and work if they wish to.

I will end, Mr Speaker, with the following quotation and I will make some comments afterwards:

> *Long apprenticeships are altogether unnecessary. The arts, which is much superior to common trades, such as those of making clocks or watches, contain no such mystery as may require a long course of instruction. The first invention of such beautiful machines, indeed, and even that of some of the instruments employed in making them, must no doubt have been the work of deep thought and long time and may justly be considered as amongst the happiest efforts of human ingenuity. But when both have been fairly invented and well understood, to explain to any young man in the completest manner how to apply the instruments and how to construct the machines cannot well require more than the lessons of a few weeks, perhaps those of a few days might be sufficient.*
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> *In the common mechanical trades, those of a few days might certainly be sufficient. The dexterity of hand, indeed, even in common trades, cannot be acquired without much practice and experience. But a young man would practice with much more diligence and attention if, from the beginning, he wrought as a journeyman, being paid in proportion to the little work which he could execute, and paying in his turn for the materials which he might at some time spoil through awkwardness and inexperience. His education would generally this way be more effectual and always less tedious and expensive. The master, indeed, would be a loser. He would lose all the wages of the apprentice which he now saves for 7 years altogether. In the end, perhaps the apprentice himself would be the loser.*

I have not got the rest of it but it says that, if you get an excess of

supply, the consumer would obtain the advantage. Some of you may be aware that that was written by Adam Smith back in 1776 in the Wealth of Nations. Mr Deputy Speaker, the materials involved in the plumbing and draining side these days are very simple to use. There are certain rules that need to be looked at which would be in the code. I suggest, in the interest of the consumer and in the interest of keeping the costs of housing and the maintenance of housing down in the Territory, that we should look very carefully at what is in this particular bill.

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, the honourable minister in charge of the passage of this bill is probably delighted that the opposition is supporting the bill, otherwise he might not get it through. He seems to have a great problem with his own back-bench. We have just heard the member for Alice Springs explain, interminably, why we do not need qualified tradesmen in the Territory. Apparently the honourable member for Alice Springs is capable of encompassing, in his infinite wisdom, a number of trades. He kept saying that he does not really feel that people should need to have the experience and be qualified tradesmen to carry out domestic work. Well, Mr Speaker, I shall not accept an invitation to dinner at the honourable gentleman's house if such is ever offered because, if I turn on a light switch, I might go up in a sheet of flames. I have no doubt that the honourable member has installed his own light fittings along with his own sewerage and sees no reason for trades whatsoever. I wait with bated breath for the Leader of the House, who has responsibility for the Industries Training Commission and trade training, to respond in some detail to this attack upon honest tradesmen. I have never heard such a load of rot in all the years that I have been in this place.

The member for Alice Springs, in mentioning his expertise in the field of plumbing and draining, mentioned the time when he was installing some pipes apparently in conjunction with work being done at the Alice Springs High School. He did not even notice that he got his advice on what kind of pipes to install from others more qualified than he. Had he not received that advice, the pipes might have been rotting above ground and below ground.

What we have heard for the past 25 minutes is an attack on a trade which most members regard as a most necessary trade, along with the electrical trade and the building trade. The honourable member for Tiwi said something in the same vein. She obviously believes that householders should have certain tradesmen carrying out licensed work as long as they are within the municipalities but no such similar provision should exist outside those municipalities. I have been driven to my feet to say that I found this line of reasoning to be quite illogical and ridiculous.

I support the licensing of vital trades such as plumbing and draining, electrical work and a few others. The only difficulty I have with the Plumbers and Drainers Licensing Bill is subparagraph 23(2)(a)(iii): 'An application for the issue of an advanced tradesman licence shall, in the case of all applications, include 2 character references in writing at least one of which is from a person who employed the applicant as a journeyman'. I cannot understand why a licensing board would really need character references. References as to competency of work carried out I can understand but I do not really see that the board should worry whether the tradesman is a wife basher, a husband basher, an eye gouger, non-religious, a dog basher, a child basher or anything else which is generally regarded as character reference. I would ask the minister in his reply to indicate the necessity for character references as distinct from references as to competent tradesman-like work being carried out as a journeyman.

Mr Acting Speaker, some of the government back-benchers who spoke are obviously unaware of the way in which sewerage works are carried out, inspections

particularly, when a householder has to call in a licensed plumber and drainer for repair work. If it is a major repair job, such as I had done 3 months ago on my property, the inspectors from the Department of Transport and Works Water Division will inspect the work done by the licensed plumber and drainer but the householder is not charged for those inspections. The householder pays the licensed plumber and drainer whom he employs to rectify the fault. The department has an overriding interest to safeguard the health standards of the community and the inspectors inspect the work, and give certain directions to the plumber and drainer as to backfilling and method of replacing pipes. The consumer is not charged for that part of the work. That is borne by the taxpayer who supports licensed boards and the concept of state instrumentalities having the overall responsibility for work being carried out in a competent, tradesman-like manner which will ensure the safety of the health of the community. That is the reason we license plumbers and drainers and to suggest that the licence is not necessary is arrant nonsense.

Debate adjourned.

TEACHING SERVICE AMENDMENT BILL
(Serial 174)

Continued from 16 March 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this short bill is to allow for limited tenure employment of school teachers in the Northern Territory. It is essential that this be done. The example that the honourable the Minister for Education gave in his second-reading speech was quite valid; that is, the problem that Darwin has of refugees with young children who need instruction. We could suddenly have 50 or 60 children on our doorstep requiring an education that cannot be provided by teachers within the teaching establishment of the Northern Territory. It is necessary to have this kind of flexibility. In fact, the practice already exists and has existed for some time. This bill merely seeks to formalise an existing arrangement.

I have had discussions with the organisation most directly affected by this bill: the Northern Territory Teachers Federation, It is satisfied with the bill. The opposition is also satisfied with the bill and supports it.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, this is a short bill but an important one. The idea of limited tenure already operates and is necessary as far as I am concerned. It has many advantages in that it does allow for part-time teachers to be brought into the workforce in an emergency. There are many teachers in the community who, because of family commitments and other reasons, do not want to take up full-time teaching. This is one way their experience can be drawn upon and I believe that, in future, we may need that even more. These people have given excellent value to the community and to the teaching service. I commend this proposition.

If you have this limited tenure, an unknown person will be able to demonstrate his capabilities. Often, paper qualifications do not necessarily mean that the person will become an excellent teacher. I remember some of the honours degree people who did not fit in well with the teaching scene. To my way of thinking, they were almost too bright. They could not see the problems that kids have because they did not have them themselves. If you have to battle with studies yourself, then you appreciate far more the problems that kids have. Here is a way of checking the unknown people to establish their quality. It could often lead to a permanent position for them in the service.

I met a former friend of mine who is a headmaster at one of the schools

in the Top End. He told me that he is having considerable difficulty in obtaining secondary school teachers. I was of the opinion that we had a considerable glut of teachers but he said that, in the secondary areas, this is becoming a problem. He lost one of his teachers to NSW one week into the term. Another friend said that his school is short of maths and science teachers. It is very difficult to replace these particular people. We may well need more of these limited tenure people who are prepared to work on a part-time basis. I support the bill.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Education)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

PLANNING AMENDMENT BILL
(Serial 193)

Continued from 16 March 1982.

Mr SMITH (Millner): Mr Speaker, this bill amends the act to allow the minister to prepare and approve a planning instrument in respect of any land in the Northern Territory which is not within a planning area or a local area. The reason given by the minister in his second-reading speech is that it will provide for orderly development in non-constituted areas. These are areas immediately outside town boundaries, along major highways and along the proposed Alice Springs to Darwin rail line.

The Labor Party supports this bill. It is obvious there is a need for some control over development, particularly on the approaches to major towns. There is an increasing amount of visual pollution, particularly in the form of signs. As I understand it, at present there are no controls over these signs outside the designated planning areas. For that purpose alone, I think it is important that a bill such as this be introduced and passed.

Shortly after arriving in the Northern Territory, I can remember reading a comment by Keith Willey who is a prominent journalist. He remarked in that article about the shock it was for him driving into Darwin because of the unpleasant nature of the surrounds as one comes into Darwin. I accept that he was perhaps commenting on the areas that were already within planning areas. Certainly, there is a need to beautify the approaches to all major towns in the Northern Territory. One effect of this bill will be to provide for the necessary planning of that to take place. The Labor Party takes pleasure in supporting this bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, had I been speaking to this bill about 5 years ago, my views would have been completely different. Something has happened with age. Now I am prepared to be very amenable to this legislation because I consider that, unfortunately, it is necessary. I made known my views that I did not hold that planning was necessary in the rural area outside Darwin 5 years ago. The honourable member for Millner said this legislation is aimed at areas outside specified planning areas. Five years ago, I believed that people living in an area outside a defined municipal area should be allowed to do as they wished. They were living on freehold land in 99.9% of cases. Therefore, what they did on their own land should be their own business. Then my views were coloured among other reasons by the lower density of the population. If an undesirable thing was done by one person on his own particular block of land, it was not seen, heard or smelt by the people on the

next block or the people across the road. Whilst I would still like to think the same thing, circumstances demand that I think otherwise. I agree with this legislation.

For various reasons, more people are going out of town to live and the need for more controlled planning has been brought home to me more and more lately. Actual plans are now put up by certain subdividers and the restrictions that certain people living near those subdivided areas want to put on subdivisions are being expressed. I have listened to the views of the subdividers and I have listened to the views of the people who live nearby. I have listened to the people who are going to buy those blocks of land. It is very difficult to get a consensus of opinion and agree with everybody because, unfortunately, I cannot. More and more people will go and live in rural areas. Different minimum areas of subdivision will come about. Speaking very generally, it is usually younger couples who go to live on these blocks in the rural area. Younger couples have children. In considering subdividing an area, we must consider not only the actual subdivision but public services like schools and roads to service the people who will live there. Whilst I have strong ideas basically about somebody else ruling my life instead of me ruling it, I agree that necessity demands that, if we live in a community, we must consider others in the community.

Mr Speaker, I would like to comment on what the honourable member for Millner said about the undesirable view from the highway due to all the roadside signs. There are already regulations governing roadside signs. I have spoken on this at different places ad nauseum it appears to me. Whilst I consider that large billboard signs are completely unnecessary and undesirable on the side of the road, nevertheless I would hate to see a person's rights restricted to such an extent that if he lives off the main road and has some small business, he cannot put up a reasonably small, well-painted sign on the side of the road. I cannot see why he should not erect a small sign, tastefully painted so as not to distract people driving on the highway, pointing to the business he is running. I do not consider such signs an eyesore.

I do not know what other things offended the honourable member's eyes as he went down the highway. I do not consider any of the houses or dwellings in the rural area visually offensive. This is still a free world to some extent. People in the rural area do not have to live the same way as people in town and they can have different buildings built. Whilst some people might not find these very agreeable to look at, to me they display the individuality of the people. I support the legislation.

Motion agreed to; bill read a second time.

Mr PERRON (Lands and Housing)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr STEELE (Primary Production): Mr Speaker, I move that the Assembly do now adjourn.

Mr SPEAKER: Honourable members have sought a ruling from the Chair about reference to earlier debates. My ruling is that members may not debate the same subject matter that has been covered in earlier debates in the same session, nor should they connect their remarks to previous debates. As an example, regarding the Water Supply and Sewerage Bill, honourable members can naturally

talk about water and sewerage but they should not refer to the content of what has been debated.

Ms D'ROZARIO (Sanderson): Mr Speaker, this morning I asked the Chief Minister a question in relation to the administration of the Public Service Home Sales Scheme because I know there are some discussions taking place about changes which will alleviate to some extent the disabilities being suffered by certain categories of my constituents. However, I am not aware of the results of these discussions.

The question was prompted by the particular situation a constituent of mine finds himself in in relation to the purchase of his house under the Public Service Home Sales Scheme. This gentleman is a police officer and he applied to purchase his house in Darwin. Purchase was approved at 5.75% interest rate. The Chief Minister would know that 2 rates of interest apply, based on the income of the particular applicant, and that these are static rates; that is, they do not increase every year as rates on which the public home loans scheme do. This gentleman was obviously in the lower income category, being eligible for the 5.75% housing loan rate. His application to purchase his house was approved. He was then subject to transfer; I think it was to Groote Eylandt. Because he needed to rent out his house for the duration of his assignment in Groote Eylandt, which I think was to be for 2 years, the Northern Territory Housing Commission, which administers the scheme, told him that he would have to pay the top rate of interest which applied to the public scheme. I gathered from him that this was about 12.5%.

What becomes clear is that there are certain public servants who are subject to transfer, and I guess that fire officers and members of certain emergency services would be in the same category as my police officer constituent. These people are required to serve in remote localities. They then become disadvantaged by having to pay these excessively high interest rates, relatively speaking, on their housing loans.

It has to be said that this person had applied for a transfer to Groote Eylandt and his motives for doing so were entirely honourable in my view. He wanted experience in a police station in a remote locality. He wanted the experience of dealing with Aboriginal people and, in passing, he mentioned that, if he had wider experience, perhaps it would assist his promotional prospects in the future. Of course, this is the sort of person we want in the Northern Territory, particularly in the remote localities. The Chief Minister and all members would know that people are reluctant to go out and serve in these places voluntarily. They do not have the same facilities available as Darwin people but, of course, they are paid the same. The economic disadvantage that would be suffered by this gentleman was quite severe. Not only would he be paying at the higher rate of interest but also he would be ineligible for the 8.5% rate of interest, which is the rate applied to public servants on higher incomes. He did not have simply to make up a gap between 8.5% and 12.5% but between 5.75% and 12.5%.

In my view, there is a basic inequity here and I would say that, if this particular policy is persisted with, then the only people who would go out to these localities would be people who were transferred compulsorily or people with no housing or family commitments. Both sides of the Assembly have conceded that this gentleman is exactly the sort of person we need to establish in the Territory. We would like to see such people continue to work here. That was the reason for my question to the Chief Minister. I hope the Public Service Commissioner will look into this matter because it does affect not just police officers but also officers in other categories of emergency services.

Mr Speaker, the questions without notice raised by me today also bring me to a question which was asked yesterday by the honourable member for Millner. Yesterday, he asked the Chief Minister when it was intended to proceed with bill serial 36 on the Notice Paper, which is a bill relating to a register of members' pecuniary interests. This bill has been on the Notice Paper for quite a long time and, personally, I was disappointed by the Chief Minister's response. The Chief Minister indicated that it was not intended to proceed with this particular piece of legislation. He ended by saying that in fact he had not given it any attention in the last 12 months.

I believe that the interests members have outside of this Assembly are of interest to the general public. In my own case, this matter has already been raised. I would not be at all embarrassed to have it recorded in Hansard that I, in common with a number of other members of this Assembly, have extra-parliamentary interests. I am quite prepared to spell these out now and I invite other members to do the same.

This is a matter for the public record which I confirm during this debate. After the June 1980 election, I was asked by members of the press why I had moved from the portfolio of urban affairs, as we in the opposition used to call that particular portfolio. I saw no reason to be coy about those reasons so I expressed them frankly at the time. It was put to me by a member of the press that I was the appropriate person to hold that portfolio because I was the only person who had a formal qualification in the area. I said to the gentleman that there were good reasons for my wanting to shift out. One was that I might have it in mind to consult in the area and, secondly, it is not a requirement that members holding executive positions in the Assembly be qualified in the area. I recall at the time that I pointed to the example of the honourable member for Tiwi who is the only person qualified in agricultural science but who did not enjoy the portfolio of primary industry. This matter was taken no further. It was not newsworthy but certainly all members of the press who approached me about it were responded to quite frankly.

It is a matter of some concern that the extra-parliamentary activities of members may sometimes be thought to be in conflict with their parliamentary duties and this is the reason why the opposition has constantly urged the introduction of legislation which would require the registration of members' interests. Members in the first Assembly would recall that it was the then Leader of the Opposition who moved a motion which had the effect of the requiring all members to notify a registrar, namely the Clerk, of the extra-parliamentary interests, and this was to be in the form of a statutory declaration.

We all know that particular motion had no effect after the last Assembly because it only bound those particular members. It was thought the appropriate device for making these things public would be by way of legislation. Certainly, the parliamentary opposition had a fairly good record on this particular matter because it has consistently sought the introduction of this legislation. It is quite disappointing to find that the Chief Minister has no intention of proceeding. Indeed, as he said, he has not given the matter any thought for a long time.

Mr Speaker, I will say for the benefit of the honourable Leader of the House that I am involved in a number of matters from time to time as a planning consultant. I am also assiduous about conflicts of interest. It is a matter of concern to me that there are some members of the legal fraternity in this town who are so involved in the pursuit of their clients' interests that they are actually quite miffed when told that there might be a conflict of interest arising and that I must for those reasons decline to act. For example, I was contacted shortly after Christmas and asked to act in a matter concerning land in my electorate. The request was put to me that I should appear as an expert witness on behalf of a particular solicitor's client. When I asked him what

precisely he wanted my involvement for, he said he wished me to act as an expert planning witness and as the local member. I had to decline this particular request and also point out to this gentleman that, as far as I was concerned, this would be a direct breach of the provisions of the self-government act, which specifically prohibits members from accepting a fee or reward for acting in their capacity as members of parliament. Clearly, to ask me to appear as a local member for the area would, in my view, be a breach of that act. As I said, it amazes me that people in the pursuit of their clients' interests are so ignorant of the basic principles which would apply in relation to conflicts of interests in these matters.

It amazes me that the honourable Leader of the House should be so surprised at my activities because indeed I regularly appear in front of the Town Planning Authority and the Planning Appeals Committee. My involvement in this area is well known to those particular bodies, the people on them and indeed to other people who have an involvement in this particular area of activity. What does amaze me is that the honourable gentleman in fact held the portfolio for lands and housing for at least 12 months but somehow expressed some surprise at this coming to his knowledge.

Mr Speaker, I am one member of this Assembly who is quite happy to confess my extra-parliamentary interests. I would be quite happy to comply with the requirements of any legislation requiring members to register their interests. I would say that there are other members of both sides of the House who would be similarly amicable towards disclosing their interests. Certainly, the honourable members for Port Darwin and Tiwi and the honourable member for Nightcliff, who I imagine has a source of income from activities related to being a civil marriage celebrant, would like to lay before the community where their interests are and would like members of the public to know what additional interests they have.

I can confirm my attitude that I do believe that all people should know where they are in relation to government. It is a matter of amusement to me that, in a particular matter referred to this morning by the Leader of the House, I had a significant development going on in my electorate: the Hibiscus Shopping Centre. We were all quite excited at the prospect of a new shopping centre in the Sanderson district, particularly as it would have as its anchor tenant a Woolworths Supermarket. At the time that the Kern Corporation made its announcement, there was a great deal of discussion about retailing in Darwin, presumably because the Planning Authority had published a report about it. The Chief Minister made a statement welcoming this particular development and, lo and behold, in my capacity acting for Lend Lease at the time, a letter came to me by way of objection and in support of our submission from the wife of the Chief Minister who I had no idea had a retailing interest in another shopping centre somewhere in the vicinity. Clearly, all developers and all people who would have had any interest in the matter should know not only where the members of the Assembly stand but also where the interests of their spouses, if they are related to those of the member, lie as well.

I urge this government to take action to process this particular legislation either in amended form or in a completely new form. It is extremely disappointing to find the government so reluctant to proceed with this important matter. The community is certainly interested and I am not at all surprised that the Leader of the House should raise a matter such as this in respect of myself.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I am glad that the member for Sanderson has touched on the subject that she did. I have just had a few words to say to the ABC about it, as had the Chief Minister. I too was disturbed by his answer yesterday to a question from the member for Millner. I wish to place on record that I want the Chief Minister to proceed with that legislation,

particularly in view of the statement that he just gave to the ABC that it was all the opposition's fault.

Everyone here knows that the business of the government is in the hands of the government and the fact that the bill has been on the Notice Paper since November 1980 is the government's responsibility and not that of the opposition. It is nonsense to throw red herrings that the delay results from our objections and the desire to tighten up legislation. It has been on the Notice Paper since November 1980 and that is at complete variance with the statement that he gave the House yesterday which was that he had not even looked at it for 12 months and that he may not proceed with the bill at all.

I think the public has a legitimate interest in the pecuniary interests of its elected members. I am not suggesting that members should not have outside interests. I am not suggesting for one minute that the member for Tiwi, for example, should hang up her shovel. I am not suggesting, for example, that the honourable member for Port Darwin, who is always assiduous in delcaring his business interests in Darwin,should not continue to follow his star. In fact, I hope he does because I am sick and tired of moving office. I am not suggesting that he moves out. The Australian the other day carried a front page photograph of the honourable Treasurer frolicking about in the briny with his fish in his hand. No one is suggesting that he should not be Mr Aquascene as well as the Treasurer.

The key thing is of course that the public has a right to know that members' interests do not conflict with their responsibilities as members of parliament. That is the key to the issue. The only way we will accomplish that is for this piece of legislation to go through before the end of this year. It has been on the Notice Paper for long enough. If nothing else, I would ask the Leader of the House to ensure that it either goes off the Notice Paper or is proceeded with.

I want to touch just very briefly on a statement that was made yesterday in the House on what may seem to be a relatively minor matter. It was made by the Chief Minister who has responsibility for the environment. My concern is about cane toads. I simply want to put the record straight on that one because it is important for that area that the record be corrected. The Chief Minister said yesterday that, as far as he was aware, cane toads had no adverse effect on the environment; that they were simply nasty big brutes.

I would like to advise the House that cane toads have a very great impact and a very adverse effect on the environment. There is a species of animal known as dasyure, which is the native cat. There is a great body of evidence that cane toads have significantly removed that species from Queensland. As honourable members would know, the cane toad carries very nasty poison glands on its body. The native cats and a lot of feral animals prey on cane toads. Having ingested cane toads, they die.

The Northern Territory, because of the fact that we are not as developed as other parts of Australia, is in the fortunate position of having the largest population of dasyures left in Australia. In fact, it is the only place in Australia that has any significant number of these inique and attractive Australian native animals. I do want to reinforce that the introduction of cane toads into the Northern Territory would be an environmental problem of significant proportions.

Members of the Northern Territory Cabinet have a reputation for doing a lot of travel in the course of performing their duties. This must be expected and I have said in this House before and am happy to say again that, within reasonable

limits, you certainly will not hear me ever complain about the degree of travel by all honourable members of this House, particularly those members of the Northern Territory Cabinet. It is necessary to keep in contact with what is going on elsewhere in Australia and it is necessary also that reports of these overseas trips are provided to all honourable members. I commend the Chief Minister for his report of his recent overseas trip which I read today. It was obviously a very rushed trip indeed. It cannot be said that the Northern Territory does not benefit or Territorians do not benefit from these overseas trips. As a result of a recent overseas trip, I received a free book which I will read with a great deal of interest later. It is on the question of statehood in Alaska.

However, there is one factor attached to these overseas trips that concerns me greatly as a result of some very public statements made recently by a minister of the government on ABC radio. I believe that it needs raising because it needs to be clarified. The record needs to be set straight. It is difficult at times when ministers in such a small Cabinet are all away together. Honourable members would recall that, over the Christmas period, the Minister for Transport and Works was minister for absolutely everything because a number of his colleagues were in New Zealand, interstate or overseas. I am not saying that that is necessarily a bad thing although I do suggest in passing that perhaps the ministers in the Cabinet could arrange for a few more of them to be around at any one time than sometimes there are. I am sure the honourable minister himself would recall when he was the plenipotentiary for the Northern Territory and was responsible for everything.

This has great relevance in respect of the statements that were made on ABC radio by the Minister for Mines and Energy. The confusion that results from this can be very bad for government and for the order of government in the Northern Territory. This was highlighted about 2 months ago and was mentioned just recently in the same radio interview. It was quoted by the interviewer when commenting on how difficult it was for ministerial staff to keep up with what responsibilities the various ministers had from time to time because of their acting responsibilities. A senior staff member of one of those ministers told a reporter when he interviewed him that he just was not sure at that time exactly who was in charge of what and that included his own boss. Due to the mobility of ministers there is a considerable weight placed on the shoulders of senior public servants in terms of the day-to-day operations of the departments and of government. As a consequence, if there was any change in the key positions of these senior positions within a department in the absence of the minister, one would and should expect that, after his return, the minister would thoroughly investigate why one of his senior public servants was no longer there.

With this in mind, I would like to read a transcript into Hansard and I can assure the honourable minister that it is an accurate transcript and I still have the original tape. It is of a broadcast on After Eight on 6 May this year with the honourable Minister for Mines and Energy:

Question: What was said to Mr Pitman that led to his resignation?

Mr Tuxworth: Vicki, I am at a loss to help you there because I was not a party to the discussions. I was about 7,000 miles away so I guess you would have to direct that question to Mr Pitman.

Question: Have you asked the 2 ministers who were involved?

Mr Tuxworth: Well, one of the ministers has been away and the other one I haven't discussed it with.

Question: But doesn't it disturb you that ... Well, can I ask you

first: were you dissatisfied at all with Mr Pitman's performance?

Mr Tuxworth: Vicki, I think that the point to make is that, when a minister is out of the Northern Territory and other ministers carry on his portfolio, when he comes back whatever has transpired in the meantime stands.

Question: This is in fact your portfolio surely?

Mr Tuxworth: Well, when I am out of the Northern Territory, it is someone else's. The point I am making is that the most important thing for us to do is to look ahead and not back, to accept the resignations regretfully and to proceed with the business of appointing a new chairman, new members to the commission and get on with the business of the commission.

Question: Can I put it to you: in your absence, the chairman whose performance no one seems to be able to fault has resigned under the circumstances that one of the commissioners has said, to use his words, that his 'resignation was engineered'.

Mr Tuxworth: Well, I find your comment that people are not having fault with him curious because Mr Gray in particular has whinged ceaselessly since Mr Pitman's appointment about his activities and I don't think that any of us are perfect and, for anybody to say that Mr Pitman was perfect, would be just folly. I believe Ian made a magnificent contribution to the commission that was set up 3 years ago. He has worked very hard at it. I think he has done very well and he worked in an area when the Liquor Commission was virtually bringing law and order to the wild west.

Question: Well then how can you ... surely that is a contradiction? You thought his performance was good. In your absence, 2 other ministers took his resignation, accepted his resignation in your absence. Surely they could have waited until you came back.

Mr Tuxworth: Vicki, if Mr Pitman chose to resign, which he did and has done, then his resignation is accepted.

Question: Can I ask you whether Mr Robertson is perhaps the key to that question.

Mr Tuxworth: Why don't you ask Mr Robertson. He might be able to throw more light because he was there and I was not.

Question: Have you talked to Mr Robertson about what went on?

Mr Tuxworth: No, not at all. Not at this stage.

Question: Mr Robertson is not accessible to the media at this time. If we can move on to the Liquor Commission's performance ...

There you have it, Mr Speaker. A minister goes overseas and returns to find that one of his most senior public servants has been forced to resign or has been sacked. The point is that the minister had a Chairman of the Liquor Commission when he left and he did not have one when he came back. Some time later, he was asked why and he did not know. He had not bothered to ask, and that is quoting the minister himself. The minister who had managed his affairs in

the area of health had not bothered to tell him. Perhaps the Minister for Health might like to inform the Assembly whether or not he yet knows why Mr Pitman left his department because, according to the After Eight interview, he did not know and was not going to ask. Perhaps the Chief Minister might like to ask the honourable minister to sharpen up his act if this is the case - quietly of course.

Mr Speaker, one particular categorical statement that the minister made on that program concerns me very greatly in view of the necessary absence of Territory ministers and, as happened not so long ago, the absence of most of the Cabinet ministers together: 'I think that the point to make is that, when a minister is out of the Northern Territory and other ministers carry his portfolio, when he comes back whatever has transpired in the meantime stands'. If that is the case, then I will have to pay a little more attention to the absences of the Territory ministers. I do not want people to misinterpret what I am saying. I am not suggesting any of these trips are not necessary but the entire load of government should not be placed on the shoulders of 1 or 2 ministers as it was not so long ago. We all know how overburdened the ministers of this government already are. Each one has multiple portfolios and has complained about the load of work. If that is to be exacerbated by the entire portfolio load being carried on by 1 or 2 ministers and if, as the Minister for Mines and Energy categorically and publicly stated, every decision of the 1 or 2 ministers who are carrying the load of the government must stand in the absence of the minister in the portfolio, I suggest that the Northern Territory is travelling on very thin ice indeed. I would like some clarification of whether or not that statement is correct. During the infrequent occasions that I leave the Territory, I am in daily communication with my office and I am sure that all ministers are. We do live very largely in an era of good communications. I would find it difficult to accept that a minister's responsibilities toward his portfolio - and I draw all honourable members' attention to this debate in Hansard tomorrow because that is what the minister said - ceases when he leaves the Territory and whatever has transpired in his absence has to stand. I think that the Assembly and the Territory need some clarification of that logistical matter.

Mr DOOLAN (Victoria River): Mr Speaker, there is a matter which I would like to mention this afternoon which concerns the farmers on the Daly River. I know that they have corresponded with the government on this and other matters but I have been requested by them to bring these things to the notice of the Assembly. The water in the Daly River at present is contaminated and unsuitable for human consumption and they are required to put down bores. In mid-April, there were 11 people who wanted bores sunk on the Daly and it is quite possible that the numbers have increased since that time. The proposal the Daly Progress Association is putting to the government is that the government fund required drilling and an initial cost be repaid at normal interest rates over a 15 to 20-year period, something along the lines that water and land rates are paid in cities. Filtered bore water would reduce health risks, it would lower maintenance cost to farmers, it would save man hours and it would ensure a permanent supply of pure water all year round.

The farmers on the Daly are also handicapped by an electricity problem. They have quite inadequate electricity supplies. What they are saying is that, if NTEC could find the funds to increase the output of the generators which are presently installed in the Daly River Mission, they would have adequate power which could be reticulated up to 50 miles. I believe that what would be required would be something like three 12-cylinder Cats. That would solve the problem.

The people of the Daly have been pretty much neglected over the years. They

are periodically washed out and just about put out of business. I think they are overdue for a bit more consideration from this government. The Daly has a wonderful tourist potential; it has just about everything anyone could want. The beauty of it all is that the Daly River crossing is only 140 miles from Darwin. The tourist potential lies not only in tourists from the south but in tourists from Darwin because it is quite accessible by car. The roads are fairly reasonable now and they are being upgraded. I suggest that both the Minister for Tourism and the Minister for Transport and Works take note of what I have said.

I would prefer to avoid if I could the second thing I would like to speak on this afternoon because it is a very emotive and contentious subject. However, I have had so many letters from my constituents as well as a petition condemning abortion - which the honourable Leader of the Opposition presented on my behalf this morning - that I feel that, if I did not speak, I would be letting down quite a number of people in my electorate who helped elect me to this Assembly. In fairness, I should say that I also received a letter from the Women's Electoral Lobby supporting abortion as I imagine most other honourable members did. It is interesting to note that none of these letters contained gory pictures or said dreadful things as had been done in previous years and I consider that they do not make any alarmist statements. It is interesting to note also that only one of these letters came from an Aboriginal group. Rather than carry on speaking about it, I will simply read one of the fairly brief letters and give you a couple of quotes out of the others. The letter reads:

> *It has recently been brought to my attention that a bill to codify the criminal law is before the Legislative Assembly. As the member for Victoria River to which I have recently been attached, I write to you to voice my opinion especially regarding possible legislation to omit all reference to abortion from the code. At a recent meeting of the Daly River Council, it was agreed to ask you to come to visit us. The council is also in fact drafting a letter to this effect. I personally believe it would be a criminal act itself to omit any reference to abortion in the code, thus laying open the way for abortion on demand. I am writing to you, conscious of the critical role you play as our representative in the Legislative Assembly, to urge you to support any policy which will strengthen the government in its resolve to support life and, instead of decriminalising abortion, to rather tighten the existing law.*
>
> *Living in a part of Australia which tries so hard to sell itself for its natural beauty and rocks, chasms, animal life, beaches, sunsets, it seems hypocritical to tolerate any legislation which would lessen our respect and protection of all life ... In this matter of abortion, we are talking of an independent human being being in its mother's womb who at the moment of conception has within itself all the life materials and potential to develop into a fully developed human being with nothing added except oxygen and nourishment. It doesn't become more human as it develops. It is always completely human with its full complement of chromosomes and genes. It is not just part of the mother on which she has rights of life or death. The human life conceived has its own independent life and, therefore, its own independent rights and it is our corresponding duty to respect these rights among which are life, freedom and the right to happiness, food and nourishment. It is moreover ludicrous for us in this country to argue about over-population. While we may be a long way off eliminating all abortions from our society, any relaxing of the present law would simply increase our selfish attitudes of our own comfort, deaden our*

conscience to the sacredness of life, open the way to eliminating other problem people; for example, the handicapped, the aged and those incurably ill. Already a person's worth is often measured more in terms of productivity rather than its likeness to the creator in whose image our faith tells us we were born.

Rather than omit reference to abortion in the code, I am asking you to use your weight and your influence to amend the Criminal Code Bill so as to (a) specifically exclude abortions performed for essentially social reasons; (b) reduce to 20 weeks the maximum period at which they are permitted to be performed; and (c) to redefine the medical indication of possible 'grave injury' to read 'grave permanent injury'. This will be a starter. It is only a compromise. Any action to tighten law would be a jolt to awaken people to the sacredness of life but any act to lessen our safeguards for the protection of life will decrease our respect for life. In a Territory noted more for its beer cans than its beauty, can we afford to give in any more to selfish attitudes?

I will only read very brief parts out of the others: 'It has come to our attention that the Legislative Assembly will very soon debate the new Criminal Code. There will be elements within and without the Assembly who will endeavour to have abortion on demand deleted from the code holus bolus, so to speak, thereby condoning and legalising it in the Territory. From a moral and Christian viewpoint, my wife and I feel that it is a terrible thing to deny the right to life to a defenceless human being'. Private individuals are writing these things: 'I am writing to you about the law on abortion. I do not like abortion. I think the law might be changed to make it easier. Could I ask that you help to tighten the law if you can or at least that you ask that it may not be made easier when this new law is passed'. The next one says: 'I am strongly apposed to abortion on demand and would not like to see the law on abortion made worse or omitted altogether. I consider needless abortion the most criminal act and would like to see this reflected in the law'. Another reads: 'I am writing to you regarding the possibility of the reference to abortion in the new Criminal Code being dropped. I am hoping that you as my representative in the Northern Territory parliament will make sure that this does not occur. The present law on abortion to me seems far too slack and figures released this year show an increase in abortions in the NT'. It goes on and on.

A letter I received from an Aboriginal community reads as follows: 'We as Aboriginal people from the Daly River Catholic Mission believe that it is not right that the law regarding abortion should be made any easier or that abortions should cease to be a crime in the Northern Territory. We believe that soon in Darwin you will be sitting to draw up a new code of criminal law for the Northern Territory. We hear that some people do not want any mention of abortion in the code. As a member for our area, we look forward to seeing you'. The other one is from the Women's Electoral Lobby and supports abortion.

Finally, Mr Deputy Speaker, I say this with some reluctance principally because I have had my knuckles rapped over the same subject on previous occasions. I have been asked to use my vote and my influence to amend the Criminal Code Bill. I know my influence would be very small indeed but the ALP has always had a conscience vote on the subject of abortion on demand and I would certainly vote against it as it is suggested in the revised addition of the forthcoming criminal code. I stress 'on demand'. I am not totally against it.

Mr BELL (MacDonnell): Mr Deputy Speaker, consequent on questions I have asked

of the honourable Minister for Lands and Housing about the matter of negotiations relating to the Sadadeen Valley industrial area that has been proposed, I would like to make a few comments this evening. An assessment of the recent performance of the minister in Alice Springs must be dominated by an examination of his spirit of intervention in the future of that particular piece of land which is known to white Australians as the Sadadeen Valley and known to the Aranda people as the Ewyenper Atwatye.

As Acting Chief Minister, Mr Perron publicly decreed its future in April this year when he gave 3 Alice Springs Aboriginal organisations 16 days in which to identify sacred sites in the area as a precaution against total destruction when the bulldozers moved in. It was in his capacity as Acting Chief Minister that the honourable Minister for Lands and Housing talked with local traditional owners in April last year about the threat to the future of their valley. At that meeting on 3 April 1981, the traditional owners told him that the development of the valley was impossible from their point of view. More than one year later, Aboriginal groups are still saying no to the minister. More than one year later, the minister still refuses to listen to them.

Mr Deputy Speaker, I hasten to reassure the House that discussion on the future of the Sadadeen east industrial subdivision is not a year-old phenomenon. In fact, tracing the existence of Sadadeen Valley as a sacred site or potential industrial subdivision accounts for a significant part of my speech this evening. Honourable members may recall that, during the November-December sittings last year, the honourable Chief Minister indulged in the same exercise - that is, a look at the history of that particular area - during the debate on the then introduced Aboriginal Heritage Bill. The point of his submission was support for the theory that Aborigines had long known of the government's plans to develop Sadadeen, a theory that has been so enthusiastically taken up by his colleague, the Minister for Lands and Housing.

This evening, however, I want to demonstrate a different reality through an examination of the history of the negotiations that have surrounded that area, if I may use that word, and the government's plans in that area. The reality is that not only have Aboriginal people consistently made known their deep concerns over the prospect of any development of the area in question, but the government, its various ministers and officials have long been acquainted with these concerns. To use the jargon of the moment, the present confrontation situation has been wholly brought about by bureaucratic procrastination on the part of the government and failure to realise that Aboriginal concerns were voiced only recently in response to the real threat of sacred site destruction. The government ignored the facts and deliberately undermined the credibility and integrity of Aboriginal people's desire to safeguard their spiritual heritage.

Mr Deputy Speaker, since his ultimatum to Aborigines delivered in April this year, the Minister for Lands and Housing has been exercising some skills in the dubious art of character assassination in publicly attacking the credibility of certain Aboriginal people to speak as traditional custodians of land and in challenging the integrity of these people when they indicated they were not prepared to compromise. Once again the government displayed total ineptitude and lack of commitment to a responsible and honourable consultation process with Aborigines.

Large sections of the Alice Springs community have voiced their concern over the minister's perceived role in perpetuating this so-called controversy. On 30 April the Centralian Advocate, the region's major newspaper, submitted its opinion on his seemingly endless procrastinations. It also roundly condemned these, as you may recall. Nearly one month and more personal

appearances later, we find that the minister's sights remain fixed very firmly on Sadadeen. The opposition is saying now that it is time for the minister to erase the spectre of Sadadeen from his consciousness and henceforth direct his own department's resources to examine more closely alternative locations for an industrial subdivision in Alice Springs, identified by his department last year in a report which was tabled in the House by the Chief Minister in December.

I am prepared to argue that, although these 3 alternative locations require a greater capital expenditure, they represent sound value in the long term. Given appropriate resources, Aboriginal people will be able to tell the government which sites are related to these locations, and which require recognition and protection. There is no justification for the government to prejudice the outcome of these processes by announcing here and now that Aborigines will find 'alleged sacred sites', to use the honourable minister's terminology, as standard practice, and with the intention of knocking the development project on the head outright. This attitude is not only an expression of the government's poor faith with Aboriginals but it demonstrates the official reluctance, indeed refusal, to implement negotiation procedures which were designed to avoid confrontation and hasten the arrival of some mutually satisfactory decision on the development. The minister would do well to do the talking in the beginning rather than waiting for confrontation to develop and continue in that way.

I might add that I believe the honourable minister and his party have a vested interest in such confrontations. As the Sadadeen issue so patently demonstrated, talking once the confrontation stage has been reached simply results in needless expenditure of time, energy and resources, as the minister and his officers continue to argue and re-argue the same tired old line.

Surely, Mr Deputy Speaker, the minister and his esteemed adviser should have now registered the message on Sadadeen and moved to greener pastures: the valley to the north west of the abattoir, an area south of the MacDonnell Ranges in the vicinity of the new sewerage ponds and in the long term, Roe Creek. There are arguments to support a serious look at these alternatives. They relate to the Sadadeen Valley's less than ideal potential for industrial development. It is time the minister got the message about Sadadeen and redirected his department's resources to a closer examination of the 3 alternative sites it identified more than a year ago.

I move on to firstly set the record straight on the history of the Sadadeen Valley as a potential industrial subdivision. As the Chief Minister pointed out to the House during the debate on the Aboriginal Heritage Bill in December, the Alice Springs public may have gotten wind of the development plans for the Sadadeen Valley by reading a Commonwealth government prepared document on urban planning needs in the Centre released for public scrutiny in 1975. We know how well read those documents are. Close examination of this document would have revealed to any responsible citizen that Sadadeen Valley was required for urban development, to use the Chief Minister's words on 2 December. You would have been given a further clue about the future of the Sadadeen Valley by examining its zoning status as specified in the 1980 Alice Springs town plan which was placed on public exhibition in March of that year.

The Chief Minister says there were no objections to the proposed zoning of the valley by the Central Land Council or any Aboriginal people. So the town plan, which in reality consisted of a zoning map of the town with an accompanying explanatory document, went on display for the required period of 3 months in at least 2 locations in the central business district of Alice Springs and failed to grab the attention of the traditional owners of the Sadadeen Valley.

Thus assured and interpreting silence as consent, the government swung into action with the planning of industrial blocks and the completion of a ground survey. Only then did it become obvious to local Aboriginal people that government interest in the development of the Sadadeen Valley would almost certainly threaten their sacred sites in the area. They had been asking for special consideration of these sites long before the first surveyor set up his tripod in the latter part of 1980.

There exists in the Territory and Commonwealth governments' records evidence of numerous and sustained approaches via and on behalf of Aboriginal people on the subject of sacred sites protection in the Sadadeen area. In this House last December, the Chief Minister simply omitted to mention the existence and the evidence of these records. Outside the parliament, his colleague, the Minister for Lands and Housing, continues to plead complete official ignorance of these events. I now intend to tell the rest of the story in an attempt to convince the House that the government has chosen to ignore or has failed to act on repeated submissions from Aboriginal people that the effect of the Sadadeen area is of great spiritual importance to them and that regard for the protection of sacred sites should be an important factor in development planning. It becomes obvious that this government has long been refusing to listen to the concerns of Aranda people living in Alice Springs and, through its representative, the Minister for Lands and Housing, has turned a deaf ear to those concerns to this very day.

The information that I propose to mention this evening, Mr Deputy Speaker, comes from the records of the Aboriginal Sacred Sites Protection Authority and the Central Land Council. It is readily available. We have seen that the Northern Territory government formally announced its intention to develop the Sadadeen Valley by way of exhibition of the 1980 Alice Springs town plan. The honourable Chief Minister noted that Aboriginal organisations did not react to this piece of bad news. I will comment later on the impact of newspaper advertisements on a community that is functionally illiterate, but first to the history of it. It goes back to October 1974. The then unincorporated Aborignal group representing traditional owners wrote to the Department of Lands seeking a residential lease to a number of acres in the Sadadeen area. At least a partial justification of their desire to obtain a lease was the area's mythological significance. Their submission called for its protection under the Native and Historic Objects Preservation Ordinance.

Unfortunately, goats were being kept in the area at the time and this lease had some 20 years to run so the Aboriginal people involved naturally decided to wait their turn. Evidence that the lease application was at least partly based on the existence of a sacred site and that this knowledge had indeed been communicated to officialdom is contained in a letter from the First Assistant Secretary, Lands and Community Development, Department of the Northern Territory. This First Assistant Secretary was moved to admit that 'there is also mention of a sacred site'. He said so on 22 July 1976.

I do not think I have time to go through all the history of this from 1974 onwards. Suffice it to say it is available and suffice it to say that, in speaking in the Assembly, the Chief Minister has neglected to mention any of these records that are freely available to the government. Further, the Minister for Lands and Housing has chosen not to mention these particular facts about the history that attaches to this area. They have latched on one particular consideration in regard to these areas and have pursued that doggedly.

I said earlier that I believe the Minister for Lands and Housing has a vested interest in confrontation with these people and I believe that he is forced to pander to a particular section of his party which is determined to

see bad in any aspiration that might be expressed by Aboriginal people. It does him no good. In this context, I might say that the Aboriginal people, who for some time have had confidence in the Country Party and in the Northern Territory government, are largely losing that confidence as a result of the way the Minister for Lands and Housing is proceeding with these negotiations. Not only have the Aboriginal people lost that confidence but people in Alice Springs are beginning to see through it. People are beginning to realise that, in order to manage development in the Northern Territory, expertise in this area of negotiations has to extend a little beyond trying to split groups who are registering legitimate aspirations. As evidence of that, I mention an editorial which recently appeared in the Centralian Advocate. I might be able to find it.

Mr SPEAKER: Order! The honourable member's time has expired.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon, I would like to speak on several subjects. I have spoken on the first one before but it has been brought to my attention again recently: the number of people living in the rural area. I think from what I was told today, the official number of people living in the rural area is 4960. I have said before on a number of occasions that this figure is grossly incorrect. The number of people living in the rural area on both sides of the highway from Berrimah out is nearer to 14,000 than 4000. To get a more accurate figure for people living in the rural area, it would be more useful to ask the local police or the health sister, who go around actively in the community on both sides of the highway, than to rely on old and incorrect statistics.

It has been said to me that the inaccuracies present in the population count in the rural area result from the way people behave when census takers come. They do not want to fill in a form. It is true that the people in the rural area are very wary of government intervention in their lives. Especially they are wary of inspectors and people like census takers until their bona fides are established. It is relatively easy for a government inspector to present his bona fides and explain definite reasons why he needs to complete a certain form of inspection. Then he is allowed in. But it is a bit hard for a census taker to establish the bona fide nature of his business when he carries great long forms that ask interminable questions about the intimate details of one's private life. People avoid the census takers. They are not at home when they come or they are not home when the forms are to be picked up. This is because they resent this intrusion in their private life. If census counts were more simple and just a head count was taken, in all probability people would fill the forms out accurately.

Government departments rely on these inaccurate statistics and we live with some disadvantages in the rural area because we have to. People with sensible knowledge of the area tell the census takers that the numbers are incorrect but no attention is paid to this because nothing is written down on paper. We have to pay the penalty of a lack of the services which people in other areas regard as a necessity. For example, we do not have a fire station in the rural area. There was to be a fire station built at the 19-mile but it went the way of many budget allocations and became swallowed up by something else. It is necessary to establish population patterns using the road before upgrading and bituminisation are considered. There are adequate staff in the Fred's Pass Police Office now and I hope the staffing level continues.

The building of schools came very much to the fore. I hesitate to say there was confrontation, but there was certainly a difference of opinion between officers of the Department of Education and the parents in the rural area as to how many children were living there. The Department of Education was relying on the census figures which were incorrect. The parents did their own census

and made an accurate assessment of the number of children living in the rural area. I feel certain that, if simple head counts were taken, more people would be inclined to give accurate figures on people living in the rural area.

The second subject relates to an undesirable situation which exists in the rural area. It has been brought to my attention on numerous occasions and I have brought it to the attention of the relevant government department. I can only suggest one very drastic solution. I am referring to the practice of certain people in the rural area of scrounging very bad food from the Howard Springs dump. It has been going on for some time and I can hazard a guess as to why it is done. I know the people who are doing it and I cannot do anything about it.

I have looked at the reasons why these people do it, I have looked at the reasons why people tell me about it and I have looked at the reasons why I think nothing much can be done about it. I have said before that I have no objection to the recycling of suitable objects. I am talking about things that can be used for building, PVC pipes, arc mesh, boxes and jumpers that my friends scrounged for me. But I do object strongly, on obvious grounds, to the scrounging of food from dumps. Perhaps it could be said cynically that I object to the scrounging of food because it hurts my sensibilities and perhaps it could be said that it hurts the sensibilities of my constituents. However, we have to consider the realistic reasons why people do it. People have been doing it for a long time in the past and they will continue to do it in the future. The people who scrounge food from the dumps do not belong to a particular ethnic group or a particular group in society.

It has been said to me that, if people scrounge food from the dumps, they will become very sick necessitating the use of health services which will be to the detriment of the rest of the community. That is one way of looking at it but, from my observation of the people who do scrounge food from the dump, I think the opposite applies. These people appear to be very healthy so they must have some sort of resistance to the food that is taken from the dump. I can almost set my clock by pension day because the Monday before pension day people telephone my office or come in to report that they have seen people around the dump scrounging for food. One could ask them why they do not take these people into their homes and give them food. That would be the Christian way of looking at things. I have mentioned this to a few people but people are not that Christian these days.

You cannot close the dump when the food has been dumped because the dump must stay open for the people who want to dump rubbish. Some time ago, the dump was closed at 4.30 in the afternoon to 7.30 in the morning. I received numerous complaints from people wanting to use the dump during this time. I suspect the dump was closed to stop food scrounging. We could say that people should be educated not to scrounge food from the dumps and should have to undergo health and hygiene lessons or good housekeeping lessons to budget from one pension day to the next. Realistically, I do not think any of these exercises would be fruitful. Consideration must be given to the situation in toto. I am not referring to a particular ethnic group because there are people from different ethnic groups taking food from the dump. We must have a full realisation of the situation and temporary camps should not be permitted in close proximity to the dump.

The third subject about which I would like to speak this afternoon is the notices in the Gazette relating to the taking of buffalo. I was very pleased to see that not only are buffalo now being considered as a source of pet meat but also considered in a program of domestication encouraged by the Northern Territory government. The Minister for Primary Production gave details this

morning about the start of this domestication program which is all tied up with the purchase and removal of buffalo from different areas in my electorate. Whilst I agree that the tenders are written out in some detail which makes it easier for persons who wish to submit a tender for a particular area, there are some very important points that have been left out.

First, in relation to the purchase and removal of buffalo in the Kapalga south area, the attention of tenderers is drawn to the Territory Parks and Wildlife Conservation Act. No native wildlife, including goannas, dingoes, feral pigs or feral house cats shall be killed taken or disturbed. I find that juxtaposition not to my liking and rather inaccurate. I would like to see it corrected in future. Native wildlife does not include feral house cats. Native wildlife is native fauna, not feral animals.

In the conditions applying to the taking of buffalo for pet meat, mention is made that contractors and their representatives shall hold a firearms licence. I have no complaint with that at all but it seems a bit pointless in mentioning that contractors and their representatives should have a firearms' licence without having the shooters themselves registered. If it is necessary to have one, it is necessary to have the other. It does not necessarily hold that, if one has one, one will have the other. Therefore, if one is mentioned, both should be mentioned. It says that the tender may be cancelled if the contractor or his representatives become ineligible to hold a firearms licence. I would also like to see mention there about the shooter himself being registered or deregistered.

It was very interesting to see in conditions applying to the taking of buffalo for pet meat that the standards of pet meat seem to be rising to the levels of meat for human consumption. When the animal is killed, it has to be put in a chilling chamber or icebox within one hour of killing. As I understand it, this is one of the conditions of mobile abattoirs taking field-killed animals for human consumption. The pet meater has to be as healthy as a person who works in an abattoir killing meat for human consumption. He cannot have any of the diseases that would prevent a person working in an abattoir. He cannot have cholera, diphtheria, enteric or typhoid fever, infectious diarrhoea or hepatitis, leprosy, scarlet fever, septic sore throat, skin diseases, staphylococcal infections or TB. Some of those are pretty obvious but I doubt whether every pet meater is going to check whether he or his shooters are free of skin diseases or septic sore throats.

The meat taken from these areas, according to the Minister for Primary Production, will be dyed a brilliant blue if it is to be exported to another state. Going on what is mentioned here, the meat has to be dyed with tetrazine or powdered charcoal. The person can only sell this meat on the local market. After he has dyed it with tetrazine and cannot sell it on the local market, he has Buckley's chance of selling it interstate. Even if he dyed it blue, I do not think it would come out very blue. Therefore, I query whether it would be accepted interstate.

Mr Speaker, I find it rather ironical that we are giving more and more consideration to raising the standards of the meat that our pets eat at a time when we are becoming more and more concerned about people eating this pet meat.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, it is apparent right through Australia that the southern cattleman is going through a very hard time. When they go through a hard time down there, you can guarantee we are getting it a lot tougher up here. We do not seem to be doing anything about markets. I would go so far as to say that the government is adopting a nonchalant attitude

about markets for beef. We have sent trade missions overseas for many years but we do not seem to follow them up. We are waiting for something that may never come.

Added to all this are the quite unnecessary TB restrictions. TB is readily identifiable. You can find it without any trouble when a beast is killed. There is no record, even with the crooks in the meat game, of TB meat being sold even for pet food let alone for human consumption. It really presents no problem at all. We do not have much brucellosis in the Top End but I understand that brucellosis is rampant in Texas. We are supposed to be cleaning up these 2 diseases because the Americans will have them cleaned up themselves. If we do not clean them up over here, we will be denied access to the US market. Even blind Freddie can see now that the US market is not much good. It is very fragile. US cattlemen have expressed their hostility for many years at good quality table beef from Australia competing with their loft fed beef. They are not concerned about manufacturing beef from up here, but that is not the problem. The problem is the good table beef from other parts of Australia.

The beef industry up here is having a hard time. We are loaded as well with TB restrictions and requirements. If we were as diligent and devoted to duty as the brucellosis and TB team are, we would have found markets in South-east Asia many years ago. It seems to me that there is no reason at all for haste to comply with the BTB campaign while cattlemen are in this precarious position. It seems to me that this could be the straw that breaks the camel's back. It is almost a full year - this debate was on 10 June last year - since the honourable the Minister for Primary Production said: 'The government is determined to pursue the BTB program to bring the Territory into line with the national eradication campaign. Time is fast running out and the legislative deadline in our major export market will pay no heed to producers who claim geographical or financial difficulties as terms preventing compliance with disease-free-status requirements'.

That was almost a year ago. It would seem that, whereas time was fast running out then, it is running out faster now. I do not see for the life of me how cattlemen who have not commenced this campaign can commence it and do it economically. We had a task force a few weeks ago looking into non-viable properties. Most properties up here are non-viable because of the market for beef. Until we have markets comparable with that of southern states where expenses and costs are lower, we will be non-viable.

I am only speaking for the Elsey electorate but the member for Victoria River should be very interested in this. The member for Barkly ought to give his version and also the members for Stuart, MacDonnell and Tiwi. I suppose the opposition as a whole should be interested because this is a campaign which is affecting the whole of the Northern Territory, particularly the people in the north.

As I see it, we have no reason for haste up here. We are not dependent on the US market. As a matter of a fact, we do not have a market at all. We should be thinking entirely about South-east Asia. The rest of Australia is. They do not necessarily want beef which comes from cattle herds which are tuberculosis and brucellosis free. I say the haste with which the Northern Territory government is following up the directions from the federal Department of Primary Industry is hampering the livelihood of producers in the Top End. We see the restrictions are different for buffalo and cattle. I heard the Minister for Primary Production remark that you could move buffalo after one clean TB test yet to move stud cattle to the Katherine Show you have to have 2 clean TB tests, 60 days apart. These differences seem quite remarkable to me. TB is no worse in cattle than in buffalo. I can guarantee the people

in my electorate are most concerned with the infelxibility and haste of the brucellosis and tuberculosis eradication program.

Mr LEO (Nhulunbuy): Mr Speaker, I want to say a few words on happenings within the electorate of Nhulunbuy over the last week or so, particularly addressing myself to the problem of Nhulunbuy Hospital. I would like to retrace the history of that for the benefit of all members.

During the previous sittings, the honourable member for Fannie Bay raised the problem of Nhulunbuy Hospital during debate on a definite matter of public importance. I addressed myself to the same problem in an adjournment debate at the last sittings, and hoped that the minister would take the problem on board and address himself to it. It would seem our words were wasted. I have had more representations. I said that the minister was aware of the problem and I was quite sure he would act in good faith. I allowed the situation to go on. I said I had addressed letters to the various public servants responsible for the hospital management program and, because the minister was aware of it, and because he is a man who normally acts in very good faith, I was quite sure that we would see some improvement in the general situation.

Unfortunately, about a month went by and absolutely nothing happened. The situation got worse and worse. It came to me that the only way I would get the minister in any way to act was to make some public statement, which I did approximately a fortnight ago. The minister's response to that was to bucket me and to say that my accusations were all founded in my mind. He indicated that in some way I was reporting the situation unreliably. I was reporting the situation unreliably enough to bring the minister to Nhulunbuy to view the situation himself at first hand. He received a delegation and the report that I have from that delegation is that the minister completely neglected to address himself to the pertinent problems of the health care of my constituents. All in all, it was pretty well a waste of time. It seems it was a waste of time. Nothing seems to be redressed or addressed by the minister. It would have been far better to save the $1000 for the charter flights and put it into the hospital.

I have found out since that, for the first quarter of 1981, there were 14 transfers over here under IPTAS, as it is called - the Isolated Patients Travel Assistance Scheme. This year, for the first quarter, there have been in the order of 60 IPTAS transfers. My fairly meagre grasp of arithmetic leads me to the conclusion that that is in excess of a 425% increase - a phenomenal amount by any standard. I imagine that, if the Treasurer or the Chief Minister were here, they would get up and say: 'Well, isn't it great that we're getting the money out of the feds somehow'. I suppose that is possibly quite right. It is great that we can get the money out of the feds somehow. Does anybody in the government appreciate the amount of distress caused to people by having to transfer over here in already distressed times, particularly sick people. Incredible amounts of distress are caused. I appreciate that a small hospital in the far-flung reaches of Arnhem Land will never cater for major surgery. But an increase in transfers of 425% is simply unsuitable.

I asked the minister 2 questions yesterday. One was whether or not the budget for the Nhulunbuy Hospital was to be slashed by some $150,000. I point out to members that the budget at the moment for the hospital operations side stands at approximately $1.5m and that $150,000 or thereabouts would represent about 10%. The minister was unable to answer my question. My information is that that is possibly what will happen. I hope it does not happen.

I also asked the minister if there had been an agreement reached or entered into with a private doctor to occupy space at the Nhulunbuy District Medical

Centre. The honourable minister again was unable to answer one way or the other. I do not know whether an agreement has been entered into or a contract signed. But there are genuine fears in my electorate - very genuine fears - that the Department of Health can turn people out of accommodation on the pretext that they need office space. These people are forced to live in Gove House at some considerable extra personal expense. Then they find out that the department is possibly renting out office space to a private doctor. The whole exercise has lifted members of the staff there to new heights of cynicism in regard to their minister.

I am not here to call the minister a fool. Despite the member for Fannie Bay and I addressing ourselves to that problem at the last sittings, perhaps he did not know or for some reason or other the message did not get through to his department. I do not know. We certainly addressed ourselves to the problem of crowding at the hospital. It has all been done before. I am not here to call the minister a fool. I am not even here to insinuate that he has been dishonest, despite my personal belief that possibly he is guilty of both those things. I am here with a genuine plea for my constituents in Nhulunbuy who are experiencing very real problems with their health care. They are in an isolated area. They pay their health insurance and they expect good service. But they cannot get good service in times of distress. Increasing numbers of them are being flown to Darwin to be treated or mistreated as the case may be. I ask the minister, I plead with the minister, if anything is to be done with the budget of the hospital at Nhulunbuy, it should be increased and not decreased.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, on 19 and 20 March, I had the honour to represent this Assembly at an Australasian Study of Parliament Group meeting in Melbourne. The topic for that particular discussion was party committees and implications for parliament. The papers made available by various speakers have been lodged with the Clerk. If anybody is interested, I am sure he will make them available. The first speaker was Professor Gordon Reid who, of course, is an outsider to government.

His view of the party committee was a little cynical. He saw the possible advantages in load-sharing and increasing the influence of back-benchers in implementing and checking policy and allied legislation. He also saw some disadvantages. The party committees are a closed shop to the public so decisions are made without public debate and parliament would tend to become more important as the government would have made its decision and would not be willing to alter any major point leading to a weakening of the parliamentary process and the quality of debate.

The honourable Geoffrey O'Halloran Giles, member for Wakefield, gave a paper. Some of the points which stuck in my mind were his definition of 'government', namely, the government back-benchers are in the government party but not in the government. He had spent some time under Robert Menzies as Prime Minister, and he said that, in those days, the back-benchers tended to be told a couple of days beforehand how things were going to go and that was it. He was very high in his praise for the present Prime Minister and Senator Fred Chaney in the way they have made party committees work. Some of the things he raised included the following: 'Party committees screen and approve or disapprove of the proposed legislation before it goes to the party room and indeed have the power of veto'. It is fairly strong power. 'Strong party committees counterbalance the highly competent public service and help the public service and the minister keep in touch with the rest of Australia. Scrutiny by questioning ensures the minister knows his bill. The avenue of contact and in-depth discussion with industry and people can then be fed to the minister which widens the minister's contact. The committee allows for policy initiation'. The old saying is that 2 heads are better than 1 and all wisdom does not reside just with the minister.

He saw that back-bench committees have a useful role to play but that it must be played in private and not embarrass the government. On the other hand, the executive must not snow the committees. The committees must have time to consider complex legislation. This is for a proper check and balance of executive power. Closed door discussions are not furtive. In fact, they encourage frank discussion, and such discussion should lead to more informed and productive debate which hopefully will enhance the reputation of parliament as an institution.

Dr Harry Jenkins, a member of parliament from Victoria in the federal scene, gave a paper as well. I will read a couple of his comments: 'Party committees now see all relevant proposals for legislation before they go to the party room or caucus, except for confidential matters'. He said, 'It tends to reduce the cockpit nature of caucus and stops the party getting into trouble'. He felt that the confidential treatment of matters by the federal ALP in 1975, such as the policy on East Timor, helped cause the downfall of the Whitlam government. He said: 'The decline of the parliamentary process may be due to other factors than the committee system. Contact with the public service makes changeover more easy rather than difficult'.

Geoffrey Palmer, a Labor Party member in the New Zealand parliament, said that, in New Zealand, the party committees were well developed and indeed very powerful. They have funding, research staff, secretarial staff and can travel at government expense. He said there is very little doubt the developing caucus procedures described provides vitality to the New Zealand parliament. There is plenty of candid debate inside the caucus. That leaves the parliament as a place for the recital of predetermined positions which have been hammered out elsewhere. Mr Palmer was in opposition. He was advocating all sorts of reforms to party committees and so forth.

The question was raised whether he would want to change if he got into government. Mr Gordon Bryant, former federal ALP minister in the Whitlam government, was told by a staff member of the federal House: 'You used to advocate all sorts of changes before the ALP got into the federal scene but, when the ALP came out of the federal scene, no changes had really happened'.

I am trying to relate what was said at that particular conference to the Territory situation. It is rather difficult. We are very small. Our back-benchers on the government side are 5. We have 6 ministers. It would be difficult to set up a committee system. However, I felt it would have been nice to have had a chance to talk about the plumbing and sewerage bills before they were introduced. But our ministers have a tremendous workload and have at least double the number of portfolios that ministers in the Australian parliament have. They certainly have heavy loads.

I would like to thank the House for permitting me to go to that particular conference. I would finish off with a bit of poetry which was quoted by one of the chairmen, the honourable Dr Ralph Howard:

The battles we fight in this House are reminiscent of the old Saturday night wrestling. Very often the outcome is decided before we come into the ring, but we have a duty to fight a good fight and that is tremendously important. We are responsible for recording for posterity the best possible arguments for both sides. With that explanation of the theme, I proceed to the verse.

Saturday night fight on Tuesday, Wednesday and Thursday.
Gorgeous George and all that mob fought on canvas not on plush,
But they had a similar job to the one that is done by us.

We battle under lights, we pander to the crowd,
We fight the fiercest fights with head bloodied but unbowed.
Our fights are fought with tongues and we wrestle for a win,
As we find the party runs with a crowd that is often thin.
As we grapple and we flinch, we have to be torn,
And that is the job that is a cinch for our president referee.
The outcome is often known very well before we start,
But we moan and writhe and groan and we feel it from the heart.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I can certainly understand the attitude taken by the honourable member for MacDonnell because his attitude is that of a one-eyed zealot who sees no particular cause but the one he has espoused. In Alice Springs, innumerable sacred sites, 45 at least in number, have already been registered. There is a dispute about 2 of them which he sees as some extraordinary event about which the government should immediately back down, should not argue its case and not attempt to produce a rational result.

I can understand the honourable member for MacDonnell saying that but what sometimes overbears me with frustration - and really makes one wonder why one really bothers to do the work - are the types of views which were expressed here this afternoon by the honourable member for Elsey. I have taken the honourable member for Elsey in his dual capacity as a member of this House and as Speaker on 2 overseas visits to South-east Asia. He knows the pace at which those visits move and he has been with me to all the interviews which I have had on those visits. He has been with me to meet with President Suharto and he knows the discussions we had directly with the President, as well as with ministers of the Indonesian government, about markets for Northern Territory cattle and buffalo. He knows that I put the case to the president for a change in the Indonesian import quarantine requirements for Northern Territory cattle. He knows that the president responded in a positive way. He also knows that, at the request of the Indonesian government, we invited the Indonesian Director of Animal Husbandry to visit the Northern Territory with a view to reviewing those quarantine requirements. As far as I know, he also knows that the Director of Animal Husbandry from Indonesia is due here this month. That review should shortly be under way in a very concrete fashion. He had been on earlier trade missions before I had ever been to that part of South-east Asia. He has been with me to the Philippines. He has been with me, as I recall it, to Singapore and Malaysia. He knows the extensive discussions we had with all manner of people there about markets for Northern Territory cattle.

To say that nothing has been done about marketing of our Northern Territory cattle just really makes me wonder whether I had the honourable member for Elsey along with me on those visits at all and, if I did, what possible use or benefit it was to him. I know that it takes a great deal of work in those areas to wear down what are stones of resistance, and this government, through its many visits to that area, has recognised far more than any government in Australia the importance to this country, not just this territory, of the region in which we live and how deeply our future is bound up in it. To hear him say that other governments in Australia are doing more was really I felt a terrible and tremendous reflection on the enormous amount of work that has been done by my colleague, the Minister for Lands and Housing, in that area, and by my colleague, the Minister for Primary Production, in that area.

The 3 of us have been principally concerned with the Speaker in all this work and I just wonder when I hear statements such as were made this afternoon. The fact of the matter is, Mr Deputy Speaker, that we are doing everything that is humanly possible to open up the markets of South-east Asia for Northern Territory cattle and Northern Territory buffalo but there are 2 other things to be considered in what is theoretically an enormous market. The first is

our product. When we have to mount a campaign to convince people in the Territory that they ought to buy Territory beef, is it any wonder that there is some resistance from countries that can buy wherever they want the best beef available on any market? The second thing, and it might seem in some way a contradiction, is the capacity of these countries to actually buy substantial quantities of our product. They are of course buying beef from here, there and everywhere at the present time, probably from as far away as Argentina. They do have a capacity to buy a certain amount of beef. At the present time, they are buying it not just from the Northern Territory but from everywhere.

But I do believe that we have worked a fairly sensible strategy in the past few years in that we are locking the states of Malaysia into the Northern Territory. Each of these states on the north coast of Borneo has purchased at least one cattle property in the Northern Territory. Brunei, shortly to become independent with enormous natural resources, has recently purchased Willeroo Station. Sarawak has bought, I think, Humbert River, and Sabah, as we all know, has bought 2 and perhaps even 3 properties. I see that as meaning that those states and, hopefully, peninsula Malaysia will become locked into the Territory as a supplier of beef. The member for Elsey knows what has to be done in the Indonesian situation and we are doing it. Really, there is not much more I can say, Mr Deputy Speaker, other than to say that one wonders whether the work is all worth while.

The honourable member for MacDonnell told us that we ought to look to greener pastures and abandon the Sadadeen area as a proposed industrial subdivision. Well, I am not nearly as familiar with this whole matter as the Minister for Lands and Housing. It is his portfolio and to my mind he is handling the situation satisfactorily in very difficult conditions. It is all very well to say 'look to greener pastures', Mr Deputy Speaker, but our assessment of what it will cost us to look to greener pastures, if we turn away from Sadadeen, is something in excess of $1m. If some satisfactory arrangement can be worked out, $1m is worth saving. The position is that, whatever the honourable member for MacDonnell may say about newspaper advertisements, the function of bodies such as the Central Land Council was, I understood, to bring matters such as town plans to the notice of the people whom they are supposed to represent. Certainly, as no objection was raised to the Alice Spings Town Plan in 1980, I think the government had every right to consider that the people in the area affected had no objection to the use of the particular place in the way that was proposed in that plan.

I am not going to canvass all the points raised by the member for MacDonnell this afternoon. I want to tell members a few things about the Uluru National Park plan of management which I caused to be circulated earlier this week. However, he said that this government sees bad in any aspiration of Aboriginal people. He can boldly say that after this government has granted, since self-government, I think 26% of the total urban area of Alice Springs, free of charge, to Aboriginal people by way of needs claims.

Mr Deputy Speaker, the Northern Territory government has seen registered at least 45 sacred sites in the Alice Springs area. In the same time, the Northern Territory government, working with the Northern Land Council, has built 2 new towns in the north of the Territory. It has built Jabiru and Palmerston. Has there been conflict of this type with the Northern Land Council? No! The government's relationship with the Northern Land Council in this regard has led to satisfactory compromises, reconciliation and facing the facts of today.

I would suggest, Mr Deputy Speaker, that the one-eyed zealot who represents the seat of MacDonnell should look into his own camp to see whether perhaps there

is not some fault on his side and to see whether there is absolutelv no room for compromise. Quite frankly, it is extraordinary that the Northern Territory government can build 2 towns in the Top End at Kakadu and south of Darwin, in consultation with the Northern Land Council, and yet cannot seem to put anything in at all in Alice Springs without running into a fight with the Central Land Council and various Aboriginal organisations which exist there. There are over 30 such organisations and, in my opinion, they are so prolific they have to find things to fight about to justify their existence.

Mr Speaker, I circulated earlier the Uluru National Park Plan of Management which was prepared jointly by the Australian National Parks and Wildlife Service and the Conservation Commission of the Northern Territory over a period of 16 months. The Australian National Parks and Wildlife Service holds title to the park whilst the Conservation Commission of the Northern Territory actually runs it on a day-to-day basis.

During the preparation of the plan, there was considerable input and comment by a variety of Northern Territory-based organisations, including Aboriginal, Commonwealth government and NT government organisations and units of administration. The plan has in fact been a collaborative exercise. Under the Commonwealth National Parks and Wildlife Conservation Act of 1975, it is now required that the plan be made public for a period of not less than one month to allow for representations by interested persons. That period expires on 27 May. The Director of the Australian National Parks and Wildlife Service is then required to give due consideration to the representations made, alter the plan if necessary and then submit the plan, together with the representations made, to the relevant Commonwealth minister. A number of additional steps are required before the plan can come into effect. These are outlined in section 4 of the plan and are similar to those embodied in the Territory Parks and Wildlife Conservation Act.

The plan recognises the significance of the Ayers Rock-Mt Olga area to Aboriginal people and the provisions for strengthening spiritual links and for opportunities to engage in park management are contained in sections 9, 23, 41 and 44 of the plan. The Central Land Council, the Aboriginal Sacred Sites Authority and the Aboriginal Liaison Unit of the Department of the Chief Minister played major roles in the preparation of these sections of the plan. In particular, it is worth noting that section 9.4 of the plan allows for the formal recognition of the Aboriginal consultative group from whom the Conservation Commission has continued to seek advice for the day-to-day management of the park. That group, consisting of Aboriginal people with associations with the area of the park, will now be formally recognised as the Uluru Aboriginal Advisory Committee and, together with the Central Land Council, it will be consulted on all park management matters of concern to the Aboriginal people.

The plan allows for those Aboriginal people with traditional associations to reside in the park, if they so desire, in areas especially agreed and set aside for the purpose. Up to 5 houses, including 3 already built, will be provided during the period of the plan.

The plan recognises the major role that the park has in the tourist industry of the Northern Territory and of the rest of Australia. It provides for the phasing out of the inadequate tourist facilities within the park to be integrated with the development of the new facilities proposed at Yulara. This will mean a significant improvement of the park. It allows for such areas within the park to be rehabilitated and returned to the natural environment. This process of rehabilitation has already started following the completion and sealing of the new Yulara access road into the park and the Ayers Rock circuit road.

Mr SPEAKER: Order! The honourable member's time has expired.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I wish to raise 2 small matters in the adjournment today.

Honourable members may have noticed in the NT News earlier this week a short article referring to the naming of the workshop at the Darwin Hospital after the late Mr Jim Goodwin. I think this was an excellent decision and I would like to thank those who organised it. Mr Goodwin was a constituent of mine. His family is quite well known to me, as I know it is to some other members of the Assembly. I knew him not only in that capacity but also in the 1960s when I worked in the Commonwealth Health Laboratory in Darwin. Even at that stage, Jim Goodwin was something of an institution in the Health Department. The minister will be interested to know that the laboratory then had a staff of 12 or 13. We did not have the masses of equipment found in the Department of Health these days but, nevertheless, technology was advancing upon us and the items of equipment were becoming increasingly complex. Whenever anything went wrong, it was always Jim Goodwin we called for, and he always came with a very broad smile. I do not think I ever saw Jim without a big smile on his face. Certainly he was a most capable and outstanding member for the department.

Of course, his expertise was more in assisting with the radiography area than the one I worked in but, nevertheless, he had the skills and the ability to solve technical problems at a time when the department was not of the size that it is today. It did not have specialist members on its staff who could attend to these things. In the past, the Territory has been blessed in being able to attract such people to it, and each in his own way has contributed. I am pleased that the contribution that Jim Goodwin made to the health services of the Northern Territory over his 25 years has been recognised by naming the workshop at Darwin Hospital after him.

There is one other matter I wish to raise, Mr Deputy Speaker, and it relates to sport, which had something of an airing yesterday. Netball is one of the larger, if not the largest, participatory sports in the Northern Territory and around Australia. In fact, more people are playing netball than almost any other sport. I am told that in Darwin alone there are approximately 400 people who take part in the weekly competition, the adult competition, which is held at the courts in my electorate. There are 600 or more schoolchildren similarly taking part in the competitions in Darwin alone. The sport of netball is increasing in popularity around the rest of the Northern Territory also and the Northern Territory championships were held recently in Nhulunbuy.

I was pleased to hear from the Minister for Education, in answer to a question this morning, that the Department of Education is ensuring that the courts at the Darwin Community College will be suitably surfaced to enable an interstate school competition to be held in June. Thus, I was very disappointed, and I am sure other members and ministers will be too, to hear the following story. There is a Northern Territory under-15 netball team due to go to the Australian Championships to be held in Brisbane in June. A person was chosen to be the manager of that team. She is an employee of the Department of Education. As honourable members know, frequently it is teachers who train, coach and manage junior sporting teams of one sort or another. This person, whose name I will not mention because I have not had permission to do so as yet, applied in the normal way for leave to take this team to the Australian Netball Championships in Brisbane between 12 and 18 June. Three weeks later she received a reply that leave had been refused. She appealed and we found out in the last day or so that this has also been refused.

I approached the office of the Minister for Education on this matter because time is running out. I must say that his staff have been most helpful on the matter and I think they find the situation as incredible as I do. The department has refused this woman leave for 3 reasons. Firstly, it is a policy that

teachers should not have leave in periods either side of stand-downs; that is, holidays. The week of the competition, which is in Brisbane, is the week prior to the semester break in the Northern Territory. I am quite sure the people who organised the competition in Brisbane were not thinking of that. Secondly, the under-15 netball team is not an approved Department of Education sponsored team; that is, it is not a primary or secondary school sponsored association.

Mr Deputy Speaker, the Australian Netball Association has been organising its own carnivals for a long time. Maybe in years to come, as interstate school competitions develop, the 2 will merge but that has not happened at the moment. Thus, this is not a school-sponsored championship, although it is the Australian under-15 netball championship. Thirdly, this person is a temporary officer and, as such, she is not entitled to leave without pay.

Mr Deputy Speaker, I think that most honourable members would agree with me that this decision and the rigid application of these rules in this particular situation is most unfortunate and quite contrary to the government's stated policy, which is of course supported by the opposition, of encouraging sport and particularly youth sport in the Northern Territory. One of the purposes of the Australian championships and one it will be particularly used for is for talent identification. Of course, Northern Territory children are frequently disadvantaged in this way because they are not exposed to the teams down south and are not exposed to people who choose the best for subsequent training to make national teams. So it is most important, as I am sure the honourable Minister for Youth, Sport and Recreation would agree, that opportunities for Northern Territory players in their youth to show off their natural talent, which we all know they have at national championships, should not be rejected.

This person has been refused permission to go, even without pay. She would lose 4 days. That is all because there is a public holiday. She is not a class teacher; she is a remedial teacher. She would lose 4 days of her working time and she wants to do it without pay; that is, without cost to the department, I would assume. Yet, it has been rejected. I think that is a very foolish way to manage the matter.

I have been informed from the minister's office that he hopes and believes that this issue may cause the department to review its policy in these areas. I hope it reviews it in time to release this teacher to go and assist the Northern Territory at the Australian championships.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MINISTERIAL STATEMENT
Brucellosis and Tuberculosis Eradication Campaign

Mr STEELE (Primary Production) (by leave). Mr Speaker, it is timely that a brief statement of the government and departmental position on the BTB eradication campaign was presented to the Assembly. Earlier this week, the BTB liaison committee that represents the agricultural and pastoral lobby organisations met and decided that the government was pursuing the BTB eradication campaign in accordance with its own wishes and in concert with the difficult economic times.

This BTB eradication campaign commenced in the Northern Territory with testing programs in 1968. The original date for eradication was not 1984 as has been misconstrued. Commonwealth public funding was originally to end in 1984 but this has now been extended to 1992. The first submission by this government to the IAC took effect on 4 August 1981. Its main recommendations were that funding must continue until 1992, that the method of funding is to remain unchanged, that consideration be given to the use of price support to encourage destocking of properties in certain areas for BTB eradication and that consideration be given to the provision of support finances for some properties to enable them to comply with the requirements of the BTB campaign.

The second departmental submission to the IAC was on 14 January 1982. The main recommendation of that submission was that the impact of the BTB eradication campaign in north Australia should be more thoroughly reassessed in the light of peculiarities in the beef industry in the region. Some examples of that were tax incentives for boundary fencing and fencing of roads, Commonwealth government grant expenditure for cattle grids on public roads, the freight equalisation scheme for fencing and yard materials for use in BTB control, Commonwealth grant expenditure for surveys and clearance of fence lines and treatment with soil sterilants and relaxation of tariffs on farm vehicles and aircraft usage for the BTB campaign.

I will outline the current disease position. The interim target dates are: 0.1% incidence of TB in the southern half of the state - below 16th parallel - by 1 January 1984; a nil level by 1 January 1987 in the south; and a similar program for the northern half 2 years later. For brucellosis, the target is 0.1% incidence for the whole of the Northern Territory by 1986 and nil incidence by 1987.

I will outline the approved programs. In the Alice Springs and Barkly districts, out of a total of 131 properties, 124 have approved programs. In the Katherine region, out of a total of 73 properties, 33 have approved programs, 7 are pending and 33 have no program at the present. In the Darwin region, 32 out of 74 stations have approved programs while a further 10 stations have programs pending. The additional problem in the north is feral buffalo which have an average TB rate of 3% compared with the Northern Territory average rate in cattle of 0.44%. A detailed TB eradication plan for buffalo is in an advanced state of preparation for discussion and finalisation with the Conservation Commission. The current level of brucellosis is 0.3% and the current level of tuberculosis is 0.44%. These levels are declining.

There is to be testing of all animals and destruction of all animals found reactor positive. We are monitoring all properties to ensure that disease is not spread from one property to another. There is destocking on a voluntary basis but the final option is compulsory destocking. Of all properties

currently under an approved program, 80% have made good progress towards eradicating the disease while the other 20% have made fair progress. The task is now identifying development money required and modified programs in view of the current depressed state of the market. This report must be delivered to Cabinet by the end of this year but could be much earlier due to the accelerated rate of the campaign.

The testing activity in 1982-83 is expected to increase by 17% over the outlook for 1981-82, making a total increase of 65% over the past 3 years. A total government expenditure of $6.561m is projected for 1982-83, a substantial increase on the outlook of $2.983m for 1981-82.

Activity planned in the Alice Springs district next year is to increase by 70% above the level for 1981-82. In the Tennant Creek district, the few properties without approved programs will be encouraged to change their policy, In this district, as in the Katherine and Darwin districts, testing activity on stations with approved programs will be maintained.

Overall, the program is moving satisfactorily in the southern part of the Territory and in the Barkly Tablelands because the industry in these regions is able to meet the costs. The difficulties of mustering are not so insurmountable and initiative is provided by the requirements of authorities in South Australia and Queensland which are the outlets for these 2 regions. Only a small number of properties in these regions are having any real trouble with the eradication programs and it is anticipated that national eradication deadlines can be met if determined action in the form of selected destocking and or provision of some assistance is implemented for these properties.

In the northern part of the Northern Territory, the financial strength of the industry is poor and, because of the difficult nature of the country, the cost of instituting an eradication program is much greater than in the south. In some cases, programs are having to be modified because of the inability of the property to maintain the original pace. To identify the financial and managerial requirements in the transition and the future requirements for the northern areas, the department has taken the initiative in setting up an interdepartmental task force charged with examining individually and reporting these requirements for individual properties, and the total situation for the Territory. This program is being carried out with the utmost urgency.

At the moment, where testing is not possible or where, because of imperfect mustering or segregation of stock it has not been successful, a modified program based on monitoring through abattoir traceback and selective testing is being employed. Where it is apparent that these methods will not achieve eradication by 1992, selective destocking at the discretion of the department will be employed. This is being done at the moment on a voluntary basis. Compulsory destocking, which is certainly an option to be considered, will not be introduced until the final implications are more clearly distinguished.

Some of the adverse factors against the progress of the eradication campaign are low cattle prices, particularly in the north, high development costs in the north, difficult country in the north, and the difficulty some properties are experiencing in maintaining a full program because of the depressed state of the beef market.

I will just recap on the positive steps the government and the department have taken. We made the submission to the IAC. We approached the Agricultural Council in Adelaide earlier this year about compensation for destocking animals.

We have had close consultation with the industry. A joint industry liaison group has been set up for the purposes of such communication. This initiative has been reciprocated by the Department of Primary Production which is working closely and harmoniously with this liaison group. The most recent meeting, as I indicated, took place on 25 May. We have made representations to Primary Industries Minister, Mr Nixon, to have section 75C of the Income Tax Assessment Act extended to allow full deduction for expenditure on boundary fencing and on fencing along public roads. We have had discussions with industry on possible areas of assistance such as with the Bureau of Animal Health about the feasibility of the holding subsidy. We created a task force to identify development money and alternative programs to meet the 1992 eradication deadline. We are continuing to make representations to the Commonwealth government. This is an Australian problem and it is quite clear that the industry will require further Commonwealth government support to continue maintaining the BTB eradication program.

Mr Speaker, this policy will be further submitted to federal authorities through the Standing Committee on Agriculture and through the Australian Agricultural Council meeting in July. I move that the statement be noted.

Debate adjourned.

MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL
(Serial 192)

Continued from 16 March 1982.

Ms D'ROZARIO (Sanderson): Mr Speaker, this particular amendment seeks to rectify a number of problems that have become apparent since the introduction of the no-fault insurance scheme. A number of the matters which have been taken up might not affect large numbers of people but indeed, for those numbers of people that are affected, the effects can be quite severe. The Treasurer has taken steps to provide some relief to those people and certainly from my electorate office a number of these matters have come to light. Therefore, I commend him. Mr Speaker, the opposition supports this particular amendment but I would just like to canvass a couple of the points raised in the bill.

One of the things which this amending bill seeks to do is to remove the technicality with respect to those people who render themselves ineligible for compensation under the scheme by reason of the fact that, at the time of the accident, they were either drunk whilst driving or driving dangerously or racing motor vehicles or driving whilst unlicensed. I can remember the original debate on this bill. It was the clear intention of the legislature of that time that any one of these conditions would render the person ineligible. As a result of a minor technicality in the passage of the bill, 2 of those conditions must obtain simultaneously. The minister has sought to clarify and correct that error by an amendment. Of course, our view of it now is the same as it was in 1979.

Of more importance to people affected by this legislation is the removal of some constraints on accident victims who subsequently leave the Territory. It is unfortunate that some people have had to leave the Territory as a result of an accident because of their continuing need for specialised medical care. The Treasurer was quite correct when he said in the second reading that these people should not be penalised by the existing provisions of the Motor Accidents (Compensation) Act. The way the legislation stands currently, if an accident victim leaves the Territory, he forgoes his entitlement to continue to receive compensation. The amending bill allows him to continue to receive compensation for as long as his ability to work is impaired. I have come across a few cases of this sort and I appreciate the anguish that goes with the decision made by

an accident victim to completely re-establish himself in another city of Australia. That particular provision is commended by the opposition.

One of the other effects of this bill is to raise the levels of benefits payable. This matter has come to my personal knowledge through electorate representations in the last 12 months. Because of the way the act is written at the moment and as a result of the very severe disability that is suffered by some accident victims, they reach the top level of payment of benefits quite quickly. It is up to the TIO to exercise its discretion as to whether it will continue to pay their medical costs. If only by relatively small amounts, this bill increases the maximum level of benefits payable by the Territory Insurance Office. That is quite appropriate as the original levels were set 3 years ago.

A further effect of this bill is to modify the definition of factor 'B' in the Motor Accidents (Compensation) Act. Through the years that this act has been in operation, some of the definitions have given some concern to practitioners working in this particular field. They have sought not only independent legal advice on the meaning of some of these provisions, but also, I believe, have made representations to the government to clarify the matter. Therefore, I appreciate the honourable minister's intention to clarify this definition, but I have to confess I can make neither head nor tail of the provision in clause 7(e). I am sure other members who have read this and tried to understand its meaning may have come to the same conclusion. Substituted for that particular provision is a set of words which appears in clause 7(e) of the bill. In one sentence, it introduces a number of very technical legal terms. In fact, it is really quite hard to understand what is meant by this particular provision.

I have taken some advice on the meaning of this provision and I am assured that what is sought to be achieved is in fact expressed in the words used, but I must admit that I could not come to this view independently. I think that the view already expressed by the legal fraternity might still be relevant when it looks at the new provision provided in clause 7(e). What I am really saying is that the legislation is not clear. We have a principle, supported by both sides of the Assembly, that legislation ought to be understood easily and readily by the people affected by it. Whilst I concede that the best legal advice available to me is that the words expressed here do in fact reflect the intention, I find it quite incomprehensible and I suggest that many people affected by it would feel the same way.

Mr Speaker, with those few remarks, the opposition supports this bill. A fairly non-partisan approach was taken to the introduction of a no-fault insurance scheme and we are as interested as the government is to see that that scheme works satisfactorily.

Mr VALE (Stuart): Mr Speaker, I rise to speak in support of this bill. The anomalies which this bill seeks to correct certainly need revision. The lump sum benefits for injury and death have not been altered since 1979 during which time the effects of inflation and rising living costs have eroded their value. The new levels are more realistic in today's economic climate.

Similarly, there should be no doubt in the legislation that benefits should continue to be payable to injured persons who subsequently, through no fault of their own, leave the Territory. These people may choose to leave the Territory for a variety of reasons: health, family, employment prospects etc. Injuries they sustained whilst living in the Territory will not go away as easily. Equally there should be no question of cancelling weekly benefits as compensation for loss of earning capacity for people over the age of 16 years who decide to leave the Territory for further studies elsewhere and then return.

Mr Speaker, I support the amendments in the bill.

Mr PERRON (Treasurer): Mr Speaker, in closing the debate, I will touch primarily on the matter raised by the honourable member for Sanderson. I, too, found some difficulty with clause 7(e) as far as being able to understand it as a lay person. I guess that lay people are not destined to understand this clause. Perhaps the important thing is that their legal advisers and others can. It is disappointing that legislation cannot always be expressed in a manner that ordinary lay people can understand.

The clause purports to make the matter clearer than it was. The thrust of it is that, if the breadwinner in a family is killed, the family is able to maintain the position as far as family income is concerned that existed prior to his death, and that certain considerations will be taken into account as a result of the death of that person. As a result of such a death, apart from compensation provided under this act, the family may be able to receive a pension through superannuation or some other system. Such income is taken into account when the Territory Insurance Office equates the compensation payable on the principle that the family's position is largely the same as it would have been had the breadwinner not been killed in a motor vehicle accident. That is the important thing for members of the Assembly to appreciate. Decisions on this type of matter are appealable to the tribunal, a judge of the Supreme Court, and I am informed that it is not necessarily a full court proceedings with all the trappings. The judge can sit relatively informally to determine appeals.

I thank honourable members for their support. I have several amendments to propose during the committee stage.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr PERRON: Mr Chairman, I move amendment 97.1.

This amendment amends subclause (1) to commence the new clause 9 retrospectively from 1 July 1979.

Ms D'ROZARIO: The opposition does not support the retrospective application of legislation by and large. In this particular case, we are correcting a fairly technical error. However, that error might have affected the benefits of some claimants. The Treasurer has assured us in his second-reading speech that in fact no cases have come to light in which the benefits of claimants would be affected. Therefore, we support the retrospective application of the clause.

Amendment agreed to.

Clause 2, as amended, agreed to.

New clause 2A:

Mr PERRON: Mr Chairman, I move amendment 97.2.

This inserts after clause 2 a new clause 2A. It is a technical amendment.

New clause 2A agreed to.

Clauses 3 and 4 agreed to.

Clause 5:

Mr PERRON: Mr Chairman, I move amendment 97.3.

This amends clause 5 to further clarify the amendment to proposed section 14(1)(b) and also to allow the payment of benefit to full-time students who may be earning a wage or salary in excess of 25% of average weekly earnings.

Amendment agreed to.

Mr PERRON: I move amendment 97.4.

This amends proposed section 14(1)(d) to be consistent with the amendment just passed.

Ms D'ROZARIO: Mr Chairman, the amendment reads: 'Omit from proposed section 14(1)(d) in paragragh (a)...'. If he looks at clause 5, he would see a paragraph labelled (a) appears just under the words, 'Section 14 of the Principal Act is amended'. Further on, in a new subsection (1), there is another paragraph (a). I simply want to pinpoint the location of this particular paragraph. Are the words now to read in paragraph (d): 'he ceases to be full-time student or sooner marries or establishes a relationship of the kind referred to in paragraph (b)(ii)'?

Mr PERRON: Mr Chairman, that is my understanding.

Amendment agreed to.

Mr PERRON: I move amendment 97.5.

This is a technical matter.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 8 agreed to.

New clauses 9 and 10:

Mr PERRON: I move amendment 97.6.

This adds a new clause 9 to the bill to amend section 40A(3) to give Territory residents injured by unidentified vehicles the right to sue the Territory Insurance Office for pain and suffering or for loss of amenities of life. Other sections of the act limit this right to $100,000.

New clause 10 allows clause 9 to be made retrospective to 1 July 1979 and provides for a transitional period. It has come to our attention that a deficiency existed in the act whereby a Territory resident who was injured by an unidentified vehicle did not have this right whereas, if he was injured by an identifiable vehicle, he did have the right. An interstate resident who is injured by an identifiable or an identified vehicle had that right.

New clauses 9 and 10 agreed to.

Title:

Mr PERRON: Mr Chairman, I move amendment 97.7.

This omits '1979' from the title.

Amendment agreed to.

Title, as amended, agreed to.

Bill passed remaining stages without debate.

CLASSIFICATION OF PUBLICATIONS AMENDMENT BILL
(Serial 173)

Continued from 10 March 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this is a small bill to correct a problem with the principal act. That act currently provides for any objections made to classification of any publications to be made within 14 days of such classification being made. In the Northern Territory, we do not have our own classification officer. That function is carried out by Commonwealth officers. As a result, it usually is some months after the classification before the actual publications appear in bookshops in the Northern Territory. The 14 days currently allowed in the act is simply not possible. The bill corrects that by allowing the objections to be made at any time. The opposition supports the bill.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I rise to support this particular bill. It is very simple. We do not have our own classification board and this 14-day limit prevents Territory people being able to object to a classification. I welcome the total extension in time. Even 6 months or 12 months may not be sufficient for certain publications to reach the Territory or to come to the notice of people and for objections to be allowed.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

PUBLIC HOLIDAYS AMENDMENT BILL
(Serial 178)

Continued from 10 March 1982.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition supports the passage of this bill. The intent of the amendment is to make the figure of $300 more flexible by allowing it to go into regulations. In fact, the opposition suggested this when the bill was originally passed last year. I have circulated amendments which would establish that. In fact, they would tie it to the average male weekly earnings in the NT.

For the information of the Treasurer who questioned this last time, the average male weekly earnings as quoted in catalogue No 6302 issued by the Australian Bureau of Statistics under the Australian Bureau of Statistics Act 1975 of the Commonwealth is $359.40. That is my information from the Bureau of Statistics. There is another figure which contains some seasonally-adjusted figures. It is not intended to reflect those seasonally-adjusted figures.

I believe that the Chief Minister intends to incorporate a similar barometer in regulations. I am most concerned that the potential wages can be affected by regulations. Wages should be affected by acts and not by regulations.

Mr Speaker, I support the passage of this bill but I would like the government to make that $300 ceiling much more flexible. I support its intent. I would ask that that flexibility be built into the act and not into regulations.

Mrs LAWRIE (Nightcliff): Mr Speaker, I support the passage of the bill for the same reasons as outlined by the honourable member for Nhulunbuy. The only point I wish to make here is that, in his second-reading speech, the Chief Minister said, and I quote from Hansard of 10 March:

> *The formula to be used for any adjustment to the amount is yet to be decided upon. This matter is the subject of ongoing discussions in the Territory with the Industrial Relations Consultative Council and I hope to be able to inform the Assembly of the results of these discussions in due course.*

Mr Speaker, I would ask the Chief Minister in his reply if he would indicate the tenor of the discussions and if any agreement has been reached. If so, on what basis will the adjustments be made to allow the committee to evaluate both the proposals of the bill and those of the amendment schedule proposed by the spokesman for the ALP?

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I support the principle in this bill in that legislation should deal only with generalities leaving regulations to deal with the particularities relating to that legislation. The Chief Minister has given as his reason for introducing this legislation the fact that, these days, adjustments in financial amounts have to be frequent and follow other indices of living. Therefore, this legislation could have required frequent amendment which would have been a clumsy way of living with it.

On the subject of public holidays, I favour a new look at the whole concept. I have heard others discuss the idea recently, especially those connected with the hospitality and tourist industry, and I read a few dissertations on the subject. Historically, public holidays and weekends considered as work days put the worker at a disadvantage in that, if forced to work at these times, he would not be able to enjoy certain community privileges during the week when he had time off. If he was a conscientious churchgoer, he may have had some religious scruples which had to be financially assuaged. Neither of these reasons hold today. The 7 days of the week are all of the same value and interest, and allegiance to organised religions is not strong. I might say here that, in the little business that I conduct, every day of the week is the same. I treat the weekends as ordinary work days.

As a direct consequence of higher rates of pay being negotiated for those who work on confirmed public holidays, there is a flow on to the consumer of the cost of supply of services, particularly in the hospitality industry. The tourist is the hotel and motel occupier. With our burgeoning tourist industry in the Northern Territory, we have to think seriously about this very heavy cost of supply of services. We will not get far in a discussion on this subject now because we would be hitting our heads against the brick wall of entrenched privileges. But, the time will come when open discussion of the work values of this employment must be considered.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I will deal with the matter raised by the honourable member for Nightcliff first. From memory, the matter

of this adjustment was considered at a number of meetings of the Industrial Relations Consultative Council. Unfortunately, neither side could agree on what formula should be used. In effect, it virtually said to the government in the end: 'You will have to take the decision and we cannot be much help to you'. I do not really know that employers or unions have a great deal of interest in this area. Certainly, it has not been put to me as yet that a formula should be established by regulation in the immediate future.

However, this seeks simply to amend section 11(3) to enable us to make the adjustment of the $300 amount by regulation when we have indeed settled on what it should be. The opposition amendment seeks to statutorally adjust the amount in line with the specified Australian Bureau of Statistics publication in relation to average weekly earnings. It may well be that the government will finally accept percentage movements in the average weekly earnings index as a basis for adjusting that amount.

I believe the opposition amendment foreshadowed by the honourable member for Nhulunbuy should be rejected because, firstly, the latest published index puts the Territory male average weekly earnings at $363.70. That is at September 1981. While this is higher than the amount specified in the act, the Australian Bureau of Statistics figure is inflated by such things as high overtime in mining areas and is thus most inappropriate for use as a straight adjustment basis in the non-award areas to which this bill applies. Secondly, the ABS has recently announced that a particular series No 6302 is being revised using base data from employer surveys rather than payroll tax returns. Thus series No 6302 could quite easily be discontinued, necessitating a further amendment to the act.

Mr Commissioner Taylor, during the Leave of Absence Inquiry, clearly expressed the view to all parties that the specified amount should stand for some time and not be adjusted quarterly or at other short intervals. He reasoned that the public should become familiar with one figure and not have to seek constant updates. The opposition's amendment, as I read it, would result in quarterly adjustments. Mr Taylor's view is not contained in his report but was stated by him during the course of the inquiry. The basis for adjusting the specified figure has been discussed at the tripartite Industrial Relations Consultative Council and, whilst it appears - and I suppose I had better be more careful in what I say - that the item is not of high priority amongst members of the council, the door is still open nevertheless for members to reach agreement if they so desire.

Regarding the second part of the amendment proposed by the honourable member for Nhulunbuy, Mr Commissioner Taylor stated in his report at page 77 that double time and one half is payable under most Commonwealth awards. There are some, however, that contain provisions only for double time and, since the act provides for minimum standards, the appropriate rate is double time. Therefore, in my view, the amendment should be rejected.

Mr Speaker, the government's bill allows the greatest flexibility by providing for the amount to be adjusted simply by regulation. Specifying a method or ABS catalogue number is as cumbersome as specifying a dollar amount and, for the above reason, should be rejected. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr LEO: I invite defeat of clause 2.

Mr Chairman, I would like to take issue with a couple of the points the Chief Minister made in his reply. The Bureau of Statistics figures he quoted were seasonally adjusted figures. The figure I quoted was the bald male weekly income earning figure last issued by the Bureau of Statistics and that stands at $359.40. The seasonally adjusted figure is used by some people but it is not the figure that I was quoting. To the best of my knowledge, the collection methods of the Bureau of Statistics are under review. I have been assured that that catalogue number is constant. As I said in the second reading, I think incomes should not be subject to regulation. It should be a matter of policy when forming any legislation that income should not be a matter of regulation. The Executive Council is seen by some members of the trade union movement to be a bit one-eyed.

For this reason, I hope that the Chief Minister would allow this to be included in the act. The other part of the amendment would increase the rate from twice to 2½ times. Despite what the Chief Minister said, most awards pay 2½ times as a minimum standard. Indeed, many awards now pay thrice. It is a minimum standard and it is included in Commissioner Taylor's report. He recommends that the payment should be at 2½ times. What the Chief Minister has included in the bill is a departure from the recommendations of Mr Taylor.

Mrs LAWRIE: The honourable the Chief Minister is trying to find a way over the cumbersome procedures in the act at the moment whereby a prescribed amount is there and it is quite a lengthy procedure to alter that amount if it is in the principal act. He felt it would be less cumbersome if this procedure could be followed by way of regulation. Being a member of the Subordinate Legislation and Tabled Papers Committee, may I advise the Chief Minister that this method too may be a cumbersome operation. We must remember that regulations come into effect from the time that they are gazetted but are subject to disallowance. It could reasonably happen then that the regulations be gazetted and people be paid at that rate because they had worked on public holidays. If that regulation was later to be disallowed by this Assembly, it would place in some jeopardy the payments already made to people. I am suggesting to the Chief Minister that his procedure may be as cumbersome as the one that he is seeking to supplant. Certainly, I support a flexible procedure in the principal act so that everybody knows where he stands. That would be preferable to both the ideas put forward so far.

Mr EVERINGHAM: Mr Chairman, I am a reasonable man as I so often proclaim. We tried to get agreement between the parties most affected: the representatives of the employers and the representatives of the unions. Agreement was impossible. We hope that it might still come about. There appears to be no anxiety on that score from either side. We are left in the position of doing something. We do want to assist these people and we want to be able to make changes when we have to. I do not think I need to say anything in response to what was said by the honourable member for Nhulunbuy because I think I covered it in my reply, except to say that what he further proposed really confused the situation more.

In respect of what was said by the member for Nightcliff, it is possible that regulations will be disallowed. It is highly improbable however. In any event, the flexibility of the regulation-making power is that it can have effect at a much earlier time. If a decision is taken to increase someone's pay in this way, the regulations can be put through in 25% of the time that it would take to put through legislation. I believe that that advantage is the one that should be taken into account. Whatever the risks are that the

regulations may be disallowed - and I think they are very small - we should adopt this course.

Clause 2 agreed to.

Title agreed to.

In Assembly:

Bill reported; report adopted.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the honourable member for Tiwi has an extremely narrow view of the world. It quite often does not extend outside the honourable member's own particular interests or her constituents' interests.

The honourable member made a categorical statement that the reasons for acts which provide penalty rates for weekend work no longer exist. I would suggest,particularly in the context of Northern Territory society, that such a statement is really arrant nonsense. I might add also that the honourable member for Alice Springs, not surprisingly, interjected a 'hear hear' when she made those comments. He is just as wrong and just as narrow-minded as she is.

The fact is that the Northern Territory is one of the most sports conscious communities in Australia. It has a proliferation of sporting clubs second to none in Australia. The fact is that most of those sports are played on a team basis at the weekends and many people, particularly those who work shiftwork, are inconvenienced to a great degree because they often have to give up their participation in sport. We are surrounded by those people. Some of them are very close to home on our own staffs because of the irregular hours of a political office. I am surrounded by fitness freaks, not that it has had any profound effect on me personally. I have marathon runners, squash champions and rugby union players on my staff. They can no longer participate,much to their annoyance, in those sports because of the irregular hours that are worked and the 7-day-a-week operation of my office. There are thousands of people in that category in the Northern Territory.

It is also true that normal social intercourse takes place on weekends. Weekends are the time when we visit friends. I see the point of the honourable member's proposals. If, for example, Mondays and Tuesdays were to be considered for some categories of work to be no different from any other day of the week, people may spend some fairly lonely days at home, perhaps doing their garden or listening to records or reading. I must say that one of the great attractions of Territory life for me in the 16 years that I have been here has been the outgoing nature of Territory society. Most of that activity takes place at the weekends. It is still inconvenient in the Territory for people to have to work on those days. It will probably continue to be even more inconvenient in the future for normal social activities and particularly for sporting activities. I would suggest that acts such as this are extremely necessary.

Mrs LAWRIE (Nightcliff): May I ask the Chief Minister to take some note of the brief remarks that I am going to make as a member of this Subordinate Legislation and Tabled Papers Committee. Along with other members of that committee, I have been appalled at the paucity of the information given to that committee to decide the validity or otherwise of the various regulations forwarded to the committee. May I ask, if this is an area of his concern, that, when the regulations are forwarded, the committee is given a detailed account of how the amount was arrived at to assist its deliberations.

Bill read a third time.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM (Chief Minister): Mr Speaker,I move that so much of Standing Orders be suspended as would prevent 2 bills relating to bank mergers being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee report stages and the third readings of the bills together, and the consideration of the bills separately in the committee of the whole.

Motion agreed to.

THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL
(Serial 203)

THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL
(Serial 202)

Bills presented together and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bills be now read a second time.

On 14 May 1981, the Bank of New South Wales and the Commercial Bank of Australia Ltd jointly announced the terms of a proposed merger of the 2 banks. At the same time, the National Bank of Australasia and the Commercial Banking Company of Sydney jointly announced the terms of a proposed merger of the 2 banks. Under the Banking Act, both proposed mergers require and have been given approval by the federal government. The banks have requested that the states, the Territory and the Commonwealth also pass uniform legislation to facilitate the mergers. The Northern Territory is not required to give approval to the mergers once federal approval is received. In past situations of bank mergers, such as the takeover of the Bank of Adelaide by the ANZ Banking group, each state where the bank had branches and assets passed legislation to facilitate the merger. The purpose of the Commercial Bank of Australia Ltd (Merger) Bill and the Commercial Banking Company of Sydney Limited (Merger) Bill is to enable an orderly transfer of the banking business and obligations of the merging banks.

I turn now to the bills,Mr Speaker. Clauses 5 and 6 of each bill, which are mirror pieces of legislation, provide on an appointed day the banking business undertaking and some assets of the banks which are being taken over will vest in the continuing banks, the Bank of New South Wales and the National Bank of Australasia. For administrative reasons, the merging banks have requested to be allowed to pay all stamp duties and registration fees for all the dutiable transactions in the mergers to the Territory in one lump sum. At this stage, the amount of duty which will be paid is being calculated by the Commissioner of Taxes. The banks have also given the assurance that there will be a minimal disruption to banking services in the Territory and there will be no staff cuts as a result of these mergers.

I now move to other important features of the bills. Clause 8 of the bills declares that all legal proceedings to which the banks which are being taken over were a party before the mergers may be continued after the mergers, by or against the continuing banks. Any judgment against or in favour of the banks which are being taken over will be able to be enforced by or against the

continuing banks.

Clause 10 of the bills ensures that the employees of the banks which are being taken over shall become, after the mergers, employees of the continuing banks with the same conditions and terms of service.

Mr Speaker, I feel that clause 14 of the bill should be explained in some detail to members. The clause provides that no duty is chargeable or payable in respect of any instrument, certificate or document entered into for the purposes of this act. This clause does not mean that the banks which are involved in the mergers are avoiding stamp duty. As I have previously mentioned, the banks have asked that stamp duty and registration fees be paid in a bulk payment. Before the bills receive the assent of the Administrator, all duty and registration fees will have been paid by the banks to the Territory. The purpose of clause 14 is to avoid the administrative problem of having each document, of which there will be hundreds if not thousands, stamped individually. The clause is aimed at saving administrative time and costs to both the banks and the Territory.

The other clauses of the bills provide for appointment of new trustees for continuing banks, registration of shares and protection of the Registrar-General in the certifying and registering of certain assets of the merging banks.

Mr Speaker, to facilitate the mergers, the states, the territories and the Commonwealth are passing uniform legislation. The first merger between the Bank of New South Wales and the Commercial Bank of Australia will take place on 1 October 1982. To make the first merger possible, the Commonwealth must pass complementary legislation after the legislation is passed by the states and the Territory. To make this possible, the Commonwealth legislation must be passed in the federal budget sittings which are held in the second week in August. Commonwealth legislation will refer to the legislation passed by the states and Territory. It may be - although I am now checking this with the other states and I understand South Australia is not in any hurry to pass the legislation - that if the bill is not passed in the current sittings of the Assembly, the Commonwealth legislation will not be able to be passed until late September which may be too late to effect the first bank merger proposed for 1 October.

I must say that I think that the banks could have consulted the Territory on their timetable. I understand that this was not done. In any event, quite frankly, I am not satisfied with assurances from the banks that there will be no disruption to banking business and that there will be no staff cuts. The Northern Territory government has written in the last couple of days to the chief general manager of each of the 4 banks seeking assurances that there will be a rectification of the present poor situation in relation to the loans-against-deposits ratio both in the savings bank area and in the trading bank area in the Northern Territory.

I cannot remember the exact figures that I detailed in letters to the general managers of the 4 banks. I have not made the letters public at this stage because I want to give the banks a fair and reasonable chance to respond and to give us the assurances that their business operations in the Territory will afford the same level of lending facilities to Territorians as is the average of the lending-against-deposits business being done in the other states. It will be dependent to some extent on the nature of the assurances that the government receives from the banks as to whether we view sympathetically their request to expedite this legislation through the Assembly. I hope to be able in due course to commend the bills to honourable members.

Debate adjourned.

MINERAL ROYALTY BILL
(Serial 198)

Continued on 16 March 1982.

Mr TUXWORTH (Mines and Energy): Mr Speaker, as a result of the comments I made in my second-reading speech yesterday on Mineral Royalty Bill (serial 221), I seek leave to withdraw this bill.

Leave granted; bill withdrawn.

MINERAL ROYALTY BILL
(Serial 221)

Continued from 26 May 1982.

Mr VALE (Stuart): Mr Speaker, I rise to support this bill. The minister has on numerous occasions since the original bill was tabled a year ago taken great pains to explain the provisions of this legislation. Since the Green Paper and the original bill were tabled last June, the government has received over 70 written submissions from the industry, not to mention the countless representations from industry personnel. The points raised by the industry have weighed heavily on the government's decision to substantially amend the original bill. Even when the revised bill was introduced at the March sittings, both the department and the minister's staff went to great effort to afford the industry further opportunity for comment. It is obvious from the minister's statements both inside and outside this Assembly that the government is continuing to take on board industry comments. I make this point, Mr Speaker, to put into perspective some of the more recent outbursts that we have read in the media and the very wide-reaching effects of the amendments that the government has made both to the original bill and now to the revised bill. The industry should accept them as a strong indication of the government's goodwill towards it and its long-term interests.

Mr Speaker, the government believes that the system and the rates which have now been settled upon will not act as a disincentive to future mineral exploration and development. In fact, the adoption of the profits system provides a degree of sensitivity to economic conditions not contained in royalty systems in other states. This bill will be vastly superior to any other royalty system in Australia and take into account the unique problems of the mining industry in the Northern Territory. I believe it will ultimately be followed by other states in the Commonwealth. In fact, what seems to have escaped the critics of this bill is the fact that this system is designed to take into account the unique problems such as the high cost of operating in the remote areas of the Northern Territory. The government has been more than generous in its concessions.

Mr Speaker, in relation to the recent criticisms of the bill by the Chamber of Mines, I find it somewhat difficult to reconcile the industry's comments pertaining to the 18% royalty levy and take into account the recently announced Pancontinental proposed payments to the Aboriginals in the Arnhem Land regions which is related to the uranium development proposal. The industry argues on one hand that it cannot afford the 18% royalty and yet, on the other hand, one of its largest companies is seen to be paying multi-million dollar payments to certain organisations. Whilst the industry might argue that Pancontinental is a large company, I would say that it will not remain very large very long if it continues to make payments such as those, which it might not be able to afford.

My knowledge of the industry is very much restricted to the peculiar problems of the oil and gas industry. Exploration, of course, is a vital facet of the industry and exploration is the father to the mining world. It is pleasing to note that the government has tied up the provisions concerning exploration expenses. I understand that it has always been the intention that the exploration expenses should be able to be carried forward in order to allow full deductibility. This concept is enshrined in this legislation. Mr Speaker, I remind critics of the bill of the generous exploration provisions. In order to encourage exploration in the Territory, the government proposes to allow explorers to transfer expenditure on exploration they are undertaking anywhere within the Territory to miners liable to pay royalty under the new system. May I remind the Assembly that this is one of the new initiatives announced in March. Mr Speaker, I support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, a decision has been made to introduce this bill to impose a profit-based royalty on minerals recovered in the Northern Territory. Great opposition has been mounted against this. After a very slow start, it gained momentum as the months went by when a royalty of 35% was put forward. In considering this legislation, I take the philosophic view that the states tax the mining industry to varying degrees, some more and some less than we intend to do. It is only natural that the mining industry in the Northern Territory resents this imposition on its profits. No one welcomes having to pay a new tax or a further tax but we all continue to live with these unpleasant facts. I hope the brains behind this bill have done their homework accurately and that it will not sound the death knell of the mining industry, as some prophets of doom in the Chamber of Mines are foretelling.

This bill cannot but bring in its trail an increase in the number of public servants required in the Department of Mines and Energy to administer it. It is rather ironical when other government departments, particularly the Water Division of the Department of Transport and Works, are cutting down on staff, that I can see a definite increase in the number of public servants needed to administer this legislation.

The only comment I will make is that it seems to deal with a particular aspect of the mining industry to a greater extent by administration rather than legislation. I hope it works well for the mining industry. The effects of this bill will not be seen for some time. Initial work under this legislation should show clearly whether it is successful from the government's point of view, given 2 important considerations: firstly, any inhibition of activity in the mining industry and, secondly, a dispersal of investment capital elsewhere in the Northern Territory from the mining locale. I would like to see an assessment of results of the imposition of this legislation after a stated short time so that, if articulations of doom and distress now voiced by the mining industry prove correct, adjustments and amendments can be made. Knowing that the honourable Minister for Mines and Energy is amenable to suggestion, I hope that, if this legislation works violently and antagonistically against the mining industry, he will take steps to remedy the undesirable situation.

Mr B. COLLINS (Opposition Leader): Mr Speaker, in relation to the remarks the honourable member for Tiwi has just made, I would like to say that I would not like to see that sort of assessment made in the short term. The reason I make that remark is that large mining companies, like other large corporations, use the political system as any member of the community does. There are a number of outstanding examples of how mining companies can react to the imposition of new conditions. I would not like to see short-term assessment of the effect of this act, perhaps an assessment made over 5 years or longer, but not a short-term one.

This is not in any way a criticism of the mining industry. It is perfectly proper for people to use whatever weapons are available to them to press whatever particular point they want to make, particularly in a democratic society where that option is open to them. One notable example of this happened in Jamaica. Jamaica relied on its bauxite reserves for almost the whole of its economic growth and employment. The company that operates in Jamaica was rather notably successful in removing the government in that country, not by any illegal means, but simply by doing the things that the honourable member for Tiwi suggested might be done here. It withdrew capital and deliberately wound down development to the point where there was massive unemployment creating an economic recession in that small country which depended on that one industry. This created such an unhappy climate in Jamaica prior to an election that it caused the overthrow of the then government and the election of a new government. This happened only a very short time ago.

I am not suggesting for a minute that the mining companies of the Northern Territory would be responsible for the political overthrow of the current government here. Far be it from me to suggest that. What I am saying is that it may well be that there will be some action on the part of mining companies to indicate their displeasure at this legislation by doing the very thing the honourable member for Tiwi suggested that they may do. I am saying that that should not inhibit in any way the continuation by the government of the implementation of this legislation.

Mr Speaker, this legislation represents a radical innovation in the relationship between the government and the mining industry in the Northern Territory. There is no doubt about that. It also represents a major shift in the government's own attitudes from its original proposal which, as honourable members will recall, proposed a royalty rate of 35%. In his second-reading speech, the minister acknowledged that useful changes had been made to the bill as a result of the process of consultation. The opposition agrees with that point of view. However, the innovative nature of this legislation makes it all the more important that its implementation is carefully evaluated. It is important that the government and the department keep a close check on how the legislation is implemented.

I believe that a number of interesting changes could occur within the industry as a result of the profit-based royalty system. The opposition supports that concept. One which I canvassed with the minister the other day is that there may well be an improvement in the industrial agreements that are signed between the industry and its workers within the normal constraints that are placed on that sort of thing. It may well be that a particular mine may decide that it is a useful trade-off to divert more of its income toward wages or conditions for its workers than towards the exchequer. If that does happen, I could only applaud it. I am sure the government would too. It would put more money into circulation in the Northern Territory's economy. I believe that, because of the significant departure that this bill does provide for in the current method of charging the industry for its product, it will be interesting and useful to carefully note the changes that occur. That is one that I will be looking at.

As the honourable member for Tiwi has already said, it is clear that the mining industry remains unhappy about some provisions of the legislation. Aboriginal communities are also concerned and in fact are in agreement with the mining industry that the bill does not allow mining companies to deduct payments made to Aboriginal people when calculating profit. Mining companies that have worked closely with Aboriginal people realise that these payments compensate to some extent for the disruption of Aboriginal lifestyles inherent in mining. I have spoken on a number of occasions in this Assembly, and am

quite happy to do so again on this occasion, about some examples of good relationships between mining companies and Aboriginal communities in the Northern Territory. One outstanding example is that of Gemco on Groote Eylandt where a very large degree of cooperation exists between the mining company and the Aboriginal community.

I must also say, in passing, that it does appear, at least from the press if you can believe what you read in the Northern Territory News, that some progress appears to have been made by the Northern Land Council in negotiations with mining companies in the Alligator Rivers region. It does appear that the agreement that is currently being negotiated between Aboriginal people and Pancontinental is quite different from the agreement that was negotiated with Ranger. One notable difference is the fact that over 300 copies of that agreement have been freely circulating around Arnhem Land since February this year. I am rather surprised it has not reached the press before now. That is rather a significant change from the way in which the Ranger agreement was negotiated. Honourable members would recall the 6-part saga that I delivered in the adjournment in respect of the meeting that was held to ratify that particular agreement. The Aboriginal people at the meeting who were actually doing the ratifying had not seen a single copy of that particular agreement.

It is clear that the relationship between Aboriginal landowners and mining companies will be crucial both to the way in which they want to develop and continue to pursue their own lifestyles and the way in which the mineral development of the Northern Territory is pursued. That is not a new statement for me but I want to say it again. I consider that the way in which the mining companies and the government handle that particular relationship is one of the most important economic and social challenges in the Northern Territory at present. My own electorate is completely covered by applications for exploration licences as is a great deal of other Aboriginal land in the Northern Territory. The Northern Land Council and the Central Land Council have established a record of some credibility in the area of negotiating agreements. I am pleased to say that they appear to be getting better at it. It is an important area which will have to be handled with a great deal of care and sensitivity for everybody's sake.

It has been put to me that the provisions of this bill may weaken this mutual self-interest between mining companies and Aboriginal people to the detriment of the Aboriginal people, the mining industry and, ultimately, the economy and social wellbeing of the Northern Territory. I can well understand the position of the government on this matter and the need to protect its revenue. I am informed that the government received, and rejected, at least one proposal which attempted to meet the objective of protecting the royalty-revenue flowing to the government by fixing a percentage ceiling on an allowable deduction. For my part, I think it is vital that we find out who is correct eventually about the impact of the bill: Aboriginal communities, the mining companies or the government. In evaluating the operatings of the legislation, the opposition will give close attention to the impact of the provisions relating to allowable deductions, as I am sure the government itself will. I hope that the Aboriginal people, the Chamber of Mines and other interested groups will keep the government and the opposition informed on the impact of this legislation. Indeed, in view of the radical nature of the legislation in Northern Territory terms, and indeed in Australian terms, I would expect the government itself to monitor carefully its continuous operation.

Mr BELL (MacDonnell): Mr Speaker, I rise to speak fairly briefly to this bill, not because I have any particular expertise in the area of mines and energy policy or any particular understanding of royalty payments...

Mr Robertson: If that was the only reason you rose, you would never speak.

Mr BELL: That qualification would not apply merely to me. I imagine it would apply rather more often to the honourable Leader of the House. However, it is an accusation that is frequently made in my direction, Mr Speaker, that I only represent an idiosyncratic point of view of Aboriginal people in my electorate and Aboriginal issues in Central Australia.

I echo the words of the Leader of the Opposition who, I think, suggested that the implications of this bill have to be fairly carefully monitored in terms of understanding the impact they will have on the whole Northern Territory and on the revenue base that provides services for all Territorians. I stress that in no way do I seek to diminish that particular opinion. The opposition commends the introduction of this bill and recognises the important role the mining industry plays in the Northern Territory.

In my own electorate, as the honourable member for Stuart has noted, there is considerable oil. That honourable member has had personal experience of the considerable exploration that is likely shortly to result in full-scale production of oil from the Mereenie wells and of natural gas from the Palm Valley fields. At the same time Pancontinental is continuing quite a large scale process of exploration in which many of my constituents have been involved already. While it is understood that the present bill will not apply to those particular concerns, I think those concerns represent the shape of the future for certain areas in the Northern Territory in which many of my constituents have to live. Hopefully, it will have a considerable economic impact on their futures. Aboriginal people in my electorate have expressed to me their enthusiasm for such development when it is negotiated within an appropriate framework. They are very enthusiastic to be involved in such ventures.

Along with the honourable Leader of the Opposition, I would like to note the points of view that have been expressed by the Central Land Council in regard to the deductibility of up-front payments to traditional owners from the gross revenue for the purpose of calculating these royalties. I think that it is very important for this Assembly to be informed regularly of the impact on Aboriginal communities, their economic base and the mining industry.

The reason I rose to speak was that I want to place on record my concern that such development be carried out in such a way that Aboriginal people who have traditional claims to and have come to live in such areas should not be disinherited as has unfortunately occurred in many parts of Australia. Economic developments of various sorts, not just mining developments, have been carried out and Aboriginal people have not been the richer. In the majority of cases, they have been the poorer. That is something that I believe this Assembly is obliged to guard against. It would be little short of tragedy if development went ahead, minerals flowed from the ground in the Northern Territory and Aboriginal people benefited little. I believe that is something we have to guard against very carefully.

Debate adjourned.

NORTHERN TERRITORY PRODUCTS SYMBOL BILL
(Serial 190)

Continued from 16 March 1982.

Ms D'ROZARIO (Sanderson): Mr Speaker, the question of regulating the use of symbols, trademarks and articles of that nature is always a ticklish one for a legislature. The use of some types of marks or symbols is of course regulated by copyright laws and by trademark laws. Where breaches of these laws occur, the person offended by another person's use of his mark or symbol usually has to resort to common law action in order to maintain his exclusive

use of the symbol. The opposition has watched with some interest the current campaign for Territory-made products and the buy-local campaign. Certainly, it seems that, in the short time that this campaign has been in operation and the publicity it has received, it has been moderately successful, particularly for a few operators who were instrumental in initiating this campaign. Therefore, the opposition supports this bill. It seeks to regulate the use of the Northern Territory trade symbol by setting out the guidelines for its use and by providing penalties for its misuse. The Minister for Industrial Development will recall that, some months ago in this Assembly, I asked who held the copyright to this particular symbol. It is pleasing to see that something is being done to protect the use of this symbol. We support that move.

I would just like to talk a bit about the actual provisions of this bill because I am not generally familiar with trademark legislation. Some of the matters raised in the bill are quite interesting to me. One of the things that immediately springs to mind is to be found in the definition of 'product' which occurs in clause 3. It is interesting to note that most of the articles that are described here are all in the primary industry classification. They include agriculture, horticulture, forestry, the rural industry, extractive industry, fishing and aquaculture. It goes on to include 'an article declared by the corporation by notice in the Gazette to be a product for the purposes of this act'.

It appears that the products which are produced in the primary and extractive industries would be products for the purposes of this act but, if the product resulted from a manufacturing endeavour, it would have to be specially prescribed by gazettal. It seems to me that this is not appropriate because there are some manufactured products in the Territory whose manufacturers may wish to avail themselves of this particular symbol. It seems that they would have to wait until a notice in the Gazette were published before they would be allowed the use of the symbol. This is a reflection of how little emphasis we give to the manufacturing industry in the Territory. I would ask the sponsor of the bill to have another look at that particular definition.

The next matter is the provision whereby a person who wishes to use the symbol must give notice of his intention to do so. We have that provision in clause 4 of the bill. Presumably, if the person fulfils the conditions listed in subclause 3(2) - that is, that the product was substantially produced in the Northern Territory - he could make an application and give notice of his intention to use the symbol. However, in subclause (3) of clause 4, there is a provision that a person must notify his name and address within 7 days. I think that is far too short a time, particularly as most of the products which would qualify are rural products. Their producers may have some difficulty in meeting that 7-day period. I would have thought that perhaps a period of 28 days would be more appropriate. However, this is just a minor thing relating to the operation of that clause. I really have no quarrel with the actual provisions of the clause.

Mr Speaker, I said earlier that protecting one's symbols and trademarks can be quite difficult at times. I see in clause 6, which creates offences, that one of the offences created is contained in paragraph 6(a)(iii) and that is that a person shall not use a symbol which has a design so nearly resembling the symbol that is the trade symbol as to be capable of being mistaken for the symbol. I am sure we all know examples of this type of offence. Where it happens in normal commercial terms, the person complaining of the misuse of his own trademark seeks a remedy in law. I am reminded of the recent case of the makers of 2 different brands of coffee: Andronicus and Moccona. If members are familiar with the packaging of these products, they will realise that the jars are much the same. The makers of Moccona coffee, which is a premium brand of coffee, actually took the makers of Andronicus coffee to court because they

alleged that the packaging was so substantially similar that Andronicus coffee could be mistaken for Moccona.

I picked up some literature recently which I noticed was published by a firm in Sydney called Jabiru Printing Pty Ltd. It had as its symbol the precise logo which is now the logo of the Jabiru Town Development Authority in the Northern Territory. So far, of course, we have not had any legal action pursued as a result of that, but the stylised Jabiru perched on one leg is exactly the logo which is being used by this printing company down south. A local example is the one where our Chief Minister took to task the United Permanent Building Society for using Ayers Rock and the phrase 'solid as the rock' in relation to its advertising when the Territory government was using a similar phrase in relation to its government loans. It appears that it is not all that difficult to produce a design which so nearly resembles as to be capable of being mistaken for the Territory trade symbol. That particular provision may provide us with a few interesting instances in the future.

Mr Speaker, the rest of the bill provides for inspectorial powers to detect cases of misuse of the symbol. I hope that it will not offend the member for Tiwi too much but we have a band of inspectors created by this bill who can enter premises and take stock and records for the purpose of determining whether or not the trade symbol is being misused. I can inform the honourable member for Tiwi that there is a silver lining to that cloud. The provision contained in subclause (3) of clause 10 provides that, where stock is seized for the purpose of launching an investigation into misuse, if a prosecution does not take place within 30 days, the goods must be returned forthwith. This is inserted to prevent the lengthy holding of stock by these inspectors on the offchance that it may actually be required for a prosecution later on.

Certainly, we support the bill which tries to protect this trade symbol. There has been some discussion as to whether or not the trade symbol of itself is of meritorious design but that is not the point at issue. The Chief Minister claims that it is. Certainly, I do not find it offensive but some people have put to me that it is not a good idea to have a stylised buffalo head when in fact the buffalo in the Northern Territory is a feral animal capable of much damage and is not indigenous to this area. We are not here to talk about the design of the symbol. We all accept that a lot of publicity has gone into promoting this particular symbol. The opposition supports the bill.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak to the Northern Territory Products Symbol Bill. I do so with some reservations about the bill as it stands. I agree with the concept that we should have a symbol which identifies very clearly with items that are produced or manufactured in the Northern Territory. I believe the bill as it stands could allow goods obtained outside the Northern Territory to be repacked in the Northern Territory and then classed as being made in the Northern Territory. That to me would be falsely representing a product as coming from the Northern Territory.

The misuse of the symbol in this manner has already occurred and it is one of the reasons why this bill has actually been introduced. Unless there is a clear distinction between goods that are produced in the Northern Territory and goods that are packed in the Northern Territory, then we will continue to have problems in this area.

One of the ways to get around the problem would be to include a further definition in the interpretation section. The word that I do have difficulty with is the word 'preparation'. I would suggest that the word 'preparation' could include packaging. In that case, I could bring apples up from Tasmania, take them down to the farm, pack them in cellophane paper or tissue paper and

put them in a box and, because the preparation was done entirely in the Northern Territory, these goods could be classified as Northern Territory products. I believe that to be wrong. Unless packaging is removed entirely from the criteria for determining whether or not an article or goods is made in the Northern Territory, then I believe that we will always have problems in the administration of the act. The problem is that packaging is a very important part of marketing. It is a very important part of promotion generally. I believe that, if we did leave packaging out altogether, it would not be in the best interests of the Northern Territory. I think that we must have a system which is flexible.

I would like to float an idea this afternoon and it is only the principle which I wish to discuss. I have not really looked at what is required in the form of an amendment to include such a proposal in this bill. My proposal would be that there would be initially 2 classifications. In both cases, the symbol would be the same as depicted in schedule 1 but, in each instance, the words 'product of the Northern Territory' or 'packaged in the Northern Territory', whichever the case may be, would be included as part of the symbol. A combination of the 2 suggestions could apply to items produced and packaged in the Northern Territory. I want to float this proposal because, whilst some people have intentionally misused the Northern Territory products symbol in the past - that is one of the reasons why this bill has been introduced - there have also been people who have used the symbol because they are proud of the Northern Territory and because they want to be part of promoting the Northern Territory. I do not believe that we should be seen to be discouraging their enthusiasm. Having a flexible system that spells out very clearly whether an article is a product of the Northern Territory or packaged in the Northern Territory would enable us to identify very clearly that an aspect of that particular product has been initiated in the Northern Territory itself.

Mr Speaker, the option that I have put forward would also cater for a wider use of the symbol without the ability - I stress that - to falsely claim that goods from outside the Northern Territory came from within the Northern Territory. Ideally, the symbol should only be used on goods which are 100% produced or manufactured in the Northern Territory. But the problem then would be that we would not be using the symbol all that often. We would also run into problems with quality. We do not want to have symbols put on shrivelled cucumbers or something like that. I think that the system that I have proposed here would enable enough flexibility without allowing too much room for interpretation. It would be a means of achieving our ends of identifying very clearly what is produced and what is packaged in the Northern Territory.

The only other comment that I would like to make is in relation to schedule 2: the form evidencing an inspector's appointment. I believe that this form should include the full name and address of the person. It can easily happen that people have identical Christian names and surnames. I think that that needs to be spelt out.

The other point that I would like to raise is in clause 5 where it says that 'the corporation may, by notice in the Gazette, issue directions in respect of' etc. I feel that those directions should also be required to be advertised in a newspaper circulating in a particular area. At any rate, I do not think many of the people who would use the product symbol would read the Gazette.

As I said at the start, I do not disagree with the intention of this bill. I believe it is very important that we are able to identify goods of the Northern Territory as coming from the Northern Territory, but I believe that we need to have a system where these items are classified so that there can be no doubt as to what that particular item represents: it is either a product of the Northern Territory or the particular item was packaged in the Northern Territory. I think

that is where the confusion lies. I support the concept of the bill.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I think the symbol is an outstanding one. Maybe it is just good fortune that the shape of Australia looks like a very broad bovine species and that the Northern Territory happens to be in the middle of the head. It gives me a great deal of pride to see that particular symbol as though we are the brains of the outfit. It might be kidding ourselves but I dare say symbols intend to engender a certain amount of pride. Mind you, I feel a little bit sorry for Tasmania stuck down there. They are somewhat dragging behind the cow. Some concern has been expressed about using the buffalo because it is not native to Australia and, as such, it could not possibly be any good. I doubt whether it is really as good beef as the centralian cattle but it has been around in the Territory longer than I have. As far as Australia is concerned, the buffalo is very much synonymous with the Territory.

Why we have a symbol is an important question. Basically, it is to support the local industry. If local industry is supported, employment is stimulated and money is kept in the Territory. That also has a multiplier effect which is to our advantage. The symbol is designed to appeal to local patriotism. One thing that does concern me is that, at this stage of our development, we do not have a great number of products. We have a fairly narrow range but we hope that this will increase in time.

In Alice Springs, we have a small company which makes wine. They must also have the gentleman who can change water into wine because of the quantities sent all around Australia. I would suggest that they would have to do a certain amount of blending. It was pleasing for me to see in a recent Australasian Post an article on that little industry. They have done a tremendous amount to promote the Territory and I would hate to see these people precluded from the use of this symbol.

There is also the problem of mixed products and their packaging. One of my constituents has a particular problem with seafood. He obtains as much Northern Territory seafood of quality as he can. It is not always available. Between December and March, he experiences difficulty obtaining it in quantity. There are occasions when he cannot buy barramundi, our noted and promoted Territory fish, because large quantities have been sold to the eastern states. Lack of variety is also a problem. Of necessity, he has to import some seafood and he gets it from all over Australia. He believes, as I am sure we all do, that correct identification of the product is very important. False advertising is covered by legislation. Saying certain fish is barramundi when it is shark is an offence.

However, I showed him this legislation when the bill was introduced. To any lay person, initially this does appear to be very heavy legislation. He had set himself up as a packer, and obeyed all the health regulations to get a very nice little business under way. He installed some electronic equipment which weighs and stamps out the results on little labels with the price. This legislation dampened his enthusiasm because he could see that he would have to use 2 types of labels - one for Northern Territory seafood and a different one for the rest. This would be a considerable nuisance under the system he has established. Also there was a possibility that, inadvertently, either he or an employee might end up putting a wrong label on a product. He just did not feel it was worth while. He was very enthusiastic about the symbol but the whole business dampened his enthusiasm.

I was very grateful to the honourable minister for making available a couple of officers from NTDC to talk to me about the bill. I can see that many of the worries that this constituent of mine has, and that I have, may well be covered

by clause 5 and, particularly, clause 7(1). The attitude of these officers was that it was important to encourage maximum use of the symbol but there were certain things that needed protection. A case was quoted of putting the symbol on packaging when no work at all had been done on the contents in the Territory. People are trying to cash in on the campaign. That is the sort of thing that this bill should and must protect against.

I would like to make a suggestion about clause 7(1) and a criterion that could be used. I support the honourable member for Port Darwin's proposal for multiple and wide use of the symbol. I suggest that a criterion that could be used is that the goods have to be worked on in the Northern Territory, giving employment to Northern Territory people other than just simply in distribution and sale of the goods. On that basis, goods should qualify for some grade of classification in the use of this symbol. Some distinction could be made between classifications by colour or word coding. No misleading wording would be allowed.

I envisage the use of the symbol of a particular colour packed by an NT trader or the NT product defined along the lines that the bill proposes. I favour its use, not so much to identify a product as to denote a Northern Territory-based company. People want to use it on their shop premises because they are Northern Territory traders. If it is included on letterheads, it will go all over Australia and help promote the Northern Territory. It need not only relate to selling Northern Territory products. We have much to offer besides material goods. We have a great place up here for tourism. I believe a subconscious image can be created if people are willing to use it.

Conditions under which a company would qualify as a Territory-based company would need to be determined. Clause 7(1) needs to be spelt out. It is important that each person should apply to the NTDC for use of the symbol and should be encouraged to do so. The NTDC could then check the bona fides of the company and authorise the use of the appropriate category of symbol and the wordings which are allowed to be used. This would afford protection from those who want to cash in from outside and try to advantage themselves without contributing anything to Territory employment.

I believe that consistent guidelines are required for the NTDC because I am sure that it does not want to be accused of bias. A trade symbol is something which is assumed to work effectively. Figures on this are not always available. In Western Australia, $2.8m has been spent on their symbol over 13 years. A recent survey has shown that 93% of people are quite clear about the symbol but just how effective it has been in promoting sales is not known. A new campaign has just been launched and, over a 15-month period, some quite elaborate testing on the products has been undertaken. I am grateful to the honourable Victor Ferry, Deputy President of the Western Australian Upper House, for giving me some idea of how they are going to do this. Certain supermarkets and companies have agreed to cooperate and some of the goods will be packaged with the company's normal labels but some will carry the symbol. They will be on sale in a supermarket for a month or so and then displayed for sale without the symbol at the same place. A number of supermarkets and a variety of products will be involved in order to estimate what effect the symbol has in promoting the sale of Western Australian products. I am sure we will be very interested in the results of that survey. Initially, the Western Australian symbol was introduced to overcome buyer-resistance and a state of mind in Western Australia that because something was made in Western Australia it was inferior. Certainly, it seems to have overcome that particular problem to a high degree.

In one sense, our promotion of the use of the symbol on Northern Territory products can be seen as a con job. I will explain what I mean by that. Our

aim is to encourage Northern Territory people to buy Northern Territory products. If this results in urging people to buy high-priced goods or goods of inferior quality, I think natural forces will cause the scheme to fail. Real selling power lies in price-competitiveness and quality. I hope there will be a 2-way effect here: that consumers will be proud to support Territory industry and that manufacturers will take pride in the symbol and jealously control the quality of the goods they offer for sale. Of course, worthy products will sell themselves and the consumers' trust will be earned. I commend a much wider use of this symbol.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I just wish to make a couple of quick points. I think the legislation is necessary but, having said that, I really do not think that it warrants being made much more complicated than it already is. I certainly would not be at all keen to see different coloured versions of this symbol or additional wording attached to it to indicate particular degrees of 'Territorian-ness'. It will simply detract from the impact that the symbol has. I simply want to say that I hope that this does not happen.

Secondly, in the same vein, I hope that the corporation, when it is interpreting its discretion under clause 7(1), does so carefully, and I am not suggesting it should not be used widely. If it does not do this, it will detract very much from the Territory impact that this symbol will have. I certainly do not agree with the honourable member for Alice Springs in putting as wide an interpretation on it as he wants to. The symbol has had an impact. There is not the slightest doubt about that. Hopefully, we have a burgeoning area at the Douglas-Daly in primary production. I would like to see the emphasis in the application of this symbol remain with goods that are produced in the Northern Territory so that it is affixed to Northern Territory rock-melons, tomatoes, barramundi, sorghum, maize or whatever. Whilst there may be an attraction to use it more widely, the very significant impact that this symbol has already had, and I am sure will continue to have, will be greatly weakened if it is thrown around all over the place. I hope that does not happen.

Mr VALE (Stuart): Mr Speaker, I rise in support of the Northern Territory Products Symbol Bill. The idea of having a products symbol for locally grown and manufactured products is a good one, particularly as it has encouraged and will continue to encourage loyal Territorians to support local enterprise and initiative. The symbol is a popular design and is always commented on favourably. Obviously, there is a danger of the symbol being abused and well-intentioned consumers being led astray by buying products which they think are local but which may in fact be manufactured elsewhere. I support the need to introduce this legislation to protect the abuse of the symbol and to prevent this happening.

Mr Speaker, I am somewhat concerned that a great deal of confusion surrounds the symbol in that it is now being used for a purpose different from its original intention. As has been stated, the symbol was originally available to any company operating in the Territory but, under the terms of the proposed legislation now under consideration, it is to be affixed to locally manufactured or produced items. I would stress that people who used the symbol under its previous guidelines should not now be penalised because of a change in those guidelines. A degree of common sense and sympathy will have to be shown to those people, particularly as some of them may incur financial hardship if they are forced to take immediate steps to remove the symbol from their letterheads and their advertising. Obviously, a reasonable phasing in period of the proposed legislation, if adopted, will be needed. Mr Speaker, with those observations, I support the bill.

Mr STEELE (Primary Production): Mr Speaker, I have taken up somewhat of a straw vote this afternoon on the debate. It does seem that the consensus view

is that the legislation should remain largely as it is. I am of that view myself. I was proposing to hold the legislation up to look at the member for Port Darwin's suggestion on the definition but, with your consent, I have elected to let the legislation flow. If there are any problems, obviously it will have to be looked at again. It is new legislation for the Northern Territory. We will not know if there are any bugs in the legislation until it is tried. It is a bit like other regulatory-type legislation that comes before this Assembly.

Motion agreed to; bill read a second time.

Mr STEELE (Primary Production) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

JABIRU TOWN DEVELOPMENT AMENDMENT BILL
(Serial 226)

Bill presented by leave and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill now be read a second time.

I have presented this bill by leave of the Assembly to enable honourable members to perhaps have the opportunity of looking at the bill over the weekend and letting me know next week whether there is any opposition to its being passed at this sittings. I say that because there is no real urgency for it to be passed at this sittings. It is a fairly innocuous piece of legislation and it may be that it would give more satisfaction to the residents of Jabiru if it were brought into operation with a minimum of delay. Be that as it may, Sir, I am not arguing strenuously for its passage through this sittings, but I would be interested to hear the views of all members, particularly honourable members opposite. If it is not desired to take the second reading at this time, then so be it.

Mr Speaker, the provisions of the bill reflect certain agreements that were made between myself and citizens of Jabiru with the interposition of views from certain members of this Assembly - namely, the honourable member for Tiwi, the honourable Leader of the Opposition and the honourable member for Millner - at a public meeting that was held in Jabiru about 7 weeks ago. The meeting was attended by a reasonable number of Jabiru citizens - about 150 to 200. I think you could say that various political persuasions were represented and that a good cross-section of the town was there.

The meeting resolved that an advisory council should be established to advise the Jabiru Town Development Authority, which until recently has been principally a construction authority, on how it should manage the town now that the town has become a dormitory for people rather than a place of bricks and mortar. It may be that the authority has been a very effective construction authority but needs some guidance in 1 or 2 areas. It certainly appears to have been lacking in sensitivity although, at the same time, it could be said that one of the problems of Jabiru is that there is not a tremendous amount for people to do. Everything has been done for them. Their gardens are virtually set up ready for them and so on. I guess that time, especially in the wet season, has preyed on the minds of some people rather unduly. Certainly, if the citizens of Darwin were placed in any part of Jabiru, I think they would decide that they had been placed in a superior situation to most parts of this city. It is a place of which the Northern Territory can be very proud.

The arrangement was that we would establish a council and hold elections. Those elections have been held and I gave some details of those on Tuesday morning in answer to a question from the honourable member for Tiwi. It was agreed that the Jabiru Town Advisory Council would have the power to advise the development authority on matters which would come within the scope of a local government constituted pursuant to the Local Government Act.

The bill itself is to insert a new part IIIA in the Jabiru Town Development Act. The definitions are contained in proposed new section 25A. The council is established by proposed new section 25B. It is to consist of not less than 8 persons, 5 to be elected and 3 nominated by the minister. They are to be elected by people living within 10km of Jabiru Police Station. The other 3 members will be nominated by the minister. They will be the Co-ordinator General, Mr Ray McHenry, the Chairman of the Jabiru Town Development Authority, Mr Geoff Stolz, and Mr Alan McIntosh who is a long-term resident of Jabiru. It was interesting that the people at Jabiru wanted the people still living on the mine site at Jabiru East and the people from Mudginberri and the ANPWS Ranger Station a bit outside the town included amongst the electors. It is obvious that a spirit is growing up of a wider community than just the town itself.

The elections were held, Sir, and I have arranged already for the Co-ordinator General and the Acting Chairman of the JTDA to meet with those persons who were elected. That meeting took place last night on an informal basis and arrangements are to be made now for the first meeting of the new town advisory council which will take place during June by agreement with the 5 elected members. At that stage, I suppose they will proceed to elect their chairman and vice-chairman.

Getting back to what I was saying about the functions of the town advisory council, I said to the meeting - and I would like to see it happen - that the advisory functions of the town advisory council would be as near as possible to those which a municipality set up under the Local Government Act would have. Unfortunately, in the bill, the functions of the council are listed as:

> *The council shall advise the authority on - (a) all matters relating to the welfare of the community in Jabiru so far as those matters fall within the competence of the authority; (b) the provision, maintenance and operation of the utility services and amenities at Jabiru; (c) the improvement and beautification of places dedicated to the public under section 25 and other amenities used or enjoyed in common by the residents of Jabiru; (d) amendments to existing, and the introduction of new, bylaws; and (e) such other matters as the minister from time to time specifies by instrument in writing.*

I am sure that is all much cleverer than I could have ever have thought of but, in fact, I crossed it out when the drafting instructions came to me and wrote down exactly what I said before. It may be that that just cannot be done but what I thought would be a simple thing to do would be to include that the council shall have the same functions in an advisory sense as councils constituted under the Local Government Act. It may be that this list of functions in fact is broader than the previous one. Certainly, it looks quite good to me but it is not what was agreed on and that I think is what counts.

Mr Speaker, the bill goes on to talk about the first members of the council, the election and the filling of casual vacancies. If someone drops out within 18 months of an election - and elections are to take place every 2 years - then the council will co-opt the person who was next most successful candidate at the last general election for the council. If someone drops out

after 18 months, then the vacancy will be allowed to continue. There are provisions for electing the chairman and deputy chairman, provisions for meetings, bylaws for elections and for the conduct of the poll and so on.

Other than for the one area of the council's functions, the bill appears to satisfactorily reflect the arrangements that were entered into at Jabiru on that evening. I will be taking steps in the next few days to ascertain the reasons why my instructions were not followed. If there is a good reason, then I will certainly advise honourable members.

Mr Speaker, I commend the bill to all honourable members.

Debate adjourned.

LOTTERIES AND GAMING BILL
(Serial 184)

RACING AND BETTING BILL
(Serial 185)

Continued from 25 May 1982.

In committee:

Lotteries and Gaming Bill (Serial 184):

Clauses 1 to 4 agreed to.

Clause 5:

Mr LEO: I move amendments 103.1 and 103.2.

Mr Chairman, these amendments will allow raffles and sweepstakes to be held by people in the same workplace and not just by people with the same employer. As I explained in the second reading, my office is on a floor where there are a handful of employees but quite a number of employers.

Amendments agreed to.

Clause 5, as amended, agreed to.

Clauses 6 and 7 agreed to.

Clause 8:

Mr PERRON: Mr Chairman, I move amendment 96.1.

This is a savings clause for associations already approved. They will not have to reapply and no fee is payable.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 16 agreed to.

Clause 17:

Mr PERRON: Mr Chairman, I move amendment 96.2.

This amendment enables the commission to promote or conduct a lottery through an agent. This puts beyond doubt the ability of the commission to have an agent to conduct a lottery on its behalf.

Amendment agreed to.

Mr PERRON: I move amendment 96.2.

This follows on from the previous amendment. It binds the agent acting on the commission's behalf to the same conditions applying to the commission re the sale of lottery tickets to minors.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18:

Mr LEO: I move amendments 103.3, 103.4 and 103.5.

These insert the words 'and recreational' after the word 'sports'.

Amendments agreed to.

Mr PERRON: I move amendment 96.4 and 96.5.

These amendments relate to late claiming of prizes from all lotteries, not just those run by the commission. Without these amendments, unclaimed prizes from lotteries run by approved associations would be paid into the lotteries fund and not be subject to a late claim.

Amendments agreed to.

Clause 18, as amended, agreed to.

Clause 19 negatived.

New clause 19:

Mr LEO: I move amendment 103.6.

This inserts a new clause 19. This is a consequence of the amendments made to clause 18.

New clause 19 agreed to.

Clauses 20 to 25 agreed to.

Clause 26:

Mr PERRON: Mr Chairman, I move amendment 96.6.

This provides for a penalty for selling lottery tickets to persons under the age of 18 where it is illegal. I point out to honourable members that the sale of lottery tickets to persons under the age of 18 would not normally be illegal except in regard to the Instant Money game. The situation in Victoria is that, because of the nature of the game, sales to persons under 18 are prohibited. With the arrangements entered into between the government and Tattersals for the conduct of instant sports lottery after 1 July in the Territory, the same will apply. This provides a penalty for persons contravening

those points.

Mrs LAWRIE: Mr Chairman, I would like some indication from the Treasurer as to why it is considered inappropriate in Victoria. We are now dealing with legislation by reference. Why it is considered inappropriate to sell tickets to a person under the age of 18? The Instant Money game in Darwin has proved very popular especially amongst teenagers. I cannot see any leading of them to vice by allowing them to buy the tickets. I would also say that the money can be held in trust for them until they are 18 if they win. That has been known to happen in other places and I am curious to know why it is now prohibited.

Mr PERRON: Mr Chairman, this is certainly a subjective matter. I was interested to hear the honourable member for Nightcliff note that the money may well be held in trust. Under the Instant Money game, you just step back to the counter and claim your prize. In Victoria, Instant Money tickets are not sold to minors because the nature of the game is such that it could become addictive. If you win, the tendency is to step straight back to the counter and buy further tickets until such time as you have lost your money. The reason why this lottery is looked upon somewhat differently is its very character. Many people hold the view that it is semi-addictive but that should not debar a person under 18 from participating.

I am happy to have this matter debated. I do not feel particularly strongly one way or the other. Arrangements have been made with the agency which will run the Instant Money game in the Territory after 1 July but, if community feeling so indicates, I would be prepared to examine the arrangements required to change the prohibition against minors. It was the subject of some debate amongst government members and, to some degree, members were of 2 minds on the subject. I am sure that the community would be of 2 minds as well. That is the situation at present.

The clause we are dealing with here provides a penalty where it is illegal to sell tickets to persons under 18. Even if Honourable members did not see Instant Money as being the sort of game from which minors might be prohibited, perhaps they could see their way clear to proceeding with this piece of legislation on the ground that lotteries yet to be devised could be considered as unsuitable for young people to participate in.

Mrs LAWRIE: Mr Chairman, I accept what the honourable minister has said. I am glad he still has an open mind on the subject and may move to allow young people under the age of 18 to have more opportunity to purchase what is a fairly innocuous ticket. One of the points that has been put to me is that, if society accepts that a school student, after having gone through student driver education, can obtain a driving licence at 16, it seems a little foolish to say that he is not responsible enough to buy an Instant Money game ticket until he is 18.

Amendment agreed to.

Clause 26, as amended, agreed to.

Clause 27:

Mr LEO: I move amendment 103.7.

I originally proposed to put this amendment into a new clause 5A which would deal with the selling of tickets. However, after some discussion with the Treasurer, I decided the amendment would be more appropriate under clause 27. It is proposed to withdraw the word 'major'.

Amendment agreed to.

Mr LEO: I move amendment 103.8.

I spoke about this matter in my second-reading speech. It deals with lotteries that are conducted and then drawn and people have to be present at the draw of the lottery in order to collect their prize. I have been caught a couple of times.

Amendment agreed to.

Clause 27, as amended, agreed to.

Clauses 28 and 29 agreed to.

Clause 30:

Mr PERRON: Mr Chairman, I move amendment 96.7.

The amendment gives the commission power to inquire into the running of a lottery at any time during its conduct. The existing clause only gives that power after a lottery has been conducted.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 96.8.

The reasons are the same as for the previous amendment.

Amendment agreed to.

Clause 30, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Racing and Betting Bill (Serial 185):

Clauses 1 to 7 agreed to.

Clause 8 negatived.

New clause 8:

Mr PERRON: Mr Chairman, I move the amendment 95.1.

The amendment rewords the clause in the bill so that it can include a necessary amendment to section 6(4) of the principal act which refers to legal lotteries conducted in accordance with part II of the act. That part is now repealed and the reference is therefore transferred to legal lotteries conducted under section 5(2) of the Lotteries and Gaming Act.

I may have mentioned in the second-reading speech that I am not satisfied with the general provisions in the current Lotteries and Gaming Act, which is being renamed the Racing and Betting Act, in relation to common gaming houses. I find them terribly confusing and I have not yet found anyone who can describe to me the reasons why common gaming houses were so classified and so badly thought of. I gained the impression that the legislation today reflects something that was born out of Al Capone's days and probably has not been looked at since. Whilst we have not had time in the preparation of these bills to do a thorough review of the reasons and an update of the provisions relating to common gaming

houses, I am proposing that it be done in the further review of what will now be called the Racing and Betting Act, that substantial portion of the act which has not been changed by these amendments. I will be introducing amendments to bring our legislation up to modern standards.

New clause 8 agreed to.

Remainder of bill taken as a whole and agreed to.

In Assembly:

Bills reported; reports adopted.

Bills read a third time.

ADJOURNMENT

Mr ROBERTSON (Leader of the House): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I would like to pay tribute this afternoon to Mr William Gong Chin, more commonly known as Chin Gong,who died in Darwin this week at the age of 91. He was the oldest Darwin-born Chinese resident of the Northern Territory and he will be sadly missed by this community. He represented one of Darwin's strongest links with the past and was part of one of the Territory's oldest families. I believe his father arrived here from China in the late 1880s and opened what was to become one of Darwin's most patronised stores, Fang Chong Loong, sited near the corner of what are now the Esplanade and Cavenagh Streets. No doubt many of the early visitors to Darwin would have had clothing made at the store which Chin Gong himself managed after attending Darwin Primary School and serving an apprenticeship as a tailor. He headed a family of 8 sons, 4 daughters, 40 grandchildren and 26 great-grandchildren, and was regarded as the patriarch of the Darwin Chinese community.

His business initiatives and community involvement over the years made a significant contribution to the development of Darwin and its lifestyle. Darwin is often regarded as a city of transients, with people coming for a few years and then moving on. Mr Chin Gong, who lived in Darwin for 91 years except for his evacuation during the war, represents that part of our community which provides the stability so important for the city's growth.

Mr Speaker, I and my colleagues offer our sincere condolences to his family and pay tribute to the very real contribution that he has made to the past and to the future of the Northern Territory.

Mr SMITH (Millner): Mr Speaker, I wish to speak on a subject for the first time though it is certainly not the first time it has been raised in this Assembly. If I could look into a crystal ball, I do not think that it will be the last time that I will speak on this issue: the question of air services to Katherine, Tennant Creek and Alice Springs.

Mr Speaker, in August 1979, the Chief Minister said that the Territory government would use all its powers to ensure that the new regional airline, to be known as Northern Airlines, would 'maintain an existing or better standard of service to the people presently being served by other airlines'. This was to be a milestone in the development of aviation services in the Territory. We had seen Connair battle with the elements, successfully I might add, for some considerable time before this. Then, with self-government and a new Northern Territory Aviation Act, we all looked forward to a new era and

regional airline that had the Territory at heart.

On 2 January 1981, the Minister for Transport and Works, Mr Dondas, commenting on the collapse of Northern Airlines after barely 1 year of operation, said that it would be replaced by at least an equal and, possibly, a better service. That comment had some bearing at the end of 1979 but it meant nothing in January 1981. As this Assembly is well aware, the Territory went through extremely difficult times following the collapse of Northern Airlines. The dependence of Katherine and Tennant Creek on air services was clearly highlighted during this period, a situation of which the honourable member for Barkly and you, Mr Speaker, would be acutely aware. Before a replacement operator was appointed following the demise of Northern Airlines, there was considerable consultation between the 2 major airlines, who were the major contenders, the Territory communities involved and the Territory government.

Mr Speaker, I am happy to acknowledge that the Territory government did its job well in this regard. As a result of these consultations, Ansett Airlines was the successful bidder to operate a regional airline in the Territory. However, Ansett's initial proposal was not the one that was accepted by the communities of Katherine and Tennant Creek. The initial proposal put forward by Ansett was a 5-day-a-week milk-run service using F27 aircraft, with weekend commuter operations on the Alice Springs-Tennant Creek route and also on the Katherine-Darwin run. There was also to be a phasing in of a pure jet service to replace the F27 aircraft. This was the proposal put to the people and the weekend service offered was rejected. The result was that Ansett offered to introduce a 7-day-a-week milk-run service using F27 aircraft during the week and F28 aircraft at the weekend. We were back with the 2-airline system but we had control over intra-Territory air services. I remind the government of that fact.

According to the then Minister for Transport and Works, Mr Steele, 'the benefit to the consumer and the community at large is its' - meaning the Aviation Act - 'paramount objective'. Mr Speaker, under the Aviation Act, the government has the power to control time taken, frequency of services and routes. Despite this power, there has still been concern within the government that the 2-airline system would again dominate air transport in the Territory. On 3 June last year, the minister expressed concern that the 2 major airlines would try to reduce runs on profitable routes while retaining the protection of the 2-airline policy in other areas. The honourable minister said: 'I am concerned that this will mean that they will try and reduce Territory services in order to utilise aircraft on high-profit routes'. He continued: 'The 2-airline policy appears to be placing more and more of a stranglehold on the Territory in its efforts to protect the profits of Ansett and TAA'. It would appear that the fears of the minister are being realised. I was concerned to hear that Airlines of Northern Australia, or more accurately Ansett Airlines, is seeking government approval to reduce milk-run services from the current 7 days a week to only 5 days a week, with provision for commuter operations on Saturdays and Sundays. That was Ansett's original proposal following the collapse of Northern Airlines. That proposal was rejected by the residents of both Katherine and Tennant Creek, as well as the Northern Territory government, at the beginning of last year.

My fear is that a reduction of air services from 7 milk-run services a week back to 5 services is only the thin edge of the wedge. The reduction of the number of flights offered by Airlines of Northern Australia is to be accompanied by a change of aircraft from the F27 prop jet to the F28 pure jet aircraft. This is part of a rationalisation of Ansett's fleet involving the phasing out of F27 aircraft. However, given the low loadings that the milk-run service has been experiencing with loadings of around 40% capacity on the F27 service and the considerably higher operating cost for the F28 service compared with the F27, I fear that the losses now being experienced on the run will be magnified by the use of these pure jets, leading to more losses and yet further cuts in services. I hear reports that the milk-run will be back to 3 services a week in quick time

once this current rescheduling proposal is accepted.

Mr Speaker, I remind the government of its responsibility to all Territorians. The residents of Katherine and Tennant Creek have a right to reasonable air transport services and should not be subjected to the nationally-based rationalisation at Ansett Airlines. This is more than just a threat of reduced frequency of service. In signing the agreement with Ansett on the operation of ANA, it was agreed that applications for air fare increases would be assessed by a Northern Territory review board. It would then be considered by the government under its powers through the Aviation Act. The NT government had complete control.

In its recent submission to the Independent Air Fares Committee hearing in Darwin, the NT government railed against the federal government for the ease with which national air fares are increased. This government said that questions of industry efficiency and cost incorporation should be much more thoroughly analysed before fare increases were granted by the Commonwealth. Yet, in spite of these fine words on responsible government, this government has failed to practice what it preaches. In answer to a question on air fare increases this morning, the Minister for Transport and Works said: 'Yes, we did increase ANA fares by 7% this week'. Mr Speaker, this follows increases of 8% in February this year, and another 8% in fares in August last year, a total of 23%. The last increase for the 2 major airlines was in February last when there was an increase of 6.6%. Before that, there was an increase of 8% in August 1981. Compare those 2 figures: 23% for internal air fares, meaning air fares within the Territory, as against 14.6% for national air fares.

Mr Speaker, this government criticises the freedom with which air fares are increased on trunk routes, and I agree, yet its own performance has been far worse. The rate of increase in intra-Territory fares is comfortably outstripping those of the 2 domestic majors. The NT government has the power to put ANA under the microscope, yet it appears it has failed to do so. This government even tried to give away its responsibility for setting air fares at the hearing of the Independent Air Fares Committee. In 1979, the then Minister for Transport and Works, in introducing the Aviation Act, said: 'A better deal for the people of the NT is the cornerstone of the government's air transport policy'. Mr Speaker, it would appear that this aim has not been realised.

Mr DONDAS (Transport and Works): Mr Speaker, I wish this afternoon to continue the debate on Airlines of Northern Australia and would like to advise the honourable member for Millner about the history of the original arrangements between Ansett, the Northern Territory government and Airlines of Northern Australia. He was quite wrong in his original statement when he said that the original proposal of Ansett was a 5-day-a-week milk-run service through the Centre. In fact, TAA's proposal was for a 7-day-a-week F27 service from Darwin to Katherine, Tennant Creek to Alice Springs and Alice Springs to Ayers Rock. The Ansett proposal was for a 7-day-a-week service between Alice Springs, Tennant Creek, Katherine and Darwin and vice versa, thus maintaining the connection between Tennant Creek and Katherine. The TAA proposal did not include that. The Tennant Creek and Katherine communities both agreed that the Ansett proposal was far better than the TAA proposal. The honourable member for Millner was wrong when he said the original proposal put to the communities was only for a 5-day-a-week service.

The honourable member for Millner also mentioned the 2-airline policy. In trying to break the nexus of the 2-airline policy, it was the Northern Territory government's desire to try to encourage another airline infrastructure. That was one of the reasons why we decided to enter into an agreement with East West Airlines. At the time we advertised that the regional airline services were available because of the demise of Connair, we actually had 10 or 12 organisations

express some interest in providing a regional service in the Territory. East West, at the time, looked the best on paper. It was already operating successfully in New South Wales. It had the expertise. We considered that it had the right aircraft. It had F27s and, over the last 8 or 9 years, F27s had been operated up and down the track by both TAA and Ansett. The original proposal was good and, as we wanted to try another airline in the Northern Territory, we made arrangements with East West.

One year later, Northern Airlines collapsed without any advice to the Northern Territory government. On 16 November and 6 December 1980, ministers of the Northern Territory government had discussions with the East West Airlines and asked it to put in another proposal because the airline was losing money heavily. It asked us to accept an offer of rationalisation of the service. That offer of rationalisation was never made and, consequently, on 1 January 1981, Northern Airlines collapsed. I just wanted to bring the member for Millner up to date on those facts.

The fare setting authority is the Independent Air Fares Committee. There is some doubt whether setting fares through our Aviation Act is legal. We have not abrogated our responsibilities in that area but, because the Department of Transport and Works does not have the expertise to carry out the microscopic examination that the member for Millner asked for, it is really not possible. The Commonwealth has established procedures and there is no reason why we should not use its expertise. Earlier this year, we engaged a consultant by the name of Rippon. I hope the honourable member for Millner is listening because Rippon's recommendation was that air fares should be increased today by more than 21%. Airlines of Northern Australia put its application to the Independent Air Fares Committee for 7%. There was nothing else we could do but rubber stamp the increase because we knew that it was at least being reasonable. Rippon himself stated that there should be more than a 20% increase as of today to make that particular airline viable.

The honourable member for Millner may not be aware that the air surveillance contract is part of the operation as is the aerial-medical contract. Without those 2 contracts, presumably Airlines of Northern Territory's loss would be even greater. Airlines of Northern Australia cannot rely on funds coming from those 2 agencies for ever and a day. We can do our utmost to make sure that the aerial-medical contract provides it with some financial resource, but not at the expense of the rest of the Northern Territory. Provided that it puts up a reasonable bit to provide a reasonable service, there is no reason why it should not receive the aerial-medical contract. I believe that the Department of Health in 1981 gave it a 5-year contract. In 1986, we can re-evaluate the service before signing another contract.

The air surveillance contract is certainly in the arena of the Commonwealth and nobody can really say which way it will go. Tenders for air surveillance are being called now. I certainly hope that ATI, with its northern air surveillance contract, gets it, because it will help cross-subsidise the Airlines of Northern Australia operation. The Independent Air Fares Committee set the fare increase at 7%. The proposal was put to me last Friday and I endorsed it. I wrote a letter to ATI telling it of our decision.

Mr Speaker, the opposition will no doubt keep on niggling at the fringes and asking questions. We give it a reply but it never seems to understand what is going on. I have a proposal dated 11 May. Yesterday, the member for Millner asked when I received a proposal. I said that I received it about a fortnight ago. On 11 May, I received from Ansett Transport Industries a proposal for the reduction of services. I seek leave to have the document incorporated in Hansard so that every member opposite is aware of what has been said by Ansett.

Leave granted.

Ansett Transport Industries Limited

11 May 1982

Hon N. Dondas MLA
Minister for Transport
Chan Building
Mitchell Street
Darwin
NORTHERN TERRITORY 5700

My Dear Minister,

With reference to our recent informal discussions on tariffs and aircraft schedules as regards Airlines of Northern Australia, I wish to now confirm the substance of these, and seek your approval and that of your Government, to an upgrading of services by the introduction of Fellowship Jets (F28's) and the withdrawal of Friendship Aircraft (F27's) between Darwin and Alice Springs and throughout Arnhem Land.

A Friendship will remain based at Alice Springs to service Ayers Rock.

As you are aware, passenger and freight loadings on the daily F27/F28 service currently operated between Darwin-Katherine-Tennant Creek-Alice Springs and return have been very poor over the past twelve months. (This no doubt has regard to the general economic conditions, and specifically to the mineral downturn at Tennant Creek).

We therefore propose to replace these seven services (5 F27's/ 2 F28's) with five F28 services Monday through Friday inclusive, to the timetable set down below, plus a light aircraft operation under charter to Airlines of Northern Australia on either Saturday or Sunday, Darwin-Katherine-Darwin and Alice Springs-Tennant Creek-Alice Springs.

F28 Timetable - Monday - Friday

Darwin	*0915*
Katherine	*0955/1020*
Tennant Creek	*1125/1145*
Alice Springs	*1240/1320*
Tennant Creek	*1415/1440*
Katherine	*1545/1605*
Darwin	*1645*

No service is to be operated on the other weekend day in an endeavour to assist in boosting the traffic on the other services.

You and your department are well aware of the poor traffic statistics and economics of the current schedule, and I believe so are the communities at both Katherine and Tennant Creek.

It is our belief that the upgraded F28 services will more than offset the slight frequency cutback (passenger seats offered will in fact be the same on five flights as for seven (300), plus those to be offered on the light aircraft).

To ensure that the changeover be effected smoothly, we recommend a joint promotional exercise be conducted by Airlines of Northern Australia and your department in visiting both Katherine and Tennant Creek to outline the changes.

We will continue to service Arnhem Land as at present with F28 services, and as you know, due to the economics in the mining industry, traffic is down in this area also, and the flights have been combined where appropriate.

The Ansett F27 flights Cairns - Gove - Darwin and return will be replaced by an F28 each Saturday (but linking Groote Eylandt also) with scope to add services on demand as traffic patterns emerge. The DC9 service will continue to operate Gove - Darwin - Gove until replaced by B737 in June.

The foregoing requires that we will effectively base an F28 in Darwin (under charter from Airlines of Western Australia) which will give added flexibility to Airlines of Northern Australia for other services as required. (Passenger charters to regional international destinations, additional capacity throughout the Northern Territory and to Queensland, and freighters Darwin to Townsville).

The F27 to be based in Alice Springs (to be owned by Airlines of Northern Australia) will service Ayers Rock twice per day as per current services, and will be maintained ex-Adelaide, which will provide further scope to promote Ayers Rock from South Australia for special weekend packages etc.

We in Airlines of Northern Australia are most excited at the prospect of these upgraded F28 services, and are firm in our belief that they will assist in further stabilising the regional airline concept in the Northern Territory in the manner you would wish.

It is also incumbent upon us to match costs with revenue as far as is possible, and thus minimise tariff increases, and the timing is now opportune following Airlines of Northern Australia's first twelve months of operations, and with the upgraded introduction of F28 services.

The introduction date of August 2 is when an additional F28 Aircraft is introduced into service by our group, and is subject to approval being obtained from Transport Australia for increased jet frequency through Tennant Creek, and for the changed timetabled services overall.

As you are also aware, we are processing, with your approval, our application to the Independent Air Fares Committee for a tariff adjustment to fares and freight rates of 7% (excluding Alice Springs - Ayers Rock).

Attached herewith is a schedule setting down a summary of Airlines of Northern Australia's activities, past and present,

which clearly shows steps taken by Airlines of Northern Australia to promote the Territory, locally and overseas.

We are most concerned at the premature leakage and announcements of these proposals, which we assure you were not caused by our company.

Having regard to the substantial losses being incurred on the Centre run, especially by the F28s at the weekend, it is hoped approval can be granted for an earlier withdrawal of our F28 frequency prior to 2 August.

In order for our planning to proceed, including the engagement of additional F28 pilots and flight attendants, and for the above introduction date to be met, we would appreciate your early response and approval to the above proposals.

With kind regards.

Yours sincerely,

A. J. YATES
GROUP GENERAL MANAGER

Mr DONDAS: Recently, we had verbal communication with Ansett and we asked its representatives to talk to the Tennant Creek Town Council and the Katherine Town Council. After discussions between the councils, officers of the Department of Transport and Works and Ansett, Cabinet will consider the proposal. I cannot be any plainer than that.

There is one thing of which you can be sure, Mr Speaker. Should we accept this proposal for a 5-day-a-week service, the Northern Territory government would not, under any circumstances, accept any further reduction of that jet service from that. At this stage, we have not accepted it. We stand very firmly on that because we realise the importance of services that operate between Darwin and Alice Springs via the milk-run. I can give the honourable members opposite, the Tennant Creek Town Council and the Katherine Town Council my personal assurance that, if the proposal for a 5-day-a-week service by jet is accepted by the Northern Territory government, we would not entertain any further reduction of that service.

The honourable member opposite is creating confusion and concern for the communities by saying that he has heard from a very reliable source that it will be reduced to a 3-day-a-week service. That is a lot of hocus-pocus. Members who read that letter in Hansard tomorrow will see a clear proposal for a 5-day-a-week service. There are other interesting parts to that letter. Ansett talks about providing additional services through Darwin to Gove to Cairns with the F28. We have not mentioned that before because we have only been talking about the milk-run services. As I said yesterday, it is not ATI's proposal to tamper with the Alice Springs-Ayers Rock run.

If we do accept the proposal of a 5-day-a-week jet service, the jet will be based in Darwin on the weekends and it can be used for a variety of things. It can be used for chartering by sporting and community organisations. If the business on the weekend increases to the point of requiring a large aircraft service, Ansett will put it back. As we said on more than one occasion this week, the traffic on the weekend is not there and some kind of small commuter service between Darwin and Katherine and between Alice Springs and Tennant Creek will be required. We will wait to see what the communities have to say

about that weekend service: whether they want it on Saturdays and Sundays or whether they want it at all. We will let the communities tell us what they want. When we receive some final reply to the proposal, we will be in a position to make an evaluation.

The opposition is trying to have people in Tennant Creek believe that they will lose their service. Nobody has said that. I give members an assurance that I would not entertain any kind of agreement that would reduce a 5-day-a-week service should that proposal be accepted.

Mrs O'NEIL: You should be listening to the people in Tennant Creek.

Mr DONDAS: I accept the interjection from the honourable member for Fannie Bay that I should be listening to the people in Tennant Creek. What I am saying to the people of Tennant Creek is: 'Please listen to the Northern Territory government when we say that there will be no reduction of the service below 5 days a week if the proposal is accepted'. It has not been accepted yet. We are still talking about it. As I said earlier, Ansett must talk to the council. That has not been done yet, Mr Speaker. I do not believe that it will be done for another week or 10 days. Once that happens, we will be able to evaluate the proposal. At this stage, there is no reason for any person in those communities to be frightened that the service will be reduced below the 5 days.

If they turn around and say that they do not want a jet service Monday through Friday, but prefer a 7-day-a-week Fokker service, we will have to have a very serious look at it. Not only would we look at it very seriously but Ansett would be looking at it because it might decide that it cannot afford to operate 7 days a week and decide to withdraw. How do you know what it would do in circumstances like that? I am only speaking hypothetically. At the moment, it is maintaining good services to very small communities on a regular basis.

As I said, after the demise of Northern Airlines, there was a lack of confidence in the air services right throughout the Territory and it has taken that organisation, Airlines of Northern Australia, 12 months to build up confidence. I believe it now has the confidence in the community not only for passenger traffic but also for freight which is very important to those areas. I hope that the member for Millner has listened and that, in future, before he starts talking about rumours, he at least checks with me first.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon I would like to speak about the answers to 2 questions I asked yesterday of the honourable Minister for Primary Production regarding the dyeing of pet meat. When I asked him if changes were intended in the Northern Territory regarding the dyeing of pet meat, he said that, for local consumption, it would still be necessary only to use tartrazine which is the most desirable of the denaturants the others being methyl violet and powdered charcoal. For export to other states, regulations would be introduced that the pet meat would have to be dyed brilliant blue.

I have great interest in the pet meat industry for personal reasons and also because one of the biggest pet meaters in the Territory lives and operates partly in my electorate. Some of my constituents are pet meaters and there are abattoirs in my electorate. I made some inquiries from other states regarding pet meat dyeing because I have been led to believe that all pet meat in Australia was to be dyed brilliant blue. I did not hear this from the Minister for Primary Production but from other people. I contacted 6 states.

In Western Australia, there is no dye on pet meat for local consumption. In South Australia, there is no dye on pet meat for local consumption. In Queensland, the pet meat is dyed purple. In Tasmania, it is strip branded with blue and, in New South Wales, it is dyed purple. In Victoria, it is dyed brilliant blue. I would like to point out that, on the one hand, we have spent many years of scientific research trying to make artificial material look like meat and we are now denaturing meat so that meat for pets does not look like meat. All of the states contacted said that pet meat going from their state to other states had to be dyed whichever colour the importing state required.

When I inquired what 'pet meat' was in each state, I received some very interesting replies. In Western Australia, any animal apart from the dog and the cat is pet meat for the dog or cat. In South Australia, any part of a product of an animal intended for consumption by a pet is pet meat. In Queensland, pet meat consists of prohibited animals, kangaroo, horse and buffalo. In Tasmania, anything that is unfit for human consumption is dog's meat. In New South Wales, there are several sorts of meat that can be considered pet meat. There is meat for human consumption, meat for human consumption that has gone stale and also trims from abattoirs. There is also the products from knackeries and products from field-killed kangaroos, horses or donkeys. Buffalo is not pet meat in New South Wales. In Victoria, pet meat consists of whole or parts of horses, which includes donkeys and mules, and 'animals' which include sheep, goats, pigs and cattle. It also includes 'game' which includes rabbit or kangaroos. We have very different views as to what is pet meat from state to state.

On all indications, I think my information is perhaps a little bit more up to date than that the Minister for Primary Production gave me. He said that pet meat in Western Australia has to be strip branded with blue dye. My information is that there is no dye at present on meat for local consumption, but they are looking at draft legislation to strip brand pet meat with tartrazine dye for local consumption. In South Australia they are looking at spraying tartrazine on pet meat and also strip branding with tartrazine. I understand that the minister directly concerned with this legislation is definitely not in favour of having brilliant blue dyed pet meat on the local market. In Queensland, there are registered butchery shops that sell pet meat but I am not certain from my inquiries whether these solely sell pet meat or are butcher shops selling pet meat in addition to meat for human consumption. In Tasmania, kangaroo meat can be sold in supermarkets. In New South Wales, pet meat has to be dyed purple but they will be changing it to blue for local consumption. The trims and offal from abattoirs can be used for pet meat. It is packed into containers and these are marked with yellow bands. I understand this would be the meat that goes to pet meat canneries. I think it is the only state - and I stand to be corrected on this - which insists on a certificate of inspection for pet meat when it goes interstate.

Pet meat is all sold from a registered pet meat outlet in New South Wales. In Victoria, there is a definite form of dyeing of carcasses. The carcass itself is sprayed on the inside and outside surfaces and pieces of 2kg of meat and over are sprayed on all surfaces. Pieces of pet meat less than 2kg must be sprayed on at least one surface and minced pet meat must have the dye clearly disseminated throughout. From 4 July, in Victoria, meat from abattoirs can be used as pet meat and it must be frozen in containers and banded with red. That is the meat intended for pet meat canneries.

Mr Speaker, this brings me again to the reply the minister gave me. He said that tartrazine would continue to be one of the dyes allowed for pet meat on the local market. This will fit in with Western Australian and South

Australian legislation. If it is obligatory to put brilliant blue on pet meat that is exported to other states in the future, I understand that the larger pet meaters may not be too concerned about this. What I am concerned about is that the inspectorial duties of the inspectors will be adequately carried out. As I understand it, in the past, they may not have been. It is no good having regulations for dyeing of pet meat to inhibit its going into the human food chain if inspectorial duties are not adequately carried out.

The situation is that officers of the Animal Industry Branch have only a vague power. There is a general power under the Stock Diseases Act to stop vehicles and inspect them to see whether the pet meat is dyed or undyed. They do have identity cards to assist them a little bit. I hazard a guess that there would be very few occasions, if any, when stock inspectors have been able to carry out their inspectorial duties under this legislation to bring wrongdoers to justice. To help them carry out their duties adequately, the legislation must be updated to give more power to the inspectors rather than this vague direction under the Stock Diseases Act. As I see it, inspecting whether meat is dyed or undyed is not inspection for stock diseases.

The Stock Squad working under the Police Act have greater powers because they can stop vehicles under different powers. If they have suspicions that the law is about to be broken, they can stop vehicles carrying pet meat to inspect them to see whether the pet meat is dyed or undyed. It has been pointed out to me by 2 pet meaters in my electorate that they have no trouble in dealing with members of the Stock Squad because these people are trained in their particular work. My only regret is that there are only 2 to service the whole Territory. I would like to see more people in the Stock Squad. One of these pet meaters objected strongly because he had been requested to stop and unload his pet meat because this particular person, at the time, was looking for some fish that had been caught illegally. He had to unload all the meat on to a tarp on the ground. No fish were found in his load, by the way. I do not say young and inexperienced police officers harass pet meaters, but perhaps they may be more enthusiastic than knowledgeable in assessing whether wrongdoing is about to be committed or is in the process of being committed. I think an increase in numbers of members of the stock squad who have expertise would enable them to cover the inspectorial duties instead of using younger, inexperienced police officers.

The second subject on which I shall speak is fire in the rural area. Control of fire was touched on briefly by the Leader of the Opposition in connection with manning of the 14-mile fire station. That matter has been brought to my attention also. I understand the situation is about to be remedied. However, I would point out to him that, to my knowledge, it is not customary for fire brigade vehicles to fill up from the Darwin Rural Caravan Park on all occasions when there is a perfectly good watering point at the 13½ mile. It is a public watering point which is used by the fire brigade and other people wanting water.

I would like to make public a situation which I hope does not turn out to be serious. A fire risk situation exists in the rural area. We all know this happens at this time of the year. Luckily, the weather is a bit cooler than usual and the winds are not very strong. Coupled with this high fire risk situation is the fact that it is impossible to get permits from the fire brigade to burn off in the rural area. I can understand this to a point. However, I cannot understand why permits are not given to responsible people. I feel certain that the fire brigade must have records from previous years of people who have and have not obtained permits and whether they fulfilled the conditions of their permits. Again, I feel that, if conditions for burning off are laid down in these permits, it is pretty easy to check whether they

have been followed. An incident occurred very recently in the rural area near my home. I made inquiries as to whether this particular group of people had a permit to burn off. They did. However, I do not think anybody in his right mind should have burnt off when those people did. It was about 9 or 10 o'clock in the morning. There was a very strong south-east wind which took the fire much beyond the perimeters of their land and burnt out many acres to the north-west of their block. I know that conditions are attached to the issue of permits but somebody must ensure that these conditions are adhered to.

Mr PERRON (Stuart Park): Mr Deputy Speaker, I rise to add some remarks to those of the honourable Leader of the Opposition in paying tribute to the late Mr Chin Gong.

I did not know the gentleman personally, although I have been long associated with the Chinese community in Darwin, as you yourself have. We both grew up and attended school in the Territory and there were many Chinese children at school with us at the time. I think that most of us in those days, as today, could not but admire their ways as well as their food.

The dedication of the Chinese to the family unit is something I have always particularly admired. I believe that the obvious discipline that is exercised by elders in the families is a very good thing and it is a shame that more of it does not flow to other sectors of Australian society. The Chinese community in the Territory has contributed very greatly to what we know as the character of the Territory today. They have contributed in business, in sport and in every manner of life. They have been admired for it and they have contributed very heavily. As I see it, the Chinese largely are a very law-abiding people. You tend to find very few Chinese in the ranks of delinquents and law breakers generally. I believe that this is a result of their family ways, their dedication to holding the family unit together and to helping each other with the problems that we face in life. The pioneers of the Territory certainly included many Chinese. Many of them are still here today, descended from those original families and part of the extended family which the late Mr Chin Gong left.

I am grateful for this opportunity, Mr Deputy Speaker, to extend my sympathy to Mr Chin Gong's extensive family in the Territory and I wish them all well for the future.

Mrs LAWRIE (Nightcliff): Mr Speaker, federal elections are rarely fought on one issue, unless the country is at war. Although Malcolm Fraser has been re-elected a couple of times - to the dismay of many of his countrymen - one of his least popular policies has been his nasty little habit of dismembering Medibank.

I have often voiced my concern about the escalating cost, and diminishing standard, of health care which is facing Australians, and so have the member for Fannie Bay and other members of the Assembly. With the federal-state funding arrangements operative at the moment, people are legitimately concerned that they cannot afford the basic health cover necessary to protect themselves and their families. Under the Whitlam government, through our taxes, we paid for a nationally-funded medical scheme, providing basic health care. Despite his promises and protestations to the contrary, since his election Malcolm Fraser has presided at the dismemberment of the national health scheme. Nevertheless, we are paying ever-increasing taxes. We are paying more and getting less when it comes to health care.

Mr Deputy Speaker, each state tries to alleviate the burden placed on very low income earners and fixed income earners to the best of its ability through various schemes. It has been recognised throughout this country that

large groups of people fit neither into the category which can afford private medical health insurance nor into that which is popularly termed the 'disadvantaged' group. People on a fairly low income, labourers with young families, fall into this category.

Some of the people who have come to my notice over the last few weeks as disadvantaged people are apprentices. Honourable members will be well aware that they are on very low incomes for the first 2 to 3 years of their indentures. Under the present arrangements, they cannot participate in family cover. Once young persons enter into apprenticeships, they have to take out their own medical insurance cover. I have spoken to representatives of a couple of unions on this issue. The unions are vitally concerned and are apparently taking steps to see what can be done to protect the young tradesmen of the future. I have written this week to the Industries Training Commission asking if it can assist in providing some sort of assistance to these people or in making a submission to the federal government to allow apprentices to continue, until at least the third year of their indentures, under the family basic care cover or the family specialist cover. At the moment, they are just another group of people who, because of the Fraser-Howard policies, are at risk in their health care in this country. That is not saving money; it is costing our country a great deal of money and a great deal of worry. People are being priced out of the health care market.

Mr BELL (MacDonnell): Mr Deputy Speaker, I believe you were in the Chair last night when the honourable member for Elsey and I happened to have the fortune or misfortune - I am not quite sure which - to suffer the slings and arrows of the outrageous personal epithets that the honourable Chief Minister is wont to cast about as he sees fit. I always have an inward grin when I hear these particularly biting, personal epithets. I remember the Chief Minister referring to me as 'boring' when we were, in fact, boring it up the honourable Minister for Lands and Housing. Last night, he referred to me as a 'one-eyed zealot'. I think that is probably a fair indication that the criticisms and suggestions we made in that particular debate were of some substance and I sincerely hope that the honourable Chief Minister has taken them on board.

I would not mention that ordinarily if it were not fairly essential in the context of the comments that the Chief Minister made last night in relation to the negotiations - if they can be called that - surrounding the Sadadeen East industrial area. Last night, in his customary whingeing style, the Chief Minister referred to the negotiations his government has in the Top End and the freedom that it evidently has in this regard and contrasted that with the problems that he has in central Australia. I suggest that that statement, by itself, indicates very clearly a Chief Minister whose base is so essentially urban that he has no real understanding of the terrain of the Northern Territory and its impact on people's lives, particularly those of Aboriginal people. You may well ask why I say that. The landscape of the Top End, particularly around Darwin, is relatively flat. The landscape in the vicinity of Alice Springs is in decided contrast with that and has many beautiful mountain ranges, hills and creeks.

Let me refer in this context to a statement that was made, not this year, not last year, not even 7 or 8 years ago, which is the time on record when Aboriginal people, Arunta people, who have been indicating their interest in the Sadadeen Valley, began registering that interest. This particular quote I want to give you tonight comes from a book that was published 55 years ago in 1927. It is 'The Arunta' - a well known Australian ethnography, - written by Baldwin Spencer and Francis Gillen. Honourable members may be interested to know that Baldwin Spencer, one of the great anthropologists

of Australia, was in fact a Professor of Botany from the University of Melbourne. Francis Gillen - not an academic - was the postmaster at Alice Springs at that particular time. The passage I want to read comes from chapter 5 of the 1927 book and is entitled 'Totemic Topography'. They open the chapter by saying:

> *Every prominent feature in the landscape of the Arunta country, whether it be a solitary mulga tree or a stony plain, a waterhole, a low ridge or a high mountain peak, is associated in tradition with some Knanja or totem group.*

I think that should demonstrate fairly adequately to honourable members how patently ridiculous it is for the Chief Minister to stand in this Assembly and wave his hands around wondering why he has problems in central Australia and no problems in the Top End. It is not because of some evil communist influence in the 30 Aboriginal organisations in central Australia. I do not know where he got that figure from. I do not know why he has problems in central Australia but I suggest he reads a bit of that book just to fill himself in.

The point I made yesterday I will make briefly again today.

Mr Perron: Quite clearly.

Mr BELL: For the benefit of the honourable Treasurer, I must make it again and again and again because he is patently incapable of taking it in. He has not even made a contribution to this debate and I look forward to it. However, I am not particularly worried whether the honourable Treasurer makes a contribution or not. The fact is that he has demonstrated to people in central Australia, Aboriginal and otherwise, that he and his government are incapable of managing development in any way.

However, rather than dwell on that this evening, although it is a theme I promise I will return to, I want to raise a matter of considerable concern to my constituents, particularly Aboriginal teachers and Aboriginal teaching assistants working in bush schools. I refer to irregularities that occur in the payment of those people in the bush schools. I am very sorry that the honourable Minister for Education is not here to hear this. I hope he can hear it over a loudspeaker somewhere. I preface this by saying I intend no criticism of his particular role here, though I hope it is something he will take on board.

This matter caused me concern before I was elected to this Assembly and I continue to receive numerous representations about it. I refer to the inadequate pay facilities for Department of Education personnel in schools in Aboriginal communities - in the bush schools, as they are, or at least were, termed. Expatriate teachers - and I use this word in no way to excite the ire of the honourable minister but merely because I can think of no other - are rarely inconvenienced by the computerised cheque system which operates in the Department of Education throughout the Northern Territory. Such teachers tend to work regularly, and usually pretty hard, and usually have enough money in the bank to cushion the blow if a mail plane is delayed for a week or 2 weeks by floods or whatever. They are also able to take advantage of direct payments into cheque accounts, a means of personal finance that is rarely operated by traditionally-oriented Aborigines on such communities.

Aboriginal teachers and teaching assistants perform vital functions in the education provided in bush schools. This is particularly so in bilingual schools, especially where problems of language and cultural understanding are inclined to cause barriers to attempts to make such schools fit in with the long-term community aspirations. However, because of the nature of economic relations in Aboriginal communities and the way people distribute money on these communities, they rarely have enough savings to cushion them against the vagaries of the pay system.

At this point, Mr Deputy Speaker, we should observe that some Aboriginal teachers and teaching assistants, in some cases, do not work for the full time for which they are employed. The reasons for this are not simple but, to some extent, they are explained by the way the cart was put before the horse in providing educational facilities in those communities. To a large extent, schools were introduced in such a way that Aboriginal people could not be part of them. They could not integrate them into their understanding of a changing way of life and, as a result, the pattern of employment of people on Aboriginal communities tends not to be a steady one. To my mind, it is too easy to say that, if these people worked regularly, they would be paid regularly. In fact, the converse can probably be thought to apply and a system devised whereby, if they were paid regularly, they might work regularly too.

I have a great deal of evidence here and I may give it at some later date. I see my time running out and, rather than dwell on the particular problems, I would like to mention briefly what I consider are 2 solutions. Firstly, for such teachers in central Australia, a sub-treasury could possibly be established in Alice Springs and cheques written, perhaps manually, in Alice Springs. Secondly, cheques could be written in those particular communities. This system is used in South Australia and I understand it works quite well.

Let me just indicate briefly some of the difficulties suffered by one of the schools in my electorate. I have received representations about this matter from the school at Docker River. As well as representations, I have received a copy of a letter sent to the honourable Minister for Education and I would like to quote a little bit of it. There have been difficulties there of people having to wait for their commencement to be confirmed by the Regional Office of the Department of Education. It should be noted, Mr Deputy Speaker, that Docker River is over 500 road miles from Alice Springs and receives only one mail delivery each week. As was explained, and I quote from the letter to the minister:

> *When a member of the staff resigns, it is not uncommon to wait for 2 weeks before the prospective employee has permission to commence. This results in the school retimetabling for this period, causing inconvenience to the entire staff. The method for employing new staff is as follows: (1) inform Education of resignation by telegram; (2) telegram name and date of birth of new person; (3) send commencement and resignation papers by mail; and (4) receive telegram stating commencement date.*
>
> *This problem is highlighted by the fact that Docker River has only one mail plane a week so it can take a week before the necessary forms reach Alice Springs. It would be desirable to be able to commence new staff before the forms are processed to ease this delay.*

Again, the problem of delay between the date of commencement and date of receiving the first pay was a problem at Docker River. The letter says: 'In regard to the inefficiencies of the salaries section, Aboriginal staff are having to wait long periods of time before being paid. First payment after commencement is not received until at least 5 weeks. In this time staff are expected to live often with a family with no income'. The letter gives an example, Mr Deputy Speaker, of a part-time literacy worker who receives pay as a part-time instructor and began work on 9 February 1981. This person works regularly and it was not until 22 April that she received her first cheque. That, Mr Deputy Speaker, is 2½ months. I am not sure that there would be too many members here who would be particularly enchanted about waiting 2½ months for their first pay cheque.

I hope I am making a constructive contribution here. When we talk about solutions, it should be pointed out that the computerisation of pay cheques was supposed to ease this situation. It obviously has not. There are 2 distinct possibilities of improving this situation and giving teachers, expatriate and Aboriginals, a chance to do their jobs in remote bush schools under administrative arrangements that people elsewhere take for granted. I believe there are 2 possibilities: firstly, a sub-Treasury in Alice Springs and, secondly, cheques could be written in those communities as they are in South Australia. I am aware that, in the past, the exigencies of Treasury regulations have been given as a reason for persisting with the current unsatisfactory arrangement. Mr Deputy Speaker, if it is necessary, I believe the regulations should be changed. I believe the money should be accountable of course. I believe that, where necessary to meet the needs of Territorians, the regulations should be changed. The Treasury, after all, is made for man and not man for the Treasury.

Finally, it is of interest to contrast the present pay arrangements in remote schools with payments by the local council which has been localised - at least in many of the communities with which I am familiar - for a considerable time. Such localisation would clearly seem to be in tune with the philosophy of the present government which is enthusiastic, and justifiably so, about the devolution of responsibility to local areas. I therefore urge that, as a matter of priority, the payment of Aboriginal teachers and teaching assistants in bush schools be reviewed with a view either to establishing a sub-Treasury in Alice Springs or arranging for cheques to be written in the schools in which these people work.

Mr STEELE (Primary Production): Mr Deputy Speaker, I rise tonight due mainly to my colleague's remarks concerning pet meat and the branding of pet meat. I rise because I did give her a reply to a question that she asked of me in the Assembly on Tuesday. I seek leave, Mr Deputy Speaker, to incorporate in Hansard the Australian Agricultural Council Resolution dealing with uniform pet meat and game meat controls which was decided at its meeting No 113 at Adelaide on 8 February 1982. By way of explanation, it would appear from the remarks that the honourable member has made that, if I do not ensure that the record is set straight, I could be accused of misleading this Assembly.

Leave granted.

AUSTRALIAN AGRICULTURAL COUNCIL RESOLUTION

1. UNIFORM PET MEAT AND GAME MEAT CONTROLS

Council considered a report from Standing Committee concerning:

(a) *the desirability of introducing uniform pet meat controls;*

(b) *the attitudes of the states towards control of game meat for human consumption.*

A *UNIFORM PET MEAT CONTROLS*

2. *With the exception of Western Australia there was substantial agreement among the States for uniform pet meat controls.*

3. *Council NOTED that brilliant blue would be adopted as the dye in identifying pet meats in New South Wales, Victoria, Queensland, Tasmania, Northern Territory; tartrazine would be used to stain pet meats in South Australia; and pet meats in Western Australia would be strip branded with blue dye.*

4. *Council AGREED that:*

- *all pet meats derived from knackeries and other sources outside the control and supervision of State and Commonwealth meat inspection services and all pet meats derived from supervised establishments except those consigned for heat sterilisation processing only, be stained with the dyes as indicated above;*

- *where staining is mandatory, all exposed surface of carcasses be required to be sprayed with the dye and sufficient dye added to all stages of further processing such that the final product has readily discernible dye throughout, enabling visual detection;*

- *pet meats originating from registered local or export abattoirs covered by a recognised meat inspection service be exempt from staining where these pet meats are consigned for use only in the preparation of heat sterilised pet food. These non-stained pet meats must be frozen, be packaged in distinctively labelled containers and be subject to adequate documentation on production, movement and end use;*

- *there be uniform adoption of a colour coding system for the identification of all bulk pet meat containers, with the use of the following colours:*

  - *Red bands to denote non-dye stained pet meat derived from registered export and local abattoirs which is being consigned for heat-sterilisation processing only;*

  - *Yellow band to denote dye-identified pet meats derived from any establishment and*

which is not consigned for heat-sterilisation processing only;

- *all bulk pet meat containers be mandatorily marked with a legend in a prominent position indicating that the product is pet food only and not for human consumption;*

- *possible changes to the size and/or shape of bulk pet meat containers be investigated, in consultation with the meat industry, as a further precaution against the substitution of pet meats in the human food chain;*

- *adequate documentation of movements of all bulk pet meats in Australia be implemented, records to be kept by the pet meat industry of production figures, movements and end use of product;*

- *the Victorian initiative in developing a computerised assurance program to reconcile abattoir production figures for pet meats with end use by pet food establishments be supported;*

- *all States be encouraged to cooperate with Victoria in extending the computerised assurance program to all non-stained pet meat movements in Australia;*

- *all States adopt a uniform interstate transport certificate for pet meats, (certificate as agreed by Standing Committee is in Annex A);*

- *All States adopt a revised uniform legislative framework covering the licensing of premises producing pet meat, animals to be incorporated into pet food, identification of meat processed as pet food, places for further processing and the movement of fresh pet meats in Australia.*

5. *Council considered that it was desirable that pet meats down to the retail level be controlled, including licensing of premises producing, handling and selling pet meats.*

6. *Western Australia advised that there was agreement between the Western Australian Department of Health and Medical Services and the kangaroo meat industry for carcasses to be strip branded. Depending on use in the meat industry, there could be problems with the use of blue dye in Western Australia. If this was the case, another approved dye Green S. (Colour Index 44090) could be used. Other decisions with respect to identification of containers, control at retail level and documentation of movements were acceptable to the Western Australian Department of Health and Medical Services.*

B Uniform Game Meat Controls

7. Council NOTED the divergence of opinion between States on the question of whether game meats should be permitted for human consumption.

8. Council NOTED Standing Committee's endorsement of the Animal Health Committee proposal to establish a small Working Party of the Sub-Committee on Veterinary Public Health to investigate the development of standards for the preparation and sale of game meat for human consumption for those States who wished to consider it.

Mr LEO (Nhulunbuy): Mr Speaker, I was not going to speak this afternoon until I realised the full impact of the 7% air fare increase. I believe that it will not just apply to Tennant Creek, Katherine and Alice Springs. This increase will apply throughout the Territory with the exception of Alice Springs to Ayers Rock.

I have spoken before in this Assembly about the problems at Nhulunbuy. At the last sittings, in the answer to a question, the Chief Minister pointed out the need for increased air services to Nhulunbuy. The fact that other airline companies want to operate air services there and cannot means that it is a very lucrative market indeed. That company is robbing us blind over there. It fills up every damn plane and then cries poor because of the Katherine, Tennant Creek and Alice Springs service. If you asked Airlines of Northern Australia if it would like to relinquish 1 or 2 of its flights to either TAA or Ansett,you would see how far it would jump away from you and say: 'Not on your ditty!' It is constantly robbing that community blind.

When I first came here, I said that Nhulunbuy is not on the moon. It is in fact a part of the Territory. Although much of the legislation does not affect the community over there, I have long talked about the tax-sharing arrangements, water and sewerage, and about the consequences of becoming sick whilst living in an isolated community. I have spoken about various experiments that were conducted by the Education Department over there concerning community libraries. I have spoken about all these things and I do not seem to be making any impact on the members opposite. It just seems to be an absolute waste of time coming here and talking to them.

If the minister has to rubber stamp anything, would he please use it with a little more discretion and have consideration for 5000 people who cannot ring up TNT and simply road freight something up here and who cannot go down to a warehouse and buy something. Every single item that is purchased outside the town must be flown in. There is a barge service but, quite frankly, an insurance company will not insure anything that is carried on that barge service. That is how reliable it is.

These 5000 people are totally reliant upon air services. If they become sick, they have to fly in or out. If they want to go on leave, they have to fly in or out. If they want any goods with any sort of regularity, they have to fly them in. That community is totally dependent upon air services. As I have already discussed in this Assembly, some 400% more of them are being sent to Darwin as a result of sickness. All right, they are compensated under the IPTAS scheme, but reimbursement comes some weeks later and does not help a person find the money at the time when it is needed.

I do not know what more I can add, Mr Deputy Speaker. I can only hope

that the minister will, in some way, act with a little more discretion. If Airlines of Northern Australia do not want to operate to Gove, turn it over to Ansett or TAA - which is what I originally asked for. We are told: 'No, no. It would not work'. If they are having trouble, let them have trouble up and down the track. That community is totally dependent upon airlines. I ask the minister - I will repeat - to use a little more discretion with his rubber stamp.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, having been involved in a few charity functions over the years, I am well aware that there are health regulations regarding food. One regulation is that no frozen cakes may be sold from stalls. The reason is that, if a cake has been frozen and stored and then thawed and sold from a stall, someone may take it home and refreeze it. Scientifically, once a food substance has been thawed, it is generally moist. It becomes warm and creates a place for bacteria to grow. If it is refrozen, the bacteria are still there and, on rethawing, they multiply at a great rate. Cases of food poisoning have been known to result. Most members would be well aware that people are warned against refreezing food. This is the reason for it. This causes me some concern.

Yesterday I asked a question about frozen fish being thawed out and offered for sale as fresh fish. My understanding is that fresh fish has never been frozen. If I buy fish assuming it is fresh, I feel quite happy about freezing it. Most people proceed on the same understanding. I see a certain danger here. I would certainly be pleased to have the minister look into that particular matter and give me an answer, as he promised to do.

I was very interested to note in the teaching service magazine of March 1982 some guidelines regarding smoking in the Department of Education. I will read some of it. I think that it is interesting. They are guidelines only, not a direct ruling:

> *The department has no wish to intrude in the private lives of staff but, in the light of medical evidence of the damage to the health that can be caused by smoking, including passive or involuntary smoking, this policy aims to create a non-smoking working environment for the protection of those who do not wish to smoke rather than vice-versa. In considering the application of policies at the various workplaces in central and regional offices, account has been taken of the need to respect the liberty of the individual and the difficulty of enforcing restrictions balanced against the consideration due to those who are put to discomfort or inconvenience by smokers.*

This is a very interesting paper from the Department of Education. I am sure that there will be many people in the community who favour it and some who oppose it.

I use that by way of introduction to something else that concerns me. It has concerned me for a considerable time: the noise level at certain school functions. I do not want to be seen as someone who quashes peoples' enjoyment, but noise levels, in certain situations, get beyond a joke and, I believe, are a danger. I am not a killjoy at all. However, the situation at school socials and discos is often such that you cannot talk to the person you are dancing with. It is possible your hearing will be adversely affected. In Alice Springs

the casino has an open-air auditorium. Some excellent artists perform there. Kamahl was performing one time and I went along and thoroughly enjoyed it. The noise level tends to be very high. People living some considerable distance out of the town complain about the noise that reaches them. If it is a still night, every word can be heard. The noise penetrates over into the Gillen area. There have been quite a few complaints from people whose children cannot sleep.

I went to a show by Marcia Hines just recently. It was on a wet night - a reasonably rare occurrence in Alice Springs. The show was held inside and the noise from the band was so loud that often the singer could not be heard. My ears were ringing for 2 days afterwards. Recently, I was told of a device which some states in America are using to control noise levels from bands. It is connected into the power system. If the noise gets beyond a certain level, the power cuts out. I can see that, in the future, many people will complain that they suffer from industrial deafness. It may be self-induced through some of these things. It is not necessary to have such high noise levels.

When Araluen gets going, it will have a large open-air area close to many homes. There will be complaints from there. If some level of control is exercised on the amount of noise, we might get some degree of balance in these situations. Far be it from me to prevent these artists coming or to stop people from going to see them, but the people in the community have some rights too.

This afternoon we heard that, due to lack of use of the service, milk-run flights from Darwin through to Alice via Tennant Creek and Katherine may have to be reduced. I have one suggestion to make. Recently, cheap air fares were made available in February or March for one month at a time when not many people normally travel. One could go from Alice to Adelaide. I presume Darwin also could participate in that. The reduction was considerable and those seats sold rather well. Maybe among the propositions that are looked at could be a proposal to offer weekend travel at half price on these routes. If presently only 40% of seats are filled and if by this means the plane is filled, the airline must be better off. Perhaps the present prices are discouraging people from flying. This scheme could be given a month's trial to see if it receives any support. If it seems to work well, it can be continued. If it is not supported, it can be re-examined. But I believe it would be worth while trying it. I understand that prices have shown a large difference over the last 18 months. I was told that, to fly from Katherine to Alice, the cost has increased 100%.

I want to mention Medibank and the cost of health care. I think the increased costs these days are largely due to the higher technology and the greater expectations that people have as well as the high cost of drug development. The thalidomide business was very bad and hit the company which produced it very heavily. One must sympathise with the victims of course. However, since then, particularly in the United States, it is estimated that you have to spend something like $10m on testing a drug before it can be brought on the market. Even then, one can never be 100% safe with any of these substances and one has to balance the good effects against the bad effects. What this means is that, since it takes a long time to bring a drug on the market, the companies developing the drugs are only likely to be putting their efforts into drugs which will have a wide use. Some rare diseases require that effort be put into developing drugs to combat them but, because there is so small a market, the drug manufacturers will not develop them. I am certainly concerned about that. The blame for much of this can be laid at the feet of the US government because of the number of regulations it has. I think that things have got out of balance.

I was very interested to listen to the socialist member for MacDonnell this afternoon talk about a booklet and the fact that every object in the Alice Springs area, every low hill, high hill, river and valley is of significance. I can appreciate that may be indeed the case. By the same token, it frightens me that we will take all of these as being of equal significance to the Aboriginal people. In respect to that situation, the Leader of the House was pretty close to being right when he said, in a moment of frustration, that Alice Springs was being ringbarked and we are being stumped at every turn. If we left the Sadadeen Valley as the member suggested we should do, we would find the same little knolls, low hills and trees of significance wherever we went. I have the feeling that he is just simply playing politics. It would be great for him to be able to say at the next election: 'What has the government done in Alice Springs?' He would love to see development frustrated.

I spoke recently to an official of the Centralian Advocate. I will not mention his name as I do not have his permission. His comments to me on the situation contrasted markedly with the views of the member and the people he mixes with. The people have had it up to the neck with the sacred sites business. There is only one way, Mr Deputy Speaker. We are not living in the past. The only way is to compromise. There is no other way it can possibly happen. The white people will not walk out of Alice Springs because of the beliefs of the Aboriginals nor should the Aboriginal people allow the whites to walk all over them. We have to respect their views. There has to be give and take on both sides. It is the only way it can possibly happen. The sooner this is sorted out and, if necessary, legislative changes made, the better people will be all round.

I have considerable sympathy for the Aranda people at Alice Springs. Strangely enough, in tribal ways, Alice Springs is their area yet it seems to be so many foreign groups who seem to be catered for far more often. At a recent hearing of the committee from Canberra on fringe camps, one of the Aranda people said that the other people do not really belong there. The member for MacDonnell agrees with that particular statement; he is nodding his head wisely. I certainly believe that the Aranda people need a reasonable deal and I am sure that the Minister for Lands and Housing has their interests at heart. But, we do not run the Territory simply for Aboriginal people. There are other people and the needs of all groups must be taken into account.

Regarding the socialist member for MacDonnell's inference on education cheques, there is a sub-branch of Treasury in Alice Springs already and the Education Department will be using that. There have been some minor bugs in the system but they will be ironed out soon. I can appreciate that one cannot be aware of all things but, for his information, the office is in the TIO building in Todd Street.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr VALE (Stuart): Mr Speaker, some years ago in this Assembly, I was critical of 2 roads in central Australia which had attached to them the name 'highway'. I felt then, and I still believe, at least in respect of one of them, that the word 'highway' is misleading, particularly for the people from the south who visit central Australia during the year on tours. In particular, Mr Deputy Speaker, I refer to the Plenty and the Sandover Highways. The Sandover Highway is appropriately named - that is about all it is 'sand all over the place'- and the Plenty has plenty of road. At that stage, neither should have had the word 'highway' attached to it. However, with the recent upgrading of the Plenty Highway and the amount of work that the Department of Transport and Works has done there, that word is probably now more appropriate.

I recently had a chance to visit Tobermorey out on the Territory/Queensland border and viewed the road from there back to the Stuart Highway. This afternoon, I would like to pay tribute to the officers of the Department of Transport and Works for the tremendous amount of work that they have done in grading, gravelling, compacting and forming that Plenty Highway and also to the Department of Lands people who initially surveyed the route. It is a credit to them and it is only a pity that the Queensland section of the road has not been upgraded to Boulia. There is only a 208km section there. It is a tremendously scenic section of the route for people to travel across to Queensland. I would like to see Queensland ultimately upgrade that section.

Mr Speaker, there is one disappointing factor in central Australia considering the amount of work that the Department of Transport and Works has done on our roads. At the side stops, it has been building shade shelters, barbecues and water tanks. There is one out near the Queensland/NT border at Tobermorey which has been up for less than 4 weeks. Within the first week, hooligans or vandals had knocked the taps off and drained a 500-gallon tank of water. If some other people want to boil the billy, there is nothing there. One section of the Stuart Highway north of Colyer Creek was only open for a few weeks before vandals ripped off the barbecue plates and put graffiti all over the walls of the barbecue facilities.

I do not quite know how we are going to stop it but I would make a suggestion. These hooligans and idiots roam free and are never brought before the courts. We should now make some attempt to drag them back before the courts, obtain a conviction against them, fine them heavily and then put them to work with a paint brush or scrubbing brush to repair their own damn damage. Sooner or later someone is going to suffer some type of injury because he needs water in these remote areas of central Australia and finds that vandals have wrecked the facilities. It is a crying shame, Mr Deputy Speaker. Hundreds of thousands of dollars of Northern Territory taxpayers' money is spent on these facilities and vandals apparently roam free and destroy them almost as fast as the government or the Department of Transport and Works puts them up.

Mr Deputy Speaker, this afternoon the honourable member for Nhulunbuy talked about air services into Nhulunbuy. Might I say, as a resident of central Australia, that, for many years, we were in a similar position to Nhulunbuy. We were landlocked during wet weather and were entirely dependent on air services. Our railway would wash out and our road would wash out. We would wait for an airlift or commercial flights into the town to bring in much needed supplies or to take passengers in or out. In recent years, we have been very fortunate to get an all-weather rail-link from South Australia. The unsealed section of the Stuart Highway in South Australia is now rapidly being sealed. We are no longer in the same position that Nhulunbuy finds itself in being landlocked from the rest of the Northern Territory. What I would like to see is an all-weather road from Nhulunbuy into all other parts of the Northern Territory. I challenge the member for Nhulunbuy to come out solidly in support of the Northern Territory government in its efforts to build that road and thus relieve the residents of Nhulunbuy from being completely and utterly dependent on air services only.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in yesterday's adjournment debate, the Chief Minister made what I thought was quite an extraordinary speech. He was obviously upset for 2 reasons. The first was because of 2 previous speeches. One was made by the member for Elsey concerning what he thought was the state of the beef market in the Northern Territory and the other one was made by the honourable member for MacDonnell.

The Chief Minister twice said that the member for MacDonnell had the attitude of a 'one-eyed zealot' because of his criticism of the Northern Territory government's failure to maintain adequate and meaningful consultation with Aboriginal groups in negotiations concerning the location and identification of sacred sites in the Sadadeen valley. The Chief Minister went on to say that innumerable sacred sites, at least 45 in the number - which is hardly 'innumerable' - have already been registered. By making such a statement, the Chief Minister has tacitly admitted that there are in fact at least 45 sacred sites within the valley. The Chief Minister then went on to say that he is not nearly as familiar with the whole matter as the Minister for Lands and Housing.

What does the Minister for Lands and Housing really think about sacred sites? I have been listening to him for some years. On every occasion that I have read or heard a reference to sacred sites by the Minister for Lands and Housing either in the media or in this Assembly, it has been prefaced by 'so-called' or 'alleged'. The only inference that may be drawn from such remarks is that he has no belief whatever in the validity of sacred sites. That is his trouble. For this reason alone, how can the honourable member negotiate successfully with the indigenous people who believe implicitly in the subject which constitutes the very core and essence of their spiritual life and being but which he obviously considers a totally fallacious concept? It is impossible that anything meaningful or profitable can come out of such negotiations.

Mr Deputy Speaker, the Chief Minister went on to say that the Central Land Council is being deliberately obstructive and does not really want to negotiate on the future of the Sadadeen Valley. It has been frequently said that Aboriginal people in the Centre keep finding sacred sites merely to prevent development of the Sadadeen industrial subdivision. The Chief Minister claims the government had every right to consider that the people in the area affected had no objection to the use of this particular place because no objection was raised to the Alice Springs Town Plan in 1980. That is totally incorrect. Let us look at the facts. I quote from a document 'Aboriginal Sacred Sites in the Sadadeen Industrial Subdivision: A Brief History'. This was prepared by the Aboriginal Sacred Sites Authority:

> *Official government documents show that the Aranda people with traditional association to the Sadadeen area have, since at least 1974, sought consideration of their needs for a residential lease in the Sadadeen area and that the concern for such a lease has been recognised as resulting in part out of concern to protect sacred sites in the area. On the 3rd of October 1974, the then unincorporated Aboriginal group representing the traditional custodians wrote to the Department of Lands seeking a lease of 10-15 acres in the Sadadeen area. The applicants were advised the area is currently under lease to Mr J. Weir who had a lease for 20 years.*
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> *In 1975, on the 26th of May, the Department of Aboriginal Affairs forwarded an application for an area suitable for a town camp on behalf of East Aranda group to the interim Land Commissioner, Mr Justice Ward. Subsequently, after negotiations with the Department of the Northern Territory, this application was withdrawn in order to permit construction of a powerhouse in portion of the area originally claimed. This was the first of what was to become a series of official measures which*

delayed consideration of Aboriginal requests for official recognition of their needs and aspirations in the area.

In the original application, one of the reasons given for the lease application was that the area was of mythological significance and should be protected under the Native and Historical Objects Preservation Ordinance. Acknowledgement that the area contained sites of particular significance was subsequently made in letter dated 22 July 1976 from Mr V. T. O'Brien, First Assistant Secretary, Lands and Community Development Department of the Northern Territory, in which he stated there was also mention of a sacred site in the lease application.

On 25 July 1977, Mr Geoff Eames of the Central Land Council wrote to the Minister for Aboriginal Affairs, Mr Ian Viner, with regard to the Sadadeen residential claim. He advised that the claim had been withdrawn at the request of the Department of Northern Territory in order to enable construction of a powerhouse. An alternative area which had been agreed to in principle by government representatives for a residential lease had subsequently been set aside as a caravan park area upon the application of the Alice Springs council. In his letter, Mr Eames referred to objections made by the President of the Ilpea Ilpea Association to the zoning area for a caravan park dated 13 April 1977. In this objection, special reference was made to the fact that the area had traditional significance.

The reply from the Northern Territory Town Planning Board advised that the hearing of objection had been postponed until late August 1977. Subsequently, following zoning of the area's future use, requests were made by the Central Land Council on behalf of the custodians to the Department of Aboriginal Affairs for an assessment of Aboriginal sites in the Sadadeen area. This request was particularly concerned with the area now known as the Sadadeen housing subdivision. A survey of the Alice Springs area had been undertaken at the request of the Central Land Council by the Northern Territory Museums and Art Galleries between 16 and 28 October 1977 by Mr Darryl Erson. As a result, a number of sites including several in the Sadadeen area had been identified.

In June 1976, Mick Ivory of the Alice Springs office of the Department of Aboriginal Affairs telexed Mr Creed Lovegrove of the Department of Aboriginal Affairs advising that there were a number of sacred sites in the Sadadeen area. He identified several areas. He stated that not all persons had yet been contacted and that this would be done before expressing a definite opinion about the development of the area. This does not appear to have ever been done and the request to the Central Land Council has been forgotten.

On 25 August 1977, Mr K. L. Smith, Central Land Council Adviser, wrote to the Assistant Director, Department of Aboriginal Affairs, advising that sites within the Sadadeen area had been identified and pegged by the council and that Aboriginal people had requested fencing of the soakage and erection of appropriate signs. No action appears to have

been taken on this request.

In the Ilpea lease application of February 1979, the sacred sites in the area of the subdivision were again mentioned. From August 1980 onwards, correspondence between the Central Land Council and the Northern Territory Planning Authority further discussed the future development of the Sadadeen area and the need for site protection.

Now we are up to 1980. If I am correct, the claim the Chief Minister made was that they had not objected before 1980. It goes on from there. They have kept trying and trying. In January 1981, an officer of the Central Land Council and Aboriginal custodians met with officials of the Planning Division who actually had the affrontery to claim that they had no knowledge of the sites in the Sadadeen area which had been discussed with Mr Carey and, at this stage, considerable cost would be experienced in any change of the subdivision proposal. So much for the claim that everything had the go-ahead because places had never been claimed; they had never been recorded.

Mr Deputy Speaker, contrary to claims that the central Australian Aboriginals have been dreaming up false claims to frustrate development of the Sadadeen industrial subdivision, they have in fact been trying to register claims by any means at their disposal for at least 6 years prior to the Alice Springs Town Plan of 1980.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, as this is my last sitting day during this particular session of the Assembly, I would like to take an opportunity to express my thanks to both the Leader of the House and the Minister for Mines and Energy for making it possible to schedule for the first week those bills for which I had particularly wanted to speak on in the second-reading debates. I did inform both gentlemen of the reason why I would not be here for the second week of the sittings and I feel that I should perhaps divulge that to other members as well.

The reason is that I have been included in an Australian government delegation to participate in an exchange program with the United States of America. This program is being funded jointly by the Australian and the American governments. We expect a visit from the return delegation in November. Mr Deputy Speaker, I will be giving a detailed statement to the Assembly of the activities undertaken during this tour which will last nearly 3 weeks. It looks like a very meritorious program indeed. I am quite delighted to be part of it. The delegation consists of 8 members who have been chosen from all branches of political activity. It is not a parliamentary delegation as only 2 of the member, myself and the leader of the delegation, Mr James Porter, are in fact parliamentarians. The other members come into the category of full-time party officials and staff of political leaders.

I will be reporting at length to the Assembly when I return but I did wish to express my thanks to the ministers concerned because not only have they made it possible for me to participate in the debate on the Mineral Royalty Bill, which I had particularly sought, but the Leader of the House rescheduled all but one of the bills that I had adjourned at the last sittings so that I could speak on them.

Mr Deputy Speaker, the other question that I wanted to raise is connected to departure from Australia and that is the departure tax which has so occupied the collective minds of the Ministers for Tourism from all states and the Territory. I was interested to see a statement emanating from the last conference of these ministers condemning the departure tax. It caused me to

stop and think why in fact this tax exists at all and whether it is an effective means of raising revenue. I have to say that I came to the conclusion that it is one of the most efficient ways of raising revenue. It is also one of the ways of raising revenue that is least painful. I might say, at this stage, that I have had a discussion with the honourable member for Nightcliff who violently disagrees with my views on the departure tax. I can perhaps outline my reasons for the benefit of the honourable Minister for Tourism.

The departure tax, as the honourable minister would know, is payable by both residents and visitors on their departure from an Australian air or sea port. It currently stands at $20. At the moment, there is no provision for exempting from this tax people who only stay in Australia for a short time or who are actually in transit to New Zealand. Perhaps there is a reason to see whether perhaps there could be certain exemptions. By and large, this is a fairly painless form of tax collection because it is a relatively small amount when compared to the overall cost of overseas travel.

The categories of people who travel are generally holiday-makers or people on business. It has to be said that people who take overseas holidays are in the category of persons who have a fairly high disposable income. It is a rather silly argument to put that it is a very stiff imposition on people. Because of the money that people pay to reach Australia, travel by air within Australia and for accommodation here, I doubt very much whether those same people would alter their plans in any way if told that, upon departure, they would have to pay $20. I am of the view that taxes should be raised wherever possible in the least painful way. Because the people who are indulging in this form of travel are, by and large, people who have high disposable incomes, I would think that that is a good way of raising revenue and one that has very little effect on the person paying it.

It has been said to me that all these ministers apparently have had complaints from people that it is a very sour note that people leave on when they find they have to pay $20 to leave the country. That also surprises me because the departure tax is not peculiar to Australia. In fact, it applies to all countries. I have also heard that they regard the tax as being extremely high compared to other countries. Whilst I do not dispute that particular view, I can say that, relatively speaking, it is not high at all. I can recall on the last occasion that I left an airport in India, the departure tax was 100 rupees which is approximately $A11. When you look at that particular sum in relation to the average monthly income of the people, you realise that it is very high indeed. The average income of, say, an urban worker in Bombay, which is the airport from which I left, is $US14. When you look at the departure tax in relation to what people are earning, that is very high.

To argue on a comparison of departure tax across the world is not very realistic. Clearly, the Indian government is saying that those who can afford to travel overseas by air ought to pay based not only on a fee for ground services given at airports but because they can afford to pay. To put it in a nutshell for people who ask why they should pay an amount to leave a country, the answer is that it is an efficient method of raising revenue from people who can afford to pay.

Mr Deputy Speaker, I think that Ministers for Tourism across Australia could well look at some other methods of reducing costs for holiday-makers rather than latching onto the departure tax and simply preoccupying their minds with it. We have received quite a deal of comment on the high cost of internal air fares from people visiting Australia. These come from people who are entitled to buy concessional internal air fares provided they are bought

overseas and paid for at the time they make their bookings. These concessions are not available to Australian travellers to the same degree.

There is also the question of the servicing of tourists in other ways, Mr Deputy Speaker. I think that measures could be taken to increase the number of tourist attractions and to produce low-cost tourist accommodation. This type of thing would do far more to generate tourism than worrying about what people have to pay when they leave. People complain that, when they leave, they are required to pay this $20 and this leaves them with a terribly sour taste. They often wonder if they would come back to Australia. I have never travelled overseas and found that everything has gone smoothly on my departure. One can be hit with all sorts of unforeseen charges from special taxi rates which are not related to the amounts shown on the meter to all sorts of other minor inconveniences such as filling out customs declaration forms on leaving a country or, indeed, being subjected to baggage searches in some countries because they have very strict rules about the removal of currency and some types of products. It does not seem to me that the numbers travelling to those countries are affected in any way by these procedures. All countries have a different idea about what they expect of their tourists and some are quite diligent about how people leave the country.

On my last visit to Sri Lanka, I was really quite amused at the length to which customs officials went to make sure that people leaving the country were not in possession of blue sapphires. It appears that blue sapphires are an export commodity of this country. Not only were we asked to fill out declaration forms but all baggage was systematically searched, regardless of what was declared on the customs declaration form. All these minor inconveniences do not seem to have any real impact on the degree to which people travel. I suggest to the Minister for Tourism that perhaps a more appropriate way of being constructive about how the tourist industry ought better to serve holiday-makers is that some of the things that really upset people, such as the lack of accommodation, lack of surface transport to particular tourist attractions etc. be looked at.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I feel constrained to pass some comment on statements made by the Leader of the Opposition in his contribution to yesterday's adjournment debate, particularly in relation to the duties of an acting minister.

I do not claim to be a great constitutional lawyer but, as a person who tries to be practical, it seems to me that the case is this. If an acting minister must take a decision whilst the substantive minister is away from his duties, for whatever reason, then, unless that decision is reversed by Cabinet or some higher authority, that decision must stand. Public policy, in my view, would not be served by a situation where everyone knew that, as soon as the Chief Minister, for instance, returned from wherever he was in the south, any decision made by the Acting Chief Minister could be overturned on application to him. The situation between ministerial colleagues would be intolerable.

Naturally, Mr Speaker, acting ministers attempt, as far as possible if time permits, to avoid taking major decisions whilst other ministers are away. But some absences of ministers, particularly on overseas visits, are lengthy and decisions have to be taken. That is how I see it. I cannot see any argument at all for ministers reviewing the decisions of their colleagues upon their return. It would totally undermine any confidence that existed between ministers and in the Cabinet system itself.

I was concerned myself to find in January this year that there were, at one stage, only 2 ministers in the Territory. From memory, the Leader of the Opposition overlooked another minister who lives in Alice Springs. But it is quite true that considerable ministerial powers were vested in the honourable Minister for Transport and Works at one time. I hope that I have overcome that situation. Two or three months ago, I issued a circular to ministers asking for 2 months' notice of their movements from that time on rather than 1 month's notice. Unfortunately, with only a month's notice, sometimes situations develop which mean that more than a couple of ministers are out of the Territory at any one time. Ministers have been asked to practise restraint in travel. For instance, there are 3 or 4 Attorneys-General Standing Committee meetings every year but, usually, I would attend not more than 1 of them. If we went to all the ministerial conferences that we are invited to from which I suppose the Territory would gain some benefit, we would never be here. We have to go to some because the Territory's end has to be held up.

What brought that on, of course, was the Leader of the Opposition's reference to the honourable Minister for Health's radio interview earlier this year in relation to the unfortunate offer of resignation by the then Chairman of the Liquor Commission. I was going to let the dead bury their dead but I notice the honourable Leader of the Opposition made this statement yesterday: 'A minister goes overseas and returns to find that one of his most senior public servants has been forced to resign or has been sacked'. I suggest that the honourable Leader of the Opposition made this statement on the authority of a radio interview given by a former member of the Liquor Commission, Mr Michael Maurice. Mr Michael Maurice, in fact, resigned from the commission after I had left for overseas. I was interested to note that his resignation took place some time after that of Mr Pitman whose departure I regretted. Mr Maurice's resignation took place without any attempt to telephone myself or the honourable Minister for Education who was acting Minister for Health at the time of Mr Pitman's untimely demise. I would like just to go through this radio interview that Mr Maurice had. It was on a program on the ABC called After Eight.

Mr Maurice was asked: 'What were the circumstances of Mr Pitman's resignation?' Of course, Mr Maurice would not know unless he had been told by someone because he was not at the celebrated meeting. There were 4 people at it: Mr Brinlay, the then acting registrar, Mr Pitman, the then chairman, Mr Robertson and myself. But not having been there and not having made any attempt to find out from at least 2 of the people who had been there did not deter Mr Maurice from going in boots and all.

As far as I am concerned, I will not say anything at all this afternoon that I consider to be unreasonable. I am just going to analyse this radio interview. I completely waive any rights of parliamentary immunity that I might have if it is possible for me to do so. If not, I am prepared to repeat everything I say here outside the Assembly so that Mr Maurice and anyone else will have full rights of recourse against me if they do not like anything that I have said.

Mr Maurice answered: 'I am quite convinced that his resignation was engineered by the Chief Minister, Mr Everingham, and by Mr Robertson during Mr Tuxworth's absence. I should point out that the minister responsible for the Liquor Commission is Mr Tuxworth'. How would Mr Maurice know, without asking us? He did not talk to me and he did not talk to Mr Robertson. Did he even talk to the registrar? I do not know but I will bet he did not. In fact he does not evey say that he talked to Mr Pitman. What about fair play? Mr Maurice is supposed to be a barrister. He is pretty good at ringing up ministers when he wants something like a marina, but he certainly did not

come near a minister over this. He waited until I was safely overseas before he even announced his resignation. He had at least a week, as I recall, in which to do it before I went.

The interviewer then said: 'That is fairly strong language, "engineering" someone's dismissal. Why do you think the government has done this?' What I want to know is: how does one engineer someone to offer his resignation? It is just another unsubstantiated statement made in fact by a barrister who should have more regard to facts and less reliance on innuendo. I refer to the term 'engineering' when I make those comments. Mr Maurice said: 'It is very difficult to know'. He did not ask; it sure is difficult to know if you do not ask. He said: 'I suspect because they were dissatisfied with the policies being adopted by the commission in certain areas'.

It is strange then, Mr Deputy Speaker - and I regret that I have to mention this - but, this very year, of my own motion and not on Mr Pitman's application, I wrote to the Public Service Commissioner and asked him to promote Mr Pitman from an executive level E4 to executive level E5. The Public Service Commissioner refused to do so because he said the duties of the commission would not bear that sort of level. I said: 'Very well, pay Mr Pitman a special allowance'. That was done. If that is a measure of dissatisfaction with the way someone is doing a job, then I am very surprised. Mr Maurice did not come to me to ask me anything like this. He did not give me a chance to tell him anything. He just went off in a fit of petulance and resigned.

The next question is: 'Do you think there was a personal element between the 2 ministers and Mr Pitman?' Well, I cannot speak for Mr Robertson, but he lives in Alice Springs and would hardly ever see Mr Pitman. I live in the same street as Mr Pitman but, again, the usual times I see him is when he is out running early in the morning and I am setting out riding my bike. I might say, 'Good day, Ian', and he might say, 'Good day, Paul'. But aside from that, the only interview that I have had with Mr Pitman for a long time before the more celebrated one was when Mr Pitman applied to come to see me to ask me why I was not seeing him more frequently. I said: 'Ian, if I am not after you, it means that I am happy with you. So go away and you do your stuff and I will do mine and we are both pretty busy'.

Mr Maurice answered: 'As I said, from what I know of the conversations leading up to his resignation'. What conversations, Mr Maurice, and with whom? How about telling us? I ask that because Mr pitman's resignation came through the Minister for Education. I am pretty sure that his offer of resignation surprised him as much as it surprised me. It came like a bolt out of the blue. We had a meeting. It was certainly a warm meeting but ministers must be able to discuss things frankly and candidly with senior officials. We shook hands as the meeting broke. Some days later, in came the offer of resignation.

The next question is: 'Do you know what the nature of the disagreement between the ministers and Mr Pitman was?' Mr Pitman's letter is marked 'private and confidential' so I do not propose to refer to it but Mr Maurice said: 'Yes, I do but it was revealed to me in a confidential situation. I do not want to go into it here, save to say that those 2 ministers who were involved in the conversation leading up to the resignation addressed Mr Pitman in a way that was totally unacceptable and in circumstances that were totally unacceptable'.

What were those circumstances? The Chief Minister's office, 2 ministers, the Chairman of the Liquor Commission and his acting registrar - those were

the circumstances. 'In a way that was totally unacceptable' - well, I cannot give the substance of the conversations and I am not going to even give you the gist. But, as I said, some of them were pretty warm. It is fair enough. Ministers are entitled to put their point of view. Chairmen of Liquor Commissions are entitled to fire back and everyone did that day.

Maurice went on: 'It must have left - they must have known - a man in his position with no choice but to offer his resignation'. If it was so clear, why did he shake hands and leave and not offer his resignation then? After all, his position was that of chairman of a statutory authority. Ministers should be able to talk to a chairman of a statutory authority and his principal official, even if it is partly in a critical vein. It certainly was not entirely in a critical vein. Why should we not be allowed to be critical? After all, we are the people in the parliament responsible for what goes on in these statutory authorities but one always has a great deal of difficulty making statutory authorities recognise the fact.

'Has there been a disagreement between the government and the Liquor Commission in the activities of the commission and the way it pursued its job?' 'Not in a general sense', Mr Maurice conceded. I would like Mr Maurice to give us any instances of government interference with the operations of the Liquor Commission. I would like to hear of them. I ask him to give us a list of them because there have been none.

Since its inception, as I said, I could count my discussions, letters, interviews and so on with Mr Pitman on the fingers of one hand. Mr Maurice went on to qualify himself: 'Except that the government or various ministers have maintained an open-door policy to constituents who have been involved in particular matters before the commission and who have felt a sense of grievance. I am quite confident this has undermined the workings of the commission'. How dare we see the people we represent. We are standing in a position of undermining the workings of the Liquor Commission because we see the people of the Northern Territory whom we represent in this Legislative Assembly. By golly, if we did not see some of them, they would ambush us on the way to work or bally well strangle us in some cases. I just noticed recently that the commission applied to Cabinet for an amendment to its act to provide for the offence of contempt of the Liquor Commission. To me that goes mighty close to believing you are omnipotent. Apparently, it is contempt of the duties of a member of the Legislative Assembly to maintain an open-door policy to constituents. Well, well, what a crime! What an offence!

'Would Mr Pitman still be chairman if Mr Tuxworth had not gone away?' 'I think he probably would. I find it remarkable that 2 ministers who are involved in engineering' - it had now become an accomplished fact; we had 'engineered' it - 'Mr Pitman's resignation chose to do so during Mr Tuxworth's absence. After all, they had a conversation with him which they must have known left him with no choice but to tender his resignation. Nothing had happened - at least, nothing of which I am aware - that made it imperative that Ian resign forthwith'. Even 'Ian resigning forthwith' is rubbish because at least a week elapsed between when he wrote me this letter and when I saw him even though Easter was part of that week. He wrote his letter to me.

Mr SPEAKER: Order! The honourable member's time has expired.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have a message No 11 from His Honour, the Administrator of the Northern Territory.

I, Eric Eugene Johnston, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to make interim provision for the appropriation of moneys out of the Consolidated Fund for the service of the year ending 30 June 1983.

Dated this 21st day of May 1982.

E.E. JOHNSTON
Administrator.

LEAVE OF ABSENCE

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that leave of absence for the remainder of this sittings be granted to Ms D'Rozario who is a member of a bipartisan parliamentary delegation visiting the United States of America.

Motion agreed to.

MINISTERIAL STATEMENT
Aboriginal Health Workers

Mr TUXWORTH (Health)(by leave): Mr Speaker, it may not be generally known that Aborigines are being trained in the Northern Territory to provide a primary health care delivery in their communities. In fact, the Northern Territory government has placed a high priority on transferring the responsibility for primary health care to well-trained Aboriginal health workers. For those who are not aware of the role that Aborigines play and the way that they are trained, I should explain that Aboriginal health workers have been undertaking formal training in the Northern Territory since the 1960s.

It is only during the past 12 months that the actual implementation of the responsibilities of this primary care delivery has been given any real impetus. Until then, the task of health workers was mainly one of assisting medical and nursing staff in the various communities. However, their increased competence has been recognised and, where their communities have agreed, they have accepted this primary health care role. In some of the larger settlements, they staff mobile patrols tending to the health needs of Aborigines residing in outstations. The tasks they perform include first-aid procedures, dietary advice, routine checks on mothers and babies, the administration of medicines, the keeping of records and the operation of health centres. They are, in fact, an essential part of the team comprising medical officers, nursing sisters and dentists.

Mr Speaker, the aim of this program is to strengthen the life and health of Aborigines and through this to tackle problems relating to social change. In dealing with this issue, it is essential to grasp the concept that Aborigines have good health. They consider it as life. To Aborigines health is not just the health of an individual but that of the group. It embodies the survival and well-being of the whole community.

To promote health and to train Aboriginal health workers, 2 training centres have been set up. One is in Alice Springs - and I might add that that centre has been operating for many years - and a new one is now operating in Katherine. Katherine is an ideal place for a training centre for geographical reasons and also because the hospital is small and friendly and allows free access for trainees. Health workers receive part of their training on site in the bush and the remainder at the training institutes. They also use all other available expertise; for example, obstetrics courses at the Darwin Hospital.

In explaining the concept of Aboriginal health workers assuming more responsibility for primary health care, it should be pointed out that these people are employed in communities where there are sufficiently large Aboriginal populations. Health worker trainees are nominated by local Aboriginal councils or apply direct to the Department of Health when vacancies occur. If they are acceptable to the community, they are employed by the department or by subsidised health services such as missions or councils. An integral part of the government's new initiative has been the establishment of regional councils comprising Aboriginal people of importance. These represent both tribal and urban groups. Two such councils have been established, one serving the Top End and the other covering the southern region.

The 2 training institutes will provide the necessary support to the councils and together are responsible for the training and administration of health workers. This is a mechanism for giving Aboriginal people a real say in the direction the program will take as well as an ability to ensure its proper implementation. There are, throughout the Territory, some highly-motivated, positively-oriented Aboriginal health workers with real responsibility in either tribal or non-tribal settings who are interacting with western society. It is they who have emerged as effective people who are developing very real and regional responsibility beyond their health centres. Some of these people will be elected members of the regional councils. They will work in partnership with regional medical, nursing and dental officers in promoting the good health of rural people over and above the primary health care role. These Aboriginal health workers will have administrative and disciplinary responsibilities for health workers in health centres and outstations.

Many serious problems presently existing among Aborigines threaten both their survival and their quality of life. Major diseases and those relating to social change are malnutrition, alcohol abuse, petrol sniffing, middle ear disease, eye problems, chronic chest disease, leprosy - although this is now under control - venereal disease, skin infections, excessive smoking, psychiatric disturbances, anaemia and trauma relating to fighting. There are also many problems related to water supply, to hygiene and sanitation and many of these diseases reflect social problems.

One of the most effective ways in which a government can influence social change is through Aboriginal health workers. For this reason, the Health Department has a total commitment to Aboriginal health worker responsibility and education. Our objectives are to promote among Aboriginal people an awareness of the need for active commitment to health and fitness and to survival and growth, to ensure that Aboriginal people have access to primary and secondary health care and to ensure active participation of Aborigines in all aspects of the health care system.

The success of the Aboriginal health worker program will depend on the competence and training of Aboriginal health workers, on back-up support given to them by the Northern Territory Department of Health and on an understanding by their entire communities of what the new initiatives really mean. Aboriginal health workers have special expertise and there is a need for acknowledged

credentials for them while expertise is being developed at the training centres I have mentioned.

The question of legislation to set up a registration board has been addressed by the Departments of Health and Law and will be considered by Cabinet in the very near future. To ensure the success of the program, health workers require adequate training in primary health care through the Aboriginal training and resources institutes in Katherine and Alice Springs and on-site training with continued access to medical expertise. Secondly, there must be access to adequate support systems, for example, drugs, radio, telephone, road transport and aerial medical services. Thirdly, there must be appropriate environmental resources; for example, water, shelter and so on.

I believe the Northern Territory Health Department is breaking new ground in Australia by implementing a program which has not yet been seen in this country before. In essence, the government's policy is to ensure effective Aboriginal management on a large part of its rural service, to allow working sisters on settlements with Aboriginal health workers to withdraw at an appropriate time and then to play a supportive role as resource people or as on-site trainers and to register Aboriginal health workers under legislation.

There are some highly competent Aboriginal health workers in the Aboriginal community. There also is a desire on the part of Aborigines to assume a greater responsibility for their own destiny. The government's policy recognises this desire and, at the same time, is ensuring that there is no decline in the standard of health care provided to Aborigines in remote communities. The Northern Territory is breaking new and exciting ground in this field. With the continued support of this government and the Commonwealth, the basis is being laid for a program which will become a milestone in health care delivery.

Mr Speaker, I move that the Assembly take note of the statement.

Mrs O'NEIL (Fannie Bay): Mr Speaker, it is a great disappointment to me that the Minister for Health, in speaking on this important topic which is familiar to all members of the Assembly, did not address himself more seriously to the very real problems and difficulties as well as the desirable objectives of this program. It is not necessarily a new and exciting program. As all members know, it has been taking place in the Northern Territory for many years. And indeed I am sure it has the support of all members and the community generally. It is a program developed in the Northern Territory in response to recognition of a situation which, I recall, the former Secretary of the Department of Health described as one in which the health of Aboriginal people more closely resembled that of people in Third World countries than in Australia. The program has been taking place for some years and, hopefully, will continue to take place and make the advances which the honourable minister described.

There have been some changes in recent times, but not many. Most changes to the program would be expected with the passage of time. The first has been the withdrawal of European staff sisters from some settlements leaving a greater responsibility with the Aboriginal health workers in those communities. That is a most desirable end. Some cynics would suggest that it is not coincidental that that happened just when the Department of Health was having a great deal of trouble finding money to pay for services. Nevertheless, having watched the progress of the training of Aboriginal health workers over many years in the Northern Territory, I believe that many of them are now well-qualified to take over that responsibility.

Mr Speaker, last week I asked the minister a question about the possibility of the establishment of the health worker training centre at Katherine. I

believe that it is in response to that question that he made this statement today. In the same statement, he acknowledged that a health centre is to be set up in Katherine in addition to the one existing in Alice Springs but he made no reference to the future of those facilities which have been operating in Gove and in Darwin. I think that it is most disappointing that, in addressing this question, the minister did not explain to members what he proposes to do with those existing facilities.

The health worker training scheme was regionalised as are other services of the Department of Health. Obviously, this decision to set up a centre in Katherine is a very significant departure from regionalisation. One cannot help wondering whether it does not signal a departure from regionalisation in perhaps other services that the Health Department provides. These are the questions that I think the minister should have had the sense of responsibility to address in his statement. The fact of the matter is that, while many people undoubtedly find Katherine a congenial place to be, that is not necessarily the case for Aboriginal people from various parts of Arnhem Land. I believe, with some authority, that people in those communities are somewhat concerned that the health worker training centre is to be moved some distance from their homes - to Katherine, a place which they are not necessarily familiar with and where they will not necessarily be very comfortable. I believe that the minister should advise us what his intention is in regard to the Gove centre and the facility in Darwin which I recall was opened a couple of years ago in his presence. Whilst I do not doubt that Katherine might be ideal for geographical and other reasons, there are problems associated with this relocation and I think the minister should have had the honesty with the Assembly to touch on the problems and the implications of this change as well as the advantages.

Mr Speaker, there are other matters which are of concern to the Assembly. To improve the basic health of the Aboriginal communities, water, sewerage and housing services must be improved as well as the supply of medical services. I think the Assembly should be kept up to date on the development of what was originally known as the 5-year plan of the government to improve those services. Without the improvement of water, sewerage and housing facilities in those communities, many of our efforts in the health area will be wasted. I thank the minister for his statement but I am disappointed that it did not more thoroughly address the implications of the changes.

Mr TUXWORTH (Health): Mr Speaker, I thank the honourable member for her comments. I feel that the honourable member may have missed the point of the exercise which was that Aboriginals are to be responsible for primary health care. The Aboriginal health worker planning program has been operating for some 10 years. The point is that the Aboriginal health worker training program, as it was established, was a very good one and still is a good one. However, the Aboriginal health workers are ancillary to the operations of other members of the Health Department. The new phase is that the Aborigines are now about to take over the responsibility for primary health care. Their relationship with the department will really be one of being supervised, trained and organised in the same way that any other member of the department would be in a remote situation. Mr Speaker, that is an important concept and it was not making a great deal of progress. There were some prejudices against the concept of withdrawing staff. There was no doubt in my mind that there were a great number of Aboriginal health workers in our system who had proved their competency, loyalty and ability to carry out the job that should have been asked of them.

The honourable member also suggested that the move might have been based on the cynical premiss that we were saving money. Could I assure her that, in the difficult times we have had in the last 6 to 9 months, there are 2 areas of the department that have escaped unscathed in any review: the Aboriginal

health workers training program and the community nurses system that we operate throughout the Northern Territory. I would reject the member's statement that this is coinciding with a cutback within the system.

The member for Fannie Bay also asked for more information on why Darwin and Gove were being wound down and Katherine was being promoted as the centre. As I said, Katherine has a great geographical advantage in the exercise that we are embarking on. Further, it has a small hospital that will provide easy entry for Aboriginals in the fields that they are about to enter. It was generally felt that the Darwin Hospital is far too large and formal for the sort of program that is required. To give an example, honourable members will have heard me speak many times of the Aboriginal infant mortality rate and the number of births in the Northern Territory. With all the figures that we have, there is a belief in the department that at least 25% of Aboriginal births are occurring in the bush and do not have any medical support. In the final analysis, it is the people in the communities where these babies are born who are doing the midwifery and the other things to be done.

What Dr Hargrave is promoting is that these Aboriginal health workers should be familiarised with routines in the midwifery ward and the obstetrics area so they can pick up as much formal training as they can. When there is a birth in their own community, it will be handled with less difficulty than it might have been if the staff had not had that experience. To train an Aboriginal health worker in that way in the Darwin Hospital would really present some difficulties because of the formality of the hospital. To do it in Katherine would be a different exercise. It is a smaller, more relaxed and informal setting. Dr Hargrave and his fellow supporters in this program believe that this is the way to go. Certainly the Aboriginal health workers and the members of the institute who are working behind the scenes at the moment believe that this is the way to go.

Mr Speaker, I accept the premiss of the member that perhaps there are Aboriginal health workers in Arnhem Land who would not find Katherine as suitable as Darwin or Gove. However, the reality is that we are not able to have this sort of training environment in every place. It is best to consolidate it in an area that is most suitable for the training of Aboriginal health workers. By consensus, Katherine has been chosen. We are asking the Aboriginal health workers to go to Katherine. It is acknowledged that they may not find it as congenial as Darwin, Gove or some other place, but we are asking them to go to Katherine to study and gain experience. This will be for short periods of time and it should not be too much of a burden for them.

Mr Speaker, I would also support strongly the comments made by the member for Fannie Bay relating to water, sewerage and shelter. Truly, these are the most important aspects of our program. If the water is not pure, the sewerage system does not work and there is no shelter, the whole program of eliminating disease and maintaining good health has an extremely rocky road in front of it.

Mr Speaker, I thank the honourable member for her comments.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent, firstly, 2 bills relating to property being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee's report stages and the third readings of the bills together and, secondly, the

consideration of the bills separately in the committee of the whole.

Motion agreed to.

ENCROACHMENT OF BUILDINGS BILL
(Serial 205)
REAL PROPERTY AMENDMENT BILL
(Serial 206)

Bills presented together and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bills be now read a second time.

Amongst other things, the Encroachment of Buildings Bill varies, at least for the Northern Territory, one of the basic rules of real property. Every law student for the last hundred or so years has been taught the rule in Ramsden v Dyson. This rule may not be as commonly referred to as the decision in Kelsen v Imperial Tobacco Company. It may not have the intriguing title of the little known case of Frogley v The Earl of Lovelace and it certainly does not have the antiquity of Tyrel's Case, which was decided in 1557. Until now, it has been part of the law of the Northern Territory and I for one will be sorry to see it go if only for old time's sake. It is one of the many elderly English cases that belong to the golden age of the common law and which are being quickly replaced by statute law.

Mr Speaker, the rule in Ramsden v Dyson dealt with the rights of persons when a building was built on land that did not belong to the owner of the building. It was a rule of equity, that branch of the law which has also since ceased to exist. It stated that, if the builder did not know of his mistake but the owner of the land did know, then the owner could not claim the land. Like all good legal rules, it also had another branch: if neither the builder nor the owner knew of the mistake, then the builder could not claim any title and the owner of the land retained the land and building.

Part III of this bill takes over the rule of Ramsden v Dyson and replaces it with a power of the court to vary rights as it thinks fit when buildings are erected mistakenly on the wrong land. It allows the court to tailor the remedy according to the circumstance and avoids the all-or-nothing effect of the rule. Thus, if one party ends up with the land and the building, then the other party may be awarded compensation. The court may also make other orders if it thinks they are necessary to achieve a just adjustment of rights or others interested in the land. Honourable members will be aware that situations where a building is erected completely on the wrong land are rare. However, it is much more common for a building to be erected partially on the right land and partially on the wrong land. Somewhat surprisingly, the common law has not found a solution to this problem and so all Australian jurisdictions have created encroachment legislation. These various acts are all very similar and allow the courts to adjust rights where a building encroaches on land. Part II of this bill is based on these acts.

In adjusting these rights, the court can order a conveyance of the land and the payment of compensation. It can also create easements. On the point of compensation, I draw honourable members' attention to clause 7(1). They will note that, where the person has encroached and done so intentionally or negligently, then he must pay, if compensation is awarded, at least 3 times the value of the land which is being conveyed to him. This is to prevent guilty parties gaining windfall profits. I draw honourable members' attention to clause 9 which allows the court to vary its orders when persons other than the owners have an interest

in the land and clause 11 which allows the court to determine boundaries prior to the erection of a building. This last clause should be useful in preventing encroachment situations arising.

Finally, I point out that this bill applies to all encroachments whether or not the building was erected before or after this bill comes into effect. Clause 5(2) makes this clear. To make this bill retrospective does not derogate from any person's rights. In fact, it is an advantage to a person caught in an encroachment situation to have rights under this bill as he can have a difficult situation sorted out by the Supreme Court.

The Real Property Amendment Bill is necessary to set out clearly the Registrar-General's obligation if the court, in adjusting rights, makes an order vesting land in a party. I commend these bills to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent, firstly, 8 bills relating to bail being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee's report stages and the third readings of the bills together and, secondly, the consideration of the bills separately in the committee of the whole.

Motion agreed to.

BAIL BILL
(Serial 207)
CHILD WELFARE AMENDMENT BILL
(Serial 208)
CLAIMS BY AND AGAINST THE GOVERNMENT AMENDMENT BILL
(Serial 209)
CORONERS AMENDMENT BILL
(Serial 210)
CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL
(Serial 211)
JUSTICES AMENDMENT BILL
(Serial 212)
PAROLE OF PRISONERS AMENDMENT BILL
(Serial 213)
POLICE ADMINISTRATION AMENDMENT BILL
(Serial 214)

Bills presented together and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bills be now read a second time.

Mr Speaker, bail is a very important part of the criminal process but it is often overshadowed by the more obvious areas of that process such as police investigation, the trial and sentencing. At least in the Territory, this lack of interest in bail may be partly attributed to the fact that the system of granting bail is working reasonably well - very largely, I suppose, because of the fact that our population remains relatively small. The lack of problems with the system of bail is largely in spite of rather than because of the state statute law. The police, magistrates and the judges have taken an area of the law that is in some disarray and have moulded it into a workable system. This

bill is designed to ensure that the law is supporting rather than hindering the work of the police and judicial officers.

At present, the law of bail in the Northern Territory is composed of both statutes and the common law. Statute law deals mainly with bail procedures and the power to grant bail. The common law contains the substantive rules on which bail is granted or refused. The power to grant bail and the procedures to be followed are scattered across a number of Territory acts. This can be seen from the large number of consequential bills that are required to support the Bail Bill. Police bail is governed by the Justices Act in most cases but, in some cases, by the Criminal Law (Conditional Release of Offenders) Act, the Child Welfare Act, the Parole of Prisoners Act and the Coroners Act. The Supreme Court power to grant bail is an inherent jurisdiction.

As well as being scattered across the statute books, the language used in these statutes concerning bail is often archaic and various. Outstanding in this regard is that word that no one seems to know how to pronounce:'recognizance'. Honourable members will see that this ancient word which has dropped out of everyday use is missing from the bills. Another word that has great antiquity but little everyday use other than in the law of bail is 'surety'. This also has failed to get a guernsey in the bill. In fact, this bill is a good example of the modern legislative drafting principle of using words in their everyday meaning.

As well as removing ancient words from the language, the bill brings the different stages of a bail application into one act. This functional approach to bail is preferable to the dispersement of the procedure over the various acts according to who is administering that stage of the procedure. Thus, this bill clearly goes through the stages of police bail, Magistrate's Court bail and Supreme Court bail. As far as is possible, each of these stages is governed by the same substantive law.

Moving to the substantive law of this bill, honourable members should be aware that it makes no major changes to the present law. It is true that, in some jurisdictions, there have been changes to the entitlement of bail but it in this government's opinion that the substantive law on bail has worked well in the Territory. There is no reason to alter this system merely for the sake of change when no major deficiencies have appeared. Therefore, this bill embodies the principles of the common law on the grant of bail. At this stage, it may be worth while for me to point out some of these principles.

The basic rule to be applied in all bail applications is that, except in cases of murder and treason, an accused person should be entitled to bail unless good reasons can be shown why he should not be released from custody. This is one aspect of the basic rule that accused persons are assumed innocent until proven guilty. This principle has received recognition in clause 8 of the bill. The above principle recognises that, in some circumstances, the accused should not be granted bail. Such circumstances are where it is unlikely that the person will answer his bail and appear at the court when required, where he is likely to commit further crimes while on bail and where he may interfere with witnesses or evidence against him whilst he is on bail. These reasons are recognised in clause 24. In the case of murder and treason, it is still possible for a person to obtain bail though I anticipate that, as is presently the case, it would be difficult for a person on a charge of murder to obtain bail.

Rather than go into more detail on the scheme of the bill, I would like to draw honourable members' attention to particular aspects of it. The first of these is that a decision of a police officer to review bail can, as of right, be reviewed by a magistrate. In turn, the decision of a magistrate to refuse

bail may be reviewed by a Supreme Court judge. Under clause 33, the police are required to inform a person of his right to apply to a magistrate for bail if it has been refused by the police. This bill also places into statutory form the Supreme Court's inherent power to grant bail at any time. Clause 23 does this.

Clause 27 is a vital part of the scheme of bail. Under this clause, persons granting bail will be able to place conditions on the grant. All the usual conditions, such as reporting to police and lodgement of security, will be able to be imposed under this clause. The consequential bills with the Bail Bill are merely to remove all other references to bail in Territory law and to ensure that, where it is necessary to refer to bail in other acts that reference is back to the Bail Act.

I think that this bill will prove very useful to government officers, legal practitioners and the general public. It brings into one place an area of law that, as I have said, is of great importance to an accused person. In no way does it change the rights of the person under present law but it does ensure that those rights are set out in an easily accessible piece of legislation. Mr Speaker, I commend the bills to honourable members.

Debate adjourned.

SUPPLY BILL
(Serial 223)

Bill presented and read a first time.

Mr PERRON (Treasurer): I move that the bill be now read a second time.

Authority to spend money from the Appropriation Act 1981-82 lapses on 30 June. Legislation is therefore necessary before 30 June to provide for expenditure between then and the passage of the Appropriation Bill for 1982-83. The Supply Bill normally covers expenditure for the first 5 months of the financial year with sufficient funds being provided to ensure the continuation of capital works programs, roadworks and normal services of government. It does not foreshadow the budget for 1982-83 although the manner of calculations of the provisions made in the Supply Bill must of course have regard to the estimates of ongoing services.

The bill provides for a total expenditure of $311.8m allocated by division and subdivision to the various departments and authorities. The significant items include: capital works sponsored by departments, $39m; repairs and maintenance, including roads, highways and buildings, $13.5m; the construction and load programs of $50.1m; health, $37.5m; and Palmerston Development Authority, $5.3m.

In addition, the bill contains an appropriation of $3m entitled 'Advance to the Treasurer' from which the Treasurer may allocate funds for the purposes specified in the bill, including provisions for cost inflation.

Mr Speaker, as is usual practice, it is necessary to process the Supply Bill through all stages during the present sittings. I commend the bill to honourable members.

Debate adjourned.

NURSING BILL
(Serial 180)

Continued from 16 March 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this is an important bill which replaces the existing Nursing Act with a simpler and more up-to-date piece of legislation. It provides mechanisms for the registration of various categories of nurses: general, midwifery, child welfare, mental deficiency, psychiatric, enrolled and mothercraft. It also establishes a nursing board consisting of 8 persons, all but one of whom will be nurses and 2 of whom will be nominated by the Royal Australian Nursing Federation. Another significant area which it covers is the training of those people entering the various areas of the nursing profession.

Mr Speaker, I have sought the opinion of the Royal Australian Nursing Federation. It also welcomes the bill, as have other members of the profession to whom I have spoken. The federation recognises that the time is overdue for self-regulation of nurses together with a recognition of the increasing professionalism of nurses and the great contribution they make to the community.

My only query from reading the bill is to do with clause 15 which reads as follows: 'The board may examine a person upon oath, affirmation or declaration'. That provision carries over from the existing act. Nevertheless, I am not aware that it is in similar legislation such as that governing the registration of legal or medical practitioners. I wonder whether it is appropriate. Members of the board would not be accustomed to administering oaths and I believe that, in view of the fact that there are provisions for appeal to a magistrate, it may not be necessary.

That is only a minor question and in no way reduces my support for the bill, particularly in view of the great contribution that nurses make, and have made in the past to the Northern Territory. Indeed, the nurses in the outback and the Australian Inland Mission, as many honourable members would know, were among the most significant of our pioneers, often living for months and even years in some of the most isolated areas in the Territory. Some names which come to mind are Sister Locke, a missionary sister in the 1920s and Sisters Jean Grey and Elsie King, who were stationed in the VRD area for many years. Of course, they were preceded by women whose names have gone down in Territory history. The first matron in the Territory was Mrs Alice Maguire, and she was married to Trooper Maguire. She was appointed in May 1874 from Adelaide at a salary of £52 per annum. She served with Doctors Peel and Millner at the old Palmerston Hospital in Packard Street, staying in the Territory until 1878. One of the first matrons in the goldfields in the 1880s was Mrs Johnstone, and I am sure that she had to endure many hardships to bring medical aid to the miners of the outback in those days.

Those of us who care about the community health clinics in the Northern Territory, and are proud of the service they provide, would recall the contribution made by Sister Stone, a matron in Darwin during the 1930s. She pioneered community health clinics in the Territory, the first of which was located at the old administration offices on the Esplanade. In her first year, she is recorded as having made 350 home visits.

During the war, nurses made a great contribution to the people of the Territory. One nurse, Margaret Demestre, was among the more than 200 people who lost their lives in the first air raid in Darwin. She was serving aboard the hospital ship Manunda when it was bombed by the Japanese. And 2 other war nurses who made contributions were Sisters Laffer and Quinlan, who served on board the Darwin-to-Pine Creek train, which was known as the 'Leaping Lena'

for some reason which I have been unable to ascertain. This was turned into a hospital train, bringing medical supplies to the troops down the track.

Indeed there are women in the Territory still alive who have made contributions. One is a constituent of mine, Mrs Eileen Fitzer, and another, Olive O'Keefe. Mrs Fitzer worked alongside the famous flying doctor, Clyde Fenton, when he was serving here in the 1930s.

Mr Speaker, those are just a few facts which I have been able to obtain quickly on some of the people who have made such a great contribution in this profession to the Northern Territory, and I am very interested and pleased to hear that another long-term resident, Mrs Jackie O'Brien, is completing a research project on the history of nursing in the Territory. I think this will make a significant contribution to an understanding of our past.

Mr Speaker, I am very pleased to have the opportunity, on behalf of the opposition, to support this bill. I am sure that it will be the basis on which the nursing profession continues to make this contribution to the Territory community.

Mrs LAWRIE (Nightcliff): Mr Speaker, like the honourable member for Fannie Bay, I am pleased to rise and support this bill. I only have a couple of very quick comments. I am delighted to learn that, at last, the school of midwifery will be established at the Darwin Hospital. This is something which members have been pressing for for years.

There is a reference in the bill to midwifery nurses who are to be registered for that category of nursing. I understand that the practice generally is that a person can only obtain a certificate of midwifery after having first completed the general nursing course. I ask the sponsor of the bill to indicate whether that is true, generally, throughout Australia or whether there is provision for people to do a midwifery course and be registered as a midwife without doing the general nursing course.

Mr Speaker, this becomes a more interesting subject having regard to the ministerial statement made by the Minister for Health this morning. He referred specifically to Aboriginal health workers being trained in midwifery procedures at Katherine Hospital. He outlined, fairly succinctly, the reasons for the choice of Katherine Hospital. I would ask, in the context of this bill, if the honourable minister could undertake that Aboriginal health workers who show particular skill in obstetrics could be brought to Darwin Hospital to undergo some form of training in the midwifery school which would raise their standard above and beyond that which will be obtained through the course at the Katherine Hospital.

I share the minister's concern and the concern of other members of this Assembly about the number of emergency Aboriginal deliveries in the bush without the benefit of modern care. It is of great concern to me that young Aboriginal girls give birth in the bush - often with considerable difficulty because of their youth - without the assistance of modern techniques. Sometimes they are not fully developed and unable to give birth in the normal way. I think it is a myth to say that birth in the bush is okay because that is the way it has been done for thousands of years. Any woman giving birth is entitled to the best care immediately available.

I certainly feel that, if the care is to be given by trained Aboriginal health workers, they should have the benefit of the training which will be offered at Darwin Hospital. I am certainly pleased to support the sections dealing with midwifery, and with the establishment of a midwifery course in Darwin.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, nursing has been synonymous with Northern Territory development. It has been here for a very long time. It has played a very important role in the early days when the population was very sparse, when travel was difficult and when nursing staff often had the very heavy responsibility of looking after patients before doctors could get to them. Of course, we all know that the Flying Doctor service put a mantle of safety over the Territory, and we praise that. Praise also goes to those nursing sisters who did much of the hard yakka.

Nursing today is still not without its hardships. It certainly may not be as difficult as in days gone by, but training needs to be at greater depth because we understand more and because of the complications of modern medicine. One realises that nursing is not all beer and skittles, or all joy. It is an arduous job. Patients need care 24 hours a day and the shiftwork that nurses do is something that many of us do not have any idea about. The devotion of nurses and the sense of achievement that they get from the job are things which we should pay tribute to. They have done a great job in the past, they are doing a great job now and I am sure they will do a great job in the future.

I was particularly pleased this morning to hear the minister's report about the Aboriginal community health workers. I am sure that, in their own communities, they will play a very significant role in the future.

The bill is very pleasing because of the tremendous input by the nurses themselves. Generally they find it very acceptable. It is a bill to regulate the profession, to make sure that nurses have controlled experience and training and to maintain a high standard. Of course, that will be to the patients' benefit.

The nursing board will have strong representation from nurses on it. I am not always happy to see a body regulating itself but, because of the justified standing of nurses in the community, I am very happy for nurses to be largely in control. They have the job of checking the qualifications of people wanting to register or enrol as nurses in the Territory, both those trained here and elsewhere. I am pleased to see the categorisation of nurses into various groupings. As the minister pointed out in his second-reading speech, any future amendment of this bill to accommodate a new category of nursing will be simply a matter of including a new definition.

The bill allows for an annual practising certificate. I questioned this at first but I realised that we have a very mobile nursing profession in Australia and I can appreciate that some check on the movements of nursing staff in the Territory could be well worth while.

Very strong powers are given to the nursing board. It has powers to suspend and cancel a registration. The reasons for invoking those powers are clearly laid out. As usual, there is a process of appeal for any nurse who feels she may have been suspended without due reason. There is also allowance for prosecutions, and there are heavy penalties for those people who mislead or try to register illegally.

Clause 40, which deals with regulations, is very important. It gives an indication of the very important area of training. We have not moved far in that direction but, as the Territory grows, hopefully we will train more of our own people. It will also allow for in-service training and upgrading of qualifications. Because nursing and the medical profession are going ahead in leaps and bounds, this in-service training is a very important part of any training scheme.

I am not certain whether the bill provides for nurses who have had some training elsewhere to complete their training in the Territory. I think that it would be a pity not to allow someone who has had 2 years' training towards what is known down south as a 'sister's certificate' to continue training here under supervision. I am sure that it will be covered by regulation.

Basically, the bill is very straightforward. I found it a pleasure to read. I felt that I could understand what was going on quite clearly without undue scratching of the head. It is very comprehensive and I hope that it will satisfy the nursing profession. It gets my full support.

Debate adjourned.

TENANCY AMENDMENT BILL
(Serial 191)

Continued from 16 March 1982.

Mr BELL (MacDonnell): Mr Speaker, this amendment to the Tenancy Act seeks to affect 3 areas as they apply to tenancy. Firstly, and most importantly to my mind, it will make the Tenancy Act apply to long-term residents in caravan parks. This is very necessary. As no doubt happens to many other members of the Legislative Assembly, I receive many representations from people who are forced to look at caravan rental as a long-term proposition. I have come across families using this type of accommodation when it has been far from ideal. It seems to me that it is the choice of the least of 2 evils to have this circumstance controlled by the Tenancy Act.

The second area that this bill seeks to affect is a relatively technical one. The Tenancy Act will now apply in terms of premiums not being demanded or paid in the case of the assignation of leases as well as subleasing arrangements. In line with its ideological preferences, the government now substitutes 'reasonable return on funds involved in development work' for 'reasonable interest on the capital used in the development work'. Perhaps the term used in the amendment itself does not reveal the ideological preferences of the government but certainly the comments made by the minister in his second-reading speech suggested that that is the case.

The third area in which this bill seeks to amend the Tenancy Act is to insert provisions which protect a lessee's rights of association. The opposition welcomes the security that this will give to small traders should they be subject to undue pressure by landlords.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I feel that I must refer to matters that have been raised with me by representatives of the Caravan Parks Association of the Northern Territory. This group is not completely happy with this legislation. In my electorate, there are at least 6 large caravan parks. Therefore, caravan parks are of some importance to me. The views that were presented to me were not put forward by bloated capitalistic landlord types who drive around in Rolls Royces. They were put to me by people who either own and or manage caravan parks. They are hard working people who have invested most of their savings. Each one has a large amount of capital invested in his particular business and wants to see a continuation of his business.

They see parts of this legislation working against them. I think that their fears are unnecessary in that I do not think this legislation will make it any harder for them to carry on their business. The bill does not meet with the overt approval of the Caravan Parks Association but I do think it is worrying unnecessarily.

Clause 3 relates to section 4(1)(n) of the act. This amendment will not apply to caravan parks. The definition of 'premises' in section 4(1) of the current legislation includes caravans and demountables used for residential purposes plus the land they are on. This amendment excludes caravans, demountables and land if they are occupied by tourists and short-term residents. This may not be a problem if the Commissioner for Tenancies knows his business. However, I might be hard put to give a definition of 'tourist' or 'short-term tenant'. We all could probably give a rough definition of 'tourist' such as 'somebody from somewhere else who has come up here to look around'. In some respects, I could be considered a tourist if I went to the Katherine area to look at places that I had not seen before. The definitions are very important if the legislation is to be properly enforced.

The Commissioner for Tenancies also has to decide what a 'short-term tenant' is. Is a 'short-term tenant' a person who has finished his tenancy after a short term? What is 'short term'? That could be a rather subjective view taken by the Commissioner for Tenancies. Is a 'short-term tenant' somebody who has started a long-term tenancy but has only been there for a short time? I think it is open to a subjective decision. If any decisions are made by the Commissioner for Tenancies, they meet with the approval not only of the tenants in caravan parks but also with the caravan park owners and managers.

A caravan park consists of a group of individuals living in a particular type of accommodation, namely, caravans. I do not think it can be compared exactly to a group of people in a suburb living in houses. People living in caravans have much greater mobility. Because of this and because of the greater propinquity of residents of caravan parks to each other, personal habits, noise, smell and objectionable behaviour becomes important because of the use of communal ablution, toilet and recreation facilities. All these things are of much greater importance where people are living closer together in a caravan park. Therefore, it is of more importance that, if a person takes up residence in a caravan park and proves undesirable from the point of view of the caravan-park owner, he not only considers his own convenience but also the convenience of his other tenants and have the power to remove this person pretty quickly. He will not have many tenants for very long otherwise. We want to encourage people to come up here as tourists and travellers. We want to encourage them to use our caravan parks.

I understand that, in many cases, people who live in caravans may have a lower income than people who live in houses. This is not always so, but often people who live permanently in caravans have a lower income. The caravan parks in my electorate are generally conducted in a fit and proper manner, both from the point of view of the owners and managers and of the people who live in them. I have visited them frequently and I know the facilities that are offered. I know the people who live in them and the people who manage them. If the legislation is to be adequate, it must not only consider one particular type of person but all types.

I know that the legislation covers other facets related to tenancy but it is only the caravan park side of it that concerns me. I feel that, if gross injustices are caused by this legislation, amendments can be made at a future date to remedy them.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, the Tenancy Amendment Bill has 3 parts. The first part gives small traders the right to form associations. Obviously, the reason for doing this would be to give them some bargaining power with the owners and managers of large complexes, the all-powerful landlords. When this bill becomes law, any landlord who does not review a lease on the ground that the lessee is a member of an association will be liable to a very

stiff penalty. In fact, a penalty of up to $100,000 can be imposed if renewal of a lease is refused on that ground. It also relates to residential leases where a residents' association if formed. It gives residents a bargaining power with their landlords, and a $10,000 penalty could be applied. The purpose is to bring some balance to the power between the landlords and small traders and tenants.

The second part relates to caravan parks and applies to fair rent determinations and bond money. The lease conditions on these matters were debated at the last sittings. The application is the same as for permanent residents. I appreciate that it is designed to prevent rip-offs and excessive charges on the poorer people in our community.

I have always had the concern that any fair rent determination - which is not rent control but getting close to it - may tend to be counter-productive in the long run. During the last sittings, I spoke on a situation in South Australia where the cost of rental accommodation had gone up some 40% over a very short period of time. In fact, it was dearer for equivalent accommodation in Sydney although there were plenty of houses on sale in Adelaide and the average price was about half the Sydney price. The reason put forward for that was that there were very stringent conditions on renting in Sydney and conditions favoured the lessee much more than the lessor. People were just not prepared to put their homes up for rent.

This rip-off would be termed in economic circles as super-normal profit. These super-normal profits attract other people to the industry. If competition is allowed and the conditions allow people to compete, then normal profit situations will occur; that is, where a reasonable return is obtained after all the bills and wages are paid. I believe that, if the government is keen to help the tenants, it should make sure there is plenty of land available so that this competition will occur. That way the consumer will get the best deal in the long run.

A caravan park is an open community. Kids and people play in the same open yard. They share facilities and it is different to flat life. Bad behaviour by a tenant will have a bad effect on other tenants just as much as or even more than it will have on the proprietor. If we reduce the power to evict a bad tenant, there is the possibility that it will be counter-productive. Good tenants will leave because caravans are mobile and people in caravans have fewer goods and chattels to carry. I support the member for Tiwi in her call to see how this legislation works in the long run. We should keep a close watch on it to make sure it is not detrimental to well-behaved tenants in caravan parks.

I do not see any great cause for excitement. I have mentioned some of the possibilities that exist. Mr Speaker, you may have been somewhat amused by the attempt at a definition of a 'permanent resident' by the member for Tiwi but I believe that it needs to be spelt out. If this goes against the desires of the owner or proprietor running the caravan park, a situation could arise where he simply puts up a sign: 'No Permanent Residents'. I do not believe that things will be that bad. However, if this situation did occur and if every caravan park refused permanent residents, it would lead to a very unsettled situation for tenants. They could be disadvantaged and that would be counter-productive to what we have. There is no doubt that, as the Territory grows, we will have a large number of caravans and people will have to live in them for a fair length of time. I think it is very important that we look to the best interests of these people, but we have to be careful that what we intend does not work against them.

The third part of the bill is fairly simple. It allows the developer to

make a profit on transfer of a lease as one can when selling freehold property. As the minister said, it is a 'reward for entrepreneurial skills and risk taking'. He added a very important proviso in his second-reading speech: 'if he can find a buyer'. If someone is prepared and happy to buy far be it from us to interfere with the market. Certainly, I support that part of the bill.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to speak on the Tenancy Amendment Bill. First, I will deal with the proposal that has been put forward to include new section 55A which deals with the right of association. I am rather disappointed that we have to introduce a section such as this into the act. I have always had a very strong feeling that, if people wish to join an association, they should be allowed to do so. If they wish to join a union, they should be able to do that. By the same token, if people do not want to join an association or a union, they should not be made to do so. I feel also that owners of property should be able to do what they like with their property within the law in that particular area. It is disappointing to see that we need to introduce legislation such as this into the Assembly.

In most cases, both in the commercial tenancy area and the residential tenancy area, the marketplace controls the activities of the landlord very effectively. As an example, in the main central business district in Darwin, an abundance of retail space is available. If I, as a landlord, decided to place unreasonable controls or restrictions on my tenants, then the tenant could say: 'I shall go somewhere else'. The same would apply if I decided to increase my rents to an unrealistic level. In Darwin, at the present time, people can move somewhere else. I believe this is a healthy situation. It is a free trade system where the tenant is looking to the landlord and the landlord is trying to please the tenant. In most cases, this occurs where a choice of tenancies is available.

I understand the plight of people who are involved in monopoly situations and that is why this particular section has been included. I might say to the minister that it is a pity we could not relate this particular section to the monopoly situation. However, I realise it would be impossible to define a monopoly situation. That is what causes the problem to arise. The problem does not exist where there is a choice of tenancies, whether they be commercial or residential tenancies. It is only when a monopoly situation exists that problems begin to arise. The unfortunate part about this is that you always find that there is someone waiting for shop premises or flats to become vacant. It is a pity that we have to introduce legislation to control that particular area.

Another point that I would like to touch on briefly is that many of the people who are entering into business today really do not have a great deal of experience. Many of them are entering business for the first time and they have a rude awakening when they are confronted with some of the people who have been in business for many years. All I can say to those people is that they should very carefully read their agreements or leases before they sign anything. I would like to stress once again that they should read the fine print because I believe that many people would not sign leases and would not enter arrangements if they knew what is contained in the fine print.

Another practice that I do not approve of in any way is that of charging a percentage of turnover as a part of rent payment. If ever there was a disincentive to work, that is it. The harder someone works for his family, the more the landlord gets sitting on his backside. I do not approve of that system at all.

The other matter I wish to touch on briefly is the part which extends certain provisions in the Tenancy Act to include permanent residents of caravan parks.

I would like to stress that I am talking about permanent residents; I am not talking about tourists or short-term residents in caravan parks. Whether they live in a flat or whether they live in a caravan, I view permanent residents as being the same. That being the case, I believe they should come under the same legislation, in this case the Tenancy Act.

I have previously put forward the view that there are difficulties with the removal of undesirables in certain circumstances. That will not change, Mr Speaker. That situation will continue. It is interesting to note from the comments I have received from caravan park operators that they also have the same view. They can see problems with removing persons from caravan parks. But I do feel that, provided we have provision for eviction, then really people cannot complain.

The problem in caravan parks is that they are divided into 2 areas. There are short-term caravan park residents such as tourists or people waiting for other accommodation. As well, there are the permanent residents. We have been very fortunate in the Territory in being able to cater successfully for both these areas. There have been difficulties in maintaining full occupancy in caravan parks, particularly in the Top End where there are 2 seasons. A couple of years ago,tourists were finding it very hard to find vacancies in caravan parks. Some of them when they returned to Katherine advised others to leave their vans in Katherine as there were no sites available in Darwin. These people then drove up to Darwin, had a look around, drove back to Katherine, hooked up and proceeded on their way. That is the type of situation that I hope does not occur all that often.

As I have said, the operators to date have been able to cater for both groups. They should be congratulated for their efforts. However, I emphasise that permanent residents, whether in caravan parks or flats, have similar problems. On occasion, they become rowdy. It does not matter if they are in a caravan park or a flat, they have arguments. I believe that these areas should come under the one act.

In conclusion, I would like to hit out once again about the backyard caravan park operators. The people who have established caravan parks in the Northern Territory have spent a great deal of money in providing those facilities, not only because they wanted to but, in many cases, because the government requires certain standards to be met. They must spend enormous amounts setting up their caravan parks. To have someone set up a caravan park in a backyard is just not on. There was one in Katherine where, because of backyard caravan parks, a person who put a great deal of money and time into establishing a caravan park was nearly put out of business.

I support the provisions of the bill. I am disappointed that we must introduce the section relating to the right of association but I realise that there is nothing that we can do about that. People should have the right to join an association if they want to and they should have the right to join any other group if they want to. I support the bill.

Mr PERRON (Lands and Housing): Mr Speaker, I would just like to touch on the point mentioned about the concern of the Caravan Parks Association of the Northern Territory in relation to this bill. I have written the group a letter informing it that it has misunderstood the bill and the application of the Tenancy Act to caravan parks generally. In fact, the act, in particular part VII, has applied to caravan parks since at least 1979. That is the section of the act dealing with things like the eviction of troublesome tenants. The Caravan Parks Association's appeal to me not to proceed with this bill on the basis that operators must preserve their rights to evict troublesome tenants is

somewhat misdirected inasmuch as it has misunderstood the situation that pertains today. I have pointed this out and offered advice on the subject generally as to how the Tenancy Act applies to caravan parks in the Northern Territory.

It is an important matter. Caravan parks are a very important part of the accommodation in the Northern Territory. Unfortunately, there are too many people on a fairly permanent basis. No doubt, some may choose to live that way. It offers some advantages such as the ability at any time to pick up a home and leave. But I am sure that there are many people living in caravan parks who would rather not. Hopefully, the government's continuing strong emphasis on the housing availability in the Northern Territory will gradually wear that down.

I will not comment further on the other matters raised by honourable members. I do not think that anyone raised specific questions.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

New clause 4A:

Mr PERRON: I move amendment 101.1.

New clause 4A specifically deals with a heading and a small subclause which is of a technical nature.

New clause 4A agreed to.

Clause 5:

Mr PERRON: I move amendments 101.2 and 101.3.

These amendments deal with the same subject. There is an error in the bill before the Assembly. The reference 55A in clause 5 should in fact read 55B. Amendment 101.2 also corrects this technical anomaly.

Amendment agreed to.

Clause 5, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

NURSING BILL
(Serial 180)

Continued from page 2381.

Mr HARRIS (Port Darwin): Mr Speaker, I wish to speak briefly to the bill. Over the year members have praised the nursing profession for the way it has carried out its work. I would like to endorse these remarks. I would also like to add that one of the problems we have today is the attitude people have towards work. It exists not only in the professional area but right throughout the workforce. It is of concern not only to governments but also to many people in the private sector. I believe that nurses, on the whole, have a very good attitude towards work. They work hard, often under difficult circumstances.

If other members in the community would follow their example, I believe many of the problems that exist today would disappear. I would add that job attitudes have a great bearing on decisions of government. It does not matter whether it is local, state or federal government. If job attitudes change, I believe that there would be more work available for people in Darwin. Some of the work that goes outside the Territory would remain here and we would be much better off. The nursing profession should be very proud of its work attitude and I think that is something that others should learn from.

Mr Speaker, the bill provides for the regulation and enrolment of qualified nurses. The method being introduced to categorise the nursing area is something that will improve the system and make it easier for amendments to be made. As is the case with other legislation that has passed through the Assembly, we wanted the people who will be affected to have an input into the legislation. In this case, it is the nursing profession and I believe that that is the line that the government should continue to follow.

In conclusion, I would like to congratulate the nurses on the way that they have carried out their work in the past. I hope that others in the workforce will take note of their attitude. I support the bill.

Mr TUXWORTH (Health): Mr Speaker, I thank honourable members for their support and comments on the bill. There are several points which I should touch on because they are important.

The first one is that the member for Nightcliff did not make reference to the establishment of the midwifery training course that is about to occur. Since the member has alluded to the proposition, it is reasonable and fair that I advise that it is the government's intention to formally establish a midwifery training course in the Northern Territory. Honourable members would be aware that there was a proposal to start a course in 1975 but the events of Christmas Day 1974 saw that the proposal did not go ahead. In all fairness, the events of the following years have not left a great deal of opportunity for the course to be commenced. The result of a study made by senior nursing administrators into the viability of the project and the number of inquiries that have come from people wishing to be admitted to a midwifery course in the Northern Territory have been a stimulus for this decision to be taken.

The important thing I would like to impress upon members in relation to this course is that it really is one of the benefits of the improved efficiency and the reallocation of resources within the department. Some time ago, it became patently obvious that we were training nurse aides, for instance, at a rate far greater than we could employ them and that we were really getting into the same cycle that the Departments of Education were in in most of the states: training people who had no job prospects. There was a need to review this practice. At the same time, the nursing administrators identified, for a variety of reasons, a very serious need for a midwifery course to be established in the Northern Territory. I will just run through those reasons.

The course would allow Territory-trained nurses to become double-certificated sisters. Previously, Territory girls had to leave the Northern Territory to achieve this extra training. Many of them did not return and, in some cases, many girls did not go. In each case the Northern Territory was the loser. The Territory's young population and the high number of births that we have would indicate that there is a great need for double-certificated sisters right throughout our community, particularly with the scattered nature of our population. We need a very wide spread of double-certificated sisters throughout the community.

Mr Speaker, the program that has been proposed will be run at the Darwin Hospital but in conjunction with the Alice Springs Hospital. This means that Alice Springs nurses will be able to undertake their practical training at Alice Springs and not need to travel to Darwin for the entire course. It is also very pertinent to make the point that there are long waiting lists for girls to enter midwifery training schools in the states and Northern Territory girls would normally find themselves at a disadvantage. In any event, the 2 or 3 year waiting list would not be helpful to any of our students who would like to go away.

It is also important for honourable members to appreciate that the Northern Territory population is of such an age that we will have many births for a long time to come and that there is no doubt that there will be continuity in any training program that we have. The number of births being recorded in the states at the moment really does have an impact on the number of midwifery students that can be trained.

Mr Speaker, I would like to advise the Assembly of the progress being made in this area and I would hope to do it in the August or September sittings. I would also like to reply to a couple of points raised by the member for Nightcliff this morning. I would like to confirm for the member that, in all states of Australia, general nursing is a prerequisite to midwifery training. I would like also to correct the impression that Aboriginal health workers will be undergoing a full midwifery training course. The proposal is for the Aboriginal health workers to observe midwifery practices as a part of their training so that they can enlarge on both their experience and knowledge, particularly for assessing patient transfer needs.

I would also make the point that the principal function of Aboriginal health workers will be to explain to Aboriginal mothers-to-be who require hospitalisation for delivery the hospital procedures and practices and thus lessen the trauma associated with hospitalisation. As primary health care providers, the Aboriginal health workers must be able to assess when a mother-to-be requires help. The health worker is to be trained in procedures appropriate to the rural environment and it is not envisaged that they will practice full midwifery per se. The situation would probably be similar to the St John Ambulance officers who are trained to deliver babies in emergencies.

In conclusion, I would just like to record my appreciation to the nursing profession of the Northern Territory which has played a very large role in the compilation of this legislation. It has been behind the scenes pushing and shoving to see that it happened. It has done that in a very constructive and positive manner and it has made the job of the department and myself much easier. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Health)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CONSTRUCTION SAFETY AMENDMENT BILL
(Serial 160)

Continued from 10 March 1982.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr TUXWORTH: I move amendment 160.1.

This amendment provides for the inclusion of 'airfield construction and maintenance' in the definition of 'construction work'. The definition of 'construction work' in the bill has been extended to road and railway work and the inclusion of 'airfield' is a further extension of the application of the act. The proposal has been discussed within the industry and is accepted. The meaning of 'earthworks' has been defined to be an earthworks by power-driven equipment for construction purposes. I believe that this qualification should satisfy honourable members who expressed concern at the lack of definition of the term.

Amendment agreed to.

Mr TUXWORTH: I move amendment 160.2.

This amendment is to omit paragraph (m). The paragraph proposed the redefining of 'serious bodily injury' to mean the loss of 5 days not 7. I said in the second-reading debate that this point was under consideration by industry and my department and it has been decided to leave the definition unchanged.

Amendment agreed to.

Mr TUXWORTH: I move amendment 160.3.

This amendment is to include in the definition of 'structure' the words 'canal or cutting'. The inclusion of these words is tied in with the inclusion of 'earthworks' and the definition of 'construction work'. The purpose is to ensure that earthworks carried out in relation to such construction are earthworks to which the act applies.

Amendment agreed to.

Mr TUXWORTH: I move amendment 160.4.

The bill provided for a definition of 'subcontractor'. This amendment will omit the definition. The Master Builders Association was of the view that the inclusion of the definition only confused the issue of who the head contractor was. While not necessarily agreeing with the association's view, it has been agreed at this stage to remove it pending further consideration.

Amendment agreed to.

Mr TUXWORTH: I move amendment 160.5.

This is a drafting amendment to the definition of 'worker'. The word 'contractor' rather than the word 'constructor' was inadvertently drafted into this definition when the act was originally prepared. The term 'floating structure' is to be included where presently the word 'structure' appears.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mr TUXWORTH: I move amendment 160.6.

Clause 6 proposes an amendment to section 12(2)(b). The amendment in the bill is to omit reference to step-ladders and planks and to refer only to scaffolding. The proposed amendment is to omit reference to a height exceeding 4m and substitute 2m. The combined effect is that the exemption contained in paragraph 12(2)(b) relates only to structures where scaffolding is used where the height of the scaffolding does not exceed 2m. Again, Mr Chairman, this proposal has the support of the Master Builders Association.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 and 8 agreed to.

Clause 9 negatived.

New clause 9:

Mr TUXWORTH: I move amendment 106.7.

This amendment proposes a new section 19. As I said during debate in the second reading, the provision of amenities was the subject of quite a deal of discussion with industry. The new clause provides for basic amenities on all sites with additional facilities where 20 or more workers are employed at any one time. The bill originally provided for additional facilities where 10 or more workers were employed. It has been agreed to leave the number unchanged at 20. Additionally, a new subsection has been added to allow a degree of flexibility as to the provision of amenities where a constructor has several sites in close proximity. The provision has particular reference to the building industry where a constructor may be building several houses in a subdivision. In such circumstances, it is envisaged that the constructor would provide communal amenities instead of separate amenities for each site.

Mr LEO: Mr Chairman, other than the fact that the Master Builders Association did not want these provisions lowered from 20 to 10 workers, is there any other concrete reason for accepting that amendment?

Mr TUXWORTH: No. Let me advise honourable members that I met with both industry and the department on this matter to try to arrive at a reasonable solution and, at the same time, realising that there may be a number of different projects on a site with fluctuating numbers of men. The industry and the department were trying to get to a point of providing reasonable ablution facilities for the men on the job. The department took a view that, because some states legislate for 10, we ought to do it here. But I believe that it is not unreasonable that there be provisions for up to 20 men. In fact, I think it is pretty fair. The 20 would not always be on the job at the same time during the day. So that is really the basis for the review.

New clause 9 agreed to.

Clause 10 agreed to.

Clause 11:

Mr TUXWORTH: I move amendment 106.8.

Mr Chairman, this amendment proposes the substitution of sections 22 and 23 in clause 11 of the bill. The first change is to the requirement to notify accidents involving explosive power tools. This has been modified to apply only where injury occurs or where the malfunction could have resulted in injury. As the requirement originally stood, even the most minor malfunctions would require reporting.

The second change which I believe will satisfy the criticisms of the honourable member for Sanderson, is that a degree of flexibility in the reporting requirements has been introduced. The proposed section now provides for fatal accidents and those where a person suffers an electric shock or is overcome by gas, vapour or fumes to be notified immediately by the most expeditious means and followed up with written notice. Other accidents are notified within 24 hours in writing if possible or by any other means where written notice is not possible. Where written notice is not initially given, the requirement to give notice in writing will still apply. The constructor is being required to satisfy this obligation as soon as practicable thereafter.

Amendment agreed to.

Clause 11, as amended, agreed to.

New clause 11A:

Mr TUXWORTH: I move amendment 106.9.

Mr Chairman, my explanations are out of sequence. I seek leave of the committee to report progress.

Leave granted; progress reported.

CRIMES COMPENSATION BILL
(Serial 197)

Continued from 16 March 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, crime is an offence against the whole community, and the community should shoulder its responsibility for victims of crime. When the Law Reform Commission on Sentencing of Federal Offenders included those words in its chapter on victim compensation, it went on to say: 'Until now, the crime victim has been the largely forgotten party in the criminal justice drama'. Happily, I think we can say in this Assembly that, certainly in recent years, that is not the case.

This is not the first bill dealing with criminal injuries compensation with which we have dealt in recent years. Indeed, if my memory serves me correctly, it is the fourth. Both the then member for Alice Springs and the member for Millner introduced bills relating to crimes compensation in the course of the Second Assembly. They lapsed at the end of that Assembly. The then Leader of the Opposition, in the course of the Third Assembly, reintroduced his crimes compensation legislation which was defeated. I am happy to be able to say, therefore, that we can anticipate that the bill before us relating to criminal injuries compensation is likely to be passed by this Assembly and will be something which will be welcomed in the community.

There are 2 particular problems with the existing Criminal Injuries Compensation Act. One is the low limit of compensation payable: a maximum of only $4000. The other is the non-payment of compensation to a victim unless the offender is convicted. The injustice of the situation is clear and, in the past, I together with other members have expressed concern about the existence of that particular situation. I am happy to say that the new bill introduced by the Attorney-General will vary both those situations as well as introduce other changes.

The bill provides for a compensation certificate to be issued by a local court for an amount of up to $15,000. Compensation may be awarded to a victim or to his family following death or injury suffered as a result of a criminal offence. Injury or death compensable under workers' compensation or motor vehicle accident legislation is excluded and the minister may or may not pay whole or part of the amount specified in the certificate.

Mr Speaker, there are a number of particular provisions that I would like to consider. The first is the discretion lying with the minister which allows him to not accept the decision of the local court with regard to the amount of compensation payable. The opposition does not believe that this is a necessary element of the bill but believes that, if the court has made a decision, the amount payable should then be paid to the victim. I cannot see any sound reason to allow the minister this discretion. Indeed, as a politician, I wonder why any minister would want it. I am sure it would be a most unpopular and unpleasant thing to vary a decision of the court in relation to the amount of compensation that a victim might be awarded. It is not as if we are going to break the Northern Territory with these payments, as the maximum will be only $15,000.

There are a number of other clauses in the bill which I wish to consider. I have circulated amendments to some, as has the honourable Attorney-General. I have circulated amendments relating to service which I believe make the provisions much easier for people involved in this type of action so that service as provided for in the bill may be made not only personally but also by registered post.

There are also amendments circulating to clause 10. It is the view of the opposition that matters that should be taken into account by the court in considering an application for compensation are adequately covered by subclauses (a) and (d) and that there is no need for the further inclusion of existing (b), (c) and (e). Amendments will be moved to that effect. There are amendments relating to the ministerial discretion also.

There is one other clause that I noted: clause 23 that relates to taxation of costs. This is an unusual clause limiting the amount of costs which a legal practitioner should be entitled to in a matter of crimes compensation. It rather intrigues me even though I have no objection to it. Since it concerns the legal profession, I drew it to the attention of the Law Society of the Northern Territory. As I have not had a reply, I presume that it is more than happy with the provision limiting costs in these cases. However, I note that the Chief Minister has a minor amendment to that clause.

Mr Everingham: I would not rely on that if I were you.

Mrs O'NEIL: Along with all honourable members, I will be pleased to see the passage of this legislation after discussion in the Assembly on this issue for such a long period of time. I think the Australian community generally is becoming more aware of this issue and the legislation before us is a reasonable compromise which overcomes many of the inadequacies of the existing Northern Territory legislation without causing too great a strain on the Territory Treasury.

With the reservations that I have expressed, Mr Speaker, the opposition supports the bill.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, it is my firm opinion that we live in a society which tends to be somewhat warped and the criminal tends to get more sympathy than the victim or the victim's family. Money can only be partial compensation to the victim of a crime or to the family of such a victim. However, I believe that we are making a good start here and I welcome the increase from $4000 to $15,000 which the bill allows. It is more generous than in any state. I think the next most generous state allows a $10,000 maximum.

Clause 5 allows that, up to 12 months after an injury has been suffered and up to 12 months after the death of a victim, an application can be made to the Crown Solicitor for a certificate of compensation. Clause 8 allows for only one compensation certificate to be granted in any particular case with the courts deciding the amount that may be awarded and, in the case of death, the apportionment amongst the members of the victim's family.

Clause 9 provides the basic principles on which the courts will make their assessment. That is given a pretty wide coverage. Clause 10 allows for matters that can be taken into account, one being the victim's contribution to the crime. If someone provokes someone to attack him, the court will take that into account. Also it allows for assessment of a situation where a person has been attacked by a member of his own family. Without that provision, a person could be murdered by one of his relatives and that offender could actually be compensated. Hopefully, such a ludicrous situation would never arise but I am sure that none of us would like that to happen. Only the innocent relatives should receive such compensation. The clause also considers payments that a person may receive from other sources and subclause (e) allows for other circumstances to be taken into consideration. It would contrast most strangely with the spirit of this bill if the courts were not given the freedom to look at the peculiarities which arise in each case.

Clauses 11 and 12 relate to circumstances where compensation will not be paid; for example, where the injured person can gain compensation from elsewhere such as from motor vehicle insurance or workers' compensation.

The bill is designed to provide procedures which are simple and speedy and are not bound by the hard rules of evidence. The court may adjourn if a prosecution is pending and it can make its judgment on the balance of probabilities. There is allowance for a closed court in special circumstances. If the court is not satisfied that it can come to agreement upon the matter, it would allow the Supreme Court to take over.

The bill allows for the minister to have the final say and to decide whether he will grant the whole, part or none of the amount which the court has recommended. This has been opposed by the opposition, and no doubt it would put an onerous burden on the minister's shoulders and not necessarily a popular one. However, because of these facts, the minister would use considerable discretion. He would have very good reason if he decided that only part or even none of the amount suggested by the court would be granted.

Clause 20 allows for the offender to be prosecuted and the government to try to recover some of the moneys which are paid out to the victim by this legislation.

Clause 21 allows subrogation of the victim over the offender and the offender over any insurer that he may have to help cover moneys which he must pay.

Clause 22 states that nothing in the bill stops the injured party from applying for civil remedy for damages. I certainly support that particular point.

Clause 23 relates to the legal costs and the recovery of the same and limits the amount that the legal practitioners may receive. I must confess that I was not completely au fait with everything there. If the legal profession is not complaining, it cannot feel that it will affect it too much.

I welcome the bill and see it as very important legislation.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this bill my comments will be brief. Whilst I fully agree with the provisions in this bill and that it is in keeping up with present day thinking for the government to pick up the tab for community welfare in many forms, I feel most strongly that the offender in any criminal injury proceedings should pay until his debt is fully paid off.

I would go even further and say that I would like consideration given to the proposal that parents should be responsible for their dependent children. If this was the case, I feel that we would have better behaved children in the community and that we would have more children growing up to be responsible adults. There would be more responsible adults if parents had to pick up the tab for any socially undesirable acts of their children. Even if the offenders are lacking in community duty, the fact that they have to pay for injuries they inflict would make the hip pocket nerve activate to a remarkable degree and it would inhibit any further adverse social behaviour.

I agree with the member for Fannie Bay that the victim must not be forgotten in any criminal injuries case as has been the practice in the past in many cases. Often the victim is still in hospital recovering from grave physical injuries whereas the offender gets off relatively lightly. Perhaps he is fined or jailed. Imprisonment is not a hardship these days. There are only about 2 things that one misses in jail and we can all live without those. I am pleased to see that this legislation gives some justice to the victim of criminal injuries.

I queried the definition of 'de facto relationships' but I understand the definitions are taken from the Law Reform Commission. They are also consistent with other legislation that we have in the Northern Territory. In some cases, discretion is allowed for compensation decisions involving permanent relationships. Following on from this, the same should apply when considering dependants in de facto relationships.

In relation to clause 5, application for a compensation certificate, I queried the period of 12 months because it seemed to be a long time. I understand that it could take this time to stabilise the physical condition of the victim so that a proper assessment could be made of the case. Considering the 3-year limit in the limitations act, 12 months is not really a long time.

In relation to clause 16 and the actions of the Crown Solicitor, it was made clear to me that a conviction is not necessary for a compensation certificate to be issued.

Clause 17 relates to proof and evidence. The victim has to prove beyond reasonable doubt on the balance of probabilities that he was in fact the victim.

Clauses 20 and 21 display a major legal concept. Clause 20 gives the minister power to claim from the offender. Clause 21 gives the government rights to sue in place of the victim which is another way of saying the

government has 2 bites at the cherry. Under clause 21(b), if an offender is insured, the government can claim on the insurance company. Clause 21 relates to subrogation. The government pays the money in the first place to the victim and then takes over the victim's right to sue.

Under clause 22, preservation of civil remedy, if the assault occasions physical damage to the victim of more than $15,000, the government can pay to the victim the maximum of $15,000 and then sue the offender. In the meantime, the victim can also sue the offender for the rest. Clause 23, taxation of costs, relates to the power of the court to assess legal costs and has nothing to do with taxation. I found that rather confusing at first.

Mr Speaker, I see this legislation as a step forward by this government in the realisation of its responsibility to the community to facilitate compensation for criminal injuries.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I would like to thank all honourable members who made contributions to the debate on this bill. It seems that they have all teased the provisions of the bill out to their various satisfaction. There are a few minor areas of concern and there was one notable oversight in the bill as it was presented.

There was one remark of the honourable member for Fannie Bay that I must take up with her. That, of course, was her comment that clause 23 in relation to costs was a rather strange or unusual inclusion in this bill. That is a rather strange or unusual remark for the member for Fannie Bay to make because the opposition in its earlier bill had a very similar provision, namely, clause 33 of the bill presented by the then Leader of the Opposition.

We have had quite a bit of feedback from the community on the bill, mainly from lawyers. I think I had 3 or 4 letters from different lawyers or legal firms in relation to the matter. We have also heard from the National Council of Women. I would like to acknowledge the valuable contribution of that organisation whose members have spent a great deal of time looking at the bill and making suggestions for its improvement. We welcome the contribution of such groups in the community. The Law Review Committee has also made some helpful suggestions and I foreshadow moving various amendments during the committee stage.

The definition of 'relative' has been re-examined and the government will propose that not only Aboriginal traditional spouses but all Aboriginal traditional relationships will be recognised and included in the definition. The government will also propose that stepchildren and the children of de facto widows and widowers be included.

It has been put to the government that there should be some form of appeal. I should at this stage make it clear that the scheme which the government is proposing is not intended to provide compensation such as that available, for example, under the Workmen's Compensation Act. The scheme is a limited one. It is intended to provide immediate help by way of ex gratia payments to those most in need. The government does not, for instance, think it necessary or appropriate to compensate the very rich. What money there is should be directed to those most in need.

I see this piece of legislation - and honourable members can correct me if I am wrong - mainly as a guideline to enable an assessment of the amount of money that a person who has suffered as a victim of crime should receive. The actual decision as to whether the person concerned should receive that money which will be in the nature of an ex gratia payment is one that should remain

with the minister rather than the court. I see it as a political responsibility rather than a judicial one. But, of course, the judicial forum is the best area that we have for the assessment of injuries to take place.

The government believes that there is a danger of frivolous and unnecessary appeals eating up the available money if a general right of appeal is inserted. We do, however, acknowledge that difficult questions of law may from time to time arise and we therefore propose to insert a provision to enable the local court to state a case for decision by the Supreme Court.

It has also been put to the government that it is perhaps a little unfair on legal practitioners not to allow them any costs until allowed by the court and that this might result in practitioners refusing to take on applicants' claims, which could cause hardship to applicants. Mr Speaker, the President of the Law Society, Mr Terry Coulehan, I understand put this point of view forward very ably and forcefully at the meeting of the Law Review Committee. However, I understand that the Law Review Committee decided to adopt the course which we are now proposing to incorporate in the legislation by way of amendment. I did receive, even if only this morning - and I am not in any way criticising that because it would have been easy for us to put the passage of the legislation off or at least defer the committee stage if we were intending to change our mind on this point - a letter from the Law Society suggesting that we should enlarge the provisions in relation to costs. Such is not our view. We do, however, want to guard against hardship to applicants. For this reason, we will be proposing that the ban on practitioners getting their costs before they are allowed by the court applies only to profit costs and not to disbursements.

The existing Criminal Injuries (Compensation) Act makes no provision for the payment by the government of the costs of making an application for compensation, but some people have in fact had costs paid to them, though this practice ceased immediately upon the government becoming aware that it had no formal power to pay the costs. Hence the reason for the validating provision in clause 27(2). There is of course an argument for saying that, just because a few people were inadvertently paid money to which they were not entitled, that is no reason why everyone else should be put in the same position. But we have reconsidered the whole matter and we do think it would be fairer, in view of our oversight in some cases, to pay costs to everyone. The government will therefore be proposing the insertion of a new subclause which will enable anyone who has not been reimbursed the costs of claiming compensation under the existing act to be paid those costs.

The honourable member for Fannie Bay has circulated an amendment schedule which proposes the substitution of 'the Territory' for 'the Crown Solicitor' in clause 6(1)(a) and the insertion of a provision setting out how service of an application can be effected. Service of a copy of the application on the Crown Solicitor is a purely administrative step, Mr Speaker. No legal consequences flow from that service. The Crown becomes a party to proceedings pursuant to clause 7 and not to clause 6. The government believes it is much more sensible to leave clause 6(1)(a) as it is. This is new legislation. It is difficult to know exactly what problems may arise regarding service. For this reason, we propose to deal with provisions for service under a more flexible vehicle of rules or regulations.

The honourable member's amendment schedule also proposes the omission of paragraphs (b), (c) and (e) of clause 10. Unfortunately, we will be opposing those amendments. Paragraphs (b) and (c), in effect, require the court to take family feuds and domestic circumstances into account. This does not mean that the court will necessarily refuse to issue a compensation certificate or refuse compensation. It simply means that the court must take the matters into

account. It is obviously not possible to anticipate all circumstances which could arise; for example, a husband could bash his wife, his wife forgives him and they both live happily together forever after - the situation devoutly to be wished. It seems reasonable to allow the court to at least take such circumstances into account. It might, for instance, in a particular case, conclude that it would be wrong or silly for the government to compensate the wife and then try to recover the money from the husband.

We believe that there must be sufficient flexibility in the scheme to treat each case on its merits and to produce a commonsense result in any given set of circumstances.

I should also add that the government has taken into account the possibility of collusion between relatives and people living in the same household. We have already made it clear that, when money is to be paid out of the public purse, there should be direct ministerial responsibility. We therefore will be opposing the opposition proposal that the court and not the minister have the final say whether or not a person is paid. I commend the bill to honourable members.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr EVERINGHAM: I move amendment 99.1.

The effect of this amendment will be to remove any doubts as to whether or not legal widows and widowers are included in the definition of 'relative' and to include stepchildren and the children of de facto widows and widowers in the definition.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 99.2.

This amendment inserts a new subclause to provide that Aboriginal traditional relationships are recognised.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mrs O'NEIL: I move amendments 100.1 and 100.2.

These relate to the service of a copy of the application for compensation. I noted the Chief Minister's statement that he intended to cover the matter of method of service by regulation and, on the surface, that seems reasonable. However, my recollection of other legislation in the Northern Territory is that the method of service is usually dealt with in the act itself rather than by regulation. I stand to be corrected on that but I believe that that is the normal practice. Unless I am corrected, I intend to proceed with these amendments setting out the method of service.

Mr EVERINGHAM: Mr Chairman, I have given my reasons for opposing this

amendment. I do not wish to seem difficult but the member for Fannie Bay did raise one fresh point in that she said it is normally the practice that provisions in relation to service were to be found in the act rather than in regulations. To the best of my recollection - and I have hardly picked up the Supreme Court Rules or the Local Court Rules since 1977 - provision in relation to service of documents issued out of the Supreme Court and out of the Local Court are contained in the rules of those courts. They are the major areas where service of documents is important.

Amendments negatived.

Clause 6 agreed to.

Clause 7 agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 99.3.

It is already pretty obvious that the court can only issue one compensation certificate for each application. However, the addition of the proposed words will remove any possible shadow of doubt. The point is that, when someone dies, his dependants can only claim a total of $15,000 and not $15,000 each.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

Mrs O'NEIL: I move amendment 100.3.

In our view, the matters to be taken into account in relation to compensation are adequately covered by the existing subclauses (a) and (d), despite the views expressed by the Chief Minister. While I would agree that, in some circumstances, matters set out in subclauses (b) and (c), dealing with the relationship of the victim to the offender, may be pertinent to the examination, they are covered by subclause (a) relating to the conduct of the victim that may have contributed to the injury or death.

Mrs LAWRIE: I agree with the member for Fannie Bay. The sponsor of the bill stated that it was to guard against collusion. Surely, on the facts before us, if there was evidence of collusion, compensation would not be allowed by the court anyway. That in itself would be an offence and therefore we do not need the other specific passages. It does seem that, particularly in the case of spouses, it is most disadvantageous for a person these days to become legally married to somebody else. It would seem implicit that it is the right of one of the spouses to cause injury without much danger of police interference because they term it a 'domestic' and always say that they do not like attending those scenes. Now we see in 1982, under the Crimes Compensation Bill, the fact that the court must pay regard as to whether the victim is or was a relative of the offender. I find that quite repugnant, Mr Chairman. It also is repugnant to my feelings about children. Children are not the property of parents or of guardians and to be treated in a manner in which they would otherwise not be subjected. I cannot see that this is contemporary thinking. Surely the court should decide whether or not there is collusion on the facts placed before it. It has nothing to do with whether the victim was a spouse

or a child or indeed a parent.

Mr EVERINGHAM: Mr Chairman, it is unusual that one find the members for Fannie Bay and Nightcliff colluding to put blinkers on the court but that seems to be the case here. All the court has to do is to take these matters into account. It must have regard to them. It does not say how much weight the court has to put on them. They are simply factors which the court will take into account. I must therefore oppose the proposed amendment.

Amendment negatived.

Clause 10 agreed to.

Clauses 11 to 14 agreed to.

Part III heading:

Mr EVERINGHAM: I move amendment 99.4.

The amendment simply inserts the word 'appeals' in the heading of part III.

Amendment agreed to.

Part III heading, as amended, agreed to.

Clauses 15 to 18 agreed to.

New clause 18A:

Mr EVERINGHAM: I move amendment 99.5.

This amendment proposes the insertion of a new clause enabling the local court to reserve a question of law for the decision of the Supreme Court.

New clause 18A agreed to.

Clause 19:

Mrs O'NEIL: I move amendment 100.4.

This amendment would remove the discretion given to the minister as to whether he will make the payment or any part of the payment. It is our view that, after inquiry has been made by the local court in all matters taken into account, then the amount certified by the court should be the amount paid by the government. It is to be noted that there is provision within the legislation for representations by the Crown Solicitor where he wishes to put relevant matters before the court before the determination is made. In the view of the opposition, this is sufficient protection and there seems to be no justification for the final discretion to rest with the minister.

Amendment negatived.

Clause 19 agreed to.

Clauses 20 and 21 agreed to.

Clause 22:

Mr EVERINGHAM: I move amendment 99.6.

This is a purely formal amendment to insert a capital 'C' and 2 commas.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23:

Mr EVERINGHAM: I move amendment 99.7.

This amendment proposes the insertion of a new subclause to remove disbursements as opposed to profit costs from the ambit of the existing clause.

Amendment agreed to.

Clause 23, as amended, agreed to.

Clauses 24 to 26 agreed to.

Clause 27:

Mr EVERINGHAM: I move amendment 99.8.

This proposes the insertion of a new subclause which will enable anyone who has not been reimbursed for the costs of claiming compensation under the existing act to be paid those costs.

Amendment agreed to.

Clause 27, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

CONSTRUCTION SAFETY AMENDMENT BILL
(Serial 160)

Continued from page 2391.

In committee:

New clause 11A:

Mr Chairman, this seeks to amend section 24 of the act and is a consequential amendment resulting from the proposed new sections 22 and 23. Section 24 prohibits a person from using anything involved in an accident without the permission of an inspector. The proposed amendment is to take into account additional references to such things as framework, falsework and explosive powered tools contained in section 22.

New clause 11A agreed to.

Clause 12:

Mr TUXWORTH: I move amendment 106.10.

This amendment is consequential on the changes proposed to section 23 where reference is now made to a notification and not a report.

Amendment agreed to.

Mr TUXWORTH: I move amendments 106.11 and 106.12.

These are formal amendments.

Amendments agreed to.

Clause 12, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

INSPECTION OF MACHINERY AMENDMENT BILL
(Serial 161)

Continued from 13 March 1982.

In committee:

Clauses 1 to 3 agreed to.

Clause 4 negatived.

New clause 4:

Mr TUXWORTH: I move amendment 105.1.

This amendment is to substitute a new clause 4 in the bill. The original clause 4 proposed the amendment of several definitions contained in section 5(1) of the act. The new clause contains additions to the previous changes. The purpose of this amendment is tied to several changes contained in 105.13 where reference to 'prescribed' forms in the act is to be changed to 'approved'.

New clause 4 agreed to.

Clause 5 agreed to.

New clause 5A:

Mr TUXWORTH: I move amendment 105.2.

This amendment is to section 14 of the act. The section as it now reads creates an offence of employing a young person to work machinery. Some difficulties have been experienced in the enforcement of this section where, strictly, persons have not been employees. The proposed amendment is to change the section to place the onus on the owner of the machinery not to allow, as distinct from employing, a young person to work machinery.

New clause 5A agreed to.

Clauses 6 to 9 agreed to.

New clause 9A:

Mr TUXWORTH: I move amendment 105.3.

This seeks to amend section 43 of the act which as it now reads, places

an obligation on an inspector, after the first inspection of a machine, to stamp on it a registration number. The amendment is to place the onus on the owner to arrange for the stamping following the inspection.

New clause 9A agreed to.

Clause 10:

Mr TUXWORTH: I move amendment 105.4.

This amendment provides for a new section 51. Section 51 relates to notification of accidents and the new provision is desgined to allow for a degree of flexibility in the requirement of reporting in writing. Some members raised this point during debate. The new provision requires notification in writing within 24 hours, where possible, or, if it is not possible, as soon as practicable thereafter. There is also provision allowing for other means of notification where, initially, notice in writing is not practicable. Additionally, the definition of 'serious bodily injury' has been changed back to 7 lost days in line with the Construction Safety Act. The new section provides a similar obligation to notify and report accidents as does the corresponding section in the Construction Safety Act.

Amendment agreed to.

Mr TUXWORTH: I move amendments 105.5, 105.6, 105.7, 105.8 and 105.9.

These amendments reflect the change in notification procedure.

Amendments agreed to.

Clause 10, as amended, agreed to.

New clauses 10A and 10B:

Mr TUXWORTH: I move amendment 105.10.

The first amendment is to section 56(3) of the act where reference to the capacity of a boiler is described in terms which are technically outdated. The change is to substitute current technical language and does not change the meaning of the subsection.

The second amendment is to section 58 of the act. The section as it now reads prohibits an examiner examining an applicant for a certificate of competency unless the applicant produces a current medical certificate as to his fitness. The amendment is to remove the arbitrary nature of the section to allow the examiner to waive the requirement of production of a medical certificate where he is satisfied an applicant is physically fit.

New clauses 10A and 10B agreed to.

Clause 11:

Mr TUXWORTH: I move amendment 105.11.

This change is to proposed new section 65 contained in clause 11. The new section is to empower the Chief Inspector to cancel or suspend a certificate issued under the act where the holder is guilty of an offence. The proposed amendment is to add a further paragraph empowering the Chief Inspector to cancel or suspend a certificate where the holder fails to comply with the conditions applicable to his certificate.

Conditions are imposed on certificates for particular purposes and it is important that the holder of a certificate abides by any condition imposed.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12 and 13 agreed to.

New clause 14 and schedule:

Mr TUXWORTH: I move amendment 105.12.

The amendments are to omit reference to 'prescribed forms' which means 'prescribed by regulation' and to substitute 'approved'. It is administratively desirable that forms can be developed to meet changed circumstances. The use of administrative forms rather than statutory forms will allow this. Section 75 of the act is to be repealed because, with the removal of reference to prescribed forms, the section has no meaning.

The member for Nightcliff raised the question as to who approves the forms. I cannot answer that. If it is important to the committee, I will obtain that information.

New clause 14 and schedule agreed to.

Title agreed to.

Bill passed remaining stages without debate.

LANDS ACQUISITION AMENDMENT BILL
(Serial 189)

Continued from 16 March 1982.

Mr SMITH (Millner): Mr Speaker, the opposition is puzzled at the intention of the government in introducing this bill. When he introduced the bill, the minister stated that an alteration of the wording of the definition of 'public purpose' would be adequate to meet the objection the government has to the present wording. Later in his second-reading speech, he said that it did not matter much anyway because the power of the government to acquire land is limited to purposes contained within the executive responsibility of ministers. The opposition agrees with both those statements but it does object to the proposal to remove the definition of 'public purpose' from the act. It becomes even more curious when you realise that serial 145 of 1978, which was the bill to introduce the Land Acquisitions Act, did not contain the 'public purpose' definition yet it was the same minister as now who sponsored the amendment to include the definition. A very relevant question is: what has changed since 1978 for the minister to have this about face?

Mr Speaker, the legal power of government to acquire land rests in the Australian constitution. Section 51 (XXXI) of the constitution states that property can be acquired on just terms for any purpose in respect to which the parliament has power to make laws. In the Northern Territory, this is reflected in section 50 of the Northern Territory (Self-Government) Act, which states that acquisition shall be on just terms, and section 35 and the regulations which state the areas in the Territory in which the ministers have executive authority. It is clear that the government cannot introduce legislation outside its areas of executive responsibility and therefore the government is limited in its acquisition of land to the areas of executive responsibility listed in regulation 4 of the Northern Territory (Self-Government) Act.

The other question which needs to be addressed is whether the government has the power to acquire land for any or all of its areas of executive responsibility. This revolves around the definition in the current act of the term 'public purpose'. A study of case law reveals that it is commonly accepted that 'public purpose' means any purpose for which the parliament has the power to make laws. Again, in his second-reading speech, the minister accepted this proposition and stated that it was his government's intention to interpret the proposed changes to the bill in this light. If this is the case, it seems strange that the government wants to delete the definition of 'public purpose', particularly as the Commonwealth and each state have a definition of public purpose in their statutes.

The effect of this deletion of the term 'public purpose' would be to change the Lands Acquisitions Act from the self-contained act it is at present to an incomplete act where reference needs to be made to other acts. The deletion of 'public purpose' will mean interested persons will have to refer to the Northern Territory (Self-Government) Act to ascertain the limits of the powers the government has to acquire land.

In the opposition's view, there is no need for the bill. The power to acquire land is quite clear. It can be acquired for any purpose for which the government has legislative authority. If the government is concerned that the wording of the present act could be read to inhibit this power, the opposition would support any amendment to the definition of 'public purpose' to clear up this doubt. I will give a couple of examples of the redefining of 'public purpose'. It could read: 'public purpose' means a purpose in relation to the Territory or, secondly, 'public purpose' means a purpose in respect of which the parliament has power to make laws.

If the government was prepared to accept that amendment and to leave in 'public purpose', the opposition is quite happy to accept all other amendments that are proposed. As far as I can ascertain, the other amendments that are proposed are directed towards allowing the government to make acquisitions for third parties. The example that was suggested to me was that, under this proposal, the government would have the power to acquire a piece of land from, say, a pastoral property to allow a service station to be built. In our view, that power would be a legitimate exercise of government power and would certainly fall within the scope of 'public purpose' as we understand it.

Having said all that, we cannot support the abolition of the definition of 'public purpose'. We believe it is essential to the performance of the act and the easy reference of the public that a major term and condition under which land can be acquired is spelt out in the Lands Acquisition Act. I refer the minister to his second-reading speech where he said: 'The purpose of this bill can be simply stated. It is to conform with the powers to acquire land vested in the Commonwealth government prior to 1 July 1977'. It is our contention that taking out 'public purpose' perhaps goes beyond that power. By leaving in 'public purpose', and with our agreement to the other changes, it does become consistent with the situation when the Commonwealth controlled land acquisitions in the Northern Territory.

In conclusion, I invite the minister's comments on these suggestions and ask him, if he rejects them, to spell out in a more thorough fashion than he did in his second-reading speech the reasons for the amendments and their effects.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to speak in this debate this afternoon, I will say at the outset that I am very wary of this amendment. I am very wary of what the changes will mean to land acquisition legislation in the future. I know something about compulsory land acquisition because, together

with other innocent landholders outside Darwin, I was the victim in June 1973 of the biggest land grab in Australian history by a federal Labor government of 32 square miles of freehold land. By excluding 'public purpose' from the conditions necessary before the government considers acquisition, it could be said that the way is laid open for an open slather situation of land grabbing by the government. I feel certain that this will not hold because it would not be compatible with the responsibility of the position of the Minister for Lands and Housing.

Clauses 6 and 7 in the amending legislation, which are concerned with more general considerations of the land acquisition situation, again will have to be very carefully administered, under section 34(1), by the minister, and, under section 38(4), by the chairman and deputy chairman of a tribunal and the minister.

In the proposed amended section 41(2), the tribunal has a more general situation to deal with. 'Public purpose' will be deleted, the land will just be acquired and dealt with, and then its recommendations will go to the minister. This general view of land acquisition instead of the particular view of acquiring land for public purpose is also dealt with in proposed new section 43.

I would hope that, in considering section 48(1) in clause 12 - 'land acquired is Crown land' - no tangles will follow regarding the minister's change of decision as to what he will do with the land. Clause 12 states: 'The minister may, at any time while no person (other than the Crown) has an estate or interest in the land, by notice in the Gazette, declare that any land acquired under this act is no longer required for the purpose for which it was acquired'. If a public purpose is omitted from the reasons for acquiring land, and we just have the general powers of acquisition with the minister not having to declare a public purpose to acquire the land, I would like the minister to tell me if he will have to declare a public purpose before clause 12 can follow. Nowhere can I see in this amending legislation that the minister has to give a reason for acquiring land. Therefore, if he does not have to find a reason in the first place for acquiring land, I cannot see the reason for clause 12 where it states: 'is no longer required for the purpose for which it was acquired'. If the reason is not made clear in the first place, I cannot see the necessity for clause 12.

Mr DOOLAN (Victoria River): Mr Speaker, I do not intend to debate the bill. I would just like to comment on something that the honourable member for Tiwi said when she was talking about 'the biggest land acquisition in Australia'. I think her own government has done a pretty fair job on Borroloola, Fish River and Douglas-Daly. I think it was quite a silly statement to make.

Mr ROBERTSON (Education): Mr Speaker, I would just like to try and assist the honourable member for Millner. I think that what he said is perfectly correct in relation to the bill. Indeed, the situation is such that the government can, under the existing provisions of the Lands Acquisition Act, acquire land notwithstanding the provision presently used: for any purpose for which the government or this Assembly has the power to either regulate or legislate. What we are doing here is not legislating for the purpose of the member for Millner or people in this place like the Attorney-General. What we are doing is legislating for the public.

The wording in the act which provides for public purposes, in my view as an ex-Minister for Lands and Housing, has created an uncertainty as to exactly what it means. While the member may or may not be perfectly correct, it was interesting to note that he read every single word out of a prepared document which was obviously presented to him by a qualified solicitor.

Mr B. Collins: So what?

Mr ROBERTSON: No, I am not objecting to that at all. The reality of the position is that, though we should legislate in such a manner as the public understands the laws that we are providing for the public administration, it has become quite apparent to us that the provisions that deal with public purpose are causing confusion. Quite obviously, the Assembly can only acquire land in respect of those areas within which it has competence. If we simply confine it to the powers given to us under the Northern Territory (Self-Government) Act, then it is clear that they are the limits within which we may act. To use extraneous words such as has been done in the original bill - 'for public purpose' - causes nothing but confusion. There is the change of attitude from those proposals which were put here some time ago in the original Lands Acquisition Act.

Mr Speaker, the whole idea of this legislation is to clarify the position as it exists.

Mr PERRON (Lands and Housing): Mr Speaker, in reply to the members who have spoken on this bill, there is not a great deal to say. I believe that the honourable member for Millner went around in circles a couple of times and became a little confused as to why we should propose here to take out the words 'public purpose' which, by and large, is what these amendments propose to do. One of the definitions that he in fact suggested for 'public purpose' was indeed the words to the effect that 'public purpose' means any power that the government has under the parliament, which is saying exactly what we are proposing to do.

The member also suggested that, by taking the words 'public purpose' out of the act as it now stands, we might be putting the Territory in a position of having greater powers of acquisition than the Commonwealth had pre-1978. That would be fairly impossible on the basis of the very substance of the Territory under self-government. The powers that this parliament derives from the self-government act obviously stem from the Commonwealth, and no way in the world could the Commonwealth vest with us more powers under self-government than the Commonwealth had itself in pre-1978.

The honourable member for Tiwi said that she felt from reading some sections of the bill that the minister may not have to give reasons for acquisition. As I understand it, reasons have to be given by the government in all acquisitions. Whether they are speedy or compulsory acquisitions, or whether they are taken through the slower procedures of the Lands Acquisition Tribunal, reasons are given in all cases. Of course, those reasons can be challenged as the Lands Acquisition Tribunal can hear arguments supporting the claim that the government has another course of action to acquisition. That was one of the very innovative steps that the government took when first introducing this legislation. It was one of the many suggestions of the Law Reform Commission at the time, which had done an inquiry into this very subject. It left us with fairly progressive but somewhat expensive, as far as the taxpayer is concerned, legislation on the subject.

With those few words, I believe there is nothing to deter us from proceeding with the bill.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: I invite defeat of clause 4.

Clause 4 negatived.

New clause 4:

Mr PERRON: I move amendment 104.1.

This is to insert a new clause after clause 3. The definition that has just been defeated refers to the proposed use or development of acquired land. The amendment now proposed omits reference to the use or development of acquired land and instead refers to dealing. This is in accordance with other amendments in the bill which refer to the manner in which it is proposed to deal with land.

New clause 4 agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining states without debate.

NORTHERN TERRITORY TOURIST COMMISSION AMENDMENT BILL
(Serial 165)

Continued from 1 December 1981.

Mr BELL (MacDonnell): Mr Speaker, I wish to speak briefly to this bill to indicate the opposition's support for it.

In his second-reading speech, the minister said that the Northern Territory Tourist Commission Act did not provide for the appointment of an acting chairman during the absence from duty of the permanent chairman. I was a little puzzled when I was reading that because the old section said that, during any absence of the chairman, the members of the commission present at the meeting shall elect an acting chairman. However, on reading through the original act and working out what was involved, it appears that the acting chairman could only be appointed for meetings, and not for the day-to-day management of the commission.

The only question that arises from my study of the bill is that I am interested in the sort of administrative problems that may have arisen to necessitate these particular amendments. Really, that is the only question I have and the opposition is happy to support the bill.

Mr VALE (Stuart): Mr Speaker, I would also like to speak in support of this proposed amendment to the Northern Territory Tourist Commission Act.

As the act currently stands, it does not provide for the appointment of an acting chairman during the absence from duty of the permanent chairman. Such absences could include sick leave or recreation leave.

Whilst the act presently provides for the appointment of an acting chairman for meetings of the commission when the permanent chairman is absent, it does not provide for the day-to-day management of the affairs of the commission. Consequently, this amendment, whilst minor, is important to the efficient management of routine day-to-day matters of the commission. It seeks to ensure that the Northern Territory Tourist Commission can continue to function in an efficient and speedy manner so that it may provide a high level of assistance to the tourist industry and respond to the wants and needs of tourists in general. Mr Speaker, this level of assistance must be given a high priority, especially when considering the continually increasing importance of the tourist

industry to the economic base of the Northern Territory and to the quality of life for all Territorians.

Mr Speaker, tourism is now not only the Territory's second major money-earner but also has one of the greatest growth potentials in the Northern Territory. This amendment, in some small way, seeks to see that this potential can be realisable by ensuring continuity and flexibility in the top level management of the Tourist Commission.

Mr STEELE (Tourism): Mr Speaker, what the member for MacDonnell is concerned about is: 'the minister shall appoint a person who is, or is to be, a member of the commission, and who is not a public servant, to be the chairman'. It was felt that it would not always be suitable to put a public servant in that particular chair, bearing in mind that some of the absences may be for a number of weeks. It was felt that the minister should have flexibility in the appointment of an acting chairman. That is the main purpose of the amendment.

Currently, on the commission strength, the 2 new commissioners - Mr David Astley or Mr Bill King - would probably be suitable appointments for a limited period, up to a couple of weeks. I commend the legislation.

Motion agreed to; bill read a second time.

Mr STEELE (Tourism)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CHILD WELFARE AMENDMENT BILL
(Serial 187)

Continued from 25 May 1982.

Mr ROBERTSON (Community Development): Mr Speaker, I noted the comments of members in this matter and I think the main area raised during the course of debate was the procedure to be adopted by the department after a report is made. In reply, I would like briefly to address myself to that position. I must say that I am indebted to the department for providing me with notes which are based mainly on the modus operandi which has been used in the past in these matters. I can see no real reason to vary from the methodology which has been used in the past.

Mrs Lawrie: Well I wish you would.

Mr ROBERTSON: Mr Speaker, perhaps during the third reading the member for Nightcliff could suggest any changes that she sees fit.

The intake procedures at the moment are that reports of suspected child abuse or neglect can be accepted 24 hours a day, during working hours at the regional offices and by after hours telephone service. These cases are allocated for investigation immediately. The assessment procedures are as follows: the initial investigation and assessment must be carried out within 8 hours of the case being reported; where there are signs of physical abuse, and in cases of suspected sexual abuse, a medical examination of the child is arranged; where the child is seriously injured or neglected, or where there is a risk of an injury which has occurred or may occur, the child is removed immediately to a place of safety; and, if it is not necessary to remove the child, the family is offered support services.

In relation to the power to remove a child, I would refer honourable members to the existing section 31 of the principal act which, in effect, says: 'A welfare officer, police officer or a person authorised in writing by the Director of Child Welfare to act under this section may, without warrant, take into custody a child appearing or suspected by him to be destitute, neglected, incorrigible, or an uncontrollable child'. I must point out, of course, that the new acts relating to juvenile justice and child welfare, which separate these 2 areas, and which I hope to introduce into the next sittings of this Assembly, will get rid of those rather archaic references.

Mr Speaker, the term 'neglected' is defined to cover acts of ill-treatment and cruelty as well as acts of omission which result in the child being neglected. As to legal procedures, a child who has been removed from the family shall be brought before the Children's Court within 14 days of a charge of neglect being laid. Again, that is a terribly archaic provision in that the child is the person against whom the charge is laid. I think that it should have disappeared in about the 16th century. Nonetheless, it seems to have survived for many years. This Assembly will address itself to that matter this year.

Under the Child Welfare Act, a welfare officer has the power to charge a child with being neglected. I think I have said enough on that. However, in practice, the decision is made in consultation with the officer in charge of the field workers. The Department of Law is also consulted and, if the decision to charge the child is made - that is an incredible thing - the Department of Law provides legal representation for the welfare officer. The child's parents are advised to seek legal representation and their rights and the court proceedings are fully explained to them. As members would be aware, the outcome of the hearing is either dismissal of the case and the child is returned to the parent or guardian or, if the court establishes the case, the availability of alternatives by way of pre-sentence briefing and pre-briefing to the magistrate is, of course, provided. The child can be committed to the care of the director, as specified, for a period of time or to the care of a suitable relative. Alternative placement for the child can include foster care arrangements by the division or with a suitable relative.

I want to make it quite clear that my attitude to this is very accurately reflected in the welfare division's policy circular number 80/24. This sentence is very important: 'The protection and welfare of the child comes before any other consideration. The punishment of the offending parent/guardian is not the objective of this policy'. I believe that, in respect of this matter, the area of responsibility on the minister is so great that the minister ought to have a greater role in this process than has been the case in the past. I remember advising this Assembly at the time when the Motor Vehicle Dealers Act was brought in that I would want to be notified personally at the time of any intended prosecutions under the act. It would be my intention to discuss with the department the mechanism whereby any proposed prosecution is brought to me as minister. Where I consider it appropriate - and this would probably apply in all cases - it would be referred to the Attorney-General, as chief law officer for the Territory, for his consideration as well. To prosecute a parent in such a matter is very serious indeed. I have absolutely no doubt at all that the department is fully aware of that and it is clearly indicated in the administrative circular which applies under the present conditions.

Mr Speaker, perhaps members would look at the amendment schedule which has been circulated rather than take this up in committee at any length. The amendment schedule provides for a variation to the wording in relation to immunity from prosecution. As the bill stands, one would be in some doubt as to whether or not a person could avoid prosecution - that is, a person who has been, or is likely to be, charged with abuse of a child - merely by being the person who

reports it. I think the proposed section in the Law Reform Commission's report avoids the possibility for a person to escape prosecution by that means. The new wording will overcome that and it is consistent with the Law Reform Commission's report. The amendment includes the words: 'or in purported compliance with subsection (1)'. I wonder if members have addressed themselves to that. It may be a little ultra-conservative but the ground of reasonable belief, upon which the whole of this would turn, is a somewhat objective criterion to say the least. I would be happy to have those words deleted although, personally, I do not see that they do any harm.

A person may not have proper grounds for believing abuse has taken place, but makes a report in good faith of the incident as he saw it. This gives a measure of protection to a person in that situation. Of course, anyone who reported suspected child abuse in a capricious or vexatious manner would not be covered by those proposed amendments.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr ROBERTSON: I move amendment 111.1.

I explained in the second reading that this is to bring the provision in line with the recommendations of the Law Reform Commission and to avoid any possibility of a self-confessed child abuser avoiding his or her just deserts by making the report personally.

Amendment agreed to.

Clause 2, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported; report adopted.

Mrs LAWRIE (Nightcliff): Mr Speaker, on the third reading, I would like to bring to the attention of the Assembly the fact that a seminar on child abuse was sponsored in 1977 and it was held on Universal Children's Day 26 October 1977. Several members of this Assembly had input to that seminar, including the present Treasurer, who stated in his submission:

> *Dr Alan Walker, the senior paediatrician at the hospital, has said that over the last several years only 1 or 2 cases a year have been reported at the hospital and that he would consider that recognition at the hospital level would be fairly low. He has stated that teachers have indicated to him that they have seen numbers of cases in the Darwin area. He has said he would be inclined to think that there would probably be between 110 and 120 cases a year in the Northern Territory.*

Mr Speaker, one matter I raised to which the minister did not address himself in his reply to the second reading was my specific point that schools have a definite role to play. In the second reading, I quoted the case of Maria Caldwell in Britain, which led to the report being brought down. Her plight was brought to the attention of the relevant authorities time and time again by

the schools. It is interesting that the Minister for Community Development has also the portfolio of education. I hope that he brings to the attention of the schools the protection which is now afforded to teachers and principals or to anybody in the teaching profession who brings to the attention of the relevant authority suspected cases of child abuse or child neglect.

When the minister said earlier that the Department of Community Development had certain procedures which it followed, my interjection was: 'Well, they did not work'. I was referring specifically to the tragic case of a child who met his death in Darwin not so long ago. The term 'passive non-intervention' is a term I first heard coined by that department. I hope that all officers of that department are now under no illusion that the minister, or any other member of this Assembly, agrees with passive non-intervention when a child is at risk.

Mr ROBERTSON (Community Development): Mr Speaker, I am grateful to the member for raising the point of information getting out on this matter. It is one that I did overlook. A comprehensive and clear pamphlet explaining this provision has already been prepared. That pamphlet will go out to all people who are involved in, or likely to be involved in, the detection of, or contact with, child abuse.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, first of all I thank the honourable member for Port Darwin for bringing to our attention this morning the matter of certain references connected with the Labor Party in the telephone book. The NT News quite rightly said that we were bemused by the reference. Certainly, I was completely unaware that they were in there and, having checked with my parliamentary colleagues, I find that not a single one of them was aware that they were in there. On looking at the previous edition of the telephone book, and as far back as I can go, there are references in the 1980 telephone directory. It has taken everybody a long time to realise that they are there.

Mr Speaker, I certainly do not agree that such a thing should be done, and I want to thank the member for drawing it to our attention. For your information, Sir, I have written today to Telecom asking for those references to be deleted. Unfortunately, I am not in a position of recalling the 1981 telephone directory. I would if I could, but I cannot. But I will ensure that the reference is deleted in future.

On Tuesday I asked the Minister for Education what action had been taken to expedite the commencement of the BA degree course at the Darwin Community College. In his usual dramatic way, the minister accused me of getting my facts wrong, and then told the Assembly - with some degree of emotion I must say - what an impossible position the Tertiary Education Commission has placed the government in over the BA course. I raise the matter because again last night at the college graduation ceremony he put the blame entirely at the feet of other people. With respect, I could suggest to the honourable minister that he is looking for scapegoats to divert attention away from his own handling of the matter.

As I understand the minister, he had 2 main complaints: that he could not get a guarantee of Commonwealth funding beyond the current triennium and that the TEC did not want existing courses adversely affected by the introduction of the BA degree course. On the first point, the minister must be aware that the TEC rarely, if ever, guarantees funding beyond one triennium. Now I am certainly

not aware that it does. Perhaps the minister can set me straight on that point. If he is going to wait to sign the accreditation for the degree course on the basis that it will guarantee funding beyond one triennium, then he is never going to be able to sign the agreement. The second fact of the matter is that the college has assured the minister that, if the BA course begins in February 1982, it can be run from existing funds without affecting existing courses this triennium. I am still uncertain as to whether or not the minister has, in fact, passed that information on to the TEC or the Commonwealth Minister for Education.

The minister must also be aware that, whilst no guarantee can be given for funding beyond any one triennium, the normal practice of the TEC is that, once funding has been approved in one triennium, it is continued to the next. I am aware that the Commonwealth minister must approve the running of the BA course. But I suggest that, since the college has given an assurance that it has the funding to run it for the rest of this triennium, there should be no reason to refuse it. In this regard I was pleased to read in a letter which I received last week from the Chief Minister - not from the Minister For Education although I wrote to him as well - that the Minister for Education will be meeting the federal minister, Senator Baume, within the next 3 weeks and will discuss the matter. It is interesting that I originally received the information from the Chief Minister and not the Minister for Education who, for some reason totally unclear to me - and perhaps I have misread what he said in the Hansard - did not mention this fact until I asked him a question in the House this morning.

Mr Speaker, I am also at a loss to understand why it has taken from March until now to discuss the matter with the federal Minister for Education. There are such things as telephones, telexes and letters. I certainly hope that the minister puts the issues to the federal minister with more force than he apparently has done till now. I am beginning to wonder if anything has been told to the Commonwealth on the matter. I am referring, let me assure the minister and the House, simply to the printed word and what the minister has advised this House is going on.

I am aware that the BA course is an expensive course to run. But if that was the ground on which the minister was going to base his defence for inaction, then he should have made it clear from the start without raising the hopes of so many students and staff by his statements and those of the Chief Minister to the college last year. I suggest that the Minister for Education's reputation as a minister is on the line over this matter. He has had the college's assurance since March that it can handle the course next year and yet he is still apparently reluctant to pass that information on to the appropriate authorities and argue the case forcefully and urgently. On top of that, he is apparently waiting for a guarantee which, so far as I understand it, is extremely difficult if not impossible for the TEC to give. Whatever the end result, I suggest the minister's performance in this matter is very strange behaviour indeed from a government that would have us believe that it could have established a multi-million dollar university in February this year.

Mr Speaker, the other matter that I wish to touch on this afternoon is the apparent grave crisis that appears to have beset the Northern Territory's federal member in the House of Representatives. I became very concerned as to the political condition of our Canberra representative after attempting to follow his public statements over the last 2 months. In April of this year there appeared an article in the Australian Business Magazine which I read with great interest. In that article,Mr Tambling was identified as one of a group of Country Party back-benchers known as the 'Impertinents', which I thought was rather cute. The Impertinents are supposed to be the economic hardliners in the Liberal Party ranks currently called the 'Dries'.

This article referred to their budget targets as being a cut in payments to the states, an end to the petroleum freight subsidy and an across-the-board cut of 1% in the federal education budget. The media saw Mr Tambling's current hard-line stance as a little out of step with the needs of the Territory and pursued the issue with him. In a radio interview, Mr Tambling was asked about his apparent push to have the petroleum freight subsidy scheme abolished in the Northern Territory - not an unfair question, Mr Speaker, given the Territory's dependence on transport. He replied by saying that such a question was only nit-picking on minor issues and that they had chosen to identify him with one of the points that some of the 'Dries' were saying should be examined. He suggested that Territorians should instead look at the overall benefits to be had from a sound economy. If we had a sound economy, I am sure we would all be happy to look at what benefits might flow from it, but we have not at the moment in the Territory. Mr Tambling said that, in fact, he did not support the abandonment of the petroleum freight equalisation scheme, so I assume that he is neither a Dry nor an Impertinent.

Mr Speaker, in the same interview, Mr Tambling told the listeners of the major gains that had been realised as a result of his efforts in Canberra. He described the retention of taxation zone allowances for Darwin as a major victory for him. In reference to the level of Commonwealth funding to the Territory, he said in April this year: 'In all the areas of Aboriginal programs, we are way out in front'. That is despite the fact that I and the Northern Territory government, to its credit, have been pushing the fact that we have been dramatically underfunded by the federal government for the environmental health program. But according to our federal member - the man in Canberra who can get us this money - we are way out in front.

On the subject of taxation, he said: 'On the issue of sales tax, I support the government's move into the area of indirect taxes because it is the only way that we are going to achieve major income cuts in the Northern Territory'. He said that the cost to the Territory that would result from the Fraser government's sales tax proposals 'is a paltry sum compared to what we are going to achieve if we can get significant income tax cuts'.

Mr Tambling's point on income tax was unclear in that interview. I therefore called on him publicly to spell out the exact magnitude of the income tax cuts that he was proposing so that they could then be measured against the impact of an expanded indirect sales tax system. To the best of my knowledge, Mr Tambling has not responded to that request yet.

Our federal member also said that we were generally doing very well indeed out of the Commonwealth and that we were getting the input of cash we needed to provide services in the Territory to a standard equal to those in the states. So we had Mr Tambling saying that we should not worry about minor issues but should sit back and reap the benefits of a sound economy, that he was proud of his victory in retaining zone allowances for Darwin and that the Commonwealth had been most generous with its money especially in the area of Aboriginal programs for the Territory. He also said that we must have increases in sales tax if we are to get any cuts in income tax. He said that the cost of sales tax increases would be paltry compared with the gains that were to be had from these income tax cuts.

That was his public statement in April of this year but what did he say in May, one month later? A new crisis appeared to strike him. Were these minor issues important? Could Territorians sit back and reap all these benefits? In fact, was the economy strong? Just how generous was the Commonwealth being? Would we get tax cuts? Was the Territory able to offer services equal to those in the states?

Mr Speaker, the federal member now appeared to be faced with the great problem of self-doubt: doubt about the policies of the Fraser government and how they were affecting the Territory; doubt as to whether he should support the federal government or the community that voted him into the seat; and doubt as to whether he should take a hard economic line or a soft economic line - a dry or a wet line as they say these days. The result of all this thinking was a complete 180-degree turn. In a letter to the Prime Minister, the federal member was critical of the Fraser government's inaction in the area of income tax releif. He made this letter very public. Mr Tambling said that income tax cuts must come before there was any further increase in indirect taxation. He had previously stated that there could not be any income tax cuts until there was an increase in sales tax and he had voted for this in Canberra against the interests of Territorians.

In the budget debate last year, the federal member suggested that the funding for Territory health services was a bit light on. He then said that we were doing well and that the Territory was guaranteed cash such that the Territory was able to provide community services equal to those offered in the states. Despite this criticism, he then turned around and voted for the cuts that he said would be harmful to the Northern Territory. He was again telling the Prime Minister that the health system is no good.

Our federal member also told the Prime Minister that the federal government's commitment to Aboriginal environmental health 'had a very hollow ring about it'. That was 4 weeks after he said that it was miles in front of everybody else. He said that the Fraser government had performed badly in the area of Aboriginal health. A matter of a few weeks before, the federal member said: 'In the area of Aboriginal programs, we are way out in front'.

On the issue of taxation zone allowances, Mr Tambling said the concessions made by the federal government were - and this was his great victory of 4 weeks before - 'marginal and cosmetic'. Could the same be said about the performance of the federal member on this issue - that it was marginal and cosmetic? He had previously claimed personal responsibility for getting this great victory. So in April we were informed that the Territory was doing extremely well. If you listen to him now , he will tell you we are now being treated very badly.

Mr Speaker, to be absolutely honest, I have not noticed any major change in the performance of the Fraser government so far as the Territory is concerned over the last 4 weeks. After several years of promises, we still do not have any income tax relief, relief that would only slow down the rate of deterioration in living standards if it was not accompanied by tax indexation. Taxation zone allowance is still at the same rate that was applicable in the 1950s. Funding for health is totally inadequate and problems have arisen as a result of mis-handling by the Territory's Health Minister.

I must compliment the federal member on his timing of this 180-degree reversal and his complete turnaround on how well the Territory fared last year. I consider it very appropriate that this turnaround to point out one of the shortfalls of his government in respect of the Territory has come on the eve of a visit to Darwin by the Prime Minister and his Cabinet.

Mr Speaker, I am concerned over the fact that the member has been suffering some form of identity crisis. I have sought out once again something I have raised before: the self-analysis provided by Mr Tambling of himself; a 25-word self-portrait by Mr Tambling of Mr Tambling. This is how he described himself in a Darwin newspaper: 'outgoing, easy going, intelligent, abstract thinking, mature, assertive, positive, lively, conscientious, adventuresome, socially bold,

eager to learn, no nonsense, sensitive, adaptable, innovative, imaginative, perceptive, ethical, practical, confident, free thinking, resourceful, controlled, tranquil, persuasive, artistic and socially concerned'.

As I said earlier, I do not think that we could add either wet or dry to that list of names but perhaps the right term for the economic philosophy of our federal member is a medium between the 2. Perhaps we could call him a 'soggy' or perhaps a 'wet-dry'. Perhaps we also could add to that list 'confused'.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to raise a couple of matters this afternoon. The first one relates to the East Point Reserve. The future use of the East Point Reserve has been discussed not only by members of the reserve board, but also by members of this Assembly and concerned members of the public. Whilst it does appear that we are reaching the stage of resolving this particular issue, there are still a number of people who are somewhat concerned about the proposal that has been put forward by the East Point trustees. It may be said that those who are objecting most strongly have had an interest, inasmuch as their particular activity is carried out in that particular area. The group to which I refer initially is the Fannie Bay Equestrian Club which is using a section of the East Point Reserve. I am sure that other members of this Assembly have received representations from members of that club.

I have raised this issue for 3 reasons. The first is that it has been brought to my attention by these people who are genuinely concerned that, if the proposals that are put forward are adopted, the pony club will cease to exist. They are concerned about the time that will be given for them to relocate if it is required that they move from that area. Secondly, as a result of a group's inexperience in lobbying, a particular activity which is providing a service to the community is often lost. Thirdly, I am not convinced that moving the equestrian club from that particular area will improve the area in either the short or the long term. If I was convinced that having the equestrian club remain in that particular area would create any great problem, I would not be speaking about this subject today.

The first 2 reasons are closely linked. Often contact is only made when the axe is about to fall or when a particular proposal is about to become a reality. A perfect example of this is the West Lane car park saga. I hope to speak on that a little later, Mr Speaker. Often, a matter is not raised until it is too late and then the proposal is not able to be considered in the correct manner.

That brings me to the second point about the effective lobbying. Often you will find that, unless you have someone in your particular organisation who is skilled at lobbying or in having the media work towards the organisation's benefit, then the activity which may be meeting a need in the community may cease to exist. Of course, that can work in reverse. Where an organisation, which undertakes an activity that perhaps is of no great benefit to the community, does have someone who is skilled in lobbying, it may be able to convince the people who make decisions that its cause is a good one and that activity will remain. I wish to make sure that the Fannie Bay Equestrian Club is given every opportunity to put forward its particular case and that its proposal is given consideration without allowing any jealousies or any set ways to interfere with the decision that is made.

The third reason why I raise this subject today is that I am not convinced that what is being proposed is in the best interests of the community or in the best interests of the environment. It is a beautiful drive out along East Point Road and I am sure other members would agree with me. As I understand it,

the proposal is to remove some of the poinciana trees from the existing bush in that area. If that was done, it would remove much of the beauty from that particular area. I do not want to become involved in the issue of whether or not poinciana trees are normally found in rain forests. That does not really concern me at this time. There is a great deal of cleared area out there where reafforestation could take place. After a section has been established and a program proved to be successful, then perhaps consideration could be given to attacking the existing bush. To attack the bush before we are able to assess the trials in that particular area would be a disaster. Trees take many years to reach mature beauty. It is a beautiful drive along East Point Reserve and I feel that that area should not be touched at this particular time. The area should continue to be used by the present users - the folk club or the other people who are using that area. It should also be pointed out that, no matter how small these groups are, they are performing a very important function in our society. They should be able to have an area set aside for their particular activity.

As far as the pony club itself is concerned, there will always be a need for pony clubs in close proximity to city areas. The East Point area would appear to be a good position for such a facility because of its relative remoteness from residential areas. The interest in horse riding, breeding and showing is on the increase in the Northern Territory. This is borne out by the number of entries received each year by the show society. It is also borne out by the amount of money that has been invested in equestrian developments. Provided that no further buildings are erected or constructed on that particular area, I can see no good reason for removing the equestrian club at this particular stage. I am aware of the argument that, as Darwin grows, we could end up with an elitist club but I want to make it quite clear that, if it was found that its activities were not in the best interests of the community as a whole or the environment, then consideration would have to be given to removing the pony club from that particular area. Until the trials are completed and until the existing uses and the possible additional uses of East Point can be investigated, I believe that the club should be allowed to remain.

Mr Speaker, the other matter that I wish to raise is also related to horses: riding horses on beaches that are frequented by the public. I want to point out here that it is not only the horses that are stabled in close proximity to beaches, such as those from the Fannie Bay Equestrian Club. Often these horses are floated in from 30km away or horses from the race club are taken down to beaches to exercise. I would not deny them that right. However, the other afternoon when we adjourned somewhat earlier than most of us anticipated, I took the opportunity to take my dog for a walk down to the Fannie Bay beach. I must say that I was very pleased to see the number of people who were using that particular beach. I wish that the people would use the city beaches as much as the Fannie Bay beach. Whilst I was walking along the beach, I was approached by 2 people who knew who I was. They stressed concern at the fact that a dangerous situation had arisen because people cantered their horses along the beaches where adults and children had been sunbaking, playing or whatever. I could see their point. I raise the issue here because even an experienced rider can, on occasion, get into difficulties. If a dog happened to chase a horse, or a dog snapped at a horse, and that horse was in close proximity to a group of people, a serious accident could occur.

I believe that everyone should be able to use the beaches and everyone can use the beaches. It is really a matter of assessing the situation when one goes down to the beach for a particular activity. When I take my dog for a walk, for instance, I have a look to see how many dogs are on the beach. If there could be problems associated with my walk along the beach, I will go to another area. Where horses or dogs are involved, you can assess the situation and decide

whether or not to go on with your activity.

I call on all those people who are fortunate enough to be in a position where they are able to take their horses down to the beaches, where they are able to take their horses for a swim, that they assess each situation before they go ahead with their activity.

On the Fannie Bay beach on that particular day, there was a section of the beach which could have been used by people riding horses where no danger whatsoever would have threatened the public using that beach. I call on those people to consider others and assess the situation before they ride their horses or walk their dogs on beaches which are frequented by the public.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the honourable member for Port Darwin is always welcome in my electorate. I am very pleased he has taken an interest in the more pleasant aspects, as he has shown this afternoon. Of course the East Point Reserve is an area which is not just for the pleasure and benefit of the people of Fannie Bay, but for all the people in Darwin. The Parliamentary Record will show that I have been asking various Ministers for Lands and Housing about its future since I first arrived in this place in 1977.

I am very pleased to see that the matter is finally coming to some resolution and that the reserve will be retained for the benefit of the people. Hopefully, I think I can anticipate that not only that area currently within the reserve will be retained but also the adjacent area, which was formerly the Darwin golf course. This area is enjoyed by very many people as the honourable member for Point Darwin pointed out. Recently, I was able to go down there on a Sunday morning. The tides were favourable on that particular day and vast numbers of people were doing a variety of things at East Point, and along the Fannie Bay beach nearby: there were people with model aeroplanes, people were fishing, there were people simply having breakfast, people were swimming and, indeed, there were people with horses.

That area of beach in Darwin has traditionally been used as long as I can remember not only by the Fannie Bay equestrian people but also by the racehorse trainers from the nearby Fannie Bay Racecourse. They take horses down there for a roll in the sand and a morning and afternoon swim.It is one of the interesting little things that happen. Normally, there is not a safety problem involved. People expect to see them in the traditional spot. As far as I can see, they do not create any problems. However, if people are galloping horses in a dangerous manner along the beach, that is something that will have to be considered.

The honourable member for Port Darwin pointed out the concern of the Fannie Bay Equestrian Club which has had its stables located in that area for some time. There are other people with an interest in the area also who have spoken to various members of the Assembly. The Top End Folk Club uses one of the gun turrets in the area for its productions as does the theatre group occasionally.

All of these interests must be and are being considered in the current decision-making process to determine the best future use of that area for the benefit of the people of Darwin. Personally, I doubt very much whether the minister or his advisers will be accepting the recommendations of the East Point Reserve Trustees holus bolus. Of course, the trustees have a vested interest also. I understand that their trusteeship will be terminated fairly soon. I believe that they have done an excellent job in at least protecting that area against encroachments from time to time. Sometimes with the best of intentions, and sometimes with less good intentions, people have been desirous of obtaining bits and pieces of that land for all sorts of purposes. One thing

the trustees have done, over a period of years, is to ensure that it has remained in a comparatively undeveloped state so that now it can be planned for and protected for the future benefit of the people of Darwin.

Mr Speaker, while I am on my feet, there are a couple of other matters I wish to raise. Sometimes we think of this as a grievance debate but this afternoon I am going to say thank you for a few things. Last week, I spoke about a refusal by the Department of Education of an application for leave for a teacher who was chosen to manage a netball team going to the Australian championships. I am happy to inform members that that decision has been changed and that person will be able to take our young netballers to the Australian under-15 championships.

Another little thank you I wish to make is to the officers of the Northern Territory Electricity Commission. I think that this story is an excellent example of how our public servants serve the public, from time to time, with a great deal of understanding. If honourable members drive along Dick Ward Drive in the evening, at the Fannie Bay end they will see, on one side, 3 street lights which are fluorescent bars. The middle one is now, very obviously, blue. The reason this occurred was in response to a complaint from a very old lady who lives in the house next to that light. Since the road had been connected and the lights put in, she found that she could no longer sleep because the light was shining into her bedroom. She is a very old lady. She is in her 80s and has lived in Darwin for a very long time.

When she finally made her complaint known to me, I rang the electricity commission and explained the problem. Very rapidly indeed NTEC employees were round there. They investigated the situation, changed the light so that it did not produce the glare which was causing her problems. They visited the lady, explained what they had done and gave her a number to ring if she had any further problems. Mr Deputy Speaker, I thought that was really excellent service on the part of those officers of the commission and I congratulate them for it.

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, on 29 April this year, I sent a telegram to the Acting Chief Minister, our Treasurer Mr Perron, in the following terms:

> *Am appalled to find contract has apparently been let to Perth company, Magic Mirror Productions, for photographic slides for government information centre. No Territory photographers were given the opportunity to tender for the contract. Several are of world-class standard: for example, Rowen, Zerbe, Diechmann, to name but three. Appreciate your immediate investigation.*

Although the Treasurer, as Acting Chief Minister, did not reply to me specifically, I am well aware that he sprang into action and initiated investigations as to the specifics of my complaint, which he found justified. He expressed regret at the procedure which had been followed by the Office of Information which, on the face of it, is opposed to current government policy. The photographers in Darwin, who followed with some interest the progress of this rather sad story, remain to be convinced that government departments will not repeat the mistake which was made on that occasion.

Not long before that, I think the member for Fannie Bay questioned, in the Assembly procedures adopted by government instrumentalities and authorities when letting contracts to southern firms when, on the face of it, those contracts could be fulfilled adequately within the Territory. The Chief Minister, the Treasurer and the Minister for Industrial Development have pointed out that it is government policy for contracts to be let locally wherever possible.

Notwithstanding those remarks, within a matter of months,we found this mistake occurring yet again.

I am informed that the NT Tourist Commission, which seems to be a prime sinner in this regard, let a contract to Mike Shelley Productions in Sydney for its advertisements for $90,000 plus ongoing costs. Tenders were not available to local companies. I am particularly concerned if that is a practice of semi-government instrumentalities because the photographers we have available in the Territory,not only in Darwin,are of an extremely high standard. In fact, one is of international standard and is considered one of the top 5 photographers in his field in the world. I mentioned in my telegram the names of 3: Patrick Rowen, Wayne Zerbe and Gunther Deichmann. Another photographer who comes to mind is Steve Swanson, who is ex-Government Printing Office. He has produced some magnificent work with wildlife.

I made available to the Treasurer and I can show them to any other member who wants to see them some examples of the work being produced in the Territory at the moment. I have in my office a poster from CATA, the Central Australian Tourist Association, which is a photograph produced by a Darwin photographer. When it chose that photograph for use as the cover of its latest publication, and for poster distribution, it did not even know it was a local photographer responsible. It was chosen because of the excellent quality of his work, but certainly not because of government policy. That shows that the work can stand on its own merit.

I think members will be aware of the publications put out in the Territory from time to time by such people as Wayne Zerbe who has faced an amount of opposition from government circles, which I find quite surprising. The photographers have to spend quite an amount of money to obtain the photographs sometimes over months which they use for forthcoming publications. Yet, not so long ago, a Perth-based company came to Darwin and decided to put out a tourist booklet in competition with the local entrepreneurs, which is the right of the free market. But it did not spend its time and money going out bush and getting the photographs as is the wont of the locals; and it did not employ local cadets. It went to the Office of Information.

First of all it approached a few local photographers and offered them a very paltry sum for the use of the locally-produced work. In one case, I think it was $30 for a photograph which it had cost the photographer over $500 to produce, the cost being incurred in the charter of helicopters, travel and allied procedures. The photographer, not surprisingly, declined this generous offer of $30 for his $500 worth of effort and this Perth-based company then went to the Office of Information and complained bitterly that it could not get any joy from the local photographers. So what did our benevolent Office of Information do? They went through their files and gave for free to the company the photographs that it wanted. It then went back to Perth and produced its booklet which is selling in competition to the local producers, which I find somewhat sad and quite amazing; that is, if it is in fact government policy.

Mr Deputy Speaker, not only do we have some excellent photographers; people are going into related fields of promotional work - public relations, private typesetting firms etc - in the private sector. They are local people. They have homes here. They are investing their money here. They are in fact putting their money where their mouth is. I have good reason to believe that, notwithstanding the excellent policy of the present NT government, semi-government instrumentalities are ignoring it either by design or through ignorance.

I would ask that, in the light of the remarks I have made, which I think the Treasurer must agree are based on fact, that the message is brought home

yet again to government agencies to first look to their own backyard to see if the work is available and of a standard which they can use. I can assure you, Mr Deputy Speaker, it is of a standard which cannot be matched in any other part of Australia. I find it sad that this issue has had to be raised again in the Assembly, as the member for Fannie Bay raised it some months ago and assurances were then given by government ministers which were not in fact carried out by the departments which they administer.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, in rising to speak this afternoon, I would like to comment first of all on a reply by the honourable Minister for Mines and Energy when he was asked what was the result of the experiment with the electric car. He was able to tell us that, unfortunately, it was not the success that everybody hoped it would be. For the information of members, I would like to bring to their notice an article that appeared in the journal of the Institution of Engineers in March of this year. It is not connected with electric cars; it is connected with an electricity-generating flying windmill. If the electric car has not been the success that the honourable minister would have liked, perhaps this electricity-generating flying windmill will be. It is not something that somebody has thought up just recently. Research on this piece of equipment has been taking place since 1976. I will read from the journal because it might present something for us to think about in the Northern Territory. This article, Mr Deputy Speaker, was written by the Associate Professor in Mechanical Engineering at Sydney University, Brian Roberts:

> *What could become the world's first flying windmill designed to generate electricity has successfully completed its initial tests. The flight of the 31.7 kg research machine is the beginning of a series to prove the concept developed by a research team of Sydney University engineers. They believe their electric machine or something like it will be able to motor itself off the ground like a helicopter and, on reaching the desired height, tilt about 45° into the wind and generate electricity.*
>
> *Initially electricity will be produced at heights up to 150m but the eventual aim is to have a device which will reach the jet stream at 11,000m. At this altitude, there is as much wind energy passing through a band 150km wide in one year as could be obtained from all of Australia's known coal reserves.*
>
> *The concept of generating electricity from high altitude winds is not new. There have been several proposals made with a variety of devices recently. The primary advantage of this electricity-generating flying windmill is the relative ease with which it can operate as a helicopter which will be of particular importance in wind lulls during unfavourable weather conditions or during lightning storms.*

I will not read any further. There are a lot of engineering details given with the article which I found quite interesting to read.

I would like to comment this afternoon on a happening at the Fred's Pass Reserve in May. I refer to the Fred's Pass Show which was conducted by the Palmerston Apex Group on 15 and 16 May. Usually after shows in the Northern Territory, interested members comment on their success. I would like to compliment the Apexians who ran the Fred's Pass Show. I think it is to their enormous credit that there are 12 Apexians concerned with the running of the Fred's Pass Show. They had about 13,000 people through the gate. The Apexians profited to the tune of about $5000 but the local community profited in all to the tune of about $25,000.

A comment which I would like to make, and the Apex members themselves also made, is the enthusiastic way all the groups and individuals in the local community got behind Apex to make this show the success it was. There were organised groups which contributed to the successful running of the show on the 2 days: the Palmerston Polocrosse Club, the Darwin Districts Equestrian Association which ran the gymkhana and the dressage events, the boy scouts, the marching girls and the Darwin Rural Pipe Band which again conducted a very interesting and competitive form of its own highland games. There was an increase in the competitive sections at the show. I think the Apex group hopes to go from strength to strength and organise the Fred's Pass Show again next year. I think in view of the success of the show this year and the 2 previous shows, it may be forced to coopt the help of people from outside as well as local groups and individuals. The Noel's Ark Animal Nursery that I ran for Apex was also very successful. The amount of money that was raised this year was not much more than last year but I consider it to be my contribution to this very active group in the rural area. The amount raised was over $800.

Mr Deputy Speaker, I think the success of functions like the Fred's Pass Show and other uses that have been made of this reserve vindicates the government's decision to give the trustees and therefore the community the areas of land for public use. The initial interest for the formation of this reserve came from the Darwin Rural Landholders Association back in 1975. It made the first application to the planning authorities. The allocation mooted for the use of the local community was one acre. A hall was to be built on this acre and that was to be enough for people in the rural area. Some objections were raised to the smallness of the area and it was increased to about 37 acres. The hall was built, the polocrosse fields were cleared and sown and dressage areas were cleared and sown with grass. Recently, the government gave the trustees a further 56 acres. More recently still, the minister made a public announcement at the Fred's Pass Show that another 160 acres would be added to the area that the trustees control, bringing the total area under their control to over 200 acres.

When complimenting the Apexians on the running of the Fred's Pass Show, compliments must also be given to the trustees who run the Fred's Pass Reserve because their enthusiasm and activity have made such a success of the reserve. The idea was to put to me that, if the Minister for Youth,Sport and Recreation let a tender to some of the Fred's Pass Trustees to get the Marrara Sports Complex going, it would be operational very quickly.

Mr BELL (MacDonnell): Mr Deputy Speaker, early last week I asked the Minister for Health a question about rehabilitation facilities for alcoholics in Alice Springs. I was very heartened to hear that it was a personal aim of his that, over the next 12 months, rehabilitation facilities would be set up in Alice Springs, Katherine and Tennant Creek as well as in Darwin. To this end, he said that he would be approaching all community organisations.

With that in mind, I thought I would share with the Assembly a particular case that received considerable attention in central Australia. I am not sure of the attention it received in Darwin or other centres in the Territory. I refer to the death of Peter Price, an Aboriginal man who died in custody in the Alice Springs watch-house on 21 November 1980. He represents a clear and unequivocal example of a person in need of realistic support for a severe alcohol problem. The findings of the inquest were published in full in the 30 April edition of the Alice Springs Star. An editorial comment accompanying the article explained that the reason for publication of the article was to show that 'lost souls need more than cheap talk'. Peter Price was indeed a lost soul. He was a very sad case indeed.

There is a further reference to him, a character reference if you like, supplied by the coroner who said of him: 'Though described at the Alice Springs Hospital by a member of the medical profession as a "disgusting man", the deceased may perhaps be described as typical of many of the alcohol fringe-dwelling Aborigines forming a small minority group of those permanently residing around Alice Springs'. That is a quote from the coroner's report.

Two-thirds of the coroner's report is devoted to a blow by blow description of Peter Price's medical history. He first presented at the Alice Springs Hospital on 27 April 1970 for treatment of an infected laceration of his right elbow. Between that occasion and his death, he was treated at the Alice Springs Hospital 19 times for traumatic injuries, sometimes for extended periods. On 11 August 1970, he was treated for traumatic injuries. On 4 April 1971, he was treated for a head injury following a fall from a horse. On this occasion, he had been evacuated from Glen Helen Station. On 20 November 1971, he was treated at Outpatients for a head injury. This had resulted from his receiving a blow from a bottle on the left side of his forehead. On 2 March 1975, he was treated for an incised wound on the back of his chest over the scapular area. On 16 October 1976, he was treated for body pains. On 14 December 1976, he was admitted to hospital with fractures to his 4th, 5th, 6th and 7th ribs. These and other injuries had been incurred in a fight. He departed hospital AWOL on 19 February 1976. On 5 February 1977, he was taken to hospital by police who had found him lying in a gutter bleeding from a head wound. Again, he went AWOL on 7 February 1977. And so it goes on, Mr Deputy Speaker. During the 12 months preceding his death, he was treated no less than 11 times for injuries associated with his state of extreme intoxication.

He died in the Alice Springs watch-house at 1am on 21 November 1980. The deceased's blood/alcohol level was 0.224% at the time of his death. At the time of his arrest - 6 hours earlier - in the gutter of Railway Terrace, it was estimated by the coroner to be between 0.334% and 0.389%. Police officers who took him into protective custody assumed, not without justification, that, in the coroner's words, 'he was stuporised from the effect of overconsumption of alcohol'. He died from the effects of what is termed medically an acute subdural haematoma. In layman's terms, this means a very hard knock on the head. In his report, the coroner commented upon the unsuitability of the design of the police station in aiding regular surveillance of prisoners and indeed those taken into protective custody.

I quote again from the coroner's report: 'The physical layout of the Alice Springs Police Station, with its watch-house so distant from the front counter, plus shortage of manpower and intermittent emergencies, would make regular supervision or surveillance of prisoners difficult and at best irregular'. To my mind, the death of Peter Price in the watch-house in Alice Springs points out very clearly the need for alternative facilities. His case is not an isolated one. It points out very clearly the need for facilities that are more suitable for dealing with people of that sort. I believe that what is required is a separate detoxification centre where medical care is available for persons taken into protective custody. There should also be a rehabilitation facility for persons who have an acute alcohol problem where somebody can ask them: 'Do you believe that you are in need of some care? Do you believe that something can be done about the problem?' If people do not perceive it as a problem, they have a right as individuals not to accept that sort of treatment. But what concerns me at the moment, Mr Deputy Speaker, is that, certainly in Alice Springs and outside of Darwin - in the minister's own words - facilities are not available for people to be confronted with exactly those sorts of questions.

Mr SMITH (Millner): Mr Deputy Speaker, I rise to correct a wrong done to me by the Minister for Transport and Works in the adjournment debate last Thursday. In fact, the Minister for Transport and Works had the temerity to

say that I made a statement that was wrong. I would like to correct the record.

Mr Everingham: We all do sometimes, you know.

Mr SMITH: I know, I recognise that I may do it sometimes but I am upset that I was blamed when I did not do it.

In response to a comment I had made concerning an Ansett proposal to fly down the Centre, the honourable Minister for Transport and Works said, and I quote from my copious notes: 'Ansett's proposal was for a 7-day-a-week service between Darwin, Katherine, Tennant Creek, Alice Springs and vice versa maintaining the connection between Tennant Creek and Katherine'. Page 47 of the daily record shows an amazing similarity between my notes and that record.

That, Mr Deputy Speaker, quite clearly contradicts a press release by the Minister for Transport and Works dated 6 March 1981. This press release states, and I quote: 'Alternatively, Ansett had offered a 5-day-a-week F27 milk-run service, with weekend commuter operations on the Alice Springs-Tennant Creek and Katherine-Darwin runs'. Last week, the honourable Minister for Transport and Works said 'that a 7-day-a-week proposal had come from Ansett'. On 6 March 1981,he said there was a 5-day-a-week proposal with commuter operations on the weekends. I will give you the essence of what I said last week.

Mr Everingham: You said F27s once last week when you should have said F28s.

Mr SMITH: I will make this speech, if you do not mind. I said last week, Mr Deputy Speaker, that the Ansett proposal, when the proposals were being considered, was for a 5-day-a-week milk-run service with F27s and weekend commuter operations linking Alice Springs-Tennant Creek and Darwin-Katherine. So, an apology from the Minister for Transport and Works may be in order at some stage. More importantly, the Minister for Transport and Works either misled this Assembly or he misled the public on 6 March 1981. I think, for the benefit of everybody concerned, it would be extremely useful if the minister could attempt to sort out the confusion that he has created.

Mr Deputy Speaker, I would like to cover other aspects of his comments last week. As you will recall, last Thursday the minister gave an assurance that there would be no cutbacks in Territory services until the communities of Katherine and Tennant Creek had been fully consulted. Airlines of Northern Australia have sought a cut in their services on the milk-run from 7 days a week to 5 days a week. The minister said in response that, if the down-the-track communities rejected the switch from a 7-day to a 5-day service, the government would need to look at the situation very seriously. The minister then said that, if the community wanted a 7-day-a-week service, but Ansett felt it could not afford such a service, the airline might well withdraw from the Territory. The minister said - I believe these to be his exact words: 'How do you know what it would do in circumstances like that?' Is the minister syaing that he will just wait and see whether the airline is prepared to continue operating if Tennant Creek and Katherine communities want a 7-day-a-week service? It would appear simply that this government again is reacting to problems within the Territory's air transport system at a time when a strong and clearly enunciated aviation policy is desperately needed.

In 1979, such a strong policy was put forward by this government. This policy was then given legislative backing in this Assembly with the passing of the Aviation Act. On 21 November 1979, the then Minister for Transport and Works, Mr Roger Steele, said in this Assembly: 'It is the government's intention that, if a viable regional airline is to be established, it will be protected from unfair and highly damaging illegal competition. I would like to make it clear

that any infringement of a licence will bring down the full force of government counteraction'. The minister said that it was essential that the government had powers to act quickly and appropriately. He said that it was the view of his government that such powers were absolutely necessary. The Aviation Act made such powers available and the Labor Party supports it.

What happened to these strong government powers and the promised government protection? On 21 February 1981, the Manager of Northern Airlines, Barry Cooney, said: 'Charter operators have run rampant over Northern Airlines' routes'. Not once was the act policed and not once was the fine of $10,000 for charters on RPT routes ever followed through. In fact, Northern Airlines pilots reported 15 illegal charter operations between 1 October and 3 October 1980. Between 1 November and 11 November, Northern Airlines reported to the Department of Transport and Works another 20 illegal charters and, between 13 November and 25 November, Northern Airlines reported another 9 illegal charters. In all, during a 90-day period, Northern Airlines were able to report 141 violations of its RPT routes. The Airlines Advisory Committee, a committee set up to advise the minister on the problems of illegal charters, wrote to the minister informing him of these breaches. According to the chairman of that committee, there was no response from either the minister or his department. In this regard, the government failed to implement its own aviation policy.

Mr Speaker, in signing the agreement with East West Airlines, the Territory government pledged unequivocal support for the regional airlines. Clause 21(c) of the agreement stated:

> *Subject to the laws of the Territory, and as far as practicable, the Territory shall utilise available services of the regional airlines for appropriate government travel, cargo movement, avaiation and engineering work.*

In terms of general government support for Northern Airlines, in a letter written to the member for Stuart, Mr Vale, a Northern Airlines pilot said: 'It seems incredible that so much government work was, and is being, granted to charter operators while it is quite obvious that Northern Airlines needed so much assistance to establish the viability of the airline'. Again the government failed to implement its own aviation policy. The result was the collapse of Northern Airlines and the return of the 2-airline system to the Territory in the form of the Ansett subsidiary, Airlines of Northern Australia. After only 1 year with Airlines of Northern Australia, the Territory is again faced with the prospect of a reduction in the level of services.

I said last week that I fear there will be a further decline in the standard of air services in the Territory as Ansett continues to rationalise its national operation, despite the minister's assurances to the contrary last week. The Territory had its opportunity to have a regionally-based airline and, largely as a result of government action or lack of action, this opportunity has been lost. I call on the minister to look to the powers he has available to him through the Aviation Act and ensure that Territory interests are preserved and not simply say: 'We will have to wait and see what happens'.

Mr DONDAS (Transport and Works): Mr Speaker, the first point that I would like to take up is the powers under the Aviation Act about which the honourable member for Millner alleged the Department of Transport and Works failed to use.

At the time of the 14 aircraft sightings reported to be operating illegally over Northern Airlines routes, 5 of those aircraft were interstate. Nevertheless, that is history. That was 15 months ago. At the time when Northern Airlines collapsed, the member for Millner was not involved in this Assembly and could

not be aware of the dialogue that took place at that particular time. There were so many reasons for the collapse of Northern Airlines that it would be impossible to list them in this adjournment.

The proposal that I took to the communities of Tennant Creek and Katherine was that Airlines of Northern Australia would provide a 7-day-a-week service. That is the proposal that I took to the communities in February and March. There were all kinds of proposals floated by both TAA and by Ansett. I took 2 proposals to the councils on that day. The first was that TAA would provide a service from Ayers Rock to Tennant Creek via Alice Springs and a service between Groote, Gove, Darwin and Katherine with no service between Tennant Creek and Katherine. The Ansett proposal was a 3-day-a-week service between Darwin and Alice Springs, keeping the connection between Katherine and Tennant Creek, a twice-a-day service from Alice Springs to Ayers Rock and a daily service with the F28 and F27 between Darwin, Gove and Groote Eylandt. That was the proposal and that is what I said in this Assembly. I did not mislead the Assembly.

A press statement early in March may have very well said that because that was the proposal that Ansett was floating at the time. We were able to convince Ansett and TAA to increase the level of services that they would provide. We drove a very hard bargain. I believe the government did very well in its negotiations with the airlines to ensure both Katherine and Tennant Creek received the services they are entitled to.

This saga went on from 1 January until 6 April when Ansett Airlines ran that particular service on an interim basis. What the member for Millner does not realise is that, after the collapse of Northern Airlines, the airline services in the Northern Territory became chaotic. On the Alice Springs-Ayers Rock run, we were losing a very good reputation that had been built up over a number of years by tourist operators. People who were coming through the international airport were coming to Alice Springs and there was no air service to take them out to Ayers Rock. Consequently, the reputation of the Northern Territory tourist industry fell. That was one particular point that had to be taken into consideration, and the member for Millner was not here at the time to observe that.

The other problem was the people in Tennant Creek and Katherine needed the air service for their daily needs, medical supplies, newspapers, other goods and also for the carriage of passengers between those 2 points. Thus,we entered into an interim arrangement with Ansett to provide that service and to give us time to advertise and call for expressions of interest to provide services in those areas. After an evaluation was made of the 14 or 15 organisations, we settled on a proposal that Ansett would provide a 7-day-a-week service for the milk-run. I thought that was very good.

A year later,we have to rationalise the operation. No person in his right mind would accept that we would tip $1m down the drain to maintain a service that could be upgraded with a jet service. You must remember that it promised in the agreement that it would provide a jet service within 2 years. It has done it within 6 months. In actual fact, it did it within 5 months because the original arrangement was for a 7-day F27 service. After about 3 months of operation, we had F27 services from Monday to Friday and F28 services on the Saturday and Sunday. The member did not do his homework properly. The proposal I took to those communities was the service that we finally got from Ansett.

With regard to the sightings by Northern Airlines, at the time, it was operating a Metroliner which was clearly the wrong choice of aircraft. Members in isolated communities such as Arnhem Land, Victoria River, Gove etc were not

receiving a service because Northern Airlines was not able to provide one. On more than one occasion, telexes and telegrams were received from the member for Arnhem complaining about the service of Northern Airlines. I was receiving telexes every second day: 'Where is the Northern Airlines service at Milingimbi, at Elcho Island, at Goulburn Island, at Maningrida?' Other complaints were coming in. Other charter operators were able to provide the service. Consequently, when Northern Airlines could not provide the service and somebody flew over that route to provide a service to those communities, Northern Airlines lodged a complaint. The complaint fell on deaf ears when it was not providing the service to areas that it had promised to serve. There was a moratorium to allow charter operators to fly over certain routes to allow Northern Airlines to develop. The saga went on for 15 months.

Mrs Lawrie: Did you look at their safety standards?

Mr DONDAS: The safety standards are determined by the federal Department of Transport and most of our charter operators in the Northern Territory have received their 203 licences through the federal Department of Transport. We issued the licences for the airlines to operate. Four charter operators were given a licence to operate. One was Air North which got the route between Darwin and Snake Bay and Bathurst Island. Murin Airways got a licence and used it through Air North. Ossie Osgood serviced Milingimbi and Ramangining and Graham Ball serviced Oenpelli and Croker Island. The communities were finally receiving a service. Today, 15 months after the collapse of Northern Airlines, I have not received one complaint from any of those communities about lack of service.

Mr Collins: We tried to tell you that, Nick.

Mr DONDAS: I am only trying to pick up the point that the member for Millner made: that I made statements in the Assembly that were not true. The proposal that I took to the communities early last year did reflect the service that we finished up with - a daily service.

Last week, I tabled a proposal from Ansett in a letter which has been included in Hansard. Ansett and the department will be talking to these communities within the next 2 or 3 days. Once we know the outcome of those particular proposals, Cabinet will be able to decide what course to take. As I said the other day, we must accept the realistic position that it is losing large sums of money and must rationalise the service. Whilst it has an agreement, I am quite sure it would maintain the service for the period of the licence but, when that licence expires, who knows what action it will take if we have not made some serious attempt to rationalise the service. Until we know what will be the outcome of the discussions with the communities involved, Cabinet is not in a position to make a decision. We have given an assurance that we will not accept anything less than a 5-day-a-week jet service and presumably some kind of commuter service operating on either Saturday or Sunday. I cannot say any more than that, Mr Deputy Speaker.

Mr LEO (Nhulunbuy): My contributions to this debate were made last Thursday. In order that people may be able to compare all the facts and figures in one document, I would like to read into Hansard a copy of a press release issued by the Minister for Transport and Works on 6 March 1981:

Mr Dondas will travel to Katherine, Tennant Creek and Alice Springs today and will visit Gove and Groote Eylandt. He said that the major airlines had submitted good proposals. Mr Dondas said that TAA's submission involved a splitting of the milk-run with Alice Springs-Tennant and Katherine-Darwin services avoiding the low

revenue Tennant Creek-Katherine service. He said that TAA proposed to use an F27 prop jet 7 days a week on the run and also provide 14 services a week to Gove and Groote Eylandt with F27s. Mr Dondas said TAA was not interested in taking over the Nomad operation on the aerial medical and coastal surveillance contracts. He said that TAA had also offered 14 services a week to Ayers Rock supplemented by commuter aircraft services. Alternatively, Ansett had offered a 5-day-a-week F27 milk-run service with weekend commuter operations on the Alice Springs-Tennant Creek and Katherine-Darwin runs with a progressive substitution of F27s for the commuters and F28s for the F27s 5-day-a-week service.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I would like to refer honourable members to what I thought was a thoughtful and thought-provoking article that appeared in the NT News on Saturday by Peter Wilson, the political correspondent of that paper. I am sure that you and most other members will have read this article. If Mr Wilson keeps on in this vein, he will be an asset to a paper that needs a few assets.

There are a few comments that I would like to make on this article. I might say that, although I thought it was a good and thought-provoking article, I disagreed with his conclusions. Mr Wilson asks: 'Are members talking about the things they should be talking about or should many of the things they do talk about not more properly be tackled outside the House?' Of course, he went on to list examples of questions asked by some members. Perhaps some of these questions were not the best they asked during the last week. He said at one point about ministers: 'They should be in a position to get on with the business of government and not have to sit and listen to often repetitive flim-flam'. I am sure that he was not speaking about government back-benchers when he made those remarks.

It seems to me that question time, whatever the questions are, is one of the most valuable sessions in the Legislative Assembly. I would be loath to see it curtailed as a result of the content of the questions. The electors must judge for themselves whether the questions that their members are asking are getting to the nub of the problems that afflict the particular constituents. Mr Wilson also said: 'But is it not time to consider altering Standing Orders so that ministers can leave the Assembly while debates are continuing?' Well, of course, Mr Deputy Speaker, as you would know, ministers can leave the Assembly and so can any other member at any time really, with a few minor technical exceptions such as I think after a division has been called.

The problem is not the Standing Orders. I think that we should say quite plainly here that the government believes that its members should be at the Assembly as far as possible for the full time of the Assembly sittings because our responsibility is primarily to the parliament. Whilst it is difficult at times to concentrate on everything that is happening here when you know you have so much back in the office to do, a lot of which is much more pressing business, nonetheless we are members of the Assembly, we are accountable to the Assembly and we should be at the Assembly. Whilst it is inconvenient and difficult and a great deal of pressure is put on ministers at the time of the Assembly sittings to get on with the ordinary business of government which, believe you me, is by and large unfortunately a lot more difficult generally speaking than handling the Assembly sittings, nonetheless, the principle is that we should be here. I do not think it is the intention of ministers of this government to abandon the long-held policy that we should attend most if not all times during Assembly sittings unless for some very good reason.

Mr Deputy Speaker, if you would like to kick the press out of the press

box, we could use that to see and hear what is going on and get some business done - have a few phones installed, give dictation, get through the files etc. I doubt that that is likely to happen. Perhaps that is something that could be thought about for the new Parliament House, something like the room with the glass wall at the back of the church where the mothers take their babies to feed.

On the subject raised by the member for Nightcliff, I must say that I was extremely disappointed to hear of the Office of Information contract that was awarded, apparently without tenders being called, to the firm in Western Australia. I can say unequivocally that the former Director of the Office of Information - who resigned unfortunately before I came back from overseas, and saved me a job - was told in the presence of the Director-General, after the last episode, that there should be no repetition of that sort of thing. In fact, the Co-ordinator General was directed by me that local groups, companies etc get a go at all government tenders in the co-ordination committee. Therefore, as far as I am aware, there is no departmental head or head of any statutory authority who is not aware of that government policy. In any event, they should have been aware of it well before then. I would say though that Wayne Zerbe and other photographers around Darwin and the Northern Territory have had a great deal of support from the Northern Territory government and its different bodies over the years. I know that we have bought numerous copies of all their various books. I doubt if they could publish the books without getting the initial orders from the government to enable them to know that they will be able to meet printing costs.

The honourable member for Nightcliff referred to some problems with the Tourist Commission. I have advice from the Tourist Commission that all printing jobs emanating from the commission within the Territory are placed with the Government Printer with strict instructions to use local private enterprise wherever possible. All advertising for the Tourist Commission is currently placed with Leo Burnett, the advertising agency in Sydney, which does the Tourist Commission's work. I might say that there is not an advertising agency in the Northern Territory, as far as I know. Leo Burnett will be opening an office in the Northern Territory shortly. No outside consultants are used. Photographs are purchased locally wherever possible. Audio-visual work is subcontracted interstate because this expertise is not available locally. It may be that Leo Burnett let the contract that the honourable member for Nightcliff was talking about and that it was in the nature of advertising. I know my colleague, the Minister for Tourism, is looking into the matter.

To get back to the subject on which I was in midstride when my time ran out last Thursday, I think I was at the point of commenting on a statement by Mr Maurice on the After Eight interview: 'Various ministers maintained an open-door policy to constituents who had been involved in particular matters before the Liquor Commission and who have felt a sense of grievance. I am quite confident that this has undermined the workings of the commission'. It appears that what is sauce for the goose is not sauce for the gander because I have a letter here dated 22 March from Mr Maurice to the honourable Marshall Perron, lobbying the minister about a decision of the Town Planning Authority in respect of a certain marina. I am informed that, not only did Mr Maurice write to the Minister for Lands and Housing about this matter, he telephoned his office and the minister on a number of occasions, canvassing and questioning the decision in this particular matter. I am surprised then that Mr Maurice would be shocked that other people would do the same thing in respect of decisions of the Liquor Commission. If anyone wants to read this letter from Mr Maurice, I have it here.

I do not think that there is a great deal more to say other than to comment

on the fact that Mr Pitman tendered his resignation. People seem to have thought that, when Mr Pitman tendered his resignation, the government should have pleaded with him to stay on. He wrote a private and confidential letter to me in which he tendered his resignation. I have an inflexible rule in this matter. When people tender their resignations to me, I never ask them to stay on. If someone offers a resignation to me orally, in my presence, I pass a pen and paper for them to write it out. This is a result of experience over the years. If someone has taken a decision - and Mr Pitman took several days to arrive at his decision apparently - to offer a resignation, then one should accept it, because that decision has been taken mentally and invariably, in the past, when I tried to persuade, or persuaded, people to stay on, things just never worked out.

I must say, though, that I am sorry that Mr Pitman chose to resign. As I said, it was a shock to me. I take exception to Mr Maurice's almost final statement that he is certainly not prepared to remain as an officer under a government led by Mr Everingham, at least while Mr Everingham is prepared to treat people in the way he has treated Mr Pitman in this case. Well, Mr Pitman offered his resignation.

I may have criticised Mr Pitman once in the 3 or 4 years of the operations of his commission. Mr Pitman is still in the public service. He has been offered a position within my department. In fact, I think he has been offered a couple of positions, but he has definitely been offered a position within my department. Personally, I have nothing against him. All I could say of Mr Maurice, I reiterate, is that he did not make any attempt to contact myself or the Minister for Education who was acting Minister for Health, to find out anything of the circumstances surrounding this event. Mr Maurice tried and condemned both of us without hearing any evidence from what I will call the defendants in the case. In my case, Mr Maurice tried and condemned me in my absence overseas. In fact, it would appear, if one looks at the juxtaposition of the dates in this matter, that Mr Pitman's resignation was known of by the public, and certainly by Mr Maurice, well before I went overseas. Mr Maurice, apparently, waited until I had been overseas for at least a week before he decided to tender his resignation.

All I can say, Mr Deputy Speaker, is I find his tactics repulsive and I am rather pleased that he has decided to ditch.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITIONS

Abortions in the NT

Mr B. COLLINS (Arnhem): Mr Speaker, I present a petition from 21 citizens of the Northern Territory expressing concern at the increase in the number of abortions performed in the Territory. The petition bears the Clerk's certificate that it conforms to the requirements of Standing Orders. Mr Speaker, I move that the petition be received.

Motion agreed to; petition received.

Unkempt Blocks and Footpaths

Mr STEELE (Ludmilla): Mr Speaker, I present a petition from 115 citizens of the Northern Territory relating to the lack of control exercised over large vacant areas of open space, underdeveloped private blocks and footpaths. The petition bears the Clerk's certificate that it conforms to the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of citizens of the Northern Territory respectfully showeth that residents of the Ludmilla electorate are greatly concerned by the lack of control exercised over large vacant areas of open space, undeveloped private blocks and footpaths. Your petitioners humbly pray that the ministers of the government in the Legislative Assembly take immediate steps to ensure proper control by the Darwin City Council by removing or causing to be removed existing and potential health and fire hazards by cleaning up these unsightly and overgrown areas, and your humble petitioners, as in duty bound, will ever pray.

TABLED PAPER

Report of Visit of Chief Minister to Malaysia, USA and Europe

Mr EVERINGHAM (Chief Minister): Mr Speaker, I table a report on my visit to Malaysia, Europe and the United States of America. There are other documents which I brought back with me from Alaska, Hawaii and other places. They are available to honourable members via the library. These documents include material on the Diablo Canyon nuclear power-station, on Alaskan statehood and on Hawaiian statehood.

MINISTERIAL STATEMENT

Population Projections for NT

Mr PERRON (Lands and Housing) (by leave): Mr Speaker, the 1981 census was a major event throughout Australia and its results will have an important effect on the nation and on the Northern Territory. Government is all about serving the needs of people, and there can be no greater stimulus as to government action than population movements. Therefore, Mr Speaker, the Territory government's population projections group study of the 1981 census figures and its revised projections in view of those figures will be of interest to members of this Assembly.

The revised population projections represent the best estimate of the

future population of the Northern Territory and its major urban centres based on current available information. The projections provide a common set of population figures which can be used for planning purposes. This was one of the objectives in the formation of the population projections group which contains representatives of the Departments of Treasury, Chief Minister, Community Development, Lands, Mines and Energy, Education and the Industries Training Commission and the Australian Bureau of Statistics.

I want to say that we seem to have found ourselves a body of some perception. The group's first population projections last year, working without recent census figures, fairly well pinpointed the way that the Territory was going. Variations between the projections and the actual census figures in the main urban areas were less than 1%. The group has now presented its population projections to the year 1990 and these predict that the Territory in that year will be supporting a population of 172,760, an increase of almost 50,000 on last year's census figures.

In 1990, it is projected that Darwin will have a population of 86,000, Alice Springs, 25,000, Katherine, 4700, Nhulunbuy, 4300 and Tennant Creek, 4300. It is expected that the Territory population will grow each year by about 4% Tables prepared by the group show these projected trends in detail year by year and these will be published in pamphlet form for general public release.

Mr Speaker, I seek leave to table those 2 tables of projections, one on population levels and the other on population growth rates.

Leave granted.

Mr PERRON: The population projections group intends revising its figures annually and I commend the group for its valuable work and its important contributions to the planning processes in the Territory. These processes are the response from government initiatives to keep up the continuing pace of development in the Northern Territory. We all know that the Territory is growing faster than any other sector in the Australian community, and I believe that this has not just happened of its own accord. It is happening largely because this government has planned it to happen.

The policies of the government are synchronised to promote necessary and appropriate development and it is satisfying to find that these policies are backed up by proper population figures which show that the policies are working. The prediction that the Territory will continue to grow at the rate predicted by the population projection group will mean a better future for all Territorians.

STATUTE LAW REVISION BILL
(Serial 186)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

After the spate of Statute Law Revision Bills that I have introduced in this Assembly over the past couple of years in connection with the reprinting and consolidation of our laws, honourable members will be pleased to learn that this exercise is coming to an end. Indeed, I gave the Assembly something of a respite last sittings by not introducing one of these bills. This Statute Law Revision Bill is again singularly unremarkable and honourable members will find that it contains more of the same. It is so much more of the same that, try as I might, I cannot find anything in it that warrants special comment. I therefore simply commend the bill to honourable members.

Debate adjourned.

LOCAL GOVERNMENT AMENDMENT BILL
(Serial 215)

Bill presented and read a first time.

Mr ROBERTSON (Community Development): Mr Speaker, I move that the bill be now read a second time.

This bill seeks to effect 4 principal amendments to the Local Government Act, the first of which is to vest in municipal councils the right to determine the maximum level of fees to be payable to their aldermen in any financial year. At present, the maximum amount which may be paid to aldermen as fees for attending meetings and for other matters relating to the business of the council is prescribed by regulation, and the government has recognised that such a prescription fails to have regard to the varying demands placed on the time of the aldermen dependent upon the size of the municipality. The government has therefore decided to enable more realistic fees which take into account all relevant factors and that the power to fix maximum amount of fees payable to aldermen in any financial year should be vested in each municipal council.

Mr Speaker, if I may digress, honourable members will also be aware that the matter of aldermanic fees was referred to the Remuneration Tribunal by the government under the Remuneration Tribunal Act some time ago. In the deliberation of the tribunal at that time, the report indicated that the tribunal could not find good cause to award of itself an increase in fees to aldermen who were serving in councils throughout the Territory. At the same time, the tribunal did recommend that it was the councils who ought to set those fees. In fact, it was the tribunal's report that, more than anything else, led to this legislation.

The local government accounting regulations will be amended to provide that the council shall, at the time it publishes its annual estimates, publish a notice setting out details of the maximum fee which has been determined. Other important amendments contained in the bill are to the electoral provisions to bring them into line with the Northern Territory Electoral Act. In particular, the hours of polling are proposed to be set at 8am to 6pm in lieu of the present 8am to 8pm to be consistent with the Legislative Assembly elections. A returning officer will be empowered to adjourn the scrutiny of votes to another day. The power to adjourn the scrutiny is necessary because of the revival in community interest in municipal affairs. Closely contested elections by multiple contestants are now not infrequent and the need to allocate preferences can result in an extended count.

Finally, Mr Speaker, the bill seeks to amend the rating provisions of the act to enable a council to fix a local rate determined in accordance with the provisions of regulations, the payment of which will exempt the ratepayer from further payments for that purpose for the period specified in the regulations. This amendment is to permit the Darwin City Council, in particular, to accept a discounted lump rate in lieu of the annual local rate as part of its car-parking strategy. The council believes that a rate of this nature will be attractive to ratepayers in the central business district and, if a sufficient number accept the option, it will be able to substantially reduce the principal of the $4m loan to finance the West Lane Car Park. Those words, Mr Speaker, are those of the council and are not necessarily supported by myself. We wish them well. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr DONDAS (Transport and Works): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent 2 bills relating to part of the government's program to introduce updated safety and loading requirements for commercial vehicles being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee report stages, the third readings of the bills together, and the consideration of the bills spearately in the committee of the whole.

Motion agreed to.

CONTROL OF ROADS AMENDMENT BILL
(Serial 217)

MOTOR VEHICLES AMENDMENT BILL
(Serial 218)

Bills presented together and read a first time.

Mr DONDAS (Transport and Works): Mr Speaker, I move that the bills be now read a second time.

These bills are part of the government's program to introduce updated safety and loading requirements for commercial vehicles. They constitute a portion of the rationalisation of all land transport legislation which the government is currently undertaking. The bills are complementary in that some current provisions of the Control of Roads Act are to be repealed and transferred to the Motor Vehicles Act. Mr Speaker, I will give to the Assembly a little background on the legislation.

Until the early 1970s, the road transport industry in Australia was beset by a variety of state and Territory regulatory laws which made interstate operations unduly onerous and imposed unnecessary costs which the community had to absorb. In 1973, the Australian Transport Advisory Council, ATAC, agreed that the National Association of State Road Authorities, NASRA, undertake an investigation into the practicality of uniform transport law, particularly on the aspects of maximum loadings and dimensions. The NASRA study entitled 'Economics of Road Vehicle Limits', commonly called the ERVL Report, was considered by ATAC in 1978 and its amended recommendations adopted.

In 1979, my predecessor as Minister for Transport and Works, the honourable Roger Steele, appointed a joint industry departmental committee to consider how the Northern Territory could best adopt the NASRA recommendations endorsed by ATAC. I would emphasise that the results were the joint efforts of many people and I express my particular appreciation to the contribution by the industry members. I am sure that honourable members need no reminder of the economic importance of the land transport industry to the Northern Territory. The committee had the task of examining the nationally-adopted rules to ensure that the existing transport industry could be reasonably expected to comply, would benefit as much as possible, would suffer no reduction of loading for a reasonable period, could operate to maximum advantage and would get a clear indication of the legal requirements for future fleet development.

The committee, referred to locally as the NT ERVL committee, made a series of recommendations which were accepted by the government. The recommendations were necessarily a balanced compromise between maximising the loading for and the dimensions of commercial vehicles, a reasonable economic life for the road network, particularly bridges, and the safety of the vehicle in traffic. These

factors were also considered from the aspects of simplified administration and enforcement. I should add that, subsequent to its earlier study, NASRA undertook a further complementary examination of loads and dimensions involved in road train operations. ATAC adopted the recommendations in February 1980. These are being revised jointly by industry and the Department of Transport and Works. Specific proposals suitable to the NT will be recommended to the government.

There is one very important feature of the legislation of which members of the Assembly should be aware. There are vehicles which are registered now which do not conform to the new standards. Owners of these vehicles will be permitted to load them to the current legal limits for a time. I would draw the attention of the honourable members to clauses 50 and 51 of the Motor Vehicles Amendment Bill. For buses which do not conform, the existing law will apply until 1992 and, for other vehicles, until 1987. This recognises the economic life of the vehicle and provides a fair period for owners to reorganise their fleets so that they may continue to maximise their loading. I would emphasise that those non-conforming vehicles do not become illegal. They will not be able to gain the benefits of high loading at the end of the phase out period.

Mr Speaker, I have dealt at some length with the philosophy behind the bills. There are other matters I must mention. The Control of Roads Amendment Bill repreals certain sections to be repeated in part or in full in certain sections of the Motor Vehicles Act or in regulations which will be created to deal with all the present and future mechanical, loading and dimensional requirements of vehicles in the Northern Territory. For that purpose, clause 8 of the Motor Vehicles Amendment Bill extends the regulation powers of section 138 of the Motor Vehicles Act. There are some important changes to the wording in certain clauses in the Motor Vehicles Amendment Bill. I will deal with those in committee. However, I should comment particularly on sections of the Control of Roads Act to be repealed, and not to be in the Motor Vehicles Act.

Section 38A is to be repealed. Its provisions are covered by the transition and savings clause 6 of the Control of Roads Amendment Bill and the permit-issuing powers of new section 59 intended for the Motor Vehicles Act. Sections 41, 42, 43 and 44 will be covered by suitable regulations as I have previously mentioned. Although I have mentioned my intention to discuss in committee the details of changes in clauses in transition from the Control of Roads Act, I would draw attention to new section 64 intended to the Motor Vehicles Act. A comparison with section 49 of the Control of Roads Act will show that, with the new features, any driver may be required to go to a weighing station within 30km of the forward journey. Drivers will no longer so easily wait out a transport inspector by remaining outside 30km of a station. Drivers told to legalise their load will be required to prove that they have done so.

Mr Speaker, in conclusion, I commend the good working relationship between the officers of my department and members of the transport industry which has been enhanced by the work of the ERVL committee. I hope that this cooperation will continue in the future for the benefit of all sections of the community. I commend the bills to honourable members.

Debate adjourned.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL
(Serial 172)

Continued from 10 March 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this small bill is to amend the Financial Administration and Audit Act. The act provides that audit procedures for statutory bodies established by the government should be carried out by normal commercial practice. The government has established, and no doubt will continue to establish, statutory bodies which have no basis in commercial practice and these restrictions are unsuitable. The bill provides a simple amendment which allows the way in which the accounting is to be taken care of to be varied by an instrument in writing from the minister to the particular statutory authority. The opposition supports the bill.

Mr ROBERTSON (Community Development): Mr Speaker, I would like to remind members that the Assembly has had cause for concern in the lateness of the annual reports required by statute of the Darwin Community College. I would certainly commend to the Treasurer that such a certificate be issued in respect of that institution. I believe that one of the difficulties that it has had is trying to comply with commercial practices in a totally non-commercial venture.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

JABIRU TOWN DEVELOPMENT AMENDMENT BILL
(Serial 226)

Continued from 27 May 1982.

Mr SMITH (Millner): Mr Speaker, this bill presages an important step forward in the development of Jabiru. In fact, it is some sort of culmination of the statement made by the Chief Minister in March last year that he, and presumably his government, supported some sort of local government for Jabiru. It has been a protracted business and I am sure every member is aware of the extent of that protraction in the last 12 months. Certainly, I do not intend to go through that process again.

In the opposition's view, this is probably the third best approach that could have been adopted for the provision of local government in Jabiru. The best approach in our view would have been direct representation on the Jabiru Town Development Authority, and I think that also has been quite exhaustively canvassed. The second option that we would have supported would have been a fully-elected advisory council. I would invite the Chief Minister, in his reply, to comment on the reasons why the government has not supported a fully-elected advisory council because I do not think that that has been sufficiently canvassed. In fact, I cannot remember the Chief Minister making a statement on that particular question. Having said that, the opposition does support this bill. We believe that, at the meeting held in Jabiru which was addressed by the Chief Minister, the Leader of the Opposition, the member for Tiwi and myself, the issues were thoroughly canvassed. In the end, there was broader support amongst a large number of people present for the bill that is currently before the Assembly.

The provisions of the bill are quite clear and are quite admirably and simply written. There are a number of easy procedures for encompassing development in local government within the town. I mention proposed section 25B which allows the minister to increase the size of council. I think this

is wholly admirable. It is quite clear that some time in the not too distant future, it might be advisable to increase the size of the council and this bill will enable the minister to do that in a very easy fashion.

The second initiative that I like was the one to replace elected members of the council who resign rather than having to go back to an election. The unsuccessful candidate with the highest number of votes automatically fills the vacancy. I think that is an admirable piece of drafting and will save a lot of time and energy.

Where I do have some reservation is with proposed section 25J which concerns meetings of the council. The Local Government Act quite specifically states that the council shall meet at least once a month. This bill is vaguer than that. I accept that perhaps it may be difficult over the Christmas/New Year period for this council to meet but I would hope that the council does have the intention of meeting on a regular basis and I would hope that it will signal that intention in its standing orders. It is most important that, in its standing orders, it very clearly indicates to the people of Jabiru that it is taking its responsibilities seriously and that it will be meeting on a regular basis so that other interested people who want to attend these meetings are able to.

In conclusion, I would congratulate the Chief Minister on the speed with which he has acted following the meeting at Jabiru and also on the spirit with which he has placed into this bill the major recommendations that came out of that meeting. Quite clearly, he has placed in the bill all the major recommendations that came from the meeting and I think that is admirable. I would remind the Chief Minister that there were other motions passed at that meeting. A motion was passed supporting in principle the concept of direct elected representation on to the JTDA. I think a time-scale of about 4 years was indicated by the meeting to the Chief Minister as a desirable time for that to take place. In a very important sense, this is an interim piece of legislation. We support it. The ultimate goal for Jabiru should be fully-elected local government and I am sure that people on both sides of the Assembly will be watching this interim step with great interest.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this legislation today, I would like to say that I appreciate the way it has been written. It is very easy to understand. Also, it expresses very clearly views of the people of Jabiru, as I know them, and as were expressed recently at 2 public meetings, especially the last public meeting at Jabiru.

The honourable member for Millner expressed 2 regrets. One was that there was no direct representation on the JTDA. At the last public meeting, the Chief Minister spoke at length on different matters relating to this legislation. He stated very clearly why, in his view, there could not be direct representation by the local people on the Jabiru Town Development Authority. The main reason was the delicate negotiations which have continued for some time with mining companies on financial arrangements which necessitate some confidentiality and which will probably continue in the future. This involves not only Ranger but possible Pancontinental and Denison Mines if their employees are to live at Jabiru.

The Northern Territory government has reiterated again and again, the policy that local government can and will devolve to any community that expresses clearly its wish to govern its own affairs, with consideration being given to the ability of those people to administer their local affairs. Coupled with the wish for autonomy must go the ability to administer this autonomy. Put another way, with rights go responsibilities.

Two public meetings were called recently at Jabiru for the purpose of gauging the wishes of residents for some form of local government to run in tandem with the Jabiru Town Development Authority. Individuals on the authority have contributed a degree of expertise in town construction and management without parallel in the Northern Territory. Nevertheless, with so many people living permanently at Jabiru - I think there are just under 1000 - it had been apparent for some time that there was a lack of communication between the Jabiru Town Development Authority and the people of Jabiru. This lack made itself apparent both ways: between the Jabiru Town Development Authority and the people and between the people and the Jabiru Town Development Authority. I do not believe any violent antagonism was voiced against decisions of the Jabiru Town Development Authority. Indeed, a wall of near-silence seemed to grow up around the authority. No one knew what was going on and, apparently, no one was able to penetrate the wall of silence to voice any views.

For some time, the government has considered that local government for Jabiru was becoming a necessity and the last public meeting at Jabiru gauged public opinion from a well-attended meeting where views were expressed very freely. The upshot was a crystallisation of views and the recent election. This was to elect members from among the residents of Jabiru and environs to a committee to advise the Jabiru Town Development Authority on all matters affecting the lives of the people at Jabiru.

Mr Speaker, this legislation formalises the wishes of the people at Jabiru, relating to the composition of the advisory committee and its function. It is important to note that, in keeping with the wishes of the people, most members of the advisory council will be elected members. Five members were elected recently. A further 3 members will be appointed by the government. This gives the majority to the elected members from whose number the chairman will be chosen. At the public meeting, it was very interesting to hear the definite views expressed by the people who attended. They did not want the Jabiru Advisory Council to be elected only from people who live in the town of Jabiru or to concern itself only with immediate problems or affairs affecting the people who live there. Views were clearly expressed that people standing for election could come from within a radius of 10km from the Jabiru Police Station and the council could concern itself with affairs affecting that region. Usually, in measuring distances from a central point, a post office is mentioned. Jabiru does not have a post office at the moment and this is creating some concern among people at Jabiru. But that is another matter.

Under the heading 'Establishment of the Advisory Council' variation can be made in the number of members if necessary. I assume that elected members would always be in the majority to give the people of Jabiru a definite say in how things will be conducted in their area. No doubt new section 25D, dealing with first members of the council, was included in this legislation to ratify the previous election and the appointment of 8 members.

Like the member for Millner, I was very interested to read new section 25F relating to filling of casual vacancies of elected members. To my knowledge, this way of filling casual vacancies has not been used before. It will save time and trouble and work for the convenience and streamlining of the work of the council.

This bill is in keeping with the views of the Northern Territory government in devolving local government on to the people if they wish it - and the people of Jabiru have shown clearly that they do. This is distinct from the way

the people in Nhulunbuy wish to have their local affairs conducted. In keeping with these views, the proposed amendment to functions of the council clearly states that the council shall concern itself with those matters within the competence of a council for a municipality constituted under the Local Government Act. This amendment is more clearly and concisely written than the clause in the bill. It shows clearly the intention of the Northern Territory government on this matter. It also states probably a little more clearly to the council what it can do and what it cannot do. I fully support this legislation.

Mr EVERINGHAM (Chief Minister): I have only a couple of matters in reply, Mr Speaker. The first relates to the point raised by the member for Millner in relation to the nominated members of this advisory council or council as I prefer to call it. The honourable member will recall that it was agreed at the public meeting that there would be 3 nominated members. The rationale for that, as I explained to the meeting, was so that the advisory council would not simply fulminate in a vacuum. The advisory council, if it had no nominated members, would no doubt have its meetings and filibuster away. Who would really hear but the walls? The idea was that responsible people from the JTDA, from the mining companies and from government were to be there to provide input and, hopefully, to formulate constructive courses of action in consultation with the advisory council.

The whole purpose of the advisory council, after all, is to maintain strong contact and liaison with the Jabiru Town Development Authority. For obvious reasons, the chairman of that authority is to be on the advisory council. The Co-ordinator General, Mr Ray McHenry, who has access to all areas of government and is probably rightly regarded as the Mr Fix-It in the government, is on the council for pretty obvious reasons. As I see it, it has been given the best possible nominated representation that it could have and there is absolutely no prospect of the nominated members staging any coup because they are outnumbered by the elected members. The elected members have the right to choose the chairman and the chairman has a casting vote etc. It seems to me that there are no loopholes left whereby we can take over Jabiru by a coup d'etat.

I also take the point raised by the member for Millner in relation to meetings of this advisory council. My philosophy in these areas is pretty straightforward. I try to do unto others, wherever I can, as the Commonwealth would do unto me. I do not think that we would relish it if the Commonwealth told us that we were to meet once a month. Therefore, why should we tell councils they should meet once a month? This is an advisory council that is elected by the people of Jabiru. If it does not meet frequently enough, the remedy is in the hands of the people of Jabiru because its elections are every 2 years. I think that, if the advisory council is totally inept and inefficient - and I am sure it will not be; the people elected to it seem to be a fairly reasonable bunch of people - the remedy is in the hands of the people out there. I notice that draft standing orders have been prepared already for adoption. The second standing order provides that ordinary meetings of the council shall be held on such day or days in each month and at such hours as the chairman decides. At least, there seems to be a prescription there that there will be a meeting each month.

We are trying to build up responsibility in these people; we are trying to build up responsibility in municipal councils generally. That is why I resist calls to send in an administrator to the Darwin City Council or to the Alice Springs Town Council. That is no cure. Really, unless there is some terrible financial malfeasance, it is the last remedy that should be tried. We want these aldermen to go through their baptism of fire. We want these councillors out at Jabiru to learn the hard way if they have to. It is only through experience that you will have good aldermen who will know how to do

their job and how to keep their eyes on the council bureaucracy.

I am not criticising town clerks. They have to get on with the job. However, in many cases, I fear they lack direction and the way they do the job does not always suit the people. They come in for criticism. If they do things that do not suit aldermen, then it is only because aldermen have not been active enough in keeping an eye on what they are doing. In fact, aldermen probably do not even know what is in the Local Government Act or regulations and do not have any idea of their proper responsibilities. Maybe we ought to run seminars for aldermen when first they are elected. Maybe it is our fault all along in not training them. The Clerk of the Legislative Assembly inducts every new member with a carefully framed course that turns out remarkable members, noted for their wisdom and perspicacity. You would think town clerks in council would perhaps consider running similar courses for their new aldermen, telling them all about the Local Government Act, the functions of the council and how they should do their work.

I have one amendment to propose, and that is further to the terms of agreement that we reached at the meeting on the functions of council. The whole aim of this exercise is to bring local government to Jabiru. There are many hurdles in the way. For one thing, whereas there is no taxation without representation, there is also no representation without taxation. None of these people are paying rates at this stage and that is one hurdle that we have to overcome because there must be some relationship between financial responsibility and real control over your affairs. You just cannot be in a position of making decisions to spend other people's money all the time.

I have no hang-ups at all about having some fully-elected representatives of the town on the Jabiru Town Development Authority in due course. However, as I explained to the meeting, it would involve at this stage bringing a very wild card into what is a very delicate pack of difficult and complex financial negotiations where the Territory taxpayer is being called on by the mining companies to foot as much of the bill as they can get him to. I just do not want to see new members introduced at this stage because we do not really know how they will go. Obviously, the more they can get, the more they benefit themselves. What they do for themselves by maybe voting with the mining companies on the JTDA might well result in a grave disadvantage in terms of millions of dollars to the Northern Territory taxpayer, and my responsibility is to him.

Mr Speaker, I think that that is about all that I can say in reply to this particular bill. So that the bill can proceed through all stages at this sittings, I move that so much of Standing Orders be suspended as would prevent the passage of this bill through all stages at this sittings.

Motion agreed to.

Mr EVERINGHAM: I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EVERINGHAM: I move amendment 107.1.

This is to omit proposed clause 25C and substitute a new clause 25C. This is in accordance with the agreement at Jabiru.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 107.2.

This amendment is for fairly obvious reasons. The representatives of the government will be appointed by the minister rather than by the authority.

Amendment agreed to.

Clause 2, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

PUBLIC SERVICE AMENDMENT BILL
(Serial 204)

Continued from 26 May 1982.

Mr SPEAKER: Honourable members, I have received an application from the honourable Chief Minister to declare the Public Service Amendment Bill (Serial 204) an urgent bill. I declare it to be an urgent bill.

Mr LEO (Nhulunbuy): Mr Speaker, this is a very important piece of legislation. It is part of the maturing of the Northern Territory, a consequence of self-government. It assumes responsibility for the audit. It is very important formally. I am sure members are aware the audit was conducted previously by the Commonwealth. The Chief Minister outlined the reasons for the bill in his second-reading speech.

Section 19 allows an Auditor-General to be appointed and the amendment to section 26 relates to the Auditor-General's staff. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL
(Serial 202)
THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL
(Serial 203)

Continued from 27 May 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, really there is very little to say about this legislation that has not already been said by the Chief Minister.

I make one comment in passing. I was very interested to compare the original statements made by the Chief Minister, particularly those he made in the popular press, with the statement he made yesterday. It was quite interesting to compare the Chief Minister's typical, in fact aggressive, shot from the hip taking on

the banks in the statement he made initially with the very moderate and deferential statement he delivered in the Assembly yesterday. The mergers are a commercial fact; they have taken place. I read the telexes which the Chief Minister was kind enough to send to me yesterday. I was convinced, after some legal consultation, that the points that they made in those telexes were valid and they would be able to accomplish this merger by legal means should they be forced to do so by any failure of this Assembly to pass these bills. That legal action, I have been advised, would be complicated, as they said, and expensive and would place the banks and their customers at an unnecessary disadvantage and inconvenience. All the states have agreed to pass this legislation and, along with the Chief Minister, I agree that it is encumbent on us to pass it also.

Mr Speaker, the opposition supports the bills.

Mrs LAWRIE (Nightcliff): Mr Speaker, I represent an electorate which has a high proportion of small business men in it who are engaged in private enterprise. I received several communications about the passage of this legislation. Most people realised that it would go forward and that various means would be found to allow the merger even if we proved unduly disruptive in the banks' eyes.

Several of these small business men listened with great interest to the honourable Chief Minister. Apparently, he was on After Eight one morning, either this week or last week. I received a number of submissions, mainly complaining bitterly about present bank practice in the Territory. I am going to read verbatim into Hansard a letter I received because it is indicative of the resentment felt by small business people operating and living within my electorate about the lack of sympathy from banks and some particular trading practices. I quote directly from the letter:

Dear Dawn,

I refer to Paul's statement on the radio ABC After Eight this morning wherein he said, more or less, the banks had better pull their finger out and start servicing the Territory properly before their merger legislation can go through. Any dill will expect the banks to say later today that they are good, top men and doing a marvellous job. This they are not. The main business of a bank is to buy and sell money; that is, they buy it at a rate of, say, 10% from one person (called investment) and sell at, say, 20% to another person (called a loan). In the process, they pick up 10% profit to use to cover costs in operating the bank.

This they don't do up here. For example, they refused over the last 2 years to sell me any money at all so I had to borrow privately from my building mate, my sound mate, and my surveying mate. These top people were all repaid smartly and, when they have been down on their luck, I have been able to carry them with loans of money and/or services. All of us, it seems, do not have the proper collateral trading references within the bank system or anything else that the banks require for them to assist us: honesty, integrity, being established Darwin residents for donkey's years, being in our own proven and established businesses for some years, businesses which we know all about with respect to services we offer and, therefore, we are not likely to go broke because of misjudgement of market trends and market needs, and overall

dealing of unwanted and unsaleable stock. We may oscillate between being overworked and making millions, so to say, and being underworked and running on the breadline, but we are still here with no assistance from banks or other financial institutions and without government assistance. All this counts for nothing.

We cannot get definitions of what collateral is, trading references are or anything else from banks and lending institutions. I have been told in conversations with ex-employees of these institutions that they are required to keep as far away from us as possible except to allow us to put our money in when we have too much lying around and to take it out again when we are short of it - like a glorified money box.

I know banks and others have been caught by fly-by-night operators but that is their fault for lending to non-local, fast-talking southerners who come up here on a fast-buck trip.

For my own situation, nearly 3 years ago, I took over a workshop and ...

There is a bit of private business that I do not want to worry the Assembly with.

I was left in the lurch for about $15,000 in personal and business debts. Although bankruptcy or shooting through were appealing alternatives at the start, I stuck with it and worked all day and night to repay both private and institutional debts fully and honestly. All was completed in 2¼ years.

Mr Speaker, I can verify that from personal experience.

The thanks I got from the lenders was a disastrous credit rating and an invitation to keep right away from them. The thanks I got from private creditors was respect and friendship. As proof of the former, I applied for a bank card and, after a week of pushing and shoving, I was given $500 with pomp and ceremony, as though they were saving me from world war 3. A week later, the card was cancelled because the local bank manager sent the wrong information to the wrong head office and 'could he have the $500, less what I had already repaid back to smooth things over'. No new account would be issued in lieu of this. The same happened with my surveying mate who wanted $1000 for new tools of trade, with the same results.

Because local industry is self-funding by one company lending its own money to another and vice versa without interest being charged or paid, local industry is becoming retarded as, rather than a company using available dollars for its own expansion, it is having to give them to another to pull it out of slow trading difficulties which are only temporary anyway.

If this is happening within our little trio, as I have mentioned, it must be going right across the board of all Territory industry. There is no reason why taxpayers'

money should be used to get people into their first home or to expand or to start new industry. However, until banks and other financiers start doing their jobs properly and competitively, the taxpayer is left holding the baby. It is therefore my intention that all sides of the Assembly, Libs, Labor and Independent, should stand united and as one against any cooperation with anything the banks want. At the moment, there are 4 main banks who, if they are competing at all, it is to offer the worst possible service. If they merged to become 2 main organisations, there will be no requirement at all to compete. Please do not comply with any bank's requirements.

Mr Speaker, the letter is written in semi-humorous tone but I can assure the Assembly that my constituent was not really joking. This letter has been perused by other small business men with his consent and they have asked me to add their concerns to those so adequately expressed by my constituent. Within the small business community, there is resentment at the treatment that they are receiving from trading banks.

Mr Speaker, I had this put into Hansard today because, whilst this Assembly will vote for the proposed legislation so as not to unduly retard any commercial practice involving the merger of banks, I share the Chief Minister's concern that banks within the Territory should cooperate with small industry to provide the best possible service available, particularly to local business men who have established a record of fair trading without trading in millions and therefore apparently without having the ability to deposit with the banks collateral of a large nature. I hope the honourable the Chief Minister will pay heed to the complaints of small business men in Darwin and in Nightcliff in particular.

Mr PERRON (Treasurer): Mr Speaker, I would like to just say a few brief words on this bill. It is fairly universal at social gatherings particularly of people in small business, for there to be criticism of banks. I think that it is unfortunate that that situation exists because, if such a view is so widely held, there has to be some substance in it. If many people involved in small businesses have the same view of banks, I suspect that it has to be true. The complaint that I seem to hear from people regularly is the amount of collateral or assets that a bank insists upon tying up when a small business man seeks an overdraft or loan. Most people could understand if the bank wanted collateral to the tune of 120% or 130% of the loan or overdraft. Quite often, they want several hundred per cent. They first find out exactly how far a person can stretch himself to gather together all his assets and they will take as much as they can possibly squeeze out of the man for his loan or overdraft.

That attitude is unnecessary. A bank or other lending institution - and this criticism does in fact apply to other lending institutions as well - has as its sole concern the production of its funds so that, in the event of default, the lending institution is able to recoup its outlay plus its interest. That is fully understandable. Surely for 120% or 150% assets, that could be done quite safely. However, they insist upon 200% or 300% of what you want to borrow. They will tie up assets that they have a first charge over. Banks should review their attitudes towards these matters. No doubt they have details of defaulting people to base their figures on so that they could still ensure that they are reasonably protected. I think that is a legitimate criticism of banks. It is one which will only be worn away when there is some more competition among banks. The legislation that we have before us today will not increase competition. It will no doubt reduce competition.

What I would hope to see in the near future is the federal government taking some decisive action in regard to at least some of the recommendations in the Campbell Report. I have always supported the recommendation that Australia should be opened up to almost unlimited entry by overseas interests and other interests within Australia which want to get into the banking market. Obviously, there is the necessity for some protection so that people who do start up banks cannot easily default. Apart from that, controls on the number of banks in Australia should be removed altogether. I hope that the federal government moves this way because I can assure the Assembly that, if some of the banks which operate in Asia and America - I am not familiar with the situation in Europe - were allowed into Australia, I believe that they would very quickly take a large percentage of the banking market, unless the Australian banks radically changed their attitude toward their customers.

Mrs O'NEIL (Fannie Bay): Since I also received representation similar to that received by the honourable member for Nightcliff, I would like to add my support to those concerns which she expressed on behalf of small business people. As the Treasurer also pointed out, it is a hard row to hoe for small businesses. Everything seems to conspire against them from time to time. Frequently, large institutions - and banks are very large institutions - are not particularly sympathetic to their small needs. The merging of these 2 banks will produce an even larger bureacracy which small business people naturally fear will be even less sympathetic to their circumstances than the banks already are. I can only say that I hope their fears are unjustified and that banks will listen to our pleas to be a little more sympathetic to small businesses in comparatively small places such as the Northern Territory.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I am sorry that the honourable Leader of the Opposition is disappointed that I started out blazing away. I seem to have come back to the field a bit on that particular matter. The thing that has been achieved is that we have made senior executives of major banking corporations realise and accept that there is a Northern Territory, that there is a Northern Territory Legislative Assembly and that there is a Northern Territory government. This is a lesson that is pretty hard to sheet home to these people. I do not think any opportunity to do that should be missed. I know that the banks are most unhappy about the publicity that they have had because they believe their images are pretty good. They do not like them being tarnished by the likes of lowly politicians such as myself.

There are many holes that I can shoot in those telexes and I am going to reply to them. They will be given to the press too. They have not given us dollar figures; they have only given us percentages. That is a start and we will see how the dollar figures compare with their percentages. The National Bank said: 'We are overlending in the trading bank field'. The figure was about 126%. Who is going to put any spare cash in the trading bank anyway? It is likewise with the Wales and the CBA. Its total of savings bank lending was around 30% of deposit. That means that there are millions of dollars in savings banks going somewhere in the Territory. Maybe you could say it is being cross-fertilised and going back into the trading banks in a notional sense. We will be able to drive a horse and cart through many of their statements.

It seems to me that it is pretty futile and pointless; in the light of the not too heavily veiled indication that they have given to us - and I will not use words stronger than 'a not too heavily veiled indication' - that they will find a way around the Northern Territory Legislative Assembly if we make them. I do not know really whether that does us any good either. Therefore, I am bringing this bill before you today and I will shortly move that we suspend Standing Orders. I am certainly not deferential to the banks, as the Leader of the Opposition suggested. Mr Speaker, I will be continuing with this campaign. These bills have been something of a catalyst for it. The replies that we

give back to the banks will, I hope, receive a measure of publicity likewise. We will keep putting salt on their tails until we get some satisfactory response in the savings bank area. Of course, we do have the commitment from the Bank of New South Wales to conduct a review of its operations. Seeing that there has been a chink in the armour there, it should not be too hard to get a commitment from the other banks to match the commitment of the Bank of New South Wales.

Another thing that should be done is that local managers should be given more authority. A couple of the banks such as the Wales and the Commonwealth have appointed regional managers for the Northern Territory but I still feel that these managers do not have the same independence or autonomy as their head office counterparts to make the type of decisions that chief managers in the various states would have. Apparently, the ANZ bank, for reasons known only to itself, has declined to appoint a regional manager in the Northern Territory.

I was very pleased to hear the Treasurer call for the federal government to implement at least some of the more important recommendations of the Campbell Report. I agree that the competitiveness that the Campbell Report envisages will be only to the benefit of the average Australian. My only concern is the person who is trying to raise money to buy a house. In effect, the Campbell Report really pulls down the dividing walls that we have so artificially erected in Australia at the present time between banks, finance companies, building societies, cooperative societies and all the rest. They are all only allowed to operate in a particular backyard. What I am afraid of is that the bigger building societies will rapidly assume the character of banks at the cost of the people who want to borrow money from them at better rates for home building. That is something that we must be a bit careful about. It is a major caution that I have with the Campbell Report.

The honourable member for Nightcliff read a letter from a constituent about the practices of the banks. I must say that people came down out of the trees to relate their experiences to me. I have not brought the representations here today. However, I do remember one chap saying that he had $150,000 worth of land to offer as collateral and could not borrow $15,000 from the bank which sent him to its finance company. This is a practice that I abhor in cases where there is clear equity. I remember that it happened to me when I was a young solicitor in Alice Springs. A bank manager said: 'You had better see our finance company for that loan'. I promptly went up the street to the bank that I bank with at present, fixed a deal with that bank and then went back and told the other bank manager that I was leaving him. All of a sudden, he found that he could fix me up with the bank after all and I did not have to go to the finance company. It was a bit late at that stage. I have always had an aversion to this sort of thing, based on my early experience. It is something I think the banks would do well to bear in mind.

I move that so much of Standing Orders be suspended as would prevent these bills to proceed through all stages at this sitting.

Motion agreed to.

Motion agreed to; bills read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

CRIMINAL LAW CONSOLIDATION AMENDMENT BILL
(Serial 188)

Continued from 25 May 1982.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EVERINGHAM: Queries in relation to the form of the legislation were raised by the honourable member for Nightcliff. In my reply, I gave some hint as to why this particular amendment had been drafted. As well as that, I now have the benefit of the draftsman's advice to me. I will read his memorandum:

Firstly, my instructions were to draft a provision to overcome the particular problem raised by the facts in the Alice Springs' case which foundered on the decision in Jones 1973 Criminal Law Review 621 which requires that there be and I quote: 'a substantial interference with the possessory relationship of parent and child'. I did this by reversing, in effect, the existing approach by making it depend on lack of parental consent rather than positive interference with possession which, in most cases, will be co-existent.

Secondly, it is a proposed subsection to an existing provision which deals with the concept of parental control and is in keeping with that concept.

Thirdly, removing the words will probably work but will create a far wider offence than that originally envisaged, the implications of which would require further consideration. For instance, the intentions of a lad taking a girl to the pictures, even with the parents' consent, might have him guilty of an offence even if, in fact, he does not or cannot reasonably expect to get to first base. The criminal law does not usually punish simple intention unless there is some positive step taken to put the intention into effect. This is often reiterated in connection with the attempt offences. If we were to remove the words, we would be punishing simple intention. Of course, it can be argued that the leading, taking or enticing is the step towards that intention. However, those actions, by themselves, may be legitimate. For example, the date with the parents' consent mentioned before.

The inclusion of the provision was a stopgap step pending the criminal code which, in its present form, would cover the Alice Springs situation. In those circumstances, I would suggest that we do leave it as it is.

Mrs LAWRIE: Mr Chairman, that is probably the poorest response from the draftsman that I have ever heard. The question I raised with the Chief Minister was that, as the section is presently drafted, it makes it unlawful for a person to lead, take or entice a child under the age of 16, without the lawful authority or consent of the person having the lawful care or charge of the child, with the intention of subjecting the child to sexual intercourse

or an indecent act by himself or another person, or of having that child participate in or exposed to indecent or obscene behaviour - not simply taking the child to the movies. The problem which I express very sincerely to the Chief Minister is that it would seem to be implicit in that, if the person takes the child with the consent of the parent or lawful guardian for the same purpose, a penalty shall not apply.

I made it plain that I was asking for his guidance as Attorney-General as to whether it was covered in some other circumstance that consent could not be given for a purpose which seemed on the face of it to be unlawful at another point in law. The Attorney-General agreed at the time that there seemed to be some ambiguity in the way this section was drafted. The member for Alice Springs spoke of the case in question which led to the drafting of what the Chief Minister has admitted is a stopgap act. I accept that. I accept the need for some legislation to overcome a loophole which presently exists and which was brought to light by the case in Alice Springs. I have no quarrel with that. I would vote for that with both feet.

My concern is simply that this is drafted in such a peculiar manner as to raise the question of ambiguity as to whether there is an offence if the child was taken with the consent of the parents.

Mr EVERINGHAM: Mr Chairman, if the child is taken with the lawful consent of the parents for some lawful purpose, there can be no offence. If the child is taken with the consent of the parents and an offence is later committed, obviously there can be no such consent by the parents for such an offence taking place.

Mrs LAWRIE: Mr Chairman, this bill is going to proceed but I would like it to be clearly specified that the position at law will be that a parent cannot give consent in law for a child under the age of 16 years to be taken for the purpose specified in the bill, notwithstanding the fact that the parent, knowing the purpose specified, may give that consent. I am saying, Mr Chairman, that there are parents unfortunately in this community who would give consent to the child being taken for an unlawful purpose. The point I want clarified is that they cannot give consent if the purpose for which the child is taken is unlawful under another section of the law.

Mr EVERINGHAM: I am quite prepared to say, Mr Chairman, that a parent cannot give a consent to anyone to perpetrate a breach of the law. In that event, the parent becomes an accessory himself or herself.

Clause 2 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

MINERAL ROYALTY BILL
(Serial 221)

Continued from 27 May 1982.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr TUXWORTH: I move amendment 112.1.

The purpose of this amendment is to omit the definition of 'board'. The government has taken the decision to remove the right of appeal to the board from the decision of a secretary or a minister. Reference to the board is to be deleted from the act and, therefore, the definition is to be removed. The government has reviewed both the earlier mechanism of appeal and the one that is currently listed in the bill under the board. It would seem to the government that companies, by using these mechanisms, could delay or avoid the royalties that are due to the people of the Northern Territory from time to time. The whole thing could become bogged down in very involved and delayed procedures. For this reason, the government has preferred to opt for the discretion of the minister and I think it goes without saying that, in the event of the companies or personnel being upset by the decision of the minister, they have the opportunity to pursue the matter in the courts under prerogative writ.

Mr B. COLLINS (Opposition Leader): Mr Chairman, what I am about to say about these amendments will come as no surprise to the minister because I made these statements to him privately today and yesterday afternoon when I was pursuing the matter. These amendments represent a gross breach of faith on the part of the government with the mining industry of the Northern Territory. I am appalled by the minister's behaviour over this matter. His behaviour is inexplicable. It is extraordinary, Mr Chairman, and you have only to refer to the debates of last week to see just how completely inexplicable it is.

I hope this debate will not be clouded by the minister, the Chief Minister or anyone else making reference to the Labour Party's policy on uranium mining. I hope that, when we discuss this bill and the appeal provisions, the debate will stick to what the government is doing about that. Mr Chairman, the minister knows that the mining industry has said that what it wants of this government and any government is simply to know where it stands.

The government is already on record as putting up a bill that was clearly flying a kite with 35% royalties. To the credit of the minister, there was considerable negotiation and consultation with the industry and with the opposition in this Assembly. However, as a result of the amendments currently before us, all of that has a very hollow ring indeed. I cannot understand this 180° turn he has made. Last week, in debate, the minister said in reference to the insertion of the appeal provisions in this new bill before us, 'probably the most significant of the amendments incorporated in this new bill are those dealing with the appeal provisions'. The minister continued: 'It has always been the government's intention that appeals could be made against these discretions. However, our advice is that the appeal mechanism provided for in the earlier bill was not wholly satisfactory. We have therefore decided to provide for the establishment of boards of review to consider appeals against the royalty assessments and discretionary decisions. Such boards will have full powers to investigate and recommend upon matters subject to appeal. Ultimate control will remain with the government as the board shall make recommendations to the minister who will then decide the matter. Provision is made for further appeals to the Supreme Court, that is what the minister said last week.

The opposition could hardly be accused of not attempting to keep in touch with the government on this matter. On Monday of last week, the honourable member for Sanderson and I attended - I gave credit to the minister at the time and give credit again - an excellent briefing session with the

minister and his officers on this amended bill. We were further provided, at our request, with a detailed analysis of the amendments and why they were made. I again commend the minister for that. I might tell the Assembly that the appeal amendments constitute the bulk of the briefing notes that we have on these matters, and we agreed with them. The chronology was that, last Monday, we had a briefing with the government on what I perfectly reasonably assumed was the final product. Remember, this was a totally redrafted bill with all of the government's proposed amendments incorporated in it. We were having a briefing on what we thought was the final position of the government. We were told, and the minister knows we were told because he told us, that in fact the amendments were substantially of a technical nature and did not concern any matters of policy. If completely removing any reference to appeals whatever from the bill is not a matter of policy, I would like to know what is.

We were told last Monday that these were mostly technical amendments, and they were. It was a productive briefing. We agreed with the government substantially on what it was putting forward, and we said so last week. The minister told us in the Assembly last week that the most significant changes to the bill were those regarding the appeals provisions that are now being arbitrarily thrown out of the bill by the government. It is a pretty difficult government to keep track of. When you consider that the mining industry has said that it simply wants to be able to deal with the government and a minister in such a way that it knows where it stands, you can understand why the mining industry is having considerable problems with the current Minister for Mines and Energy. It is a very difficult act to follow.

Just to demonstrate how much thought and attention has gone into these radical deletions in the bill, I spoke to the minister in a perfectly proper and open way in the Assembly yesterday, as I often do, about his intentions regarding this bill. I asked the minister, particularly in regard to some legal advice we had received: 'What are you doing with the appeals provisions of the bill?' The advice he gave me at 4 o'clock yesterday afternoon was that the bill would not be amended in respect of the appeals provisions and it would go ahead. That was a point of view that I agreed with at the time. I have been told that problems will arise with prerogative writs. As I said to the minister then and again today, we would have to oppose these changes irrespective of our position on them technically because the bill is now a radical one, not just in terms of the Territory but of Australia.

As I said last week when I did not know this was to happen, the relationship between the government and the industry is vital. This is now a piece of legislation. The government has gone about it the right way: it has had consultations with the industry and the bill currently before the Assembly has been produced as a direct result of those on-going consultations with both the industry and the opposition. If the government makes such a radical change in the bill at this stage, it will be considered by the industry as a complete sell-out, a betrayal of the negotiations.

I spoke to the Director of the Northern Territory Chamber of Mines, Mr Bob Challen over lunch. I found out that the Chamber of Mines did not have the slightest idea that these amendments were being considered by the government. In fact, Mr Challen told me that he had been speaking on another matter entirely with the minister this morning and the minister had not even mentioned the issue.

Mr Chairman, under those circumstances, the industry has some reasonable degree of complaint with the Minister for Mines and Energy. I find his 180°

turn on this particular matter objectionable and inexplicable. We were glad to accept his invitation of a briefing. Can I say, in all reasonableness, to the minister: 'What value are these briefings? Why waste your time, my time and the time of the drafting officers if the briefings that you give us are simply not what you are going to do?' I had it dropped on me, as the minister knows, without any notice whatever last week that this matter might be proceeded with. As the minister knows, I pursued the matter with him. I was told on Thursday that consideration was still being given to proceeding with this. I pursued the matter with the minister at 4 o'clock yesterday afternoon in the Assembly and was told that the amendments would not be proceeding and that the appeal provisions would be untouched. We have amendments before us now that will radically change the bill.

Mr Chairman, the removal of the review procedure and the limited legal right to appeal means that a dissatisfied royalty payer will now have to look to administrative law and specifically natural justice and ministerial discretion concepts to mount any review which would be upheld by court. Royalty payers would no longer have the right of review as laid out in the bill itself. They will be able to proceed, probably by virtue of the prerogative writ, and the grounds that could be alleged for the basis of such a writ would be bias, lack of knowledge, lack of sufficient consideration by the minister and not giving matters due consideration in view of the consequences of those ministerial decisions.

The point is that there is a wide range of matters under the ministerial discretion umbrella that could be used to challenge this decision. It should be borne in mind that the challenge process could become extremely costly and may, in fact, be used by the companies. I suspect it will be used. At least some of these reviews by the Supreme Court will go to the Full Court or the High Court if the contestants are really serious. As the minister knows, I speak under the constraint of the nil time that has been given to us by the government to consider these matters properly. The drafted amendments arrived here on my desk immediately prior to the commencement of this debate. This is not usual procedure for the minister in these matters either. In the past, the Minister for Mines and Energy has been assiduous in giving notice of what he is doing and has given amendments to us so that we could consider them properly. These amendments were dropped on us 10 minutes ago.

Mr Chairman, the fact is that probably the companies will be able to proceed by prerogative writ. The originally proposed review procedure outlined in the bill was far preferable in that it allowed flexibility and input from experts. At the briefing session last Monday, the minister expounded at length on the value, as he saw it, of the ability of expert people to be brought in under this review procedure. We agreed with every word he said. What we find difficult to understand now is how he can justify completely going back on everything he said last week and again less than 24 hours ago. What suddenly happened in that week to change the minister's mind so radically in respect to the expert opinion and flexibility allowed under this act? I believe that the provisions contained currently in the bill before us were far preferable to the wildcat procedure now proposed. They allowed flexibility, input from experts, and for the introduction of court processes at the appropriate time.

Mr CHAIRMAN: Order! The honourable member's time has expired.

Mr ROBERTSON: Mr Chairman, this has nothing to do with what the honourable Leader of the Opposition has just said but it has been brought to my attention that we have a procedural difficulty. Mr Chairman, as you would no doubt be aware, we have not moved the suspension of Standing Orders and therefore, under Standing Orders, the second-reading motion would be invalid. I move that we report progress.

Motion agreed to.

In Assembly:

Progress reported; report adopted.

Mr ROBERTSON (Leader of the House) (by leave): Mr Speaker, I move that the second-reading resolution on the Mineral Royalty Bill 1982 (Serial 221) be rescinded.

Motion agreed to.

EGG INDUSTRY MANAGEMENT BILL
(Serial 80)

Continued from 9 June 1981.

Mr STEELE (Primary Production): Mr Speaker, I seek leave to withdraw item No 8 on the Notice Paper. The bill in its present form is not in accordance with government policy.

Leave granted; bill withdrawn.

MINISTERIAL STATEMENT
Petrol Sniffing

Continued from 27 August 1981.

Mr BELL (MacDonnell): Mr Speaker, I am happy to have the opportunity to make a few brief comments about this statement which has been on the Notice Paper for some considerable time. As I remember, it was a statement made by the minister consequent upon an adjournment debate that I raised myself a day or so earlier. I have been very happy to see the amount of attention and interest that has been evinced by both the Minister for Health who made the statement and by the Treasurer, the erstwhile Minister for Community Development. I believe that both those gentlemen are to be congratulated for the attention given by their departments to this particular problem which I highlighted in the debate I previously referred to.

I am not sure what effect the publicity that has been consequent on the attention given to this problem by this Assembly has had on the very real problems of petrol sniffing, certainly in my electorate and in many other places in the Territory. There has been considerable interest taken in it by people at Papunya. The police at Papunya in the course of their duty come across the actions of the kids involved with petrol sniffing which is sometimes referred to as hydrocarbon inhalation. They are very concerned that more power be given to police in certain areas and facilities provided so that they can care for those kids and prevent the sort of property damage that has happened at Papunya as a result of kids being involved in petrol sniffing. There was a press report of an incident last Christmas or the Christmas before in which a house was burnt down by kids who were high on petrol. The more serious

damage is of course to the young Aboriginal kids themselves.

Another point I would like to make on action carried out by the Departments of Health and Community Development in this regard is to pass favourable comment on the conference run recently in Alice Springs under the auspices of the Department of Health. I would like to thank the minister for the invitation I received to participate in that particular conference. I was very interested. I believe it was a very worthwhile exchange of information. I would be very interested to hear from the minister what the results of that particular conference were and whether the results will be published. I would be very interested to obtain documentation of the recommendations and the points raised at that particular conference.

If there is any action that should be consequent on the petrol sniffing statement, it should be that the departments in question continue to monitor the incidence of petrol sniffing and its results on individual kids and on communities in general. It should be monitored in terms both of individuals and in terms of the social dislocation that is consequent upon petrol sniffing. The final point I would like to make relates to this question of social dislocation.

It is impossible to talk about petrol sniffing without regarding it within the total framework of race relations between 2 very different cultures. I have spoken on this theme and I will not expatiate on it this afternoon. I do think it is important that we see petrol sniffing as one symptom of many causes that stem from that sort of culture conflict. We have to bear in mind that the communities where the practice of petrol sniffing is rife have had their economic base destroyed. They are presently recipients almost entirely of social security payments or government subsidies for continuing operations. In spite of the sort of envy that that might create in certain sections of the Territory population, it is not something that brings joy or self-satisfaction to the people who live in those communities. It actively prevents the people who live in those communities caring for their kids in such a way that petrol sniffing would cease to be a problem.

We have disparaged the spiritual base of those communities, either actively or implicitly. Those things have to be taken into consideration. The only real, long-term solutions that I see are real consideration of traditional land ownership patterns and active government effort to establish viable post contact economic bases in those communities, economic bases in which people can take pride. I realise that steps are being taken in that direction. I realise that our attitude is probably not much different from that of the government in that regard but I do not believe that the issue is taken as seriously as it ought to be.

Mr PERRON (Treasurer): Mr Speaker, I have to say that I have not kept a close watch on this matter since relinquishing the community development portfolio. I was interested to hear what the honourable member for MacDonnell believed would be the best answers to some of the problems which are no doubt causing persons, particularly young persons, to turn seemingly increasingly to petrol sniffing. He suggested that perhaps the police could have more powers but unfortunately did not elaborate on that. I think he mentioned powers and facilities. He said that the police could become more involved in preventing the damage which can be caused by persons who are acting somewhat irresponsibly as a result of sniffing petrol.

I am not quite sure what sorts of powers he meant because I would imagine that the police have a reasonable range of powers to deal with people, including juveniles, breaking the law. Perhaps he was speaking of some additional powers such as taking young fellows in hand when they are becoming unruly - what we might call sorting them out - which of course has been done from time to time, not only in the Territory and not only by police. Perhaps, in some future debate, the honourable member might expand for us on just what he really thought the police could be sanctioned to do which they cannot do at present.

He mentioned that part of the reason for the people in some of the Aboriginal settlements becoming despondent was because their economic base had been destroyed. This intrigued me somewhat. I am not sure that many settlements ever had a true economic base. I must admit that quite a number of settlements engaged in activities such as market gardening. Some had fairly big chicken runs to provide eggs etc. Some had sophisticated bakeries. Indeed, I was pleased to see at Port Keats that they still bake bread for themselves. However, many of these activities are finished. Some have not operated for many years. What is disappointing is that most food supplies for Aboriginal settlements come from the nearest large European community. That is very disappointing to us all. Meat, bread, eggs and vegetables are regularly flown in and air freight is very expensive. It is very disappointing to see those things occurring in settlements around the Territory, particularly considering that some of them have demonstrated in the past that they are capable of managing very sizeable operations.

These may not have been economical but I think that is beside the point because it certainly is not economical to be providing for settlements the way we provide for them now whereby these goods are all shipped in. Indeed, the money would be better spent if it were used to enable the people to be active and involved in providing food for their communities. They presumably would be much happier people. I say 'presumably' because that statement could be open to argument. I would think that, if they were involved closely in their own community, they would feel better than many of them feel at present.

The honourable member also suggested that traditional land ownership held the key to overcoming some of the problems caused by the lessening of the emphasis on traditional Aboriginal ways. I am sure that is true. However, many Aboriginal settlements have many years ahead of them to experience what it is like to own land which cannot be interfered with by outsiders without permission. An area about 1½ times the size of Victoria is now Aboriginal inalienable freehold in the Northern Territory. In that area, there are many Aboriginal settlements, large and small, where the people are able to adopt their cultural ways absolutely as they see fit without interference from either well-meaning missionaries or well-meaning governments. If they choose to exclude those people, they can. Hopefully, over a period of time, the Aboriginal people can build up what self-esteem they may have lost in that regard. Perhaps that will help combat the petrol sniffing problem to a large degree.

As I said when I was Minister for Community Development, I believe that the real answer to petrol sniffing problems - and alcohol problems which are somewhat related - in Aboriginal communities lies largely with the people themselves. We can assist in a number of ways but, principally, the only way to succeed is to get commitments from the people in the communities themselves. Without firm recognition that the problems are there and must be addressed, without that commitment, we will never succeed. Try as the government might to alleviate the plight of some groups in the community, it will never succeed unless they themselves recognise their problems and accept that they have

to do something about it themselves. Hopefully, these things can be achieved.

Motion agreed to.

REPORT
Sessional Committee on the Environment - First Report

Continued from 1 December 1981.

Mr HARRIS (Port Darwin): Mr Speaker, this is the first report of the sessional committee on the environment and it covers the period from 20 August 1980 to 31 October 1981. The committee has visited the Alligator Rivers area on a number of occasions. That is spelt out in the report here. Also, we have called for reports on any incidents that have occurred in that particular area.

I would like to mention the photographic record which is included in the report. This is something that we have just started. It is a way of monitoring what is going on in the area. If any members are interested in having a look at that photographic record, they can contact me or the secretary of the sessional committee. We will be pleased to show them those particular photographs.

I will also be contacting the Department of Mines and Energy for regular monthly reports. We were getting these when the committee first started but they have ceased to come forward with those reports. They were very beneficial to the committee at that early stage. I shall call on the Department of Mines and Energy to make further reports on a regular basis and to brief the committee on what is happening in the uranium province.

With those remarks, I commend the report to members.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I will comment briefly on the report. So far as the opposition is concerned, I personally wish to thank the chairman of the sessional committee for the scrupulous manner in which he has conducted the affairs of the committee.

I am on record in this Assembly as saying that I was not particularly happy about how the original committee functioned in that we met far too infrequently and did not visit the scene of the action often enough. I wish to go on the record now as saying that, under the chairmanship of the member for Port Darwin, that situation has been redressed. The committee is active. The Minister for Mines and Energy appears to have been educated into submitting to the committee matters that arise from time to time. That seems to be working well. Once again, we shall pay a visit to the uranium province on Friday. The committee has adopted the practice, where possible, of visiting the uranium province at least in conjunction with every sittings. This overcomes the difficulty of getting all members in the one place at the one time.

Mr Speaker, I believe that the sessional committee is serving a useful role and that its continued operation will be of benefit to the Territory.

Mrs LAWRIE (Nightcliff): Mr Speaker, as a member of the committee, I would like to put on record an expression of thanks to the chairman of the committee who has a particularly difficult role. Honourable members will be aware that our particular interest is in the environmental aspects of uranium mining in Kakadu National Park and, under our terms of reference we are restricted to considerations of that aspect.

Mr Speaker, we are a most disparate committee. We are a group of individuals, working hopefully for the peace, order and goodwill of the people of the Northern Territory, who have opposing attitudes in some senses to uranium mining per se and its possible effects on the environment, particularly on Kakadu National Park. It is a measure of the chairman's common sense and goodwill that this committee is able to put out a report by consensus to the Assembly. As yet, there has not been a dissenting report. It is a measure of the committee's goodwill that we are able to travel together, receive reports from various government departments - sometimes in diminishing numbers - and discuss them with the goodwill of people of the Territory at heart. It has not been a procedure adopted by members of the committee to push any personal bias or barrow or indeed any particular electorate bias.

We have worked hard for this Assembly, sometimes at risk to life and limb, particularly when going through the Magella Creek system on a day of flood and pouring rain in a dinghy with an outboard manned by our gallant captain, the honourable member for Port Darwin. On that particular occasion, the outboard decided that it had had enough of this committee and cut out. We were sitting in a dinghy in the middle of the flood plain under what can only be described as somewhat appalling conditions with a tropical downpour and little chance of rescue. It is worthy of note that the honourable member for Tiwi, in whose electorate we were marooned, had the foresight to have taken chocolate eclairs from the mining company. Unhappily, she refused to share these with the rest of the members of the committee, blaming us bitterly for not having had the same foresight.

The chairman of the committee and the mining company representative decided to row us to a tree so that we could tie up in the hope of attracting attention. It would also give us some time to address ourselves to the problem of the outboard motor which, like many outboard motors, was having the vapours. The only problem with this procedure was that the chairman of the committee and the mining company representative were sitting back to back and rowing in different directions. We went around in circles.

This physical effect has not been carried forward in our deliberations. We do not go in circles. We endeavour at all times to ascertain the truth of allegations which are put to us about procedures which are or are not being followed and their possible environmental effects. Further, we have received a reasonable degree of cooperation from mining companies. It is self-evident that this risky trip proved non-disastrous and all members returned safely to Darwin.

I have only one concern with the operation of our committee: it is not generally perceived in the community to be operative. It has been a policy decision in the past not to call for public submissions. I raise this in the full Assembly in case any other speaker wishes to make comment: perhaps it is time for our committee to place advertisements in the popular press to advise people that we are in existence and that, if they have complaints relating to the effects of uranium mining and the environment of Kakadu National Park, they have a committee of their parliament which, under its terms of reference, is bound to investigate those complaints and to report back to the parliament of the people. It gives me some pleasure to indicate to the community, through this Assembly, that any complaint will receive the full attention it deserves. Not the least reason for the efficacy of our committee is the assiduous attention to detail shown by our chairman.

Mr Speaker, we will be journeying out again to the uranium province on Friday and it would be nice if people living in that area were advised prior to our visit so that anyone there can approach us and discuss problems or put to

us problems which he feels are arising because of the uranium mining in what is a fragile area of Australia which needs particular protection. The need for its protection has been recognised by this parliament which is the raison d'etre for our existence.

Mr TUXWORTH (Mines and Energy): Mr Speaker, could I just say for honourable members, and particularly for the members of the committee, that I note the remarks made by the honourable member for Port Darwin concerning briefing by the department. I shall be happy to take that matter up with the department as soon as possible. I would make the point though that, so far as briefings are concerned, I would not like the committee to think that they were monthly or quarterly affairs. If the committee would like to meet and have departmental briefings on an intermittent basis, that is fine and can be organised. I would like it to feel that that service is available to it.

Mr HARRIS (Port Darwin): Mr Speaker, I thank members for their kind remarks and I will not stand here and blush.

I only wish to take up the point that the member for Nightcliff raised about advertising the activities of the sessional committee in the popular press. This matter has been discussed by members of the committee from time to time. It is the intention to place advertisements in the paper to inform the public how to contact members of the committee. Of course, one of the problems that we have is that the only way we are able to find out if something is going wrong in the Alligators River region is by observation or by notification from a member of the public or a company. I would like to stress that it is important that all members notify the committee immediately they are aware that there is a problem in a particular area.

Motion agreed to; paper noted.

REPORT
Ministerial Mission to South-east Asia

Continued from 10 March 1982.

Mr STEELE (Primary Production): Since that report was tabled in the Legislative Assembly, other trade missions have been undertaken with varying degrees of success. Reports on those missions have not yet found their way to this Assembly but I promise to table them in due course.

The value of these missions is sometimes a little hard to estimate; for example, a tourist mission to America, looking at a population of 235 million and asking oneself where one should start and what to do to attract people to the Northern Territory. Some of these questions have to be grappled with in the context of budget considerations and value to the Northern Territory and its wellbeing. Some time must be spent on problems of that sort, but it is firmly in my mind that the missions that have been undertaken have been useful, not only for the education and advancement of ministers in the pursuit of their duties as ministers of the Crown but also building up a backlog of historical relationships and friendships that have been very useful to the Northern Territory. I commend this type of activity to the Assembly.

Mrs LAWRIE (Nightcliff): Mr Speaker, since this report was first tabled you, Sir, have been critical of the lack of market opportunities which have eventuated in South-east Asia as a result of these several trips. The Chief Minister was critical of you, Sir. It is almostunique in a Westminster-type parliament for the leader of the government to criticise the Speaker.

Mr Everingham: It would be pretty unique for the Speaker to criticise the leader of the government too.

Mrs LAWRIE: You were, of course, speaking as the member for Elsey with a particular interest in the cattle industry which you have demonstrated ably from time to time in this Assembly. In conversations I have held with you, Sir, I have been impressed by your concern for the cattle industry and saddened to hear that markets have not in fact eventuated, notwithstanding these frequent trips to South-east Asia. Also since the tabling of this report, one heard on the estimable radio program, ABC AM, a statement from Sir William Gunn, who previously had holdings in the Territory, that the way to open beef markets in particular in South-east Asia was to - I think he used this phrase - 'grease the palms' of the entrepreneurs in those countries. I raise this particularly today because Sir William Gunn was critical of the fact that governments and government agencies in Australia were loath to enter into such a procedure. This is of concern to me and it should be of concern to members of this Assembly. Sir William Gunn is apparently embarking on another of his entrepreneurial enterprises and seeking to establish markets under his control. Far be it from this Assembly to interfere with personal actions he may take but I would not like to think that this Assembly agreed with bribery of persons in other parts of the world to facilitate the sale of beef. I would find it abhorrent that taxpayers' money could be used in this form. I take note that Sir William Gunn is saying that, if we do not adopt this procedure, we may well not have a market. Having listened with great interest to that program and read of the resultant controversy, I think it proper that I place on record my view that for the Northern Territory government or a government instrumentality to adopt such a procedure would be a misuse of taxpayers' funds.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I rise briefly to thank the honourable member for Nightcliff for those remarks. I too read with some interest Sir William Gunn's recommendations to revitalise the beef industry in respect of greasing palms overseas. I also read, as I am sure you did, Mr Speaker, with a great deal more interest, his detailed remarks on how to reconstruct the Northern Territory beef industry in respect of making it far more professional and levying the industry very heavily as a result. I am sure that you will be aware, Mr Speaker, that among the figures that were floated around - although they were rubbery - was a levy of anything from $8 to $14 per beast slaughtered by the industry in order to finance this reconstruction. I know that the cattle council and various other grazier representative organisations around Australia are considering it at the moment but, as a result of the remarks made by honourable member for Nightcliff, I also want to place on record my feelings about such a proposition to encourage beef sales overseas or, in fact, any other sort of sales. I have had some slight experience in this matter, albeit second hand.

A friend of mine, a prominent Northern Territory businessman, some years ago received what appeared to be an attractive offer to start a wood chipping operation in the country of a nearby neighbour of ours. He flew to this particular place in his own aircraft to negotiate. He was a person well experienced in the business community in the Territory but had no experience in dealing with people overseas. He was taken out to dinner by a senior member of the government of this particular country and he was told that leases on these particular areas of forest would be granted to him readily upon the payment of certain moneys and considerations. In order to overcome the many local cultural difficulties that would be involved, the government member felt that there should be a local person on the board of directors of the company. He suggested, without the slightest hesitation, that that person should be himself and he even indicated the amount of money that he would be prepared to accept to undertake this arduous task. This friend of mine came back to

the Territory and withdrew immediately from the deal. He said that it was an area in which he had had no personal experience and that the potential repercussions of undertaking such an arrangement for the Territory - and this is why I have told this story - would have been very bad indeed.

Mr Speaker, there is a great deal of evidence available on the effects on governments of these kind of deals being organised by private entrepreneurs. In the United States of America, that particular matter is well documented indeed. I know that Sir William Gunn's remarks encouraging entrepreneurs in the beef industry to undertake these sort of arrangements overseas were that they should be private entrepreneurs and not government. Nevertheless, I want to place on the record my feelings on this matter because in fact the deals that may be undertaken by private people in this regard do reflect on government in any case. There are well-documented cases of major scandals in the United States such as the Northrop and Westinghouse cases in relation to armament manufacture and aircraft manufacture, particularly military aircraft manufacture. These involved not only the governments of other countries, but, in fact, a member of the Royal Family in Holland. Although those were private deals, they were commercial deals between entrepeneurs in one country and entrepeneurs in another. When those deals were discovered and became public, they reflected very badly not on the commercial business world that had caused it to happen but on the international reputations of the countries involved and created a stink which, in the case of the United States, is still very present even though the matter happened some considerable time ago.

I would like to place on record that not only would I hate to see any government agencies - and I am sure that it would never happen - in this country entering these sorts of deals but I would also urge private businessmen not to engage in the same practice. If the practice becomes public, particularly if the people involved are of significance and influence in the communities concerned, the impact will not simply reflect on the business community but on the country as a whole.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I believe that the efforts of the Northern Territory government towards promoting trade and investment in the Northern Territory by persons in South-east Asia have been reasonably successful. I would suggest that, considering the fact that the Northern Territory came new into the market in 1978, we have done reasonably well in that regard. Since that time, 3 states, including the soon to be independent state of Brunei on the north coast of Borneo, have shown a particular interest in the Northern Territory. I believe that we are now making considerable headway with Indonesia. Malaysia is possibly our best potential for trade and investment in the Northern Territory because, to put it bluntly, it is the most financial of the countries immediately to our north and the one which follows moves that we are more accustomed to than the cultures perhaps of Indonesia and elsewhere in the region. Malaysia was British administered and its government is conducted on lines that we can understand readily. Whilst there are authoritarian provisions in Malaysia's laws, they are for fairly obvious reasons of supression of terrorism which remains a not entirely latent problem in that country. Unfortunately, terrorism still prevails in the form of communist terrorism in the border states adjoining Thailand.

I do not think that the Northern Territory can hope to take on the world. I would be happy if we had very satisfactory trading, investment and cultural relations with the countries to our immediate north. I believe that we are sowing the seeds now. There have been quite a few runs posted on the board. I think that people in the next 20 years will be very pleased when they look back and see that the job was started at this time rather than being left for later generations to take on. The markets are materialising but, in many cases,

it is up to the Northern Territory and its producers to get their acts into gear. After all, if we do not have the good products to sell, that is our problem not one for the purchasers.

The Agricultural Development and Marketing Authority of course is a government initiative in point which is now urging horticulturalists and agriculturalists to produce products for the Singapore, Hong Kong and Malaysian markets and trial shipments have been sent which are proving that the Territory can do it. The Department of Primary Production must take some of the credit as well because I think that, together with the Northern Territory Development Corporation, it has been substantially responsible for introducing what could be a turning point rather than a corner-stone in horticulture in the Northern Territory, and that is of course the commencement of a mango industry in the Katherine district. I am told by my colleague, the Minister for Primary Production, that the proponent of this enterprise is the largest producer of mangoes in Queensland at present and should know what he is talking about. I might say that the amount of money that he will be committing to the enterprise is several times the amount of money being advanced to him by the Northern Territory Development Corporation. Even in the second stage of the enterprise, he is inviting participation from people around the country on the basis that they can obtain a tax deduction by participating - buying a mango tree or something like that. It shows that he is a man of remarkable enterprise. He has a proven track record and I think that this industry could be one that really leads to a great deal of employment and prosperity for the Katherine region.

I do not think we need to be told, although I am not saying that we should not have been told, that we should not follow the advice of Sir William Gunn who has not had the best of fortune in the last 10 years or so. I certainly know of no proposal ever advanced to us as a government that anyone's palm should be greased and, to the best of my knowledge - one cannot say this categorically, obviously - there has never even been the remotest suggestion to me that we should be greasing anyone's palms in the areas that we have been dealing with at senior levels of government in Indonesia and Malaysia. Particularly in Indonesia,it is usual to give small gratuities to people who assist you in the course of your visit. The government protocol officer will tell you what to do. But these are nothing more than being in the nature of tips similar to what you would give in the United States in any event. They probably would not exceed a few dollars Australian anyhow. The lesson of the Lockheed scandal has not been lost on any government and I think it would take a great deal to draw this government into buying trade at the expense of putting ourselves in the position that the executives of the Lockheed Corporation put themselves into. Whilst I must say that I have some sympathy with their plight since they were in a situation where everyone had his hand out and, if they did not fill the palm, then obviously the salesman from some other country would have done so. One can be in a very difficult situation when representing a private enterprise corporation. No such temptation should bother people representing a government.

Mr Speaker, I believe that these trade missions - investment missions too for that matter - should continue. I think that we must continue to have a high level of contact with our northern neighbours. Unfortunately, our national government of whatever colour has always seemed to pay little real account to the geographical situation of Australia. Whilst some lip service to relations with South-east Asia has always been well behind hand in making real progress in developing the sort of binding links that can only eventually come by the very force of our circumstances, it is a matter of frustration to me that we are eventually going to be forced into entering into trade associations, preferential-type agreements and the lowering tariff barriers. If only we

start on a program now - publish a policy - we would gain goodwill. If we are forced to do them years in the future, it will be noted as having been done grudgingly and unwillingly. I do not know that we all think that Australia has a pretty good image in South-east Asia. I do not really know that that is so. Mr Speaker, I support the motion.

Motion agreed to.

REPORT
Northern Territory Housing Needs

Continued from 16 March 1982.

Mr BELL (MacDonnell): Mr Deputy Speaker, I doubt that there are any honourable members who do not frequently receive representations in their electorates regarding the problem of providing Territorians with adequate housing. Certainly, the issue is pressed on me almost daily. Regardless of which section of the market the consumer is considering, he is faced with an overwhelming situation of high demand and low supply. The waiting period for the rental of public housing is between 12 months and 2 years, favourably short by comparison with many states. However, such comparison is not really relevant when there is no affordable private rental market as an alternative. For much of the time in certain centres, there is no private rental market whatsoever, and the private rental market is able to charge market rents. The result is that people are either paying an unacceptably high proportion of their income in rental or both private and public sector employers are paying unacceptably high subsidies for this scarce rental accommodation. In these particular cases, it is reasonable to say that market rents are a euphemism for what relatively few people are able to pay.

The other section of the private rental market that we tend to ignore is that of the rental of caravans. It is pleasing, apposite and a sign of the times that, during these sittings, we have debated a bill that will place caravan parks within the ambit of the Tenancy Act. It is pleasing and apposite because many people are using caravans as a long-term accommodation option. It is a sign of the times because many people are forced to do so. Along with many other members of this Assembly, I have received representations from people who are reluctant caravan tenants. I would suggest that such an option is only reasonably acceptable for a single person and perhaps even acceptable for a married couple. However, the personal and social costs of families being forced to live and bring up children under these conditions is not acceptable. The honourable minister accepted that there were families being forced to live in caravans. I believe that that is something that would be taken seriously. It is a qualitatively different situation for singles and couples living in cramped accommodation in a caravan than it is for couples with children.

We then turn to the home purchase market and we find that the same problem exists with high demand and low supply. It is almost impossible for the first home buyer to use private sector finance to enter this market. The deposit requirement is prohibitive for all but a small percentage of very fortunate people. Ten years go, it was possible to obtain private finance with a deposit of about 25% of the purchase price of a home. These days, that sort of deposit needs to be augmented considerably before people are able to find a mortgage for themselves.

Those are the possibilities. It is little wonder that the economic development in the Northern Territory has been severely restricted by the lack of availability of adequate housing. As I said earlier, as politicians, we receive representations from people about housing and people seeking adequate

accommodation. We receive representations not only from people asking for accommodation for themselves but, as a result, we must also be aware of the employers whose problems are not in attracting labour to the Northern Territory but in retaining labour. It is my experience and I am sure it is the experience of other honourable members that one often hears of this enterprise or that enterprise being hamstrung because it cannot retain the right man for the right job because of the lack of suitable accommodation.

There is no easy solution to these problems but one fact is clear: an attempt must be made to make a dramatic impact on the supply of housing at affordable prices. I hope it does not appear, Mr Deputy Speaker, that I am becoming extremely partisan or seeking to score points at the government's expense over this. Let me assure the Assembly that, whereas there are strategies which the opposition will in due course unveil, we believe, by and large, that we share with the government a common goal in this regard. There are many aspects of the report tabled by the Minister for Lands and Housing with which the opposition agrees. There are, however, some issues of principle and some practices that we do seek to criticise.

One feature of the report that needs to be pointed out are some of the contradictions. The report indicates the lack of clarity with which the government approaches the issue of seeking to encourage and regard as some sort of master concept private development to the exclusion of public sector enterprise. The report has some quite amazing internal inconsistencies. For example, on page 5, we read: 'The government should continue to promote land turnoff by private development. Private development has been successful in significantly improving land availability'. Later, on page 25, the report warned: 'However, the problems of the next 5 years will not be solved without a significant quantum jump in land availability. Private development may need to be supplemented if this is to be achieved'. Further down on the same page, the report says: 'Beyond this, government must be committed to allowing a larger public sector role if private sector land development programs are not satisfying land availability and land price requirements'. On that particular issue, Mr Deputy Speaker, I am sure that you will agree that the opposition has run a fairly consistent line. We have said that, in order to keep land prices down in the Territory, it is important for there to be both government and private sector development of serviced land.

In addition to that particular issue, we should be giving serious consideration to the acceptability of caravan accommodation. It has been remarked in another context that, in comparison to the United States, there is a relatively uniform and a good standard of accommodation available for the majority of Australians. By world standards, we have a relatively high rate of home ownership. In the context of this housing needs report, it is very important for this Assembly to pause for a moment and consider the likely social impact of enshrining in a government program a policy which accepts as a justified long-term option the housing of families in caravans and demountable accommodation. I do not believe that we should be enshrining in government policy housing of different standards for different people. I believe that the uniformity of housing that is generally available for people in the major centres in the Territory and in Australia as a whole is a social objective that in the 1980s is, to some extent, under attack. I believe that it is one that we should defend. There should be available a uniform high standard of housing for all Territorians.

Another point that I would like to make in the context of the housing needs report is the attitude towards houses within the economic system. Generally, houses are regarded as the end product of the economic system in that, in economic terms, we have no further use for them. They are not a source of productivity after they have been built and occupied. In the context of this debate, I wish to make a few comments that challenge that point of view because I believe it is very deeply entrenched and needs further consideration. Usually, little consideration is given to the amount of time and effort that people, particularly women, put into houses. I dare to suggest that it is usual for policy-makers to ignore the social, cultural and recreational aspects of home ownership. Recently, in public debate, much has been said about the so-called shadow economy and the all-important role of women in that regard. I believe that generally a house is an essential part of the raw material of this production, whether it is nurturing children and all the activities that implies or whether it is simply digging in the garden. Some of the female members of this Assembly may dispute the satisfaction derived from some of the activities involved in nurturing children. However, I think it reasonable to say that generally the satisfactions involved in these activities blind us to the productivity that results from them.

I am not saying that it is the role of the Northern Territory government or the Commonwealth government to change the system of national accounting to take that into consideration but I believe that it is important for policy-makers and politicians to appreciate that houses are units of production and they are used in that way. They are not just end points of an economic system.

Returning to the issues of cost and the problems associated with finding affordable finance, I believe that this Assembly should view with alarm the intention of the federal government to move towards the deregulation of interest rates for home loans mentioned in the Campbell Report. We should note that, traditionally, housing finance has been protected in terms of interest rates by comparison with finance on the open market. The member for Millner will give further details of the impact that this is likely to have in nuts-and-bolts terms for the home buyer in the Northern Territory. I believe that the important social objectives that are represented by home ownership should not be jeopardised by a conservative government's slavish adoption of some economic theory which appeals to it at a particular time. I believe the Northern Territory government should be putting as much pressure as possible on its federal representatives in this regard.

The Leader of the Opposition mentioned yesterday a few contradictions between the public statements of the federal members of the House of Representatives for the Northern Territory in extolling the virtues of sales tax. Let it go on record now, Mr Deputy Speaker, that sales tax of that proportion, as has been mentioned in the press by many people, would have a significant impact on building costs in the Northern Territory. By implication, it would have a serious impact and lower the chances of some Territorians of obtaining adequate housing. Honourable members may have seen comments from the Master Builders Association in the Northern Territory 'Construction' magazine of March 1982 in which Mr Oscar Favane, an economist with that organisation said:

> *Any attempt to deregulate housing interests in the present financial climate will lead to such pressure on potential homebuyers and existing home purchasers that the federal government will face the economic consequences of a wage explosion and the political consequences of an unprecedented rise in mortgage foreclosures.*

Pressure on housing interest rates not only restrains housing demand from newly formed households but also endangers existing home buyers who are committed to maximum loans commensurate with their payment ability at the time of taking out their loan.

A final point I would like to touch on is land prices. Recently, I was travelling around Darwin with the honourable member from Millner and I were staggered to find how few of the blocks of land at the Brinkin subdivision had actually been taken up. In terms of getting Territorians into houses, the great concern would appear to be the price of land. It is of great concern because of the relatively high profit margin that is associated with private development. Again, the honourable member for Millner will flesh this out with some figures and examples. I mention the Brinkin subdivision because I assess that the projected supply of land will be adequate. It is quite clear from that sort of inspection of land development projects in the Territory, that supply is only adequate because of the high prices. If the prices for land were a little more reasonable, we would find that there is, in fact, significant demand.

The report mentions the national home ownership figure of 72% and the figure in the Northern Territory is 29%. I find it rather difficult to believe that there is not significant latent demand for land at acceptable prices. I believe that the government should be involved much more closely in subdivisions on its own initiative. It appears that the government has become a victim of its own philosophy of privatisation and that would-be home owners in the Northern Territory are suffering.

Mr Speaker, I commend the honourable minister for the tabling of the report. We quite understand that the government is facing considerable problems in meeting the housing needs of Territorians. I think that, in the future, we will be able to show that there are strategies beyond the ones that the government is adopting at the moment that will get more Territorians who are desirous of attaining accommodation into accommodation of their own. I am happy to say finally that the opposition welcomes the tabling of the report.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I guess you cannot win with some people. We have had the moans and groans of the honourable member for MacDonnell about home ownership and the importance of that. I would certainly agree it is a very important area but our Labor opposition ...

Members interjecting.

Mr SPEAKER: Order! The honourable Leader of the House is not setting a very good example.

Mr D.W. COLLINS: On the other hand, we have the Labor opposition screaming and moaning and groaning that Australians do not own companies, that we are selling off farms and that we must have at least 50% Australian ownership. I believe that much of the money that Australian people have is put into home ownership. It is the Australian dream. It certainly is my own particular dream. By the same token, it does not always leave a great deal of money to put into those enterprises which would help develop this country. I agree that Australia has great opportunities and we should be on top of the world. In fact, we are coming down in the world as far as our economic standing goes. We just do not seem to realise the potential that we have and people overseas believe that we have. Part of the reason is that we put our money into housing which in itself is a desirable goal. However, if we put more into business, we would develop the potential that

we have. That, in turn, would generate wealth and allow the attainment of housing.

This is important but I suppose that is what opposition is all about. It is no doubt frustrating to be in opposition so you have to knock at everything you possibly can. I think it is worth pointing out. That is the part of the rationale behind the Campbell committee idea of not having controls over interest rates on housing. We might have money where the market says money is wanted most and the country might develop. I believe that there is more than one way of achieving your aims. It may be to wait a little to improve the general prosperity of the whole population. That in itself would enable the goal of home ownership to be achieved. But we do not like waiting; we want everything now.

I am particularly interested in the situation in Alice Springs. This morning, the projected population growth figure was presented to us. Alice Springs at the moment is around the 19,000 mark. It is predicted that it will rise to 25,000 by 1990 - just 8 years from now. That is a growth rate of roughly 4%. I suspect that that would be the figure if the floating population were taken into account. It might even be greater than that, but it is often very hard to check this matter. That sector certainly changes. I am sure that, if you took a census at Alice Springs over the holiday period in the summer months, you would get a very low figure. If you took it in July, it would be considerably higher.

Land and housing are vital for a stable population. It is absolutely essential to sustain growth. We all know that, the bigger the population we have, the greater the amenities we can provide. There would be greater incentives for people to set down roots. We certainly need the buying power of a much larger population. If people could freight in bulk to cater for a greater population, freight costs would be less and the overall cost to the community would fall.

Tourism is our key growth industry. At the moment, I believe that the high cost of air travel, the cost of vehicle hire and the cost of accommodation are stopping many Australians from coming to the Territory. However, as more of the Stuart Highway is sealed, people in Alice Springs will gear up for an influx of people driving up from the south. Not only Adelaide people will come but, when a ring route is established, people from the eastern states and even from Western Australia will make the effort. They will not put their family car, which is a considerable investment, on a rough road. However, a bitumen road will mean more people will take the opportunity.

I am very pleased to see more family-unit accommodation in caravan parks. More are being built already and no doubt more will be needed. The opportunity is there for considerable growth in the service industry. I predict that we will have a growth rate somewhat greater than 5% particularly as more of the Stuart Highway is sealed. The report states that we can expect a 5.5% growth rate in the availability of land in Alice Springs over the next 5 years; that is, with the Araluen and Sadadeen subdivisions. I presume that includes stages 2 and 3 as well as stage 1 which is well on the way.

I would like to reflect a concern that people of Alice Springs have: the sacred sites dispute. If there are problems with Sadadeen stages 2 and 3, then we could be in considerable difficulties. I remember well what the member for MacDonnell said about every rock, tree and hill being a point of some significance.

That is appreciated. At the same time, rationality has to prevail in this matter. The only way the town can develop will be through compromise. It is interesting to note that there does not seem to be too many sacred sites in the electorate of MacDonnell at least not where development is taking place. I cannot blame people for being cynical about that.

The report states that, in Alice Springs, the average cost of a block of land is around $14,000. That is certainly a considerable investment. I am sure that the people of Alice Springs will be pleased to learn that they are better off than the people in Darwin who pay $25,700 for a block of land in the northern suburbs. That is rather astounding. I think the minister hit the nail on the head when he said the rationale of private development is competition. Certainly, competition is worth promoting in this particular area. It is good that, outside of Alice Springs itself, there are several developments generally of 5 acres or more. That is certainly fulfilling a need. Certainly, we welcome that. It would be very nice indeed to have an oversupply situation. It would bring down the price of land to have further competition. It would not be easy to bring about but it would be worth trying to promote what might be an oversupply. With the present growth rate, an oversupply would soon disappear with cheaper land prices. Land is very much part of housing. I was interested to note that the Sadadeen subdivision will have basic houses costing around $28,000 each to build. With the $14,000 for land and the cost of administration and fencing, those houses should be turned-off for about $50,000 or even less.

I am very pleased indeed that the government is encouraging people to enter into contracts to buy from the moment they enter houses. I think that is a very forward step because rental money, in many ways, is very much lost money. It is very hard to compete with the bulk construction setup. I have noted in Darwin the Low-Cost Housing Village. There was a fairly rude comment about some of the houses yesterday in the NT News. I have not seen them. I cannot really comment except to say that the houses themselves may be relatively cheap but, if you do not have people who are skilled in that sort of construction, it may not work out so well.

I have a couple of points to make about housing and a couple of suggestions about how things might be improved for some people to help them gain ownership. One is the well-known method of subcontracting to build your own home. You do a lot of the hack work and you put out various stages of the building to tender and select your own builder. It takes a bit of effort but people find it saves them a considerable amount of money. Also, they can do things themselves quite well.

I am particularly interested in an idea which I think has been mooted here before: building a house in stages. When I was about 10 or 11, my elder brother was learning the building trade. He was in his 20s. He built half of a house you might say; it had the toilet, bathroom, laundry, kitchen and bedroom. Once he married and was living there, as money and time permitted, he worked on the rest of the house and completed it. It was designed as a complete house but it had this feature that 2 people could live in it at that first stage. It was not necessary to go to the bank to borrow a large amount of money to build the whole house. He found he could achieve ownership of a home much cheaper that way. Doing a lot of work himself was no doubt a great help.

From my own experience, I find that housing needs change. When we arrived in Alice Springs, we had no children. We had one very soon afterwards. We ended up with a 3-bedroom home which was completely adequate. Now we have 3 children and our needs have changed. I think most people experience this and so planning of the home in various stages is important. Plans can be altered

as the need arises. It is worth thinking about. I have added an extra large room on the front of my house for entertainment; I am now adding on 3 bedrooms at the back and a family room to meet the increased needs of my family. Something like 10 squares have been added on and I estimate the cost will be no more than $15,000. It can be done.

I think the opportunity should be made available to other people to be able to work in this particular manner. One problem seems to arise quite often. Finance will only be made available if the whole house is built in one hit. In this particular area, it may be difficult to get banks to change policy and provide finance for stages of construction. My extensions have been done without going to a bank for money. I put money into the work as it became available.

The Home Loans Scheme in the Territory is excellent. It provides very cheap money indeed. If the interest rate is less than inflation, it is very cheap money indeed. I believe this scheme could be extended if the opportunity was available for people to go part way in building their house with finance from the scheme. They could extend their homes later as they raised the money and as their needs changed. I believe that proposal has considerable merit. I suppose it is not everyone's cup of tea. I believe we are all keen to see people own their own homes. Some people would find that they could gain home ownership this way. Putting their own effort into it would make the home even more important to them.

I commend the report of the minister.

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, I have heard of egocentricity but that was ridiculous. We are discussing the housing needs of the Territory and we have heard a resume of the family affairs of the honourable member for Alice Springs: the house his brother built, the house he is building, about which I would think honourable members do not give a tinker's cuss and which was largely irrelevant to the housing needs of the wider community.

Mr D.W. Collins: Why don't you listen to what I say?

Mrs LAWRIE: Unhappily, Mr Deputy Speaker, I am bored to tears with having to listen day after day to the ramblings of the honourable member for Alice Springs which rarely pays regard to the debate before us.

Mr Perron: How many kids have you got, Dawn?

Mrs LAWRIE: Precisely - I do not think my children, my family affairs, my cats, dogs, corellas and galahs are of the slightest interest to this Assembly nor my addition of rooms from time to time.

Mr Deputy Speaker, I think one of the most significant statements which has been made in the context of this debate was made by the honourable Treasurer on 16 March when he said: 'We fully accept that adequate housing is the key to community stability'. If nothing else is said in this Assembly, that was a most welcome expression of the government's interest and concern - a concern which was expressed initially by the commissioning of the report. But I think that, in a matter of such intense concern in the Territory, that statement by the Treasurer would attract the support across the political spectrum and across a financial spectrum. I commend him for it.

The report goes into detail which will be of great value to members when dealing with constituents, when making representations to finance companies and

banks on behalf of their constituents, and in proposing policies to be put forward to this Assembly. The detail provided by the officers who conducted this inquiry is most welcome. It is relevant to have the fine detail available to all members so that when amendments are proposed to the Tenancy Act or housing bills, a reasoned debate can follow - not an expression of personal bias or the affairs of one's brothers. The interesting points are, of necessity, the availability of finance to the government and to private sector to stimulate the housing industry. The report makes the point that the Home Loans Scheme cannot continue to provide the proportion of funds that it has since its inception. It states that it would be too costly for the government, it would not allow resources to be devoted to welfare or other special housing needs and it would be not be well enough focused on assisting those people who are legitimately in the greatest need. Significantly, given the debates which took place earlier today, it goes on to say that it would not secure appropriate lending from banks etc. The report recommends a review of the scheme and a restructuring.

Mr Deputy Speaker, it is again pleasing to note that this report, produced from government ranks, recognises the special housing needs of low-income people and relatively low-income people. With the escalation of costs in the housing industry, what was once considered within the range of the middle-income earner is now being priced out of the market. I commend the initiative of the government in assisting the low-cost housing village as a project. Honourable members will be aware that thousands of people, particularly Darwin people, have had the opportunity to go through that village and make evaluations and judgments as to the design and suitability for tropical living of those homes, and as to the cost incurred in their building. The honourable member for Alice Springs, of course, said that he had not been there and would not comment. He then did just that. If any member of this Assembly has not yet visited that low-cost housing, I would recommend it as a most interesting exercise. There has been criticism from some quarters and letters to the editor from people who find fault with the village. Surely the idea was to show a range of options which people may adopt or reject in their wisdom. It was an excellent idea. Criticism of particular buildings should not be construed as criticism of the concept of low-cost housing and particularly not of the government initiative in sponsoring that model village. I would like to see more such incentive given to private industry to produce homes in a variety of ranges.

There was a comment made by the honourable member for Alice Springs that one of the problems with this low-cost housing village was that he doubted private industry could supply the houses if the need was there. That is demonstrably rot. The people who have built the houses and who are in attendance at the village are there because they want to assure prospective buyers that they can meet any need which may arise, that they will modify their plans to suit the client, that they are interested in producing other low-cost homes to suit the client otherwise, logically, they would not have put up the building in the first place. I did speak to each and every builder or designer on this particular point.

Mr Deputy Speaker, much of the debate has hinged on home ownership but the report relates to Northern Territory housing needs. The government and members of the opposition are well aware of the fact that there are some people in our community who will never be able to afford home ownership. There is a definable rental market which is appreciated by the government and, unfortunately, the private sector at the moment is not meeting this demonstrated rental need. The people who are particularly at risk are the families with a number of young children. Even a moderate income earner with 3 or 4 children faces an uphill battle in raising the rent in advance and the bond money now necessary to enter into the private rental housing market. As has been mentioned time and again in this Assembly, by and large,

the private rental housing market for families does not exist. Companies are able to secure long leases on homes but the flat accommodation which is attractive to the developer and builder is not suitable for families with 3 or 4 children. Even if people would take it as an emergency measure, they are usually unable to because the agents simply will not let that form of accommodation to people with children.

Mr Deputy Speaker, the Treasurer and ministers are aware that it is an offence under the Tenancy Act for people to refuse accommodation simply because prospective tenants have children. Nevertheless, all honourable members, unless they are blind or indifferent, are aware that it goes on. I am now in the habit of referring these cases to the Commissioner for Tenancies if they come specifically to my attention and people are able to document the refusal of agents or landlords. However, unhappily, it is becoming the practice when an agent or a prospective lessor finds that there are children simply to say: 'We let the flat 10 minutes ago'. The rental market for people with children is at a critical stage yet again in the Northern Territory.

Unfortunately, the people whom this is affecting are tradesmen. I have a steady progression into my office of tradesmen in secure occupations who cannot find accommodation because they are working for small firms which do not provide accommodation. They would be happy to take private rental accommodation at a higher rate pending the allocation of their commission home but they do not have the wherewithal to raise the bond money and the rent to get into that accommodation even if it was available.

Mr Deputy Speaker, notwithstanding the Treasurer's particular interest and that of the Chief Minister in arranging finance on the market for prospective home owners and builders, I would ask that the government look again at the terrific problems facing people in the rental market. If one could solve that problem, I am sure members will agree that one's electorate problems would largely disappear. We have spoken about this for years in this Assembly but the availability of rental accommodation has not increased for family units. If anything, I find, sadly, that it is decreasing. It is a particular problem to which I hope the government will address itself.

Mr SMITH (Millner): Mr Deputy Speaker, in my 7 years as Secretary to the NT Teachers Federation, the most intractable problem right through that period was the question of housing for teachers. I saw that one of the advantages of leaving that position and coming into this place might be that I could forget housing for some time. In fact, I can remember discussions with the Opposition Leader after my election. There was a general discussion of portfolio responsibilities and I made it very clear that I had had enough of housing for quite some time. Lo and behold, I find that I share the experiences of other members of this Assembly: housing is a most intractable problem facing me and residents of my constituency as well as residents of other constituencies. It is a major problem and certainly the majority of the representations that I receive are on questions of housing.

I would like to commend the government for the work that has gone into the needs report. I think it is a very thorough document. It points out quite clearly what the situation is and has a number of recommendations which I support and hope that the government will take up. I would also like to defend the government from its own member - the member for Alice Springs. I think the government has quite rightly placed a great deal of emphasis on housing since self-government. It has certainly placed much more emphasis on that matter than the Commonwealth government did before it. It has placed a lot of money into the housing area and certainly I have no criticism of the efforts that it has made. However, as will become clear, I do have some criticism of the direction of the efforts and some suggestions for changing the direction.

The stated conclusion of the report on the Territory housing needs that programs and policies now initiated by the Territory government, if achieved, can produce the land and houses that are required to provide much better opportunities for people to have permanent housing is a quite guarded statement. There are very good reasons for such caution. These reasons include the cost of land and housing, interest rates, the availability of finance and federal government policies. In relation to the costs, the report makes the obvious and accurate comment that the cost of available housing is too high. In this context, the opposition welcomes the opening of the low-cost housing village but it is worth remembering that, when combined with the cheapest land likely to be available, the total is still in the order of $52,000 and this represents a very significant investment for many Territorians.

In the conclusions and recommendations section of the report, it is recommended that 'the government must ensure that private development produces effective competition among developers so that there is a strong market incentive for land prices to be held down'. One might ask how many developers are required for this desired situation to be reached. There have been dramatic rises in land prices in both Alice Springs and Darwin. To quote the report again: 'In Alice Springs, following a sharp jump in 1979 and 1980, prices have risen by a further 40% over the past year. It is apparent that the present number of developers is not enough or that the line of argument put forward is suspect'. The report further goes on: 'Competition will help to promote efficiency and thus keep costs down. Land prices should not allow excess profits for the developer'. We would agree. 'These elements are essential if land prices are to be contained'.

That is all very admirable but, if you look at the figures provided in the report, you will find that, in fact, developers are not doing much to keep land prices down at all. The key figures in the report relate to likely prices in the new northern suburbs - and I take that to mean Karama and Leanyer. It is said that the cost per block would work out at about $12,600 and that developers would sell the blocks at between $19,000 and $20,000 after giving to the government 20% of the blocks that have been developed at a cost of $12,000. On my figures, that provides a profit margin for developers of close to 40%. I think the exact figure is about 39.6% when you take into consideration that 20% of the blocks will be returned to the government at slightly below cost, at $12,000 rather than $12,600. On my figures, that provides profit for the developers of 39.6% which certainly is an incredible incentive for private developers to come to the Territory. Whether it is worth the price that people have to pay - an extra $7000 on top of the actual cost of developing the land - is another question. It is a question that I will come back to shortly.

The report goes on to say that 'the supply of readily available allotments for sale must be in excess of immediate demand so that the supply situation puts downward pressure on the price of blocks'. On page 21, the report notes a slowing down on the sale of detached housing lots in the northern suburbs of Darwin. It continues: 'This has not produced any observable drop in the land prices although the analysis in paragraph 4.7 of the report suggests that there should be some scope for this. Similarly, forecasts of land prices do not reflect the improved land availability situation. In Alice Springs, the situation is essentially the same'.

In the context of high land prices, it is of concern that the Housing Commission, as I understand it, has been forced to buy 300 blocks at market prices in the last 12 months. This is 300 blocks over and beyond the blocks that it has been able to get from developers on the 20% buy-back basis. I understand that there are 2 main reasons why they have been forced to go to the open market to get those 300 additional blocks. One is that the Housing Commission's needs were greater than anticipated. The other is that

developers were not able to turn the blocks off at a rate that matched the Housing Commission's needs. Both of these may be inevitable.

However, there is a consequence of having to buy these blocks on the open market. If we assume as a conservative figure that the government is paying $4000 per block above the cost price for these 300 blocks, we are talking about a sum of $1.2m which is not inconsiderable. If the Housing Commission did not have a complete reliance on private developers for land and had a capacity to develop some land of its own and use that land, it would have saved a great percentage of the $1.2m. If you work on the figure of $40,000 per house and assume that it could save $1m of the $1.2m, that would meant 25 additional houses.

The Housing Needs Report recommends that the Housing Commission's charter be broadened to enable it to move into subdivision work. I think that my recent comments suggest that this is very essential indeed. It need not necessarily compete with private developers in subdivision work but it ought at least to have the power to develop land so that it has standby land when developers have not been able to meet its needs at call. It would avoid having to go to the open market in competition with other groups and other individuals. I would urge very strongly that the government consider that recommendation from its own needs survey.

In relation to building costs, the report states Australian Bureau of Statistics figures which put the average value per square metre of houses in Darwin at 27% above the weighted average for all capital cities. This statistic in itself warrants analysis to ensure that Territorians receive value for money. Whilst noting that the low-cost-housing initiative may have shed new light on this aspect, it should be recognised that the experiment caters for a particular market only. At the time the report was compiled, the average price of a non-government detached dwelling was $65,000. As the report says, at that price 'no family with an income even well above average weekly earnings can afford to buy an average-priced house on the minimum deposit'. Quite rightly, this situation was cited as the most fundamental housing problem now facing the Territory government. The importance of this conclusion cannot be overestimated.

The report additionally says that this problem is the most intractable because the Territory government cannot influence prevailing interest rates. As evidence of the problem being discussed, the figures quoted in relation to increased interest rates and increased mortgage payments are by now significantly out of date. The report refers to bank interest rates of 11.5% on home loans. The current figure is in the order of 13.5% with further increases quite possibly in the pipeline. Since September 1980, there has been an accumulated interest increase of $88 per month on an average bank loan. If the federal government implements the Campbell committee recommendations, as suggested by the honourable member for Alice Springs, to deregulate interest rates, this situation could be worse. Industry observers state that savings bank loans would rise to at least 15.5% which would mean an increase in repayments on existing average housing loans of $132 per month since September 1980. If you want a personal example of the effect that is having on people, you need to do no more than speak to the Leader of the Opposition who is very fluent indeed on the problems he is facing due to increases in interest rates.

As a result of rising interest rates, more people are being excluded from access to affordable housing finance. They are faced with a widespread deposit gap which years of saving cannot overcome. The shape of the Northern Territory Home Loans Scheme is such that it is in fact most difficult for people earning between about $17,000 to $20,000 to borrow the money necessary to bridge the gap between the government Home Loans Scheme and the price of a house.

Even under the upgraded amounts that the Treasurer announced quite recently, a person on $17,000 can only borrow $28,500 which, with his deposit of $5000 if he wants an average priced house of about $60,000, leaves him with $32,000 to obtain on the open market. If he had a deposit of $10,000, it still leaves a considerable sum to obtain on the open market. I think the member for Stuart Park would be aware of problems in his constituency in that area just as well as I am.

Mr Speaker, it is a major recommendation of the Homes Loans Scheme section of the report that there be a thorough review of the Home Loans Scheme with a view to providing a clearer focus for the scheme so that it puts homes within the reach of more low-income earners. Without being critical of the government, because it is a most complex area, I must say that we certainly would support such a review. It should be a public review.

Reports of the indicative planning council further illustrate the problem of finance. The indicative planning council estimated prior to 1979-80 that a feasible level of activity in the industry in 1979-80, relative to capacity, would be 160,000 dwellings. In its report for that year, this estimate was revised downwards to 142,000 dwellings. By 1981-82, its estimate has been revised downward again. Capacity in the industry would only be 135,000 dwellings. In other words, the council projected a reduction in capacity over the past 4 years of 26,000 dwellings or 16%. A matter of major concern therefore is the need to stabilise the availability and price of housing finance.

The number of loan approvals for the purchase or construction of dwellings fell by 17.3% from November 1980 to November 1981. In the case of savings banks, the fall was 7.2% and, in the case of permanent building societies, the fall was 35.4%. In 1981, only 3.4% of the assets of life insurance funds were provided for housing as against 15.3% in 1961. If the insurance funds were required to deposit 6% of their assets for lending on housing, an extra $600m could be obtained. The decline in loan approvals noted above reflects the increased value of loan advances, the falling demand for loans as a consequence of high loan rates and the declining availability of loanable funds, especially for savings banks.

Funds are being attracted away from housing in a number of ways as a result of the federal Liberal government's policy. The most obvious evidence of the very low priority attached to housing is the huge decline in real terms of funding under the Commonwealth-states housing agreement. As highlighted by the needs report, the situation is simply that, unless federal government policies ensure that housing finance through traditional sources is maintained, adequate funds will not be available to sustain the demand for housing.

In 1974-75, the last full financial year of the last federal Labor government, the net amount provided for public sector housing was $573.6m. By contrast, the net sum allocated this year was $47m in 1974-75 values. That is a drop from $573m to $47m. That reveals a major change in federal government priorities and indicates a major reason why we presently have the difficulties that we do have in housing.

Mr Speaker, it is clear that a dramatic improvement in the housing situation can only come from a change in policies at the federal level. It is equally clear that a change of policy at a federal level will not come until there is a change in government. It is possibly quite equally clear that that change in government is just around the corner. When that change in government happens, it is obviously going to be much easier for the government of the Northern Territory of whatever political colour to approach housing and give resources to housing in the manner that the subject demands.

Mr LEO (Nhulunbuy): Mr Speaker, I am forced to make a brief contribution to this debate. Despite the comments of the Chief Minister's favourite journalist, I will be parochial. My contribution will be developed around the second clause. I see that the third largest town in the Northern Territory in this entire report occupies one clause. I would like to read that clause:

> *Nhulunbuy: These problems are being examined by others. They require special approaches and decisions which are outside the scope of this report. (For similar reasons, housing at Jabiru is not included in the report.)*

Mr Speaker, I would ask the Minister for Lands and Housing to indicate in his reply who is examining the problems of Nhulunbuy and when can we expect some report on housing needs in Nhulunbuy, and how the government intends to tackle that particular problem.

I have spoken often in this Assembly about the problems of housing in Nhulunbuy. I can go over and over it. I can assure you, Mr Speaker, that there is not a dog box that is not occupied in Nhulunbuy. Every single scrap of rentable real estate in Nhulunbuy is occupied. It does require major examination. Last year, the Department of Lands did a demographical study of Nhulunbuy which contained some projections, a population projection and some projection of housing needs. I have asked in this Assembly for a copy of that report. It has not been made available to me for reasons that I can only assume are not particularly favourable.

I cannot say too much more on this debate. My colleagues have commented on the financial aspects of housing policies. I can appreciate the dilemma that the minister finds himself in under the present new federalism. However, I would ask him, as I have asked the previous Minister for Lands and Housing, to address himself seriously to the increasing problem of housing in Nulunbuy.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I rise to support the motion and commend the Minister for Lands and Housing on the production of this Report on Northern Territory Housing Needs.

I do not really like to take any point against the honourable member for Nhulunbuy because I always feel one should not steal candy from kids, but he says that he has spoken loud and long in this Assembly on the problems of Nhulunbuy. I have yet to recall the honourable member making a speech that ran for longer than 2 or 3 minutes. I think the number of speeches he has made on the subject of Nhulunbuy could be counted on the fingers of both my hands.

The problems in Nhulunbuy are not of this government's making. This government would very much like to resolve them. On the books of this Assembly, and still refused assent by the federal government, is a certain bill in relation to the land situation at Nhulunbuy which was passed very early in the life of the Assembly after self-government. As the honourable member for Nhulunbuy knows, Nhulunbuy is a special purposes lease. At least, originally it was a special purposes lease; I think it still is. It is excised from Aboriginal land. The honourable member for Nhulunbuy can help this government in 2 ways if he really wants to sort out the position over there. He can lobby the Northern Land Council and the traditional owners who live at Yirrkala and around Nhulunbuy to grant the land in fee simple to the Northern Territory. We will then be in a position to do something in a very quick and constructive way to help him. I suggest that is the best method to use because, if the Aboriginal people are prepared to grant what is a superior title to the

special purposes lease to the Northern Territory government, we can get on with the job quickly.

There are other courses open. He can ask the traditional owners and the mining company to approach the Commonwealth government to revise the situation under which the town operates. Whilst the Northern Territory does not own one foot of land in Nhulunbuy and is subject to the caprices of the mining company and the traditional owners, there is nothing whatsoever that we can do by way of waving a big stick to resolve the problem that may or may not exist in the place.

There is a problem in relation to government workers. However, whilst the honourable member for Nhulunbuy complains about the government situation and perhaps about the private enterprise situation in the contractor's village, the situation of people living in the mining houses at Nhulunbuy is probably the best in the Territory. They have the lowest rents and some of the best accommodation - all air-conditioned, I understand. Really, I would like to know, when the honourable member for Nhulunbuy gets to his feet, exactly what sector of the Nhulunbuy community he is complaining on behalf of. If he is complaining on behalf of the miners, people who work for the company, and saying they want the Housing Commission to take over their houses and charge Housing Commission rents, I want to hear that from him as soon as he likes. I will be very quick to tell them that that is what he wants for them. I hope that next time we hear from the honourable member he lets me know exactly what avenue of recourse he will adopt to help us sort out what is an impossible situation for the Northern Territory government, which is certainly far from being sovereign in that part of the Northern Territory.

We heard from the honourable member for Millner and also from the member for MacDonnell that the government ought to get back into land turn-off because, obviously,the private enterprise subdividers were making too much money out of it. Mr Speaker, as you know, the government is still turning off land in Katherine and Tennant Creek. We retain for the government the option to turn off land in Darwin or Alice Springs if the need arises. I do not know whether the taxpayers would like us to repeat in Darwin and Alice Springs the experience that we have had in Katherine. In Katherine East stage 1, there will be a turn-off of 142 lots at a cost of $3087m. - that is, $21,740 per lot. In that is no component for the cost of the land. If the government had sold it to private enterprise, it might have got a few thousand dollars.

In Darwin, it would get a few thousand dollars for each block of land. I am told it would run as high as $5000. Having produced this land at a cost of almost $22,000 per lot, it then sells it to the people in Katherine for something in the order of $11,000. Land turn-off is operating perfectly satisfactorily in the private enterprise sector in Darwin and Alice Springs at present. There is a plentitude of land. In the Katherine situation it costs the taxpayer almost $30,000 to turn off a block of land. I do not think that the people who want more housing, more money for schools and other facilities would really welcome the logic of those honourable members opposite who suggest that we should have the Housing Commission do its own subdivision. We have looked at this from time to time, but we will get the Housing Commission to do its own subdivisions when it is in a position where it has to produce its own land because it can do it cheaper and better than it can obtain it on the market. Honourable members opposite never take into account all the associated costs that the Housing Commission would have in turning off its own land. It would need another army of bureaucrats to set up the whole system. Hopefully, we have got out of that as far as we can. We can always get back into it if we have to; we will not let anyone hold us to ransom.

We have certainly done our best to encourage the rental market. I

remember when I was a law clerk, I paid about $35 a week for a 2-bedroom flat in the Queenland provincial town of Ipswich, not far away from Brisbane. I was an articled clerk there for a couple of years before I qualified. I shared the flat with 2 other law clerks and my salary in those days was the equivalent of about $30 a week. As well, I worked for a bookie and at a hotel to make ends meet because my tastes were expensive. In those days, $30 a week was a reasonable salary because a qualified solicitor only received the equivalent of $60 a week. We paid $35 for a 2-bedroom flat. It was a modern enough flat.

The average weekly earnings of an ordinary Territorian are now $357 per week and, of course, the rental of a flat in Darwin ranges anywhere from about $90 to $200. If you put it into perspective, it really has not changed very much. I say this in defence of landlords at present. Building costs are horrific and, of course, the major components of building costs are labor costs and interest rates. When you pay 22% in interest when you want to build flats, you are not going to get the money from the bank or very little of it. You go straight to the finance company after obtaining the first $20,000 from the bank and you borrow the rest from a finance company at - I am told at the moment - 22% or 23%. Someone is paying for that and the landlord must have some return. Quite frankly, unless you look at the capital gains side of real estate today, the returns are not worth having on an income basis. You would not be getting 10% on flats in Darwin. You would be better off putting it on the short-term money market if you are looking at a straight return on the money. That is the problem and you cannot force people to build flats when there is no return. There is no return because of the high cost of money and the high building cost. The only area where we can help is to try to keep the labour costs down because we cannot do much about the interest.

I would like to make the point, Mr Speaker, that the Northern Territory government spends more actual cash on the provision of housing and land in this Territory than the state of New South Wales, and that is not just on a pro rata per head basis. That is a fact. You look at what they spend through their Housing Commission. We are spending more money here than the state of New South Wales. $1.20 per $5 of our budget goes on land or housing as against something like 15c per $5 in New South Wales. They have a much bigger budget but they also have a much bigger population. We are spending money to provide housing for many people who are not in fact welfare cases. Many companies that set up in the Territory, whether they receive assistance under the Industry Housing Scheme or not, actually rely on what should be a welfare housing scheme to house their staff.

I notice that the member for MacDonnell laboured the point that governments should not adopt as a policy that people should be forced to live in caravans. We do not subscribe to that policy. Today, I would suggest that the standard of housing in Australia is much higher over all than it is in America. Right across America and right across Australia, there is a much more mobile sector of the population today than there was 10 years ago. Many of those people choose to live in what they are calling mobile homes. If that is their choice, it is open for them to do it in a democratic society.

Many people come into my office - as they come into the offices of all honourable members - with housing problems. I can recall years ago that buying the house was almost the sole objective of most people whether they were working class, middle class or whatever. People spent a large proportion of their salary to make their payments every month to buy their house. They made their house payments in priority to other things which were, in those days, perhaps regarded as luxuries. Over the last couple of years, I have been asking some of the people who come into my office with problems about raising a deposit to tell me what their household budget is. I recommend this to other honourable members because you will find people who want to have everything, including 2 cars, yet they say that they cannot save any money to put a deposit on a

house. It depends exactly on how much they want a house. Maybe they will have to exist with one car only until they save their deposit. How would they pay even if given a deposit if they cannot contain their spending? Every time they see something they want, they buy it on hire purchase. I do not mind what people buy; it is their choice. If you want a house - and this is as true today as it was in the 1920s, 1930s, 1940s, 1950s, 1960s and the 1970s - you will have to make sacrifices no matter who you are. I bought my first house - and you do not want to hear about my problems - for about $11,000. I can remember my first mortgage payment. Things go up the scale and the more you get the more you want. Apparently, the Leader of the Opposition's desires are large also; he has this monstrous interest bill too. This is what happens. I believe that people who want a house today have to settle down and take stock of what they are doing. Unless the great Australian dream is to be lost, they really have to be prepared - just like their mothers and fathers were - to make a little bit of a sacrifice.

Mr ROBERTSON (Community Development): Mr Speaker, this is a subject which I thought was very worthy of debate and I have had the pleasure or otherwise of being minister responsible for it for some time. There is just one issue I would like to raise and that is the opposition's view, which was genuinely put, in relation to the mix between private sector and public sector land development in Darwin and Alice Springs. All honourable members would be aware that the government has adopted a deliberate policy that the private sector will be responsible for the actual delivery of land in both of those centres. As the Chief Minister has pointed out, in Katherine and Tennant Creek - and hopefully in Nhulunbuy if we ever get around the land tenure problems - the government will continue to participate in a very active way.

Mr Speaker, it seems to be not understood by the opposite benches that, in a marketplace the size of that in Darwin or Alice Springs, there is no room for both. It needs to be clearly understood, and this is not a matter of private enterprise imposing its will upon government but a matter of reality, that the marketplace does not have the capacity to absorb both sectors in respect to the release of land to public. Because of their sheer size, Sydney and Melbourne are able to have a mix of both. I would ask honourable members to reflect back upon the experience in South Australia with the advent of the South Australian Land Commission. Remember what that did to the private sector because there was not sufficient growth to cater for participation of both the private and public sector.

Quite obviously, in respect of land development in the Northern Territory, had the government insisted that it had a role in the production of subdivisional work we would never have attracted the private sector into subdivisional work. It is not a matter of ideology but a matter of plain fact. The ideology comes in with the question of whether or not you want the private sector to be involved at all. It is a matter of involving both given the size of our marketplace in land.

If a conscious decision was taken that the government was to be the provider of developed land right through to the actual sale process, one must recognise the consequences of that decision. Quite clearly, the tens of millions of dollars which have been invested to date by the private sector into land development would have had to have been put in by the public sector if there was no private sector. That equivalent amount of money would not be available to service additional subdivisions be it government or the private sector. The money which the government is not spending on the direct production of roads, kerbs and guttering within the private subdivisions has been able to be made available for the provision of headworks - such things as water, sewerage, electricity and trunk access. There is no doubt that the government's policies have resulted in a greater land turn-off than would otherwise have been available to the public for purchase. In addition, if the government

had had to invest those tens of millions of dollars, it could not have produced schemes such as the highly successful Home Loans Scheme nor could it continue with the public service home purchase scheme which is now successfully operating in the Territory. One must maximise resources.

The minister very accurately pointed out to the Assembly the relationship between land turn-off and land cost and the ability of the private sector to produce land cheaper than the government. When the Chief Minister pointed out the costs of producing land in Katherine as opposed to the reasonable expectation of recovery of those costs by way of purchase price, those figures do not reflect the reality of what is commonly known as 'hidden costs': all of the additional people which the public sector employs and which the private sector does not have to, the people whose salaries appear in our appropriation bills. Those figures are not reflected in the figures that the Chief Minister outlined. Indeed, the actual difference between the cost of the government producing land and the cost which it can reasonably recover from the public is significantly greater than the Chief Minister's figures. I cannot offer even an opinion to this Assembly as to why the private sector can undertake capital works more economically than the public sector. I wish I knew. Given the unfortunate event as far as the Territory is concerned that members opposite do become a government, they will realise that they would like to know too.

It is clear that, in overall efficiency, the private sector is producing land right now in the Northern Territory more cheaply than the government can do it in the same location. It is also to be recognised that those headworks that I have already named are provided by the taxpayer. If the private sector was to do the lot, the cost would be greater than that which it asks for on the market. Therefore, it is not as though the government, in encouraging private enterprise, is abandoning the whole thing to the private sector. On the contrary, the public sector, through the government, supports the ability of the private sector to supply land and thereby release funds for other purposes throughout the housing and building industries.

Mr Speaker, the building industry is not just the provision of houses. If an inordinate amount of the revenues available to this government was spent on the provision of government subdivisions, then the major capital works - such as major government offices, new courts buildings, the new museum and art gallery complex, the performing arts centre etc - both here and in Alice Springs would not be possible because there is a limited amount of money in cash flow in any one year available for capital works. If those functions were not being carried out by government as a result of the government having the total burden of providing everything to do with lands and housing, then of course the very cost of constructing a house itself would rise because you would have such an incredible slack in the construction industry that tenders would come in significantly higher than they are coming in at the moment.

What I am suggesting is that the whole thing has a cumulative effect. We cannot simply isolate one thing and ignore the rest. I believe that the system the NT government has brought in, whereby there is a support in headworks and external services by the public sector to make possible major capital investment by the private sector, provides the best use of the taxpayers' money. I believe, given our size, the extent of our population and the amount of public revenue available, that mix is the best which is possible at the moment.

Mr PERRON (Lands and Housing): Mr Speaker, my colleagues have left me only a few matters to touch on which I do not begrudge at all. Can I say that the report and what has been said here today could be summed up by saying that the Territory is really swimming against the national tide. It is true. What we have heard in the debate on the report is that rising interest rates, the difficulty of finding finance, land costs and labour costs are the same here

as they are in the rest of Australia. We are in an even worse position than the states because of the smallness of our population. However, despite that, the report indicates that, if the government maintains a continuous heavy emphasis on housing, it can continue to hold the demand for housing in a somewhat more stable position than at present.

Some members have argued that that is not good enough. They feel that maintaining the position of being able to assist low-income earners to buy their homes, even if they have to save for a little while, is not good enough. They felt no one who comes into the Territory should suffer the burdens of living in a caravan or paying far too high a proportion of their income for other accommodation. They should be able to move into a house immediately and pay an acceptable level of rent. Clearly that utopian view is unachievable. I think that we should all realise that right at the start.

Mr Speaker, I think waiting times and the seriousness of the housing situation is in fact relative. I would touch briefly on the relative situation in the states. There are several state governments which will not house other than what they classify as 'welfare cases' under their state housing programs. That is understandable. State resources are fairly limited and there is every argument to say that a state should be looking after and accommodating those people who have no chance of getting on their feet whilst those unreasonable middle and upper income earners should be left to fend for themselves. This is largely true in Victoria, Tasmania, Western Australia, New South Wales and the ACT. All those states and the ACT have means test eligibility for Housing Commission accommodation and the criteria vary a fair bit.

I will give 2 examples. One is fairly generous: the situation in the ACT. You can get onto the accommodation list if you earn up to 100% of the ACT average male weekly earnings which is $338.50 per week. That is a fairly generous means test. In Tasmania, it is far more difficult to get on the list. The combined gross income of husband and wife must not exceed the Australian average male weekly earnings, which at that time was $294.60 a week. That is the combined gross income of the husband and wife, which is really pruning it because a spouse's income can add considerably to the breadwinner's income.

On the subject of the relative waiting time, it must be realised that the states' population growth levels have been approximately 25% lower than the Territory growth level of the last few years. As such, they have not had the enormous demands on providing accommodation that the Territory has had. Despite that situation, in South Australia in the inner-metropolitan area - a 10-mile radius from Adelaide - waiting times vary from 2½ to 4 years. In Queensland, in less popular areas such as Inala, the waiting time is 3 to 4 months. In the better serviced areas near Brisbane, it is 1 to 2 years. In Hobart, the waiting time is 6 to 12 months. Obviously, what affects that very severely is the relatively very low cutoff point for people who are eligible for Housing Commission accommodation. We could cut our waiting time in half if we could cut the waiting list in half. Launceston, which is a developing city, has a waiting time of 3½ years. In the Perth metropolitan area, the waiting time is up to 2 years, depending on the circumstances of the people. Western Australia allocates accommodation on a points system which depends on the type of present accommodation, an assessment of the accommodation need and the size of the family. In the ACT, the waiting time is 2 years.

Mr Speaker, I think those points are relevant because I refuse to accept arguments which have been presented in the past, perhaps not so much today but certainly publicly, that any waiting time for a family in some financial difficulty is unacceptable. I am afraid that it is just too utopian to think that we will ever reach the position where we have houses waiting for people. That only happens at times of negative or minus population growth. Hopefully,

that will not happen for a long time.

Mr Speaker, one of the points I would like to make as a result of matters raised here today is that members should be mindful not to accept that every accommodation unit on the private market is rented for the advertised rates one sees in the paper from time to time whereby flats seem to be rented at $90 and upwards and houses seem to start at $130 or $150 a week for a 3-bedroom house. I know a few landlords who have not raised rents unreasonably for tenants who have been with them for some years. They have a factor of escalating rents from time to time which is not reflected in the true market rent. The market rent is set by demand and, if a flat becomes vacant, it is rented for what the market will bear. Where these landlords have people in flats, and some of them have been there many years, they have a factor of escalation on the rents they were paying then and they are nowhere near the rents that are charged these days. We should not assume that every person in private, rented accommodation in Darwin is paying the $150+ for a 3-bedroom house or the $90 for a flat. That would not be so.

Mr Speaker, the honourable member for Nightcliff mentioned that the private rental market for families was almost non-existent. I cannot accept that. I guess it may be very difficult for families to find a 3-bedroom house to move into because they do not come onto the market that often. The fact that many are acommodated in the private rental market at present obviously means that such accommodation is not non-existent.

Mr Smith: Not unless it is subsidised.

Mr PERRON: On the subject of subsidy, we also seem to think that no one could possibly take up a 3-bedroom house at $150 or more per week unless the rent was subsidised. For a single breadwinner with a wife at home because they have 2 or more children - or even 1 child - it would be very difficult. A fairly substantial income would be necessary to pay $150 a week in rent. The history of Darwin is that when you go out looking for wives who stay home, it is very hard to find many because ...

Mr Smith: They are out working to pay the rent.

Mr PERRON: ... they are out working. That is right, perhaps of necessity, they are working to pay the rent. The combined incomes of husband and wife, in many cases - particularly if one of them is a public servant or works in an area of fairly substantial income - can be quite large. For example, a couple with 1 or 2 children, where the wife is a schoolteacher and the husband an A8 or so in the public service, will gross quite often in the vicinity of $45,000 or more a year. That is a fairly substantial sum. They put the children in a creche every day. It happens quite often. They put them in creches when they are 6 weeks old, disgustingly.

Mrs Lawrie: I was not really talking about those people with a gross income of $45,000.

Mr SPEAKER: Order! Order!

Mr PERRON: Can I say, Mr Speaker, the honourable member for Nightcliff's interjection is really proving my point. We seem to be not talking about the thousands of people out there who are occupying the private rental accommodation which is too expensive. It is all occupied and the bills are paid and the security deposits and all the rest. We seem to dismiss all those people who are being accommodated. Some of them are finding it very difficult, I have no doubt of that whatsoever. But they are there, and they are managing. As the Chief Minister said, people have to fight for the things they want; they do not come easily.

Mrs Lawrie: Oh, I must give this speech to them.

Mr PERRON: But let us not get the impression in our minds that every person out there who is not accommodated by the government is somehow in a terribly disadvantaged position, because it simply is not so.

Mr Speaker, can I move on to the low-cost housing village. I would like to express my disappointment at a couple of people who have written to the press lately and have been severely critical of the accommodation they have seen at the village. I do not mind people expressing their views and saying that they do not like it. What disappointed me was that they dismissed the concept - not simply as not meeting their taste in housing - almost as an outrage that we would do such a thing as to build this low-cost housing village which contains a series of buildings which they would rather not have built alongside their homes. These people, I believe, have missed the point. It disappoints me that they were not smart enough to even see it.

The fact is that we will not break the barriers of low-cost housing which we must continue to fight for and which this report says the government must continue to emphasise. We will not break those barriers without breaking the barriers of conventional housing as we know it. Those people who drive out there from their comfortable 15-square or 18-square homes to have a look at the low-cost village for $34,000 a house, plus land price, and expect to see something similar to what they are living in are very misguided. Before they got in their cars, they should have been smart enough to realise they were not going to see a conventional house for half the price. It just cannot be done at present. We will continue to work on the low-cost housing theme on a range of fronts. We will work at them as best we can because we have to break through. Also we have to break through community attitudes towards low-cost housing. We have to get people to accept that it is a really acceptable alternative to buy a relatively cheap, at least affordable, core of a house which can be expanded as the years go by and perhaps as the family grows. It makes a lot of sense that a young couple, at least without children or even with a child, does not really need a 3-bedroom, carpeted, air-conditioned house. They may very well like one and be able to afford it 10 years or 20 years after first getting married. It is when they are first married that they really need the accommodation badly. Their income is then the lowest of their lives and that is the time they should have the opportunity to buy affordable accommodation. It need not look like the end product. We must change community attitudes and have those things accepted otherwise I can see all sorts of problems trying to obtain approvals for their construction in certain areas. If we cannot change community attitudes towards this concept, there will be objections.

Mr Speaker, I take issue with 2 more points that were raised by honourable members, but before going on to that and on the subject of low-cost houses, I was very disappointed in Brisbane some time ago. I went out to see the display kit home of a nationally-known producer of kit homes, and they can be quite attractive. I went out to see one on the outskirts of Brisbane. This home was about 12 squares, a reasonably sized place with basic fittings inside, a stove, some tiles on the floor of the kitchen and a couple of cupboards, which were extras over the cost of the kit itself. That home, erected on your land, was $42,000 in Brisbane. In that newly-developing area - it is a bit out in the scrub - the minimum cost of a block is $18,000. I was very disappointed. Brisbane is a place where builders are flowing out of the woodwork and the papers are full of ads for homes. The prices being asked and paid for by people whose average incomes are much less than those in Territory for smaller blocks than we would find in the Territory suburbs is the same as the cheapest blocks of land that can be bought in Darwin - $18,000.

Mr Speaker, the member for MacDonnell, in trying to criticse private development in Darwin, picked on the fact that land is not selling too well in Brinkin because it is quite expensive and the fellow is making too much profit. He could have used another example and said that land in the golf course estate is not exactly selling like cornflakes in a supermarket. What he should have used as an example of private enterprise being brought successfully to land subdivision in the Territory is the Leanyer, Karama and Malak example where the cheapest land is about $18,000 a block. Compared to any calculation this government has been able to do, that is significantly cheaper than the government would have been able to turn them off. It was quite unfair to pick a block in what is classified as one of the more elite areas, expensive land, and say that that is an example of our going in the wrong direction.

The member for Millner did some amazing sums which lost me halfway through. However, he worked out that the profit margin for developers in the northern suburbs is quite excessive. He said it was 39.6%. I am not sure whether that is how much profit a land developer makes or not in the Territory. We must consider the steep rates of interest on the funds that developers use to turn off blocks of land and the charges which they face. They have to pay the government for the raw land in the first place and, some 12 months or more before they get any return on their money, they have to put in all the infrastructure work for the subdivision and then battle away to get titles before they can put the land on the market. Often, it does not sell instantly. A serviced block may be held for a year or more. You take your $12,000 at 20% per annum and just let it sit there and pay your salesman to sit in an office and take out your half-page newspaper ads to try to promote your subdivision. You are competing with at least 2 or 3 others even in Darwin and you rent your office space and have other overheads. It is most unfair to take a figure like 39.6% and say that it is excessive profit. It sounds like it is all made in a single 12-month period. It certainly is not. I would not accept that it was complete profit anyway if all the overheads are taken into consideration. I believe that much of the figure work that was presented to us by the honourable member for Millner was far too shallow to be accepted as criticism of the private subdivision or market which this government has created in the Northern Territory by its policies. It has been one of the most successful things we have done. We have saved a fortune in government capital works programs which have gone into other areas of government activity. I thank honourable members for their comments generally.

Motion agreed to.

MINISTERIAL STATEMENT
Telecommunications Policy for the Northern Territory

Continued from 16 March 1982.

Mr BELL (Mac Donnell): Mr Speaker, I rise to make a few comments as a result of some thought that I have given to the statement by the Chief Minister in relation to a telecommunications policy for the Northern Territory. I rise to make these comments as somebody who has spent a bit of time in more isolated areas of the Territory as well as living in one of the towns of the Territory. I hope my contribution will be of some value. The Chief Minister referred to the disadvantages in telecommunication terms suffered by many people living outside the major towns of the Territory. Having experienced that sort of isolation, I heartily welcome the purpose of the minister's statement in obtaining for the Territory the same telecommunication facilities, both in Territory towns and in isolated places, as would be acceptable in any other part of Australia. I have done my time before the advent of the radio telephone,

sending telegrams and waiting days for replies. That was sufficiently frustrating. After the advent of the radio telephone, I am not sure whether it was more frustrating or less frustrating. At least you could get a message back but the time spent waiting for little red lights to go off - and then, when the little red light goes off, being beaten to the punch on the button - is sometimes more than the human spirit can endure.

I am a little unclear about the introduction of television to outback areas. I remember reading a newspaper report where the managing director of the Australian Consolidated Press, Mr Kerry Packer, was referred to as being fairly enthusiastic, because of his infinite concern for the human condition, about bringing television to the outback. I am not sure that it is quite the unmitigated benefit that some honourable members may regard it. Considering much of the nonsense on commercial television, I did not regard being without television as a cultural disadvantage. In fact, quite the contrary, it was a considerable advantage in not being bombarded with it. It meant that my children were thrown on their own resources to provide entertainment for themselves as I was. It is a different case with radio. I think the advent of radio communications is pretty essential. Radio communications - and I am talking about medium and short wave network broadcasts - were not able to be received very well at Areyonga without a reasonably sophisticated aerial apparatus. This was partly because of the topography of the local area being as hilly as it is. I understand that, with the development of Domsat, this radio reception will improve. I think that is a distinct plus. Certainly, some aspects of television may not be quite the great advantage that it may be thought to be by some other people.

The minister's statement indicated the year 1988 as the target date for the proposal to have Territory-wide telecommunications. That is certainly going to be a big year. Not only are we going to have Territory-wide telecommunications, it is also the target date for the railway and I think the Chief Minister is hoping for 10 senators by 1988 too.

The Chief Minister said that cost effectiveness should be a major consideration in determining the type of communication that can be provided for the special groups. I think the 'special groups' to which he was referring are particularly people in outlying stations and communities out of the major towns. He said that telecommunications must be available at a reasonable cost. We have had considerable talk about the master principles that conservatives use but I doubt that they will come into play here. When it comes to paying for Territory-wide telecommunication services, I doubt that either free market forces or the user-pays principle will be touted round by the government in its search for the very necessary telecommunications facilities. If we were talking about free market forces or user-pays principles, we would still be using pedal radios.

Where postal facilities shade into telecommunications facilities is not a clear line with the sort of technology which will be available with Domsat. I refer particularly to electronic mail services. It is important to realise that the Territory is one of the major beneficiaries of the cross-subsidisation system that presently exists for telecommunication and postal facilities. There have been a number of interests in recent years that have sought to sell off parts of these services, particularly the profitable ones, to private enterprise. The Territory would be the loser if those proposals go ahead.

It is easy to see, for example, that TNT would be interested in taking letters within a capital city from one suburb to another at the cost of 10c a letter when they are charging 27c a letter for that delivery. They would not be so keen on taking a letter from Adelaide to Alice Springs or Alice Springs

to Darwin at 27c a time when the actual cost is 35c or 40c. I think that the Territory government ought to be arguing pretty strongly to maintain that system of cross-subsidisation because, if we do not, the obtaining of the sort of telecommunication facilities that the Chief Minister is referring to will be somewhat more difficult.

The Chief Minister went on to refer to the fact that full development in the Territory can only take place by means of a comprehensive and integrated telecommunication system which utilises the most advanced technology available. He was referring, of course, to economic, industrial and social development. This is certainly the case. When considering this cross-subsidisation argument, we must be very clear in our minds what the Territory is asking of the rest of the country. We are asking the rest of Australia to invest in the Territory. It is a very reasonable investment when we are asking for telecommunication facilities like that. This shades into the next point that the statement referred to: political unification. For that reason, it is very important that Australia, in general, does invest in the Territory in exactly those terms.

The Chief Minister said that a comprehensive telecommunications network is urgently needed for the political unification of the area and I think that is a very laudable aim. As I mentioned, I spent a few years in the bush without the inestimable benefits of television, but I am quite sure that the Chief Minister is correct in asserting that having the same television available in Darwin as in Alice Springs would contribute to political unification. Some residents in Alice Springs, and I for one, at times regard the reception of Queensland television as rather a high price to pay for political unification. It has taken me some time to be re-educated about this.

The Chief Minister then referred to the fact that all residents of the Northern Territory will be provided with a full range of telecommunications according to their needs. That is a fairly socialist sentiment: for each according to his ability and to each according to his needs. I think that that is a very laudable aim and it is highly desirable that we have uniform availability of telecommunication facilities for people in isolated communities given that the technology is available and the benefits that are likely to flow from that. However, we have to be fairly clear about what is involved in terms of cost.

I would raise one query at this stage. To the best of my knowledge, Mr Speaker, there has not been much public debate or reference in information that I have come across as to who is actually to pay for the use of these facilities. They are not cheap. The Domsat facility, providing as it does radio, television and telephony services, is very expensive, particularly, I understand, for the telephony services. It requires 2-way transmission. I understand that television reception is somewhat cheaper because it requires a signal to go in one direction only. It does not require earth stations that can transmit as well. In his speech, the Chief Minister referred to the DRCS system - the digital radio concentrator system - which does not provide television reception but provides radio and telephony reception, similar to the microwave-link telephony reception available in certain centres at the moment. I understand that operates at something like half the cost of the Domsat system so we are paying half as much again for the benefits of television reception through Domsat. That is part of the cost-benefit issue which requires a bit more consideration by the Assembly.

One further point I shall mention is the concern expressed by the Central Australian Aboriginal Media Association which has made submissions in regard to the use of Domsat. I hope these will be supported by honourable members and by the Northern Territory Legislative Assembly. It is fairly important

that as much encouragement as possible be given to Aboriginal people to use communication facilities in a way that they want to - something along the lines of the community access radio presently used by community groups. That is a facility that could possibly be extended into television. The impact of all forms of western communication has been very great on traditional Aboriginal culture. I believe we have some responsibility to extend to people facilities to use as they see fit in as suitable a way as possible.

Finally, I welcome the objective the Chief Minister laid out in his statement of seeking to obtain a comprehensive telecommunications service for the Territory and I appreciate that it will provide a wide range of telephony, radio, television and data-processing services even to the very borders of the Northern Territory.

Mr VALE (Stuart): Mr Speaker, I would also like to comment on the statement concerning a telecommunications policy for the Northern Territory. This statement has particular interest for me because I represent the largest of the 19 electorates in the Northern Territory, an electorate in which roads and communications are so vital.

Many years ago, as a young fellow in Melbourne, I listened to the coronation of the Queen broadcast throughout the nation. We listened on a battery-powered radio and tried to make out what the announcer was saying. This was not always easy on a battery-operated radio which had interference and crackle. I am often reminded of those days when making telephone calls, when and where possible, in the more remote areas of my electorate. These telephones are often so crackly that they disrupt or distort voices. Sadly, we do not appear to have progressed much farther than those early days. The quality of telecommunications services, where they exist in remote areas, very often leave much to be desired. People in the larger population centres tend to take telecommunications services for granted. Many people living in remote areas have no services to take for granted.

I am reminded of a survey that I conducted in the Stuart electorate several years ago when I sent to all the pastoral and Aboriginal communities a questionnaire asking basically what mail services they had, how the mail arrived etc. I also asked where their radio communications came from; for example, some pastoral properties received Mt Isa whilst others received Western Australia. I asked the type of service received and one wag in the bush said it was Radio Australia. Under 'other comments' he said: 'Okay, if you speak Indonesian'. Mr Speaker, that, unfortunately, is a sad reflection on the lack of services that bush people have in central Australia and other areas in the Northern Territory.

Mr Speaker, people in my electorate are watching with interest developments involving the Australian domestic satellite due to be launched in 1985. It has been stated that this satellite will provide a full range of telecommunications services even to the most remote areas. Those services will include TV, radio and telephone, all of which are most vital. When that comes, it will give people in the more remote parts of the Territory something for which they have been waiting patiently for a long time - something which they should have had long before now. The thinly scattered population of my electorate, as is common with other areas of the Territory, will be brought into the mainstream of Territory life. They will have better social contact, health and education services, entertainment and better contact with the outside world in emergencies.

Mr Speaker, I note in the statement the submission to provide Territory-wide telecommunications by 1988, 3 years after the launching of the Australian domestic satellite. I would like to express my unqualified support

for that submission.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I rise to support the statement because it is a matter that is dear to my heart. I guess members who have remote electorates know of the disadvantages that people in those electorates have by virtue of their poor communications. It is very easy for us to feel deeply about the matter. I believe that a fair amount of progress has been made in the last 10 years in the Northern Territory with the provision of telephones. Ten years ago, when you made a phone call in Tennant Creek, you were answered by a girl who said: 'Number please'. Trunk calls were often hard to get and the inconvenience was often costly and very frustrating.

Today we have automatic exchanges in almost all the major communities. We have STD and very high frequency telephones that are connected to the microwave system for remote area people. We have telex and vocadex. Another thing that I think is interesting is that we have had an enormous number of new connections in the Northern Territory in the last 5 or 6 years, probably at a greater rate than any other place in the country. On top of that, the satellite development is progressing at a great rate. Progress is there but in some parts and in some ways it is very slow in coming. In my electorate, the frustration with the radio telephone - its overcrowding and its poor performance - is really something that is very hard for us to come to grips with, particularly when we see what goes on in the world. In 1980, it was possible to put a man on the moon but there must be 20 stations in my electorate that do not have a telephone and rely on the flying Doctor radio.

The introduction of new technology is not always the answer. About 1975-76, Telecom introduced the VHF telephone for stations that had homesteads within 59km of a microwave tower. I regret to say that there are still places in my electorate and even along the Stuart Highway which are seeking these connections but still do not have them because the number of sets required have not been purchased and installed. I accept that many people have them. Many people in my electorate who now have STD because of the VHF telephone were people who did not have any communications at all other than the radio.

The honourable member for MacDonnell also touched on the digital radio concentrator system and the prospects that this new technology holds for people in remote areas. As I understand it, the digital radio concentrator system will be a fantastic advance. My concern is that we are talking about 1984-1985 for the technology to be introduced but it could be the turn of the century before people in my electorate ever experience its benefits. One of the difficulties that I have with Telecom is that it says it is introducing new technology - whether it is Domsat or whether it is the DRC communication system - and in that sentence there is the implication that all things will be available to all people at that time. The truth is that some of these services take years to become effective.

I really sympathise with some of the people in the community. I would like to cite 2 in particular in my electorate: Borroloola and Warrabri. They are communities of 400 and 600 people respectively, both of which - until recently for Warrabri anyway - have had only one telephone each. Everybody in those communities took his turn on the telephone with everybody else. I just fail to understand how communities of such size can operate with one telephone. They wait for 4 hours or 8 hours to book a call, make the call, find that the bloke is not at home and then wait a similar period to make another call.

Mr Speaker, I think the introduction of better communications in the Northern Territory is to the advantage of the whole community in terms of its

prosperity. It has been put to me by cattle station owners in my electorate, who rely on a phone from time to time to buy and sell, that, if their call does not come the day they want to make it or the next day or the day after, the difference in price at 1c a pound is worth $80,000 a year in terms of gross income. Cattlemen feel very frustrated when their market falls away and their income is affected very considerably.

I also believe that we have reached a point in some areas of the Territory where our growth and development is dependent upon our ability to communicate. There is nothing more we can do in these areas until our level of communication has been upgraded considerably. I see the McArthur River-Borroloola region as an area for improved cattle turn off and, hopefully, the establishment of a mine. It should also be a base for a fishing industry and a tourist industry but it is pretty hard to get these things launched when you cannot even communicate by telephone. The telephone at Borroloola is not even a Telecom telephone. It is a private one and if the guy does not want to get out of bed and let somebody use it or he is away for the day, then it is just too bad.

Communications are very important in terms of projects such as the Yulara Tourist Village because, however much infrastructure we put there, some people will not go there if they cannot communicate with their family, office or whatever. If we wish to see this part of Australia developed, we will have to provide normal communications.

The honourable member for MacDonnell also raised another very valid point that I think needs to be pursued with Telecom. Domsat will provide a telephone service to people in the outback but one can only receive on Domsat. One cannot transmit unless one outlays $25,000 to $30,000 for transmitted gear. The next question is who pays. The honourable member for MacDonnell covered that very well. I agree that Domsat is an option but it will not be the answer to a maiden's prayer in the Northern Territory.

The improved communications will bring radio and TV to places in the Territory that have nothing at the moment. These people want to be part of the wider Territory community and not left in the dark so far as communications are concerned. It is also important because the Northern Territory is losing a lot of business to places like Mt Isa. Cattle production on the Barkly Tablelands is valued at $44m a year and the majority of business done in that area is directed to Mt Isa. The reason why people orient themselves to Mt Isa and set their clocks by Queensland time is that the only communication they have is with 4LM radio. If the Northern Territory had a commercial radio station that could reach those people and draw them back to the Territory, a great proportion of that business and trade would be brought back into the Territory.

The honourable member for MacDonnell also touched on the concept of private investment in telecommunications. Whenever anyone tries to get under Telecom's guard to get a piece of the action, it has 100 reasons why private enterprise should not be involved in communications: it is not economical, it requires experience and technology and private enterprise would have to tap into Telecom anyway. I really subscribe to the view that, if Telecom is not able to perform a communication service in some areas, and the Northern Territory is well down on its Australian list of priorities, it is not unreasonable for us to say to it: 'Would you like to let that section of the communication to private enterprise?' If private enterprise thinks it can run it and make a dollar out of it, that is fine. If it does not, it will not bid? Mr Speaker, I can only tell you that that sort of approach to Telecom does not get very far at all because it does not want private enterprise in the communications world. Private enterprise just might find out how lucrative it is and become very interested in all the things that Telecom is doing.

Let me just say to honourable members that, while I believe much has been achieved, there is a great deal we can do in the Northern Territory to improve communications in remote areas, and, when we do that, we will be building a base for greater development of the areas that are currently not served.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the parish pump has been getting a fair old hiding in the debate this afternoon so I feel obliged to rise to give it a few pumps myself. The member for MacDonnell made a passing reference to the fact that, if it was not for these better communications, there would still be people in the Northern Territory using pedal radios. Mr Speaker, just to set the record straight, I would like to advise that there are certainly people in my electorate who are using pedal radios. In fact, I have used one myself there. They are made by Mr Traeger. There are a number of Aboriginal communities in my electorate which are using those Traeger pedal radios. With the assistance that has come in the last 12 months from the VJY radio group, you can now make telephone calls over radio. That has made a tremendous difference to life in those communities. I know that, in order to operate pedal radios successfully, the person making the call cannot do the pedalling. If that happens, all that is heard at the other end of the line is heavy breathing, which I understand is an offence. You must make sure at least 2 people are available for that particular operation.

There is not the slightest doubt that nothing lifts the morale of an isolated community more than improved communications. In my own electorate, there have been significant improvements in communications, particularly in telephonic communication and the establishment of an experimental ground receiving station at Galiwinku. I know that those communications will continue to improve. The progression has been made through the area of no communications whatever into the area of radio communication and then, in the last couple of years, VJY instituted the system whereby telephone calls can be made through the radio room to radio telephones. In my own electorate it is far less frustrating to make telephone calls through VJY over a radio than it is to use a radio telephone. Like other members in the Assembly, I have had the experience of sitting around for hours and hours and eventually get a line which was largely useless because of the poor quality of transmission or reception.

The community at Milingimbi is fortunate to be in a direct line between Nhulunbuy and Darwin. Actually, it has a microwave transmission station on the island. As a result, it can tap into direct dial telephones. It originally operated on one line but it now has a profusion of lines, including a public telephone. Nothing picks up the morale of a community more than being able to keep in touch with the outside world.

Something I have mentioned in the Assembly before in a previous debate on communication is that, on the list of priorities for better communications, people almost invariably would place telephones at the top, and that includes television. I remember mentioning that in the Assembly before the nationwide survey was done to determine what people's priorities were in communications. The 3 top priorities were telephones, telephones that work and telephones that work all the time. That is still very much the case in my own electorate. There is no doubt that the introduction of the satellite system will be a tremendous boon to everybody. People at Maningrida, Galiwinku and Oenpelli and many other isolated places will be able to watch things like 'Brideshead Revisited'. no doubt to their edification.

I wish to conclude by touching on a few points that the honourable member for Barkly made on the introduction of private enterprise into the communication system. Mr Speaker, I have had some small experience in this matter and recently had discussions with a local business man who is involved in

this area with a view to promoting such a thing in isolated communities in my own electorate. I am fully in favour of that proposal, but it does have a few difficulties. I apologise for not having the figures in front of me. They are too complicated for me to give them off the top of my head. However, the point that was made by this particular person without any equivocation was that there was no way that his company or any other private company could install these systems at anywhere near the price charged by Telecom for the same system.

Mr Speaker, it is a fact that, because of the national nature of Telecom, as was touched on before by the honourable member for MacDonnell, the Territory receives the benefit of being subsidised - as all other isolated communities in Australia are - by the profitable traffic that Telecom has in the major urban centres of Australia. Unfortunately, I cannot quote the figures in this debate, but the differences were very substantial indeed. The microwave links installed by Telecom such as the feeder links that it would provide for communities such as Ramangining are provided at a substantial reduction. Not only are the services provided at less than actual cost, they are provided at substantially less cost again. A private company would have to charge not only to cover the cost of the hardware but also to make a profit, which is what private enterprise is there to do. I must say that the person with whom I had these discussions did not flinch from that. He said it was a question of whether any government would be prepared to place such a priority on communications that, because some of these Territory communities may not be high on Telecom's priorities, it would be prepared to foot the increased bill. Certainly, I would want to see that looked at carefully.

I am very intrigued by this proposal, Mr Speaker. I shall seek to have discussions with the honourable member for Barkly at some stage afterwards and perhaps put him in touch with this company if he does not know of it. I would be very keen to see this pursued because the amount of money involved is not astronomical. I think the figure quoted for one particular community was $150,000 for the provision of a telephone service. That is peanuts really. However, it is substantially more than the cost that would be charged to the budget of the community by Telecom. Nevertheless, it is feasible. I think it is worth the extra money. Private enterprise is prepared to provide it. The technology is available, and I would see it as something that the government should take up.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I thank all honourable members for their contributions to this debate. It has been very interesting to hear some of the things that have been said. Certainly, it has been interesting for me. I am pleased to see that, on communications, there is obviously a very bipartisan approach. All honourable members who have spoken simply want to see what is best for the Northern Territory. There is a realisation on everyone's part that communications are most important to the future of the Territory for its social and economic development.

I assure honourable members that their views, as recorded in Hansard, will be taken into account in the formulation of future government policy in this area. I have noted what some honourable members said in relation to cross-fertilisation. Once again, I would like to thank everyone for his contribution to this debate.

Motion agreed to.

MINISTERIAL STATEMENT
BTB Eradication Campaign

Continued from 27 May 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, in making this contribution to the debate and in view of the comments you made the other day, Sir, I anticipate that, because of the agreement of the opposition with the government on this matter, we may have a spontaneous contribution to the debate from the Chair.

The beef industry has been facing a major and, in my view, potentially serious problem for some time: the eradication of BTB from its herds in the northern areas of Australia. The industry has lobbied consistently and made these concerns known to government and opposition at both state and federal level. I travelled to Sydney last year and gave evidence to the Industries Assistance Commission which was considering the financial role of the federal government in this eradication campaign. The Department of Primary Production also gave evidence to that inquiry. In the light of those submissions to the Industries Assistance Commission, the government and the opposition were as one. As a result of a great deal of work on the part of Dr Graham Calley and others in the department, a plan of attack for the removal of these diseases was drafted for the Northern Territory. Dr Calley then took this plan around the Territory so that its impact could be assessed by the industry.

In November last year, at a seminar on the problems of the Top End beef industry held up here, Dr Calley outlined his program. The plan involved the starting date of 1 January 1982 with a firm timetable for the eradication of both diseases involved in the testing and, where necessary, not only the testing but the destocking of some herds. The plan also spelt out the cost that would fall on the industry as a result of the plan. We had a situation where the government had addressed itself to a major problem facing the beef industry in the Northern Territory. It had formulated a policy to attempt to resolve the problem, it had taken that plan to the industry and the industry had accepted the plan. It is a matter of public record that at least the organisations which represent the industry indicated that the plan was acceptable to the industry. I might add that the plan was a harsh one and it would have seen several stations in a great deal of trouble if they were forced to meet the deadlines that were laid down in it. In spite of this - and this matter was raised - there is a general acceptance by the industry of the seriousness of the problem of BTB.

Mr Speaker, after all that hard work by many people, the Territory did seem to be getting somewhere. Then, for some reason, nothing seemed to happen for quite a while. It appeared that, at least from the industry's view, the advice of the department and the industry was being ignored. The Calley plan seemed to have disappeared for some reason. An attempt by both myself and my staff to find out exactly what the new position was met with no success. I have been told by the industry that they were faced with the problem also of not knowing what was going on. I was told that there was nothing in writing about the intentions of the government regarding the programs.

I must say that it is very frustrating in opposition to be accused of not knowing what you are talking about in criticising government proposals when, at the same time, you make inquiries and ask for a copy of a government proposal only to be told that it is not available. I might say that, in this case, I personally made what I thought was a simple request and was told quite flatly that a copy of that program would not be made available to me. It does make it rather difficult. I accept the minister's assurance that that was not of his doing. Nevertheless, I was informed that it was. I then had to obtain a copy of the program by the backdoor, something which I do not like doing and do not think that I should have to do.

It was announced that there was to be a station-by-station program drawn up for the eradication of the disease. In fact, the information that

the government is now seeking has been on the files of the Department of Lands for some time. One station manager who spoke to me about this said that the people in the Department of Lands know much more about his station than he does himself. Mr Deputy Speaker, perhaps the minister should have asked his own department to find out what information was available within other government departments a year ago because the files on station properties have meticulous detail right down to where the last boundary fence, bore and windmill is. This information is contained in government files.

There was one document produced by the department in January of this year which outlined the problem yet again and concluded that the department was looking to formulate a plan by the end of 1982. I have a copy of that document. The document provided little comfort for the producers and we all thought that we were back to square one because this document said basically that the government was going to collect data and there was not much other positive information contained in it.

I might add that I did attempt to make some further constructive suggestions to the minister. I told him that there was a need to regionalise the program as much as possible so that all stations in a given area were involved in the eradication of the diseases. There would appear to be little point in one station maintaining a testing program at a cost of many thousands of dollars if the stations around that station were not involved in the program. You have the situation where cattle would simply wander next door. I have been given some interesting satistics about the movement of cattle across fenced properties. It is very interesting indeed. At the end of the year, up to 60% of particular herds can be found up to 15 miles away from the place where they started at the beginning of the year, and that is apparently through good fences. There would appear to be no point in maintaining the program if the whole area is not to be kept clean because of these problems of containing cattle behind fences, and certainly containing buffalo behind fences.

The minister's response to this was to say that the program was already regionalised by administrative boundaries. I was intrigued by the suggestion that the BTB organisms recognise administrative boundaries in the Northern Territory. I was not aware of that. I think that the minister substantially missed the point I was trying to make. However, the people who made the point far more effectively than I was obviously able to was Hookers. Hookers made exactly the same point shortly after I did but they made it much more clearly. They simply said - and I was there when they said it in Katherine - that they felt they were wasting their time under the system as it was presently operating and they decided to cease their testing program.

I made a further suggestion and I do not mind confessing that it was far from the original one. In fact, it was an idea that had been floated at a meeting of government veterinary surgeons in March this year. The suggestion was that the stations be broken up into areas where the cattle would naturally migrate to or would be mustered to. These areas are known as cattle premises. The cattle in each area could then be tail-tagged and, if any reactors were found, the region from which they came would be accurately located. A decision could then be made as to whether the area would be destocked or whether a vigorous testing program would be undertaken.

According to the information that was made available to me on inquiry, such an area might represent something less than 5% of the total area of the station. I understand that the system is applied in the Kimberleys at this very moment. The minister's response to this suggestion struck me as being more than a little inconsistent. He said - and I stress that this was contained within the one statement - that I was calling for something that was already happening in the Northern Territory. He then went on to say, in the same

statement, that the fact that it was operating in the Kimberleys in Western Australia was not relevant because of the vast differences between that region and the Northern Territory. Shortly afterwards, I also put a 3-point plan to the federal government in an attempt to overcome some of the problems facing Territory producers involved in the BTB campaign. I did this by writing to the federal minister. The proposal I put to Mr Nixon involved, firstly, the expansion of taxation concessions to cover station boundary fences as well as individual divisional fences within properties. Secondly, I asked that the Commonwealth government consider the payment of compensation on the basis of herd replacement where destocking was required as part of the eradication program. Thirdly, I asked that the current industry debt to the Commonwealth as a result of past loans for the program be dropped.

Mr Deputy Speaker, this is a serious problem for the BTB program in the Northern Territory. Loans in excess of $2m have been granted by the federal government to make up the shortfall in the program and something in excess of $4.5m has been spent by the industry in just paying the interest on the loans. It is appropriate that the loans simply be scrubbed. I must say that I was very heartened to find out in response to this letter which was sent some time ago that we may be getting somewhere with these proposals. It does appear from conversations that I have had with officers in Canberra that the suggestion that I made - I understand I am shortly to be receiving a detailed reply to this letter - for the expansion for taxation concessions may have struck a chord with the federal minister. It might be possible that this will be allowed. I am also told that the suggestion to scrub the industry debt has been very favourably received by the Prime Minister. I will be, as I am sure the Minister for Primary Production will be, very interested to see in the federal budget which will be handed down later this year whether that will be achieved too. The industry has told me that the Prime Minister has reacted very favourably to that suggestion. I am confident that the request for the expansion of taxation concessions and the request for wiping out the industry debt will be met. I had hoped that the federal Cabinet might make such an announcement and it would be appropriate if it were to make such an announcement when it visits Darwin next week.

Mr Deputy Speaker, pressure for an organised disease eradication program continued from the industry and from the opposition. The dissatisfaction with the way things were going at that time would again come to a head at a meeting of Katherine district beef producers in April. I attended the meeting and I met at that meeting the executive officer of the Australian Cattlemen's Union and the president of that union. Both of those gentlemen spent about 4 days in the Territory. They did get some impressions from the industry in the Northern Territory about the government's performance in regard to the BTB eradication program so far.

The executive officer said that he found that Territory beef producers were extremely critical at that time of the government's policy for the conduct of the campaign to eradicate both brucellosis and tuberculosis. He said that there had been industry support for the system of deadlines for the different stages of the campaign that had been developed by the head of the BTB task force, Dr Calley, but this program had not been pursued by the government. He said that, as a result, there was now no clear structure for the program to follow. Mr Farley said that it was the view of the industry that the plan that was now to be implemented was ineffective. I might add that the one positive document that was circulated at that time from the government was the one issued in January which simply said that data was being collected and there might be a plan formulated by the end of the year.

Mr Deputy Speaker, the executive officer also said that the industry had said that, under the proposed plan, the onus was on the department to determine which properties should participate in the campaign and, until

these were identified, there was no pressure on anyone to undertake an approved program. He also rightly said that, under the series of deadlines put forward in the Calley plan, there was pressure on the industry to get going. If there were properties that would have had major problems, then under such scheme it would have become apparent quickly. The department could then look at what could be done for them. Mr Farley said that the key point was that the industry needed clear goals and clear deadlines if anything effective was to be achieved.

After all the hard work, it would appear that we are getting somewhere in the Northern Territory. I congratulate the minister on making his recent clear statements. I have read in the minister's tabled statement that the Calley plan is substantially back again. At least, that is a guide that the industry can look to and I welcome it. I also understand that the government is to introduce the tail-tagging system that was recommended by the vets at the meeting in Alice Springs. As I mentioned, that was promoted by us and rejected at that time by the minister. The change of mind on the part of the minister is welcomed by us and I look forward to the positive progress that will be made in the Territory over the coming 12 months in the eradication of these diseases.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, in rising to speak to this BTB eradication campaign report, I must say at the outset that I think it is a good report. I would not say that it is an excellent report. If I was a teacher, I would not give it 100%. It is not a little ripper. It is very good to see that we have something comprehensive like this presented to the Assembly for consideration. I am only sorry that it has taken so long to have a report like this presented publicly. The BTB eradication campaign commenced in the Territory with a testing program in 1968. It is now 1982. I know that it is not much good crying over spilt milk or always looking back at things that were not done but I think that, unless we look back occasionally to consider things that were not done, we are not going to do the right things in the future.

The first statement in this report says the original date was not 1984 and that this was a popular misconception. I understood it was 1984. I do not have the papers here but I remember querying the date of 1992 when it first appeared in the press statement put out by the Minister for Primary Production. It may be a popular misconception now but it was certainly a conception not very long ago. Now that this report has been presented and work is actually being done on the BTB eradication program, I hope that the work will continue with the speed which this program demands. I would like to think that the decision makers in the Department of Primary Production would take a lesson from the activities of the Agricultural Development and Marketing Authority and carry out this program with the enterprise and enthusiasm that some of the programs of ADMA are carried out.

I have spoken of the BTB eradication program to people in my electorate and other people who are interested in it. Questions have been put to me and different thoughts have been aired. I have had discussions with constituents and others about it. One of the thoughts offered was rather cynical at the time. It was wondered if the speed with which this report was presented in any way followed from the hearings of the Royal Commission around Australia into the meat industry.

The BTB eradication campaign cannot be considered in isolation as just a BTB eradication campaign. It has already been pointed out by the Leader of the Opposition and others that the reason the campaign has struck snags, especially in the Top End, is because of the vastness of the station properties involved. My remark that I do not think this can be considered in isolation referred to the large areas of station properties in the northern part of the

Northern Territory. Active consideration has to be given to subdivision of pastoral leases into economic areas of agricultural development. I am not talking about government acquisition for subdivision but active encouragement for pastoral lessees to actively subdivide. With subdivision goes better management of the land and more intense husbandry. The BTB eradication program will be helped a little.

After reading the Northern Territory government's first submission to the IAC on 4 August 1981 and its second submission on 14 January 1982, I have no argument with the recommendations that have been put forward. I hope I am correct that the specific examples mentioned are not the only submissions put forward by the government because, whilst I have no argument with the specific examples of help for the industry as put forward by the government, I find there are gross exclusions from this list. I know the items mentioned here are high capital cost items, but the point I would like to make is, in a BTB eradication program, subdivisional fencing is of great importance and cattle grids, freight equalisation schemes for fencing and yard materials, surveys of fencing and relaxation of tariffs on farm vehicles are all important. A gross omission from that list is any help in the way of purchasing expendables such as pasture seed and fertiliser. Whilst most properties would have some sort of fencing and much of the capital and equipment necessary for this campaign already, they may still need some help with that.

If a station property is to go actively into a BTB eradication campaign, it means handling the cattle much more. Not only does subdivisional fencing become important then but, if the animals have to wait in an isolated area for 30 or 60 days, they either have to be spelled in a good paddock to maintain their condition on improved pasture or be hand fed. Money is needed to provide the improved pasture, the hay and any concentrates that they have to be fed while they are being tested. It is all very well for the Northern Territory government to put up these submissions, but what results from them is more important.

After he has given this report and itemises the points of the submission put forward to the IAC, I hope that some time in the near future the minister will tell us what has been accepted and what has been rejected by the IAC. To anybody who has been interested in this campaign for some time, there seems to be greater cooperation in the Centre. There, it is 94%. It is 45% in the Katherine area and 43% in the Darwin region. This ties in actively with the size of the stations and the manageability of the particular properties.

One paragraph says: 'The task force is now identifying development money required and modified programs in view of current depressed state of the market. Report must be delivered to Cabinet by the end of this year but is likely to be much earlier due to accelerated rate of campaign'. If it is the end of 1982, that is another year gone by. I realise that a report has to be comprehensive to be of any use to the industry. On the next page, there is mention that the program is being carried out with the utmost urgency. I hope the requirements for utmost urgency and for the task force findings to be presented to Cabinet at the end of 1982 are compatible.

As I said earlier, this program cannot be considered in isolation. There are many pet meaters living in my electorate. In fact, I think the activities of the pet meaters are increasing. The industry may receive a boost if it is ordered that infected animals be destroyed or if there is destocking on a voluntary or compulsory basis. Meat from the animals that are not fit to be kept finds its way into the pet meat chain. Station owners will either go into the pet meat business in a mobile abattoir situation or subcontract the business out. I hope this program continues as well as it began. This has been a 'gunna' job since 1968 but I hope it gathers some impetus from the enthusiasm

displayed by most members of the industry and members of this Assembly.

In conclusion, I reiterate that I would like to hear from the Minister for Primary Production at some time in the near future of the success or otherwise of the government's submissions to the IAC mentioned in this report.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I had not intended to speak today because I seem to get myself into a bit of trouble by being the member for Elsey on the one hand and the Speaker on the other. I cannot for the life of me see why the government should not be criticised about some things. My criticism always is constructive.

Mr Deputy Speaker, I put out a paper in June or July last year. I will read it into Hansard. Most of my comments about cattle come from a lifetime of contact with the beasts and I know a bit about them. Nobody has to tell me what to do or what the situation is in the industry in my electorate. I know because it has happened to me. That is why I have to get up at times and tell this government, or any other government, what it is like in the Elsey electorate. I do not claim to have any expertise in Victoria River or the Centre, but I know what I am talking about in the Elsey electorate. This is what I put together:

If Top End cattlemen were encouraged to contract with the Northern Territory government to supply the quality and quantity of cattle and buffalo beef required by the acknowledged South-east Asian market, officers of the Department of Primary Production could extend their services to provide the expertise, if necessary, and overview the expenditure of the finance required to build and maintain fences, add watering points, firebreaks and desirable animal husbandry procedures. Less than a quarter of each property, a suitably-sized economic area, would be needed and could be developed immediately into a quarantine area to carry all the musterable cattle and buffalo, and those animals, TB and brucellosis free, could provide a sound economic base for exploiting specific markets; for example, West Malaysia and Indonesia require Brahman-cross animals with an infusion of dairy breeds to give a heat-tolerant animal with a milking ability. Other countries require young, red females of the droughtmaster type. Most countries require young buffalo.

During the development period, the remainder of the herd could be controlled or exterminated according to a set formula after consultation with individual cattlemen. By contracting to supply suitable cattle and or buffalo, the landowner would become subject to direction from the same people who would supervise control of TB and brucellosis and, if there is goodwill and cooperation on both sides, the Top End should progress. If there is no goodwill, then the very tough measures talked about recently by DPP officers may have to prevail and progress will suffer.

This program would enable control areas to be set up while the rest of the property was clean mustered and would encourage closer settlement. There seems no reason to suppose that control or eradication of TB and brucellosis can succeed without positive financial assistance to cattlemen in the Top End where properties are either uneconomic or marginally economic. As is readily admitted, the price paid to the producer is the limiting factor on development. Also admitted, in a ministerial statement, is that a fat steer is

worth $200 in the Centre and $150 in the Top End, while a bullock is worth $150 in the Centre and $90 in the Top End. The Top End could, and should, have a development plan programmed to end in 1984 if the Commonwealth Department of Animal Health is to attain its goal of having Australia free of TB and brucellosis by 1984.

The target date has changed since then, but the proposition is exactly the same. We say, after all our trade missions to South-east Asia, that the potential is there, but we really have nothing to sell. They want cattle.

On a recent visit referred to last week by the Chief Minister, we met President Suharto and some of his officers and it was indicated to us that there was a huge market for Brahman-cross females. It was also strongly suggested to us that Indonesia would prefer to deal with the Northern Territory than any other part of Australia. At least, this was my impression and I have no doubt that the Chief Minister will set the Assembly right if I am wrong.

However, the potential market is there, not only for cattle but for beef. A scheme such as I have outlined here embodies the subdivision the honourable member for Tiwi talked about. A contract scheme for cropping has been very successful. It enabled farmers to go into a scheme with limited capital and be assured of a market and it enabled them to obtain the finance they required to develop their properties. We are here to develop the Northern Territory with good cattle and any other scheme, particularly in primary production. This is why we must have these markets. Cattlemen have to conform to the BTB campaign. I can assure you from personal experience that cattlemen have no option. It is a voluntary scheme, but what they do is cut you off from markets and that brings you to your knees pretty quickly.

In my electorate, the cattle industry is in a pretty bad state. In 1973, a good bullock would bring you $150. 1974 was the slump. The next reasonable year was 1978 and 1979 was a very good year. 1980 saw a decline and, in 1981, a 400lb steer would bring you about $150. The price this year is about the same but costs have risen 15%. Something has to be done. If you are going to hit people with the additional cost of brucellosis and tuberculosis testing, you have to give them something in return. You have to give them a market. That is all the cattlemen in my electorate want and I think that they are entitled to it.

You might well ask why the people in other electorates have not had the same difficulty. I think that is easily explained. The more cattle you have, the better will be the price the meatworks will pay because that enables them to secure, say, 4000 head of cattle against 400. This is an accepted fact in the industry. This is a fact of life. It does not do people in my electorate much good because they do not produce 4000 head or 2000; most of them only produce 1000 or less. I am talking about small cattlemen who must have a market if they are to foot the additional cost of the BTB eradication campaign. I am backing up the honourable member for Tiwi by saying that it could be a very good thing if properly directed. Most of the costs in the Elsey electorate are involved in getting the cattle together. You could handle 4 or 5 times as many cattle if you had them. However, you must muster your place and you do not run that many cattle because you do not have improvements. You do not have the improvements because the prices have not been good. The prices have not been good because you never had enough cattle.

The situation is that few people really buck about the introduction of the BTB campaign except that they do not know much about it. I have not found any cattleman or any member of this Assembly yet who knows anything about it. The honourable minister might. The fact of the matter is that there has been very

poor communication. I will give you an instance which affects me vitally. I have had my Brahman stud in one paddock through most of the wet, to be pregnancy tested and to do an artificial insemination program. When I was ready to start showing the cattle, they told me that, unless I had an approved program, I could not show my cattle. They told me to get them together and they would test them. I only had one man and the cattle were all in the one paddock then. If it happens to me, it happens to other people. I am not necessarily the dumbest person in the Territory but I might confuse some.

All I can say is that, unless we get a market, the BTB campaign with its additional expenses and additional handling which adds to costs, will break many cattlemen in my area. I do not see really the need for haste, urgency or inflexibility in the Elsey electorate. In the national interest, probably the BTB campaign should be good but it is only good for cattle. There were 26 instances of TB in human beings in the Territory in 1980. You do not quarantine towns if somebody has TB but you quarantine cattle stations. As you learnt from the letter that was read from Hookers, TB is a readily identifiable disease. As I said the other day, despite the crooks in the meat game, there has never been any suggestion that TB beef has been fed even to pets. I think this campaign will be a good thing once people know what they are doing but I think it will break many cattlemen.

Mr VALE (Stuart): Mr Deputy Speaker, I was a little distressed to learn that the honourable member for Elsey cannot get his cattle into the Katherine Show. If there is no disease problem with my poultry, I will bring the chooks up to keep him company. He is going to be a pretty lonely bloke with his mates at Katherine later in the year. I also noted that the honourable member for Elsey was quoting actual prices against 1973-74 when cattle prices were down but he did not quote the actual figures when the cattle prices were up. I suppose that was for taxation purposes.

One of the remarks made by the Leader of the Opposition concerned the executive officer of the Cattlemen's Union, Rick Farley, who visited Katherine and other places in the Northern Territory. It should be noted that Mr Farley is the former press or research secretary to Doug Everingham when he was federal Labor Minister for Health.

Mr B. Collins: How is that relevant?

Mr VALE: It is very relevant in view of some of the anti-federal government and anti-Northern Territory government comments he made as a former Labor employee.

As all members would be aware, the electorate which I represent incorporates one of the largest cattle producing areas in the Northern Territory. The electorate of Stuart has just under 60 prime cattle producing stations. During visits around the electorate, I have had the opportunity to discuss the government's BTB eradication program with most of these producers and have found that there is overwhelming support for the program from the better managed stations. There is, of course, some discontent among some of the property owners but, by and large, this criticism has tended to come from the poorer managed properties or from properties that are experiencing real difficulties because of the current downturn in beef prices.

While I am sympathetic to the plight of the cattle producers in these difficult times, particularly in view of additional costs which the BTB eradication campaign imposes on them, let me say I have had absolutely no sympathy for the poorer managed stations and owners or operators that are threatening to jeopardise the entire campaign and put at risk cattlemen who have done the right thing and are determined to have brucellosis and tuberculosis

eradicated from their herds by 1992.

I fully appreciate that the Northern Territory government, through the Department of Primary Production, has had problems in the past in communicating its message to the industry because of the fragmentation of the industry. I take great heart from the fact that the industry itself has recognised this problem and has given a mandate to the Northern Territory Cattle Industry Brucellosis and Tuberculosis Consultative Committee to speak on its behalf. As honourable members will be aware from items which have appeared in the press, the consultative committee has introduced the government's BTB eradication policy and approved program.

Notwithstanding this fact, there are a number of important issues which the government, to its credit, has addressed itself to and will need to continue to pursue. I refer specifically to the need for some form of subsidy to compensate cattle owners for the costs they have incurred in holding cattle for testing. I note the Minister for Primary Production has promised to pursue the suggestion from the industry that consideration be given towards the introduction of a holding subsidy between $4 and $5 per head for cattle being held for BTB testing. I consider this to be a most realistic approach from industry. Indeed, it is farmore realistic than previous calls for a mustering subsidy which would be difficult, if not impossible, to introduce and to manage.

However, there is an inherent problem in introducing any such subsidy. Let me put it in simple terms. The vast majority of cattlemen, as indicated by the statistics provided by the honourable minister in relation to the approved program scheme, have done the right thing and have gone to considerable effort and expense to comply with the program. Other properties, for a number of reasons to which I have already alluded, have not done the right thing. These people now appear to be under consideration for some form of subsidy while cattlemen who have done the right thing have paid expenses out of their own pocket. I am suggesting to the honourable minister that it may be necessary to look at some form of retrospective subsidy. I appreciate that retrospective subsidies are as unpalatable to governments as retrospective taxation laws imposed by government are to the general public. I raise this matter for consideration.

Perhaps, more realistically, the question of retrospective subsidies could be confined to the initiative which the government has taken in respect of its negotiations with the Commonwealth government for tax incentives for boundary fencing and fencing of roads, Commonwealth government grant expenditure for cattle grids on public roads, freight equalisation for fencing and yard material used in BTB control, Commonwealth grant expenditure for services for clearing of fence lines and treatment with soil sterilants and relaxation of tariffs on farm vehicles and aircraft used for the BTB campaign.

The question of the government's recommendation in its second submission to the IAC on 14 January 1982 raises another subject which needs urgent consideration. I refer to the question of installing grids, not only on the main public roads through cattle stations but also on the minor access roads through properties which are also defined and used as public roads. All it takes is for some unthinking person to leave a farm gate open on some minor track on a property and an infected cow, bullock or bull to wander from a neighbouring property to set back the entire efforts of the cattleman who has consistently done the right thing. Quite clearly, it would be totally unrealistic to expect cattle owners to install $15,000 - $20,000 grids on minor access roads and I would urge support for the proposition raised at the last meeting between the Minister for Primary Production and the consultative committee for a lower standard of grid to be allowed on minor access roads.

I note that the joint communique issued by the minister and the committee, which has been distributed to cattle producing organisations, makes reference to this and I strongly support such a move.

I am quite confident that, given the current level of dedication and support from the industry, the national eradication deadline of 1992 can be achieved in the Northern Territory, at least in the Alice Springs and Barkly districts. I note that the interim target date for 0.1% incidence in the southern half or the Territory is 1 January 1984 and a nil level by 1 January 1987, and the same for the northern half, but 2 years later. For brucellosis, the interim target date is 0.1% incidence for the whole of the Territory by 1986 and nil by 1987. Mr Deputy Speaker, I am equally confident that these target dates can be achieved, provided the government does not shirk its responsibility in bringing the minority of cattle stations that are not complying with this program into line. Obviously, any such decision, which may ultimately involve compulsory destocking, needs to be tentative at present with a consideration that the Northern Territory beef industry is in a depressed state due to the very low cattle prices. I am confident that, given common sense and a spirit of cooperation between the government and the vast majority of producers who have indicated their support for this program, the BTB Eradication Campaign will not be jeopardised. I speak on this subject with the benefit of considerable contact with the cattle industry over recent years and I know that there is an acceptance in the industry that we must achieve eradication by 1992 in the interests of the entire industry.

The honourable member for Elsey has made comments to other members that the American market was not of considerable importantance to the Northern Territory. The vast majority of our exports still go to the US market and, while its importance to the Northern Territory is currently declining, the American beef market is very volatile and is likely to be of increasing importance to us in the future. Additionally, if we were not to maintain our efforts to eradicate BTB by 1992, we would be jeopardising our interstate markets that are working towards this national objective.

Mr Deputy Speaker, I commend the government and the cattle industry for its dedication and efforts in this campaign to date and endorse the program as it now stands.

Mr STEELE (Primary Production): Mr Speaker, the debate to which we have just addressed ourselves is a culmination of quite a bit of effort that has gone into the pros and cons of BTB eradication in the Northern Territory, particularly in the last 18 months. There was quite a long period before that when there was very little dialogue of this nature. There were good reasons for that. Underlying the whole debate were economic factors, marketing factors and problems associated with the disposal of stock.

It is correct to say that the government and the opposition were in concert in their submissions to the IAC in August and again in January. In answer to the honourable member for Tiwi, the response came back on 7 April 1982. I will read the recommendations:

> *The Industries Assistance Commission recommends that assistance continue to be given after 30 June 1984 for the eradication of bovine brucellosis and tuberculosis and that assistance be on the following basis: 75% of the net compensation costs of brucellosis reactors and 75% of the net compensation costs of tuberculosis reactors. The commission draws attention to its suggestions that, before assistance is extended, a feasible program, including target dates for complete*

eradication and financial arrangements, should be agreed to by the state governments and recommended assistance continue until the end of such a program. Attention is also drawn to the commission's comments on research and other aspects of the campaign.

Mr Speaker, we have been trying to work inside the guidelines handed down by the Commonwealth. I agree that there have been some communication difficulties between the industry and ourselves in respect of describing accurately or effectively to industry the requirements of the Commonwealth. Steps have been taken to overcome these particular communication problems.

In 1981, three new executives joined the Department of Primary Production: Dr Gurd, Dr Thomas and Dr Calley. It was an extremely difficult task for these gentlemen to immediately appreciate and evaluate many of the problems that were being experienced by cattlemen in the field. I believe that these officers have handled this task with a high degree of proficiency and that the departmental executive is right on top of the job at this time. I have every confidence that the difficulties that have been experienced will continue to decline with the added experience that has been gained over the last 18 months.

I would like to talk about 3 things: the task force, 'the plan' and the industry. In respect of the task force, I do not think it was largely understood what was meant when I first put together the idea of a group of people who could go around and find out what we could do on unproductive cattle properties. That is how it was first arrived at. It has been expanded since but, at that time, it was not meant to extend into the BTB eradication program. What it was meant to do was give advice to the government so it would know what to do with unproductive properties which might be unproductive for the rest of their natural lives or for the foreseeable future. Extending further from that were the other aspects that the BTB eradication executive people had to take into account. The task force was sneered at in the first instance because people said: 'You are dilly-dallying around getting information that you should have had'. The Leader of the Opposition referred to that. The information we already had related to brucellosis and tuberculosis eradication campaigns presently existing. We had that information. We knew most of what was needed to be known about those things. What we did not have was information about the unproductive stations and I do not know that we have an easy solution to some of those problems.

The plan that was first put up by Dr Calley in 1981 when he went giddy trying to get his point of view across to the industry, and the industry went giddy trying to understand what the government was about, unfortunately, became known as 'the plan'. The way I have always seen it, with my experience of the industry, is that there are several plans in force with one common objective. I have always held that view. I do not believe that there is such a thing as one plan for the Northern Territory. When you look at over half a million square miles with several geographical regions of different cattle country, with different markets at the other sides of those cattle countries, to me it is unworkable to have one plan. Unfortunately, this word 'plan' was fixed in the minds of many of the people in the industry and outside it. They thought it would be the formula, the whole scheme of arrangement, for the future operation of BTB control.

The objective was certainly there and it was shown in our submission to the IAC. I touched on that lightly, but the industry itself is a very diverse, well-courted and well laid out arena of cattle properties. The member for Tiwi referred to 94% cooperation in the Alice Springs district.

It is a simple fact that the people who live in central Australia have 2 things going for them as far as eradication of these diseases is concerned: they live in a very dry part of Australia where water is pretty well regulated, where cattle go down to common watering points and are easily gathered, and they can put those cattle on a train and get better than 50% more than is obtainable in the top end of the Northern Territory. The other parts of the Northern Territory that do better, obviously, are the Barkly Tablelands and the Victoria River district. The Barkly Tablelands historically sends cattle to Queensland. The honourable member for Barkly touched on the fact that there is a radio station luring them into Mt Isa. Obviously, the market strength is a lot better in the east and historically, although the markets are closing, it has been a store market where the thousands of cattle have walked from Western Australia down across the great droving trails to the railhead or through other stations.

The member for Stuart raised some aspects of subsidy when he talked about retrospective subsidies. We have made many submissions to the Commonwealth and we will be making further submissions. I can picture in my mind the attitude of the Commonwealth and its officials to any suggestion of a retrospective subsidy. Some of the subsidy requirements of the industry may not be met and I have always told them that all we can do is try, realising that the industry is in a very poor state. With my cattle experience, I feel there is a reason for some hesitation before trying to ramrod something down somebody's throat when he cannot afford to pay the price and we do not know whether the Commonwealth can or will pay the price. That has been the difficulty. It has been a very difficult job so far.

Certainly, we have tried to keep abreast of all the factors that are required and to be sympathetic to the cattle people who were in some sort of strife. Campaigns like these certainly depend on a fair degree of recognition that it is, in a large sense, an Australia problem. We have to keep hammering that point home to the Australian population, the people paying many of the bills. Schemes like this depend on the availability of finance. If there is no finance, I do not know what any government could do about the eradication of these diseases. Obviously, a strong and effective method of communication is needed for the provision of information to the people in the industry. Some of the people in the industry had some difficulty getting all the information because the word 'fragmentation' crept in a little earlier. It was difficult last year. Graham Calley and officers of the department went to every meeting of cattle people in the Northern Territory. There were about 4 or 5 different groups or organisations and it is very difficult to get all the information that needs to be discussed across to them. We are striving for the cooperation of everybody concerned. It is a national problem and we will do our very best. We will undertake our task with as much diligence and energy as we possible can. If we get some good seasons - and I hark back to that - in an economic sense, obviously we will be successful. If there is no money at the other end of the market string, obviously there will be some difficulty in persuading these cattle people to muster. There are ways of fixing up some of the larger properties by subdivision, as the honourable member for Tiwi indicated. Whether the government wants to become involved in large scale subdivision is another question that we can address at a later time.

I commend the statement.

Motion agreed to.

ADJOURNMENT

Mr STEELE (Primary Production): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, some time ago in Darwin, the then Manager of the NT News, Mr Brian Young, and a well-known businessman, Mr Cedric Chin, used to meet and have lunch together and had a most enjoyable time. As coincidence would have it, these lunches usually took place on Fridays. Following the departure from Darwin of Mr Young, the present Managing Editor of the NT News, Mr John Hogan, well known to most of us, took over the organisation and running of these luncheons and, in fact, I understand the membership expanded somewhat at that time.

A little while ago, the Star ran an article, an odd spot, saying that, with the Saturday production of the NT News, it was cheering to see the Managing Editor, Mr Hogan, returning from his Friday Club luncheons to help his staff put out the Saturday paper. Mr Hogan was most upset at this and he complained to the Press Council that the other paper had run such a story. The Press Council investigated and found there was no complaint to answer and that it was in fact fair and reasonable comment. I feel some concern for Mr Hogan. I hope that he was not distressed at his Friday Club coming to prominence because he thought perhaps no one knew about it.

Mr Deputy Speaker, you and I and the rest of Darwin know all about the Friday Club. We know about its membership and we know where it meets. We do not particularly know what it discusses and I guess we do not particularly care. Nevertheless, it is the right of people with interests at heart to meet to have a convivial drink, a bite to eat and a friendly discussion. We understand that that is what the Friday Club is all about.

It consists of people who are well known and well respected. We have Mr John Hogan, Managing Editor of the News, Mr Alistair Bailey who is from the same organisation and a long-term Darwin resident. We have, logically, some senior public servants: Mr McHenry, Mr Finger, Mr Conn and Commissioner McAulay. Quite clearly, these gentlemen would enjoy a drink together. They are senior people who would have a lot to discuss and they would find pleasure in the company of Mr Alan Bromwich a surgeon of note in Darwin who has been here for years. Mr Bromwich was an army surgeon so he would have plenty to chat about over the Friday luncheons because chatting with him would be the 3 leaders of the defence forces in Darwin: Chris Hall from the Navy, Dennis Robertson from the RAAF and Trevor Wilkinson from the Army. Naturally, Mr Hogan's close friend Graham Varden of Qantas fame would be there. They are great buddies and they are joined in the travel scene by Mr Gary Knight of TAA. It is with some concern that we all know that Mr Fred McCue of Ansett does not belong to the club and we just assume that he is too busy back at the office to take the necessary time off to attend the luncheons. In case Mr McCue feels slighted, he is always welcome at the Press Club where he will find convivial conversation and we will shout him a drink.

Mr have Mr Justice Muirhead attending, a man of the utmost probity and discretion. The bankers attend the Friday luncheons and I would imagine that this Friday will be a beauty. We have Mr Bill Halverson from the Commonwealth Bank and Mr Bronte Brennand from the National Bank. I hope that they read all the debates from Hansard which have occurred this week. They can have a most interesting and, one would assume, stimulating lunch. Another well-known member of the Friday Club is Mr Hugh Bradley, a smart young lawyer around town. There with them to share a sip and a sup is Greg Hoffman, the Town Clerk, and I am sure that the conversation regarding local government affairs would be interesting.

There are no aldermen there and the mayor is not there but that does not surprise any of us. We have respected businessmen, most of whom are my friends. We have Mr Bruce Perkins, Mr Richard Morris - a most articulate and charming man who lives in Nightcliff of course - David Flint, Don Baker and Mr Cedric Chin, another publisher. I guess that Mr Chin and the convenor

of the luncheon would have quite a bit about which they could chat. We have Kerry Ambrose-Pearce and our friend for many years, Alec Fong Lim. Another member well known to all of us is Mr Helmut Reiner of the Travelodge. That is not surprising since many of the luncheons, as all of Darwin knows, are held at the Travelodge or from time to time at Larrakeyah. We have one lone politician who attends the Friday luncheon, Senator Kilgariff.

I am pleased that these gentlemen meet every Friday and that they find pleasure in each other's company. Like the rest of Darwin, all of whom know who they are, I recognise their right to assemble to eat and drink and I am sure I join with the rest of the community in wishing them bon appetit. Of course, they have no influence on government or on opposition. I cannot imagine the Chief Minister or the Leader of the Opposition being influenced unduly by any group, let alone such a diverse group of people who hold the odd Friday luncheon. Having wished them bon appetit, may I suggest to the members of the Friday Club that perhaps they would like to adopt a motto, as clubs do, even such well known and unstructured clubs such as this. I would suggest to them the words of Chaucer: 'He should have a long spoon that sups with the devil'.

Mr VALE (Stuart): Mr Deputy Speaker, I would like to pay tribute to one publication and criticise another. The first publication from the Office of Information is one that I picked up yesterday in the government offices. I do not know which minister is looking for it. It is headed Northern Territory of Australia 1982. It has one of the most eye-catching photographs I have ever seen - of Territory kids of all races and religions. It is a most excellent publication not only because of its photographs but also because of its contents. It would be excellent for people in the south who may be contemplating visiting or working in the Northern Territory.

The other booklet, the one I am critical of, is one which I lifted from the Minister for Mines and Energy. It was probably tit for tat because, a few weeks ago, I was down town and I suddenly thought, 'My God, Ian Tuxworth is loose in my office!' When I did get back several hours later, he had taken a beautiful big photograph of an oilfield in central Australia off the wall and had removed my swag from the back office and half a dozen other things. One small booklet from his office was hardly equal billing or tit for tat.

Mr Deputy Speaker, this booklet is headed, 'Mining and Energy in the Northern Territory'. Inside, it has a lovely photograph of the Minister for Mines and Energy and many comments. It has 48 pages on mining and energy. Pages 1 to 38, except for one small photograph of an offshore rig, are completely and utterly devoted to mining. Pages 39 to 46 are devoted to energy. Let's see what the department thinks about energy in the Northern Territory. The first page is red and has the word 'energy'. The second page has a few comments. The third page of these few comments pertaining to energy refer to solar ponds in Alice Springs and so do the next 2 pages. The last page has a map, the minister's electrical car, which he has abandoned, and some overhead powerlines. There is very little comment in that publication about the vast oil and natural gas reserves in central Australia. Nowhere is there a photo of it and there is little or no comment on the most vital discoveries of energy sources in the Northern Territory - uranium, oil or natural gas. The whole publication is a shame. I would like to know who put it together.

Mr Deputy Speaker, I would like to qualify some statements that I have made here in the past. I have said that, despite the fact that I am an ex-employee of Magellan Petroleum, I have never owned a share in an oil company. I still do not. In fact, I could not afford one then and I still cannot afford one today. For the benefit of members, I should advise that I was

recently advised by lawyers in Melbourne that, on the death of my father in 1977, they found, amongst other things, the fact that he did hold several hundred shares in the Magellan Petroleum and other companies operating in central Australia. My mother is the beneficiary of his will and I am in no way benefiting financially. In all honesty, I should make public the fact that I am a former employee of the company, that I have never held a share and that, unbeknown to me, my father did in fact hold shares.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, recently there has been some publicity about the Adelaide River Producers co-operative and this afternoon I would like to say a few words about that co-operative at the outset, Mr Deputy Speaker, I will say that I am one of the directors of the co-operative and have been for a number of years, together with other local people who are more actively engaged in primary industry than I am. The Adelaide River Producers co-operative was formed in 1969 by farmers of Adelaide River, Pine Creek and Katherine areas. Its objectives then were to supply to a struggling farming community goods and services which were not otherwise commercially available to this community, particularly items on soft credit.

At that time, the government did not provide these services, especially soft credit, to struggling farmers. The co-operative served as a supplier of fertiliser, seed, marketed grain and pasture seeds and developed a significant stockfeed market which included feed for overseas. It had meagre financial resources from the beginning, a debility which plagued it all its life and placed severe constraints on key business functions which included general administration and management, production operations, marketing and financial management. Through its directors and shareholders, it has been instrumental in prompting the government to address agricultural problems. I say that knowing what I am talking about, Mr Deputy Speaker.

Unfortunately, its involvement with the crop development schemes contributed greatly to its ultimate demise. The cropping development scheme that the co-operative was involved in took place between 1978 and 1980 - the 2 financial years, 1978-79 and 1979-80. In those years, it accepted loans from the government to erect storage facilities, including silos, and harvesting equipment was bought. One additional man was charged with the responsibility of co-ordinating harvesting activities, sometimes with the relevant government department advice and help but mostly without government help and advice. Mostly, this man had to act on his own initiative because he was the only one there.

The co-operative's involvement with the government's cropping development scheme distracted its management attention from the prime responsibility of developing a full service business entity to primary producers. In 1977-78, the co-operative had a positive net worth. It was stable and in the process of developing a profitable stockfeed business. When it became involved with the cropping development program for 2 years, there were extensive losses. In 1979-80, the directors and the management of the co-operative recognised these problems and addressed themselves to the future of the business and how to make the co-operative profitable again. The best way we could see of doing this was to give our main consideration to stockfeed manufacture.

The key factor in the restructuring and improvement of the business centred on the loans we had been compelled to accept from the government on behalf of industry in that it prohibited flexibility in borrowing money specifically for our main line of stockfeed manufacture and overall management. The board of directors, in late 1981, made numerous representations to the Northern Territory Development Corporation to obtain an agreement to write off the loans in toto. Unfortunately, it took until April 1982 to get a firm yes or no. In the meantime, with the Agricultural Development and Marketing

Authority moving into grain handling, the co-operative was in a relatively unstable position because, at that time, we were trying to lure other stockfeed manufacturers to the Northern Territory. We found this had an impact on the NTDC to write off the loans. There were obvious reasons for trying to get the other stockfeed manufacturers into the Territory which would have worked to the mutual benefit of the stockfeed companies and the Adelaide River Producers Co-operative. The management of the co-operative was then in an unstable situation and the NTDC made the decision that the co-operative could not survive and, therefore, it had to call in the loans that the co-operative still held.

I would like to mention 2 main financial points. In 1980, the total income of the co-operative was $304,400. In 1981, it was $704,850. The co-operative made an operational profit in 1980-81, after 2 years of significant losses, which the directors attributed to the crop development schemes. I said earlier that the Adelaide River Producers Co-operative was viable in 1977-78. I reiterate that the co-operative became in an unstable condition, particularly through participating in the government cropping development schemes, as its books will show. As the co-operative took up a share of government responsibility in grub-staking the government in 1978-79 and 1979-80, I feel the least the government can do now, so that the co-operative can retire honourably, is for the NTDC to take second place in the line of creditors, putting the unsecured creditors first. I know that this is not usual financial practice but it is my personal recommendation in this situation to the government.

I have declared at the outset that I am one of the directors of the Adelaide River Producers Co-operative and excluding myself - I have not given as much time to the organisation as some of the directors - I feel that the board of directors and the shareholders, who are ordinary small farmers, deserve the government's full acclaim for what I maintain is the magnanimous gesture on the part of the small farmers in grub-staking the government when the government asked for help. These farmers put their money and time where their mouths were and, in so doing, did what no other group in the community has done to my knowledge.

Mr Deputy Speaker, I would like to touch on another matter. It is in relation to a question that I asked the Chief Minister this morning and I would like to comment on his reply. I asked him about the building of women's toilets at the police station at Nhulunbuy. I was pleased to see in his reply that these women's toilets are to be built. I was very surprised at the lack of this amenity in the first place, considering the size of the building, the number of staff and the number of the general public who go there. The subject is often treated flippantly by men, seldom seriously, and most often cavalierly. I understand the police force treats males and females equally, having regard to obvious sexual differences. Therefore, I cannot see why women were not considered equally at Nhulunbuy and provided with a facility.

I must hasten to add that, at the Fred's Pass Police Office, there is only one convenience, but I regard that as a much smaller operation. It is more of a family-type situation. Personally, I am not fazed at all by the unisex idea of the use of facilities. I would hazard a guess that other honourable women members would think the same. Although male members flippantly put this view forward in support of the lack of consideration of women, it is only lip service and their bluff could easily be called. I think other women members would agree with me. Personally, I am not the least bit concerned about who uses male and female toilets. Nevertheless, this lack of consideration for the female convenience and male selfishness displayed by the planners, architects and others is of some concern to me. It indicates that, in certain sections of the community there is a gross disregard of women's convenience. I know that it is only a

small thing but life is made up of small things.

Finally, I would like to speak on a pressing problem in my electorate which has been brought to my attention recently. I was told today that it will be brought to my attention regularly every week. I will bring it to the attention of the Mines Branch regularly every week. I refer to gravel trucks using the roads in the rural area. It is becoming more than a joke. It is becoming very obvious that the use of rural roads by sand and gravel trucks is becoming incompatible with local use of these roads.

I had a visit from a grader driver in the rural area who had been forced off the road 3 times by sand trucks. I was able to bring some relief to him in that he knew the company whose drivers were responsible. He came in to see me feeling rather pleased because he had taken the number of the truck. He feels that the truck driver met his just deserts on the 14-mile hill at a later date.

Mr Deputy Speaker, I have done some accurate observations of my own. I have waited on Girraween Road to count the number of sand and gravel trucks that went by in a set time. I went there this afternoon and the trucks went past at 3 to 4 minute intervals. A lady on that particular road has collected sand and travel trucks in her front garden 20 times in the last 8 years. I have approached the Mines Branch, as have numbers of my constituents, to try and limit the times of operations of these sand and gravel trucks down the roads. Girraween Road, as you would know, Mr Deputy Speaker, has 2 causeways. If a private car reaches the causeway before a sand and gravel truck, it has to back-pedal pretty fast because, whether he is loaded or not, he is not going to stop and back-pedal for you.

Unfortunately, the honourable Leader of the Opposition might strike this problem when he goes to live on his block of land along Girraween Road. The road is kept in reasonable condition for ordinary use but, with gutters running down into the swamp at right angles to the direction of the road, it is absolutely fatal to try to pass a sand and gravel truck on this road or to have them pass you. Not only that, past one of the causeways there is a bore in the middle of the road. As well as that, there are kids on bikes, horses, local vehicles, dogs and native sorghum grass in many places right to the edge of the road.

Mr Perron: Why do you live out there?

Mrs PADGHAM-PURICH: We live out there because we like it. As I said in the beginning, usage of our roads by the locals is not compatible with the gross overuse by sand and gravel trucks.

Mr SMITH (Millner): Mr Deputy Speaker, I rise to express concerns of sporting organisations at the government's handling of the Marrara sporting complex development. There are actually 2 separate parts to the Marrara sporting complex: the proposed stadium and the creation of outdoor sporting areas within the complex. The proposed stadium, as I understand, is to be built in 3 parts and stage 1 is very much on the drawing board at the moment. Stage 1, being the first part, is quite justifiably in my view proposed to be a multi-purpose air-conditioned building which 8 sports will share.

The problem with a multi-purpose building is that the dimensions of the building have to be such to encompass all the sports that want to use it. As such, they do not particularly suit any one sport. It will either be too big, too wide, too high or a mixture of all those things for each of the sports that are going to use it. That has implications as to the costs of running

the stadium for any one particular sport and is obviously causing some concern to the organisations that hopefully will use it.

However, this problem has been tackled in other areas. There are other multi-purpose sporting stadiums. In other areas, they have looked at the possibility of sports sharing the facility at one time. For example, it might be possible for gymnastics and volleyball to use different parts of the facility at the same time. What concerns the sporting organisations is that there have been no discussions with them on the prospect of sharing facilities. There has been no communication with the potential user groups on that matter at all. There has been no information given out by the government that it has even considered the prospect of facility sharing in its design for the building. In the sporting groups' view - and I concur - the alternative is really quite horrendous. Each organisation, when it uses the facility, will be forced to pick up the total operating costs for it. As I said, because of the design of the building, these operating costs could be quite considerable, particularly when you consider that it is an air-conditioned complex.

On the question of running costs, despite repeated requests from the city council and sporting organisations for details on anticipated running costs, the minister has not produced any. This has resulted quite justifiably in the city council pulling out of the project at this stage until more figures are available. The minister has stated that the government will run the centre for 2 or 3 years. He has also stated that his department believes the centre can be run close to break-even point, but he will not or cannot tell sporting organisations what the cost of hiring the stadium is likely to be. Until the minister produces the figures, not only are we going to have sporting organisations worried about what the costs will be for them but we must also face the possibility that the government will be committed to an increasing drain on its resources in contributing to the running costs and maintenance of the centre. It is a commonly held fear amongst sporting organisations that money will have to be diverted from helping other sporting activities to provide the upkeep of this one. The only way that fear will be alleviated is by the minister making a clear statement - which he has no done - and providing details on the operating and maintenance costs of the facility.

Another major concern of potential user groups is the question of management of the stadium. I understand that, some time ago, the minister proposed that basketball would manage it in stage 1. I now understand that, quite sensibly, he has decided that that will not work. But what is of concern now is that he has announced no other plans for management of this complex. It is obviously going to be a complex job to manage the complex because there are 8 organisations. There will be fights at times for storage space and other things. It will be a complex job and a lot of time is needed to come to some sensible arrangement on hiring fees and on general rules. It is a task which could quite conceivably start now. Certainly the time has come for the minister to make a clear statement.

What is really quite incredible about the whole thing is that, whilst the minister has contacted sporting groups and talked to them individually, he has never called a meeting of all potential user groups to discuss these issues and to attempt to resolve them. In my view, there is a definite need for potential user groups to get together with or without the government to talk about the problems that they see in this area. As the minister has not seen the need to sponsor such a meeting, I have taken an initiative and have written to all these organisations suggesting to them that, if they are interested, I could sponsor a meeting where they could hold discussions. All organisations bar one were most enthusiastic about this prospect and the other organisation agreed that, if the others thought it was worth while, that organisation would come too. There will be a meeting called by me in the very near future which will allow these potential user groups to get together and

discuss their problems to see what common basis they have for going to the government. I should stress that it will not be a political meeting as I do not intend to be there apart from at the very beginning. It will provide them with an opportunity to talk about these problems and it is something that the government should have done quite some time ago.

Mr Deputy Speaker, arising out of all that is a definite need for the minister to make a number of clear statements in 4 areas: the anticipated on-going, running and maintenance costs; the charges that sporting organisations will be expected to pay; the management of stage 1; and the timing of stages 2 and 3. When the proposal was originally floated, it was quite definite that stages 2 and 3 would follow fairly closely after stage 1. I think the timing was 18 months after stage 1 to stage 2, and another 18 months to 2 years to stage 3. The latest statements made by the minister to various groups seem to indicate that stages 2 and 3 are somewhere in the indefinite future and there is a need for the minister to clarify all this.

Perhaps it is appropriate at this stage to stress that everybody is supporting the concept of a stadium. It is obvious that it will be an important boost to sporting standards in the Territory. Personally, I would even support it being called the Dondas Stadium as long as the minister, in the next few weeks, acts decisively to sort out these problems and reassures sporting organisations and puts the whole thing on a business-like base.

The second part of the Marrara sporting complex is the outdoor areas and this is perhaps a source of even greater dissension amongst potential user groups of the outdoor facilities. Again, the city council is very worried. It wants much more information than is available at present. It has indicated that it is not prepared to take over management of the area until this information is supplied.

Mr Deputy Speaker, I submit that a primary reason for this is the failure of the minister to provide clear guidelines on the basis for providing capital funds to organisations which want to develop at Marrara. The minister has clearly played favourites in the allocation of money. Some organisations have been given money; some organisations have been refused. There does not appear to be any rationale for those decisions.

Mr Perron: You may not think so.

Mr SMITH: Neither do the sporting organisations and that is more important.

The second major problem is in the area of maintenance and the key question there is whether sporting organisations will be able to pay for the maintenance of these high-maintenance facilities. In other words, will they be able to mow the grass, keep the surrounds tidy, pay the water bills, employ whatever staff is necessary on either a full-time or part-time basis? In the view of many organisations, there is a very real possibility that many organisations wishing to go to Marrara will not be able to do this. Already we have the example of the Waratah Sports Club which has been bailed out of trouble by the government on at least one occasion. It has a licensed club to support it which I understand the sporting organisations going into Marrara will not have.

As it is a real possibility that organisations will not be able to meet their running costs, there is an urgent need for the government to make a clear statement on whether it will provide operating cost subsidies. The council has made its position clear. It has said that sporting organisations should be responsible for maintenance of everything within their boundaries.

That is clear and unequivocal.

Mr Perron: And typical.

Mr SMITH: But there has been nothing from the government. Until this problem is addressed by the government, the uncertainties surrounding the outdoor areas will continue. If the government decides to offer operating subsidies, there will be no problem. The present plans can continue. If the government is not prepared to offer operating cost subsidies, then the time has come for a rethink. This rethink should be based around a less ambitious development, the traditional starting-off-small-and-becoming-bigger approach. In this context, it means looking at the establishment of low maintenance areas; that is, open grassed areas and, over a period of time, building up facilities. I understand there were a number of areas of uncommitted land in the complex that could be included in this concept. The land includes that set aside for the baseball league; we were told today or yesterday that the baseball league is not going to get any more money in a hurry. There is the land that the city council designed as an ampitheatre site and another block of land south of the baseball site. I stress that, before this option needs to be considered, there needs to be a statement from the minister as to whether the government will offer operating subsidies to organisations that move into the Marrara complex.

In conclusion, the government has been slow to realise that maintenance costs have become a key issue in the provision of sporting facilities in the Territory. Unfortunately, most sports have little income-generating capacity at present and are finding it difficult to meet the costs of maintaining upgraded standards. They realise this and the council realises it. There is an urgent need for government to do so too, and make a clear statement on whether it will offer operating subsidies or whether it expects sports to operate within their own resources.

Mr PERRON (Treasurer): I cannot help but make one reflection though it was not what I stood up for. The honourable member for Millner said that, as the council has recognised its responsibilities and the fact that sporting organisations will have problems paying their bills, the government should do the same. Of course, the council recognises it by saying: 'We are not paying'. There is not a word of criticism about the council's attitude, just praise because it has taken the stance: 'We are not paying'.

Mr Deputy Speaker, I rise to answer a question asked of me by the Leader of the Opposition in relation to a tender let by the government. I advise the honourable member that tender for aerial photography was let to a firm called Retrographics Holdings Northern Territory Pty Ltd for the amount of $245,990 on 30 April 1982. It is not true that the contract was let on 31 March, as claimed by the honourable member. That was the date upon which tenders closed. I notice, Mr Deputy Speaker, that in the unrevised Hansard, it says 30 March. During consideration of the tenders, local preference credit was allowed to a Northern Territory firm which tendered but, after deducting 5% from that firm's tender, it still exceeded the price tendered by Retrographics. This was so without any local preference reduction in the Retrographics' price.

I point out that there is a case classifying Retrographics as being eligible for localpreferences but, in this case, even without such an allocation, its price was lowest. The remaining 3 tenderers were interstate firms to which no preferences were allowed. All tenders were computed on an identical bill of quanitites and payment is to be made on the basis of work performed at tendered rates. Retrographics Holdings Northern Territory Pty Ltd provided the most favourable financial package to perform the work required and the contract has been let accordingly.

Mr DONDAS (Youth, Sport and Recreation): Mr Deputy Speaker, regarding the Dondas stadium, I am not dead yet and I do not intend dying for a long time. The honourable member for Millner no doubt is trying to create fear and consternation within the sporting organisations in the Darwin area in the typical and usual fashion of the opposition. They are trying to divide and conquer, I think, but it is not going to work in this particular case because of the following reasons.

The honourable member for Millner has taken it upon himself to call a meeting with the organisations that may have an interest in the Marrara complex. That is fine; he can do that. I do not know what he is going to achieve other than to hear what the organisations have already said to the Department of Community Development through its Community Services Division. That particular division has had constant discussions with the organisation that may be using it. At this particular stage, there has been no definite proposal, with the exception of some particularly wide discussions taking place with organisations.

The honourable member for Millner says the minister will not come clean with the costs of running the operation. We do not know and that is exactly what we said to the council. I will come to the council in a moment. We do not know what the operational costs are going to be. Within the Community Services Division, the director, Ray Norman, has had a lot of experience in this area. He has been in the Territory for about 16 years. He has been involved as the Executive Director of the YMCA for a number of years and certainly has some experience and expertise in that area. He has people in his own division who have made their own examination and are of the opinion that the centre, if run correctly, should break even. I am not even taking that as being a full account until such time as the stadium is constructed and we know the costs. We will then know the running costs and we will know which organisations are going to use it.

The honourable member for Millner talks about it being too wide, too long, too short or too high. It is going to cater for 8 different sports. Indoor hockey is one of them. If we did not extend the size of the stadium by 1 metre - only 1 metre - from the original concept, it would not be possible to play indoor hockey. If the height of the ceiling does not go to 12.5m, volleyball cannot be played there or indoor tennis or any of the other high ball sports. Basketball does not need a ceiling height of 12.5m; it only needs a ceiling height of 8m.

This is to be an indoor international facility. I have said on more than one occasion that part of the deal with the Commonwealth to obtain part of that $25m was to construct a facility that would be of a national standard at least. That was the reason why the Northern Territory government said it would go halfway - $1.5m - and the Commonwealth would put in $1.5m as well. Originally we started with proposals for $4m but the Commonwealth would not give us $2m. It cut us back to $1.5m so we had to rearrange our thinking. Initially, for the $4m, we were hoping at least to get the indoor stadium, the basketball stadium and a smaller one for table tennis and martial arts. It did not work out that way. Additionally, we have been talking about this thing for 2 years. Building costs have gone up and we will get less for our $3m. If we allow the honourable member for Millner to create fear within the community and fear in the minds of other people who do not support the indoor stadium, it might finish up costing $5m because it will take so long to sort it out.

As far as the organisations are concerned, we have had discussions with the organisations which we think might be using it. The facility will be constructed in such a way that 3 different sports can use it at the same

time, on one night. That is not including basketball which will have its own facility.

The object of the exercise was to provide some kind of facility where national championships, Territory championships, and even club championships could be carried out in an area with a reasonable seating capacity of over 1000 people. We provide a lot of money to sporting organisations for travel interstate to participate in national championships. This financial year it will top $150,000. The reasoning behind that is to allow our organisations to participate at national championships so that they will gain more experience. This involves teams of 21 or 22 or 15 persons. When a national championship takes place in your own home town, the rest of the sporting fraternity there can benefit from that particular national championship. It becomes an educational process as well.

We are going to proceed with the indoor sports stadium. I do not believe that there is fear among those organisations, as the honourable member for Millner states. No organisation has come to me in the last 6 months and said: 'We are worried about what is going on. Please tell us'. I have made several statements in public arenas at presentation nights telling people where we are going. The reasons why we could not give them more information is because, at that particular stage - and I am going back 6 months - it was not a firm proposal and I had not convinced my Cabinet colleagues that we should provide the additional $1.5m. There were so many airy-fairy proposals floating around but they have all been tied together in the last 2 or 3 months. Of course, once we had tied it together, we had to go back to the Commonwealth and get its approval because we actually departed from the original proposition of the basketball stadium, the indoor stadium, the table tennis pavilion and a little martial arts area. We had to go back to the Commonwealth and say: 'We are sorry you have chopped us back $0.5m and the other $0.5m from the Northern Territory government. We have had to revise our plan'. That has taken time.

As soon as we call tenders, we will let a contract and know exactly how much the facility will cost. I will be in a position then to start doing some real evaluations on the running costs. The important thing is that the sporting organisations that use it do not have to pay to the extent where they cannot use it. We are aware of it. The department does not believe that there has to be an operational subsidy. The council might think so. It was not the council's decision to pull out. We originally offered to the council the 186 acres of land there to develop sporting facilities. It did not develop very much. Some $700,000 has been put in in the last couple of years by the Northern Territory government and not one bean by your city council.

The honourable member for Millner talks about the ongoing costs. We will ensure that the ongoing costs do not cripple the sporting organisations that are going to use it. If there is to be some small subsidy to keep it operational, then we will have to evaluate that to see how it will be paid. If the user group that is using that particular facility cannot generate encugh revenue of its own, then we will have to find an organisation that will get up off its bottom and generate an income. As far as the sporting organisations are concerned, I do not believe that they are that worried yet. They know that, when the time comes, everything will be laid out on the table for them.

We talk about management. I have a paper ready to go to my colleagues but I was not prepared to present it until such time as I knew that we had let a contract and we were off and running with it. Let us look at stages 2 and 3. If the indications from the Racing and Gaming Commission are that there

will be a reasonable amount of money for a recreational development fund, as per the honourable members amendment, then we will be able to indicate to those organisations that are waiting on the fringes when we are going to proceed with the further development. But stages 2 and 3 are ones we spoke about earlier. Then there are stages 4 and 5. The gymnastics people will eventually join the queue and have their needs serviced.

We talk about the open area. Will these organisations be able to pay for the running and maintenance of the place? The member mentioned Waratahs. Waratahs is a very good club with about $250,000 in infrastructure. It has done it by itself over the years with no help from the Commonwealth and no help from the council. A band of people got in there and provided facilities for the community. It has been through hard times and the Northern Territory government provided the financial assistance for it to overcome those hard times. It did the same with St Marys and with Nightcliff Football Club. It goes on. These organisations should now be able to at least start finding their own way and not expect too much support from the government.

Small organisations such as the Girl Guides organisation can find money. I have been president of the local association in Casuarina for nearly 7 years. That little organisation can find the electricity money and can have all the grounds maintained. If a small organisation like the Girl Guides can organise it, why cannot big organisations such as South Darwin Football Club and the Nightcliff Rugby League, with all the resources they have, do the same. Nightcliff Rugby League has set up its own infrastructure and maintained it. I do not believe that these organisations, if they were allocated land, would not be able to maintain it. If they cannot, the council has the right to allocate it to another organisation that can, and that is the fear that these organisations have. If they cannot operate and manage a piece of land that is given to them in a reasonable manner, there is another organisation sitting on the wings waiting to jump in. You can bet your life on that.

Can we talk about the piece of dirt at Marrara for the Baseball League? Baseball - and we talked about it yesterday in question time - received a significant proportion of funding from the Northern Territory government via the Alice Springs council. It was also offered $88,000 as a tied grant through the Darwin City Council for the league to move to the Marrara complex. But the Baseball League declined it and said it would rather stay at Gardens Oval. How do you work that out? You have the member for Millner saying: 'Ah, poor baseball out at Marrara. It has a bit of land but it is not going to get any support from the government because it got $200,000 before'. He did not know that it was offered $88,000 in the last financial year - not this one - and knocked it back. That is the reason why I am saying that any future funding for baseball in Darwin will not be for another 2 or 3 years. There are other organisations that will make a serious attempt to provide themselves with facilities.

The honourable member for Millner talked about favourites. I would like him to go on the public record as saying that, in the portfolio of Youth, Sport and Recreation, I have definitely not favoured any organisation. I will speak about my interest in the Northern Territory Rugby Union. I was President of the Northern Territory Rugby Union for 5 years up until last year. On a needs basis, the Northern Territory Rugby Union approached the council for some land at Marrara and received it. It has started work on its block. It employed the Department of Transport and Works to do some contracting. It employed other people to do this and to do that.

We were a bit fortunate then and had a few dollars to spare. $60,000-odd was given to the Gun Club to relocate it at Marrara. South Darwin Sporting Club had an application in for some land. The South Darwin Sporting Club and the Northern Territory Rugby Union had applications for some land. We had

a few dollars to spare and we had a few unused demountables at the Darwin Hospital. There had been 14 years of inactivity at Marrara and we had been talking about the suburbanisation of sport. The council first had it on its books in the mid-1960s. Dennis Booth revived it in the early 1970s and, at the commencement of 1980, there was not one sporting facility there. With the combination of the provision of demountables and some financial assistance, we now have 3 organisations operating at Marrara. I have gone on the record as saying that, if the Northern Territory Cricket Association is going to develop cricket in the long-term in the Northern Territory and hope to participate at any state level, it will need a turf pitch. I have indicated that the government will provide some financial support to the Northern Territory Cricket Association to establish its own facility where it could put its own turf pitches.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I must quickly advise the member for Tiwi that I do not have a block on Girraween Road and I do regret that I do not have one. I did work out the costs of commuting from the 19-mile into Darwin on a daily basis and I simply could not afford the luxury of joining the honourable member for Tiwi in the rural rump of Darwin. I do miss not being a neighbour of the honourable member for Tiwi. I miss all those nice sounds that I used to hear at 2am: the clucking of the chickens, the cackling of the geese, the baying of the mules and the howling of dingoes but I just cannot afford the luxury of living out there.

Mr Deputy Speaker, one of the features of life in the Top End coastal communities of the Northern Territory was and is the barge. That fortnightly, 3-weekly or monthly event is very important to those communities. I recently had the pleasure of being shown over the latest addition to the V.B. Perkins fleet, the Frances Bay. This vessel was especially built for the Darwin South-east Asia trade route at a cost of $5m, a substantial part of which came from the Northern Territory government. That much expenditure reflects the confidence the Perkins organisation has in the future of the trade between Asia and the Northern Territory. I share that confidence and I am sure that the government does too. I am particularly keen to see V.B. Perkins suceed in the Northern Territory. It is a Northern Territory company and it mans its barges with Northern Territory crews. It works its yards with Northern Territory labour, and that is not a feature you will find completely around the waterfront. It is something that the Northern Territory has an obligation to encourage.

The Perkins organisation began by servicing and continues to service Aboriginal communities and Top End communities generally. It has now expanded into the vital area of Asian trade. It is a poineer in that area and, as I heard someone attached to the Woolworths organisation say yesterday, it is the pioneers who get the arrows in the backside. That is very largely true. There are risks to be run in pioneering. The MV Frances Bay is operating a 30-day service to Singapore and has been for some 10 months. Perkins also has services to and from other Territory centres and to and from other states. As well, Perkins has set the stage for the Territory to be well and truly linked into the South-east Asia trade network and on to Europe through the provision of a regular service, come hell or high water and loading or no loading.

There is still a long way to go as far as the actual financial viability of this service is concerned. Perkins has found a need to trade itself. Most of the reasons for its becoming anactual trader is simply the freight cost of the goods that it imports to make the actual run itself viable. It has gone into the business of buying timber in Malaysia and selling it in the Territory or on the north-westcoast of Western Australia. That is private

enterprise at its exhausting best. Such an effort is certainly worthy of acknowledgement in this Assembly.

The importance of the Port of Darwin to the future of the Territory economy cannot be understated. The reputation of the wharf over the last 5 years has improved considerably. In the recent stoppage on the Darwin wharf, it was the Port Authority that took industrial action. Despite what many people unfortunately thought, it was not the wharf labourers themselves. I understand from discussions I have had with people who use the port that there has not been a strike in the Darwin port for 5 years. That is something that needs to be commended.

Because of its regular nature, I hope that the V.B. Perkins service that links Darwin commercially and industrially with South-east Asia becomes viable. I want to see the government and private enterprise in the Northern Territory give it all the support that they can.

Mr Deputy Speaker, one matter that arises, from time to time, in discussions about various members of this Assembly is the political inclination of the honourable member for Alice Springs. Some people have been unkind enough to suggest to me that the honourable member for Alice Springs is rather too far to the right. Some people have also said to me thatnot only does the honourable member for Alice Springs look like Genghis Khan but in fact shares his political views as well.

I would like to finish my adjournment debate tonight on a slightly historical note. As far as I am concerned, and I know the honourable member for Elsey who is a stud man would agree with me, blood will out. In every respect, it will out. I know that the honourable member for Alice Springs is a cupboard socialist and, in fact, a republican. During a contribution made by the honourable member today, I heard 2 members clearly interject that a suggestion by the honourable member was a very socialist suggestion. It is not surprising, Mr Deputy Speaker, when you consider where the honourable member for Alice Springs has come from. As I said, blood will out.

At Port Arthur, in Tasmania, lies the remains of a penal colony that was set far away from the civilised mainland. It was set aside for the worst vagabonds and rogues in English society. Adjacent to Port Arthur is an island which is called the Isle of the Dead. The Isle of the Dead was used as the final resting place for the dregs of the community. There are 1769 graves on the Isle of the Dead near Port Arthur. But the first grave, Mr Deputy Speaker, the grave of the first miserable convict to be buried on the Isle of the Dead was of one Denis Collins.

The penal settlement operated in 1830. I know that the honourable member for Alice Springs moved to the Northern Territory to get as far away from this shameful history as he possibly could, but he has not escaped. This rogue and vagabond, who was the first person to die and be buried at Port Arthur - and this is the shameful truth that the honourable member has been trying to dodge all these years - was transported for the offence of heaving a rock at King George IV at the racetrack. Shame, Mr Deputy Speaker! I think it is about time that the horrible truth about the forebears of the honourable member for Alice Springs and their radical, socialistic, republican, anti-monarchical tendencies were laid firmly at the feet of the honourable member.

Mr D.W. Collins: You are a Collins, too!

Mr EVERINGHAM (Chief Minister): Mr Speaker, I am sorry to keep members here longer, but I might as well get it over tonight as tomorrow, especially since the honourable Leader of the Opposition has referred to the subject of

barges. Today I tabled a report of my visit to Malaysia and elsewhere.

The honourable member's remarks in relation to barges put me in mind of something that I saw in Hawaii on more than one occasion. Hawaii, of course, is an island group, quite scattered, far more scattered indeed than one would realise just casually from here in Australia. Naturally, being an island group, it depends very largely on sea transportion for the carriage of heavy goods between islands. Hawaii is fortunate in having something that the Northern Territory once almost had, but which was thwarted by union activity. At the time, I think it was said, and I believe it would be true still today, that if these particular methods of transportation had been permitted around the Northern Territory coastline, the cost in freight charges to the people, particularly in the electorate represented here by the honourable the Leader of the Opposition, would perhaps be less than they are. I am referring, of course, to dumb barges.

We all know that many years ago - I think in 1972 - the introduction of dumb barges was attempted by the company to which the Leader of the Opposition referred. I am sure we all join him in wishing that company every prospect of success in building up its trade and that of the Northern Territory with South-east Asia. Of course, this government has very firmly backed that company with a guarantee in the order of $5m to enable it to complete the construction and purchase of the barge 'Frances Bay' which is indeed a very fine vessel.

Might I suggest that, if the honourable Leader of the Opposition had the interests of his constituents at heart, because certainly they are almost totally dependent on sea transportation for the carriage of goods - communities around the coast such as Maningrida, Milingimbi, Ramangining, Galiwinku, Minjilang, Goulburn Island, Groote Eylandt, Gove depend on barges to a greater or lesser extent for transport of their goods - I believe that the introduction of dumb barges, if the companies were still prepared to consider it and I am fairly sure that they would be, would be a great boon to the people living in these communities. They are operating in Hawaii and have been operating in the open sea there. I saw them myself, quite safely carrying containers of cargo, and other cargo, between the various islands.

The honourable the Leader of the Opposition used a generic term to describe the Port of Darwin. I think really that, if the proprietors of V.B. Perkins and Company thought that they were to be included in the Port of Darwin in a legal sense, they would probably cease operations tomorrow and give up the unequal struggle. They only manage to survive, I understand, because they are not forced to employ labour from the stevedoring authority. They employ other labour who I think are members of the Transport Workers Union and I have heard the opinion freely expressed that if Frances Bay itself, from where the barges operate, were included in the port, then the barge services one and all would be forced to close without much delay at all.

I turn now to a couple of remarks about some of the trends I noticed whilst overseas. Deregulation in the United States has been a success. I believe this from what I saw and from talking to people. Mind you, there have been financial problems with the airlines over there and financial problems with the airlines around the world. I do not think those can be attributed to deregulation, I think they are more attributable to the world economy. Certainly, the thing I noticed in going to the states briefly - Alaska through San Francisco through LA and on to Hawaii - was the types of aircraft seem to have varied more. There are more smaller line aircraft and more airlines operating in and out of the different cities at a greater frequency. Previously, airlines operated larger aircraft and less frequently.

In banking and finance generally, the move to electronics is going to

have an impact in Australia that none of us have yet realised. It will mean, I think, greater mobility for money because it will be possible to transfer it, as I understand it, to the highest interest rate available at the push of a few buttons. Unfortunately, I think this is going to mean that institutions that loan money for the building of houses are going to suffer because, if people can transfer their funds with so much mobility, they are not going to prefer the lower end of the deposit scale.

I would ask the honourable member for Nightcliff and the Minister for Transport and Works to have mercy on the Department of Law for a while yet. The honourable member for Nightcliff directed a question to the Minister for Transport and Works yesterday or perhaps last week: 'Can he advise the date for the proposed demolition of the Wells building?' The minister replied: 'I cannot give the honourable member the date. However, I can state here that tenders will be called shortly for the demolition of the Wells building'. I am sure that both honourable members were referring to the Stuart Building. I convey to those honourable members the impassioned pleas of the staff of the Department of Law to leave them in place for a little while yet and at least give them some notice before the wreckers move in.

The Leader of the Opposition asked me the other day for details as to what requirements there were for the granting of firearms' licences to security guards. There are no specific regulations governing the use of firearms by private security firms. However, the possession, carrying and discharge of firearms by all persons is covered by the provisons of the Firearms Act, including the holder of a shooter's licence. Private security guards have no greater authority, privileges or powers than do private citizens and are required to comply with all laws. No specific type of training or standard of competence in the use of firearms by private security guards has been determined but, before such a licence is issued, the person must satisfy police that he is a fit and proper person to possess, carry and discharge firearms, has an adequate understanding of the laws in force in the Territory relating to firearms and has had adequate training and experience in the discharging and safe handling of firearms and ammunition. I have a paper here which is in the nature of an examination paper which people are required to answer before a licence is granted. I can pass it on to the honourable member if he wishes. In addition, police must be satisfied, if the application relates to a firearm class C - that is, a pistol - that he has a sufficient reason to possess, carry and discharge the firearm class C.

Yesterday, the honourable member for Millner reopened the long dead question of Northern Airlines, its financial viability the reasons for its collapse and the nature of its management. He gave very strong indications that he held the Northern Territory government responsible for its demise. On 25 May 1981, I wrote a letter to Captain R.J. Richie, the Deputy Chairman of East West Airlines:

Captain Ritchie,

I understand you have expressed some displeasure over the actions of my government in respect of Northern Airlines. I regret this, the more so since your understanding of the facts of the matter will inevitably be incorrect. A great deal of misinformation has been perpetrated on the issues surrounding the demise of Northern Airlines. Your chairman has contributed in no small way to this state of affairs. However, I am sure that you would accept that you have a responsibility to be properly informed on matters related to East West. You have not met that level of responsibility in the case of Northern. I attach for your information a copy of a letter which I might have sent to

East West shareholders in response to the comments made in a circular letter to your shareholders from your Chairman. It is not my wish to engage in further debate and I will therefore refrain from sending this letter. However, I am sure you will find it of great interest. I suggest that you need to be more fully acquainted with the facts before expressing views about the Northern outcome.

This was a draft circular letter that I had prepared to send to the shareholders of East West having read a circular that had been sent to them by the chairman of the directors of the company. He listed in his circular the various faults of the Northern Territory government and then went on to say that the company had collapsed due to losses of $1.5m to $2.5m incurred mainly as a result of the Northern Territory government's default.

This letter costs his claims and, even admitted the total of his claims, I think that these actions could not have amounted to a cost of revenue for the airline of anything more than $300,000. This is nowhere near the order of magnitude of the trading losses of $1.5m to $2.5m reported by your chairman. Unfortunately, Northern Airlines did not appoint a manager in the Northern Territory until September, almost 9 months after they commenced operation here. In my experience, East West Airlines management consists of a very able man but one man only, John Riley, and, unfortunately, I believe East West's management skills are that thin.

That I believe is the reason for the collapse of Northern Airlines.

I also received a letter today from the Ministry of Home Affairs, Suva, Fiji, which I think is worth reading into the Hansard in recognition of the services of a Territory prison officer in Fiji on loan to the Fiji government:

Dear Chief Minister,

I have the honour to report that Mr Glen Edward Sutton, a Superintendent of Prisons in the Northern Territory Correctional Services is completing his contract with the Fiji government as a Superintendent of Prisons today. His secondment to Fiji was funded by the Australian Staffing Assistance (Fiji) Scheme. Mr Sutton arrived in Fiji in early 1980 at a time when we badly needed overseas correctional expertise. He was posted as supervisor of our largest prisons complex at Naboro and he was actually in charge of 4 prisons: (1) a maximum security prison for 60 inmates; (2) a medium security prison with 96 inmates; (3) a minimum security prison of 180 inmates; and (4) a pre-release camp of 50 inmates. He had under him at that time no less than 150 prison staff.

Mr Sutton quickly made his presence felt in this position and introduced substantial improvements, so much so that a year later, in 1981, he was posted to the prison's administrative headquarters as Superintendent Headquarters and Training. Mr Sutton was largely responsible for the establishment of a staff training school which was virtually non-existent and the drawing up of training programs. Six months ago when the Prison Adviser's term expired, Mr Sutton was asked to move to the ministry to replace the adviser and to help implement some of the recommendations his predecessor had made.

It is consoling to note that only 5 days ago our government has agreed to the Prison Adviser's recommendations: (1) to reorganise the prison services; (2) to upgrade and retitle senior posts; (3) to create a number of specialist posts; and (4) to step up local and overseas training for prison officers. Mr Sutton's help and advice assisted in no small measure to achieve these successes and may I assure you that his work in Fiji over the past 2 years has been most rewarding for us and a credit to your government.

Mr Chief Minister, may I, on behalf of the government of Fiji, thank you and your Ministry for Community Development most sincerely for readily coming to our aid in our hour of need.

Yours respectfully,

M.V. Buadromo, Permanent Secretary for Home Affairs.

Motion agreed to; Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MINISTERIAL STATEMENT
Draft Criminal Code

Mr EVERINGHAM (Attorney-General) (by leave): Mr Speaker, as honourable members will be aware, it has been the intention of this government to enact a criminal code for the Territory. The process of developing such a code is obviously not one that can occur overnight and, in the case of this code, the process has taken some 4 years, the bulk of the work being done in the last 2. During the last 18 months or so, I have tabled a number of draft criminal codes culminating in the Criminal Code Bill (Serial 167). The object of progressively tabling this code was to enable Territorians generally to see what areas of the criminal law would be covered in the code and to give people an opportunity to comment on discrete parts of the code. The publicity given to the code as the result of this policy, and the publicity itself, engendered further comment. The most important comments were those on the Criminal Code Bill (Serial 167) and the policy of this government in this regard was to brief the bill to eminent lawyers for comment and criticism. The bill was also widely circulated around Australia and elsewhere in the hope that further comments would be provided and, indeed, many comments were received, some of which I have made public. I would like, on behalf of this government, to put on record my appreciation of those who took so much trouble to make their constructive comments and, indeed, criticisms and suggestions known.

Before outlining the contents of the draft criminal code that I am tabling today, Mr Speaker, with your leave, I would say that every government has a responsibility to pursue appropriate and responsible law reform at all opportunities. As can be gathered from my statement of 4 March 1981 to this Assembly when tabling the first draft of the criminal code, the aim of this government was to take reformist initiatives in the area of criminal law, and these reformist initiatives were evident in the Criminal Code Bill (Serial 167) in the areas such as sexual offences, procedures in respect of sexual offences, property offences and in certain aspects of the area of criminal responsibility. However, I am sure that I need not point out to you, Mr Speaker, or other honourable members that - to paraphrase Gilbert and Sullivan - the lot of a law reformer, like that of a policeman, is not a happy one.

Law reform is difficult, and particularly so in relation to the legal profession. The legal profession is, on the whole, a conservative profession. It is not inclined, perhaps for good reason, to be too venturesome. For example, words and laws themselves attain the status of terms of art to lawyers. These terms of art carry with them well-known concepts to the legal profession. In most cases, these terms of art have no meaning at all to the ordinary man in the street and in some cases are positively misleading. Let me mention malice aforethought, in respect of murder, and animus furandi, in respect of larceny.

The reformist approach of the earlier code to many well established areas of the criminal law gave rise to comment and, indeed, criticisms by virtue of some of its novel aspects. This government, to ensure that the widest options were available, felt that it was appropriate to prepare a further draft criminal code which, while as far as possible retaining the previous reformist approach, was drafted along much more traditional lines.

It is this code that I now table in the Assembly. I seek leave to table this draft code.

Leave granted.

Mr EVERINGHAM: The purpose of this is to give the community in the Territory an opportunity to consider 2 different pieces of legislation and, with the assistance of the seminars to which I will refer later, give this government a clear indication of which approach it believes most preferable or indeed whether the community feels a combination of what is best in both documents would be most appropriate.

Comparing the Criminal Code Bill to the current draft, a number of differences can be noted quickly. The current draft restricts the code to indictable, that is, serious offences. The feeling by at least one of our advisers is that a criminal code must set down those serious offences which enshrine the feelings of the community which rarely change. Community attitudes, for example, are likely to change only slowly in respect of murder, sexual offences, theft, criminal damage and so on. These sentiments should be set down in a code.

The changing attitude of society is more often reflected in minor offences - that is, summary offences - and these can be expected to change with relative rapidity from time to time. The Summary Offences Act, it is felt - at least in some quarters - is the appropriate place for these types of offences. Obviously, it is not possible to completely exclude summary offences from the code. For example, the degree of assault or criminal damage to property may, in one case, warrant an indictment but, in another case, would be appropriately dealt with in a court of summary jurisdiction. Further, the procedure relating to summary offences is in the Justices Act whereas it is appropriate to have the procedure in respect of indictable offences in the code relating to those offences.

The previous bill covered a number of areas, in addition to summary offences, which are currently covered in other legislation. The obvious example is police powers, such as arrest, search and so on, which should perhaps be left in the Police Administration Act rather than be put in the code. Another example relates to various evidentiary provisions which ought to be incorporated into the Evidence Act rather than the criminal code. This point is all the more pertinent as the Department of Law is currently working on a major overhaul of the law of evidence.

The actual arrangement of the current draft differs substantially from the arrangement of the bill. The effect of this rearrangement is that the order of offences now runs parallel with the order of offences in the Queensland and Western Australian codes. Going one step further, while the bulk of the offences covered in the bill are covered in the current draft and the substance of the offences remains the same, in most cases the wording of the current draft conforms to the wording found in the Queensland and Western Australian codes. The Queensland code is the oldest code in Australia and is well tried and tested in 2 jurisdictions. Western Australia's criminal code is substantially the same. The Queensland code has a well-established body of case law which has already settled most contentious issues arising from the legislation. There is a major textbook on the Queensland code which would enable legal practitioners to become familiar with the code with greater speed and ease, and the use of the Queensland model will assist, for example, the training of police as Western Australia and Queensland police can help with their vast experience of code law.

Turning now to the draft itself, 2 points can be made at the outset. First, following the rest of the Australian codes, the criminal code will itself appear as a schedule to a criminal code act. The draft before you will be the schedule to the code and I anticipate the code act itself will follow along the lines of the Queensland model and comprise some 8 or 9 sections, the most important being the section that provides that the code of criminal law, as set out in the schedule, shall be the law of the Territory in respect to

the matters contained in the code; that is, the criminal code replaces the common law in the areas covered by the code except where the code specifically provides otherwise.

Other sections that will appear in the code act are a section providing that when, by the code, an act is declared to be lawful, no action can be brought in respect of it. A civil action for assault will not lie where an act is justifiable under the code otherwise the code does not affect other rights of action. There is a section providing that, where an offender is punishable under the code and under some other statute, he may be prosecuted under either provision so long as he is not punished twice for the same offence.

The second point that can be made is that the majority of the reformist initiatives, from a Territory point of view, that appeared in the Criminal Code Bill will reappear in the current draft. Some of these ideas will reappear in virtually the same form as before, for example, the tourism provisions which I will return to. Others will appear in very much amended form, almost under another guise in some cases, although retaining the basic philosophy of the provisions of the first bill - for example, sexual offences, to which I will also return again. Furthermore, certain completely new provisions will appear in this draft which have not before been included in any draft bill. For example, serious drug offences are included as well as general provisions to cover the doing of dangerous acts. I will refer to these sections as I come to them, but I would sum up by saying that the philosophy of the past drafts is retained in the present draft, subject to the points I made earlier.

As I noted earlier, the first schedule to the criminal code act contains the criminal code itself. Clause 1 provides the interpretation section for the code and this section differs considerably from that in the previous draft codes, being based on the Queensland code, with considerable amendment. Many of the Queensland definitions, which refer to matters now within the ambit of the Commonwealth jurisdiction, are not included. New definitions are included, notably the terms 'act', 'bodily harm', 'event', 'husband and wife' - which is defined to include Aboriginals living in a husband-and-wife relationship according to tribal custom - 'justified', 'offensive weapon', 'property' and 'wrongful act'.

Clause 1 also includes the definition of 'intention and knowledge' which is based upon the definition of 'intention and knowledge' which appeared in subclauses (2) and (3) of clause 10 of the Criminal Code Bill. Of course, this definition only applies to intention and knowledge and you will note that, throughout this draft, while intention and knowledge are frequently used, there are frequent references to other types of mental states such as lawfully, fraudulently, perversely, corruptly, callously and others. This is one of the examples of the problem that I have previously alluded to. These are terms which have particular meanings and, in keeping with the previous bill and indeed the approach of the 1969 Law Council of Australia Draft Criminal Code for Australian Territories prepared by, amongst others, Mr Justice Brennan, now of the High Court, this government will seek to rationalise these mental elements to form a more comprehensive approach to the mental element of crime which is more readily understandable to the ordinary Territorian.

Clause 2 defines 'offence' to be 'an act, omission or event', making the person responsible for such act, omission or event liable to punishment. This is based on section 2 of the Queensland code but adds the reference to 'event'.

Clause 3, while broadly based on its Queensland counterpart, is new in that it creates 4 categories of offences: crimes, misdemeanours, simple offences and regulatory offences. While this may, at first glance, appear to

fly in the face of the avowed intent of this government to abolish technical distinctions between felonies and misdemeanours, this is not so. Crimes and misdemeanours will be indictable offences, the difference being with respect to police powers. The police will have wider powers of, say, arrest in respect of crimes than misdemeanours. Simple offences and regulatory offences will both be tried summarily. General legal principles apply to simple offences. However, regulatory offences will be a class of offence which a person may commit without mens rea (guilty intent). A good example would be a speeding offence where, as we all know, a person is guilty of speeding if he exceeds the limit even if he did not know that he was exceeding the limit or did not intend to exceed the limit.

Clause 4 relates to attempts and follows the Queensland model and is therefore a considerable departure from the attempt provisions in earlier drafts. Clause 5 defines 'carnal knowledge' and 'carnal connection' to include sexual intercourse, sodomy and oral sexual intercourse and, therefore, in simpler terminology retains the philosophy of neuter sexual offence provisions. Clause 6, providing that a person is presumed sane until the contrary is proved, follows again the Queensland model and conforms with earlier drafts of the code.

Chapter II, relating to parties to an offence, follows the Queensland model and in philosophy is much the same as clauses 20 to 23 of the Criminal Code Bill except that the concept of instigation is no longer used in favour of the more familiar aiding, counselling or procuring concepts.

Chapter III also follows the Queensland model - perhaps I could request honourable members to assume that the draft follows the Queensland model unless I otherwise indicate - and is in philosophy and, to a large extent, wording similar to clauses 12, 13, 14, 15, 18 and 19 of the bill with the exception of clause 12 of the draft which simplifies sections 12 and 13 of the Queensland code and clauses 13 and 14 of the bill, the provisions relating to the application of the code to offences committed wholly or partly in the Territory or offences instigated by persons out of the Territory. One major difference from the bill is that clause 15 limits the defence of autrefois acquit and autrefois convict to indictable offences.

Chaper IV relates to matters of authorisation and excuse in many vital areas. This restores the vitality and originality of the Griffith's code which was lost in the early cases interpreting the code. Clause 16 provides that a person is not criminally responsible for an act, omission or event done or perpetuated in the execution of the law or in following the legal orders of a competent authority.

Clause 17 provides that ignorance of law is no defence and follows the Queensland code in establishing an honest claim of right as a defence. Clause 18 follows the philosophy of clause 31 of the Criminal Code Bill although it includes references to 'event' which did not as such appear in the bill. Clause 21 provides for the defence of provocation which, following the Queensland model, applies to all offences. Clause 23 relates to intoxication. Although the wording may be changed somewhat from earlier drafts, the intention behind the provision is the same. Self-induced intoxication will not be a defence to a criminal prosecution and, indeed, is a circumstance of aggravation. I refer to you subclause (3) of clause 23.

Clauses 26 and 27 relate to compulsion generally and compulsion by a husband and clause 28 relates to liability of a husband and wife for offences committed by either with respect to the other's property. I would also note that, on the question of immature age, the bill before you in clause 24 has the appropriate ages of 10 and 14 rather than the ages of 10 and 15 used in Queensland and originally proposed in the Territory. The purpose of this is

to fit this provision in with the sexual offences and indecent treatment offences in respect of children.

Mr Speaker, I appreciate that I dwelt at length on chaper IV. However, it is a vital chapter and warrants such attention. Continuing on, part II relating to offences against public order, covers the areas of sedition, terrorism, offences against the executive and legislative power, unlawful assemblies, breach of the peace, offences against political liberty and piracy. Unlawful assemblies, breaches of the peace and offences against political liberty are based on the Queensland model and are, in substance, similar to the equivalent sections of the bill. Do not be alarmed by this. The prohibitions in Queensland which many find not to their liking are in the Queensland Traffic Act. However, the offences relating to sedition, terrorism, offences against the executive and legislative power and piracy are taken virtually completely from the provisions in clauses 188 and 219 of the bill.

Needless to say, these provisions, notably the terrorism provisions, have given rise to much comment. It is gratifying to note that the Criminal Law Committee of the Law Society of New South Wales, acting as a committee of the Law Council of Australia, had this to say of the terrorism provisions: 'We know of no other state which has legislation covering a similar area. In principle, these provisions do not seem inappropriate, and it may well be that this area is deserving of consideration by other states'. This committee could hardly be said to be pushing any political viewpoint. It would simply be stating what, in its opinion, is the appropriate objective attitude towards these provisions. The whole area of terrorism has been canvassed at some length since it was first introduced and I feel there is nothing further that should be added to what I have already said on the topic in this Assembly. I would, note however, that provisions relating to internationally protected persons have been deleted as the Crimes (Internationally Protected Persons) Act of the Commonwealth is quite adequate.

Part II relates to offences against the administration of law and justice and offences against public authority. This part comprises chapters XI to XVII covering such particular offences as disclosing official secrets, corruption and abuse of office, selling and trafficking in office, offences relating to the administration of justice, offences relating to escaping from lawful custody and obstructing officers of ports, and various other miscellaneous offences against public authority. Again, these sections follow the Queensland model and, in the main, adhere to the philosophy of the earlier drafts of the code with the exception that chapter XIII, comprising clauses 81 to 98, relate to electoral offences which have not been covered by earlier drafts.

Part IV relates to acts injurious to the public in general and, in this part, chapters IX and XX merit particular attention. Chapter IV covers sexual offences which are and ought to be prescribed and are to be distinguished from sexual assaults which are in the offences against persons section, and chapter XX covers, in effect, the serious drug offences.

The sexual offences - in the draft entitled 'offences against morality' - bear no resemblance in form or style to the provisions in the Queensland code or indeed the approach adopted in the bill. However, the whole basic philosophy of the bill is mirrored in clauses 140 to 147 before you without the technicalities of the bill which may have been the subject of some criticism, particularly judicial criticism.

Clause 141 makes male homosexual acts involving carnal knowledge or gross indecency in public - I emphasise 'in public' - an offence with a higher penalty for an offender if the other party is under 14 years of age.

It is this provision which punishes homosexual rape. Clause 142 makes it an offence for male homosexual acts involving carnal knowledge or gross indecency in private where the victim, if I can use that word, is not an adult, and again a higher penalty where the victim is under 14 years of age. In short, it is not an offence for consenting adults to take part in homosexual acts in private.

Clause 143 and 144 creates the offences of carnal knowledge of, or gross indecency with, females under 16 years or mentally-ill or handicapped females. I draw your attention, Mr Speaker, to the fact that, unlike carnal knowledge, gross indecency is not defined. The reason for this is that a jury will be able to decide easily enough for itself the sort of indecent act which is sufficiently gross to be deserving of punishment. Furthermore, indecency is a changing concept and enshrining such a concept in today's terms may not reflect future public mores. In short, not defining the terms gives a jury greater flexibility to aptly assess gross indecency from time to time. The offences of indecent treatment of persons under 14 and gross indecency in public are found in clauses 146 and 147. Clauses 148 to 154 cover well-known offences such as incest and bestiality although clause 151, relating to pornography involving persons not adult, is new.

Clauses 155 to 160 are again new and relate to dangerous drugs. The drugs which will be within the ambit of these clauses will be detailed in the first 2 schedules to the code and will be only the most dangerous and debilitating drugs ranging from hashish, not to be confused with marijuana, up to heroin and angel dust although, at this stage, the final contents of the schedule are not finally settled. This is not to say that the unlawful use of the softer drugs will not be an offence. They will indeed remain so. The code will contain the tough penalties for the misuse of the most dangerous drugs while less extreme penalties will apply for the misuse of softer drugs in other legislation, for example, the Dangerous Drugs Act. Clause 156 creates the offence of supplying the dangerous drugs to persons under 18 years old which is punishable by life imprisonment. Clause 157 provides that the person having any of these drugs in his possession is guilty of a crime and liable to 14 years' imprisonment although, if he proves he was not in possession of the drugs for the purpose of dealing with them for profit, then the penalty is 7 years. If the person can further prove that he did not have the drugs for the purpose of simply supplying them to others, he is liable to only 3 years' imprisonment.

Clauses 158 and 159 are in a similar vein to the 2 previous clauses but relate to less dangerous drugs which will be listed in schedule 2 and the penalties are accordingly less. I might add that the code establishes that the burden is upon the defendant to show that he did not possess the drugs for the purposes of profitable dealing or to supply others.

Part V relates to offences against the person generally and covers assaults and violence to the person generally, duties relating to the preservation of human life, dangerous acts or omissions, failure to rescue, homicide and abortion, offences endangering life or health, various offences against liberty and criminal defamation. In this part, of particular note are clause 163, which in one provision covers over 20 sections of the Queensland code dealing with the circumstances in which force, not being force likely to cause death or grievous bodily harm may be lawfully used, and clause 164 which quite stringently details the circumstances in which necessary force causing death or grievous bodily harm may be lawfully used. Regarding clause 164, it is essential that police, prison officers and certain other restricted categories of persons must be left in no doubt as to their powers and responsibilities in respect of acts which cause death or grievous bodily harm.

The common law recognised that, in some instances, force resulting in death or grievous bodily harm may not amount to an offence. See, for example,

R v McKay 1957 Victorian Reports 560. But, this was vague as to the limits of this and the various codes were equally vague. In my view, clause 164, for the first time anywhere, establishes certainty in this area.

The duties contained in clauses 170 and 174 are found in all codes including the bill. However, clauses 175 and 176 are new and provide a radical departure from existing codes, but a departure which, I believe, is fully justified.

Clause 175 provides that a person who does or makes any act or omission that causes serious, actual or potential danger to the lives or safety of the public or members of the public in circumstances where an ordinary person in similar circumstances would have foreseen the danger and not acted as the accused did is guilty of an offence. Depending on the situation, the penalty differs. If the defendant was under the influence of drugs or liquor, a further penalty of 2 years may be added. This section would, of course, cover such dangerous activities as driving motor vehicles, boats, erection of scaffolding and indeed any potential dangerous activity.

Clause 176 could be termed the good Samaritan provision. This clause reflects the views of right thinking people today - but perhaps not previously as a similar provision does not appear in other codes - and will be warmly received by Territorians. The clause provides that a person who is in a position to rescue or provide resuscitation, medical treatment, first aid or succour of any kind to a person urgently in need of the same, whose life may be in danger if it is not provided, who callously fails to provide this, is guilty of an offence.

The homicide provisions, as I noted, are contained in part V and, while the philosophy is the same as the bill, the provisions are based upon the Queensland model . This of course has the advantage of reading into the code the established legal authorities of Queensland and Western Australia with obvious advantages to the legal profession and those associated with the administration of the law. I might point out that the defence of infanticide has been deleted - it appeared in the earlier bill - as it is generally recognised that this offence is covered by the defence of diminished responsibility in clause 188.

Clauses 198 to 200 cover abortion. As I have so often stated, this remains unchanged from our existing law as found in the Criminal Law Consolidation Act.

While clauses 201 and 213, covering offences endangering life or health, follow the Queensland model, the assault provisions, clauses 214 to 220, do have innovative provisions, notably, clause 216, aggravated assault, clause 217, assaults on the Administrator, judges or magistrates, clause 219, sexual assault which also covers rape - if I can use that terminology and I refer honourable members to the last paragraph of clause 219 - and clause 220, assault with intent to commit an offence.

Before passing from this vital part of the code, I would note that the various offences against liberty provisions in chapter XXVII follow the Queensland model but the offences in chapter XXVIII, relating to criminal defamation, are new with the exception of clause 232. I particularly draw the attention of honourable members to these provisions.

Part IV covers offences relating to property, basically but not exhaustively, theft type offences, deception, receiving stolen property, forgery and unlawful interference with computers. The basic definition of 'theft' in clause 234 follows the definition in the bill and thus the English and Victorian Theft Acts. Many of the theft provisions of the bill are

included although these provisions are supplemented by provisions from the Queensland code and some new provisions, for example, clause 238, unlawful entry of buildings, clause 239, uncertainty as to offender's intent, and clauses 242 and 253, unlawful use of aircraft, vessels, motor vehicles, caravans and trailers.

Clause 238, unlawful entry of buildings, is the most noteworthy of these clauses and provides that it is an offence to unlawfully enter a building with intent to commit some other offence. The penalty ranges from imprisonment for 1 year to life imprisonment depending on whether the accused intended to commit a minor or serious offence in the building, whether the accused was armed at the time or whether it was night-time and whether or not the building was a dwelling house and occupied or not. This clause takes account of a variety of possible circumstances and replaces the offence of burglary in the previous code. I particularly draw your attention, Mr Speaker, to clauses 247 and 248 which seek to protect confidential information and trade secrets. Clause 247 makes it an offence for any person to unlawfully abstract any confidential information from any registered document, computer or other repository of information with intent to cause loss to another or with intent to publish it to a person not entitled to the information or with intent to obtain a benefit or advantage to himself. Clause 248 makes it an offence for a person to unlawfully publish or disclose a trade secret with intent to cause loss to another or to obtain some benefit or advantage to himself.

The criminal deception and blackmail provisions in clause 253 and 254 are new, being based on the Law Council draft criminal code of the Australian territories. You will note that the credit card provisions which appeared in the bill do not appear in this draft. The reason is that the scope of the offence of criminal deception - and I draw your attention to the definition of 'deception' in clause 234 - is wide enough to encompass the various offences relating to misuse of credit cards. In this regard, I point out clause 254(2) relating the unlawful obtaining of credit or further credit by deception. The obvious deception in respect of credit cards is that the accused was entitled to use the credit card to the limit stipulated, and thereby gained credit, when the accused was not in fact entitled to use the credit card at all. The provisions relating to secret commissions, clauses 263 and 264, are new too, again being based on the Law Council draft code and again warrant the special attention of members.

The criminal damage to property provisions, clauses 265 and 286, are based on the Queensland model. While the technology was different from the corresponding provisions in the bill, the philosophy behind the provisions is the same.

Again, the uttering and impersonation provisions, clauses 291 to 305, follow the Queensland model, but the forgery provisions, clauses 287 to 290, are new as are the provisions in clauses 306 and 307 covering unlawful interference with computers. Clause 307 makes it an offence for a person, without legal rights, to unlawfully alter or falsify any computer material with any fraudulent intent, and continues to provide a harsher penalty if the person commits the above offence with the intent that an incorrect computer response be produced and with the further intent that another person will be prejudiced or be induced to act, or refrain from acting, by treating the incorrect response as, in fact, correct.

Clause 306 defines computer material and computer response. Part VII covers what at criminal law are known as the inchoate offences, namely attempts to commit offences, conspiracy and accessories after the fact with the exception of clause 323, providing that a husband and wife are capable of criminally conspiring together. Clauses 324 and 325 are procedural matters relating to conspiracy and are based on the Law Council draft criminal code

and follow the Queensland provisions.

Part VIII of the code relates to procedures covering such areas as jurisdiction, indictments, notice of alibi, various trial matters, punishments, appeals and certain miscellaneous matters.

Clauses 331 to 427 cover the procedural matters in respect of indictments and trials and follow the Queensland model. However, these clauses, with 1 or 2 exceptions, follow the common law and, as such, will not make provision for matters with which legal practicioners are not already familiar. Indeed, with 1 or 2 changes in wording, many provisions are largely similar to clauses 293 and 365 of the bill with which members are familiar. As with the bill, these clauses set out all the provisions necessary to prosecute indictable offences in one discrete part of the code.

Two changes are found in this area in the code which I should mention. Clause 394 requires that any challenge to a juror will have to be made before the juror is sworn in. This will require the appropriate court officer to swear in each juror individually whereas the current procedure is to swear in all jurors together once the 12 have been called. Of course, the profession's views must be taken into account and I would appreciate its views on this. I think I prefer our present system.

I also draw honourable members' attention to clause 402, speeches by counsel, and point out that the final paragraph, which provides the calling of rebuttal evidence shall not affect the order of speeches, does represent a departure from the usual practice.

Clauses 428 to 447 in effect codify the law relating to punishment and, while these provisions generally follow Queensland precedents, I do earnestly advise honourable members to study them closely. For example, clause 430, providing for periodic imprisonment, is new to the Territory. Clause 432, discharge without recording conviction, which power already exists in the Territory with respect of courts of summary jurisdiction, is extended to the Supreme Court. Clause 447 extends the punishment provisions in the code to cover punishment in respect of all offences created by statute in the Territory.

Clauses 448 to 474 make provisions for appeals and pardons. The appeal provisions are modelled on the Queensland provisions, but virtually all appeal provisions are similar in all jurisdictions, including non-jurisdiction. See, for example, the Criminal Appeal Act 1912 of New South Wales. Of course, these provisions will not be commenced until such time as the court of appeal provisions in the Supreme Court Act commence.

Mr Speaker, before resuming my seat, I would like to make a few final points. First, there will be a number of pieces of cognate legislation to complement this code. For example, the provisions found in clauses 80 to 90 of the bill relating to the protection of sexual offence victims from unnecessary cross-examination and unwarranted publicity will appear in the Evidence Act. Further, regulatory offences will have to be defined and this Assembly, to avoid confusion, will have to indicate clearly to the courts which offences are to be regulatory offences. The cognate legislation of the criminal code is currently being prepared and will be introduced with the final Criminal Code Bill.

Secondly, this government takes the firm view that the code must be, in the main, an apolitical document reflecting the general views of society. In view of this, and echoing my earlier requests to all interested persons, responsible and constructive criticism is welcomed and positively encouraged. As I said, the code is largely an apolitical document although obvious areas

of policy are included. These areas are well known, have been widely canvassed previously and reappear in this code and this government stands by them. While the government will be pleased to receive constructive comment on the workability of these provisions, the policy decisions are firm. In the non-policy areas - murder, theft, sexual offences etc - this government is happy to consider making any reasonable change to individual provisions, or even chapters, in order for this code to be as effective as possible. I must emphasise this and it is for this reason that this is introduced as a draft bill for this Assembly and the public to consider.

Thirdly, as the criminal code will be a piece of legislation, indeed a whole philosophy of law unfamiliar to us all, I have invited Mr Sturgess who will, hopefully, be accompanied by Mr Robin O'Regan, to come to the Territory to run seminars on the new code. While final details have yet to be confirmed, I hope that it will be in August. It is anticipated that the seminars will take place over 3 days. At least part of the first day will be provided for members of this Assembly. There will also be a seminar in Alice Springs and a seminar for the public and other interested groups as well, of course, for judges, magistrates and members of the legal profession. Again, it is anticipated that these seminars will be conducted prior to the next sittings of the Assembly. The dates will be widely advertised. It is the government's firm belief that, as a result of these draft criminal codes, and the seminars of Mr Sturgess and his colleagues, the final bill that this Assembly considers will be the most appropriate legislation possible for the Territory and will incorporate the best of the Criminal Code Bill (Serial 167) and Mr Sturgess' draft criminal code.

Mr Speaker, I move that the Assembly take note of the statement.

Debate adjourned.

MINISTERIAL STATEMENT
Incentives to Primary Industry

Mr STEELE (Primary Production) (by leave): Mr Speaker, I table a policy statement on the matter of provision of incentives to primary industry in the Northern Territory.

I move that the Assembly take note of the statement.

Debate adjourned.

MINISTERIAL STATEMENT
Trachoma Control Program

Mr TUXWORTH (Health) (by leave): Mr Speaker, I would like to provide honourable members with details relating to the Northern Territory Department of Health's program for monitoring and control of trachoma.

Mr Speaker, the latest developments in our struggle to contain and reduce the effects of trachoma would be better understood if I outlined the history of the disease in the Northern Territory. Trachoma was first identified in the Northern Territory by Father Frank Flynn in the early 1940s. At the time, Father Flynn was a part-time ophthalmologist with the United States Army and he found the incidence of the disease to be extremely high and estimated that about 90% of the Aboriginal population in the Centre was affected by it. At the end of World War II, the Northern Territory division of the Commonwealth Department of Health established a treatment program with sulpha drugs and implemented surveys to determine the exact extent of the disease. These surveys continued from 1944 until the late 1960s and involved people such as Father Flynn, Dr John Hargrave, Dr Dick Webb, Dr Langsford and others. It was observed

during these surveys that a disastrous outcome of the disease, particularly in the arid Centre, was blindness.

In 1967, the World Health Organisation became interested in trachoma and set up a trachoma reference centre. The World Health Organisation recommended the use of topical tetracycline drops. Mass treatment of babies, pre-school and schoolchildren began in the Northern Territory in the early 1970s.

In 1974, the Northern Territory Department of Health sought the assistance of Dr Doris Graham from the University of Melbourne to investigate the best practical method of treating trachoma and to evaluate the effect of the topical tetracycline treatment. Dr Graham was also asked to evaluate a number of other antibiotics over a 6-year period. Two areas, Hooker Creek and Wave Hill, were selected for evaluation. The program was later extended to the entire Northern Territory with the help of Aboriginal health workers, school teachers, nurses and doctors. As a part of the program, daily washing of face and hands was encouraged, along with changes into clean clothing at school, as these measures had been proven to lessen the severity of trachoma. Evaluation of 6 years of topical and antibiotic treatment has resulted in a marked decrease in the severity of the disease. These results have been confirmed by the Health Department's eye specialist and it is now certain that the severity of trachoma has been reduced to the extent that subsequent blindness is a thing of the past.

In 1975, 35 years after the trachoma control program got under way in the Northern Territory, the Royal Australian College of Ophthalmologists sponsored a team, led by Professor Hollows, to survey trachoma throughout Australia. This team had the advantage of access to $1.5m of Commonwealth government funds and its last visit to the Northern Territory was 5 years ago.

In the meantime, the Northern Territory has continued its own trachoma control program. Our immediate and achievable aim is to reduce the severity of the disease, thus preventing blindness. But, because trachoma is linked to the standard of living, our wider aim is to eliminate the disease by improving hygiene, fly control and adequate reticulated water.

Earlier this year, the Department of Health was advised that a small amount of money had been appropriated by the Commonwealth for use in trachoma control. The decision of how that money should be spent was to be the responsibility of the college of ophthalmologists. However, the executive of the college did not wish to accept this responsibility, and the matter was referred back to the Commonwealth Minister for Health in February. Subsequently, the college reversed its decision and decided that it would now accept responsibility for advising the Commonwealth on disbursement of the funds.

The Northern Territory made a submission to the Commonwealth Minister for Health, together with our budget statements and explanatory notes, in February. Included in the Department of Health's proposals was the fact that there should be a number of Aboriginal people in responsible positions on the Trachoma Control Committee. Aboriginal members for that committee were sought by the department and although some who were approached did not wish to serve - and their wishes were respected - other Aborigines agreed to take a role on the committee, and we welcomed their membership.

Mr Speaker, we have received verbal advice that our submission to the Royal Australian College of Ophthalmologists has been approved, and the Commonwealth will provide these funds. In February, when the department made its original submission to the Commonwealth, an amount of $76,000 was sought. This would have covered the period between February and 30 June. However, with only 1 month of the current financial year remaining, the advice I have received is that an amount of about $26,000 will be made available to the Northern

Territory. This will allow the program to operate at its previous level until 30 June.

The Department of Health requires about $337,000 for the trachoma program to continue through 1982-83. I am advised that the Commonwealth will be funding about $56,000 to enable the program to continue in July and August but, obviously, the question of further Commonwealth assistance beyond that time must depend on the federal budget.

Mr Speaker, the department has geared itself up for a continuing full-scale attack on trachoma and is making major inroads into combating the severity of the disease. We have a program unequalled anywhere in Australia, and I would like to use this opportunity to place on record my appreciation for the work that officers of the Department of Health are doing.

Mr Speaker, I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Speaker, I rise to make a few comments about the minister's statement, which I welcome, partly because I have been involved with some of the trachoma prevention work - not personally but operationally - and I have seen it operating in a particular community. I thought that, on that basis, I should make a few comments on it. I have also had experience of those dreadful tetracycline drops that leave one blinded for about an hour.

A couple of things in the minister's statement cause me concern. As is often the case with ministerial statements, it is not so much what is said, it is more what is left unsaid. I am somewhat concerned that the minister makes no reference to the National Aboriginal and Islander Health Organisation and its very justifiable interest in the problem of trachoma since the disease is restricted largely to Aboriginal people. The minister quoted an incidence of 90% at one stage. I think even a layman's eye could tell on visiting many Aboriginal communities that trachoma is a huge problem. I am concerned then that the minister made no reference to the interest of the National Aboriginal and Islander Health Organisation, and apparently the department has not sought consultation with it. I think that is regrettable. If I am wrong, I will look forward to hearing from the minister afterwards.

In his statement, the minister did make reference to the Trachoma Control Committee. He said that Aboriginals were sought for that committee by the department and that some who were approached did not wish to serve. My understanding is that, in fact, some of those people were concerned that the National Aboriginal and Islander Health Organisation and the Aboriginal health services had not been consulted as organisations. In case it appears to members that I am just seeking to push the interests of one particular organisation or group of organisations, I hasten to add that I am making no particular criticism of the work of the Department of Health in this regard.

Really, I am making a plea for somewhat greater cooperation between the Territory department and these organisations. In my electorate, there is a great need for cooperation. As you will be aware, Mr Speaker, the considerable proportion of my constituents are Pitjantjatjara people and cannot fit their traditional country neatly into state borders. There are Pitjantijatjara people living in the Northern Territory, South Australia and Western Australia. The interests of those people might be seriously jeopardised by a slavish adoption of a purely state-based health care service.

What I am suggesting is that the trachoma and eye health programs should be making much greater use of the Aboriginal health services. In central Australia I am aware of 3 of these: the excellent service run by the Central Australian Aboriginal Congress, the service in my own electorate run by the Lyappa health service and the service at Utopia in the electorate of the

honourable member for Stuart. I believe that there should be much greater use made of those particular services than is the case at the moment. I would have thought that this fitted in very well with prevailing policies of the Department of Health and of the present government. It has frequently said that services such as that need to be as localised as possible. Perhaps one of the benefits of the move to encourage the establishment of private practice in the Territory has been to bring those services closer to the people.

As I said in this Assembly on a number of occasions, many of the aspects of that particular administration of health have some very bad reflexes. I would have said that the particular principle that health services be as close to consumers in organisational terms as possible is a desirable goal, one that I am sure the honourable minister will seek to encourage. I have that query about the role of the Trachoma Control Committee. I am very surprised that the strategy is not to work through those particular health services that I have mentioned. Certainly, there may be a role for the Department of Health either in cooperation with those health services where they operate or in fact in areas where Aboriginal health services, responsive as they are to the needs of Aboriginal people, do not operate.

I hasten to add that I am making no criticism of the Department of Health. I have a number of quite close friends in the employ of the Department of Health who are involved in the delivery of primary health care in Aboriginal communities. Their service has been excellent. I am concerned that there have been certain misunderstandings and differences of opinion between Department of Health operatives and employees of Aboriginal health services. That is regrettable. If there is a role for government here, it is bringing those services together to operate in the best interests of the Territory community in general and, in this particular case, Aboriginal groups. In some cases, competition of course leads to the best possible service. But, given the disparateness of the Territory community and given the large area over which it is spread, I believe that competition in some cases can lead to waste, duplication and under-utilisation of resources. I hope that the minister will take into consideration much greater involvement of the Aboriginal health services. This is perhaps not the place to talk about it but I certainly hope the Commonwealth government does that, particularly in relation to the needs of the Pitjantjatjara as they operate over 3 state boundaries. I mentioned 3 health services, but I failed to mention the Pitjantjatjara health service which operates over 3 boundaries.

One matter for concern is the reference the statement makes to the program conducted by the Royal Australian College of Ophthalmologists. The reference to that college is a little patronising. It says: 'In 1975, 35 years after the trachoma control program got under way in the Northern Territory...'. It suggests that the college was something of a latecomer into the field. It went on to say at the end of that paragraph: 'The college's last visit to the Northern Territory was 5 years ago'. That suggests that the college is no longer interested or that Professor Hollows, who led that particular team, is no longer interested in the problem that both sides of the Assembly see as a very serious one.

The problem with that particular reference is that it refers only to the blanket antibiotic program that was conducted by the college. That is a somewhat restricted reference to its work. I would be less than honest if I did not share with honourable members my misgivings at certain aspects of that particular program. I think that perhaps the Department of Health can run into problems running blanket antibiotic programs in that way. The program that the college ran in 1977 was staffed by some very dedicated and capable people. Unfortunately, this was not entirely the case. I had firsthand experience at Areyonga of parts of that program that were not conducted, to my mind, in the best possible way. There was in fact a young overseas medical student who had

had no experience of Aboriginal kids. I still have very clearly in my mind's eye the picture of this young medical student coming to give kids treatment. English was not her first language and the kids' first language was Pitjantjatjara. This medical student said to this little kid who was looking up at her: 'What is your name?' The kid looked up and she said blankly: 'How old are you?'. The kid looked at her again and she threw her hands in the air and walked off saying: 'This child does not know his name. He does not know how old he is. What am I going to do?' I thought that that particular exchange was one of the regrettable aspects. There were other problems associated with that blanket antibiotic program.

In case I appear to be making criticism of the program in general, let me state one of its great positive benefits that I witnessed first hand. That is not mentioned by the minister in his statement. I refer to the surgical work carried out by that particular team. I did not see the surgical work at first hand but, along with perhaps other members, I saw the fairly gruelling 4 Corners program detailing the very intricate eye surgery involved where the pupil is incised. They detailed the taking out of bits of tissue that were blocking the vision of these particular people. I am quite happy to confess it just about turned my stomach when I saw it on television. I did see the excitement in the community when one old lady came back with glasses and she could see again. Before they went over for those particular operations, these old ladies used to wander around in a train holding onto sticks like something out of a Breughel painting. It was wonderful for those people to be able to see again. That aspect of the program was wonderful and not enough credit has been given to Professor Hollows and his team for the time, energy and money that the college put into that particular program. I am a little bit sorry that the minister has chosen to dispatch it in quite that fashion.

To sum up, I want to make the point that the Royal Australian College of Ophthalmologists deserves a little better treatment than the minister has given it in his statement. Secondly and most importantly, I believe that there has to be much greater involvement of the National Aboriginal and Islander Health Organisation and also the Aboriginal health services operating in the Territory.

Mr TUXWORTH (Health): Mr Speaker, I am grateful that the honourable member has responsed today to the statement because he raises a few matters that are important. I regret that the honourable member finds aspects of the statement patronising. It was not written in that way and, if I said it in that way, I certainly did not mean to.

I would like to take up with the honourable member different people's perspectives of exactly what we are about and where we are going. So far as I can ascertain from the senior officers of the Department of Health, every effort was taken to involve people who could make an important contribution to the program. I do not think that there was any barrier on whether they belonged to organisations or whether they did not or whether they were from one area or another. If the honourable member feels that people from certain organisations should have been included, I would be happy to receive a note from him along those lines. We are approaching the matter from a constructive point of view and would be happy to receive any constructive comments that people wish to make.

The honourable member also referred to animosity that has built up over the years between Aboriginal health organisations, the department and others. I would make the point that I do not have any particular animosity towards any group at all in the health field. I take the view that there is so much work to be done in the community in terms of health, and particularly in the areas that we are talking about now, that there is no need for us to compete. If there is an opportunity for us to allocate our joint resources in the best possible manner, then I would be a party to that sort of consideration. But

I would make the point that, from time to time, officers of the department who have been involved in the programs for many years often feel that they are upstaged or that their views are pushed aside for the wrong reasons.

I would like to refer to an example of the sort of attitudes that develop when people feel they have been pushed aside ungraciously. I refer to the establishment of the health service at Papunya. I can recall when the Papunya health service was established. My attitude was that the medical centre did not belong to Department of Health; it belonged to the people. I felt that, if someone else wanted to run the health service in that area, the best thing for us to do was to withdraw. As I recall the attitude of the people establishing the service at the time, they were pleased to see us go and the matter left to them because they felt they would be better at delivery of health care in the area than we would. I guess that was a reasonable proposition. It was one that had to be put to the test. As it turned out, the new health service was good at doing some things - possibly things that we were not doing at all - but when it wanted a plane, an X-ray or a box of drugs, it would ring Alice Springs Hospital to provide the service. The feeling was that we had been booted out of this place but were being used to provide all the things that we were being criticised for not providing before.

I accept the member's point that there are bad feelings from time to time. I guess it is because people treat each other with caution. I would take the view that, if someone wants to run a health service or be involved in one, it should be complementary; we should all be complementary to each other in the things that we are doing to get the best effect from our resources. The concept of any one group pushing aside all the others and saying it can do it better is just nonsense. I would also make the point to the member that, as far as I am concerned, he and other groups in the community can be assured of cooperation from the department in all the things that we are doing. They will not find us competing. If people want to take over health services, we will be more than happy to help them.

Quite often some of the things that Aboriginal groups and independent health services ask us for are not ours to give. We are really talking about a Commonwealth program that has constraints and criteria attached to it. As the operators of the program, our hands are often tied. It is not a lack of consideration on our part that we do not accommodate people. We certainly do not do it with any particular object in mind.

I wish to refer to the honourable member's comment that my reflection on the Royal Australian College of Ophthalmologists was patronising. I have spoken to the officers concerned and they feel that the programs that were run by the college in the early days were given a lot of prominence and that the existing programs that had been in operation for many years were not acknowledged in the way that they should have been. Again, we are talking about how people perceive each other. The officers in the department do not have any criticism of the treatment that was being offered by the college. What they are saying is that the service provided by the college is a good one and it will cure trachoma. That is good. When the service ceases for 5 years and the same people get trachoma, and are perhaps blinded as a consequence, then we must admit that it is not the ideal program. That is why officers of our department feel that this program, because it involves continued testing, examination and treatment over a period of time, will provide the opportunity to establish the hygiene that is really the basis of combating the disease. We must eliminate the bad hygiene in the communities and establish a base for eliminating the disease entirely. In the meantime, we will have to continue for some years with the control program. The reflections on the college were not meant as a put-down. The college's program is quite legitimate. The difficulty with it is that, if the service is not provided for a period of years, it leaves us exposed.

Mr Speaker, I thank the honourable member for his comments. If he would care to respond to me on how we might involve groups, then I would be happy to hear from him.

Motion agreed to.

MINISTERIAL STATEMENT
Superannuation Arrangements for Government Employees

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, superannuation is emerging as a central feature of an employee's condition of service. My government acknowledges this. We are very conscious of the significant role that superannuation will play in the development of an efficient and stable Territory public service. A large superannuation scheme is a most complex matter, however, dealing with the wide-ranging circumstances of invalidity, retirement and death of every individual employee. As I said in November last year when I introduced the bill which is now before the Assembly, any legislation on this topic needs to be examined by all interested parties. Full consultation must take place in the interests of producing modern and flexible cover.

I am pleased to be able to advise the Assembly that this consultation has taken place and is continuing. All relevant staff organisations have been brought into the discussions both in full meetings and in working parties. The recently formed Interim Superannuation Board has also given its careful consideration to the many issues that have arisen. As a result, we have produced a new draft bill which, while retaining the Commonwealth levels of benefit, is simpler and better suited to the needs of the Northern Territory Public Service. There is advantage in continuing that consulation before this new draft is finally introduced to replace the current bill. To this end, I will be seeking leave to table the new draft and reaffirm my statement that constructive comment is most welcome. The government has already given specific undertakings to staff that it will protect their interests and meet their special needs in this transition. For the benefit of honourable members, I will restate that to them categorically to make sure that there can be no doubt as to our intention. In so doing, I invite all interested parties to look carefully at the new draft bill to ensure that these aspects are faithfully reflected in every case.

Mr Speaker, the undertakings which we give are these. Firstly, contributors transferring from the Commonwealth scheme will receive benefits on retirement, death or resignation which will not be less than those which they would have received in the same circumstances under the Commonwealth scheme as at the time of their transfer to the Territory scheme. Secondly, existing contributors from the commencing day will have full portability between the 2 schemes for the purpose of calculating contributory service for benefit for the rest of their careers. Thirdly, there will be a right of appeal by all contributors against decisions of the Superannuation Board to a judicial tribunal established especially for that purpose. Fourthly, permanent part-time employees will be covered under the scheme. Fifthly, a right to elect to commute pension rights on retirement to a lump sum benefit will be extended to all contributors, in the same way that it has been in many states. Sixthly, for certain employee groups with special career characteristics - those in the electricity commission and the police force come readily to mind - the government will implement retirement benefits which recognise their needs by a provident fund or other special provision under the general scheme. The basic rights of employees will be contained in the act itself and not in a confusion of regulations, as is the case with the Commonwealth scheme.

I believe, Mr Speaker, that the remarks I have just made demonstrate clearly that the government is determined to safeguard the rights of individual

employees in every respect. Having said this, I propose to outline briefly the features of the new draft bill which I now seek leave of the Assembly to table.

Leave granted.

Mr EVERINGHAM: In part 1, the preliminary clauses have been extensively redrafted to be consistent with the Territory's public service legislation. Part II covers the fund and its administration. I am disappointed that staff associations have voiced concern that a motivation of the government in setting up a new scheme is to secure influence over employee moneys. This is not the case. The draft bill makes the true position crystal clear by constituting the fund as a trust fund and the board as trustee of that fund. Again, in recognition of the request by unions, clause 21 provides for the Chief Electoral Officer to conduct elections for the contributor representative on the board.

Part III deals with contribution. It includes a section covering employees who join the Territory from another superannuation scheme. Under this clause, for example, the government guarantees the continuity of superannuation service of Territory public servants who are on leave without pay from the Commonwealth, and who resign from it to continue in the Territory service. I trust that the staff associations will now recognise the government's determination to give this protection.

Part IV contains all the benefit provisions previously spread over several parts. In the interests of clarity, the related schedules of benefits have now been ascertained. Commutation of pension rights on retirement will be provided for under division 8 of the part once the proposal has been fully developed. The clauses provide that, where Territory public servants return to the Commonwealth, their Territory service will count in full as service for benefit under the Commonwealth scheme.

Part V sets out the machinery for the review of any decision by the board. Contributors will have the right of access to a judge of the Supreme Court sitting as a tribunal. This part has been drafted in response to points made by the ACOA in the consultative forum.

Part VI is a most important part. It enables special provision to be made to meet the needs of groups of employees for whom the standard superannuation provisions may not be appropriate. This is one of the clear advantages of our having control over our own superannuation arrangements. Such special consideration is being given to short service NTEC industrial staff and to Territory police who must retire by age 60. The detailed needs of those employees are still being resolved. I can say, however, that no individual member of such a group will be forced to accept any special provisions unless he or she so agrees. Honourable members will appreicate that the design of provisions for special groups calls for considerable care in actuarial analysis. They must be consistent with the general financial basis for the entire scheme, and the capacity of future governments and, of course, of the taxpayer, to meet commitments. Adequate time must be allowed not only for their discussion and acceptance, but also for the complex calculations required.

Parts VII and VIII contain machinery provisions. Clause 115 in Part VIII is of particular interest to transferring staff. It restates and amplifies the guarantees given to preserve existing rights and levels of benefit. Honourable members will agree that this is a responsible and necessary undertaking for those employees caught up in the transition period.

Although considerable progress has been made in developing a Territory superannuation scheme, I wish to remind honourable members that implementation is dependent upon a satisfactory conclusion to the current negotiations with the Commonwealth on the transfer of the financial capacity to undertake the responsibilities that we will resume. This point is most important. The negotiations have not yet been concluded and we are pursuing them as vigorously as we can. I understand that the Commonwealth is aiming to introduce complementary legislation in its budget session to ensure that there is a smooth transfer for our employees. It is the government's intention to formally replace the bill now before the Assembly at a later stage, hopefully during the August sittings, and to commence the scheme on 1 January 1983.

As I said at the beginning, the new draft is being made available in this form to aid the process of consultation. I believe, Mr Speaker, that our policies in this area are clear and equitable and it is our intention to have those policies enshrined in appropriate legislation.

Mr Speaker, I move that the Assembly take note of the statement.

Debate adjourned.

MINISTERIAL STATEMENT
Buffalo Industry Policy - Interim Report

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, following the 1981 Buffalo Industry Symposium, officers of the Department of Primary Production were asked by the Minister for Primary Production to examine the recommendations which emerged from that meeting. Their work led to the formation in May 1981 of the Buffalo Working Party under the aegis of the Feral Animals Committee whose job was to undertake further consultations with industry representatives and other interested parties and to prepare a draft report for the February 1982 meeting of the Feral Animals Committee. It has not yet proved possible to publish a final edited document from the draft report, which adequately reflects a consensus of various viewpoints and gives clear policy recommendations to be implemented in practice, with confidence by the next meeting of the Feral Animals Committee scheduled for 31 August 1982 or to try to achieve further resolution with a view to endorsing a report in time for a later sittings of the Assembly in 1982. The following interim report provides some population information and extracts from the draft material - those points on which there appears to be majority agreement.

A comprehensive assessment of the total buffalo population and its distribution was undertaken in 1981 following the 1979 Feral Animals Report. That report recommended that a project should be undertaken - most appropriately by the Northern Territory Parks and Wildlife Commission assisted by other agencies - to assess more accurately the population and distribution of buffalo in the Northern Territory as soon as possible and to monitor the changes periodically. The report of the survey undertaken by the Conservation Commission and the Department of Primary Production is currently being printed and distributed. The survey, within 80% confidence limits, indicates a total population in the main buffalo area of between 223,000 and 282,000. The areas of the greatest density were associated with the large coastal plains, particularly those of the Finniss, Reynolds, Adelaide, Mary and South Alligator River systems. The main overall density was 3.6 per square kilometre and the highest density recorded was 33.8 per square kilometre in the Reynolds/Finniss area. Densities fell off rapidly with distance from the coast and no large concentrations occurred more than 100km inland. The population estimates from the survey are higher than previous guesses and are considered high by some in the industry. However, the estimates were obtained by planned, scientific survey and the working party accept them as the best present indicators available of the buffalo population.

The present buffalo industry is based on harvesting feral stock from this large population, a situation which will dramatically change with the imposition of bovine disease control programs. The industry is relatively small, lacking in infrastructural development and faced with a range of economic uncertainties. Although potential markets appear promising, the current situation is flawed and unreliable. Also, industry appears to be faced with problems associated with land tenure and other policy issues which, over the years, have proved extremely difficult to resolve.

Beef production in the Top End generally is economically marginal to sub-marginal. High quality native pastures are restricted to relatively small areas of coastal flood plains whilst the current high cost of establishment of improved pastures on uplands cannot be reliably met through increased returns. Over and above these constraints imposed by the natural intractability of the land, further constraints not so immediately obvious have also been imposed as a direct result of the environmental impact of uncontrolled feral herds. The buffalo is considered to be well suited for beef production in the Top End.

Apart from tuberculosis, the Territory has one of the few disease-free buffalo herds in the world, and there are markets for buffalo meat. It may be possible to establish a long-term viable and environmentally sound buffalo industry but it will be small and will face many hazards, particularly in the early stages of post BTB development. The Northern Territory commitment to the national BTB Eradication Program will mean the substitution of the present system by phased development of controlled disease-free herds. Greater effort will have to be directed towards developing a range of market outlets at home and overseas. Special meatworks support may be required after late 1980s when it is anticipated that animals available for slaughter will reach a relatively low level before production for managed herds comes on full steam.

The general thrust of government policy is away from over-control through covenants and conditions. Nonetheless, effective control will need to be retained on buffalo land with appropriate penalties for non-compliance. Also, practical options and incentives to encourage viable subdivisional projects for coastal plains areas may need to be developed. The need is recognised for further survey and research programs on a variety of points, including native pasture management and regeneration, definition of the most suitable areas available for managed buffalo herds, weed control, improved pastures and husbandry techniques, fencing techniques and management methods for wet lands.

Mr Speaker, I will keep honourable members advised of the final recommendations which are likely to come from the August meeting of the Feral Animals Committee.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 228)

Bill presented and read a first time.

Mr EVERINGHAM (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill proposes some important amendments: first, that the Law Society take over the issue of practising certificates; secondly, to make provision for a compulsory professional indemnity insurance scheme; and, thirdly, to set up a statutory committee to hear serious complaints against legal practitioners.

In most jurisdictions, it is the Law Society which issues practising

certificates. As a general rule, law societies throughout Australia are dependent on fees for the issue of practising certificates and membership fees for their financial viability. For the last 3 years, the Law Society has employed an experienced solicitor as its executive officer and has maintained an office at which members of the public can put their queries and problems. The Law Society has, in recent years, begun to provide a service to the community and it is to be congratulated on its efforts to come of age. The government believes the time is ripe to hand over responsibility for the issue of practising certificates to the Law Society and enable it to charge reasonable fees so that it can gradually improve and expand its services to its own members, the profession generally and the public.

Legal practitioners do not now have to insure themselves against claims for negligence but most in fact do. However, the Law Society has, over the last couple of years, put in a great deal of time, effort and expense in working out a compulsory professional indemnity insurance scheme. It has itself suggested to government that the scheme be introduced. The main feature of the scheme operating in other jurisdictions in which the Law Society has negotiated with insurers for introduction in the Territory are: firstly, cover is guaranteed for all legal practitioners practising in the Territory from a minimum of $500,000 for each claim; and, secondly, the policy cannot be voided, repudiated or rescinded upon any grounds at all including non-disclosure or misrepresentation. To statutorily require legal practitioners to insure themselves in circumstances where the insurers cannot repudiate the policy will give considerable added protection to the public and is clearly in the public interest. The government had no difficulty in accepting the Law Society's proposals in this regard.

Finally, this bill proposes the setting up of a statutory complaints committee. At the moment, the Law Society has very little power to do anything about practitioners who misbehave except to refer a matter to the Supreme Court which, in most cases, is akin to using a sledge hammer to crack a nut. There are a fair number of complaints made about legal practitioners although few are really serious. The government believes that it is a bit unfair to criticise lawyers for not regulating themselves properly if they have not been given the power to do so. Since most complaints result from misunderstandings and delay in dealing with clients' work, the government thinks that it is sensible to have a filtering process otherwise the statutory committee or the Supreme Court will be unnecessarily loaded with work of a trivial nature at considerable public expense. The bill proposes that the Law Society, with some assistance from the Ombudsman, be the filter. There is a right of appeal from the Law Society to the complaints committee. The government thinks it is important to have independent people on the complaints committee. For this reason, it is proposed that the complaints committee be made up of the Ombudsman, another lay person and 5 practitioners. The complaints committee is given power to reprimand, fine up to $5000 or suspend a practitioner for up to 1 year. If the complaints committee believes that a practitioner should be suspended for more than 1 year or struck off the roll altogether, the matter may be referred to the Supreme Court which has those powers. There is of course a right of appeal from the complaints committee to the court.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

FISH AND FISHERIES AMENDMENT BILL
(Serial 227)

Bill presented and read a first time.

Mr STEELE (Primary Production): Mr Speaker, I move that the bill be now read a second time.

The proposed amendments to the Fish and Fisheries Act cover 3 areas. They seek to give the Director of Fisheries the right to delegate his powers of investigation and detection of offences or unlawful acts, to prohibit the killing or injury of fish by explosives, poisons or noxious substances and to increase penalties for falsely identifying fish or fish products for sale.

Under the previous act, the Chief Inspector of Fisheries was able to delegate all of his powers, except the power of delegation. When the Fish and Fisheries Act was drafted, the power of delegation was omitted as it was felt that the power of the Director of Fisheries to delegate his powers and functions were adequately provided for in section 46 of the Interpretation Act. However, recent advice is that the provisions of paragraph 46(7)(b) of the Interpretation Act operates to prevent the Director of Fisheries from effectively delegating his powers of investigation and detection of offences or unlawful acts. Under administrative arrangments, fisheries protection and enforcement is now vested in the Northern Territory Police and it is necessary for the Director of Fisheries to delegate the appropriate enforcement provisions of the Fish and Fisheries Act to the appropriate officer in the Northern Territory Police. Neither the Fish and Fisheries Act nor the Interpretation Act allows this delegation.

I would point out that the transfer of powers has been adequately covered by other steps taken at the time. When fisheries enforcement functions were transferred from the Fisheries Division to the police, a memorandum of understanding was entered into by these parties outlining the new arrangements. This was also gazetted under the administrative arrangements. The honourable Chief Minister wrote to the Public Service Commissioner at the time outlining what specific functions would be transferred to the police. Anything that did require the consent or delegation of the Director of Fisheries under the act was referred to the director by the police.

The amendment before the Assembly seeks to insert a general delegation-making power to the Director of Fisheries in the Fish and Fisheries Act. Such delegation, it should be pointed out, can only be made with respect to powers and functions. However, it does not follow that every reference in the Fish and Fisheries Act to the Director of Fisheries will read as including reference to a delegation. Clauses 4, 5, 8, 9 and 10 cover the shorcomings in general delegation-making powers.

Section 40 of the previous Fisheries Act 1978, which was replaced by the Fish and Fisheries Act 1979, prohibited the taking and killing of fish by use of explosives, poisons or noxious substances. It also prohibited the placing of explosives, poisons or noxious substances likely to injure or kill fish in waters off the Northern Territory. A similar provision was inadvertently omitted in the Fish and Fisheries Act 1979. Clause 6 of the bill merely seeks to correct this deficiency.

Members will be well aware of the seriousness of the unscrupulous practice undertaken by some people in selling fish as barramundi when in fact the fish is not barramundi at all. At the moment, the Fish and Fisheries Act makes provision for a maximum penalty of only $500 for the offence of falsely identifying fish or fish products for sale. This is considered grossly inadequate in view of the seriousness of the offence, and the damage caused to the reputation of the local barramundi fishing industry. Clause 7 of the bill seeks to increase the penalty for falsely identifying fish from $500 to $2000 or imprisonment for 12 months. Mr Speaker, I commend the bill.

Debate adjourned.

ENVIRONMENTAL ASSESSMENT BILL
(Serial 225)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

Over recent years, we have increasingly heard the word 'environment' come into common use through the media, government, industry and public interest groups. This reflects the increasing public interest in appreciation and awareness of their environmental surroundings. Nevertheless, the word 'environment' still means many different things to many different people. To some it conjures up images of forest scenes filled with wildlife, fresh clean air and pristine waters. For others, the physical and biological aspects of the natural environment are replaced by images or feelings related to the human environment. Their thoughts turn to economic, cultural and social aspects of their environment or surroundings. An environment, for instance, may be dominated by considerations such as employment opportunities, housing conditions, transport facilities, educational and other similar issues. Despite this divergence of the perception of what the environment is, there is clearly no doubt that the majority consider the environment should be soundly managed for optimum public benefit of both the present and future generations. With the introduction of this bill, the government clearly indicates its commitment to that principle.

The bill provides a comprehensive definition of 'environment' encompassing all of the conditions and influences under which we live and develop, including physical, biological, economic, cultural and social to provide for consideration of the differing value preferences of all those who may be affected when a proposal for a development which could significantly affect the environment is considered.

Examining the Australian scene since the Second World War, we have gone through a period of great development. The population has almost doubled and cities and towns have grown accordingly. All sectors of industry and trade have increased dramatically and the standard of living measured in terms of consumption has risen to a level that is much envied by less fortunate nations. Each of us believes that this is ours by right and that this huge country will provide us all with yet further opportunities for increasing our share of the good life. In fact, we do have the natural resources with which we can pursue such an Australian dream.

However, there are signs in the southern states that all is not well with Australian cornucopia. People talk about urban sprawl and crowding, of pollutants like photochemicals, smog and industrial or domestic wastes poisoning the air and the waters, diminishing forests, eroded farmland and of problems of disposal of ever-increasing quantities of rubbish from a throw-away society. These problems are a recognised Australian and worldwide phenomena and they are going to get worse before long-term effective answers are found and implemented.

This comparatively lucky country, the Territory, is quite blessed. We are a young and vigorous part of the Commonwealth with very few of the environmental problems of unplanned development that plagues state governments, and we have a region that is well endowed with natural resources. Of course, we need development; we need more people, more housing, more mines, more industry in order to establish a stable community with a stable economy able to take the mantle of full statehood as an equal partner in the Australian

Commonwealth. We have the opportunity not to duplicate the environmentally damaging aspects that are proving so costly and wasteful to our neighbours and to put into place the means of ensuring that there is a proper balance between our much-needed future development and the conservation of our natural resources.

A key device in use in the free world to prevent or limit further degradation of the environment and further improvement of resources is the environmental assessment process. In essence, such a process seeks to ensure that, before any development that could significantly affect the quality of the environment is undertaken, its implications are fully examined and taken into account and that adequate environmental safeguards are applied to that action. At this stage in our development, this is one of the most significant pieces of legislation to come before the Assembly. It reflects the concern of the government, and we believe the community at large, for greater awareness of the environmental consequences of our actions. Above all, it recognises the responsibility of government to promote and maintain that awareness.

As I have already mentioned, we are fortunate to be able to address the need for conservation of the environment at the beginning of our most significant period of development. We are also fortunate in being able to proceed with the benefit of knowledge of the problems that have arisen in other states and countries with specific approaches to environmental assessment.

The bill represents a distillation of effective processes specifically tailored to the Territory situation and seeks to use the existing technical and professional resources of departments rather than create separate and costly resources. It seeks to progress through an arrangement of consultation and agreement between those responsible for promoting development and those responsible for guiding the assessment process. It also seeks to ensure that adversary situations that lead to undue blocks and delays do not occur. The process envisaged by the bill will provide the government with the information it needs for making proper decisions about the quantity and quality of development. Where necessary, the public and concerned bodies will participate in the review of information up to and including the commissioning of a full inquiry under the Inquiries Act.

In October 1979, the government obtained an exemption from the provisions of the Commonwealth Environment Protection (Impact of Proposals) Act, but we have continued to cooperate with Commonwealth authorities whilst our own legislation has been in preparation. It is both proper and fitting that we now manage our own affairs in environmental matters as do the states. This bill is the essential step in achieving that ability. With the passage of the bill, the Commonwealth will be able to recognise the ability of the Territory in such matters.

Since the grant of exemption from the Commonwealth act, we have been able to test the operation and effectiveness of procedures that would be appropriate for Territory conditions. Projects such as the Mereenie development, the Palm Valley gas project and the ADMA development have been subjected successfully to these procedures. Preliminary environmental investigations have also commenced on the Channel Island power-station, a major cement works development at Finniss River Station and the Palm Valley-Alice Springs gas pipeline.

The bill before honourable members today represents the consolidation of that process. The bill is not intended to impose unrealistic and unnecessary constraints on development nor is it intended to demand that environmental factors should transcend all the other factors determining the acceptability of projects. What the bill does provide is a means by which

environmental aspects can receive adequate and balanced consideration along with these other factors so that unnecessary and unacceptable harm to the environment can be avoided. For this reason, it is an important requirement of the bill that environmental aspects are to be considered from the very earliest stages in the development of the significant proposal.

The bill is concise and compact. Its purpose is to establish the basic framework within which environmental assessment will apply in the Northern Territory. Detailed implementation of the bill will be effected through administrative procedures. The implementation of recommendations of impact statements will be largely through provisions of other legislation and regulations, such as the Mining Act, the Planning Act and so on as may be appropriate. The administrative procedures envisaged will require environmental impact statements for proposals that may cause significant environmental impact.

This requirement will apply to both public works and private developments. It will only be sought for those proposals where the effect is likely to be significant. In other words, the requirement will be discretionary rather than mandatory. Responsibility for determining whether or not a statement is required for a particular proposal will rest with the minister responsible for the legislation who, for the sake of clarity, I will refer to as the environment minister. However, the administrative procedures will require the environment minister to examine and, in some instances, become involved with some matters which are the basic responsibility of other ministers in the government. In such situations, it is essential that ministers keep each other informed whether activities are likely to interact. Because of this, the procedures will provide for extensive consultation between relevant ministers before a decision requiring an environmental impact statement is made.

Provision for public participation will be a fundamental component of the administrative procedures. Public comment will be invited on environmental impact statements and these comments, together with those of relevant government agencies and other interested parties, will be taken into account by government when making decisions on proposals. The environmental impact statement will be the responsibility of the proponent and will be required before a decision on the future of the project is made. The statement will be made available, for this purpose, to the minister responsible for a particular development together with any recommendations from the environment minister. The environment minister may recommend against the project or, alternatively, recommend its approval with or without variation. His recommendations will always be designed to safeguard the environment. Whether or not the environment minister's recommendations are accepted is ultimately a matter for the minister who has functional responsibility for the particular proposal. He will need to weigh the environmental considerations together with all other factors before arriving at a decision.

The bill will not give the environment minister a veto power in proposed developments. The purpose of the environmental assessment is to provide adequate information to government to enable an informed decision to be made. The bill contains 11 clauses and, for the benefit of honourable members, I will now explain the essential elements of these clauses although I have referred to some of these matters in earlier comments.

The first 3 clauses deal with the introduction and proclamation of the act and the definitions to be used. A broad definition of 'environment' has been adopted to ensure that all the interrelated factors which contribute to the quality of man's surroundings receive adequate attention in the decision-making process.

Clause 4 describes the objectives of the act and specifies the circum-

stances under which it is to apply. Actions which may cause a significant impact on the environment will be subject to assessment in accordance with the administrative procedures to be established. Experience with the administrative procedures will lead to an understanding and identifying of actions that could be caught up by the act. So that all concerned with development will have sufficient warning to ensure that project planning and collection of information for assessment can proceed simultaneously, unnecessary delays will be avoided.

Clause 5 extends the operation of the act to actions by or on behalf of the Northern Territory government and its statutory authorities in actions which require the approval of the Northern Territory government. Clause 6 provides for a specific proposal or a whole category of proposals to be exempted from the requirements of the act. Many proposals, by their very nature, are not environmentally significant and should not be subject to the act. Any exemptions granted under this section are to be notified in the Northern Territory Government Gazette. These exemptions may be revised if necessary.

Clause 7 provides for the introduction of administrative procedures to give effect to the act. I have already indicated the type of procedures envisaged. Clause 8 deals with the manner in which administrative procedures determined under the act must be notified and this includes making the procedures publicly available.

Clause 9 allows regulations to be made to strengthen the environment protection provisions of other acts where this is necessary. Clause 10 covers the special circumstance where an inquiry may be warranted to resolve an environmental matter to which the act applies.

Clause 11 provides a general regulation-making power for the purpose of carrying out or giving effect to the act. It provides a mechanism to give orders and directions with respect to the preparation of an environmental impact statement and specifies a maximum penalty for failure to comply. This clause and clause 7, which provides for the determination of administrative procedures, also provide an ability to solve problems that may arise during the application of the legislation which cannot be foreseen at the moment.

Mr Speaker, the government is committed to achieving a balance between satisfaction of the material wants of the community as a whole, the desire for economic and social progress and the need to conserve and protect the environment of the Northern Territory and its resources for future generations. We believe the bill is consistent with these principles and that it will provide an effective means of ensuring environmental factors receive proper consideration and attention in the decision-making process. We also believe that the arrangements envisaged in the bill will ensure that the Territory is in a position to retain its present favoured environmental climate without the previously inevitable stresses involving population and resources that typified haphazard development in the states.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

RADIOGRAPHERS AMENDMENT BILL
(Serial 222)

Bill presented and read a first time.

Mr TUXWORTH (Health): Mr Speaker, I move that the bill be now read a second time.

The Radiographers Act, which was commenced in 1977, was designed to protect the public by requiring an adequate level of skill and training before any person was permitted to subject other individuals to X-ray procedures of any kind. All X-ray procedures expose the person undergoing examination to some level of radiation and consequent risk. In the hands of a qualified radiographer, these risks are kept to an absolute minimum.

The bill before us now is the result of recommendations made by the Radiographers Registration Board. The board has a policy that student radiographers in their fourth and final year only be permitted to practise radiography of a non-specialised nature without the direct supervision of a registered radiographer but under the general supervision of the superintendent radiographer of the Department of Health. Less senior students will still be under the direct supervision of a registered radiographer.

Mr Speaker, the benefits to be gained as a result of this bill are twofold. Firstly, it will enable a more effective use to be made of skilled manpower by permitting final-year student radiographers to carry out procedures in which they are competent without the need for direct supervision. Secondly, it will benefit the personal development of students by enabling them to consolidate skills in which they have been properly trained and to adjust to their increasing responsibilities as they approach the completion of their formal training.

Student radiographers, who have successfully completed 3 years of their extensive and thorough training, are already competent in general X-ray procedures. Their fourth and final year of training is reserved for complex and highly sophisticated procedures which require the personal supervision of fully qualified radiographers, and there is no intention of changing that situation. In regard to the safety and welfare of the public, the Radiographers Act will continue to ensure in every possible respect adequate safeguards exist for the protection of every person undergoing radiographic examination.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

CREDIT UNIONS BILL
(Serial 220)

Bill presented and read a first time.

Mr EVERINGHAM: Mr Speaker, I move that the bill be now read a second time.

This bill is concerned with the regulation of the credit union industry and is a matter of importance to the Territory. The necessity for the bill indicates that the local financial system is developing rapidly. Due to the accelerated growth of the Territory, the 2 Territory-based credit unions now have combined assets of $7m. There are also approximately 8 foreign-based credit unions - that is, credit unions incorporated in other states but which operate branch offices here in the Territory. The present legislation covering the operation of the activities of the local credit unions in the Territory is the Cooperative Societies Act which was originally passed in 1945 and amended on several occasions since its inception. The present act provides for the establishment of cooperative trading societies and cooperative credit societies, sets out the requirements for rules of conduct for a society, limits the type of loans and investments the societies may make, and provides for the inauguration and dissolution of the societies. The part of the act which deals with cooperative credit societies is badly out of date and does not provide for the supervision and control that the

equivalent state acts provide over the activities of credit unions. The present act does not make provision for credit unions to maintain adequate liquidity and generally does not provide adequate protection for money invested by members. The present act does not provide for registration and regulation of foreign credit unions which have commenced business in the Territory. This situation is most undesirable. Recently, Western Australia, South Australia and Victoria introduced comprehensive credit union legislation. I understand that Queensland and Tasmania are currently considering the introduction of similar legislation.

The government considers that the credit union legislation could be directed towards achieving 2 objectives: first, the money of members must be protected so far as is possible and, secondly, the activities of foreign credit unions should be regulated in the Territory. The present act does not achieve either of these objectives.

I now turn to some of the important features of the bill. The bill establishes the office of Registrar of Credit Unions. The registrar will be given comprehensive powers to investigate the activities of a credit union and inspect the records of a credit union. The registrar also will have the power to wind up a credit union or to appoint an official administrator to run the affairs of a credit union in certain circumstances. The bill also controls the monetary policies of credit unions by regulating the raising of money, loans, deposits, investment powers and the retention of minimum reserve accounts to be controlled by strict liquidity ratios.

Another important feature is that the bill requires the registration of foreign credit unions and provides controls over these credit unions by laying down minimum disclosure and accounting standards. The bill, however, does not contain any provisions dealing with interest rates that may be paid by credit unions. The government believes that interest rates in the Territory are controlled by market forces and there is nothing that we can do by regulation to control them. It believes that the competition between the credit unions and other financial institutions is the best way of allowing the credit unions to service their members and compete in the market. Interest rates in the Territory will be influenced by factors outside Territory control.

This bill contains a great many detailed provisions. The bill will be distributed to the credit unions and the public for comment. I hope that those concerned with the credit union industry will take time to examine the provisions of the bill carefully. The government would be pleased to receive any comments or submissions on the bill. In summary, this bill and the regulations that will be made under it will provide a comprehensive code for the operation of credit unions in the Territory. It will provide the credit unions with guidance enabling them to organise with an up-to-date and detailed act and it will protect the savings of members of the credit unions.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

JURIES AMENDMENT BILL
(Serial 224)

Bill present and read a first time.

Mr EVERINGHAM (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill proposes some major amendments to the Juries Act and some less important procedural changes. As members are aware, the government has

consistently taken the view that jury service is a public duty, exemption from which should only be granted in special circumstances. The government believes this policy is the right one. However, it does recognise that some people are seriously disadvantaged by being obliged to serve at inconvenient times. There are people who recognise that they have a civic duty to do jury service at some stage and are happy to do their bit, but who need time to arrange their affairs to minimise their difficulties. This particularly applies to small business people who sometimes find it difficult to get someone to look after the shop at short notice. For this reason, clause 6 proposes the insertion of a new section to enable a juror to apply to have his service deferred. He still has to serve but at a more convenient time.

It does not happen very often that a person is summoned more than once in 3 years, but it does happen. The government recognises that to expect a person to do more than one stint in 3 years is being a bit unreasonable. Clause 8 proposes the insertion of a new section which will prevent this from happening. About 1000 jurors are required to be summoned each year. The system is extremely expensive to maintain. The government is therefore continually seeking ways to make the system more efficient. One way this can be done is by using computers to choose jurors rather than the present laborious manual ballot method. Clause 11 will enable this to be done.

We do have a floating population. A lot of people move around. For this reason, it is proposed to make out jury lists annually instead of every 3 years. Jury summonses can now only be served personally. With so many people on the move, this is causing severe problems. Annual lists will help to solve the problem. Personal service of summonses is very expensive. In several other jurisdictions, service can be effected by post. It seems sensible to introduce a similar system in the Territory.

I draw honourable members' particular attention to proposed new section 30B which makes provision for using ordinary prepaid post instead of registered or certified mail. The reasons for using ordinary prepaid post are as follows. First, it is much cheaper. Secondly, there is a greater likelihood of the summons being received by the person to whom it is addressed. Few people are home when the postman calls and, in the case of registered or certified mail, the postman usually has to leave a card asking the person to call at the post office. Some people find it difficult to get to the post office during working hours. Some deliberately do not come in for the very reason that they think it might be a summons or a bill. Thirdly, when a person has left an address, an ordinary prepaid letter is usually returned marked 'gone away', so at least the sheriff knows that the summons has not been served. When registered or certified mail hangs about in the post office, either for the reasons I have already mentioned or because people have already moved, the sheriff has no means of knowing whether or not the summons has been served. I should mention that in every jurisdiction where jury summonses can be served by post, ordinary prepaid post is used.

I turn now to clause 17. Queensland has recently passed legislation which enables the court to direct that, in addition to the 12 jurors, not more than 3 persons shall be chosen to serve as reserve jurors. The reserve jurors are empanelled in the same way as the original 12 and are discharged immediately before the jury retires to consider its verdict if not required. The government believes that a similar provision would be useful in the Territory. The provision would only be used very occasionally for trials which it was known would be likely to last a long time. Whilst the provision would not be used very often, it seems a useful backup to ensure that very lengthy trials are not aborted, at enormous public expense, because jurors fall ill or die or become pregnant or whatever.

Mr Speaker, I turn now to the most important change in the bill.

Clause 19 proposes that majority verdicts be allowed in trials for capital offences as well as other trials. I should explain that capital offences probably include treason and piracy. But, for practical purposes, what we are talking about is murder trials. I propose first to set out some of the arguments against allowing majority verdicts at all, least of all in murder trials, and then explain the reasons why the government believes majority verdicts should be allowed in all trials.

Probably the most stringent critic of majority verdicts in recent years has been Lord Denning. When majority verdicts were introduced in England, including in murder trials, he said:

> *It is a fundamental principle of our English law that a jury should be unanimous and the reason for that principle is that no man should be found guilty unless his guilt is proved beyond reasonable doubt. It is for the protection of the accused, and as long as there are 12 good men and true and 1 or 2 of them conscientiously feels strong enough to dissent, that in itself shows there is reasonable doubt.*

It has also been said that there is a greater likelihood of innocent people being convicted. The government recognises that some sections of the community perceive murder to be an offence somehow different and more serious than other offences. It is probably true to say that a greater stigma attaches to a convicted murderer than to a convicted rapist or robber. I can understand that a person who has been convicted by a majority may feel aggrieved at having to spend many years in prison with the idea in his head that 2 jurors at least did not believe that he was guilty.

Mr Speaker, majority verdicts are not allowed in murder trials anywhere else in Australia, though they are in England. The government accepts that a strong case should be put forward to justify the proposed change, but we believe that we have a strong case. By way of introduction, Lord Devlin in his book, 'Trial by Jury', sets out the history of the so-called unaniminity rule:

> *The rule makes a startling exception to the ordinary processes of English administrative life where decisions, even the most momentous, are almost invariably produced from a majority vote. Why is the verdict of a jury thought to require a degree of assent which for most purposes would be rejected as impracticable? The answer is that no one ever planned that it should be that way. The rule is simply an antique. Twelve witnesses were required to support the winning party, and, naturally, for that purpose their testimony had to be unanimous. When the 12 witnesses were translated into judges, the unanimity rule, notwithstanding that its original significance had then departed, remained.*

Wagstone, in his commentary, said: 'The unanimity of 12 men, so repugnant to all experience of human conduct, passions and understandings, could hardly in any age have been introduced into practice by a deliberate act of the legislation'.

The plain fact of the matter is that the unanimity rule arose purely by accident and not design. It has already been done away with in all but murder trials. I do not think that there is any evidence to suggest that more innocent people are being convicted as a result, though more guilty people may be being convicted. I think that the system has worked well. Why should it not work equally well in murder trials? The unanimity rule, in the past, undoubtedly has helped some guilty people escape. Anyone who has practised

in the criminal courts for any length of time knows of cases in which there has been no doubt that guilty people have been acquitted. How do we know? The answer to that is because there was evidence available which could not be used in court for legal reasons. Maybe the accused made some statement which was inadmissible in evidence against him. Perhaps a wife who was not a compellable witness made a statement which made guilt clear. Occasionally, people boast after they have been acquitted. Then again one hears on the grapevine that there was a crank on the jury or a juryman who wanted to get home early to watch his favourite TV program. I think we should realise, Mr Speaker, that justice involves not only the acquittal of those whose guilt is in doubt, but also the conviction of those who are guilty.

I am reminded of the story, no doubt proverbial, of the man who was charged with murder and who, after the jury had been out for several hours and brought in a verdict of manslaughter, was visited by a gentleman who told him: 'I did what I could for you, Jim'. To which the imprisoned man replied: 'Well, you took a long time about it'. The juryman replied: 'I know, but the rest wanted to find you not guilty'. There are a host of reasons why juries bring in 'not guilty' verdicts which do not seem justified on the evidence. Some will, in fact, be right and others will be wrong. Why? First there is the problem of nobbled juries although it is impossible to know how often this happens. It could be argued that, if a person is going to bribe 1 or 2 jurymen, then why not 3 or 4 or half a dozen. If more than 2 are bribed, majority verdicts will not cure the problem. This particular line of argument does not impress me because I think the more jurors one tries to bribe the less likely one is to be successful. After all, the penalties for accepting a bribe are very severe and most people are reasonably honest.

There was a case in which someone left his fingerprint in the house which he had burgled. It was clear and unambiguous and was compared with that of the accused and matched it. Later on the grapevine, a juror was heard to say: 'All this stuff about fingerprints is hocus-pocus. All our fingerprints are the same. Look at mine; look at yours. What is the difference? I will not convict him on that evidence'. Some jurors are prejudiced, some are cranks and some are stupid. There are probably some who would never convict anyone of anything whatever the evidence. I do not for one moment suggest that there are many of these people, but there are some and they do get onto juries. Lord Denning might have us believe that these people are conscientious dissenters and support his reasonable doubt argument. I think that is bunkum. I think that all they do is ensure that justice is not done.

Mr Speaker, the government believes that justice means getting up an accurate verdict. I do not believe that there is any reason to think the introduction of majority verdicts in murder trials will result in a single innocent person being convicted. I do, however, think that some guilty people now being acquitted may be found guilty, and rightly so. It may be that some people would baulk at majority verdicts in murder trials if the death penalty were still available. It is not. Last, but not least, I should mention that the cost of aborting a murder trial because there is a crank or irrational person on the jury is enormous.

Finally, the bill proposes that people over the age of 65 should not be eligible to serve on juries. Anyone over 65 can now file for an exemption but, in practical terms, it is not easy for people to know how and when to do this. There are undoubtedly some people over 65 who are fit to serve on a jury but, as age catches up with one, it is obviously more difficult to concentrate over a long and difficult trial. The government believes, in response to representations in this area from representatives of older people, that older people have done their bit for the community by the time they reach the age of 65 and, if they are still fit, can continue to serve the community

in other ways.

Probably the most compelling reason for excluding people over 65 is that they do not appear to be actually getting onto juries except very rarely. There does not seem to be much point in summoning people who are going to be challenged or stood aside in the court and never or only very rarely actually serve. All that happens is that such people are put to a great deal of trouble to no purpose.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

SUPPLY BILL
(Serial 223)

Continued from 1 June 1982.

Mr LEO (Nhulunbuy): Mr Speaker, this is a mechanical bill. We passed similar legislation at approximately this time last year. It is necessary because the main Supply Bill will not be passed until later on in the year. The opposition supports the bill.

Mr PERRON (Treasurer): Mr Speaker, I thank the honourable member for Nhulunbuy for his contribution.

SUSPENSION OF STANDING ORDERS

Mr PERRON: Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the Supply Bill being passed through all stages at this sittings of the Assembly.

Motion agreed to.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the bill be now read a third time forthwith.

Motion agreed to; bill read a third time.

MINERAL ROYALTY BILL
(Serial 221)

Continued from 2 June 1982.

Mr TUXWORTH (Mines and Energy): Mr Speaker, yesterday I announced that the government would not proceed with the appeal provisions in the Mineral Royalty Bill. I might say that our prime concern was that appeals may be likely to go on for long periods of time, denying the payment of royalties to the people of the Northern Territory. Indeed these provisions were regarded by the government as the genesis of a brand new tax evasion industry with the Northern Territory as its headquarters. The main concern of this industry would be to deprive the people of the Northern Territory of its just due in royalty payments. As a result of my discussions this morning with the President of the Chamber of Mines and the weight of representations made to me, I am happy to advise the Assembly that the government has reconsidered its position and, in fact, the bill will proceed in its present printed form. I make the point that this particular issue was the only bone of contention between the opposition and ourselves in the whole of the 100 pages or so of the bill. I believe there would be a great deal of advantage in having

consensus from the industry's point of view on this matter.

Mr Speaker, I would like to make it quite clear to the mining industry that the government is determined that the people of the Northern Territory will receive a fair and reasonable return for its unrenewable assets and the government will be very closely monitoring the manner in which the appeal provisions of the bill are used by the industry. I would like to give notice to the industry that we will not hesitate to review the provisions at the first indication of their abuse.

Motion agreed to; bill read a second time.

SUSPENSION OF STANDING ORDERS

Mr TUXWORTH (by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent this bill being passed through all stages at this sittings.

Motion agreed to.

Mr TUXWORTH (by leave): Mr Speaker, I move that the bill be now read a third time.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I am sure that the Minister for Mines and Energy would be surprised if I did not make some final comment on the way in which the government has handled this particular piece of its business. The final comment I wish to make on the matter is this, and the Hansard record will show it. Yesterday, the committee stages of this bill were interrupted, after I spoke, by a procedural problem. As a result of that procedural problem, debate was adjourned until today. I must comment on the fact that, if it had not been for the procedural mistake that was made yesterday, the bill would have proceeded through the committee stage and the amendment schedule, which I have still in front of me, to completely delete the appeal provisions from the bill would have been moved and no doubt passed by the government. We now have before us a piece of legislation that has been before the mining industry and discussed with the opposition being passed in its current form by virtue of a procedural mistake that was made yesterday thereby giving the government the night to sleep on it.

Mr Speaker, some years ago - and I have recounted this story before - I attended a very large public meeting along with the honourable member for Tiwi at the Howard Springs School. That meeting was called by concerned citizens to protest at the proposal by Urangesellschaft to dig shafts in people's backyards. On that occasion, the meeting was addressed most impressively by the Minister for Mines and Energy who said on that occasion that he was prepared to put a proposal to Cabinet to put a freeze on the area and declare it a mining reserve to prevent these mining people from digging holes in people's backyards in the rural rump of Darwin. I am sure the honourable member for Tiwi will remember it. He said: 'Although I cannot guarantee this proposal will get through Cabinet, I do not very often lose'. Mr Speaker, it appears that the honourable Minister for Mines and Energy has won once again in Cabinet. I am pleased that he has.

I simply want to place on record again that the opposition's principal objection to the way in which this was being carried through was simply that, because of the importance of establishing reasonable relationships between government and industry, we considered that proceeding with this fairly drastic amendment to the legislation without any further consultation or notice to the mining industry would in fact get the operations of this act off to a very poor start indeed. I am pleased to say that this has not happened. I do think that it needs to be reiterated that, on Tuesday

afternoon at 4 o'clock, the government was not proceeding with the deletion of the appeal provisions. At 2 o'clock yesterday, it was proceeding with the appeal deletions and tabled a schedule of amendments to that effect. The committee stage, fortuitously for the mining industry, was interrupted by a procedural error. Thanks to that procedural error, the bill will not be amended.

The honourable Chief Minister referred earlier today to Gilbert and Sullivan. I do believe that there is a fair bit of G and S attached to the passage of this particular legislation.

In concluding my remarks, I must say again that I am pleased for the sake of decent relationships between government and the mining industry that the bill at this stage remains untouched. The opposition, along with the government, will be watching carefully its operation. As the Minister for Mines and Energy would well know, so probably will be the rest of Australia.

Motion agreed to; bill read a third time.

LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) BILL
(Serial 36)

Continued from 4 March 1981.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr EVERINGHAM: I move amendment 41.1.

The amendment is necessary to omit reference to the Legislative Assembly (Remuneration, Allowances and Entitlements) Act which was repealed when the Remuneration Tribunal Act commenced on 1 June 1981. The amendment proposes to substitute a reference to the Remuneration Tribunal Act under which members will receive remuneration for service.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 41.2.

This amendment is to delete the definition of 'trade or professional organisation'. When the bill was first drafted, it contained a reference to a trade or professional organisation. However, the bill, as finally introduced, contains no such reference and the definition is therefore superfluous.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Clause 5:

Mr B. COLLINS: Mr Chairman, I wish to advise the committee that I withdrew my amendment schedule because we will be seeking to amend the whole bill at a later stage. I just want to point out that we believe that clause 5 is inconsistent. We do have a number of objections to the bill although we are pleased to see it finally proceeding. Clause 5(1)(a) refers only to the 'member' but 5(1)(b) and 5(1)(e) refer to the 'member or his family'. If we

accepted as a matter of principle that it is important from the point of view of the member and the public that a member's family be included in one particular clause, then it ought to be included right across the board. There does seem to be some inconsistency.

Mr EVERINGHAM: Mr Chairman, there is not a great deal of room for the Leader of the Opposition to criticise the government in relation to consistency. I distinctly recall the Leader of the Opposition stating on an ABC radio program relating to the Legislative Assembly on Saturday morning that he had repeatedly asked when the government was going to proceed with this legislation. A diligent search of the Hansard disclosed no question in relation to this legislation from any member of the Assembly until the honourable member for Millner asked a question last week. I dare say that is the sort of thing that Leaders of the Opposition have licence to do.

Mr Chairman, the position in relation to the including in paragraph 5(1)(b) of members of the family in relation to a trust is not inconsistent with 5(1)(a) which relates to a company. Since the Leader of the Opposition has indicated that they will introduce a raft of amendments by way of a bill at a later stage, other than that explanation, I propose to keep my powder dry until that time.

Mr B. COLLINS: Mr Chairman, I wish to reiterate that I challenged the Chief Minister last week to either proceed with this bill that has been on the Notice Paper since November 1980 or get it off the Notice Paper. I simply wish to place on record that I am pleased that he has chosen the positive action of proceeding with it rather than dropping it off the Notice Paper.

Talking about inconsistencies, I would refer the Chief Minister to the Hansard of last week where he said that, not only would he not be proceeding with the bill through this sittings of the Assembly but he probably would not be proceeding with the bill at all.

I would just draw once again to the attention of the Assembly - following the debate on the last bill - that the way the government handles its business in this Assembly is very sloppy. I would say that would be an understatement.

The opposition has some problem with clause 5(1)(c) which specifies land in the Territory and not land held outside the Territory. This was covered by the former Leader of the Opposition at the time this was debated. I cannot see the consistency in that. I do not see why land interests, particularly land interests that are held outside the Territory, are irrelevant to a member's pecuniary interests. We are all aware of the purpose of this kind of legislation. The Northern Territory government, and in particular the Northern Territory Cabinet, have had dealings with companies and with people whose home base and whose interests and influence extend outside the Northern Territory. Again, I think it inconsistent that the land interests of members, which could be quite extensive outside of the Northern Territory, should not be included in the province of this legislation. I would like some explanation as to why it should be irrelevant?

Mr EVERINGHAM: With your leave, Sir, I propose an amendment to delete the words 'in the Territory'.

Amendment agreed to.

Mrs O'NEIL: Mr Speaker, I am happy to have this opportunity to speak to clause 5 and I have brushed-off my old notes on the matter. Clause 5 is the nub of the bill and deals with the form of returns and the matters which honourable members will need to place in their disclosure of their interests. In view of the length of time that this has been with us, I think it appro-

priate that it should be passed and I am more than happy to support it. I think all honourable members are happy to support it. Bearing in mind that we will all, I am sure, want to comply with it as fully and properly as possible, it is most important that honourable members receive some guidance as to how to do this.

I am struck by the wording in clause 5 and the very vague methods which are used sometimes which compare unfavourably with the very precise nature of the wording in the motion we passed in the course of the Second Assembly. I draw the attention of honourable members to words like 'the description of each company'. I ask the Chief Minister to inform me what he thinks that means. It might mean different things to different members. 'A concise description' is a reference once again in (1)(b). Do we need the names of a trustee or the principal assets and liabilities perhaps? That is what would occur to me. Is it to apply to family or discretionary trusts? It has been suggested to me that it may not. Once again, further down in 5(1)(e), we have 'a substantial interest which the member considers might appear to raise a conflict'. In that case, a member is going to have to make 2 fairly subjective judgments: whether it is a substantial interest and whether he or she considers conflict might be apparent. These will be difficult for honourable members to interpret absolutely. They might interpret them differently. If we are going to pass the legislation in this form, I would suggest that members will require, from whatever source is appropriate - perhaps the Chief Minister, perhaps the Speaker - precisely what those terms require of members. 'A concise description'. What is a 'substantial interest'? What is a 'significant contribution', Mr Speaker? So that we can do what is required of us properly when we pass this bill, I think that those wordings will have to be looked at. I refer honourable members once again to the motion passed in the Second Assembly when those things were, in my view, handled much more precisely and better for the benefit of all honourable members so they could comply with the wishes of the Assembly in this matter.

I would join with the Leader of the Opposition in questioning the variation between those clauses which in some cases apply not only to members but also to members of their families when, in other clauses, members of families are not covered.

Once again, I ask the Chief Minister, in his capacity as Attorney-General, whether he believes that clause 5(1)(b) will cover family or discretionary trusts. I would like to indicate my personal disappointment with clause 5(1)(c) which contains the words 'other than by way of securities for debt'. I cannot see why this should be an exception. It is often the case that a person holding a mortgage has a greater interest than the owner; the mortgagee may have about 80% of value and his interest is larger. I do not understand why that provision is there.

Mr Speaker, I ask the Chief Minister if he could address himself to those issues for the benefit of us all.

Mr EVERINGHAM: Mr Chairman, I am sorry that I will not have the problems that obviously face the honourable member for Fannie Bay in completing her returns. I doubt that very many other members will have to concern themselves with whether they should declare discretionary ...

Mrs O'NEIL: Well, we should all concern ourselves. It is important.

Mr CHAIRMAN: Order!

Mr EVERINGHAM: Mr Chairman, I did not interrupt honourable members opposite when they spoke, but no doubt they do not want me to be heard on this point.

Obviously, as the preamble in paragraph (1) says: 'A return required by this part to be submitted shall be in a form approved by the Speaker'. If the Speaker chooses to give directions in that regard, he is welcome to refer to me, as Attorney-General, for advice, and I will see that the Department of Law assists him in the preparation of the form of the return. To my mind, paragraph (b) requires a return to state full details of all trusts. Certainly, I will be disclosing details of the 1 trust in which I am involved, namely, a discretionary trust. If it is of any assistance to the honourable members opposite, I have always disclosed full details of it previously.

The honourable Leader of the Opposition said earlier that I had indicated, in answer to the member for Millner's question, that the bill would not be proceeding at this sittings. There were certain pre-conditions to that statement and I take exception to the words being used out of context in that sense. In fact, I said immediately afterwards, outside the Assembly, that we would pass it the same day or the next day if the honourable Leader of the Opposition wanted that done.

Mr B. Collins:: I am sorry; I was not outside when you said that.

Mr EVERINGHAM: In fact, I think you walked past.

Mr B. Collins: You did not shove a piece of paper through the window.

Mr CHAIRMAN: Order!

Mr EVERINGHAM: Mr Chairman, what is needed here is a fairly candid disclosure by the members of their interests. Surely, we are not going to split hairs amongst ourselves about whether we should disclose this sort of trust and not that sort of trust, this sort of bank account and not that sort of bank account or this sort of asset and not that sort of asset. Which honourable members are going to go through this disquisition with themselves about their assets? Certainly, I shall not. As I usually do, I shall provide, as an annexure to my return, the accountant's balance sheets and everything else that I submit to the Taxation Department. If honourable members make candid disclosures of their assets, they cannot be in any trouble at all. They can make a candid disclosure of their liabilities too. The only people who look at these returns anyway are staff members of the Leader of the Opposition and reporters.

Mrs O'NEIL: Mr Chairman, I am happy to hear that the honourable Chief Minister is going to join me in making a candid disclosure of his interests.

Mr Everingham: I am worried that you are having big problems.

Mrs O'NEIL: No, I am not having big problems. I am a believer - and I would have hoped the honourable Chief Minister was too - in complying, as best one can, with the provisions of all laws in the Northern Territory and this is one specifically relating to the Northern Territory Legislative Assembly members.

Mr Everingham: I suggest you comply with the spirit of it instead of splitting hairs.

Mrs O'NEIL: Mr Speaker, the honourable Chief Minister, as a lawyer, can outdo me in splitting hairs on any day of the week that he wants to. I am most anxious that all honourable members get as much guidance as they can in order that this law in the Northern Territory be complied with to the best of our ability. I hope that the honourable Speaker accepts the suggestion very kindly offered by the Chief Minister to advise us of the forms

that are required. I am disappointed that the Chief Minister did not address himself to a particular question which I believe I made regarding the inclusion of 'other than by way of security for a debt'. I imagine there is some reason for that. Perhaps the Chief Minister would be so kind as to explain?

Mr EVERINGHAM: Mr Chairman, I move an amendment to delete the words 'other than by way of security for a debt'.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

Mr B. COLLINS: Mr Chairman, in addressing myself to clause 7, I must say, particularly in light of the original debate, that I am disappointed in the attitude of the Chief Minister during this debate this afternoon. The personal reflections that the Chief Minister has sought to make on the motives or otherwise behind honourable members do not do him any credit, particularly in the light of the original debate on this subject. Perhaps he is in a bad mood this afternoon for other reasons. Perhaps he is a bit upset that he did not get his appeal provisions knocked out of the Mineral Royalty Bill.

Clause 7(2) says: 'Subsection (1) shall not require a member to notify the Clerk of any change in information contained in the register which occurs after 1 January in each year'. I do not think that that is appropriate purely in the light of the speed at which things progress in the Northern Territory and the speed at which government has to conduct its business in the Northern Territory. A great deal of decision-making takes place between the beginning of one year and the end of the next year. Again, I say to the Chief Minister that I agree with him that the success or otherwise of this legislation will depend very largely on the good faith of the honourable members. However, I believe that the comments he has made regarding that indicate that he has completely missed the point of this legislation. Nevertheless, it does depend to a great degree on the good faith and the good intentions of the members of this Assembly.

I might also point out to the Chief Minister, in respect of the comments he made about who avails himself of the opportunity of looking at the records of honourable members - and the Chief Minister knows this - it would not matter if no one looked at the statements. The purpose of the legislation does not depend on how many or who looks at the records. The success or failure of the legislation simply depends on the fact that the requirement is there for members to lodge such returns and they are available. It really is totally irrelevant whether they are looked at or not. I believe that it is up to the good faith of members, if they make substantial business dealings which may affect their interests in this Assembly between the beginning of one year and the end of that year, to have an obligation placed upon them - I would not suggest it is a very onerous one - of keeping their own records up to date. The discretion for doing that obviously depends very much on an honourable member himself. A 12-month gap between these statements is not appropriate. It should be an obligation on honourable members using their own common sense to bring the record up to date if they make some kind of business undertaking between the beginning of the year and the end of it which they themselves recognise could be considered as a substantial interest and which may affect areas they have decision-making control over.

Mr EVERINGHAM: Mr Chairman, I have to agree with the honourable Leader

of the Opposition that it is irrelevant whether no one at all looks at it or whether many people look at it. But it is very relevant that the returns that were provided under the former resolutions of this Assembly were only inspected by staff of the Leader of the Opposition because...

Mr B. Collins: And newspaper reports.

Mr EVERINGHAM: And one newspaper reporter.

Mr B. Collins: Two.

Mr EVERINGHAM: Two or three members of the Opposition Leader's staff because it almost indicates a certain mala fides in the approach to the particular legislation - a simple effort in muck-raking and dirt digging. Mr Chairman, I am quite happy once again to move an amendment. I move that the word 'January' in subclause 7(2) be replaced with the word 'April'.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 and 9 negatived.

New clauses 8 and 9:

Mr EVERINGHAM: I move amendment 41.3.

The purpose of the amendment is to remove the requirement that information provided to the Clerk in pursuance of the act be tabled in the Assembly. However, it would substitute a new clause 8 to allow interested members of the public at any reasonable time to inspect the register but would require such persons to provide their names and addresses to the Clerk. New clause 9 will provide for a penalty of $200 to persons who give a false name or address when seeking access to the information contained in the register.

New clauses 8 and 9 agreed to.

Remainder of bill taken as a whole and agreed to.

In Assembly:

Bill reported; report adopted.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I wish to thank the government for proceeding with this legislation in response to my request to the Chief Minister last week to either proceed with it or let it drop off the Notice Paper. It is also a matter of record that it was the opposition which raised for the first time in this Assembly the desirability of having pecuniary interest statements by members. I must echo the sentiments of the honourable member for Fannie Bay in saying that the statements that were lodged under the motion that was passed in this Assembly was in fact a superior method of doing it than that in the current bill which I think has significant deficiencies. Nevertheless, I am pleased to see that we will have half a loaf rather than no bread at all.

The Chief Minister said last week: 'At this stage, I am not sure that the government intends to proceed with this particular piece of legislation. It might have to lapse from the Notice Paper and a further piece of legislation be introduced. Frankly, I have not given it a great deal of attention over the past year or so'. He then went on to say: 'There had been a great deal of acrimony about the terms of the original bill'. I have the Hansard

in front of me and, for the life of me, I cannot detect in those debates any evidence whatever of bitterness or acrimony about the bill. In response also to a statement by the Chief Minister about what he said outside the Assembly, I must say that I will have to add that to my list as well. You do remember, Mr Speaker, that, in order to be informed of the government's business, I must learn to drive my car slowly down the street and keep the radio turned off when pieces of paper are put in the window otherwise I will not know what is happening. In future, instead of simply passing by politely as I do when the Chief Minister is occupied in conversation with someone else, I will take him up on his invitation of standing around and listening in.

In conclusion, I give the Chief Minister an absolute assurance from me that there will be no misuse of honourable members' records by the opposition. In fact, let me give the Chief Minister a further assurance that, as far as I am concerned, there will be no disclosure of the contents of those statements by members of this opposition. As the Chief Minister knows full well, despite the fact that those records were examined by some members of the former leader's staff, the Chief Minister can produce no evidence whatever - because there is none to produce - that those inspections ever resulted in any disadvantage whatever or public abuse of honourable members' opposite. There was none. I can assure all honourable members and you, Sir, because you will be in charge of this legislation, that there will be no such action on the part of the opposition.

Mr Speaker, I am pleased to see the legislation, deficient though it may be, proceed. All honourable members, particularly yourself, Sir, probably will think it appropriate before the end of 12 months that the bill be re-examined by everyone.

Mr EVERINGHAM (Chief Minister): Mr Speaker, there is one statement from the Leader of the Opposition that I cannot let pass unchallenged. Whilst I cannot make this as a categorical statement because it occurred back in 1977 or early 1978, I think that the first occasion where there was mention of a register of members' interests in this Assembly would have been the Administrator's speech at that time. Far from being an initiative of the opposition, it was an initiative of the government at that time. We produced and passed both the resolutions that went through the Assembly. As I recall it, we had to renew them and, from my recollection, again it was the first time in any parliament in Australia that it had happened.

Mr Speaker, I would suggest that, if the honourable Leader of the Opposition cannot see acrimony in the debate that took place 12 or more months ago on this bill in this Assembly, then he cannot read. The then Leader of the Opposition castigated the government members and, quite frankly, I got stuck into him on my part when I replied. Words such as 'flagellation' were used and so on. There was acrimony, Mr Speaker, and I remember it well.

Bill read a third time.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I intend to speak this afternoon on a matter which I am absolutely certain will arouse no acrimony whatever between the government and opposition but rather a complete degree of unanimity.

Mr Speaker, the sittings of this Assembly are not always sparkling although they did pick up a bit today. They can be horribly boring, boring,

boring. Yesterday was the second day of June, Mr Speaker, and something caught my eye yesterday that occurred on 2 June 1592. On that day in 1592, a cutpurse - as they were then described - a thief, became Lord Chief Justice of England. That gentleman was Sir John Popham who was described as 'a huge, heavy, ugly man who in his youth consorted with profligates and lifted the occasional fat wallet'. After starting his career as a thief, a vagabond and a rogue, he progressed to become the Speaker of the House of Commons. He has passed down to us in history with only one quotation which probably indicates how little parliament has changed since 1592. On one occasion Queen Elizabeth I, who was on the throne at the time, asked Sir John Popham, the Speaker of the House, what had passed during the current session of parliament and he replied: 'If it please, Your Majesty, 7 weeks'.

Mr Speaker, it can become a boring matter but these sittings of the Assembly are in fact significant. This day is significant and this last hour is significant because it is, in fact, the last day, the last hour, in which our Clerk, Mr Keith Thompson, will officiate as the Clerk of this Legislative Assembly. That will conclude a distinguished career of 20 years of service to this parliament.

Mr Speaker, Keith Thompson joined the Commonwealth Public Service in 1957 and worked for the Northern Territory Administration in Darwin. He served in the Agriculture Branch and the Welfare Branch. He joined the Legislative Council, as it was then, 20 years ago in 1962. Although I was told that he joined it as the editor of Hansard. I was informed today by the gentleman himself that he spent a short time on attendant duties. In fact, Keith Thompson became the editor of Hansard here when the present method of recording parliamentary debates was revolutionary. He commenced when the taping system was introduced into the Council.

Mr Thompson has a wealth of stories about this Assembly, a great many of which are unprintable. Certainly it is not possible to relate them for record in Hansard. But one story Mr Thompson told me about those days was that the staff typed up all the recorded material that currently comes before us in the Assembly now. They prepared copies of this material on a duplicating machine at the Assembly and not only recorded the debates, but typed them up as well. I was told that there was a monumental occasion where the work did not finish until 4.10 in the morning and the officers in Hansard had to be back on deck at 8am the same day. Things have changed somewhat, Mr Speaker, in those 20 years.

Mr Speaker, Keith Thompson became Deputy Clerk of this House in 1964 and resigned from the Commonwealth Public Service, with other staff members, and was appointed to the Northern Territory Public Service and became Clerk of this Assembly in 1977. It is significant that there have only been 3 Clerks of the Council and this Assembly, and 2 out of those 3 were Thompsons - Deric Thompson, who served as the Clerk of the Council from 1948 until 1959, and then his brother, Keith Thompson, our current Clerk, who is spending one of his last days as Clerk in this Assembly today.

Mr Speaker, I would like to read a few relevant quotes from Pettifer on the role of Clerks. I shall read them into Hansard as I want honourable members to note them and reflect on their own experience with Mr Thompson as Clerk of this Assembly and note just how closely, in fact, he fits the bill.

The office of Clerk of the House had its origin in the early English Parliament, but the first record of the appointment of a Clerk was in 1363. The records kept by Clerks of the House of Commons date

from the 16th century. The term 'Clerk' simply meant a person who could read and write, since many members could do neither.

Of course, things have changed - well I think things have changed - in that respect because we all know that there are a number of members, at least in this Assembly, who do nothing else but read. Quoting from Pettifer in respect of Clerks who served in the federal parliament:

Without exception, an officer who is appointed as Clerk has been in the service of the House and has served at the Table for a long period. The parliamentary experience thus gained is important to the required understanding of parliamentary law and procedure and its application to varying circumstances.

I think, with 20 years of service to this Assembly behind him, the Clerk certainly complies with that. I will go further. I think this is an important section because I believe that the Clerk, Mr Keith Thompson, has epitomised the character of the Clerk as laid down in this particular section:

The historical distinction between parliament and government is of particular importance to the office of Clerk of the House. The Clerk and his officers are, above all, servants of the House and must exhibit at all times complete impartiality in dealing with all sections of the House. Distinctively, as permanent officers of the House, their role transcends the contemporary and the temporary.

And by 'temporary' I guess it is referring to politicians, Mr Speaker. Marsden describes the important distinction which characterises the peculiar and traditional role of the parliamentary Clerk in these terms:

The staff which serves the Commons within the Palace of Westminster are not answerable in any way to the government of the day nor are they appointed by politicians or political organisations. If they were, their usefulness would disappear overnight. They are the servants only of the House and it is this long-preserved independence from political control that has endowed them with their own special value to the smooth running of the machinery of government. Within the palace precincts, they are rigidly, almost religiously, non-political.

Whatever the complexion of the government in office, the House can be certain of receiving the completely impartial and professional expert service for which its officers enjoy a reputation second to none and upon which all members can and do rely unhesitatingly regardless of party affiliations, religious distinctions or personal differences of temperament. Because these officials are servants of the House and have not to rely on political patronage either for their appointments or for their continuation in office, they are able to devote the whole of their lives to their task and to develop their individual capacities to a very high standard of professionalism. These principles apply in Australia.

I say without hesitation that they have applied here in this parliament of the Northern Territory. Mr Speaker, I have not forgotten something that the Chief Minister said the other day in respect of the Clerk. He talked about the attributes of particular members of this Assembly being a result of the guidance and help that the Clerk has given. I am not sure whether

the Clerk would want the reputations of honourable members of this Assembly laid at his feet but I do remember that.

I remember another story and I know that the Clerk will know that I am not simply trotting out the story for the benefit of today because I have raised it with him a number of times over the last 5 years. I remember very clearly the very first time I had dealings with the Clerk. He distinguished for me in a very clear way indeed the role of politicians and the distinction between the politicians and the Clerk. I am sure the honourable member for Tiwi will recall this because she was with us as a group of new politicians to receive our indoctrination in the Committee Room behind your Chair, Sir, at the hands of the Clerk. I do remember the Clerk saying to us all: 'You must remember that, if you wish to receive an accurate record of the proceedings of the Assembly, you must refer to the minutes of the Clerk. Hansard merely contains the vapourings of members'. Mr Speaker, Mr Thompson will have to agree that that is an accurate quote.

I think that Mr Keith Thompson must take considerable pride and satisfaction in having been the Clerk of this Assembly at the time the Northern Territory achieved self-government in 1978. All honourable members will recall the most impressive and very arduous ceremonies that occurred during that time with the presentation of the dispatch boxes to the Assembly, and the presence in this Assembly at the one time - the Clerk assures me that that has never happened before in this country - of the Administrator, the Prime Minister and the Governor-General. They were arduous ceremonies. The planning, preparation and the execution of the ceremonial that was attached to self-government was in fact in the hands of Mr Keith Thompson and all honourable members will recall the expeditious and successful way in which those procedures were carried out. That must be a considerable source of satisfaction to Keith Thompson.

Mr Speaker, the Clerk leaves the service of this Assembly with the thanks and the good wishes of all members but, in particular, members of this opposition. Mr Speaker, I have no doubt that you, Sir, with both the support, I am sure, of the government and certainly of the opposition, will ensure that the 20 years of distinguished service that Keith Thompson has given to this parliament will in due course be recoginised. The Clerk leaves the Assembly with our thanks and good wishes. We extend our thanks for the impartial way in which he has assisted members of the opposition at all times with their jobs in this Assembly and good wishes to both Mr Keith Thompson and Mrs Olga Thompson for a happy and successful retirement.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise too to pay tribute to the retiring Clerk, Mr Keith THompson. Keith Thompson began his service to his country on Thursday night 28 January 1937 as a cadet midshipman. Four years later, Sir, he went to sea on HMAS Canberra which escorted troop convoys to the Middle East and Singapore and searched for German raiders. In December of 1941, he was sent to the Mediterranean for destroyer training and took part in Malta convoys from Alexandria. In January 1942, his destroyer was severely damaged by submarine attack. In 1942, with Sub-Lieutenant Parker, he was in Britain when there was an attack by fighter bombers and the Clerk was severely wounded. He was repatriated to Australia and eventually discharged from the Navy because of his war wounds.

Mr Speaker, it is with some pleasure that I indicate to the Assembly that some of the Clerk's fellow cadet midshipmen are aware of his retirement

today and express their best wishes to him. The class of '37, his time of entry into the Navy, was a distinguished one. Some of the Clerk's contemporaries include Senator David Hamer, Rear-Admiral Griffiths, who retired only last year, the resident United Kingdom director of CSR in London, a Lieutenant Dowling, Vice-Admiral Sir James Willis, who retired in 1982; and Gregory Thrum, who is now in Canberra as the representative for Standard Telephones and Cables. These people are some of the contemporaries of the Clerk. I know it has given him some pleasure over the years to keep up contact with his Navy comrades. There is a tremendous amount of mutual respect, which we saw when these distinguished people visited Darwin from time to time. Almost the first thing they did when presenting their compliments to the Navy officer commanding North Australian Area was to ask after their comrade, Keith Thompson. I am aware that successive Navy chiefs were pleased to advise these visiting dignitaries that Keith Thompson held the prestigious position of Clerk of the Assembly.

Mr Speaker, I first met Keith Thompson in 1960 when he was working for Welfare Branch in the Northern Territory Administration. I was the humblest of humble clerks in another department. Nevertheless, I had dealings with Mr Thompson. I was a very young, single girl unused to the ways of government and Keith Thompson exhibited qualities then which he has to this day - humour, interest, compassion, intelligence and wit - some of which he needed in dealing with me as I made some amazing mistakes through ignorance of government procedures.

Mr Speaker, in those days nothing fazed or upset Mr Thompson and I think it is true to say that his attitude to life and to dealing with his fellow man has not changed. To be Clerk of a parliament under the Westminster system is a position of trust and skill and the Northern Territory, as the Leader of the Opposition stated, has been well served in having as Clerks people of the calibre of Deric Thompson, the retiring Clerk's brother, followed by Fred Walker and, on his retirement, Keith Thompson. Mr Speaker, you more than any of us present will appreciate the work which the Clerk has put into the efficient running of this parliament because you, as Speaker, deal with him on day-to-day matters which are not the province of other members nor indeed of the executive arm of government. May I say that, having known him so long, I admire him for his tolerence and his wit. As the only member of the Assembly, other than yourself,Sir, who served with the Legislative Council and watched the transition to a fully elected Assembly, may I thank him for his service and his forbearance during times of extreme stress. May I wish him and his wife and their daughter all the best in his retirement. I am sure that other members will join with me in expressing our gratitude to Keith and his family for the service they have rendered us all.

Mr HARRIS (Port Darwin): Mr Speaker, I would also like to say a few words in relation to the retirement of the Clerk. During the sittings, I would be as close to the Clerk as any other member of this Assembly apart from yourself, Sir. It is during this last session that I came to know Keith Thompson. During that period, since I was elected to be the Chairman of Committees, the assistance that he has given me has really helped me greatly. I can assure you, Mr Speaker, that, if it had not been for Keith Thompson, there would have been many an occasion when I would have been lost for words. He has taken me through those times. I say to you, Keith Thompson: thank you very much for the assistance that you have given me and I also wish you and your family well in the future.

Mr Speaker, I would like to speak on another matter today. The protection of the environment not only in the Northern Territory but also right throughout Australia is a very serious matter and I am sure that other members of this Assembly would agree with those words. We may have varying degrees of concern but, nevertheless, all of us respect the environment in

which we live. The possibility of the introduction of exotic diseases and pests into the Northern Territory is a very real threat and, from time to time, this particular matter needs to be raised. The Top End, particularly Darwin because of its geographic position, is very vulnerable to the introduction of exotic diseases and pests. We are only 2 hours away from our nearest neighbours to the north and, in terms of distance, that is very close indeed.

The Territory weather is ideal, particularly during the wet season when the humidity is high, for exotic diseases and pests and indeed weeds to spread and grow rapidly. Because of this, a great deal of care and attention must be given to all aspects of environmental protection. We do not have to look all that far, Mr Speaker, to see the type of destruction that can occur if insects or disease are allowed to get out of control. The palm leaf beetle is a perfect example. Since 1979, that particular beetle has been running rife in Darwin. If, at that particular time, more notice had been taken of the quarantine restrictions that were placed on the movement of palm trees from the inner city area to the other areas of Darwin - that is, from the peninsula area - I believe the problem of the palm leaf beetle would not have been with us today. I might say that many people did not worry, initially, about the palm leaf beetle because they were told that it would not kill the trees. It might make the trees look rather sick but the palm would not die as a result of the attack by the palm leaf beetle. Mr Speaker, we all know that that is not correct. Many palms died over this period and I would say there will be many more that will meet the same fate in the future.

The first report of the palm leaf beetle was at Government House in 1979. Whilst our intentions were good - I do not mean this as a criticism of any individual or any department - our efforts did not seriously address the problem. We said that palm trees were not to leave the peninsula area but there were no checks to see if people were, in fact, taking palms from the peninsula area. It was left to people's honesty and that is not good enough. There were no inspections, no checks, as to what was leaving the area. I realise that inspections of this kind are time-consuming and expensive but, if an area is placed under quarantine, we must ensure that those rules are adhered to. The only way is to have inspections or checks of people moving from one place to another. If, at that particular time, the beetle had been contained in the peninsula area, there would have been a chance to completely eradicate that beetle from Darwin. In the long term, it would have saved a great deal of time and money.

Mr Speaker, the other states go to great lengths to protect their environment and their industry. I can relate one instance when I was moving from Victoria into South Australia where I was stopped at one of the checking stations and my car was fumigated. I had received some bulbs from a friend of mine in Kerang. These were taken from me and returned to me about 3 years later in a frizzled state. They were concerned about the spread of disease into South Australia, particularly to the fruit growing areas. They were looking to protect their industry. The Northern Territory, with its emphasis being placed in primary production now, could also meet similar problems. We have to look at this whole issue seriously. There are many threats to the environment and to industry in the Northern Territory. The tourist industry is a growing industry and more awareness must be placed on the destruction that can be caused by pests and diseases that are brought into the Territory.

I might just refer here, Mr Speaker, to the issue which was a major topic last week - that of the cane toad. I agree with the comments made by the Leader of the Opposition. The cane toad is a definite threat to the environment of the Northern Territory and if ever it got into the Alligator Rivers region, the Magella system or some of our other river systems, we would really have problems. The Kakadu National Park has many unique aspects and, if the

cane toad got in there, many of the fish would be destroyed. I believe we have to make sure this does not occur.

People have to take the issue of quarantine quite seriously. At present, I do not believe they take the matter seriously. As an example, on a recent talkback program, a very concerned woman rang up and made a comment that her mother had just returned from Indonesia and on her shoes was some mud from that particular country. She was concerned that disease could be transmitted into Australia by this method. Of course, she was quite correct in assuming that. But the person who was speaking on the talkback program said to this woman that she was trying to cause problems, that she was just stirring the possum so to speak. She was genuinely concerned at the real threat of bringing disease into this disease-free country of ours. Heaven help this country if foot and mouth disease or one of those diseases ever came here. I think that we have to look to protecting our industry. In the long term, it will save us a lot of money and time.

I believe also, Mr Speaker, that more Commonwealth assistance is necessary to deal with the threat to Australia as far as the introduction of disease is concerned. When we talk about the environment of Australia, whether a disease is introduced through Darwin, Cairns or Sydney, it does not really matter. It is the whole of Australia we are concerned about and I believe the federal government should contribute a great deal more than it does towards control in this area. It is no good crying over what has happened in the past as far as the palm beetle is concerned. I believe that we have had the opportunity to learn by our mistakes. I hope that we do not make these mistakes again.

I raise the issue because I believe it is a very serious matter and it is one that we should all take stock of from time to time. I do take note of the efforts of the government to control weeds and pests and disease in the Northern Territory and I would like to take the opportunity to commend the Department of Primary Production on the education campaign as far as salvinia and water hyacinth are concerned. I would like to mention to the department that perhaps it could consider including the cane toad in any of its education pamphlets and TV programs in future. I do not know what the answers are to protect the Territory from the introduction of exotic diseases or pests, but certainly the palm leaf beetle problem has emphasised the need for us to address our minds to this particular problem. Perhaps anticipation should play a greater role in any program that is implemented to check the spread of exotic diseases and pests in the Northern Territory. I raise the issue because I believe it is a very serious one. It is one that everyone should be aware of. I will be raising this issue on other occasions.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I should like also to join in the tributes to our Clerk, Keith Thompson, who is unfortunately, so far as I am concerned, retiring shortly. Keith attained the position of Clerk through the untimely retirement because of ill health of the former Clerk, Mr Fred Walker, who I am sure most of us will remember. That is not to say that Mr Thompson had not had a great deal of training to occupy the position of Clerk of this Assembly. I think that I speak for everyone on the government side when I say that, so far as we are concerned, you, Mr Thompson, have occupied the position with distinction and will be a difficult person to replace.

There is not a great deal I can say. I think the honourable member for Nightcliff and the honourable Leader of the Opposition have said it all. It is very important that a Clerk is seen to be impartial by all members of the Legislative Assembly, and of course the partisan groups that constitute it. From the government's point of view, Mr Thompson has been seen to be impartial yet he has always been of assistance and has helped us where he could. As an

inexperienced group, we came into government at a difficult time and we have benefited from and greatly valued the assistance and advice that has been available to us whenever we wanted it from the Clerk.

Mr Thompson has occupied the position probably at a time when it has been at its most difficult, when the Territory was moving from the stage of an elected Legislative Assembly and only shortly before that a partly elected and partly nominated Legislative Council to almost a state-type government with an executive responsible to the parliament. Mr Speaker, I believe that he has carried out his duties during this time with great aplomb and I am sure has been of invaluable assistance to you as he has been to us. In some ways I am sure it will be a matter of regret to Mr Thompson that he will not be here to see this legislature attain full sovereignty as a state legislature. But I believe that whoever is in the Chair at the time will not have seen anything like what has occurred in the Territory in the past few years in which Mr Thompson has participated and given guidance.

Sir, I wish you, your wife and your daughter every health and happiness in your retirement. We extend to you our thanks and our very good wishes and hope that your retirement is a long, happy and enjoyable one.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, yesterday the honourable Leader of the Opposition very clearly in his own redoubtable way demonstrated that deep down I was nothing more than a republican and a socialist and that I was just putting up a facade as a right-winger and a drunk to boot. Mr Speaker, I feel as if I should keep up this facade. An article came to my desk a week or so ago and I would like to share parts of it with members. It is really about a winter of discontent in an Australian state which had power problems. I am sure every honourable member has heard of the television series 'Power Without Glory'. In that particular state, it is glory without power. I hear rumours that 'glory' actually has sights set on Canberra. The results of the problem seem to be zoning, blockouts and stand-downs and the advent of a thing called an energy inspector who invaded homes and business premises and put the fear of God into people. It is somewhat reminiscent of a police state, a rather unfortunate state of affairs.

The article goes on to analyse the power mess. Briefly, the professor states that neither the government nor Elcom nor even the manufacturers are to blame. It is just a case of pure bad luck. The Sydney Morning Herald did not agree and neither did Dr Howard Dick who said that the equality of the GEC generators has declined. According to records and papers, the whole system has just run into the ground. The equipment has not been maintained. Even the coal was blamed. Economic theory suggests that the bigger the scale the more cheaply you can produce per unit. However, the article gives examples where this theory breaks down. It mentions how union power, particularly in government monopolies, can turn that scale around.

It mentions Alcoa's private power-generating plant at Anglesea and compares it with the plant at Yallourn East in Victoria. They are similar sized power-stations. Alcoa feeds into the Victorian state grid. Alcoa, with its choice of equipment and running procedures, keeps its generators on line about 85% to 90% of the time. There must be some stand-down time to maintain the machinery. Yallourn East manages something like 70% running time. These are not the only examples of places where private companies feed power into state systems. You have Mt Isa mines supplying power to Mt Isa and Cloncurry. Private companies in the Pilbara in Western Australia do the same. The Bulletin of late March of this year tells of moves in Queensland, New South Wales, Victoria and Western Australia which may result in privately owned power-stations. Queensland is the furthest along the line. It has called for expressions of interest and no less than 25 firms and some of the world's major suppliers have indicated interest in supplying power in Queensland.

The article went on to say that transmission of supply might also be more cheaply done by private enterprise. It mentions an American libertarian magazine which, no doubt, is very socialist but it agrees with me when it says that some 20 cities in the United States give the inhabitants the choice of power companies. One particular city, Lubbock in Texas, has only 200,000 people and yet there are 2 companies which compete to supply electircal power. One company shares the transmission cables and poles etc with the telephone company and the other one with the TV company on the other side of the street. It says that, in Lubbock, there is cheap power delivered with civility. I will read a little of the particular article:

What is certain is that the residents of Lubbock, Texas, will not be without power this winter, and they will not have energy inspectors with draconian powers knocking on their doors by night to prosecute them for using too much power. Indeed, it is probably that, in Lubbock, the people will be confronted by an advertising campaign by the 2 companies asking them to use more of their power.

That happens in New South Wales with cornflakes and cigarettes and there is no reason why it should not happen with electricity. The particular magazine is a really good socialist one. It is called 'Optimism'. It is the journal of the Adam Smith Club, and Adam Smith must have been a socialist because, on a fair few points here, I agree and it has been demonstrated that I am, indeed, a socialist.

Getting to the Northern Territory question, I asked the Treasurer this morning whether any consideration had been given to a private power supply in the Northern Territory. The Treasurer said that some consideration had been given but not too much serious consideration. He mentioned that a subsidy would be needed to build such a power-station. In essence, we are really asking the Commonwealth to provide a subsidy and, no doubt, we will have to use some Northern Territory funds. The former Minister for Lands and Housing said yesterday that, when everything is taken into account, land development by private developers is cheaper than by government. The money that we do not spend on developing subdivisions can be used for other purposes by the Northern Territory. It seems to me that this situation could be worth looking at. It was also mentioned that subsidies for power have been supplied to us. I gather the Commonwealth is not too happy at the moment about having to pay about 50% of the actual costs of generating power in the Territory. I am sure it would be pleased too if we could reduce the cost of power generation by private means. The subsidy would not need to be as great and the Commonwealth government would be much happier. By the time the power-station comes on line, I would imagine that the population of Darwin will not be far short of 100,000 people. If 2 companies could compete in Lubbock, then maybe we could get one. Ideally, of course, we would like to have that competition. I would ask the minister to consider the matter again and check out the interests of those 25 companies that showed their interest when Queensland called for such an expression.

There is no doubt, Mr Speaker, that the Leader of the Opposition is a grand storyteller. I can imagine that, in years to come, his grandchildren will have great feasts of stories. Of course, they are all true because the Leader of the Opposition has said they are. He was able to demonstrate pretty clearly that, although some of his colleagues thought I had right-wing tendencies, in actual fact I am a socialist and republican. I refer, of course, to his story about Devil's Island and finding my convict namesake buried there. I was very interested to hear the honourable member for Nightcliff say that she had been down to Devil's Island. She did not say whether she took her spoon - a long one or a short one - and I tend to commend the devil on the fact that he did not bother to keep her down there.

I was a little unsure of the honourable Leader of the Opposition's suggestion that there is a connection between myself and socialism. Maybe it was the convict status given to my namesake that was the factor. I can see some connection there. The republican bit - well, I think that may have come from the Irish branch of the family name. I am not the only Denis Collins alive today. There is a footballer playing currently for Victoria who is seen on the TV every now and then. Strangely enough, in my very first class at school, 2 of us had exactly the same name in a place called Lenswood in the Adelaide Hills in Sir Thomas Playford's country. Of course, he was another good socialist.

The Leader of the Opposition's story yesterday awoke in me a latent interest in the genealogy of the Collins name. Genealogy relates to family. I was rather surprised yesterday how I upset the honourable member for Nightcliff by having to mention family. I was very surprised that she seemed so opposed to family that she became upset. When I first came to this Assembly, it was my innocent belief that marriages were made in heaven, but here I have received my education. I was told by the honourable member very clearly that, with her counselling service, she makes the perfect marriage. Of course, marriages do tend to lead to families.

I spent a fair bit of time last night chasing up the family details. The Leader of the Opposition is not here but, hopefully, he might be able to read his Hansard. I am sure he would be very interested in this. The first interesting point on the family name comes from Scotland in 1500. I found that the Collins name has a tartan associated with it. I tried to figure out where the Leader of the Opposition might fit into this. I tried to picture him dressed up in a kilt. I have been told by people like the honourable member for Tiwi that there are yards and yards of material in a kilt. I must confess, in my imaginings, I would have to see backyards of material for a kilt for the honourable member. Then I tried to picture him in a sword dance, doing the highland fling. It just did not really seem to fit. Tossing the caber? Well, possibly but, then again, I thought there could be heart attack associated with such strenuous exercise and I would hate to miss out on the good stories which he has amused us all with. Perhaps he could have been connected with eating haggis but I am not really sure that Scotland fits with the honourable member. Next, there was a bit about Ireland in 1300. The name appears there, but it is not really clear whether it was taken there from England or simply adopted and it is not a genealogical link at all. There is some hope that Bob is not my uncle after all.

The earliest record of the name I was able to find goes back to England - to the county of Berkshire - in the year 1087, just 21 years after the Norman invasion. Berkshire is half-way between London and Bristol about 100 miles due west of the city. Berkshire seems to be where one would find the sacred sites of the Collins clan. Berkshire is not only famous for the Collinses, but also famous for a certain pure breed of the porcine species. I would not like to draw too close an analogy and I hope the Assembly...

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, this morning we listened to a statement on the Northern Territory trachoma control program which the Minister for Health delivered. The member for MacDonnell made remarks in relation to the role of the Royal Australian College of Ophthalmologists which he considered slightly patronising. Mr Speaker, I tend to agree with what the honourable member had to say in this regard.

I would like to make a few brief remarks this afternoon in relation to the role played by Father Frank Flynn. The minister acknowledged that Father Flynn was the first person to identify trachoma in the Territory in the early

1940s. I am not suggesting that the reference to Father Flynn was disparaging; it certainly was not. That statement referred to Father Flynn as a part-time ophthalmologist with the United States Army, which is probably quite true, but I believe that Father Flynn was a little more than that. I think Father Flynn is one of the most remarkable people ever to have come to the Territory. He is still alive and living at Nightcliff. He is a priest of the Sacred Heart Order. Before he became a priest, he was an ophthalmic surgeon in Macquarie Street - a specialist - together with his brother and his father. Apart from being an ophthalmologist and Macquarie Street specialist, Father Flynn was originally up here as an air force chaplain. As well as being an ophthalmic surgeon, a priest and air force chaplain, he is an anthropologist, a linguist and a very clever inventor.

Father Flynn suffers from any eye disease himself. I do not know the medical term for it but in common layman's language it is 'dry eye'. He was a great student and when he was studying he would lie on his back with a cloth bag full of water and allow it to drip into his eye. Apparently, it is a terribly painful disease. There is aqueous humour to wash away the dust and motes from one's eye. What he did was to invent a set of glasses - you could have plain glass in them; they were hollow - which had a regulated control of water which came out of the glasses and washed the eyes. Apparently, it was quite a monumental discovery for sufferers from this disease. Nobody had come up with anything like it previously. He is an inventor, a linguist, an anthropologist and an author of note. There is a book in the library here called 'The Living Heart' which he wrote in collaboration with Keith Willey. It is a very good book. He has written other material as well. To add to all his academic qualifications, he also represented Australia in rugby union. He is an international rugby union player. I think the minister could have given a little more of a wrap-up to Father Flynn than just saying he was a part-time ophthalmologist with the United States Army.

Before I sit down, Mr Speaker, I would like to also give my personal thanks to Mr Keith Thompson for all the assistance which he has given me. He is a gentleman who is straight down the line. You know precisely where you stand with him. I cannot imagine anyone being more fully equated with the work of the Legislative Assembly. He has always been extremely helpful to me. I have had a couple of words with him on odd occasions when I have tried to talk him into doing something for me, but he has been an enormous help to me. You can go to him and he always makes himself available. I think that it is a sad loss to the Legislative Assembly to see Keith go. He has been nothing but helpful to me. I would like to wish him and his family the very best for the future because he certainly has been of enormous assistance to me personally. I do wish him well.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would like to add my kind wishes to those of honourable members who have spoken before me regarding the retirement of Mr Keith Thompson as Clerk of this Assembly. Since I was elected in 1977, I have had many occasions to speak to him and exchange views with him. I have appreciated his help in that time and also the friendship which he has extended to me. I found him always ready for a bit of gossip when I used to come into town between sittings. I would poke my head around the door and have a bit of a gossip and then I would remember the exchange of views some time afterwards.

The person at the top of any organisation influences the manners and work of those in subordinate positions. I think the influence of Mr Keith Thompson on the staff of this Assembly is very obvious. The Clerk of the Assembly and his staff have made a very good team and I am sure we will have a good team when he leaves because of his influence. I wish him and his family all the kindest wishes for the future.

Mr BELL (MacDonnell): Mr Speaker, I rise to make a few comments. It was not until the honourable Leader of the Opposition mentioned to me this afternoon that this is the last day in the Assembly for the Clerk that I became aware of that fact. I want to touch on that subject a little later but, because the Assembly sits relatively infrequently, I feel constrained to raise a few matters that I would not have the chance to do otherwise.

The first matter I wish to deal with is the ex-Commonwealth hostels about which I have asked the honourable minister questions on a couple of occasions. On both of those occasions, he said: 'Later, later'. I would urge on him: soon, soon.' The representations I have received on the matter suggest that, in terms of the question I asked this morning, the delay is causing serious anxiety and uncertainty about a number of people's future.

The second matter that I wish to address relatively briefly is an issue relating to cases that have been judged about Aboriginal people shooting, particularly kangaroos, or to use the quaint phrasing of the Crown Lands Act, animals ferae naturae. The status of the law in this regard is somewhat unclear and I have received a number of representations on the matter. I would like to take the opportunity to explain briefly why it is a matter of concern to my constituents. It would appear that the law as it stands suggests that, in central Australia, Aranda people can shoot kangaroos on Aranda land and Pitjantjatjara people can shoot kangaroos on Pitjantjatjara country. However, there are a number of cases where people who might have traditional Pitjantjatjara connections - for example, they may be travelling through Aranda country for very bona fide reasons - may in fact shoot kangaroos in contravention of the law.

I sought some opinion about that particular matter which is of concern to me. One of my constituents, a Pitjantjatjara man, lives in the vicinity of Alice Springs because of the education of his children and for personal reasons associated with the death of kin. He frequently breaks the law as it stands at the moment. He shoots kangaroos and his wife collects rabbits. That is a frequent activity and a very important activity for those people. It would appear that those people are in fact breaking the law now. I think that serious consideration needs to be given to both the letter and the operation of section 24 of the Crown Lands Act.

I will not expatiate on that matter at the moment, nor will I expatiate on a matter that has come to the notice of the Assembly about which the Chief Minister gave a press conference with the Minister for Aboriginal Affairs this morning. It is a matter that concerns me deeply. There are aspects of the statement put out by the Minister for Aboriginal Affairs that are of grave concern to me and they will be of grave concern to many of my constituents, particularly constituents in the area of Ayers Rock. Again, it is not a subject I propose to labour this evening, but I do wish to place on record that there are aspects of that particular statement that are of grave concern to me.

The final matter that came up briefly this morning was the question of advertisements for escort agencies. On my own, I would not have raised this topic but, since it came up in question time this morning, I would like to say that it is a matter of concern to me that these advertisements are published as openly as they are. Before honourable members leap to any conclusions about my attitude in this regard, I am not suggesting that I am part of a moral majority or seeking to clamp down on what some may choose to regard as legitimate enterprise. However, what is of concern to me is that blatant advertisements in a daily newspaper can be seen by our kids. I was horrified to see that question come up in the Assembly with school kids present in the gallery. It was quite reasonable for the question to come up in the Assembly but it somehow typified what I think is a sense of irresponsibility. Really,

society is saying by such blatant advertisements that the services of an escort agency are exactly the same as any other services that may be advertised in the public notice columns of a newspaper. I am genuinely concerned that advertisements in that way should be so blatant. I will say no more about it but I think I have made my attitude clear.

I move on to the final and most pleasant aspect of my adjournment speech tonight, Mr Speaker, and that is to thank the Clerk, Mr Keith Thompson, for the help that he has given me in the relatively short time that I have been in this Assembly. My association with Mr Thompson has been a little more than 12 months but, in that time, I believe that he has shown those characteritics that are in the finest traditions of public administration both at a Commonwealth level and at the level that we hope to be encouraging in the Northern Territory Public Service. That is quite clear to me in terms of the impartiality that the Leader of the Opposition suggested was such an important part of the job. Seeing how the hair flies in this Chamber at times, Mr Speaker, I can only say that I have a very great respect for the impartiality that Mr Thompson invariably shows.

Mr SMITH (Millner): Mr Speaker, I wish to be parochial for once and talk about a couple of problems in my electorate. It is good to see the Minister for Education here because I want to talk about schools. At one stage in the Teachers Federation, we thought there was a government plot to spend money in electorates held by the government and not in electorates held by the Labor Party and, when we did our sums, we found in fact it was almost the reverse. I am not going to argue that it is a great plot that the schools in my electorate are being disadvantaged but I do wish to point out that there are some concerns amongst parents and teachers in both Rapid Creek and Millner Schools about the state of the school buildings. I would like to bring them to the notice of you, Mr Speaker, and the minister.

If we take the Rapid Creek School first, there is a new part of the school and the old part of the school. The new part of the school, I am pleased to report, is in good condition. That is the infant's block and certainly there are no objections to that. The old part of the school which still houses most of the students is in a reasonably dilapidated condition. It has not been painted since the cyclone. The department has offered some assistance. It offered to supply some paint for the school and have the janitor do the painting. I am not sure whether in fact that offer has been taken up, but certainly I do not consider that to be satisfactory. The roof of the school has not been cyclone-proofed and that constitutes a hazard not only within the school but to the whole neighbourhood. Basically, classes from grade 1 to grade 7 are still using pre-cyclone furniture which I found quite amazing. They do have a nice covered-way area but, unfortunately, the covered-way area leaks rather badly. It also leaks in the part which most students use for access. That is seen as quite a danger. The gutters in the school building are so bad that, when it rains, the rain pours onto some awnings underneath and it makes it impossible for children or teachers in the class room to be heard. They turn from talking lessons to quiet working lessons because of the impossibility of the teacher being heard under those circumstances. The other aspect is that the car-park has been on the program for the last 5 years but it has always been left off. In the words of a teacher at the school: 'It is a mud bowl during the wet and a dust bowl during the dry'.

At Millner School, the list of complaints is not so long. The school has not been repainted since it was built. There is a large amount of slippery concrete within the school and that has caused 1 or 2 accidents. It has been surveyed a number of times but there has been no action taken to remedy this situation. Again, the school roof is not cyclone-proofed. I understand that, in this financial year, the verandahs will be replaced but the roof still remains a problem. An area of biting concern for the school is that it has

for some time been asking for a basketball court. Year after year, that has been left off the agenda. That may not seem so crucial but, in the whole Millner suburb, there is not one basketball court. The parents and the teachers in the school see the provision of a basketball court as being a community asset in the school. They are the complaints that I wanted to bring to the attention of the Assembly. I hope that the minister will look at those.

I think the neglect that I see by the Education Department in terms of the Millner and Rapid Creek Schools is probably a symptom of a wider neglect by government departments of those suburbs. It is clear those suburbs are not very well designed when you compare them with suburbs throughout. They do not have many of the community facilities that are built into the new suburbs from scratch. Certainly, the government is to be congratulated in putting in this desirable infrastructure from the start. What is happening is that the government, council and other agencies are directing all their efforts into getting these new suburbs established. Those of us with constituents in the older established areas probably have something in common. We feel that we are being missed out to some extent. I hope that, in the near future, the government could both look after the member for Stuart Park's electorate a bit better and those of the members for Fannie Bay, Port Darwin, Nightcliff and my own.

Mr Everingham: They do not do too badly.

Mr Robertson: It seems like the Territory.

Mr SMITH: It is a very important part of the Territory. I think the suburb of Millner, in particular, would benefit from another look by government departments.

Mr Perron: Probably benefit from another member, actually.

Mr SMITH: Well, only time will tell. Certainly, there is no doubt in the case of Stuart Park that that would be so.

Mr Perron: Do you think so?

Mr SMITH: Yes, I would think so.

I conclude by also adding my thanks to the Clerk. My dealings with the Clerk have obviously been quite brief as I have not been here all that long, as people keep on reminding me. But the dealings that I have had with the Clerk have always been most pleasant, most amicable, and I too have been impressed by his impartiality and his willingness to provide all assistance that is possible to help me fit into this Assembly. I join others in wishing him well in his retirement.

Mr DONDAS (Transport and Works): Mr Speaker, I rise in the adjournment today after listening to the other members. I have learnt more about our Clerk, Mr Thompson, today than I have since 1974, and it is very nice to hear what Keith has done in his private life and his past life. Let us hope that his future life will be as successful as the last 20 years in this Northern Territory Legislative Assembly.

I would like to give my thanks also to the Clerk because, in the days of my initiation to the Legislative Assembly, I was a Deputy Chairman of Committees. One day I was plonked in the Chair without too much notice and all kinds of funny things were going wrong. At that time, Gympie Lew Fatt was working for the Assembly. Also, I had a radio program on Sunday mornings called 'Can we help you?' In the Chamber, whilst I was in the committee stage, Gympie Lew Fatt walked past and said, 'Can we help you?' The rest of

the Chamber overheard this and Mr Thompson said: 'Yes, you do need a bit of help. Now, what can we do to get you out of this mess?' From that day onwards I convinced myself and, with Mr Thompson's assistance, I never was caught again whilst Deputy Chairman of Committees. Then I became Chairman of Committees and many honourable members would remember the marathon committee stages that we had in some of the early days; we were 5½ hours in committee on matters such as the Town Planning Bill. I was very conscious of the assistance and the advice that Mr Thompson provided to me and, of course, I was very grateful.

I believe that, in association with Mr Walker, he played a valuable part in weaning us in 1974. We were all greenhorns when we came to the Assembly, with the exception of course of the member for Nightcliff and the member for Port Darwin, Mr Withnall, and yourself, Mr Speaker. I believe that the Clerk and Deputy Clerk certainly provided us with enough information to get on with the job. Mr Thompson made many a valuable contribution to the proceedings within the Chamber and also to various committees such as the House Committee, the Privileges Committee and the Printing Committee. We are very thankful for that. With other members, I would certainly like to wish Mr Thompson and his family all the very best for the future. I would like to invite Mr Thompson and other members of the Assembly into the member's bar and I will buy you all a drink.

Mrs P. O'NEIL (Fannie Bay): Mr Speaker, I do not want to hold anybody up from their drinks but I do have a few things I want to say. Last Thursday I asked the Minister for Health the following question: 'Given that the Health Department is currently negotiating with various private firms to hand over drug and medical supply, radiology, pathology and pharmacy services - all traditionally supplied by the Health Department in the Northern Territory - and given the concern of Health Department staff and members of the public about the implications of these proposals, when will the minister announce details of the government's intentions to hand over the services to private enterprise?' Unfortunately, in his reply, the minister did not address himself to the detailed and specific questions, but replied only in a most general way. I feel, Mr Speaker, that it has been left to me to advise the Assembly and members of the public of the facts in so far as I am aware of them of this very major change which is proposed in the Health Department of the Northern Territory.

In his reply, the minister said, amongst other things, that there is nothing that the government can do to prevent private people coming to the Northern Territory to establish services in the delivery of pharmacy, X-ray, pathology and any other aspects of the health service. I agreed with that, but, of course, it is not to the point. The fact is that the Health Department has been actively pursuing private companies in order to ask them to take over certain essential professional services currently and traditionally supplied within the Health Department. These are, as I indicated last Thursday, hospital pathology services, hospital radiology services, hospital pharmacy services and Health Department pharmacy stores.

It is pathology services which have received a little publicity as a result of my raising the matter in the Assembly in the course of the last sittings and the minister responding to a certain extent at that time. He made a number of statements which the diligent staff of the Darwin Hospital Pathology Laboratory were rightly incensed about. They wrote the Minister a letter in the following terms:

On 9 March 1982, in the Legislative Assembly, it is reported that you said: 'We have some pretty severe problems in some of our paramedical organisations. Let us take pathology as an example. Ten or more years ago, when the planning and building of the pathology setup was organised in the NT, the federal government

and this government were correct. However, we have now been overtaken by technology. Technological advances provide aeroplanes to and from every town in the NT every afternoon and morning. There are computers with display units that give doctors pathology results. From a hospital these used to take 6 weeks or 3 weeks but now they have them back in 12 hours and from a major centre. If private doctors in the NT obtain results for their patients from a laboratory in 12 hours and our public patients are waiting 6 to 21 days for the same results, what are we about? The challenge is for us to offer the best service we can'.

We do not fully understand your exact meaning but you seem to be saying that results of pathology tests are available from a private laboratory in 12 hours whereas results for similar tests are not available for 6 to 21 days from the Department of Health laboratory. We believe this is a gross distortion of reality. By and large, the time taken to generate results for any particular type of test is the same regardless of laboratories. In summary, we do not believe that efficiency measured by the time taken to generate most results is markedly different between laboratories.

The minister, in due course, replied using his normal device of saying that all services in the Territory Health Department were being reviewed and reorganised. That is a common refrain, Mr Speaker. The fact is that it is well known that the only thing private pathology services are better at is charging like wounded bulls. The other thing that statistics around Australia suggest is that they are very good at promoting over-servicing, a matter which the Commonwealth Health Department has been forced to address from time to time.

Last Thursday, in his reply to my question, the minister said that the establishment of private services is desirable in order that people should be able to have a choice. I would agree that a choice is a most desirable objective. The fact is that, in the Territory, there already exists a choice between the public pathology service and the private pathology service which has been established in Darwin. Therefore, there is no need for the minister to attempt to divest himself of the public service in order to provide a choice for the people of the Territory.

Radiology provides a slightly different circumstance because the establishment of a complete, separate and private system would be much more expensive and, I would suggest, would be totally financially unrealistic for the population of the Northern Territory. Therefore, allegedly, in order that private radiology services might be provided in the Northern Territory, the Department of Health is apparently seeking to lease to the private sector the equipment and services currently provided within the hospital. This will not provide to the people of the Northern Territory any choice that does not already exist. In fact, the risk is that it will remove their choice because, at the moment, radiologists working within the Health Department do have a right of private practice which they have exercised over the last several years.

Mr Speaker, I turn to pharmacy services and there are 2 elements here. One relates to the stores section. The Health Department has been negotiating with various drug firms to take over this service of supply, a matter which has naturally caused concern to members of the Health Department staff employed in this area. I am aware that representatives of the drug firm Sigma were in

Darwin in the last few weeks investigating this possibility. I believe that this change could take place within the next few months.

With regard to pharmacy services in hospitals, honourable members who diligently read their government Gazettes would have noticed in the Gazette last week, No G21 of 28 May, tenders calling for the performance of pharmaceutical services at Gove Hospital, Katherine Hospital and Tennant Crreek Hospital.

I would like to inform honourable members of the facts in relation to this profession. The performance of pharmacy services in hospitals is highly developed and a quite separate function from that normally provided by pharmacists in private practice in the community. To ask a private pharmacist running a comparatively small pharmacy in a country town, or indeed in any town, to take over a hospital pharmacy is like asking a solicitor who specialised in conveyancy for 20 years to suddenly conduct a murder trial in court or like asking a preschool teacher to take a high school physics class. Of course, in the first case, they are both trained lawyers and, in the second case, they are both trained teachers. However, the circumstances in which they operate and the experience which they require are as different as chalk and cheese. It is this proposal which is of particular concern to people who are aware of its implications. It is of concern, not only to pharmacists, but to other professional staff in the hospital who see the added responsibility which they will incur in supervising the safe dispersal of the very dangerous drugs which are used within a hospital without the benefit of an experienced hospital pharmacist to do the job.

Mr Speaker, you can see that the implications of these changes are quite substantial and there is no doubt in my mind that the minister has been remiss in not advising members of the Assembly and the public of these proposed changes. He has said, and I remind honourable members of it, that there is nothing that the Health Department can do to prevent private people coming to the Territory. In fact, there is plenty of evidence, and I have letters before me to demonstrate this, that the Health Department has been negotiating with private pathologists. I have a letter here from Gribbles Pathology Service, for example, indicating that negotiations have been taking place. This letter is dated February 1982 and it indicates that negotiations were taking place even earlier than that.

There has been one constant refrain in any responses the minister made on health reorganisation in the last 12 months: as a result of the financial situation now prevailing, all aspects of health services are being reviewed and reorganisation will follow. The minister said that only the other day in relation to Aboriginal health worker training schemes, community health services, moving sections of the Department of Health from one office building to another in Darwin, and so forth. I would like, in closing, to refer the honourable minister to the words of Gaius Petronius in AD66: 'We trained hard, but it seemed that, every time we were beginning to form up into teams, we would be reorganised. I was to learn later in life that we tend to meet any new situation by reorganising and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency and demoralisation'. Mr Speaker, I suggest that, unfortunately, that is the situation in the Department of Health at the moment.

I regret that on such an auspicious occasion as this, the last sitting day of our esteemed Clerk, Mr Thompson, that I have felt duty compelling me to indulge in this exercise. However, I would like also to add my thanks to Mr Thompson for his very great assistance over the last few years, while I have been a member, and of course for very many years prior to that in this Assembly and the Legislative Council. The Chief Minister said that the Clerk had been particularly helpful to his government when it came in as a very new

government - a 'raw' government I think was the term he used. I can recall that that was our situation in 1977, Mr Speaker, when we came in as a raw opposition. The first official opposition in this Legislative Assembly was comprised entirely of new members. That was a difficult circumstance for us and the Clerk was helpful to us then, in his efficient way, as obviously he has been to all members of this Assembly. I would like to thank him very much for it and wish him a very happy retirement in Fannie Bay.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I must rise to comment on some of the points that the honourable member for Fannie Bay has raised. Again, Mr Speaker, I think the honourable member is embarking on the tack of: 'If you say enough and create enough confusion, you must confuse some of the people some of the time'. The honourable member touched on several points and I will refer to them quickly as they come to mind. So far as pathology is concerned, if a medical sector of the Northern Territory is able to get a pathology service that is superior to ours - and the town to which I refer and which the honourable member did not nominate is Alice Springs - then I think we are duty bound to try to see what it is that the other people are doing so well that we are not able to match. Really, that is what the exercise is all about. It is not a challenge to established institutions and the orders of the day, as they are known in the system. We are not trying to up-end them just for the sake of up-ending them. The challenge is really to see whether we are as good as we should be and, if we are not, how we can improve.

Mr Speaker, the honourable member referred to pharmacy services. I have said this before in the Assembly and I will say it again: I do not regard the Department of Health as the only and the best organisation in the Northern Territory to deliver health care. In the community, there are many resources that we could probably put to very good use if we went about it in a constructive way. The program that the department has of calling for tenders and expressions of interest is a perfectly reasonable way of finding out what is in the community that we can harness as a resource to help ourselves. Mr Speaker, the honourable member mentioned the introduction of pharmaceutical companies into the Northern Territory. I think the introduction of a pharmaceutical company into the Northern Territory would be a fantastic thing for the Territory. To start with, we could get out of the business of warehousing and buy our drugs from the warehouse the way we buy our bread, our flour, our toilet paper and everything else that we need.

I will be the first to admit that we run a pretty substantial warehousing organisation. It is a historic thing in many ways because, in the early days, there was no other way of making sure the goods were in stock. The other day Dr Don Anderson, our senior dentist, said to me: 'In the early days, we used to buy half a ton of plaster before every Wet so that we could be sure we could fill people's teeth during the 6 months of the Wet'. Today the situation is very different. There is no need for that sort of approach. I do not say this in a destructive or a critical manner at all but many of the things that we are doing and which are being done in a constructive way are to provide a better service for the people so that we can devote our best resources to the care of the ill.

Mr Speaker, I think it is pretty unreasonable of the honourable member to make sweeping statements about the deterioration in services etc. If she has a problem with a specific service that has deteriorated or is being done differently to the disadvantage of people, I would be happy to take that matter up and try to have it rectified. But I do not think that broad, sweeping statements and innuendo suggesting that the department is performing worse than it did some time ago are fair, reasonable or the truth.

Mr ROBERTSON (Education): Mr Speaker, in the years I have known Mr Thompson, I cannot say he has led me astray once. I suppose, even on his

last day, he is allowed to blot the copy book. He has certainly done that now. I suspect, Sir, that it is probably in collaboration with you and the honourable Minister for Transport and Works. Sir, I have very carefully abstained from the demon alcohol all day. You see, Sir, you and I were supposed to be flying to Katherine tonight in the Cessna 210 which I have up at the moment. What happened? The Clerk decides to leave us and the honourable Minister for Transport and Works says we have to have a drink with the Clerk. Well, Sir, I cannot think of any better way to thank you for all the assistance you have been. Indeed, I will break my abstinence. I will abandon my flight to Katherine and drink to your health and happiness.

Mr SPEAKER: Honourable members, Mr Clerk Thompson starts his retirement in one month. However, this will be his last attendance in the Assembly. This Assembly has been well served by Mr Thompson. He took over as Clerk from Mr Fred Walker and has been the greatest assistance to me and, in fact, to all honourable members at all times. I remember that,5 years ago, the opposition was convinced the Clerk and the Legislative Assembly staff was part of the government and they acted accordingly. Since then, the members of the opposition have realised that the Clerk and his staff are there for the efficient running of the Assembly and for consultation by all honourable members on matters to do with procedures and with legislation generally and have come to trust the Clerk and his staff with the same trust as the government members exhibit. Mr Thompson has furnished me with good advice which I have not always accepted and has devoted himself to the service of all members in the highest traditions of parliamentary Clerks. Honourable members, having said that, I have said it all. I wish him and his family well.

Motion agreed to; the Assembly adjourned.

STATEMENTS

TABLED PAPERS