

### **PART III**

### **THE MINUTES OF PROCEEDINGS**

**MINUTES OF PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY**

No. 10

Tuesday 11 November 1986

- 
1. The Assembly met at 10.00 a.m., pursuant to resolution. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.
  2. KAKADU NATIONAL PARK STAGE TWO, PROPOSED WORLD HERITAGE LISTING - MOTION: Mr Hatton (Chief Minister), by leave, moved - That -
    - (1) this Assembly, being of the view that Stage Two of Kakadu National Park does not meet the stringent criteria adopted by UNESCO for the inscription of areas on the World Heritage List, unanimously:
      - (a) condemns the Commonwealth Government's efforts to secure World Heritage listing of Stage Two of Kakadu National Park;
      - (b) calls on the Commonwealth Government to withdraw immediately its nomination to the World Heritage Committee; and
      - (c) calls on the Commonwealth Government to adhere to the consultation provisions of the Resolution of the 1984 meeting of Commonwealth, State and Territory Conservation Ministers on World Heritage Convention Procedures;
    - (2) this Assembly is further of the view that the mineral wealth of the Gimbat and Goodparla pastoral leases is a significant Australian national asset;
    - (3) this Assembly therefore strongly supports the Commonwealth Government's announced intention to permit exploration and mining on the Gimbat and Goodparla pastoral leases and calls on the Commonwealth to ensure that the whole of these leases are open to exploration immediately; and
    - (4) the terms of this resolution be transmitted to the prime Minister forthwith.

Debate ensued.

Mr B. Collins (Arafura) moved the following amendment - Omit all words after "That", and insert in their stead -

"all consideration by this Assembly of matters relating to the listing of Stage Two of Kakadu National Park on the World Heritage List be postponed until -

- (1) the Minister for Conservation tables in the Assembly:

- (a) the UNESCO documents detailing the stringent criteria for World Heritage Listing;
  - (b) a detailed brief relating to the presence or otherwise of these criteria in Stage Two of the Park; and
  - (c) the submission, together with attached documents, including videos, which it is intended to present to UNESCO in opposition to the listing of Stage Two of the Park on the World Heritage Listing; and
- (2) all Members of this Assembly have undertaken detailed inspections of Stage Two of the Park."

Debate ensued.

**Remembrance Day:** The Speaker, at 11.00 a.m., invited Honourable Members to join him in observing two minutes silence in remembrance of those who had fallen in the defence of their country.

All Members present thereupon rose and stood in silence.

Debate resumed.

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**Suspension of sitting:** The sitting was suspended between 11.53 a.m. and 2.00 p.m.

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Debate resumed.

Question - That the amendment moved by Mr B. Collins be agreed to - put.  
The Assembly divided (The Speaker, Hon. R.W.S. Vale, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 19

Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth  
Mr Vale

Amendment negatived accordingly.

Mr Hanrahan (Leader of Government Business) moved the following amendment -

Omit from paragraph (1) the word "unanimously".

Question - that the word proposed to be omitted, be omitted - put and passed.

Amendment agreed to.

Motion, as amended, agreed to.

3. PETITIONS:

Mr Smith (Millner) presented a petition from 174 citizens of the Northern Territory relating to the exclusion of mineral exploration and mining operations in Territory parks and reserves.

**Petition read.**

Mr Smith (Millner) presented a further petition from 430 citizens of the Northern Territory relating to staffing levels at the Katherine Fire Station.

**Petition read.**

Mr Smith (Millner) presented a further petition from 86 citizens of the Northern Territory relating to the sealing of Wells Creek Road.

**Petition read.**

4. NOTICES:

The following notices were given:

Mr Leo: To present the Northern Territory Heritage Bill 1986 (Serial 236).

Mr Ede: To move - That this Assembly -

(1) deplores the Government's failure to consult adequately with Aboriginal people before instituting major changes at Kormilda and Yirara Colleges; and

(2) calls upon the Government to uphold the traditional commitment of the Australia people to universal quality education.

Mr Smith: To present the Adoption of Children Amendment Bill 1986 (Serial 234).

Mr Smith: To move a motion to refer to the Public Accounts Committee the following matter - "All matters concerning the recent decision of the Northern Territory Government relating to the aero-medical contract, including:

(1) the adequacy of the tender documents;

(2) whether all relevant matters were considered in assessing the tender;

(3) whether proper procedures were followed in assessing the tenders;

(4) whether the Tender Board formed for the purpose was properly constituted;

(5) whether, in the determination of the contract, the Minister exercised sufficient care and responsibility; and

(6) whether any change in tender procedures is warranted."

Mr Smith: To move - That, in light of the successful introduction of Industrial Supplies Offices in a number of Australian States, this Assembly urges the Northern Territory Government to establish an Industrial Supplies Office in the Northern Territory.

Mr Dale: To present the Shire of Litchfield (Transitional Rating) Bill 1986 (Serial 229).

5. QUESTIONS:

Questions were asked of Ministers.

6. ADDRESS-IN-REPLY - MESSAGE FROM THE QUEEN - PAPER TABLED:

Mr Speaker laid on the Table a letter from the Official Secretary to His Honour the Administrator advising of receipt of the following message from the Deputy Private Secretary to Her Majesty The Queen:

"I am commanded by The Queen to ask you to convey her sincere thanks to the Speaker and Members of the Legislative Assembly of the Northern Territory, for their kind message of loyal greetings, which Her Majesty received with much pleasure.

Robert Fellows"

7. AUDITOR-GENERAL'S REPORT, 1985-86 - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:

Mr Speaker laid on the Table the Annual Report of the Auditor-General for the year ended 30 June 1986.

Mr Coulter (Treasurer) moved - That the report be printed.

Question - put and passed.

Mr Coulter moved - That the Assembly take note of the paper.

Ordered - That the debate be adjourned until a later hour and that Mr Coulter have leave to continue his remarks on resumption of debate.

8. NEW PARLIAMENT HOUSE COMMITTEE, REPORT - PAPER TABLED - ORDER TO PRINT - MOTION TO ADOPT REPORT:

Mr Speaker laid on the Table the Report of the New Parliament House Committee on the proposal for Interim Accommodation for the Legislative Assembly in the new TIO Building.

Mr Finch (Wagaman) moved - That the report be printed.

Question - put and passed.

Mr Finch moved - That the report be adopted.

Ordered - That the debate be adjourned until a later hour and Mr Finch have leave to continue his remarks on resumption of debate.

9. ELECTORAL DISTRIBUTION, REPORT OF DISTRIBUTION COMMITTEE, NOVEMBER 1986 - PAPER TABLED - MOTION TO APPROVE:

Mr Hatton (Chief Minister) laid on the Table the Report of the Distribution Committee on the redistribution of Territory electoral divisions, Volumes 1 and 2.

Mr Hatton, by leave, moved - That the Assembly resolve in terms of section 18(1) of the *Electoral Act* that the distribution of the Territory into electoral divisions, as proposed in the 1986 Report of the Distribution Committee, be approved.

Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.

10. TERRITORY INSURANCE OFFICE ANNUAL REPORT, 1985-86 - CORRECTION - MINISTERIAL STATEMENT:

Mr Hanrahan (Minister for Business, Technology and Communications) made a statement correcting certain information contained in his remarks relating to the TIO Report of the 28 August 1986.

11. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - CARE OF DISABLED CITIZENS:

Mr Speaker informed the Assembly that Mr Leo (Nhulunbuy) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of this Government to provide adequate care for the physically disabled and intellectually impaired citizens of the Northern Territory".

**The proposed discussion having received the necessary support -**

Mr Leo addressed the Assembly.

Discussion ensued.

Discussion concluded.

12. APPROPRIATION BILL 1986-87 (Serial 218):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Mr Hanrahan (Leader of Government Business) moved - That the Committee stages be later taken.

Question - put and passed.

13. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 11.52 p.m. adjourned until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 11 November 1986:

**Annual Reports:**

Department of the Legislative Assembly, 1985-86

Department of Ports and Fisheries, 1985-86

**Financial Statements:**

Conservation Commission of the Northern Territory, 1984-85

**Recommendation under S.103 of Crown Lands Act:**

Revocation of Reserve No 1056 - Town of Darwin

**Regulations 1986:**

No. 30, Cobourg Peninsula Aboriginal Land and Sanctuary (Entry and Camping) By-laws

No. 32, Amendments of Motor Vehicles (Fees and Charges) Regulations

No. 33, Amendments of the Motor Vehicles (Registration Labels and Miscellaneous) Regulations

No. 34, Amendment of the Motor Vehicle (Hire Car) Regulations

No. 35, Amendment of the Legal Practitioners Regulations

- No. 36, Superannuation Regulations
- No. 37, Amendments of the Motor Accidents (Compensation) Rates of Benefits Regulations
- No. 38, Amendments of the Palmerston (Traffic) By-Laws
- No. 39, Local Government (Electoral) Regulations
- No. 40, The Darwin (Parking) By-laws
- No. 41, Amendment of the Mall By-laws
- No. 42, Credit Unions (Amalgamation and Transfer of Engagements) Regulations
- No. 43, Amendment of the Treasury Regulations
- No. 44, Marine (Sheltered Waters) Regulations
- No. 45, Amendments of the Lands Acquisition Regulations

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ATTENDANCE:

All Members attended the sitting.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 11

Wednesday 12 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.

2. MESSAGE FROM THE ADMINISTRATOR:

Mr Speaker read the following message from His Honour the Administrator:

Message No. 11

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, recommend to the Legislative Assembly a Bill for an Act to promote occupational health and safety in the Territory to prevent industrial injuries and disease, to promote the rehabilitation and maximum recovery from incapacity of injured workers, to provide financial compensation to workers incapacitated from industrial injuries or diseases and to the dependants of workers who die as the results of such injuries or diseases, to establish certain bodies and a fund for the proper administration of the Act, and for related purposes.

Dated this 11 day of November, 1986.

(Sgd) E.E. JOHNSTON  
Administrator

3. NOTICES:

The following notice was given:

Mr Hatton: To present the Work Health Bill (No. 2) 1986 (Serial 232).

4. PETITION:

Mr Ede (Stuart) presented a petition from 775 citizens of the Northern Territory relating to the educational programme and facilities at Yirara College.

**Petition read.**

5. QUESTIONS:

Questions without notice were asked.

Mr Smith having asked a question -

**Point of Order:** Mr Hanrahan (Leader of Government Business) raised a point of order to the effect that the question asked by Mr Smith (Leader of the Opposition) raised matters which were *sub judice* and should not be asked.

Discussion ensued.

**Ruling of Speaker:** Mr Speaker ruled - That as the matter was before the Courts the question was not in order.

**Dissent from Speaker's ruling:** Mr B. Collins moved dissent from Mr Speaker's ruling.

Mr Smith seconded the motion.

Debate ensued.

Question - put.



The Assembly divided (the Speaker, Hon. R.W.S Vale, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 18

Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth

And so it was resolved in the negative.  
Further questions were asked of Ministers.

6. CYANIDE SPILL, BARROW CREEK - MINISTERIAL STATEMENT - PAPER TABLED -  
MOTION TO NOTE STATEMENT:

Mr Coulter (Minister for Mines and Energy) made a statement relating to the circumstances that led to a spillage of cyanide south of Barrow Creek and its subsequent recovery.

**Paper tabled:** Mr Coulter tabled the following paper -

° Cyanide Transport Spill 9 October 1986 Stuart Highway, South of Barrow Creek, T.R. McKay, Chief Inspector of Dangerous Goods, 10 October 1986.

Mr Coulter moved - That the Assembly take note of the statement.  
Debate ensued.

**Extension of time:** Mr Leo (Nhulunbuy) moved - That an extension of time be granted to Mr Ede.

Question - put and passed.

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**Suspension of sitting:** The sitting was suspended between 11.58 a.m. and 2.00 p.m.

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Debate resumed.

Debate adjourned (Mr D.W. Collins) and the resumption of the debate made an order of the day for a later hour.

7. INTERNATIONAL YEAR OF PEACE - MOTION:

Mr Bell (MacDonnell), pursuant to notice, moved - That this Assembly will -

(1) do all in its power to further the aims of the International Year of Peace;

- (2) work wherever possible for balanced nuclear disarmament; and
- (3) critically assess the role of the Territory and Federal governments in any programmes or activities which might work against such objectives.

Debate ensued.

Mr D.W. Collins (Sadadeen) moved the following amendment -

Omit paragraph 3.

Debate ensued.

**Personal explanation:** Mr D.W. Collins (Sadadeen) made a personal explanation in relation to remarks attributed to him by Mr Bell earlier in this debate.

Question - That the words proposed to be omitted, be omitted - put.

The Assembly divided (the Speaker, Hon. R.W.S Vale, in the Chair) -

AYES, 18

NOES, 6

Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Tuxworth  
Mr Vale

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

And so it was resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

8. NOTICE:

The following further notice was given, by leave:

Mr Coulter: To present the Mineral Royalty Amendment Bill 1986 (Serial 237).

9. STANDING ORDERS COMMITTEE - REFERRAL OF *SUB JUDICE* MATTERS - MOTION:

Mr B. Collins (Arafura), pursuant to notice, moved - That, in view of the raising of a matter of litigation between two Members of this Assembly on 27 August 1986 by the Honourable Member for Barkly who is the plaintiff in the action, and the statements made by the Honourable Member on the issues of the case and its potential outcome, there be referred to the Standing Orders Committee the following matter:

The question of the appropriateness or otherwise of raising matters which are *sub judice* in debate in the Legislative Assembly.

Debate ensued.

Mr Hanrahan (Leader of Government Business) moved as an amendment -

Omit all words after 'That', and insert in their stead:

"this Assembly is of the opinion that the practice relating to *sub judice* matters should not be varied and that the Speaker, or the Chairman when in the Chair of a Committee of the Whole, should continue to consider each such matter on its merits when it may arise and then give a ruling thereon."

Debate ensued.

Question - That the amendment be agreed to - put and passed.

Question - That the motion as amended be agreed to - put and passed.

10. NORTHERN TERRITORY HERITAGE BILL 1986 (Serial 236):

Mr Leo (Nhulunbuy), pursuant to notice, presented a Bill for an Act to establish a Northern Territory Heritage Council, and for related purposes. Bill read a first time.

Mr Leo moved - That the Bill be now read a second time.

Debate adjourned (Mr Dale) and the resumption of the debate made an order of the day for a later hour.

11. KORMILDA AND YIRARA COLLEGES - MOTION NEGATIVED:

Mr Ede (Stuart), pursuant to notice, moved - That this Assembly -

(1) deplores the government's failure to consult adequately with Aboriginal people before instituting major changes at Kormilda and Yirara Colleges; and

(2) calls upon the government to uphold the traditional commitment of the Australian people to universal quality education.

Debate ensued.

Question - put and negatived.

12. ADOPTION OF CHILDREN AMENDMENT BILL (No.2) 1986 (Serial 234):

Mr Smith (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to amend the *Adoption of Children Act*.

Bill read a first time.

Mr Smith moved - That the Bill be now read a second time.

Debate adjourned (Mr Dale) and the resumption of the debate made an order of the day for a later hour.

13. PUBLIC ACCOUNTS COMMITTEE - REFERENCE - MOTION:

Mr Smith (Leader of the Opposition), pursuant to notice, moved - That the following matter be referred to the Public Accounts Committee:

"All matters concerning the recent decision of the Northern Territory government relating to the aero-medical contract including:

(1) the adequacy of the tender documents;

(2) whether all relevant matters were considered in assessing the tender;

- (3) whether proper procedures were followed in assessing the tenders;
- (4) whether the Tender Board formed for the purpose was properly constituted;
- (5) whether, in the determination of the contract, the Minister exercised sufficient care and responsibility; and
- (6) whether any change in tender procedures is warranted."

Mr Smith, by leave, amended the motion as follows -

Paragraph (2): Omit "tender", insert "tenders".

Mr Hanrahan (Leader of Government Business) moved the following amendment -

Omit paragraphs (5) and (6) and insert in their stead:

"(5) this matter shall not be considered by the Committee until such time as all litigation relating to the matter has been completed."

Question - That the amendment be agreed to - put and passed.

Question - That the motion as amended be agreed to - put and passed.

14. NOTICE WITHDRAWN - INDUSTRIAL SUPPLIES OFFICE:

Mr Smith (Leader of the Opposition), withdrew General Business, Notice No. 7 and by leave made statement relating thereto.

15. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Question - put and passed.

And then the Assembly at 7.16 p.m. adjourned until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 12 November 1986:

**Annual Report:**

Department of Education 1985

**Casino Licensing and Control Act:**

Agreement 17 September 1986.

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ATTENDANCE:

All Members attended the sitting.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 12

Thursday 13 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.
2. NOTICE:  
The following notice was given:  
Mr Dondas: To present the Building Amendment Bill 1986 (Serial 205).
3. QUESTIONS:  
Questions were asked of Ministers.
4. DISCHARGE OF GOVERNMENT BUSINESS - ORDER OF THE DAY:  
Mr Hatton (Chief Minister), by leave, moved - That Government Business, Order of the Day No. 12, Work Health Bill 1986 (Serial 203) be discharged from the Notice Paper.  
Question - put and passed.
5. ALTERATION OF ORDER OF BUSINESS:  
Mr Hanrahan (Leader of Government Business) moved - That Government Business, Notice No. 2, Work Health Bill (No. 2) 1986, be called on forthwith and immediately thereafter, the Assembly consider Government Business, Order of the Day No. 1, relating to the Appropriation Bill 1986-87 (Serial 218).  
Question - put and passed.
6. WORK HEALTH BILL (No. 2) 1986 (Serial 232):  
Mr Hatton (Chief Minister), pursuant to notice, presented a Bill for an Act to promote occupational health and safety in the Territory to prevent industrial injuries and diseases, to promote the rehabilitation and maximum recovery from incapacity of injured workers, to provide financial compensation to workers incapacitated from industrial injuries or diseases and to the dependants of workers who die as the result of such injuries or diseases, to establish certain bodies and a fund for the proper administration of the Act, and for related purposes.  
Bill read a first time.  
Mr Hatton moved - That the Bill be now read a second time.  
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
7. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:  
Mr Hatton (Chief Minister) moved - That so much of Standing Orders be suspended as would prevent the Work Health Bill (No. 2) 1986 (Serial 232) passing through all stages at these sittings.  
Question - put and passed - their being an absolute majority of the whole number of Members present and no dissentient voice.
8. APPROPRIATION BILL 1986-87 (Serial 218):  
The order of the day having been read for the consideration of the Bill in the Committee of the Whole Assembly -  
The Assembly resolved itself into Committee of the Whole

**In the Committee**  
(Chairman - Mr Finch)

**Schedule -**

Appropriation for Division 5 agreed to.  
Appropriation for Division 6 agreed to, after debate.  
Appropriation for Division 7 agreed to, after debate.  
Appropriation for Division 23 agreed to.  
Appropriation for Division 89 agreed to.  
Appropriation for Division 90 agreed to.

**Postponement:** Mr Hanrahan (Leader of Government Business), moved - That the Chairman report progress and sought leave to sit again.  
Question - put and passed.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

9. ALICE SPRINGS TO DARWIN RAILWAY FEASIBILITY STUDY, SEPTEMBER 1986 - PAPER TABLED - MOTION TO NOTE PAPER:  
Mr Hatton (Chief Minister) laid on the Table the Alice Springs to Darwin Railway feasibility study, September 1986.  
Mr Hatton moved - That the Assembly take note of the paper.  
Debate ensued.

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**Suspension of Sitting:** The sitting was suspended between 11.57 a.m. and 2.00 p.m.

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Debate resumed.

Debate adjourned (Mr Finch) and the resumption of the debate made an order of the day for a later hour.

10. PUBLICATIONS COMMITTEE, SECOND REPORT - PAPER TABLED - REPORT ADOPTED:  
Mr Setter (Jingili) laid on the Table the Second Report of the Publications Committee recommending that the following papers be printed -

Angurugu Community Government Council - Annual Report 1984-85

ANZ Executors and Trustee Company Limited - Annual Report, for the year ended 30 September 1986

Australian Bicentennial Authority - Annual Report 1984-85

Commentary on Martin Report by Dr A.C. Scott, Chief Forensic Biologist, Forensic Science Centre, Adelaide

Community Development (Department of) - Annual Report 1984-85

Conservation Commission of the Northern Territory - Sixth Annual Report 1984-85

Darwin Institute of Technology - Annual Report 1984-85

Elder's Trustee and Executor Company Limited - Annual Report 1984-85

Electrical Workers and Contractors Licensing Board - Second Annual Report 1984-85

Executor Trustee and Agency Company of South Australia Limited - Annual Report 1984-85

Gove District Hospital Management Board - Annual Report 1984-85

Government Printing Office - Financial Statements 1984-85

Jabiru Town Development Authority - Annual Report 1984-85

Juvenile Crime Report, Alice Springs 1985

Katherine Hospital Management Board - Annual Report 1984-85

Lajamanu Community Government Council - Financial Statements 1984-85

Lands (Department of) - Annual Report 1984-85

Legislative Assembly Members' Superannuation Trust, 30 June 1985 - Financial Statements and Auditor-General's Report

Milikapiti Community Government Council - Financial Statements - Year ended 30 June 1985

Museums and Art Galleries - Annual Report 1984-85

National Crime Authority - Annual Report 1984-85

National Trust of Australia (Northern Territory) Council - Annual Report 1984-85

Northern Territory Electricity Commission - Annual Report 1984-85

Northern Territory Housing Commission - Annual Report 1984-85

Northern Territory Liquor Commission - Annual Report 1984-85

Northern Territory Plumbers and Drainers Licensing Board - Annual Report 1985

Northern Territory Racing and Gaming Commission - Sixth Annual Report 1984-85

Northern Territory Tourist Commission - Annual Report 1984-85

Northern Territory Tourist Commission - Operations Division - Annual Report 1983-84

Northern Territory Treasury - Annual Report 1984-85

Parole Board - Annual Report 1985

Police Force of the Northern Territory, Northern Territory Emergency Service, Fire Service of the Northern Territory - Annual Report 1984-85

Ports and Fisheries (Department of) - First Annual Report for period 21 December 1984 to 30 June 1985

Publications Classification Board - Annual Report 1985

Public Service Commissioner for the Northern Territory - Annual Report 1984-85

Pularumpi Community Government Council - Financial Statements - 30 June 1985

Road Safety Council of the Northern Territory - Annual Report 1984-85

Royal Darwin Hospital Management Board - Annual Report 1984-85

Tennant Creek Hospital Management Board - Annual Report 1984-85

Transformation and Tradition - Report by Professor D. Turner

Uranium Mining (Environment Control) Act - Seventh Annual Report 1985

Youth, Sport, Recreation and Ethnic Affairs (Department of) - Annual Report 1984-85

Youth, Sport, Recreation and Ethnic Affairs (Department of) - Replacement pages for Annual Report 1984-85

Mr Setter moved - That the report be adopted.

Question - put and passed.

11. SHIRE OF LITCHFIELD (TRANSITIONAL RATING) BILL 1986 (Serial 229):

Mr Dale (Minister for Community Development), pursuant to notice, presented a Bill for an Act to make provisions relating to the declaration of rates by the council of The Shire of Litchfield for the financial years 1986-87, 1987-88 and 1988-89, and for related purposes.

Bill read a first time.

Mr Dale moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

12. MINERAL ROYALTY AMENDMENT BILL 1986 (Serial 237):

Mr Coulter (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Mineral Royalty Act*.

Bill read a first time.

Mr Coulter moved - That the Bill be now read a second time.

**Paper tabled:** Mr Coulter laid on the Table the following paper:

- ° Information Paper - Northern Territory Government Proposals to amend The Mineral Royalty Act - Mines Division, Department of Mines and Energy, June 1986

Debate adjourned (Mr Ede) and the resumption of the debate made an order of the day for a later hour.



13. PRIVILEGES COMMITTEE - REFERENCE - MOTION:

Mr Hanrahan (Leader of Government Business), by leave, moved - That -

- (1) the *Legislative Assembly (Powers and Privileges) Act* be referred to the Committee of Privileges for inquiry and report on any amendments the Committee may consider necessary to recommend to the Assembly;
- (2) for the purpose of the inquiry, the Committee have power to send for persons, papers and records and to move from place to place;
- (3) the Committee shall have leave to make interim reports to the Assembly on any matter which it deems to be of an urgent nature; and
- (4) unless otherwise ordered, the Committee report to the Assembly no later than the first sitting day in August 1987.

Debate ensued.

Question - put and passed.

14. APPROPRIATION BILL 1985-86 (Serial 218):

The order of the day having been read for the further consideration of the Bill in the Committee of the Whole Assembly -

The Assembly resolved itself into Committee of the Whole.

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In the Committee  
(Chairman - Mr Finch)

Schedule 1 continued -

Appropriation for Division 13 agreed to, after debate.  
Appropriation for Division 14 agreed to.  
Appropriation for Division 15 agreed to, after debate.  
Appropriation for Division 34 agreed to, after debate.  
Appropriation for Division 35 agreed to, after debate.  
Appropriation for Division 36 agreed to.  
Appropriation for Division 59 agreed to, after debate.  
Appropriation for Division 77 agreed to, after debate.  
Appropriation for Division 78 agreed to, after debate.  
Appropriation for Division 65 agreed to, after debate.  
Appropriation for Division 66 agreed to.  
Appropriation for Division 29 agreed to.  
Appropriation for Division 51 agreed to, after debate.  
Appropriation for Division 53 agreed to, after debate.  
Appropriation for Division 54 agreed to, after debate.  
Appropriation for Division 55 agreed to.  
Appropriation for Division 21 agreed to, after debate.  
Appropriation for Division 20 agreed to.  
Appropriation for Division 22 agreed to.  
Appropriation for Division 25 agreed to, after debate.  
Appropriation for Division 41 agreed to.  
Appropriation for Division 24 agreed to.  
Appropriation for Division 60 agreed to, after debate.  
Appropriation for Division 88 agreed to, after debate.  
Appropriation for Division 91 agreed to.

Appropriation for Division 96 agreed to.  
Appropriation for Division 46 agreed to.  
Appropriation for Division 71 agreed to.  
Appropriation for Division 72 agreed to.  
Appropriation for Division 83 agreed to, after debate.

Remainder of Bill, by leave, taken as a whole and agreed.  
Bill to be reported without amendment.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

Mr Coulter (Treasurer) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

The Bill was read a third time and passed to be a proposed law.

15. ALTERATION OF ORDER OF BUSINESS:

Mr Hanrahan (Leader of Government Business) moved - That Government Business, Order of the Day No. 2, Report of the Electoral Distribution Committee, November 1986, be postponed.

Question - put and passed.

16. TAXATION (ADMINISTRATION) AMENDMENT BILL 1986 (Serial 206):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Coulter (Treasurer) the Bill was read a third time and passed to be a proposed law.

17. PAY-ROLL TAX AMENDMENT BILL 1986 (Serial 207):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Coulter (Treasurer) the Bill was read a third time and passed to be a proposed law.

18. COAL AMENDMENT BILL 1986 (Serial 225):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into a Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Bill, by leave, taken as a whole.

On the motion of Mr Coulter (Treasurer) the following amendment was made, after debate -

Clause 2 -

Omit all words after "of such material" and insert in their stead the following:

"and includes peat, lignite, bituminous coal and anthracite and all gradations between them but does not include petroleum within the meaning of the *Petroleum Act*";".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Coulter the Bill was read a third time and passed to be a proposed law.

19. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

**Paper tabled:** Mr Ede (Stuart), by leave, laid on the Table a petition (not conforming with Standing Orders) relating to ABC broadcasting of major sporting events.

Debate resumed.

Question - put and passed.

And then the Assembly at 10.17 p.m. adjourned until Tuesday 18 November 1986 at 10.00 a.m.

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ATTENDANCE:

All members attended the sitting.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 13

Tuesday 18 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.
2. PETITIONS:  
Mr Smith presented a petition from 1315 citizens of the Northern Territory relating to the building of a public swimming pool at Palmerston.  
**Petition read.**  
Mr Harris presented a petition from 234 citizens of the Northern Territory relating to smoking in the work place.  
**Petition read.**
3. NOTICES:  
The following notices were given:  
Mr Hanrahan: To present the Motor Accidents (Compensation) Amendment Bill (No. 2) 1986 (Serial 241).  
Mr Dondas: To present the Traffic Amendment Bill (No. 2) 1986 (Serial 240) and the Crown Lands Amendment Bill 1986 (Serial 231).  
Mr Dale: To present the Araluen Arts and Cultural Trust Act Repeal Bill 1986 (Serial 246) and the Criminal Law (Conditional Release of Offenders) Amendment Bill 1986 (Serial 242).  
Mr Manzie: To present the Totalizator Administration and Betting Amendment Bill (No. 2) 1986 (Serial 233), the Stamp Duty Amendment Bill (No. 3) 1986 (Serial 245), the Credit Unions Amendment Bill (No. 2) 1986 (Serial 244), the Trespass Bill 1986 (Serial 239), the Summary Offences Amendment Bill 1986 (Serial 228), and the Companies (Application of Laws) Amendment Bill 1986 (Serial 247).
4. QUESTIONS:  
Questions were asked of Ministers.
5. PERSONAL EXPLANATION:  
Mr B. Collins made a personal explanation relating to remarks attributed to him during question time by the Chief Minister.  
Mr Hatton (Chief Minister), by leave, made a statement relating thereto.
6. APPROPRIATION BILL 1986-87 (Serial 218) - MINISTERIAL STATEMENT - CORRECTION OF STATEMENT:  
Mr Dondas (Minister for Transport and Works), by leave, made a statement correcting an answer given during committee stages of the Appropriation Bill 1986-87 (Serial 218)
7. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - FUNDS TO LOCAL GOVERNMENT COUNCILS:  
Mr Speaker informed the Assembly that Mr Leo (Nhulunbuy) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of the Government to establish a rational means of distributing funds to Local and Community Governments".  
**The proposed discussion having received the necessary support -**  
Mr Leo addressed the Assembly.  
Discussion ensued.  
Discussion concluded.

**Suspension of sitting:** The sitting was suspended between 12.08 and 2.00 p.m.

8. WARRANT, DEPUTY CHAIRMAN OF COMMITTEES - REVOCATION OF PREVIOUS NOMINATION - PAPER TABLED:

Mr Speaker laid on the Table the following warrant:

WARRANT

Pursuant to provisions of Standing Order 12, I hereby revoke the nomination of Mrs Padgham-Purich as a Deputy Chairman of Committees and nominate Mr Poole to act as Deputy Chairman of Committees when requested so to do by the Chairman of Committees.

Given under my hand this 18th day of November 1986

(Sgd) R.W.S. Vale  
Speaker

9. BUILDING AMENDMENT BILL 1986 (Serial 205):

Mr Dondas (Minister for Transport and Works), pursuant to notice, presented Bill for an Act to amend the *Building Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Bell) and the resumption of the debate made an order of the day for a later hour.

10. TERRITORY INSURANCE OFFICE AMENDMENT BILL 1986 (Serial 220):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Debate adjourned (Mr Perron) and the resumption of the debate made an order of the day for a later hour.

11. LEAVE OF ABSENCE:

Mr Firmin (Ludmilla) moved - That the Deputy Chief Minister be granted leave of absence for the remainder of this period of sittings to attend to government business overseas.

Question - put and passed.

12. REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES AMENDMENT BILL 1986 (Serial 200):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Clauses 1 to 6, by leave, taken together and agreed to.

Clause 7 -

On the motion of Mr Manzie (Attorney-General) the following amendment was made -

Omit from proposed section 8(6) "Registrar of Births for the Territory" and insert in its stead "Register of Births for the Territory".

Clause, as amended, agreed to.

Clauses 8 to 27, by leave, taken together and agreed to.

Clause 28 -

On the motion of Mr Manzie the following amendment was made -

Insert in clause 28(b) "made" before "or".

Clause, as amended, agreed to.

Clause 29 -

On the motion of Mr Manzie the following amendment was made -

Insert in clause 29(b) "cancelled" before "or".

Clause, as amended, agreed to.

Clauses 30 and 31, by leave, taken together and agreed to.

New clause -

On the motion of Mr Manzie the following new clause was inserted in the Bill -

#### "31A. REPEAL OF CERTAIN SCHEDULES

"Schedules 2, 3, 4 and 5 of the Principal Act are repealed."

Clause 32 agreed to.

Schedule -

On the motion of Mr Manzie, by leave, the following amendments were taken together and agreed to -

Omit from provision "Section 15(2)(b) and (c)" the words "and (c)".

Insert after provision "Section 15(2)(b)" (as amended) the following:

"Section 15(2)(c) ... the whole subsection".

Omit from provision "Section 36" the words "District" (twice occurring), and insert in their stead the following:

"'District Registrar for the District in which the person died by transmitting to the District Registrar' ... 'Registrar by transmitting to the Registrar'".

Omit the provision relating to Section 47(3)(a).

Insert after provision "Section 50(6)" the following:

"Section 50(7) ... the whole subsection".

Omit from provision "Section 58(1)" the word "twice" and insert in its stead "wherever".

Schedule, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Manzie the Bill was read a third time and passed to be a proposed law.

13. NATIONAL TRUST (NORTHERN TERRITORY) AMENDMENT BILL 1986 (Serial 217):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Manzie (Attorney-General) the Bill was read a third time and passed to be a proposed law.

14. STATUE LAW REVISION BILL 1986 (Serial 216):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Clause 1 agreed to.

New clause -

On the motion of Mr Manzie (Attorney-General) the following new clause was inserted in the Bill -

"1A. MEANING OF 'BANK'

"(1) Section 19 of the *Interpretation Act* is amended by inserting before the definition of 'calendar year' the following:

"'bank' means a bank carrying on business under the authority of an Act of the Commonwealth, or a State of the Commonwealth, or of a law of the Territory;".

"(2) The following provisions are amended by omitting from each the definition of 'bank':

(a) section 5 of the *Credit Unions Act*;

(b) section 3 of the *Financial Administration and Audit Act*;

(c) section 5(1) of the *Land and Business Agents Act*; and

(d) section 5 of the *Public Trustee Act*.

"(3) The *Co-operative Trading Societies (Loans Guarantee) Act* is amended by omitting from section 3 the definitions of 'bank' and 'trading bank'.

"(4) The *Building Societies Act* is amended -

(a) by omitting section 38(3) and substituting the following:

'(3) In subsection (2) and in section 43, "authorized bill of exchange" means a bill of exchange which is payable on demand or not more than 200 days from the day on which it is acquired by the building society and which, if bought for value by the building society, would give the building society as a holder in due course a right of recourse against a bank for an amount equal to the face value of the bill.'; and

(b) by omitting the definition of 'bank' from section 44(9)."

On the motion of Mr Manzie, the following further new clause was inserted in the Bill:

"1B. AMENDMENT OF *NORTHERN TERRITORY PRODUCTS SYMBOL ACT*

"The *Northern Territory Products Symbol Act* is amended -

(a) by omitting the definition of 'Corporation' from section 3(1);

(b) by omitting 'Corporation' from the definition of 'product' in section 3(1) and wherever else occurring and substituting 'Minister'; and

(c) by inserting after section 11 the following:

'11A. DELEGATION BY MINISTER

'(1) The Minister may, by instrument in writing, delegate to a person any of his powers and functions under this Act, other than this power of delegation.

'(2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Minister.

'(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Minister.'."

Clauses 2 to 4, by leave, taken together and agreed to.

Schedule 1 -

On the motion of Mr Manzie, by leave, the following amendments were taken together and agreed to -



Insert before the entry relating to the *Juvenile Justice Act* the following:

*"Advanced Education  
and Darwin Institute  
of Technology Act*

Section 10(5)	'Council' (first occurring)	'Council or a member'
	'Council' (second occurring)	'Council or a committee member'
Section 26(1)	'provided in the Bylaws'	'determined by the Council'
Section 38	'member' (first occurring)	'member of the Council or a committee'
	'member' (second occurring)	'member of the Council or committee'
Section 43(3)	'in such manner as provided for in the By-laws'	'by posting on a notice board adjacent to the entrance to the Institute's cafeteria a notice of the making of the Rules and of the place where copies of them may be obtained,'
Section 43(4)	the whole subsection	
Section 44	'the Director or his delegate'	'an officer of the institute or a body established in accordance with the By-laws'".

On the motion of Mr Manzie, by leave, the following further amendments were taken together and agreed to -

Insert before the entry relating to the *Juvenile Justice Act* the following:

*"Brands Act*

Section 4	the whole
- definition of 'fire brand'	definition
- definition of '3 letter brand'	'fire'".

On the motion of Mr Manzie, by leave, the following further amendments were taken together and agreed to -

Insert before the entry relating to the *Juvenile Justice Act* the following:

"*Energy Pipelines Act*

Section 3 - definition of 'Registrar'	'the Petroleum Registrar under the <i>Petroleum (Prospecting and Mining) Act</i> ;	'Registrar for the purposes of the <i>Petroleum Act</i> ;
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Section 12(2)(b)	'section 43'	'section 38'
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Section 13(2)(e)	'1967'	'1976'".
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Insert before the entry relating to the *Juvenile Justice Act* the following:

"*Health Practitioners and Allied Professionals Registration Act*

Section 38	'membership of'	'membership of a member association of'".
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Insert at the end of the entry relating to the *Motor Vehicles Act* the following:

"Section 107B(3)	'Subsections (2) and (3)'	'Subsections (1) and (2)
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Section 114 - second proviso	'application'	'applicant'".
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Insert after the entry relating to the *Motor Vehicles Act* the following:

<i>Pet Meat Act</i>	all words after 'this Act'	'or the Regulations shall be dealt with summarily, and proceedings for such an offence shall not be commenced without the consent in writing of the Chief Inspector.'".
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Insert after the entry relating to the *Petroleum (Submerged Lands) Act* the following:

"*Poisons and Dangerous Drugs Amendment Act 1985*

Section 19	'Containers for Hazardous Substances Act (no. 54 of 1974)'	'Containers for Hazardous Substances Act 1970 (No. 54 of 1970)''.
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Insert after the entry relating to the *Petroleum (Submerged Lands) Act* the following:

*'Superannuation  
Act*

Section 4(1)	'revenue'	'review''.
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Insert after the entry relating to the *Petroleum (Submerged Lands) Act* the following:

*"University College  
of the Northern  
Territory Act*

Section 11(3)	'section 10(1)(b)'	'section 10(1)(h)''.
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Schedule 1, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole and agreed to.  
Bill to be reported with amendments.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Manzie the Bill was read a third time and passed to be a proposed law.

15. WORK HEALTH BILL (No. 2) 1986 (Serial 232):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Debate adjourned (Mr Hatton) and the resumption of the debate made an order of the day for a later hour.

16. ALTERATION OF ORDER OF BUSINESS:

Mr Hanrahan (Leader of Government Business) moved - That Government Business, Order of the Day relating to the second reading of the Territory Insurance Office Amendment Bill 1986 (Serial 220) be called on forthwith.

Question - put and passed.

17. TERRITORY INSURANCE OFFICE AMENDMENT BILL 1986 (Serial 220):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Clauses 1 to 6, by leave, taken together and agreed to.  
Clause 7 -

On the motion of Mr Hanrahan (Minister for Business, Technology and Communications) the following amendment was made -

Omit paragraph (a) and insert in its stead the following:

"(a) by omitting from paragraph (f) 'company carrying on insurance business' and substituting 'body corporate carrying on insurance business, or providing financial services,';"

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9 -

On the motion of Mr Hanrahan the following amendment was made -

Add at the end the following:

"(4) Nothing in this section shall prevent the application of moneys of the Office standing to the credit of an account established for one purpose to another as an inter-account loan or equity contribution, or the subsequent repayment of such moneys (and the payment of interest and dividends thereon), in accordance with normal business practices, and moneys so applied shall, for the purposes of section 26, be taken to be moneys standing to the credit of the account from which they were obtained.'."

Clause, as amended, agreed to.

New clause -

On the motion of Mr Hanrahan the following new clause was inserted in the Bill -

#### "9A. PROPER ACCOUNTS TO BE KEPT

"Section 25 of the Principal Act is amended by omitting 'moneys of the Office' and substituting 'moneys of or held by the Office'."

Clause 10 agreed to.

New Clause -

On the motion of Mr Hanrahan the following new clause was inserted in the Bill -

#### "10A. NEW SECTION

"The Principal Act is amended by inserting, in Part IV, after section 28, the following:

#### '28A. APPLICATION OF COMPANIES AND SECURITIES CODES

'Except to the extent that the *Companies (Northern Territory) Code* and the *Securities Industry (Northern Territory) Code* expressly bind the Crown, those Codes do not apply to or in relation to the Office.'."

Remainder of the Bill, by leave, taken as a whole and agreed to.  
Bill to be reported with amendments.

The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Hanrahan, the Bill was read a third time and passed to be a proposed law.

18. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 7.09 p.m. adjourned until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 18 November 1986:

**Annual Report:**

Darwin Port Authority, 1985-86

**Community Government Schemes:**

Borunga - Wugularr

Wallace Rockhole

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ATTENDANCE:

All Members attended the sitting, except Mr Coulter who had been granted leave of absence.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 14

Wednesday 19 November 1986

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.
2. NOTICES:  
The following notices were given:  
Mr Manzie: To present the Firearms Amendment Bill 1986 (Serial 243) and the Law Officers Amendment Bill (No. 2) 1986 (Serial 230).
3. QUESTIONS:  
Questions were asked of Ministers.
4. LEAVE OF ABSENCE:  
Mr Firmin (Ludmilla), moved - That Mr Tuxworth (Barkly) be granted leave of absence for the remainder of this week.  
Question - put and passed.
5. MENZIES SCHOOL OF HEALTH RESEARCH REPORT, 1984-85 and 1985-86 - PAPER TABLED - STATEMENT - STATEMENT NOTED:  
Mr Manzie (Minister for Education) laid on the Table the Menzies School of Health Research Report on the First Two Years, July 1984 - June 1986.  
Mr Manzie, by leave, made a statement relating thereto.  
Mr Manzie moved - That the Assembly take note of the statement.  
Debate ensued.  
Question - put and passed.
6. ELECTORATE SECRETARIES - TERMS AND CONDITIONS OF EMPLOYMENT - STATEMENT:  
Mr Speaker advised Members that with the transfer of responsibility for electorate secretaries from the Chief Minister's Department to the Department of the Legislative Assembly a review of the terms and conditions of employment is currently being undertaken and should be finalized before Christmas.
7. PUBLIC ACCOUNTS COMMITTEE - REPORT ON ACTIVITIES - STATEMENT:  
Mr Perron (Fannie Bay), by leave, made a statement relating to the activities of the Public Accounts Committee since its inception.
8. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - ALICE SPRINGS PLANNING:  
Mr Speaker informed the Assembly that Mr Bell (MacDonnell) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of the Northern Territory Government to plan adequately for the orderly development of Alice Springs".  
**The proposed discussion having received the necessary support -**  
Mr Bell addressed the Assembly.  
Discussion ensued.

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**Suspension of sitting:** The sitting was suspended between 11.55 a.m. and 2.00 p.m.

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Discussion resumed.  
Discussion concluded.

9. MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL (No. 2) 1986 (Serial 241):  
Mr Hanrahan (Minister for Business, Technology and Communications), pursuant to notice, presented a Bill for an Act to amend the *Motor Accidents (Compensation) Act* and make a consequential amendment to the *Motor Vehicles Act*.

Bill read a first time.

**Suspension of Standing Orders:** Mr Hanrahan moved - That so much of Standing Orders be suspended as would prevent the Motor Accidents (Compensation) Amendment Bill (No. 2) 1986 (Serial 241) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

Mr Hanrahan moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

10. TRAFFIC AMENDMENT BILL (No. 2) 1986 (Serial 240):  
Mr Dondas (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to amend the *Traffic Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

11. CROWN LANDS AMENDMENT BILL 1986 (Serial 231):  
Mr Dondas (Minister for Lands), pursuant to notice, presented a Bill for an Act to amend the *Crown Lands Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

12. ARALUEN ARTS AND CULTURAL TRUST ACT REPEAL BILL 1986 (Serial 246):  
Mr Dale (Minister for Community Development), pursuant to notice, presented a Bill for an Act to repeal the *Araluen Arts and Cultural Trust Act*, to make other provision for the control and management of the Araluen Arts and Cultural Centre and for related purposes.

Bill read a first time.

**Suspension of Standing Orders - Motion withdrawn:** Mr Dale moved - That so much of Standing Orders be suspended as would prevent the Araluen Arts and Cultural Trust Act Repeal Bill 1986 (Serial 246) passing through all stages at these sittings.

Debate ensued.

Motion, by leave, withdrawn.

Mr Dale moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

13. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL 1986 (Serial 242):

Mr Dale (Minister for Correctional Services), pursuant to notice, presented a Bill for an Act to amend the *Criminal Law (Conditional Release of Offenders) Act*.

Bill read a first time.

Mr Dale moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

14. TOTALIZATOR ADMINISTRATION AND BETTING AMENDMENT BILL (No. 2) 1986 (Serial 233):

Mr Manzie (Attorney-General), on behalf of and at the request of Mr Coulter (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Totalizator Administration and Betting Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

15. STAMP DUTY AMENDMENT BILL (No. 3) 1986 (Serial 245):

Mr Manzie (Attorney-General), on behalf of and at the request of Mr Coulter (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Stamp Duty Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.

16. CREDIT UNIONS AMENDMENT BILL (No. 2) 1986 (Serial 244):

Mr Manzie (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Credit Unions Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.

17. TRESPASS BILL 1986 (Serial 239):

Mr Manzie (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to trespass.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.

18. POSTPONEMENT OF NOTICE:

The Clerk informed Members that he had received a letter from the Attorney-General, pursuant to Standing Order 107, advising that the Summary Offences Amendment Bill 1986 (Serial 228) would be introduced on Thursday 20 November 1986.

19. COMPANIES (APPLICATION OF LAWS) AMENDMENT BILL 1986 (Serial 247):

Mr Manzie (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Companies (Application of Laws) Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.

20. POSTPONEMENT OF ORDER OF THE DAY:

Mr Hanrahan (Leader of Government Business) moved - That Government Business, Order of the Day No. 1 relating to the Report of the Distribution Committee, November 1986 was made an order of the day for a later hour.

Question - put and passed.



21. FUTURES INDUSTRY (APPLICATION OF LAWS) BILL 1986 (Serial 219):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr D.W. Collins)

Bill, by leave, taken as a whole.  
On the motion of Mr Manzie (Attorney-General) the following amendment was made -

Schedule 1 -

Omit from clause 6 "of the Commonwealth".

Bill, as amended, agreed to.  
Bill to be reported with an amendment.

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The Assembly resumed - the Deputy Chairman (Mr D.W. Collins) reported accordingly and the report was adopted.

On the motion of Mr Manzie the Bill was read a third time and passed to be a proposed law.

22. SILICOSIS AND TUBERCULOSIS (MINE-WORKERS AND PROSPECTORS) AMENDMENT BILL 1986 (Serial 227):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Harris (Minister for Health) the Bill was read a third time and passed to be a proposed law.

23. ALTERATION OF ORDER OF BUSINESS:

Mr Hanrahan (Leader of Government Business) moved - That Government Business, Order of the Day No. 6, relating to the Shire of Litchfield (Transitional Rating) Bill 1986 (Serial 229), be called on forthwith.

Question - put and passed.

24. SUSPENSION OF STANDING ORDERS:

Mr Dale (Minister for Community Development) moved - That so much of Standing Orders be suspended as would prevent the Shire of Litchfield (Transitional Rating) Bill 1986 (Serial 229) passing through all stages at these sittings.

Debate ensued.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

25. SHIRE OF LITCHFIELD (TRANSITIONAL RATING) BILL 1986 (Serial 229):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Clause 1 agreed to.

Clause 2 agreed to, after debate.

Remainder of the Bill, by leave, taken as a whole and agreed to, after debate.

Bill to be reported without amendment.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Dale (Minister for Community Development) the Bill was read a third time and passed to be a proposed law.

**26. ADJOURNMENT:**

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 7.16 p.m. adjourned until tomorrow at 10.00 a.m.

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**PAPERS:**

The following papers were deemed to have been presented on 19 November 1986:

**Annual Reports:**

Department of Law, 1985-86

Northern Territory Electricity Commission, 1985-86

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**ATTENDANCE:**

All Members attended the sitting, except Mr Tuxworth and Mr Coulter who had been granted leave of absence.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 15

Thursday 20 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.

2. NOTICES:

The following notice was given:

Mr Dondas: To present the Motor Vehicles Amendment Bill (No. 3) 1986 (Serial 248).

3. QUESTIONS:

Questions were asked of Ministers.

**Answer to question:** Mr Harris (Minister for Health) provided further information to a question asked earlier this day by the Member for Nhulunbuy relating to the Harry Giese Centre.

Further questions were asked of Ministers.

4. LOCAL GOVERNMENT GRANTS COMMISSION, ANNUAL REPORT 1986 - PAPER TABLED - STATEMENT - MOTION TO NOTE PAPER:

Mr Dale (Minister for Community Development) laid on the Table the Northern Territory Local Government Grants Commission Report, 1986.

Mr Dale, by leave, made a statement relating thereto.

Mr Dale moved - That the Assembly take note of the paper.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

5. CHILDREN'S SERVICES TASK FORCE REPORT, JUNE 1986 - PAPER TABLED - STATEMENT - PAPER NOTED:

Mr Dale (Minister for Community Development) laid on the Table the Report of the Children's Services Task Force, June 1986.

Mr Dale, by leave, made a statement relating thereto.

Mr Dale moved - That the Assembly take note of the paper.

Debate ensued.

Question - put and passed.

**Suspension of sitting:** The sitting was suspended between 11.52 a.m. and 2.00 p.m.

6. ABORIGINAL COMMUNITY SELF MANAGEMENT - MINISTERIAL STATEMENT - STATEMENT NOTED:

Mr Dale (Minister for Community Development) made a statement relating to local self management by Aboriginal communities.

Mr Dale moved - That the Assembly take note of the statement.

Debate ensued.

**Suspension of sitting:** The sitting was suspended between 3.50 p.m. and 4.00 p.m.

Debate resumed.

Question - put and passed.

7. OMBUDSMAN, EIGHTH ANNUAL REPORT - PAPER TABLED - ORDER TO PRINT:  
Mr Hatton (Chief Minister) laid on the Table the Eighth Annual Report of the Northern Territory Ombudsman for the year ended 30 June 1986.  
Mr Hatton moved - That the report be printed.  
Question - put and passed.

8. ALTERATION OF ORDER OF BUSINESS:  
Mr Hanrahan (Leader of Government Business) moved - That Government Business, Order of the Day No. 1, relating to the Report of the Distribution Committee, November 1986 be called on forthwith.  
Question - put and passed.

9. ELECTORAL DISTRIBUTION - REPORT OF DISTRIBUTION COMMITTEE, NOVEMBER 1986 - MOTION APPROVED:

The order of the day having been read for the resumption of the debate on the motion of Mr Hatton - That the Assembly resolve in terms of section 18(1) of the *Electoral Act* that the distribution of the Territory into electoral divisions as proposed in the 1986 Report of the Distribution Committee, be approved.

Mr Hanrahan (Leader of Government Business) moved the following amendment - At the end of the motion add -

" , but this Assembly is of the opinion that certain of the names proposed for the electoral divisions should be varied as follows -

- (a) that the proposed Division of Katherine be named Elsey;  
and
- (b) that the proposed Division of Ludmilla be named Hudson,

and that this Assembly requests His Honour the Administrator to declare the names of these Electoral Divisions accordingly."

Debate ensued.

Motion, by leave, withdrawn.

Debate, on the original motion, resumed.

Question - put and passed.

10. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:

Mr Manzie (Attorney-General) moved - That so much of Standing Orders be suspended as would prevent two Bills namely, the Summary Offences Amendment Bill 1986 (Serial 228) and the Firearms Amendment Bill 1986 (Serial 243),

- (a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and
- (b) the consideration of the Bills separately in Committee of the Whole.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

11. SUMMARY OFFENCES AMENDMENT BILL 1986 (Serial 228) and FIREARMS AMENDMENT BILL 1986 (Serial 243):  
Mr Manzie (Attorney-General), pursuant to notice and resolution, presented Bills for Acts to amend the *Summary Offences Act* and the *Firearms Act*.  
Bills read a first time.  
Mr Manzie moved - That the Bills be now read a second time.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
12. LAW OFFICERS AMENDMENT BILL (No. 2) 1986 (Serial 230):  
Mr Manzie (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Law Officers Act*.  
Bill read a first time.  
Mr Manzie moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
13. ADJOURNMENT:  
Mr Hatton (Chief Minister) moved - That the Assembly do now adjourn.  
Debate ensued.  
Question - put and passed.  
And then the Assembly at 8.39 p.m. adjourned until Tuesday 25 November 1986 at 10.00 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 20 November 1986:

**Annual Reports**

Department of Youth, Sport, Recreation and Ethnic Affairs, 1985-86  
Juvenile Justice Review Committee, 1985-86  
Northern Territory Tourist Commission, 1985-86  
Public Service Commissioner for the Northern Territory, 1985-86  
Trade Development Zone Authority, 1985-86

=====

ATTENDANCE:

All Members attended the sitting, except Mr Tuxworth and Mr Coulter who had been granted leave of absence.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 16

Tuesday 25 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.

2. **PERSONAL EXPLANATION:**

Mr Dale (Minister for Community Development), by leave, made a personal explanation relating to the reporting of his speech by *Hansard* earlier these sittings.

3. **QUESTIONS:**

Questions were asked of Ministers.

4. **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - TRADE DEVELOPMENT ZONE - PAPER TABLED:**

Mr Speaker informed the Assembly that Mr Smith (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of the Northern Territory Government to adequately protect the interest of the Territory taxpayer in the establishment and operation of the Trade Development Zone".

**The proposed discussion having received the necessary support -**

Mr Smith addressed the Assembly.

Discussion ensued.

**Paper tabled:** Mr Hanrahan laid on the Table the following paper:

° Letter, Leader of the Opposition to Mr D. Cran, 2 October 1986

Discussion resumed.

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**Suspension of sitting:** The sitting was suspended between 11.58 a.m. and 2.00 p.m.

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Discussion resumed.

Discussion concluded.

5. **AUDITOR-GENERAL'S REPORT - TREASURER'S FINANCIAL STATEMENT, 1985-86 - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:**

Mr Speaker laid on the Table the Report of the Auditor-General upon the Treasurer's Annual Financial Statements for the year ended 30 June 1986 and upon other activities.

Mr Manzie (Attorney-General) moved - That the report be printed.

Question - put and passed.

Mr Manzie moved - That the Assembly take note of the paper.

Ordered - That the debate be adjourned until a later hour and that Mr Manzie have leave to continue his remarks on resumption of debate.

6. **UNIVERSITY COLLEGE - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:**

Mr Manzie (Minister for Education) made a statement relating to the establishment of a Northern Territory University College.

Mr Manzie moved - That the Assembly take note of the statement.

Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.

7. SPEAKER'S RULING - UNPARLIAMENTARY EPITHETS:

Mr Speaker advised that unparliamentary expressions uttered by Members during debates would at his discretion be struck from the parliamentary record.

8. WOMEN'S AFFAIRS - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Hatton (Chief Minister) made a statement relating to women's affairs in the Northern Territory and the consequent ministerial responsibility being undertaken by the Department of the Chief Minister.

Mr Hatton moved - That the Assembly take note of the statement.

Debate ensued.

Debate adjourned (Mr Firmin) and the resumption of the debate made an order of the day for a later hour.

9. MOTOR VEHICLES AMENDMENT BILL (No. 3) 1986 (Serial 248):

Mr Dondas (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to amend the *Motor Vehicles Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Bell) and the resumption of the debate made an order of the day for a later hour.

10. FURTHER NOTICE:

The following further notice was given.

Mr Manzie: To present the Pay-roll Tax Amendment Bill (No. 2) 1986 (Serial 252).

11. ELECTRICITY COMMISSION AMENDMENT BILL (No. 2) 1986 (Serial 251):

Mr Manzie (Attorney-General), on behalf of and at the request of Mr Coulter (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Electricity Commission Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr Ede) and the resumption of the debate made an order of the day for a later hour.

12. WATER SUPPLY AND SEWERAGE BILL (No. 2) 1986 (Serial 250):

Mr Dondas (Minister for Transport and Works), by leave, presented a Bill for an Act to amend the *Water Supply and Sewerage Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Bell) and the resumption of the debate made an order of the day for a later hour.

13. DARWIN PORT AUTHORITY AMENDMENT BILL 1986 (Serial 249):

Mr Dondas (Minister for Ports and Fisheries), by leave, presented a Bill for an Act to amend the *Darwin Port Authority Act*.

Bill read a first time.

Mr Dondas moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

14. NORTHERN TERRITORY LAND CORPORATION BILL 1986 (Serial 208), CONSERVATION COMMISSION AMENDMENT BILL 1986 (Serial 210), TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (No. 2) 1986 (Serial 211), TERRITORY LOANS MANAGEMENT CORPORATION BILL 1986 (Serial 209) and AGRICULTURAL DEVELOPMENT AND MARKETING AMENDMENT BILL 1986 (Serial 212):

The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -

Debate resumed.

Question - put and passed - Bills read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

**Northern Territory Land Corporation Bill 1986 (Serial 208)**

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 negatived.

New Clause -

On the motion of Mr Hatton (Chief Minister) the following new clause was inserted in the Bill -

**"3. DEFINITIONS**

**"In this Act -**

**'Corporation'** means the Northern Territory Development Land Corporation continued in existence as the Northern Territory Land Corporation by this Act;

**'member'** means a member of the Corporation."

Clause 4 -

On the motion of Mr Hatton the following amendment was made -

Omit subclause (1) and insert in its stead the following:

"(1) Notwithstanding the repeals effected by section 4 of the *Territory Loans Management Corporation Act 1986*, the Northern Territory Development Land Corporation that was, immediately before the commencement of this Act (other than sections 1 and 2), in existence by virtue of the *Territory Development Act* as then in force is continued in existence and shall be known as the Northern Territory Land Corporation."

Clause, as amended, agreed to.

Clauses 5 to 16, by leave, taken together and agreed to.

Clauses 17 to 19, by leave, taken together and negatived.

New clauses -

On the motion of Mr Hatton the following new clauses were added to the Bill -



Insert after the heading to Part III the following:

"17. CHAIRMAN AND MEMBERS

"The Chairman and members of the Corporation holding office immediately before the commencement of this Act (other than sections 1 and 2) shall continue as the Chairman and members, as the case may be, as if they were appointed to their respective offices under this Act.

"18. CERTAIN REGISTERS AND DOCUMENTS TO BE AMENDED

"(1) On the lodgement of a copy of this Act with the Registrar-General within the meaning of the *Real Property Act* or a proper officer controlling any official register or record of real property vested in the Corporation before the commencement of this Act (other than sections 1 and 2) or in which the Corporation held, immediately before that commencement, an interest, the Registrar-General or that officer shall make the necessary entries in the relevant registers and other records to record the change of name of the Corporation."

Title agreed to.

Bill to be reported with amendments.

**Conservation Commission Amendment Bill 1986 (Serial 210)**

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4 - negatived.

Clause 5 -

On the motion of Mr Hatton the following amendment was made -

Omit from proposed section 20(2)(e) "established" and insert in its stead "continued in existence".

Clause, as amended, agreed to.

Clause 6 - negatived.

New Clause -

On the motion of Mr Hatton the following new clause was inserted in the Bill -

"6. FUNCTIONS OF CORPORATION

"Section 39(6) of the Principal Act is amended by omitting 'land acquired' and substituting 'land (including an interest in land) acquired or held'."

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

Title agreed to.

Bill to be reported with amendments.

**Territory Parks and Wildlife Conservation Amendment Bill (No. 2) 1986  
(Serial 211)**

Clauses 1 to 3, by leave, taken together and agreed to.  
Clause 4 negatived.

Remainder of the Bill, by leave, taken together and agreed to.  
Bill to be reported with an amendment.

**Territory Loans Management Corporation Bill 1986 (Serial 209)**

Clauses 1 to 4, by leave, taken together and agreed to.  
Clause 5 -

On the motion of Mr Hatton the following amendment was made -

Insert after the definition of "Corporation" the following:

"'guarantee' includes indemnity;".

Clause, as amended, agreed to.

Clause 6 -

On the motion of Mr Hatton the following amendment was made -

Omit subclause (1) and insert in its stead the following:

"(1) Notwithstanding the repeals effected by section 4, the Northern Territory Development Corporation that was, immediately before the commencement date, in existence by virtue of the *Territory Development Act* as then in force is continued in existence and shall be known as the Territory Loans Management Corporation."

Clause, as amended, agreed to.

Remainder of the Bill, by leave, taken as a whole and agreed to.  
Bill to be reported with amendments.

**Agricultural Development and Marketing Amendment Bill 1986 (Serial 212)**

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 -

On the motion of Mr Hatton the following amendment was made -

Omit from the definition of "Northern Territory Land Corporation" in proposed subsection (6) in paragraph (e) the words "Northern Territory Land Corporation established" and insert in their stead "Northern Territory Development Land Corporation continued in existence as the Northern Territory Land Corporation".

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with an amendment.

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The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the reports were adopted.

On the motion of Mr Hatton the Bills were read a third time and passed to be proposed laws.

15. WORK HEALTH BILL (No. 2) 1986 (Serial 232):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Mr Hanrahan (Leader of Government Business) moved - That the committee stages be later taken.

Question - put and passed.

16. MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL (No. 2) 1986 (Serial 241):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr D.W. Collins)

Bill, by leave, taken as a whole.

Clause 3 -

On the motion of Mr Hanrahan (Minister for Business, Technology and Communications) the following amendment was made -

Omit paragraph (a).

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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The Assembly resumed - the Deputy Chairman (Mr D.W. Collins) reported accordingly and the report was adopted.

On the motion of Mr Hanrahan the Bill was read a third time and passed to be a proposed law.

17. ALTERATION OF ORDER OF BUSINESS:

Mr Hanrahan (Leader of Government Business) moved - That intervening Government Business be postponed until after consideration of General Business, Order of the Day Nos. 1 and 2.

Question - put and passed.

18. ABORIGINAL SACRED SITES AMENDMENT BILL 1986 (Serial 156):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put.

The Assembly divided (the Speaker, the Hon. R.W.S. Vale, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 18

Mr D.W. Collins  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth  
Mr Vale

And so it was resolved in the negative.

19. DISTINGUISHED VISITOR - MRS NONUMALO SOFARA:

Mr Speaker informed the Assembly of the presence in the Gallery of Mrs Sofara, wife of the Speaker of the Parliament of Western Samoa.

On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitor.

20. ELECTORAL AMENDMENT BILL 1986 (Serial 178):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put.

The Assembly divided (the Speaker, the Hon. R.W.S. Vale, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 17

Mr D.W. Collins  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Vale

And so it was resolved in the negative.

21. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Dale (Minister for Community Development) moved - That so much of Standing Orders be suspended as would prevent the Araluen Arts and Cultural Trust Act Repeal Bill 1986 (Serial 246) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

22. ARALUEN ARTS AND CULTURAL TRUST ACT REPEAL BILL 1986 (Serial 246):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

Mr Dale (Minister for Community Development) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

The Bill was read a third time and passed to be a proposed law.

23. DISCHARGE OF GOVERNMENT BUSINESS:

Mr Hanrahan (Leader of Government Business) moved - That Government Business, Orders of the Day Nos. 22, 23, 24, 27, 29, 30 and 31 be discharged from the Notice Paper.

Question - put and passed.

24. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

**Paper tabled:** Mr Ede (Stuart), by leave, laid on the Table the following paper:

° Aboriginal Social Clubs in Alice Springs

Debate resumed.

Question - put and passed.

And then the Assembly at 9.47 p.m. adjourned until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 25 November 1986:

**Annual Reports:**

Northern Territory Development Corporation, 1985-86

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ATTENDANCE:

All Members attended the sitting, except Mr Coulter who had been granted leave of absence.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 17

Wednesday 26 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.

2. QUESTIONS:

Questions were asked of Ministers.

3. LAND MATTERS UPON STATEHOOD, OPTIONS PAPER - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Hatton (Chief Minister) laid on the Table a paper entitled "Land Matters Upon Statehood, Options Paper".

Mr Hatton moved - That the Assembly take note of the paper.

Debate ensued.

Debate adjourned (Mr Hanrahan) and the resumption of the debate made an order of the day for a later hour.

4. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, TWELFTH REPORT - PAPER TABLED - PAPER NOTED:

Mr Finch (Wagaman) laid on the Table the Twelfth Report of the Northern Territory Legislative Assembly Subordinate Legislation and Tabled Papers Committee.

Mr Finch moved - That the Assembly take note of the paper.

Debate ensued.

Question - put and passed.

5. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - TOXIC WASTE DISPOSAL FACILITIES:

Mr Speaker informed the Assembly that Mr Ede (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of the Northern Territory Government to take proper account of the desires of the people in and around Tennant Creek in that it has continued to promote the development of Toxic Waste Disposal Facilities in the area".

**The proposed discussion having received the necessary support -**

Mr Ede addressed the Assembly.

Discussion ensued.

**Paper tabled:** Mr Ede (Stuart), by leave, laid on the Table a petition (not conforming with Standing Orders) relating to the establishment of a Toxic Waste Incinerator in Tennant Creek.

**Suspension of sitting:** The sitting was suspended between 11.50 a.m. and 2.00 p.m.

Discussion resumed.

Discussion concluded.

**Closure:** Mr Hanrahan (Leader of Government Business) moved - That the business of the day be called on.

Question - put and passed.

6. PAY-ROLL TAX AMENDMENT BILL (No. 2) 1986 (Serial 252):

Mr Manzie (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Pay-roll Tax Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

7. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL 1986 (Serial 242):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

**Suspension of Standing Orders:** Mr Dale (Minister for Correctional Services) moved - That so much of Standing Orders be suspended as would prevent the Criminal Law (Conditional Release of Offenders) Amendment Bill 1986 (Serial 242) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dale (Minister for Correctional Services) the Bill was read a third time and passed to be a proposed law.

8. COMPANIES (APPLICATION OF LAWS) AMENDMENT BILL 1986 (Serial 247):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

**Suspension of Standing Orders:** Mr Manzie (Attorney-General) moved - That so much of Standing Orders be suspended as would prevent the Companies (Application of Laws) Amendment Bill 1986 (Serial 247) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Manzie (Attorney-General) the Bill was read a third time and passed to be a proposed law.

9. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Manzie (Attorney-General) moved - That so much of Standing Orders be suspended as would prevent the Law Officers Amendment Bill (No. 2) 1986 (Serial 230) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

10. LAW OFFICERS AMENDMENT BILL (No. 2) 1986 (Serial 230):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Manzie (Attorney-General) the Bill was read a third time and passed to be a proposed law.

11. WATER SUPPLY AND SEWERAGE AMENDMENT BILL 1986 (Serial 213) and HOUSING AMENDMENT BILL 1986 (Serial 214):

The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -

Debate resumed.

Question - put and passed - Bills read a second time.

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

**Water Supply and Sewerage Amendment Bill 1986 (Serial 213)**

Clauses 1 to 13, by leave, taken together and agreed to.

Clause 14 -

On the motion of Mr Dondas the following amendment was made -

Omit paragraph (b) and insert in its stead the following:

"(b) by omitting from subsection (7) paragraph (h) and substituting the following:

'(h) the raising and method of calculation of *pro rata* sewerage charges where a service first becomes available;'.".

Clause, as amended, agreed to.

Clauses 15 to 18, by leave, taken together and agreed to.

Clause 19 -

On the motion of Mr Dondas the following amendment was made -

Insert in paragraph (d), after proposed section 3D, the following:

"4. *PRO RATA* SEWERAGE CHARGES

'(1) For the purposes of section 33(7)(h) of the Act, *pro rata* sewerage charges shall be calculated by multiplying the amount of the charge by the fraction formed by the number of days in the charge period after the date when the sewerage service first became available divided by the number of days in the charge period.

'(2) Where a sewerage service first becomes available during a charge period, the amount calculated under subregulation (1) is the charge for the service during that period and is payable in advance.'."

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

**Housing Amendment Bill 1986 (Serial 214)**

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

Bill to be reported without amendment.



The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the reports were adopted.

On the motion of Mr Dondas (Minister for Transport and Works) the Bills were read a third time and passed to be proposed laws.

12. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Dondas (Minister for Transport and Works) moved - That so much of Standing Orders be suspended as would prevent the Water Supply and Sewerage Amendment Bill (No. 2) 1986 (Serial 250) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

13. WATER SUPPLY AND SEWERAGE AMENDMENT BILL (No. 2) 1986 (Serial 250):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dondas (Minister for Transport and Works) the Bill was read a third time and passed to be a proposed law.

14. WORK HEALTH BILL (No. 2) 1986 (Serial 232):

The order of the day having been read for the consideration of the Bill in the Committee of the Whole Assembly -

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Chairman - Mr Finch)

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4 -

Mr Smith moved as an amendment -

Omit from subclause (5) "materially contributed" and insert in its stead "was a contributing factor".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 5 to 9, by leave, taken together and agreed to.

Clause 10 -

Mr Smith moved as an amendment -

Insert in paragraph (h) after "directs," the words "or the Authority thinks it desirable to do so in connection with the performance of any other of its functions,".

Debate ensued.

Question - put.

The Committee divided (the Chairman Mr Finch, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 17

Mr D.W. Collins  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth

And so it was resolved in the negative.

Clause, as printed, agreed to.

Clauses 11 to 19, by leave, taken together and agreed to.

Clause 20 -

Mr Smith, by leave, moved the following amendments -

Omit from subclause (2) "not more than 10 other members appointed by the Minister" and insert in its stead "4 other members, of whom 2 shall be appointed by the Minister on the nomination of the Trades and Labor Council and 2 to represent the interests respectively of employers and insurers".

Omit subclauses (3) and (4) and insert in their stead the following:

"(3) Before appointing a member to represent the interests of employers or insurers, the Minister shall -

- (a) by notice in the *Gazette*, advertise his intention to make the appointment, and invite any organization claiming to represent the interests in question to make a recommendation as to the person who should be appointed; and
- (b) consider all recommendations made to him as a result of the advertisement.

"(4) The reference in subsection (2) to the Trades and Labor Council is a reference to the body known as the Northern Territory Trades and Labour Council as constituted from time to time and recognized by the Australian Council of Trade Unions as the official Northern Territory Branch of the Australian Council of Trade Unions.".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 21 to 27, by leave, taken together and agreed to.

Clause 28 -

Mr Smith moved as an amendment -

Omit from the definition of "practicable" paragraph (d).

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 29 -

Mr Smith, by leave, moved the following amendments -

Insert after subclause (2) the following:

"(2A) An employer shall monitor the health of his workers, and conditions likely to affect the health and safety of his workers at a workplace under his control and management."

Omit from subclause (3) paragraphs (a) and (d).

Omit from subclause (4) paragraph (a) and insert in its stead the following:

"(a) subject to subsection (5), at all reasonable times, at the request of a worker employed by him, make available to the worker or a person authorized in writing by the worker to receive or examine them or it the results of the monitoring carried out by the employer pursuant to subsection (2A) or any information or records which he is required to keep under subsection (3);".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 30 and 31, by leave, taken together and agreed to.

Clause 32 -

Mr Smith moved as an amendment -

Omit from subclause (1) "of severe injury to" and insert in its stead "to the health or safety of".

Debate ensued.

Question - put.

The Committee divided (the Chairman Mr Finch, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 16

Mr D.W. Collins  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth

And so it was resolved in the negative.

Clause, as printed, agreed to.

Clauses 33 to 39, by leave, taken together and agreed to.

Clause 40 -

Mr Smith, by leave, moved the following amendments -

Omit from subclause (1) paragraph (b) and insert in its stead the following:

"(b) is likely to contravene this Act,".

Omit from subclause (1) "it may issue" and insert in its stead "it shall issue".

Omit from subclause (1) "the contravention will be repeated" and insert in its stead "a contravention is likely to occur".

Omit from subclause (2)(a) paragraph (ii) and insert in its stead the following:

"(ii) is likely to contravene this Act;".

Omit from subclause (2)(d) "the contravention will be repeated" and insert in its stead "a contravention is likely to occur".

Omit from the penalties set out at the foot of subclause (3) "\$10 000", "\$2 000", "6 months", "\$500" and "\$100" and insert in their stead "\$20 000", "\$4 000", "12 months", "\$1 000" and "\$200" respectively.

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 41 -

Mr Smith moved as an amendment -

Omit from subclause (1) "it may issue" and insert in its stead "it shall issue".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 42 to 44, by leave, taken together and agreed to.

Clauses 45 and 46, by leave, taken together -

Mr Smith, by leave, moved the following amendments -

Add at the end the following:

"(2) A prospective employer shall not -

(a) refuse or deliberately omit to offer employment to a prospective worker; or

(b) treat a prospective worker less favourably than another prospective worker would be treated in relation to the terms on which employment is offered,

for the reason only that the prospective worker referred to in paragraph (a) or first-mentioned in paragraph (b) has -

(c) assisted or given information to the Authority or an officer; or

(d) made a complaint in relation to health and safety to a former employer, the Authority or an officer.

Penalty: In the case of a body corporate - \$10 000.

In the case of a natural person - \$2 000, or imprisonment for 12 months."

Add to paragraph (b) after "similar position" the words "or that the prospective worker be employed in the position for which the prospective worker had applied or a similar position,".

Debate ensued.

Question - put and negatived.

Clauses, as printed, agreed to.

Clause 47 -

Mr Smith moved as an amendment -

Insert in subclause (4) after "the workplace is" the words ", or by a body registered under the *Conciliation and Arbitration Act 1904* of the Commonwealth and representing a group of workers employed at the workplace,".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 48 agreed to.

Clause 49 -

Mr Smith, by leave, moved the following amendments -

Omit from the definition of "normal weekly earnings" in subclause (1) "at his ordinary time rate of pay" (wherever occurring) and insert in its stead "calculated in accordance with subsection (1A)".

Omit from paragraph (a) of the definition of "normal weekly number of hours of work" in subclause (1) ", not being hours of overtime,".

Omit from subclause (1) the definition of "ordinary time rate of pay".

Insert after the definition of "nursing service" in subclause (1) the following:

"'overtime' does not include overtime the working of which is required by the terms of a worker's employment, or is in practice a regular feature of his employment, or is a practice prevailing generally in employment of the like nature;".

Insert after subclause (1) the following:

"(1A) For the purposes of the definition of 'normal weekly earnings' in subsection (1), a worker's remuneration shall be calculated -

- (a) in the case of a worker who is wholly remunerated at a time rate of pay fixed by the terms of his employment, or at more than one such rate according to the number of hours worked, by reference to that rate or those rates as appropriate; and
- (b) in the case of a worker who is remunerated otherwise than as mentioned in paragraph (a), by reference to the average time rate of pay (exclusive of overtime) earned by him in the service of his employer during the period of 12 months immediately preceding the date of the relevant injury.".

Debate ensued.

Question - put and negatived.

Mr Smith, by leave, moved the following further amendments -

Omit from subclause (2) "and 'ordinary time rate of pay'".

Omit from subclause (2) "but does not include any other allowance" and insert in its stead "and any other payment made in pursuance of an industrial award or in accordance with the normal employment practice in or at any industry, trade, profession, occupation, location or workplace.".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 50 to 52, by leave, taken together and agreed to.

Clause 53 -

Mr Hatton moved as an amendment -

Omit "to the worker or his dependants" and insert in its stead "by his employer to the worker or the worker's dependants".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 54 to 59, by leave, taken together and agreed to.

Clause 60 -

Mr Smith moved as an amendment -

Omit subclause (2).

Debate ensued.

On the motion of Mr Hatton, further consideration of the clause was postponed.

Clause 61 agreed to.

Clause 62 agreed to, after debate.

Clause 63 -

Mr Smith moved as an amendment -

Omit from subclause (1) "7%" and insert in its stead "10% in the case of the first such child and 7% in the case of a second or subsequent such child".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 64 agreed to.

Clause 65 -

Mr Smith moved as an amendment.

Omit from subclause (1) "70% of his loss of earning capacity" and insert in its stead "the appropriate percentage of his loss of earning capacity (that is to say, 75% if he is employed and 70% if he is not employed)".

Debate ensued.

Question - put and negatived.

Mr Smith moved as a further amendment -

Insert after subclause (1) the following:

"(1A) For each week for which a worker is entitled to be paid compensation under subsection (1) there shall also be paid, to or for the benefit of each prescribed child of the worker within the meaning of section 63, an amount calculated in accordance with subsections (1) and (2) of that section."

Debate ensued.

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

Clause 66 -

Mr Smith moved as an amendment -

Add at end the following:

"(2) The amount of the compensation payable to a person by virtue of this section shall not in any case be less than 50% of average weekly earnings."

Debate ensued.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 67 to 70, by leave, taken together and agreed to.

Clause 71 -

Mr Smith moved as an amendment -

Omit "104 times" (twice occurring) and insert in its stead "156 times".

Debate ensued.

Question - put.

The Committee divided (the Chairman Mr Finch, in the Chair) -

AYES, 5

NOES, 14

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

Mr D.W. Collins

Mr Finch

Mr Firmin

Mr Hanrahan

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Perron

Mr Poole

Mr Setter

Mr Steele

Mr Tuxworth

And so it was resolved in the negative.

Clause, as printed, agreed to.

Clause 72 -

Mr Smith, by leave, moved the following amendments -

Omit from subclause (4) "An assessment" and insert in its stead "Subject to subsection (4A), an assessment".

Insert after subclause (4) the following:

"(4A) Where an assessment made by a panel under subsection (3) is not unanimous, a person aggrieved by the assessment may, within 7 days after he receives written notification of it or such further time as the Court allows, appeal in writing to the Court against the assessment, and subsection (4) shall not in that event apply unless the appeal is subsequently withdrawn."



Debate ensued.  
Question - put and negatived.  
Clause, as printed, agreed to.  
Clause 73 agreed to.  
Clause 74 -  
Mr Smith moved as an amendment -

Insert after subclause (1) the following:

"(1A) The Court may also authorize in writing the commutation of a worker's compensation payments at discounted present values (and those payments may be commuted, and the commuted amount paid accordingly) where it is satisfied on an application in writing of the worker that he has received financial counselling before applying, that he has a reasonable prospect of a guaranteed future income, and that, having regard to the likely amount and duration of that income and all the other circumstances of the case, commutation would be reasonable in his interests."

Debate ensued.  
Question - put and negatived.  
Clause, as printed, agreed to.  
Clauses 75 to 83, by leave, taken together and agreed to.  
Clause 84 -  
Mr Smith moved as an amendment -

Omit from subclause (1) "3 working days" and insert in its stead "3 days".

Debate ensued.  
Question - put and negatived.  
On the motion of Mr Hatton the following amendment was made -

Omit from subclause (2) "2 days" and insert in its stead "2 working days".

Amendment agreed to.  
Clause, as amended, agreed to.  
Clauses 85 to 90, by leave, taken together and agreed to.  
Clause 91 -  
Mr Smith moved as an amendment -

Omit subclauses (2) and (3) and insert in their stead the following:

"(2) If a worker unreasonably refuses to have, or unreasonably obstructs, an examination under subsection (1), the Court may, on an application made by the employer within the prescribed time and in the prescribed manner and form, make an order suspending the worker's right to compensation until the examination takes place.

"(3) An application under subsection (2) shall be dealt with by the Court as expeditiously as the circumstances will allow, and sections 112 and 114 shall apply as they apply to appeals referred to in section 111(1)."

Debate ensued.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 92 to 110, by leave, taken together and agreed to.

Clause 111 -

Mr Hatton moved as an amendment -

Omit from subclause(1) "(other than under Part V)".

Amendment agreed to.

Clause, as amended, agreed to.

Clause 112 agreed to.

Clause 113 -

Mr Smith moved as an amendment -

Omit from paragraph (a) "or requirement of the employer",  
from paragraph (b) "or requirement", and from paragraph (c)  
"or requirement" and "or employer".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 114 to 125, by leave, taken together and agreed to.

Clause 126 agreed to.

Postponed clause 60 -

Postponed clause and the amendment proposed by Mr Smith -

Omit subclause (2).

Amendment, by leave, withdrawn.

On the motion of Mr Hatton the following amendment was made -

Omit from subclause (3) "Subdivision A of Division 3" and  
insert in its stead "Subdivision A or D of Division 3 or  
Division 4".

Clause 60, as amended, agreed to.

Postponed clause 65 -

Postponed clause and the amendment proposed by Mr Smith -

Insert after subclause (1) the following:

"(1A) For each week for which a worker is entitled to be  
paid compensation under subsection (1) there shall also be  
paid, to or for the benefit of each prescribed child of the  
worker within the meaning of section 63, an amount  
calculated in accordance with subsections (1) and (2) of  
that section.".

Debate ensued.

Mr Hanrahan (Leader of Government Business) moved - That the Committee  
report progress and seek leave to sit again.

Question - put and passed.

---

The Assembly resumed - the Chairman (Mr Finch) reported accordingly and  
the report was adopted.

15. ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 10.47 p.m. adjourned until tomorrow at 10.00 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 26 November 1986:

**Annual Reports:**

Department of Mines and Energy, 1985-86

Department of Primary Production, 1985-86

Northern Territory Housing Commission, 1985-86

Valuer-General's Office, Northern Territory, 1985-86

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ATTENDANCE:

All Members attended the sitting, except Mr Coulter who had been granted leave of absence.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 18

Thursday 27 November 1986

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.W.S. Vale) took the Chair, and read prayers.

## 2. NOTICES:

The following notice was given:

Mr Smith: To move - That on the next day of sitting this Assembly censures the government for its failure during these sittings to:

- (a) show that it has exercised due responsibility, control and care in the affairs of the Northern Territory; and
- (b) provide to the Parliament the information that would normally be expected by a Government reporting to Parliament on its financial and administrative responsibilities.

## 3. CENSURE OF THE GOVERNMENT - MOTION - STATEMENTS:

Mr Hanrahan (Leader of Government Business), informed the Assembly that the Government, pursuant to Standing Order 95, accepted the notice of motion as a censure motion.

Mr Smith (Leader of the Opposition) thereupon moved - That this Assembly censures the Government for its failure during these sittings do:

- (a) show that it has exercised due responsibility, control and care in the affairs of the Northern Territory; and
- (b) provide to the Parliament the information that would normally be expected by a Government reporting to Parliament on its financial and administrative responsibilities.

Debate ensued.

### **Privilege - Request for referral to Committee of Privileges:**

Mr B. Collins (Arafura) raised as a matter of privilege a statement made by Mr Hanrahan (Leader of Government Business), by way of interjection, which Mr B. Collins stated contradicted an answer given by Mr Hanrahan to a question asked on Tuesday, 25 November 1986 and alleged that, therefore, there was a *prima facie* case that Mr Hanrahan had misled the Assembly on 25 November 1986.

Mr B. Collins (Arafura) and Mr Hanrahan (Minister for Business, Technology and Communications), by leave, made statements relating thereto.

Mr Speaker agreed to consider the matter and report his decision before or during the next sitting day.

Debate continued.

Question - put.

The Assembly divided (the Speaker, Hon. R.W.S. Vale, in the Chair) -

AYES, 6

Mr Bell  
Mr B. Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 17

Mr D.W. Collins  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Poole  
Mr Setter  
Mr Steele  
Mr Tuxworth  
Mr Vale

And so it was resolved in the negative.

---

**Suspension of sitting:** The sitting was suspended between 12.15 p.m. and 2.00 p.m.

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4 SPECIAL ADJOURNMENT:

Mr Hanrahan (Leader of Government Business) moved - That the Assembly at its rising adjourn until Tuesday 17 March 1987 at 10.00 a.m. or such other time and date as may be set by Mr Speaker, pursuant to sessional order.

5. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - UNIVERSITY COLLEGE:

Mr Speaker informed the Assembly that Mr Manzie (Minister for Education) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "The Federal Government's failure to recognise that Territorians are Australians and, as such, are entitled to the same access to a university education as other Australians, and in particular -

- (a) the Federal Government's discrimination against Territorians in refusing students at the University College of the Northern Territory access to the Austudy and Abstudy assistance schemes; and
- (b) the misleading and inaccurate statements relating to the establishment of the University College of the Northern Territory by the Honourable Federal Minister for Education in the Senate yesterday".

**The proposed discussion having received the necessary support -**

Mr Manzie addressed the Assembly.

Discussion ensued.

**Motion without Notice - Leave not granted:**

Mr Harris (Minister for Health) asked for leave to move a motion for an extension of time to enable Mr Manzie to complete his speech.

Objection being raised, leave not granted.

Discussion continued.

Discussion concluded.

6. PRIVILEGE - REQUEST FOR REFERRAL TO COMMITTEE - SPEAKER'S DECISION:

Mr Speaker advised the Assembly that he had considered the request of Mr B. Collins (Arafura) to refer a matter to the Committee of Privileges (see item 3), and did not propose to refer the complaint to the Committee.

7. WORK HEALTH BILL 1986 (No. 2) (Serial 232):

The order of the day having been read for the further consideration of the Bill in the Committee of the Whole Assembly -

The Assembly resolved itself into Committee of the Whole.

---

**In the Committee**  
(Chairman - Mr Finch)

Postponed clause 65 -

Postponed clause and the amendment proposed by Mr Smith -

Insert after subclause (1) the following:

"(1A) For each week for which a worker is entitled to be paid compensation under subsection (1) there shall also be paid, to or for the benefit of each prescribed child of the worker within the meaning of section 63, an amount calculated in accordance with subsections (1) and (2) of that section."

Debate ensued.

**Paper Tabled:** Mr Hatton (Chief Minister), laid on the Table the Draft Administrative Arrangements for administering occupational health and safety legislation.

Mr Smith, by leave, withdrew the amendment.

Mr Smith moved as an amendment -

Omit from subclause (4)(a) all words after "compensation" and insert in their stead the following:

"(i) as from the date on which he would otherwise have completed his apprenticeship - the full award wage for a tradesman in the trade in which the worker was an apprentice; and

(ii) until that date - the normal weekly earnings that would have been his had he continued in the apprenticeship;"

Debate ensued.

Amendment agreed to.

Mr Hatton moved as a further amendment -

Add at the end the following:

"(7) The Regulations may prescribe, in respect of a prescribed period, a minimum rate of compensation under this section and while such a minimum rate is so prescribed a worker shall be paid compensation at that rate during that period in lieu of any payment at less than that rate that would otherwise be payable to the worker under this section."

Debate ensued.

Amendment agreed to.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

---

The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Hatton the Bill was read a third time and passed to be a proposed law.

8. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Manzie (Attorney-General) moved - That so much of Standing Orders be suspended as would prevent the Totalizator Administration and Betting Amendment Bill (No. 2) 1986 (Serial 233) passing through all stages at this sitting.

Debate ensued.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

9. TOTALIZATOR ADMINISTRATION AND BETTING AMENDMENT BILL (No. 2) 1986 (Serial 233):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

The Assembly resolved itself into Committee of the Whole.

---

**In the Committee**  
(Chairman - Mr Finch)

Bill, by leave, taken as a whole.

New clause -

Mr Leo moved as an amendment -

Insert after clause 4 the following:

"4A. COMPOSITION OF BOARD AND APPOINTMENT OF MEMBERS

"Section 6(2) of the Principal Act is amended by inserting at the end 'one of whom shall be appointed to represent the interests of the race clubs after the Minister has given the principal clubs, within the meaning of the *Racing and Betting Act*, an opportunity to make recommendations to the Minister and the Minister has considered those recommendations, if any'."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Bill to be reported without amendment.

---

The Assembly resumed - the Chairman (Mr Finch) reported accordingly and the report was adopted.

On the motion of Mr Manzie (Attorney-General) the Bill was read a third time and passed to be a proposed law.

10. ABORIGINAL SACRED SITES PROTECTION AUTHORITY, CORONATION HILL - MINISTERIAL STATEMENT - PAPERS TABLED - MOTION TO NOTE STATEMENT:  
Mr Hatton (Chief Minister) made a statement relating to the report produced by Mr Stephen Davis concerning the review of the future operation of the *Aboriginal Sacred Sites Act*.

**Papers Tabled:** Mr Hatton, by leave, tabled the following papers:

- ° The questions in Appendix 5 of the Report posed by Mr Davis in relation to the Coronation Hill Site
- ° The answers provided by the Aboriginal Sacred Sites Protection Authority to Mr Davis' questions
- ° Mr Davis' comments on the answers provided by the Aboriginal Sacred Sites Protection Authority

Mr Hatton moved - That the Assembly take note of the statement.  
Debate adjourned (Mr Ede) and the resumption of the debate made an order of the day for a later hour.

11. PUBLICATIONS COMMITTEE, REPORT ON THE PRICING AND DISTRIBUTION OF PARLIAMENTARY PUBLICATIONS - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:

Mr Setter (Jingili) laid on the Table the report of the Publications Committee on Pricing and Distribution of Parliamentary Publications.

Mr Setter moved - That the report be printed.

Question - put and passed.

Mr Setter moved - That the Assembly take note of the paper.

Ordered - That the debate be adjourned and that Mr Setter have leave to continue his remarks on the resumption of the debate.

12. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Manzie (Attorney-General) moved - That so much of Standing Orders be suspended as would prevent the Electricity Commission Amendment Bill (No. 2) 1986 (Serial 251) passing through all stages at this sitting.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

13. ELECTRICITY COMMISSION AMENDMENT BILL (No. 2) 1986 (Serial 251):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed - Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Manzie (Attorney-General) the Bill was read a third time and passed to be a proposed law.

14. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

Mr Dondas (Minister for Ports and Fisheries) moved - That so much of Standing Orders be suspended as would prevent the Darwin Port Authority Amendment Bill 1986 (Serial 249) passing through all stages at this sitting.

Debate ensued.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.



15. DARWIN PORT AUTHORITY AMENDMENT BILL 1986 (Serial 249):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr Dondas (Minister for Ports and Fisheries) the Bill was read a third time and passed to be a proposed law.
16. PRIVILEGES COMMITTEE - CHANGE OF MEMBERSHIP:  
Mr Hanrahan (Leader of Government Business), by leave, moved - That the Member for Fannie Bay, Mr Perron, be discharged from further attendance on the Privileges Committee and that in his place the Member for Wagaman, Mr Finch, be appointed a Member of that Committee.  
Question - put and passed.
17. ADJOURNMENT:  
Mr Hanrahan (Leader of Government Business) moved - That the Assembly do now adjourn.  
Debate ensued.  
Question - put and passed.  
And then the Assembly at 6.15 p.m., adjourned until Tuesday 17 March 1987 at 10.00 a.m. or such other time and date as may be set by Mr Speaker, pursuant to sessional order.

=====

**PAPERS:**

The following papers were deemed to have been presented on 27 November 1986:

**Annual Reports:**

Elder's Trustee and Executor Company Limited, 1985-86  
Executor Trustee and Agency Company of South Australia Limited,  
1985-86  
Mental Health Act, 1985-86  
Northern Territory Treasury, 1985-86

**Hospital Management Board Reports:**

Gove District, 1985-86  
Katherine, 1985-86  
Tennant Creek, 1985-86

=====

**ATTENDANCE:**

All Members attended the sitting, except Mr Coulter who had been granted leave of absence.

H.G. SMITH  
Clerk of the Legislative Assembly

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FOURTH LEGISLATIVE ASSEMBLY

---

THIRD SESSION

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D = Discharged  
P = Passed  
N = Negatived

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