

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Second Assembly

Parliamentary Record

Tuesday 1 August 1978
Wednesday 2 August 1978

NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Second Assembly

Speaker	John Leslie Stuart MacFarlane
Majority Leader	Paul Anthony Edward Everingham
Opposition Leader	Jonathon Martin Isaacs
Deputy Leader and Executive Member for Finance and Planning	Marshall Bruce Perron
Executive Member for Resources and Health	Ian Lindsay Tuxworth
Executive Member for Community and Social Development	James Murray Robertson
Executive Member for Transport and Industry	Roger Michael Steele

Members of the Legislative Assembly

Roderick Carson Oliver	Alice Springs
Bob Collins	Arnhem
Ian Lindsay Tuxworth	Barkly
Nicholas Dondas	Casuarina
John Leslie Stuart MacFarlane	Elsey
Pamela Frances O'Neil	Fannie Bay
James Murray Robertson	Gillen
Paul Anthony Edward Everingham	Jingili
Roger Michael Steele	Ludmilla
Neville George Perkins	MacDonnell
Jonathon Martin Isaacs	Millner
Milton James Ballantyne	Nhulunbuy
Alline Dawn Lawrie	Nightcliff
Tom Harris	Port Darwin
June D'Rozario	Sanderson
Roger William Stanley Vale	Stuart
Marshall Bruce Perron	Stuart Park
Cecilia Noel Padgham-Purich	Tiwi
John Kevin Raphael Doolan	Victoria River

The Committee of the Whole Assembly

Chairman— Mr Dondas
Deputy Chairmen— Mr Ballantyne
Ms D'Rozario
Mrs Padgham-Purich

The House Committee

Mr Speaker
Mr Collins
Mr Dondas
Mrs O'Neil
Mr Vale

The Standing Orders Committee

Mr Speaker
Mr Dondas
Ms D'Rozario
Mr Everingham
Mr Perkins

The Publications Committee

Mr Collins
Mr Doolan
Mrs Padgham-Purich
Mr Steele
Mr Vale

The Privileges Committee

Mr Ballantyne
Mr Doolan
Ms D'Rozario
Mr Harris
Mr Tuxworth

The Subordinate Legislation and Tabled Papers Committee

Mr Ballantyne
Mr Harris
Mrs Lawrie
Mr Oliver
Mr Perkins

Sessional Committee – Environment

Mr Ballantyne
Mr Collins
Mrs Lawrie
Mrs Padgham-Purich
Mr Vale

PART I

DEBATES

Tuesday 1 August 1978

Mr Speaker MacFarlane took the Chair at 10 am.

TABLED PAPER

PROVISIONAL STANDING ORDERS

Mr EVERINGHAM (Chief Minister): Mr Speaker, I seek leave at this stage of the proceedings to lay on the table a copy of the provisional Standing Orders of the Legislative Assembly and move a motion in relation to them.

Leave granted.

Mr EVERINGHAM: Mr Speaker, I lay on the table a copy of the provisional Standing Orders of the Legislative Assembly and move that the Standing Orders be repealed and the provisional Standing Orders tabled this day be adopted as the Standing Orders of the Assembly until such time as they have been reported on to the Assembly by the Standing Orders Committee.

By way of explanation, the revision of the Standing Orders could not be completed until all the matters associated with the passage of the Northern Territory (Self-Government) Act and the transfer of powers had been completed. Although draft copies were distributed a week or so ago there has not been time for the Standing Orders Committee to meet and bring to the Assembly a recommendation for their adoption. It is desirable that until this happens the Assembly use the proposed Standing Orders on a provisional basis.

Mr ISAACS (Opposition Leader): Mr Speaker, I second the motion and concur with the remarks made by the Chief Minister. The draft Standing Orders have been circulated. I am not too sure how many members have seen them; I certainly have had an opportunity to peruse them. The course opted for by the Chief Minister is an appropriate course and the Opposition supports it.

Motion agreed to.

STATEMENTS

QUESTIONS ON NOTICE

Mr EVERINGHAM (Chief Minister): Mr Speaker, I seek leave to make a statement regarding questions on notice.

Leave granted.

Mr EVERINGHAM: The government recognises the importance of parliamentary questions in our system of government. They are a means of obtaining information on government operations so that the Assembly may properly perform a watchdog function as regards the government and its activities. I stress, Mr Speaker, that the purpose of parliamentary questions is to provide information on government activities. This is recognised by the Standing Orders of the Assembly. I refer particularly to standing order 90 which states:

Questions may be put to a Minister relating to public affairs for which he accepts responsibility for proceedings pending in the Assembly or to any matter of administration for which he accepts responsibility.

Many questions asked do not conform to the limitations imposed by this standing order. There has been a practice of seeking information and providing

answers to any questions asked on notice even when they do not relate to a minister's area of responsibility. This practice probably stems from the history of this House as a legislative body with executive authority vested in another place. As all honourable members are aware our history changed on 1 July.

To ensure that answers to questions on notice are accurate and appropriate, senior and experienced officers of the Northern Territory Public Service are charged with the responsibility of providing us with information for these answers. I accept the importance of parliamentary questions and do not propose to change that procedure. It would, however, be a wasteful use of the services of such officers if they were to be used to provide general information unrelated to the operations of government. Having regard to present government operations in the Territory, I would accept that areas in respect of which ministers have accepted a liaison responsibility, such as health and education, are matters which fall within the guidelines of standing order 90.

I therefore inform the Assembly, Mr Speaker, that this government proposes in future to provide answers only to those questions which conform to the provisions of the Standing Orders. I ask all honourable members to ensure that proposed questions so comply before submitting them to the Clerk. For the assistance of members, a copy of the administrative arrangements detailing ministries, departments and legislative responsibilities and also a list of ministers and ministries is attached to the statement which has been circulated.

CONSTITUTIONAL CONVENTION

Mr ISAACS (Opposition Leader): Mr Speaker, I seek leave to make a statement on the Constitutional Convention.

Leave granted.

Mr ISAACS: Mr Speaker, I wish to inform the Assembly of the matters discussed at the Constitutional Convention because it was this Assembly which passed a motion some time ago sending delegates, myself and the Chief Minister, to attend this Constitutional Convention on the Assembly's behalf.

I would say at the outset that I do not agree with the reported comments of the attorneys from New South Wales and South Australia, in expressing cynicism and bitterness, but I will come to that in a moment because, having attended the convention, I know there may be some cause for that. Nonetheless, I feel the Constitutional Convention is an appropriate forum - an excellent forum, I might say - for the general discussion of constitutional issues. It keeps continuously in the public's mind that the Constitution is an outdated and antiquated document. It is not sacrosanct and it can and ought to be changed. To that extent the Constitutional Convention provides a forum for people representing all shades of political thought to come together and express their points of view.

Some nine items were discussed at the Constitutional Convention, stretching from the power of the Senate to block supply - which proved, not surprisingly, to be a most contentious issue - to the question of appeals to the High Court and the receipt of advisory opinions of the High Court at the request of governments. Many of the matters did receive unanimity from the convention and it is my view that, if they were put to the people, certain changes would be made to the Constitution. So the convention itself was a good thing and I am pleased to have been able to have represented the Assembly, along with the Chief Minister, at that convention.

When I say that I do not agree with the comments of the attorneys from New South Wales and South Australia - or their reported comments about bitterness and cynicism - I suppose it would be very easy to come away from the convention with just those feelings. For example, each of the states sent twelve delegates, six from government and six from opposition. We had the position, therefore, that from New South Wales six Labor members and six Liberal and Country Party members attended. From Victoria, because of the situation of two oppositions - that is, the Labor Party and Country Party - there were six Liberal Party members, four Labor Party members and two Country Party members. Similarly from South Australia we had six Labor Party members, one Liberal movement - I think it was Mr Millhouse; I am not sure what party he belongs to and, having heard him, I am still none the wiser - and five members from the Liberal Party. But of course, this happy convention has no basis in law and our friends from Queensland appear to have taken it upon themselves to flout the convention. Instead of having six from the government and six from the opposition, the premier decided that there would be nine from the government and three from the opposition. Mind you, he is a benevolent fellow, Mr Speaker, and I do not wish to disparage the man. He is a benevolent fellow because previously the government had ten representatives and the Labor Party two. This time, Mr Bjelke-Peterson thought Mr Burns had done so well at the last election that he gave him an extra delegate.

So as I say, Mr Speaker, one can come away from these conventions with some cynicism and bitterness because not all parties play the game. Nonetheless, as we reached the convention, we found there was a very important item dealing with the representation of territories and proposed new states in the Senate and the House of Representatives. The agenda circulated did not indicate who the mover of this motion was to be. We found out, however, that the mover was to be Mr Ian Wilson who was from the Commonwealth delegation and a member of the Liberal Party in South Australia. I want to place on record the facts as they occurred because, having read the newspapers on my return to Darwin, I thought there must have been two conventions - one which I and the Chief Minister attended and another which was somehow or other reported by the local newspaper to have been attended by the pair of us.

The motion was clearly moved by the member for Sturt in the federal house, Mr Ian Bonython Cameron Wilson, a member of the Liberal Party and chairman of that very influential committee of the federal government, the Federal Affairs Committee. That motion would have restricted the representation of territories and proposed new states in a way which both I and the Chief Minister found to be totally unacceptable.

Imagine my surprise when I was informed by my staff on Thursday morning that the Chief Minister had issued a statement saying that the proposal emanated from the New South Wales and South Australian Labor governments and that he was shocked and horrified. In fact, he was quoted in the Star as saying that it was a deplorable move which threatened the Territory's future, especially when it eventually moves to statehood. I commend the latter part of his comments. However, I think that, at that working breakfast which the Chief Minister had with the Prime Minister and other worthies from the conservative party, they must have eaten hallucinogenic mushrooms because I cannot for the life of me understand how anybody, having read the documents relating to the Constitutional Convention, could have come up with so much palpable nonsense. Mr Wilson is not a member of the New South Wales or South Australian Labor governments.

I might also remind the Chief Minister that in fact there are three Labor states - although, following the Tasmanian move on the Senate's power to block supply, I just wonder how many Labor states there are. Nonetheless, let me

make it perfectly clear that the Labor parties of South Australia and New South Wales did not initiate this "deplorable move". It was in fact the Liberal Party or the government party's Federal Affairs Committee from the federal parliament. That is the first thing.

I discussed it with the Chief Minister and we realised that we had a job on our hands because various states had taken certain decisions in principle and they were bound by those decisions. We had to work hard - I tell you; I will be honest about it - we had to work very hard, Mr Speaker, to convince these people that a change in their approach had to be made and we did work in harmony, I might say, and mutual cooperation to achieve it. I might also say that the Chief Minister's task was much harder than mine. We had to try and convince them. But it is true that I had to convince the New South Wales delegation that they had to change their approach. Finally as it turned out, Mr Speaker, that particular resolution did not get to the floor to be debated.

I wish to make it clear that the move to limit Territory representation was at no stage initiated by New South Wales and South Australia and at no stage did the Chief Minister seek from either of those delegations their views. He had it on hearsay from his own party and I gave him some advice myself. However, I did not expect to see that emblazoned in the newspapers up here. Nonetheless; that is the way the Chief Minister acts.

As it was, we did succeed - and the Chief Minister should be commended for this - in securing an amendment from Mr Wilson. The Territory's position was not "guaranteed", as stated by the Chief Minister in a report in the NT News of Friday. I quote from the newspaper: "It would mean that the NT would gain similar Canberra representation to Tasmania, the smallest state." That is not the case. The case is that the way is left open so that, upon negotiation, we can achieve it.

Perhaps it would be appropriate to read into Hansard the proposed motion put by Mr Wilson which was never actually put to the convention because we did not get to that stage. The motion read:

Item W10: Mr Wilson to move, by leave, that this Convention recommends that the Constitution be amended

- (a) to require that the representatives and senators from the territories and new states are chosen by the people as is now provided in the case of the original states;*
- (b) to ensure that once parliament has decided that the people of a territory shall be represented in the House of Representatives by a number of members in excess of one, the number of members is in the same proportion to population as the number of members chosen by the people of the original states (other than a state for which the guaranteed minimum representation of five members is assured by section 24);*
- (c) to ensure that once parliament has decided that the people of a territory should be represented in the Senate, the number of senators in excess of two shall be in the ratio of one additional senator to every two members in the House of Representatives from the territory in excess of four, provided that the number of senators for the territory shall not at any time exceed the number of senators for original states;*

- (d) *to ensure that once parliament has decided that the people of a new state shall be represented in the House of Representatives by a number of members in excess of five, the number of members is in the same proportion to population as the number of members chosen by the people of the original state (other than a state for which the guaranteed minimum representation of five members is assured by section 24); and*
- (e) *to ensure that once parliament has decided that people of a new state shall be represented in the Senate, the number of senators for the new state shall not exceed the number of senators for the original states.*

It is quite apparent that, although there is no guarantee that a new state will have five members in the House of Representatives, the way is left open for that to be achieved. Thus, that statement by the Chief Minister to the NT News was not correct. I think it is important to put on record what happened and my own views as to how the convention went about its task. Frankly, I will find it very difficult in future to cooperate with the Chief Minister.

On the Thursday morning, when I informed him of the press release which had been issued with front page headlines in the Star, he was apologetic about it. He was most concerned that the matter went out as it did and he certainly apologised to me. I do not know whether he apologised to the other gentlemen involved but that is a matter between them and him. However, I was somewhat astounded at the way he performed. When I came back on Friday, I did not find an apology, which I thought would have been only correct since he had misled the papers and the people of the Northern Territory; I found rather that he blamed it on his staff. I thought responsible self-government was a question of accepting responsibility for statements issued in your name. I have never seen a more gutless performance in my life. An apology ought to have been issued and I believe still ought to be issued in relation to this matter.

I am sorry that the matter came to this. I do not seek to rake over coals and neither do I wish to derogate from the hard work done by the Chief Minister and myself. As the NT News of Thursday said, Labor and CLP united to ensure that the Territory's representation was not jeopardised by this motion emanating not from the South Australian Labor government nor from the New South Wales Labor government, but from Mr Wilson who represented the Commonwealth and is a member of the Liberal Party. It is important that the record be straightened in relation to this matter. I am only sorry that the Chief Minister appears to have a Jekyll and Hyde character. When he dealt with me at the convention, it was honourably, correctly and appropriately. In fact, he secured that particular amendment from Mr Wilson and I commend him for it. When I came back, I found reports in the newspapers representing a totally different picture. I am sorry that that has happened.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the statement be noted.

I am curious that, although the Leader of the Opposition has seen fit to correct the record, it is certainly not the record of this House that he is seeking to correct but rather the record of the public press. If he is seeking to correct that, perhaps he should have adverted to the statement that I put out last week after this unfortunate incident. I said that I very much regretted the statement that appeared under my name. However, Mr Duncan was well aware that it was the result of difficulties of communication. In fact, what I said was that delegates from New South Wales and South Australia were pro-

posing motions to limit Territory representations. Saying that in my name was an error of fact. I frankly concede it and I did apologise to Mr Duncan, Mr Walker and also to the Leader of the Opposition. The matter only occurred through difficulties in communication because I left a message with a member of my office staff which was apparently incorrectly relayed to my press officer.

Can I just say that the Leader of the Opposition has not drawn to the attention of this House the fact that the New South Wales Labor delegation was committed to support the Wilson motion by a decision of the New South Wales Labor Cabinet. Apparently, the Wilson motion had more support than we might be led to think. The fact of the matter is that I support the concept of the Constitutional Convention and I believe in the work that it is doing. We have the remarks of Mr Walker, the New South Wales Attorney-General, and Mr Duncan, the South Australian Attorney-General, of only last week before they went to the convention that they were bitter and cynical about the whole thing. I believe that, because of those remarks, my press officer wrongly presumed for some reason - and I accept the responsibility for it; I accept responsibility for whatever goes out in my name - he wrongly presumed that those were the delegations behind the motion.

The fact of the matter is that the Leader of the Opposition had to work just as hard on the New South Wales Labor delegation as I had to work on any other delegations. After I got to Perth late on Tuesday evening, I made it my business to see the Prime Minister and the Attorney-General at breakfast time on Wednesday morning. I told them of the terms of the motion proposed by Mr Wilson and they both agreed that the motion was not one that was well advised. Immediately I had the support of the Prime Minister and the federal Attorney-General for the move that I then sought to make in conjunction with the Leader of the Opposition to have this motion amended so that in fact it would be beneficial to the Northern Territory.

I propose to report to the Assembly my views of what took place at the convention. It was of some significance that it was the first time that the Northern Territory has been represented at such a convention since self-government. In his opening address, the Governor-General made reference to the new constitutional position of the Northern Territory and the federal system that exists in Australia. There were a number of items on the agenda of general interest and a few items of particular interest to the Territory. In the former category, I supported the motion by Sir Charles Court to provide for a double dissolution in the event of the Senate refusing supply. This motion was carried and was referred to Standing Committee D for further consideration of matters of detail.

On the matter of right of appeal to the High Court, I was successful in moving an amendment to ensure that such a direct right of appeal only lay from the Supreme Court of the Territory and did not extend to lesser courts such as the Wardens Court or a Court of Summary Jurisdiction acting in traffic matters. It was also agreed by the convention that the Northern Territory should be represented on the important Standing Committee D.

The principal matter of interest to the Northern Territory was this question of Territory representation in the federal parliament and, as we have already heard, the notice of motion on the agenda was from Ian Wilson, the member for Sturt in South Australia, which would have had the effect of limiting territory and new state representation in the House of Representatives strictly in accordance with the Australia-wide population basis. In addition, it would have tied territory and new state representation in the Senate to one

half the number of members from the territory or new state in the lower House. Such a motion could have had disastrous results for the Territory, particularly should it become a new state.

There was also a notice of amendment to the motion to limit territory representation to the Northern Territory and the Australian Capital Territory. As a result of the lengthy negotiations between our delegation and Commonwealth and state representatives, we managed to achieve agreement on a compromise motion to replace the original motion. The Leader of the Opposition has already read out that motion to you and indicated his support. After I had had discussions with Mr Wilson he prepared the amendment and it was freely forthcoming from him. It appeared to us that the new motion would command the support of an overwhelming majority of the delegates. Unfortunately, the limited time available to the convention prevented any debate on it. It was agreed to refer the matter to Standing Committee B on which the Northern Territory is also represented.

The effect of the new motion, if incorporated in the Constitution, would be to ensure that should the Northern Territory become a state it would be able to have up to five members in the House of Representatives without reference to the population quota and up to the same number of senators as the other states without regard to the number of Territory members in the lower House. Members will be aware that original states are guaranteed at least five members in the lower House and an equal number of senators, currently ten per state. The motion would leave current Territory representation intact. The matter will now be considered in detail by Standing Committee B on which we have representation and will come forward at the next Constitutional Convention.

I intend to press for the adoption of a provision that will give the Northern Territory the most favourable treatment possible in the circumstances. I would like to see the Northern Territory, as a new state, receive the same guarantee of minimum representation as the original states but it may not be possible to reach agreement on this. In my view, the revised motion constitutes a reasonable compromise. It is most important that the Northern Territory in particular and the north of Australia generally be adequately represented in the federal parliament and I intend to use all means available to me in an endeavour to achieve this end.

The Leader of the Opposition has accused me of having a Jekyll and Hyde personality. Within hours of the announcement coming out in the Darwin Star, he was well aware of the true position that a mistake had occurred. I apologised to him most humbly and sincerely. He accuses me of Jekyll and Hyde personality yet he calmly dictated a statement saying that the South Australian Attorney-General was going to sue me for libel. That is so much utter hogwash. The South Australian Attorney-General himself or the Leader of the Opposition were guilty of deception in making that statement because neither the New South Wales Attorney-General nor the South Australian Attorney-General were in a position to sue me, particularly the New South Wales Attorney-General because his cabinet supported the original Wilson motion. We have heard all the cant and hogwash that the Leader of the Opposition has gone on with this morning about delegations from Queensland and elsewhere. The fact of the matter is that New South Wales, the mother state and Australia's leading Labor state, was quite prepared to vote unanimously for the Wilson motion. I would suggest that, in future, the Leader of the Opposition should stick a bit to the truth himself and not seek to deceive.

Mr ISAACS (Opposition Leader): I seek leave to make a personal explanation.

Mr SPEAKER: Does the Leader of the Opposition claim to have been misquoted?

Mr ISAACS: Yes.

Leave granted.

PERSONAL EXPLANATION

Mr ISAACS (Opposition Leader): I was misrepresented in the last few words of nonsense from the Chief Minister. He said that I issued a statement after he had apologised to me about the matter in the Star. That is not so. He has no way of knowing whether or not I issued a statement; but the fact is that I did not. My understanding of the timetable of events was that when I was informed by my staff at 7.30 Perth time of the statement that had been issued by the Chief Minister from Darwin on Wednesday evening, I took the statement down and showed it to the Attorney-General from New South Wales and South Australia. What they did after that is none of my business. I do not know what they did with it. I certainly did not issue a statement at all after I spoke to the Chief Minister and he apologised to me.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I seek leave to move a motion without notice relating to the introduction of bills without notice and their passage through all stages of this sittings.

Leave granted.

Mr ROBERTSON: I move that at this sittings of the Assembly so much of Standing Orders be suspended as would prevent the introduction of bills without notice and their passage through all stages.

Motion agreed to.

HIRE PURCHASE BILL (Serial 127)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

This bill establishes the right to include a heading for stamp duty in hire purchase agreements. Stamp duty itself is levied under a separate ordinance and the liability to pay such duty is unaffected by this bill. Section 7 of the Hire Purchase Ordinance 1961 limits the items which may be included in the hire purchase agreement. The inclusion of any additional item could well be an offence rendering payment uncollectable. The weight of opinion is that the owner could include stamp duty in the item on the agreement headed "Terms charges". This is unfair to the owner as such an approach makes it look that the owner is charging more than his own fees actually are. The paragraph inserted under this bill is similar to that introduced in parallel ACT legislation in the same circumstances. I commend the bill.

Debate adjourned.

TAXATION (ADMINISTRATION) BILL
(Serial 128)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

This bill redefines "loan security" for the purposes of both the Taxation (Administration) and Stamp Duty Ordinances. In the states, it is common that there is a duty on unsecured loans and credit where the interest rate exceeds 14% per annum. This duty is expressed as being payable on the loan instrument which evidences the arrangement. I have already announced that I am not convinced that this is an equitable means of rendering credit dutiable and it might well be that a broader-based credit duty would be fairer.

The definition of "loan security" as it appears in the ordinance now in effect has the inadvertent result of rendering all unsecured loans dutiable. This arises because the definition extends to any loan instrument and not to the intrinsically valuable security usually accepted to bind a secured loan. Accordingly, the bill redefines "loan security" without the words "loan instrument". Because those words are not used elsewhere in the ordinance, the definition of "loan instrument" is also removed. The bill gives retrospective effect to the amendment to ensure that there is no unintended liability assessable. I commend the bill to the House.

Debate adjourned.

STAMP DUTY BILL
(Serial 130)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

This bill introduces corrective amendments to three of the items in schedule 1 of the Stamp Duty Ordinance. None of these amendments reflects any change in policy or adds to the amount of duty payable by Territorians. The first amendment is in effect to add several words to item 12(1). These were omitted from the description of the assessment process in dealing with leases in the ordinance. Honourable members will note that these words are "for every \$100" and at the end of section 12(1) the words "of that rent".

The second amendment is to item 15(2). As that item stands it is not clear whether or not the rate of stamp duty as shown refers only to paragraph 2(1) or also to 2(b). By repeating that rate of duty beside 2(b) that doubt is removed. The rate of duty in broad terms on the transfer of marketable securities otherwise than through a stock exchange is to be \$2 per 2000 shares and 10¢ for each extra 100 shares. The original bill included that rate but committee stage amendments split the transfer into its sale and purchase elements so that the liability of each party could be more clearly established. At the same time, the duty on the two sides of the transaction should have been halved but it was not. Consequently, amendment of items 20(c) and 20(d) is necessary to re-establish the original intention. Clause 3(3) of this bill does that.

Clause 4 provides retrospective validation so that no person is disadvantaged by these minor errors in the original ordinance. I commend the bill.

Debate adjourned.

FINANCIAL ADMINISTRATION AND AUDIT BILL
(Serial 138)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

The bill seeks to amend the financial administration legislation in two respects. Firstly, the appointment by the Treasurer of an accountable officer under section 25(2) of the ordinance has been by name. In practice, this has been found to be time consuming as further appointments are required whenever the appointee is absent from duty and another person acts in the same capacity. The amendment replaces subsection (2) with a clause which permits the appointment as accountable officer to attach to a position rather than to a person.

Secondly, the ordinance made no provision for statutory corporations to write off losses of moneys or properties, to waive the right of recovery of moneys, to defer the collection of amounts owed to the statutory corporations or to dispose of property by way of gift. In respect of departments, these powers are vested in the Treasurer under section 73 of the ordinance. As that provision does not apply to statutory corporations and as there are no corresponding provisions in the legislation establishing the corporations, it is necessary to provide in the Financial Administration and Audit Ordinance for the powers to be vested in the statutory corporation. I commend the bill.

Debate adjourned.

SOCCER FOOTBALL POOLS BILL
(Serial 133)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to control and tax the operations of soccer football pools in the Northern Territory. Although the legislation is new to the Territory, it is not unique. All eastern states and Tasmania have similar legislation. This proposed Northern Territory legislation has been prepared after consideration of the way in which the other states approached this regulatory task. The necessity for the legislation arises out of a section that was initially in the Victorian legislation and subsequently incorporated in all eastern states' legislation. Under this section, one state's subscriptions to soccer pools can only be exempted from another state's taxes if both states have legislation imposing a duty on subscriptions and the two states have entered into an agreement regarding the sharing of tax revenues.

Soccer pools entries are already subject to a 30% duty but at present all of that duty is collected by the state where the tickets are first issued, in our case Victoria. As I will explain in more detail later, the bill makes provision for the duty to be paid to the Territory. It does not mean an increase in the tax burden. The public will continue to pay the 30% duty on all entries as they have in the past but the benefit of that duty will accrue solely to the Northern Territory government and enhance our revenue-raising power in a rather painless manner.

Soccer pools are of course a fairly recent innovation in the Territory and with the expected growth in rate so too will tax revenue increase. Current

sales are in the vicinity of \$150,000 per annum and given the 30% duty the legislation will allow the Northern Territory to collect an additional \$50,000 per year. The urgency attached to this legislation is readily apparent. Until we are able to license soccer pools and charge our own duty, we are forgoing revenue of about \$50,000 per year. Without this legislation, the Territory will lose approximately \$1000 per week to Victoria.

Turning now to the bill itself, there are six parts and I will briefly discuss each in turn. There are two definitions in clause 3, part I, that are critical provisions of the legislation. These are the definitions of "corresponding law" and "participating states". Corresponding law refers to similar legislation to the proposed bill that is already operating in Queensland, New South Wales, Victoria and Tasmania. Any of these states could also be participating states. The significance of these definitions will become apparent when I discuss part IV of the bill.

Part II refers to the licensing of a person to conduct soccer football pools in the Territory. Under clause 4 a person can apply for a licence and it is at the responsible minister's discretion under clause 7 as to who shall receive that licence. Constraints on the minister's powers are specified in clause 7(2) and clause 9 under which only one licence can be in operation at any point in time and that licence can only be effective for a period of ten years. To grant extra flexibility, I foreshadow an amendment to allow for licences up to ten years instead of the fixed period and to allow licences to be issued prior to the formal lodgement of a bond.

Under clauses 5 and 6 the licensee is obliged to lodge a bond in the form approved by the minister. The purpose of the bond is to ensure that, in the event of default in the payment of duty, the bond can be used to pay that duty. If the licence is revoked, the minister can also demand payment from the bond of an amount up to the preceding two months' duty regardless of whether or not that duty has been paid to defray costs that might arise as a result of the revocation of the licence. It also acts as an incentive to the licensee not to act in a manner which jeopardises his licence.

Under clause 8 the minister may attach such terms and conditions to the licence as he considers appropriate. Clause 10(1) gives power to alter the conditions of the licence. These conditions will facilitate control and can be changed to suit the circumstances. However, should any of the conditions be deemed to require a change, the minister is obliged to seek the licensee's views before acting.

Clause 11 provides for the circumstances under which a licence can be revoked. Apart from a voluntary application from the licensee, a licence can be revoked if the licensee fails to comply with (a) the act or the regulations made under the act, (b) the rules under which the licensee conducts the pool, or (c) any conditions of the licence. There is also provision to revoke the licence if there is a change in ownership of the licensee corporation without the minister's consent. This provision prevents the acquisition of a licence by a backdoor method but can at the same time provide flexibility should there be a bona fide transaction proposed.

Part III of the bill covers the conduct of pools in the Territory. Clause 12 refers to the establishment of rules under which the licensee is to conduct soccer pools in the Territory and allows for the notification of these rules in the Gazette. All rules are subject to the minister's approval and once the rules are made they must be abided by or the licensee may have his licence revoked.

Clause 13 prohibits a person from operating a soccer pool unless he is a licensee. It sets a maximum penalty of \$2000 for offences against this section. Clause 14 provides for the appointment of approved representatives of the licensee. These representatives would be the retailers of the entry forms. These approved representatives are appointed by the licensee but are subject to the minister's approval. Clauses 15 and 16 prohibit the sale of entry forms by persons who are not approved representatives and disallow the payment by the licensee of a commission to any person who is likewise not approved. The same provisions apply in the states. Under clause 17 the sale of soccer pool entries to minors is prohibited. Clause 18 prevents the public, the licensee and the approved representatives from being liable to prosecution under any other legislation merely because they have participated in soccer pools.

Part IV of the bill provides for the setting aside of funds for the payment of prizes and the payment of duty. In soccer pools 37% of subscriptions is paid as prizes and clause 19(1)(a) provides for this amount to be set aside. This money can be either banked in the Territory or, if the licensee is also operating in a participating state, the funds can be banked in that state if the minister so approves. This is covered in clause 21 which also sets out the approved uses for the moneys in the prize fund.

Turning now to the duty itself, clause 19(1)(b) sets the duty at 30%. This duty is payable monthly and penalties can be applied if the duty is not paid on time. Clause 20 is a key clause preventing double taxation, that is duty in both the Northern Territory and in another state. This section allows the minister to enter into an arrangement with the minister of a participating state to decide upon the appropriate division of the duty. Assuming the bill is passed, I will be entering into an arrangement with the treasurer of Victoria to exempt all Northern Territory entries from Victorian duty. The licensee's obligation will be then solely to pay the 30% duty to the Northern Territory.

Part V of the bill provides certain powers in relation to the policing of the act. Basically there are two forms of control. Clauses 22 to 24 inclusive refer to the powers of inspectors who may be appointed by the minister to investigate the books and records of the licensee, approved representatives or persons thought to be illegally participating in soccer pool operations. Clause 25 adds a further degree of control by allowing the minister the power to request the Auditor-General to audit the licensee's records should he deem it necessary.

Part VI contains the miscellaneous sections that could not be included elsewhere in the bill due to their general application. Clause 26 provides for the recovering of moneys owing under this bill. Clause 27 indicates the manner in which notices can be served on the licensee; clause 28 sets the general penalties for contravening the act; and finally clause 29 sets out the areas in which regulations can be made under the act.

Mr Speaker, I have already made the point in my opening remarks that there is nothing unique in this legislation. Similar legislation already exists in the eastern states and in Tasmania and, apart from the Victorian legislation, has been primarily introduced to allow the duty paid on sales in the states to be retained by that state. The same applies here. I consider the bill to be non-contentious. The public is not adversely affected and in fact will benefit from the additional revenue that will be raised. I commend the bill.

Debate adjourned.

NORTHERN TERRITORY DISASTERS BILL
(Serial 135)

Bill presented and read a first time.

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

As honourable members would be aware, the Northern Territory Disasters Ordinance was introduced originally into this Assembly in November 1976 following on the experiences of Cyclone Tracy and, as such, it was designed to cater for the structure of government that existed in the Territory at that stage. May I say that this piece of legislation has received much favourable comment in other parts of Australia and also that the Territory has introduced this type of legislation ahead of three of the southern states and the Australian Capital Territory.

The ordinance is primarily concerned with the establishment of a counter disaster organisation and the functions and responsibilities of that body, and the Northern Territory emergency service which is an essential part of the overall organisation. It provides for the establishment of a Northern Territory Counter Disaster Council and the functions of that council which are listed in section 7 of the ordinance itself. It will be appreciated that the Counter Disaster Council has a most important role and it is essential that the composition of such a council should include members with expertise and responsibility in various related fields as have been formed under the new government structure which has been established since self-government.

In proposing this amendment, may I also place on record my appreciation of the services of those former members of the council, in particular His Honour the Administrator who has been chairman of the council since its inception under this ordinance.

The amendment lists the following as members of the Northern Territory Counter Disaster Council: all departmental heads of the Northern Territory public service departments, the senior resident member of the Australian Defence Forces, the Territory co-ordinator, the Director of Emergency Services, with the Director-General of the Chief Minister's Department as chairman and the Director of Emergency Services as executive officer of the council. It should be noted that in section 63 the ordinance makes provision for the appointment of the mayor of a municipality or chairman of a local authority to the council in the event of a disaster affecting that particular municipality or area, also that section 64 allows for the appointment by the minister of such additional members of the council and for such periods as is considered necessary. I propose to make use of this provision to appoint people who have special expertise to offer.

Whilst other changes are being considered in relation to the ordinance, it is considered essential that the reconstitution of the council as necessitated by the changeover to self-government should be treated with urgency to allow for the establishment of the new council as soon as possible to enable it to perform its functions as set down in the ordinance. Mr Speaker, I commend the bill.

Debate adjourned.

LEGISLATIVE ASSEMBLY (REMUNERATION OF MEMBERS) BILL
(Serial 137)

Bill presented and read a first time.

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

This bill will merely omit the words "Executive Council" where they appear in sections 3 and 4 of the original ordinance and replace them with the term "Administrator". The words were inadvertently inserted in the original bill and not corrected when it was checked. The Executive Council as such under the current legislation has purely an advisory function whereas the legislation provides for an executive function which is properly a matter for the Administrator with the advice of the Executive Council. The bill, therefore, merely corrects the wording and I commend the bill to honourable members.

Debate adjourned.

INTERPRETATION BILL
(Serial 140)

Bill presented and read a first time.

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

Members will recall that the new Interpretation Ordinance was introduced as part of the self-government package before 1 July 1978. It introduced substantial changes to the law in this area. It is understandable that in a matter as technical as this, the need for further changes would arise. It was impossible to anticipate all the requirements for legislative interpretation in the context of a self-governing Northern Territory in the limited time available before 1 July 1978.

This is the first occasion in many years that any Australian jurisdiction has undertaken a comprehensive review of the law in this area. With a view to even better refinement of the law, I successfully moved at the recent meeting of the Standing Committee of Attorneys-General in Darwin that the legislation be referred to the Parliamentary Counsels Committee. It may be some time before that committee's deliberations are complete. In the meantime a number of amendments have been found to be necessary that cannot await this wider review. This bill is being introduced for that purpose.

I will deal with the clauses of the bill in turn. Clauses 3 and 4 of the bill are merely to simplify and clarify the provisions of the principal act. Clause 5 inserts a new subsection (2) in section 15 to correct a deficiency in the principal act. The later act did not deal with the situation in Territory law where a reference to a particular Commonwealth act has not been amended consequent upon the repeal and re-enactment of that Commonwealth act.

Clause 6 seeks to insert a new section 34 in the principal act. This amendment is made as a result of approaches by the Commonwealth to the Territory that the present section 34 is probably beyond power. This results from the wording of section 33 of the Northern Territory (Self-Government) Act 1978 which appears to limit the functions of the Executive Council to section 35 matters. The new section 34 would contain special provisions in relation to regulation-making powers in Territory law. I have made an approach to the Commonwealth to amend the Northern Territory (Self-Government) Regulations

for this purpose so that all proposed regulations must at least go before the Executive Council and I am presently awaiting a reply to this approach. My intention would be to bring this new section 34 into operation as soon as I have received favourable Commonwealth advice. In other respects the new clause will only require the Administrator to act in accordance with the advice of the Executive Council in section 35 matters which do not involve the commencement of legislation or which are not matters specified by notice in the Gazette. In these matters it would be treated as the Administrator acting alone.

Clause 7 seeks to insert a new provision to deal with erroneous references in Territory law to Commonwealth ministers, departments and so on, by the termination of the Administrator in Council without the need for legislative amendment. Such amendments are invariably of a technical nature only and do not, in my view, justify the need for special legislation.

Clause 8 seeks to make it clear that section 44 of the principal act extends to termination as well as removal. Clause 9 is merely a drafting amendment to clarify the section. Clause 10 is designed to enable a Territory ordinance to be correctly cited whether as an ordinance or an act, without running the risk of making an error. Clause 11 seeks to repeal section 51 as it is not required; it is covered elsewhere in the principal act by virtue of the definition provisions. Clause 12 merely corrects errors in the principal act.

I foreshadow an amendment to insert a commencement clause in the bill. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

DANGEROUS DRUGS BILL (Serial 134)

Bill presented and read a first time.

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

This is a simple bill and it is introduced purely to maintain consistency with the prohibited drugs legislation. Honourable members will recall that when the dangerous and prohibited drugs legislation was passed at the last sittings, it was pointed out by the honourable member for Nightcliff that some provision was necessary to enable representation by a person claiming ownership of matters liable to forfeiture for an offence under the legislation. Amendments were made to the Prohibited Drugs Ordinance but similar amendments were not made to the Dangerous Drugs Ordinance which had already been passed. The purpose of this bill, Mr Speaker, is merely to insert in the Dangerous Drugs Ordinance provisions similar to those already inserted in the Prohibited Drugs Ordinance so that similar protections are available under this legislation to affected persons. I commend the bill to honourable members.

Debate adjourned.

MOTOR VEHICLES BILL (Serial 129)

Bill presented and read a first time.

Mr STEELE (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

This bill is intended quite simply to adjust an omission from the Motor Vehicles Ordinance No. 2 of 1978 which paved the way for the removal of all references to specific fees from the Motor Vehicles Ordinance and its second schedule and their prescription in regulations. As a result the Motor Vehicles Regulations were drawn up and have commenced. The reference to section 26(3) in this bill was unfortunately omitted from the original one and, as I have just said, it is intended only to adjust that omission. I commend the bill.

Debate adjourned.

ELECTRICAL WORKERS AND CONTRACTORS BILL (Serial 132)

Bill presented and read a first time.

Mr STEELE (Industrial Development): Mr Speaker, I move that the bill be now read a second time.

This bill amends the Electrical Workers and Contractors Ordinance 1978. It deals with three points brought to notice by the newly appointed Licensing Board. The bill does not establish any new concepts but removes small conflicts and rectifies an omission.

Clause 3 of the bill makes it a prerequisite for eligibility for an electrical contractor's licence that the applicant is either himself the holder or the employer of a holder of a Northern Territory electrical mechanics licence grade A. It was never intended to grant a licence to carry out electrical contracting work in the Territory on the basis of an interstate equivalent of an electrical mechanics licence grade A. This intention is reflected in sections 36(2) and 36(3) of the principal act. In dealing with conditions for revoking contractors' licences, reference is only made to A grade licences on which such contractors' licences are based. The proposed amendment removes the conflict between sections 33 and 36 of the act.

Clause 4 of the bill repeals section 37 of the act and replaces it in a wording which accurately states the effect of an electrical contractor's licence. In its initial wording that section could have been construed as entitling a person who is not the holder of an electrical mechanic's licence to carry out electrical wiring work by virtue of his being licensed as an electrical contractor. The dangerous implications such an interpretation may have are obvious and it is therefore essential that section 37 be reworded.

Clause 5 of the bill inserts a new section which provides that a natural person must lodge a prescribed fee together with his application for renewal of his electrical contractor's licence. Although it has been the intention that a renewal fee would be payable, irrespective of whether the applicant for renewal was a natural person or a company, the principal act only contains a reference to a prescribed fee payable by companies. Proposed section 38A rectifies the situation.

The three amendments are necessary for the efficient operation of the act. I therefore commend the bill.

Debate adjourned.

TOURIST BOARD BILL
(Serial 136)

Bill presented and read a first time.

Mr STEELE (Industrial Development): Mr Speaker, I move that the bill be now read a second time.

This is a simple but necessary bill. Its purpose is to enable an increase in the number of members on the Tourist Board so that greater area representation may be obtained and so that it may be more fully advised and more effectively discharge its functions and duties.

Honourable members will all appreciate the importance of the tourist industry in the Northern Territory. It is the wish and intention of this government to do everything possible to properly develop and expand that industry. I wish at this time to ensure a wide representation to enable the fullest possible availability of information on tourist activities and potential in the Territory so that a review of the industry and legislation will be possible, based on a solid grounding in fact. I intend to have this legislation reviewed as soon as possible to ensure that we have the best possible legislation for the administration, development and expansion of the tourist industry.

Debate adjourned.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL
(Serial 114)

Continued from 9 June 1978

Mr DOOLAN (Victoria River): The Opposition has no objection to this bill. It appears to relate to a simple increase in fees in relation to the search for and issue of various types of extracts and certificates. In view of the changeover to state-like powers, I am sure that we should be looking at every avenue available to obtain increased revenue and it is reasonable to look at the pecuniary increases proposed in this bill in the light of the old adage that every little helps. There is, however, one aspect related to births, deaths and marriages which I feel deserves serious consideration and that is the matter of legitimising children of Aboriginal parents not legally married without having to go to the extent of having people from government departments running around the country getting Aboriginal people to sign forms certifying that they are the natural parents of the child.

I am not suggesting that tribal marriages be automatically considered legal. In cases where polygamy is still practised, it would be nearly impossible to ascertain which of the wives was to be considered the legal wife and what criteria would be used to establish which wife would take precedence as legal wife. In any case, I do not believe that Aboriginal men and women are particularly concerned over the matter but it could be of great concern to many Aboriginal children who are becoming more sophisticated in seeking jobs for which there is a requirement to produce a birth certificate.

Most Aboriginal people do not bother to have their marriages solemnised according to Australian law because they are already solemnised according to tribal law; yet the issue of such union, legitimate according to their own law, is nevertheless illegitimate according to the law of the land of their birth. Such a situation is quite ridiculous when looked at in a sensible manner. No one could consider the children of non-Christian sects whose parents were married according to Moslem or Jewish law as illegitimate. Perhaps this is not

a good analogy as a person performing a ceremony in Australia would probably be an authorised marriage celebrant but, if the parents were married in some country overseas and the children were born in Australia, I do not believe the status of the children would be questioned.

If a parent of an Aboriginal child in the Territory dies intestate and without effecting a legal marriage, any estate left by the deceased has to be administered under the Intestate Aboriginal Distribution of Estates Ordinance 1961 which necessitates a very cumbersome process and an unnecessary amount of work on behalf of the Department of Aboriginal Affairs and the Public Trustee before probate can be granted. The beneficiary often has to wait for years before receiving any benefit from the estate. In the case of a European father dying intestate if he has acknowledged that he is the father of an illegitimate child, there is no unnecessary legal process to be gone through. If he has not acknowledged that he is the father of the illegitimate child, then there may be some difficulty in administering an estate.

In the case of a mother dying intestate the estate can be administered in the usual manner provided the birth of the child has been registered. The difficulty in the case of Aboriginals is that prior to the mid-fifties when the register of wards was compiled, Aboriginal births were not even registered. It was not until after the second world war that people of Aboriginal extraction were permitted by law to be married. Many Aboriginal couples were married by authorised marriage celebrants particularly those living on missions but, in law, the marriage was illegal. The Aboriginal couple was committing an offence by going through the ceremony and the marriage celebrant was also guilty of an offence by solemnising the marriage although no prosecutions were effected.

I can clearly recall an Aboriginal man born in the 1930s who required a birth certificate for some specific purpose being asked to try to obtain a statutory declaration from people who had witnessed his birth on Inverway station. This exercise was not my sole duty but it was several months and several thousands of miles later that I eventually found a man and his wife on Waterloo station who could verify who his mother was. Because they had witnessed his birth, the birth could be registered and a birth certificate issued.

In New Zealand there is in existence a law which I am advised was designed for people of Maori extraction and which would adequately cover the situation presently existing in relation to Aboriginal people in the Northern Territory. It is called the Status of Children Act 1969. I would suggest that the Chief Minister as Minister for Aboriginal Affairs have the legal draftsman look at this act as soon as possible. If a bill could be introduced along the same lines in the Northern Territory, it would not only give simple justice to Aboriginal residents of the Northern Territory but earn the undying gratitude of officers of the Department of Aboriginal Affairs and the Public Trustee.

Mr SPEAKER: Honourable members, I feel that it is time that speeches, except second-reading speeches, were not read. The reading of speeches does not convey sentiments which we need in here. By the time a speech comes out in Hansard, it is history. Read speeches come out well but they convince no one because the convincing must be done in this Chamber. It is the purpose of members to debate and speak, not read. There is nothing in the Standing Orders to prevent the reading of speeches but after one year of full-time participation in parliamentary affairs I think that, as honourable members are being paid as professionals, it is time they acted accordingly. I therefore rule that, unless there are exceptional circumstances, speeches should not be read. There are only four who lack the confidence now to speak from the heart instead of

from the pad and I consider that it is time that members did act as professionals, practise their speeches outside the Chamber and dispense with notes. I request that members act this way in the future.

Mr EVERINGHAM (Chief Minister): Mr Speaker, might I seek clarification of your statement. I think you said "dispense with notes". Surely it would be in order for speakers to refer to notes in debates from time to time. I believe that is a common custom in parliaments elsewhere. Certainly, I am not suggesting that I disagree with your ruling as to verbatim reading of speeches but I understand, for instance, that the late Sir Winston Churchill never made a speech without using his notes clutched in his fist. Could I have clarification on that point, Mr Speaker?

Mr SPEAKER: I do not recall saying "without consulting notes" but, if I did, I did not mean that. I meant reading speeches fully from notes. I have no objection whatsoever to any member consulting notes.

Mr ISAACS (Opposition Leader): Mr Speaker, you will excuse me if I speak rather fluently but I must say that I do not have a written speech. I want to raise a matter relating to the bill before the Assembly; it is one that I have raised with the Chief Minister on a number of occasions.

On 2 May this year, I asked whether it was the Chief Minister's intention to introduce legislation in these sittings for the registration of surnames of children according to the custom of the families rather than by the surnames of the father only. The Chief Minister did reply, reminding the Assembly, amongst other things, of the very heavy workload which the Assembly faced. There were some 30 or 40 bills on the notice paper on that occasion. However, he hoped the matter would be introduced at the June sittings. Of course, the June sittings have passed and he informed me subsequently of some problem in the matter, but I ask him again to ensure that this matter is attended to promptly. It is causing great concern amongst certain people whose custom is not to register their children in the surname of the father, which is a quaint custom that we have, but to register their children in various ways according to the custom which they have. The particular group whom I am talking about register the child in the maiden name of the mother first and the surname of the father second.

I would ask the Chief Minister to ensure this matter does receive prompt attention. I am somewhat disappointed that the matter was not introduced in the June sittings. I appreciate the heavy workload and I can understand that the matter was not as simple as it first appeared both to himself and myself but I want to ask if the Chief Minister could give an indication that he is proceeding on the course that we have discussed and that the matter will be attended to promptly.

Mrs LAWRIE (Nightcliff): Mr Speaker, I would like to indicate support for the bill before us which is a relatively simple piece of legislation. Having regard to remarks made by the member for Victoria River and the Leader of the Opposition, I would like to add my voice to theirs in pleading for an early introduction of legislation to rationalise the registration of births in the Northern Territory. I would ask further that the Chief Minister, in his capacity as Attorney-General, bear this in mind when attending the Standing Committee of the Attorneys-General of Australia.

There have been some ludicrous happenings in the Northern Territory of quite recent date when people have tried to verify their existence to the Department of Immigration and Ethnic Affairs when seeking an Australian passport. If one's birth has not been registered in the form prescribed, it is

extremely difficult to prove that one exists. I have had people from my electorate and adjoining electorates coming to me aghast after having gone to Immigration and Ethnic Affairs. They have had to seek my services as a justice of the peace, not as a member of the Legislative Assembly, to enable them to obtain what is their right as an Australian citizen - an Australian passport. It is not only a matter of concern within the Territory - although perhaps we have a specific reason for streamlining procedures - but Australia-wide and the sooner the states confer and agree on certain simplified guidelines the better it will be for all citizens of this country.

Mr EVERINGHAM (Chief Minister): I have listened with interest to the remarks of the member for Victoria River, the Leader of the Opposition and the member for Nightcliff. As the Leader of the Opposition said, the problem which we thought was so simple a few months ago in relation to curing what appeared to be a relatively straightforward matter in the legislation just did not turn out that way. It was decided at that stage by myself and certain of my officers in the Department of Law that a thorough review of the legislation should be carried out with a view to introducing in the Northern Territory legislation along the lines of the New Zealand status of children legislation to which the honourable member for Victoria River has referred. The law reform and policy branch of the Department of Law has in the last few weeks or so furnished me with a very thorough and painstaking survey of all the legislation of this type presently in force in our Australian states and in New Zealand.

An unfortunate aspect which I might advert to, Mr Speaker, is the fact that there is legislation of this type in force in at least three of the Australian states and, as the honourable member opposite said, in New Zealand. But it is not uniform. There are some important differences and I understand the Standing Committee of Attorneys-General had been seeking to secure uniformity of legislation in this area which really I think is a most desirable object. However, at the meeting in Darwin recently it was agreed that the search for uniformity at this stage should be forgone in the interests of securing at least the basics of the legislation in most places because the attitude of the various attorneys was a somewhat narrow and parochial one in that each of them claimed to have the best piece of legislation in operation in their particular state.

I do not believe it is an exercise the standing committee will give up altogether but we are seeking in our legislation to cure the problems referred to by the Leader of the Opposition and indeed by the honourable member for Victoria River. I am quite certain that the problems adverted to by them will be overcome in this legislation and we would hope at least to benefit by the experience gained elsewhere in Australia and Australasia by the operation of similar legislation already in force. I certainly would undertake that that legislation will be introduced during the September sittings of the Assembly. I only add the rider, Mr Speaker, that because the legislation is quite long and quite complex, I would rather not stampede the draftsmen through this one because I think it would be better to have a polished product because it really affects a most important area, the status of children, rather than one which people might be able to drive holes through.

There are some complications which I think we may have heard of at the Constitutional Convention or it could have been at the Standing Committee of Attorneys-General. There is some thought of the states referring to the Commonwealth power - it is not really relevant in the Northern Territory situation - to make a determination on paternity under the Family Law Act and, of course, this could cause some complications. I have not got a particularly good grasp of that side of it because the full discussion that took place that I was part alludes me at the moment. But it is a subject on which I believe we should

give the draftsmen sufficient time to come forward with an adequate and properly polished piece of legislation. Much as I would like to produce it in September - and I certainly hope to be able to introduce it in September - I am certainly sure that it will be introduced before this year is out.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: Mr Chairman, I move amendment 117.1.

This amendment omits item 4 from the proposed fifth schedule. The usual search fee of \$1 is included within the fees for each of the other three services in the schedule. The Territory records are particularly well indexed and I do not consider that the extraordinary fee for so-called difficult searches is warranted. I foreshadowed this amendment in the second-reading speech.

Amendment agreed to.

Clause 3, as amended, agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

COMPANIES BILL (Serial 118)

Continued from 14 June 1978

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: Mr Chairman, I move amendment 118.1.

This proposed new provision is introduced here to keep the fee schedule in line with that recommended by the Interstate Corporate Affairs Commission. This new item was included by the Interstate Corporate Affairs Commission in their revised schedule in February this year and is being adopted in all Australian jurisdictions.

Amendment agreed to.

Clause 4, as amended, agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

PUBLIC TRUSTEE BILL
(Serial 124)

Continued from 14 June 1978

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

REAL PROPERTY BILL
(Serial 123)

Continued from 14 June 1978

Ms D'ROZARIO (Sanderson): Mr Speaker, I accept the Treasurer's statement in his second-reading speech that the charges relating to some actions under sections 22 and 65 of the Real Property Act have remained static for some 13 years but I wonder in setting his new charges whether he perhaps could have injected a bit more rationality into the charges which are set and which relate to an extremely old act of 1886. There are a few items to which I would like to address a few remarks, Mr Speaker, and I am sorry to see that they are not numbered so I hope the honourable Treasurer will bear with me in trying to identify the ones that I have remarks about.

For example, Mr Speaker, it would cost a person a good deal more to obtain a provisional copy of a title or crown lease than it would to obtain the actual title. The cost to obtain a certificate of title in the proposed fee increase is to be \$20 and to obtain a provisional copy \$30. Mr Speaker, I wonder why this is so?

Mr Everingham: That's to discourage them from losing them.

Ms D'ROZARIO: I am pleased that the Chief Minister has supplied that answer because I was going to predict that it was in fact to discourage people from applying to the Registrar-General for a provisional copy.

Mr Speaker, the provisional copy is often sought by people, if I might hazard this reason, because it takes some time for the Registrar-General to issue a title and people seek these provisional copies because they have to do certain things, like lodging them at banks to provide proof of impending ownership and so on and so forth. I really think that to penalise them by some 50% increase in the cost of obtaining a provisional copy, instead of waiting for the actual copy, is quite irrational in my view because a lot of these delays stem from the operation of the Registrar-General's office. I am not criticising the Registrar-General here: I am merely saying that, ever since I have been here at least, that office has been bedevilled with staff shortages and so on. I certainly do not think that people who seek provisional copies should be so penalised.

Another point in the schedule to which I would address some remarks and refer to the honourable Treasurer is the proposal to charge \$20 for every diagram on a certificate of title after the first two. Although there is an analogous item in the original Real Property Act, I find the reasons behind this sort of fee have changed and I commend to him the suggestion that it does not make for a good and thorough description of land to charge fees of this nature.

I am sure the honourable Treasurer would realise that the whole purpose of the Real Property Act is to provide an indisputable method of recording ownership of land. And one of the very important features of this scheme is an absolutely accurate description of the land. Unlike mining tenements, real property

tenements are described not by running commentary of metes and bounds but rather by a drawing of the land to scale and every projection has a bearing upon it. So it does not require extreme mathematical or surveying skill to actually see what you own or the piece of land that you are searching.

The designs of some things like roads have become more complicated in the last few years. It is very common to have multiple-chord truncations on inter-sections and these are usually shown by reference to an enlargement of the diagram because, as you would appreciate, it is impossible to show these things to scale when they are quite small. The usual method of showing these is simply to show them by enlargement. One could have the case where there would be several such additional diagrams and apparently, according to the schedule, the person who would eventually get the certificate of title is to be charged \$20 for every diagram after the first two. I rather think this is an unfair penalty when in fact the diagrams are simply there to uphold the original purpose of the Real Property Act which is to give a precise description of the parcel of land concerned.

There is a further item which is on the bottom on page 2 in the schedule that, for every map or plan deposited and for every alteration to a map or plan, there is to be a fee of \$5. I do not dispute the payment of a fee of \$5 for the lodging or depositing of a plan. I think that is quite a small impost. However, my remarks relate to the alteration to a map or a plan. Again, there is a similar item in the old Real Property Act but the point that I would like to make is that this particular item does not say who would be responsible for paying the sum if it were attributable to an error of the examiner.

I am sure the honourable Treasurer would know that when survey plans and so on are lodged and when instruments are being drawn up, all these documents are examined and it is the responsibility of the examiner to pick up errors. However, having worked in a land titles office, I can say that many of the errors that appear and therefore have to be altered have occurred because of errors which the examiners have not picked up. So it is not the fault of the person submitting the plan or the person requesting the alteration. I think in that case it is an unfair and unjust imposition to have to pay \$5 for an alteration as result of an error.

On large plans for subdivision of land which is being sold off rapidly there would also be alterations which would be made subsequent to the sale of those lots when the parcels of land are actually transferred and this takes the form of notations of the new certificate of title number and a notation on the plan that the old certificate is no longer relevant to the new parcel and also changes notifying the balance certificate of title. In all these cases, of course, these alterations come about as a result of normal transactions and transfers in land, and I am just wondering whether or not the honourable Treasurer is proposing that for each of these alterations which must be noted on the plans the people who would eventually get the title have to pay these fees.

It seems to me that we have a real property act to perform a very vital function relating to a very vital resource, namely land, and instead of encouraging that process to occur and instead of encouraging an efficient recording of the transaction, we are actually penalising people for taking these very actions. I wonder whether the Treasurer would be good enough to respond to some of the remarks I have made because, whilst I accept that some of these items did appear in the old act, as I say the relevance of some of them has changed and in the case of the provisional certificate of title there was no such similar item in the old Real Property Act of 1886 or in the amendment of 1965.

Mr EVERINGHAM (Chief Minister): As a conveyancer of some years, although I will not say experienced, I listened with interest to the remarks of the honourable member for Sanderson and feel I should point out that a provisional copy of a certificate of title or crown lease - for the interest of members, Mr Speaker - is in fact the copy that is provisionally issued by the registrar conditionally on the duplicate having been lost; it is not the extract which I think the honourable member for Sanderson was inadvertently referring to in mistake for the provisional copy. You cannot get a provisional copy unless the duplicate copy is lost. Of course the original is held by the registrar in the register book. The duplicate copy is issued to the owner, the lessee or whatever, and if he then loses the duplicate copy, he can apply by going through a procedure of advertisement and application to the registrar for a provisional copy which is issued provisionally on the duplicate being lost. I hope that explains to the satisfaction of the honourable member for Sanderson the situation of provisional copies of certificates of title.

I think the \$30 was put on this by the Registrar-General to discourage people. It certainly is very prevalent in the Northern Territory, even before the cyclone. When I was a law student in Queensland and a solicitor there for some time, only once in five or six years did I have to make an application for a provisional certificate of title but in the Northern Territory I was making applications for provisional certificates of crown leases generally about once a week. It is remarkable how many people in the Northern Territory come to lose their certificates of title.

The next charge that the honourable member for Sanderson went on to was \$20 for every diagram on a grant or certificate after the first two. I might just say in passing that I think if people would look dispassionately or objectively at these charges, they would agree that by today's standards they are all reasonable. Were I myself to set up as registrar of titles and wished to make a profit on the transaction, I think I would have to charge significantly more than is being charged here for the intricacy of the work that is involved in many cases, such as in the preparation of a duplicate title or in the preparation of the provisional certificate of title. Much more time and materials than \$30 worth go into the preparation of these documents. Although in this day and age a large proportion of them are, of course, printed and not written out by hand, there is still a great deal of careful printing goes into them and into the drawing of the diagrams in many cases, although that has now been simplified somewhat by the photographing of the public plan for the particular area and the outlining of the particular block on the public plan which is enclosed within the instrument of title itself.

Even so, Mr Speaker, any of these tasks are tedious - entering the instruments up in the register book and the checking and the examining, as the honourable member for Sanderson referred to. As I recall, it is very unusual for a grant in fee simple or a certificate of title or crown lease to have more than two diagrams on it and it can, in my conception, really only occur where it is a large block of land which is being carved up for subdivision. I would imagine that each one of these diagrams would have to be put on the document by a draftsman and it would take him some time to do this with all the measurements and so on thrown in.

Then we came down to \$5 for every map or plan deposited and for every alteration to a map or plan. Well, I think perhaps the honourable member for Sanderson was confusing intra-office transactions, such as pencil notings on public plans, that the Titles Office often seems to do; they write volume and folio numbers of the titles that have been issued out of the public plan on the plan itself. But no one outside requests them to do that; it is just part of their

procedure. The \$5 for every alteration to a map or plan would be charged on a formal request to amend a particular map. There are not too many such requests that would come forward because it is very difficult to alter a public plan once it has been registered. Really, the only circumstances that I could conceive is where there is a further subdivision in which a supplementary plan would have to be lodged in most circumstances or where it was found that the surveyor who prepared the plan was in error. If that was the case, then the person who lodged the plan - presumably the same person who employed the surveyor - would be liable, one would think, to pay \$5 to have the error rectified. So, Mr Speaker, I do not think the charges are exorbitant. In fact, I think they really will not cover the costs of administration; certainly on a time basis I cannot see how they will.

I believe there should have been a much higher fee for one of the items. For every requisition I think the fee is \$5. If we made that fee \$50 I know the number of requisitions would certainly be cut down. Requisitions are the bane of the existence of the Titles Office. Requisitions are little notices that the Registrar-General gives to you when you go to his office telling you that so many dealings that you have lodged beforehand have errors in them. Unfortunately, far too many members of my profession, including myself, have been guilty of errors in the preparation of conveyancing documents and I rather think that if there was a higher fee - although \$5 certainly might mount up, based on the number of requisitions that issue from the Land Titles Office here in Darwin and indeed, unfortunately, in every land titles office in Australia - I believe this would have the salutary effect of making conveyancers much more careful.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: Mr Chairman, I invite the defeat of clause 3, by amendment 119.1.

Section 201 of the Real Property Ordinance was repealed on 1 July 1978 by the application of the Transfer of Powers (Self-Government) Ordinance. In the second-reading speech, I foreshadowed withdrawing support for clause 3 because that clause has become redundant.

Clause 3 negatived.

Clause 4:

Mr PERRON: Mr Chairman, I move amendment 119.2.

Clause 4 requires amendment to remove reference to the repealed section 201 in the heading of the proposed new first schedule. This is a consequence to the previous amendment.

Amendment agreed to.

Ms D'ROZARIO: Mr Chairman, I would just seek some clarification or rather explanation from the honourable sponsor of the bill in view of the remarks made by the Chief Minister relating to the provisional copy of the certificate of title.

I wonder if the honourable sponsor might tell me why a person would seek a provisional copy rather than the supply of a certified copy for which there is a fee of \$3 for the first page and \$1 for subsequent pages. If he obtained a certified copy of the original held in the Land Titles Office, I wonder what the need would be for the provisional copy?

Mr EVERINGHAM: Mr Chairman, if I might just answer this, the reason is fairly plain. A person generally requires a copy of a certificate of title for the purpose of giving security over it to a bank or some other financial institution because a bank can take security over a provisional certificate. They cannot take security over a certified copy. A certified copy is useful, for instance, to tender in a court to prove that you own a particular block of land but that is about as far as its use extends.

Clause 4, as amended, agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

LANDS ACQUISITION BILL (Serial 93)

Mr PERRON (Treasurer): Mr Speaker, on the subject of the next item of business on the notice paper, the Lands Acquisition Bill, I would like to advise the House that the government does not propose to proceed with the bill at these sittings. There have been some further amendments come through quite late and it is important that the matters be considered carefully, and the time in these sittings is not available for that. I propose to have the bill and the amendments that have been prepared to date consolidated and circulated to members as soon as possible with a view to having a new bill introduced in the next sittings. Hopefully, at that time, I will be seeking to have that bill passed through all stages during those sittings.

Mr SPEAKER: Does the honourable member seek leave to withdraw this bill?

Mr PERRON: Yes, Mr Speaker, I seek leave to withdraw the bill.

Leave granted; bill withdrawn.

STATEMENT

FINANCIAL ARRANGEMENTS WITH FEDERAL GOVERNMENT

Mr EVERINGHAM (Chief Minister): Mr Speaker, I seek leave of the House to make a statement in respect of the financial arrangements between the Commonwealth and the Northern Territory.

Leave denied.

Mr ROBERTSON (Manager of Government Business): The mind boggles as to what possible reason they could have.

Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the honourable Chief Minister from making a statement at this time.

Mr ISAACS (Opposition Leader): Mr Speaker ...

Mr SPEAKER: There is a motion before the Chair.

Mr ISAACS: Yes. I wish to speak to that motion.

Mr Robertson: I am only seeking leave at this stage.

Mr ISAACS: No, you're not. You haven't sought leave. You don't have to. We go through this charade every time.

Mr SPEAKER: Honourable Leader of the Opposition, the motion has been supported and the matter will be debated very shortly. Is there any debate on the motion?

Mr ROBERTSON: Now I move the motion.

Mr Isaacs: You have moved it.

Mr SPEAKER: He sought leave.

Mr ISAACS (Opposition Leader): Mr Speaker, according to standing order 254 no leave is required. In standing order 262 under the new provisional standing orders - that is the old standing order 254 ...

Mr Robertson: Perhaps you had better say why the Opposition doesn't want ...

Mr ISAACS: Yes. I will certainly do that, just as soon as I am called. You are jumping up and down like a jack-in-the-box at the moment.

Mr SPEAKER: The ruling of the Chair is that the honourable Manager of Government Business has the support of the House and may move the motion. Then the honourable Leader of the Opposition or anybody else may speak to it.

Mr ISAACS: Mr Speaker, I am not going to canvas that ruling I frankly just do not understand it. I would have thought that the purpose of debating the matter of whether or not Standing Orders are to be suspended is to convince members opposite, as you so eloquently put it earlier on this afternoon, by force of debate one way or another. When members opposite stand up and support the suspension of Standing Orders mindlessly, as they did, of course they are already pre-empting that decision.

But let me speak to the matter of the suspension of Standing Orders. The reason for the suspension of Standing Orders is to enable the Chief Minister to make a statement regarding the financial arrangements. Nobody wants to deny him the right to make a statement about the financial arrangements. There has been an ungodly silence about the financial arrangements. But when they look at me with a shocked look on their faces, they may wonder, well, what the hell is going on. Simply this: we have sought from the members opposite what sort of statements are going to be made, what the business is going to be today and tomorrow, and they have not been able to tell us. The whip asked the government this morning, I think, whether or not any statements were to be made and the government was not certain.

I would have thought as a matter of courtesy, which members opposite do not appear to have a great deal of, it would have required that the government would have informed the Opposition whether or not they are going to be making a statement on such an important matter and, if so, to give us some notice of what the statement was going to be so that we could debate the matter when they spoke. Too often in this Assembly statements of very great importance have been made without any notice given to the Opposition. We get the statement but we cannot debate it straight away because we have to give it some

thought. It gets put to the end of the notice paper and by the time it comes up for debate, the whole matter is over. It is passed; it is old hat. Well, if that is the name of the game, I really have a very dim view of the way you people operate. A very dim view. I suppose we can all have smiles on our faces but occasionally the people opposite in their arrogance might realise that the boot at some stage may be on the other foot.

All I am saying is this: in the making of statements, especially of such importance as this one, all we require from the government is notice that a statement is going to be made. We would hope to be given at least, say, 24 hours notice of the statement and then we can debate it straight away. That, to me, is the sensible way of doing it or, secondly, for the statement to be made one day and debated the next. The fact is that the government has never given us that kind of assurance. In fact, what has happened - and the notice paper is cluttered with this sort of example - is that the statement is made, then a month or two months later the matter finally works its way to the top of the notice paper but it is out of date and the matter lapses.

The reason for us moving against the suspension of Standing Orders is simply to drive home to the government, if they want to make these statements, the need for a bit of courtesy and a bit of decency. If they want it debated as I am sure they do, then either let us have their statement, which I am sure is typed up for the Chief Minister 24 hours in advance or, if they are going to make the statement, let us have an assurance that it will be debated the very next day. So far nothing of that sort has been given by the government and that is why we have opposed the suspension of Standing Orders. This is the first inkling we have had that such a statement was going to be debated in this Assembly at these sittings.

Mr ROBERTSON (Manager of Government Business): Mr Speaker, the reason I am replying to the honourable member, so that this does not go on too long, is really to examine what the Leader of the Opposition has said. He has recognised the importance - as he says, a matter of such importance as this statement - of the matter which the honourable Chief Minister wishes to place before the House. But out of the fit of pique, he wants to take his ball and go home. He does not, as he said, want to deny the suspension of Standing Orders. What the honourable Leader of the Opposition is seeking to do is to deny this House and the people of the Northern Territory the information which the honourable Chief Minister wants to provide to us and to it. Now, that is the key to it. It is not a denial of the suspension of Standing Orders; it is seeking to deny in fact the provision of information to the people of the Northern Territory.

I think that when we talk about what is right and what is wrong in this place, we ought to remember what the role of the Opposition is. I would think it is rather disgraceful for this fit of petulance opposite to seek to deny not the suspension of Standing Orders - because there is only one way, once they denied it, that we can do this - but to deny in fact the right of the people of the Northern Territory to hear what the Chief Minister has to say.

Mrs LAWRIE (Nightcliff): The honourable Chief Minister ...

Mr ROBERTSON: A point of order, Mr Speaker. I moved the motion and I have closed the debate.

Mr SPEAKER: Has the honourable member actually moved the motion?

Mr ROBERTSON: I moved the motion for the suspension of Standing Orders. The Opposition has spoken and I have closed the debate.

Mr SPEAKER: The question is the motion to be agreed to.

Mrs LAWRIE (Nightcliff): A point of order, Mr Speaker. Are you ruling that I cannot speak to the motion?

Mr SPEAKER: The honourable Manager of Government Business has moved a motion and the honourable Leader of the Opposition has spoken.

Mrs LAWRIE: Well, on that point of order, Mr Speaker, there is no restriction in Standing Orders saying that only two members may speak. The Leader of the Opposition is not my leader. What the Manager of Government Business seems to have done is to effectively gag the debate with the cant and hypocrisy which I have come to expect.

Mr ROBERTSON (Manager of Government Business): Mr Speaker, a point of order!

Mr SPEAKER: What is the point of order?

Mr ROBERTSON: The point of order is that there is a motion before the Chair, Sir, and before the Assembly which I moved, which has been spoken to from the other side and which I have closed. Now for the rantings of the other side, if the honourable member for Nightcliff wishes to continue in this manner she may take it up in the adjournment debate and then run the risk, of course, of reflecting on a debate during the same session.

Mrs LAWRIE (Nightcliff): A point of order, Mr Speaker. It is obvious, of course, that I cannot take this up in the adjournment debate. I am rather surprised that the Manager of Government Business is so ignorant of Standing Orders that he should suggest such a thing.

Mr Robertson: I said run the risk.

Mr SPEAKER: The question is the motion be agreed to.

Mr Isaacs: Mr Speaker, can I move that the member for Nightcliff be heard.

Mr Robertson: You can't. There is a motion before the Chair. How can you move that?

Mr Isaacs: Very simply, I have done it.

Mr Robertson: It is as irrelevant as the rest of the rubbish you have come up with.

Mr SPEAKER: The honourable Leader of the Opposition is out of order.

The Assembly divided:

Ayes 12

Noes 7

Mr Ballantyne
Mr Dondas
Mr Everingham
Mr Harris
Mr MacFarlane
Mr Oliver
Mrs Padgham-Purich

Mr Collins
Mr Doolan
Ms D'Rozario
Mr Isaacs
Mrs Lawrie
Mrs O'Neil
Mr Perkins

Mr Perron
Mr Robertson
Mr Steele
Mr Tuxworth
Mr Vale

Mr EVERINGHAM (Chief Minister): Mr Speaker, I listened with some interest to the remarks of the Leader of the Opposition earlier in relation to the provision to the Opposition of copies of statements that the government ministers were proposing to make. In the past it has been my invariable practice, after the first sittings or two of this Assembly, to provide - and my staff have standing instructions on this - 19 copies of every statement to the Clerk of the House, 6 copies to the Leader of the Opposition for his members and 1 copy to the member for Nightcliff. I would be surprised to hear either the Leader of the Opposition or the member for Nightcliff deny that that has been my practice in the past. I am surprised that the honourable Leader of the Opposition did not get a copy of this statement today because it has always been my intention to provide them. I got this statement in my hands only this morning and I assumed that by now it would have been circulated by the Clerk.

It is interesting to observe that the Leader of the Opposition chided me and chided my ministerial colleagues with failure to provide him with copies of statements that we were proposing to make, yet it does not seem to have to be a two-way traffic. The Leader of the Opposition rose to his feet this morning to make a statement in respect of the Constitutional Convention but he certainly did not provide me nor any members of the government with copies of his statement. Presumably, we are no more at fault than he is. I would suggest that, if the Leader of the Opposition wants to continue to assist us to run the Assembly on a business-like basis, in future he provide copies of his statements. It has certainly always been our intention to do so as soon as they come back to us in a settled form. I should like a reciprocal arrangement whereby the Opposition provides us with copies of the statements that they propose to make some time in advance. Today, it would rather appear that justice may have been done in that the Leader of the Opposition did not swap statements with me and neither did I with him.

The Leader of the Opposition also mentioned that this is the first indication he has had from this side of the House of the intention to make any statement in respect of the financial arrangements. I refer the honourable Leader of the Opposition to Hansard where I think he will find that, on at least a couple of occasions, I have stated that I would present a copy of these financial arrangements to the House at the first sittings that I possibly could after they became available.

I seek leave, Mr Speaker, to table the memorandum of understanding in respect of the financial arrangements that will apply between the Territory and the Commonwealth. This memorandum was initialled by the Prime Minister and myself on 28 June last and endorsed by me as one of the first acts as Chief Minister on 1 July 1978.

Leave granted.

Mr EVERINGHAM: Although copies of this document have been circulated widely, I might mention that, as soon as I brought a copy back from Canberra, a copy was sent to the Leader of the Opposition and I seem to recall that I sent a copy in due course to each member of the Assembly. Its significance is such that it demands a place in the permanent public record of this House and I have already sought leave to have it tabled here.

I do not intend to use this as an occasion to go over in detail our significant achievements in the negotiations incorporated in this memorandum. I have made three comprehensive statements to the House in recent months on the progress of the financial arrangements. In an examination of the memorandum, honourable members will now recognise just how full and frank the disclosures in those statements were - rather a contrast to the cant and humbug that we heard from the other side of the House at the time and I notice that there have been significantly few comments on the financial arrangements since the Leader of the Opposition and members opposite got their hands on this document.

There are no secret deals lurking in the background and there are no confidential written or unwritten codicils to this document. I am well pleased with the arrangements as now reflected in the memorandum. They establish the sound financial basis for the long-term Territory development which we have all been seeking. In any such written expression of intention there are bound to be differences of opinion on matters of interpretation in the future. Indeed at one point in our discussions, it was proposed that the agreement should be incorporated in legislation. Upon further consideration, both parties backed away from this proposition and the obvious reason is the rigidity and the legal interpretation which flows inevitably from such treatment. Delays and even obstruction can be generated by the apparently simple step of referring matters for legal opinion. Again, if legislation was the method, I am sure the wording would have been quite different, less comprehensible to the public and more difficult to change. The use of the word "understanding" rather than "agreement" reflects the nature of the arrangement.

The philosophy which underlies these understandings is unequivocally that they are modelled on the arrangements which apply between the Commonwealth and the states with due regard to the particular circumstances of the Territory. Formulae, principles, mechanisms and independent protective devices are in there to guarantee a working model. Disagreements will be tested against the objective of the model. Under that model, the hundreds of millions of dollars necessary to supplement reasonable efforts on our own part to support at least a southern standard of services throughout the Territory is assured by the Commonwealth. The majority of these millions will be untied, allowing application of priorities as we see them. It is widely agreed there is no responsible government without financial responsibility.

This memorandum more than anything else guarantees responsible government in the Northern Territory. Whilst the principles are set, the arrangements foreshadow completion of a good deal of unresolved administrative detail during this transitional financial year. We have a lot of work in front of us. It is most apparent that you cannot move directly from Canberra-based departmental control using procedures with Australia-wide application to local control using procedures that are better designed for our own needs. Without previous accountability at this level, the information is in many cases just not there and will need to be sought during the transitional year.

The memorandum anticipates the need to shake out and to specify the equivalent of the major specific purpose grants paid to the states, including those for Aboriginal advancement and the need to identify and settle agency arrangements to apply both ways between the governments. It provides for task forces to look at the treatment of the government's share of superannuation and also the economics of the Electricity Commission and its future power generation needs. It specifies that agreement is to be reached over our reimbursable expenditure associated with uranium development. It allows for Commonwealth Grants Commission assessment of needs at our application in respect of the years from 1979-80 onwards.

Honourable members who were interested at question time this morning in why the Electricity Commission painted its trucks apple green should perhaps look at pages 25 to 27 of this particular document. If they cannot work out for themselves why the Electricity Commission is doing everything it possibly should this year, then they should not be here.

I have already written to the Prime Minister requesting his immediate action in obtaining a reference to the Grants Commission for an advance assessment to 1979-80. The commission will undoubtedly need plenty of time to build up a data base and make proper examination of our special difficulties in providing standard services on a large scale. Departments, local authorities, formal organisations and community groups will need to come to grips with the methodology of such grant assessing bodies as the Schools Commission, the Tertiary Education Commission, the Bureau of Transport Economics and the Grants Commission so that we can enter our base year with a fair and adequate internal distribution of our funds.

The level of Commonwealth assistance during the transitional year has been made known to me and I am convinced as to its adequacy for the anticipated expenditures. This will be revealed in the Treasurer's budget shortly. Those unforeseen and unavoidable costs of government which emerged during the year, for instance agency costs not allowed for or wage increases, will be the subject of a supplementary grant by the Commonwealth later in the year. I look forward to an upsurge in confidence in the Northern Territory as a venue for secure investment. I see this flowing from growth through our policies of encouraging enterprise and initiative underpinned by the predictable funding level which becomes our automatic right under this memorandum of understanding.

In conclusion, might I say it is my belief that the Opposition has always had an adequate chance in the past to debate any statement which has been made by any member of the government in this House. The moving of a motion to note the statement and the adjournment of that motion is entirely up to the honourable members opposite. I now invite the Leader of the Opposition to move a motion and to adjourn this debate till 2 pm tomorrow which will give him 24 hours in which to seek comment on this statement. I would be quite happy to join in the debate with him.

Mr SPEAKER: Honourable members, the normal practice is that, when copies of statements are provided to the Clerk for distribution, they are held until the member commences to make his statement before distribution by the attendant. That clears up the point as to why the statements were not distributed earlier.

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I move that the statement be noted and seek leave to continue my remarks at a later hour.

Leave granted.

LAW OFFICERS BILL (Serial 139)

Bill presented and read a first time.

Mr EVERINGHAM (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

The necessity for this bill arises from a recent approach from the Commonwealth to the effect that, as the Sheriffs Ordinance has not been transferred to the control of the Northern Territory government, references in that ordinance

to the Attorney-General should not be treated as references to the Attorney-General for the Northern Territory.

The bill seeks to correct this by making section 7(1) of the principal ordinance inapplicable to the Sheriffs Ordinance. I foreshadow an amendment to the bill to substitute the word "for" for the word "in" in section 6B of the principal ordinance. This is also an amendment requested by the Commonwealth to make it clear that the Attorney-General is the principal law officer for the Northern Territory government.

Debate adjourned.

ORDER OF BUSINESS

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I move that government business relating to the Hire Purchase Bill, serial 127, be now brought on.

I would apologise to the Opposition in that I have only just been able to provide their whip with a copy of the order in which we will be dealing with these bills, at least in taking their side of the second-reading stage if they wish to speak.

Mrs LAWRIE (Nightcliff): In speaking to the motion that this order of government business be brought on, it is of course the prerogative of the Majority Party to decide the order of business and it is the Manager of Government Business in the House who makes their expression of will known. I would only remind him that I am not a member of the ALP; the Labor Opposition whip is not my whip. I would appreciate his courtesy being extended to me so that I have some idea of the order of business when he himself is aware of that order.

I make this point particularly because many people of my electorate ask me what legislation is coming before the House - at least on what day, if not what time - and the way the procedures of the House are conducted, it is not possible to give the public any idea of the order of business.

Mr SPEAKER: The honourable member was completely out of order. There is a motion before the Chair and I now put it. The question is that the motion be agreed to.

Motion agreed to.

Mrs LAWRIE (Nightcliff): Mr Speaker, on that point of order, may I ask why I was out of order. I was speaking to the motion that that order of government business be brought on. I was speaking to that and not to the bill.

Mr Robertson: And I would have liked the chance to reply to the nonsense too.

HIRE PURCHASE BILL (Serial 127)

Continued from page 1622

Mr ISAACS (Opposition Leader): The Opposition does not oppose the bill to amend the Hire Purchase Ordinance. It has always been our understanding that the person who owns the goods which are hired would not be required to pay the duty on it but it would be the responsibility of the hirer.

However, the bill which is now before us does raise a very interesting question which seems to have been covered in other amendments which the Treasurer has introduced but does not seem to be covered in this one - that is the question of what has happened about hiring agreements carried out between July and the date on which I presume this bill takes effect. I would have thought that, in keeping with some of the other pieces of legislation before us, the same sort of retrospective provision would have applied but, nonetheless, it has not and I would ask the Treasurer why.

I raise this point simply because I am somewhat concerned and people in the industry have been somewhat concerned about statements emanating from the Commissioner for Taxation's office saying that there is a discretion on behalf of the commissioner to waive these sorts of stamp duties. I have heard it said, and I am certain it is not correct, that the Treasurer himself has that discretion.

I do not recall seeing anything in the Stamp Duty Ordinance, or act as it is now called, that that discretion does exist. I would like to hear from the Treasurer whether or not he believes it exists and if he does, if he could show me where. But it does raise this very vexed question of what has happened between 1 July and the date on which this bill is going to take effect. I make this point of seeking clarification but, as I indicated right at the beginning, I do not believe it has ever been the intention of the ordinance to tax the owner.

I did hear a very interesting story when I was in Alice Springs recently: as one of the newspapers unkindly put it, as one of the political exhibits at the show - and all members opposite, I notice, were there as part of that political exhibition - one of the tent hirers made it known that he was not going to hire out any of his tents because it was unclear who had to pay the tax. It was put to him that he had to, so he was going to hang on to his tents and was not going to let them out to hire at all. Mind you, I admit he did not get any business; I really could not see the logic in it. Nonetheless, such was the confusion which reigned over this particular issue.

The Opposition supports it. This makes it clear who has to pay and, of course, it is a cost passed on to the consumer. I do not think that was ever in doubt. I would like to hear the Treasurer's comments, though, on the points raised about retrospectivity and what has happened between 1 July when the Hire Purchase Ordinance came into existence and the date on which this particular piece of legislation is going to receive assent.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ORDER OF BUSINESS

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I am afraid I am in the business of apologising to the Opposition today because I am going to have to mess around with the order that I gave the honourable members because of the absence of the Chief Minister.

Mr Speaker, I move that government business relating to the Taxation Administration Bill, serial 128, be now taken.

Motion agreed to.

TAXATION ADMINISTRATION BILL
(Serial 128)

Continued from page 1623

Mr ISAACS (Opposition Leader): Mr Speaker, once again the Opposition supports this piece of legislation. The previous ordinance, the Taxation Administration Ordinance, defined loan security in a very general sense and it meant that all sorts of loan notes which quite obviously we would not have wanted to attract a duty would have attracted it. It has been put to me by the member for Fannie Bay that if, in fact, a person had an account with a bank and that account was overdrawn, then each time that account was overdrawn the person whose account it was would be required to take the bank statement along to the taxation office and get the thing stamped and pay duty. Well, quite obviously, that would not be the intention of the legislation. I think a number of us would be quite busy. And that being so, the amendment being proposed on this occasion is a perfectly proper and sensible one.

I point out that clause 4 of this bill does provide for retrospective validation of acts done between 1 July and the date on which this piece of legislation will come into effect; I just point that out to the Treasurer in relation to the previous matter before the Assembly.

The definition which has been provided seems to me to cover the matter. It does not leave any room; it is a strict definition rather than a general definition and the Opposition supports this particular piece of legislation.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

STAMP DUTY BILL
(Serial 130)

Continued from page 1623

Mr ISAACS (Opposition Leader): Mr Speaker, again the Opposition is not going to oppose this piece of legislation. I have married it with the Stamp Duty Ordinance which we passed some time ago in this Assembly and I am satisfied that in the matters raised by the Treasurer, it does not create an extra impost but rather, in one particular case any way, appropriately shares the duty. As I say, I am satisfied that it does not do anything in addition to matters that we have already agreed upon in this Assembly and therefore the Opposition will be supporting the bill.

Mrs O'NEIL (Fannie Bay): Mr Speaker, in supporting this bill I note that it is basically to change a few drafting problems that arose because of the speed at which the original legislation was prepared. I thought it might be appropriate to point out that I am aware of at least one other slight problem in the Stamp Duty Ordinance which I would like to bring to the attention of the Treasurer. I am sure there are many more and I can imagine that we might be going through this process for at least the next 12 months. But I would draw his attention to item 12 in schedule 1 of the Stamp Duty Ordinance. I have been told that, because of the slightly ambiguous wording in this item in relation to leases, there is some confusion and argument in the legal profession about leases. The wording is: a lease, an agreement for lease, a sub-lease, under lease or the grant of a sub-lease or under lease of an estate in fee simple in land or a Crown lease for a term exceeding 5 years, of land in the Territory. Then it goes on to list the ad valorem duties.

The question, I understand, arises about whether exceeding five years applies simply to crown leases or to all the other leases and subleases that are listed. Some lawyers are arguing that it applies to all of those species of leases and are advising clients that as long as they have leases of under five years, then they will only have to pay the straight \$5. I am no draftsman; I would not have interpreted it that way but then I am not a lawyer and I understand some are. I feel it is a question that should be cleared up and perhaps might require an amendment to clear it up. So I bring it to the attention of the Treasurer.

Mr PERRON (Treasurer): Mr Speaker, in reply, touching particularly on the matters raised by the honourable member for Fannie Bay, I suggest that if there is any confusion relating to matters in schedule 1 of the Stamp Duty Ordinance, as she mentioned, the matter be raised with the Taxation Commissioner who in turn, of course, can get legal advice himself on the matter, because we certainly would not want to have the wrong interpretation placed on this type of thing and people possibly breaching the law in some circumstances. I would advise any professional people who are dealing in these matters and have doubts to formally put them to the Taxation Commissioner so that an opinion can be obtained.

Mr Speaker, further reference has been made by the Leader of the Opposition to the necessity for validation clauses which have been put in this piece of legislation and in the previous two that have been dealt with. He was a bit surprised that this was not in the Hire Purchase Bill. Well, there is quite a difference. The Hire Purchase Bill merely allows for stamp duty to be listed as a separate item on a hire purchase agreement. It has nothing to do with the duty leviable or in fact who pays the duty. So there was no necessity whatsoever for a retrospective clause in that bill.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

DANGEROUS DRUGS BILL (Serial 134)

Continued from page 1629

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Opposition supports these amendments. A few months ago we supported amendments to bring some provisions of the Prohibited Drugs Ordinance into line with provisions of the Dangerous Drugs Ordinance. Now we are amending the Dangerous Drugs Ordinance to bring it into line with the Prohibited Drugs Ordinance and we seem to be having perpetual debates on the matter.

Since I have this opportunity, I would like once again to urge the honourable Minister for Health to look at the succeeding sections of these ordinances relating to the forfeiture of things seized when proceedings are not continued in the court. The Opposition very much supports this amendment, as we did a month or two ago, which protects the rights of persons claiming ownership of things seized in a case where a conviction has been recorded. However, the succeeding provisions of both these ordinances do not give the same protection in a case where articles have been seized but proceedings are not continued with. It seems to me quite inconsistent and while we are in the process of making these two laws consistent, which is always an admirable thing - consistency in the law - I would certainly like to see consistency in relation to the forfeiture provisions.

As it now stands, when articles are seized and the case is not proceeded with, when the Commissioner of Police is not sure who owns them, he has to give notice in writing. If the person who owns them does not see that notice in writing within 21 days, then the articles are irrevocably seized. I think this is most unfortunate. It might be said that this case would not occur often but it does seem to me, with an increasing number of people in our community living together in a group situation, it might not be completely clear to the Commissioner of Police who the owner of a seized article is, and so he would have to resort to this 21 days notice in writing provision. It would be very easy for somebody to be out of town for 21 days and then their property would be forfeited even though no proceedings were instituted. Yet here we are very strongly supporting amendments which give the owners of property seized after a conviction has been recorded very substantial rights to defend their ownership of that property. I would like to see this admirable provision extended to the subsequent provisions for forfeiture for the sake of consistency in these two laws. I urge that course on the honourable minister.

Mrs LAWRIE (Nightcliff): Mr Speaker, this bill has my complete support which is not unexpected, of course, because it follows the principle which the Opposition and myself were successful in convincing the sponsor of the drugs bills was necessary in relation to the Prohibited Drugs Bill. It is self-explanatory when one reads the bill: the right of a person who claims he has an interest in a thing seized to appeal by leave of the court and, more importantly, section 29(12) in clause 3 of the bill in front of us, having appeared at a lower court, that person's right of appeal from the order, by leave of that court, to the Supreme Court as if he were a defendant. That is particularly important in dealing with property which is in dispute, so this bill has my full support.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

NORTHERN TERRITORY DISASTERS BILL (Serial 135)

Continued from page 1627

Mr ISAACS (Opposition Leader): Mr Speaker, the Opposition welcomes this particular piece of legislation because, as the Chief Minister himself said, it broadens the base on which the Disaster Council will be represented. Perhaps we might say, on the side, it is a rather unfortunate title for a council but, nonetheless, we all realise what it means. The Opposition welcomes it and we would be rather interested to see who the Chief Minister or the government appoints under the provisions of this bill.

I think the role of the general public in relation to understanding what is required in disasters ought to be well understood. I recall that in the aftermath of Cyclone Tracy by and large Major General Stretton for all his faults, was able to keep in touch with a very broad cross-section of people, including the trade union movement, and was rather successful in doing this. It is important that people from all walks of life have input into the Disaster Council. I think there are enough people of good will and enough people of common sense to ensure that the council's deliberations do not get off the rails and, whereas people might want to go overboard and take extraordinary action, as indeed the federal government did in the aftermath of Tracy - putting all sorts of restrictions on people coming in - the council should be broadly based enough and have enough common sense to ensure that

such a situation does not occur again in the aftermath of any disaster. That is common sense. The Opposition welcomes the bill and will support it through all stages in the Assembly.

Mrs LAWRIE (Nightcliff): This bill is amending an ordinance which was passed by a previous Assembly when it attracted fairly bitter debate. I think it is worthwhile recapping some of the points raised then because, as we now have a Northern Territory government wholly responsible - I was nearly going to say "for disasters within the Northern Territory" but that was not intended - for the operation of an organisation to deal with disasters which occur from time to time, and we hope infrequently, I would hope that the Chief Minister responsible, not particularly today but sometime this year, would give an outline to the Assembly of his policy on disasters.

When the principal ordinance was introduced the sponsor of the bill defended the provisions which allow for the compulsory removal of citizens from an area which is declared to be a disaster area if it is considered necessary. Both the independent member for Port Darwin and myself challenged this and spoke at length, and the sponsor of the bill said - and I will never forget it - "Oh, well, there is an election soon and the people can vote on it". And the sponsor of that bill lost his seat. Of course, it would be stupid and irrational to pinpoint the fact that that member is no longer with us on what many might consider to be an obscure clause in an equally obscure bill. But it is worthy of consideration, not obscurity, because in the aftermath of Cyclone Tracy there were citizens who would never in their life dream of flouting authority, who for the best possible reasons took no notice of certain directives given in good faith, directives particularly along the lines of: "Please register, if you are still in Darwin" - well, quite obviously, if you were not in Darwin, you would not get the directive anyway - "let us know where you are living and if you are intending to stay". In my own electorate I know there were many people who would not register because they were fearful of being compulsorily shifted from this city after they had survived the cyclone. They were land owners or lessees in the urban area and they would not have gone; they would have had to be bound hand and foot and carried out by a para-military force.

Mr Speaker, it is not a small point. If anyone reads the principal Disasters Ordinance, he will see that in certain circumstances wide powers are given to people who do not normally possess those powers. I believe it is a mitigation of the thought that rash actions might ensue because now, of course, we have local responsibility for any such directive given. Notwithstanding the fact that constitutional powers have changed and those who would give such a directive would be directly responsible, I would ask that the Chief Minister pay attention to my remarks on the second-reading speech.

I support the bill because it strengthens my case but I would like an indication at some future date as to how he would see a responsible citizen being treated in the event of a disaster. I am not looking for a simplistic reply such as "he will be treated responsibly". People are at their best in times of stress. The people of Darwin by and large demonstrated that perfectly. In fact I would say that, in times of severe stress, they need very little direction at all. It is up to the powers-that-be - and this is squarely at the Chief Minister's door - to organise such things as emergency supplies, both medical and food, and shelter if possible. That is the role of government but it is not its role to interfere unduly with people's lives, disrupted though those lives might have been. I am standing here really to say that the good citizens of the Northern Territory or of Australia or of the vast majority of places cope very well with disasters if they have a minimum of interference. Any inter-

ference must be totally beneficial and not merely for the sake of bureaucratic convenience.

Mr EVERINGHAM (Chief Minister): It has been interesting listening to the remarks of the member for Nightcliff and speaking as a power-that-be, as I am supposed to be according to the member for Nightcliff, it seems to me to be very difficult to postulate what one would do in any particular circumstance. I have noticed recently that there have been gas or chemical explosions overseas and vapour has been drifting around in countries such as Italy. Let us not imagine that such a thing could not happen in Darwin. I understand that not so long ago a tanker rolled over and blew up near Barrow Creek. It was just fortunate that there are a lot of moo cows down at Barrow Creek and not people. It may be that it is necessary to remove people from a particular area for their own health and safety and it is very hard to say now what one would do in any particular set of circumstances at a later date.

I can recall the sittings of this Assembly in January 1975 when I was sitting at this same desk except that it has been repaired a bit since then. There were holes in the roof, bits of extension lead here and there and some fellow was running around with a tape recorder trying to catch the pearls of wisdom as we debated the legislation to provide El Supremo, as he was called at that stage, with the teeth to introduce the permit system. I know the then Majority Leader, Dr Goff Letts, had very grave reservations, as indeed I had, about any such legislation. He was being given advice by people such as the Director of Health and various other very senior people whose opinions must have given a great deal of weight when one is dealing with human lives. At that time, it really seemed there was no other course to be responsibly taken but to institute the permit system because we were promised that we would have diseases and indeed plagues on our hands. We were told that we would be irresponsible to the people who were in our charge if we did not do something about it. Indeed we were told that, if we did not do it ourselves, it would be done for us by the then federal government by way of legislation down below.

It is all very well for the honourable member for Nightcliff to sit on the sidelines and say, "I would like an expression now of what your attitude will be on some future occasion". I do not believe it is possible to give any expression of policy at this stage. The only thing I am prepared to say is that I would move most reluctantly to exclude people from places where they live. Indeed any Australian really has the right to move in and out. I think that is as far as I would like to go at this stage. I think the honourable member for Nightcliff knows herself that at that stage the then Majority Leader, Dr Letts, and all of us on both sides of the House were very reluctant to pass that legislation but did it believing we were doing the best by the people of Darwin at the time.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

INTERPRETATION BILL (Serial 140)

Continued from page 1629

Mr ISAACS (Opposition Leader): I rise somewhat reluctantly to debate this particular bill because I am not really in a position to debate it at any great length. As is always the case in a bill of this type, it is a matter of some

technical significance more than anything else and, to that extent, one requires technical advice and assistance. It is not always easy to do that over the telephone in the short space of time we have had available to us.

However, in perusing the bill and attempting to come to grips with its meaning, it does seem to overcome the problems which the Chief Minister spoke about and, to that extent, the Opposition will support it. I again reiterate that we do it with some reluctance because nobody could say that we have had sufficient opportunity to examine the technical detail and to see whether or not all those matters which the Chief Minister said were covered are in fact covered.

Certainly, on my reading of it and the quick advice I have had about it, it does seem to do the job which the Chief Minister said it would do. I suppose it will be one of those pieces of legislation which we will continually see before the Assembly requiring amendment. Mr Speaker, the Opposition will support this bill.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

FINANCIAL ADMINISTRATION AND AUDIT BILL (Serial 138)

Continued from page 1624

Mr ISAACS (Opposition Leader): I am indebted to the Treasurer for supplying me with copies of the second-reading speeches he made this morning, particularly the one in relation to this bill. I am not so certain that clause 3 of the bill in fact performs the task that he wants it to perform. I quote from his second-reading speech: "The amendment replaces subsection (2) of section 25 with a clause which permits the appointment as accountable officer to attach to a position rather than to a person".

I am a layman in relation to drafting but, having read clause 3, it seems to me that it is somewhat back to front. It seems to me that the appointment still relates to the person. I can see an interpretation which would accommodate the second-reading speech of the Treasurer but, nonetheless, I believe it is unclear when you read it that that is in fact the intention. I am sure the draftsman has given that some attention but, if you examine the wording carefully, I think you will agree that it does seem to offend the very principle which the Treasurer seeks to correct. So far as the principle is concerned, certainly the Opposition agrees with it. If the Treasurer can convince us that the rewording complies, that is fine.

Clause 40 gives prescribed statutory corporations a power to write off moneys, defer the collection of amounts owed and so on. I recall the member for Sanderson asking questions about this matter in relation to the power of the Treasurer to write off moneys, waive certain rights, defer the collection of debts owed and so on. I remember her asking questions about it in relation to departments and I recall the assurance of the Executive Member for Finance, as he then was, that if this sort of thing occurred he would be informing the Assembly about it. That is fair enough and we would accept that.

In relation to prescribed statutory corporations, it seems to me that a limit should be set for the amount the prescribed statutory corporations can

write off. They are not open to the same sort of scrutiny. I believe there ought to be that sort of control and I would expect that the Treasurer himself would too. I am quite certain that statutory corporations are not going to run amok and write off extraordinary losses; that is not the way any business would run. However, I believe there ought to be some control over it. I would have thought that there would have been a ceiling above which prescribed statutory corporations could not write off losses, debts and so on without perhaps the approval of the Treasurer. Perhaps the Treasurer might respond to that particular matter.

In principle, the Opposition supports this particular amendment to the Financial Administration and Audit Ordinance.

Debate adjourned.

MOTOR VEHICLES BILL (Serial 129)

Continued from page 1630

Ms D'ROZARIO (Sanderson): Mr Speaker, the Opposition supports this bill. Honourable members will recall that, at the last sittings, the House was somewhat pressed and I believe some kind of record was set in respect of the number of bills that were processed through the House. It was inevitable that there would be some amendments required.

Certainly I support clause 3 of this bill which makes it quite clear what the prescribed fees are to be. It also puts it in a less verbose fashion than the original bill did. Of course, it is necessary to have a validation clause as we have in clause 4 to cover those actions which were taken in pursuance of the original bill and which resulted in some misunderstandings or inadvertent interpretations by those who were implementing the ordinance as it stood between 1 July and 2 August. The Opposition supports the bill.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, this morning in question time I asked the Chief Minister, as he is responsible for the Northern Territory Police Force, if it was his intention that the police should resume the practice of being identified either by name or number. In his reply, he said he would investigate this. He did not remember my having asked him about it before but he did say that his memory was not exhaustive. I referred him to Hansard of Friday 23 September 1977 when I asked him without notice, and I quote: "As he now has responsibility for police, and this is one of the questions I asked of the former executive member at every sitting, is it his intention that the police resume the practice of being identified either by name or number on their uniform". Just for the record, I did ask the Chief Minister at the first available opportunity upon his assumption of responsibility in that area.

The honourable member advised the House this morning that he would now consider the matter and that, to my mind, is a significant improvement on his previous answer. To assist the Chief Minister in his deliberations, may I refer him to report No. 9 of the Law Reform Commission, "Complaints against Police Supplementary Report" a copy of which I have in my hands. I think I was the only member of this Assembly to give evidence to that commission of inquiry. I am not sure whether the executive member did so in Darwin or not. On page 48 of this supplementary report, we see the Law Reform Commission specifically making mention of identification of police. Paragraph 84 states:

The ability of a person outside the police service to make a meaningful complaint against a police officer is significantly increased if that officer can be identified by name or number. Reference to surrounding circumstances or personal description is obviously less reliable. In most parts of Australia uniformed police wear identification numbers. They originated as a badge to be worn with pride. It has always been so in the Australian Capital Territory Police where a personal number badge is issued on joining and it is worn throughout uniformed service. However the practice is not universal. The current uniform of the Northern Territory police makes no provision for the display of a number.

As a footnote, they then mention my evidence, the evidence of David Avery who is in charge of the Australian Legal Aid Office and the evidence of Robert Wesley-Smith who gave evidence on behalf of the Council for Civil Liberties. I continue quoting from the report:

At its public sittings in Darwin, the commission received complaints about a specific case upon which it makes no comment. However these included the observation that it has become more difficult for citizens to make complaints about police and easier for police to withhold information about the identity of the policeman the subject of a complaint. This issue would appear to go beyond mere administrative procedures for handling complaints. It is relevant to the pursuit of common law remedies by way of civil actions in the courts. Of course the existence or removal of metal identification numbers is not an absolute guarantee that police will be readily identified in every case of complaints. Many police do not wear uniforms. Identification numbers of this kind can be removed and even exchanged. In the South Australian Royal Commission into the September moratorium demonstration in 1970 the Royal Commissioner, Mr Justice Bright, found the police responsible for the control of the demonstration and deliberately removed their identification numbers. In the incidents which ensued, public complaints arose. The complainants found it impossible to identify the police officers involved. Mr Justice Bright recommended that, in future, members of the South Australian Police Force should have numbers sewn on their uniforms. In view of complaints received in the Northern Territory and the findings and comments of Mr Justice Bright, specific attention needs to be given to this question in the present context.

They then go on to a subtitle: "Privacy: name or numbers". I would like to continue quoting because it is entirely relevant to the question I raised this morning.

There seems little doubt that the absence of identification numbers in the dress of uniformed police does reduce the capacity of the complainant to make a meaningful, effective complaint. Some officers of defence forces are obliged to wear attachments to their uniform bearing their name and rank. Whatever may be said about the privacy intrusive nature of this form of identification, it cannot be said, as was claimed in one

police submission, that the wearing of a mere identification number unreasonably intrudes into the privacy of the wearer. A number does not provide immediate information that would permit direct action of reprisals against the policeman or his family. Some police standing orders and the Criminal Investigation Bill 1977 afford certain persons the right to require a police officer to identify himself. Nevertheless, the class of persons who may lawfully demand this information under sanction of penalty is limited and is narrower than the class of potential complainants about police behaviour. Furthermore, it is possible within the circumstances in which a complaint is thought to be warranted, the request would be considered unwise or futile. Quite apart from the position of the complainant, there is no doubt that the ombudsman, the internal discipline unit and police authorities themselves are better served when unequivocal identification of the subject of the complaint can be made with the aid of an identification number.

The suggestion put to the commission that the wearing of identification numbers brand police as a group entitled to lesser civil rights than other citizens is not accepted. Police have by reason by their office very considerable and vitally necessary special powers. These attract the need for provisions protective against abuse. Fairness to citizens and other members of the force who might otherwise be wrongly identified dictates the need for a modest, neat identification badge at least for uniformed ranks below inspector. The argument that wearing such a badge will expose police to the danger of unscrupulous conspiracies to fabricate evidence against particular police members, as was put by one force, is also rejected. It is not borne out by general Australian experience.

They then go on to discuss whether the identification should be removable or attached. The evidence which I gave to the commission was along the lines of the report. Most particularly, I stressed the measure of protection that identification numbers would afford to good, honest members of the police force. Of course, there will be some police officers who are less scrupulous in carrying out their duties than others. There are certain citizens in our community less scrupulous about obeying the laws than others. There are some citizens in this community who, for a variety of reasons, wilfully transgress the laws of the Northern Territory and who are deserving of appropriate action through the courts. No less can it be said that, if a police officer offends, particularly whilst he is in uniform, every effort should be made to make his identification as foolproof as possible to protect the other members of the force.

I am in receipt of complaints about police behaviour. With the setting up of the ombudsman, I am now in a position to advise people who come to me with complaints about the procedures which they should follow. It is very difficult for a citizen to make a valid complaint - and I am disregarding the mischievous ones as did the commission of inquiry because positive identification is well nigh impossible. I am sure all proper policemen would like to see valid complaints carried through. It is hard to substantiate a complaint along the lines of "He has red hair, brown eyes; he was fairly big and he was laughing" Believe me, that is the description which is sometimes given.

Let it not be thought that I gave my evidence or that I am speaking now in any air of wishing to denigrate police officers serving in the Northern Territory. I think to have an identification number easily visible on uniformed police would greatly assist them in the carrying out their duties. I urge the honourable member responsible to consider what I have said and, more particularly, to read the relevant sections of the report which has just come from the Law Reform Commission.

Mrs O'NEIL (Fannie Bay): I want to say a few words about the rubbish which I find lying around the bush when I go camping in the Northern Territory. I am finding it increasingly distressing. I do not get much time to go camping but I hope to go next weekend. I hope I do not find what I found when I last went camping. Having arrived at a beautiful spot on the Daly River, the Oolloo Crossing, the party with whom I went collected 20 garbags full of rubbish which had been left by previous parties. Surprisingly, this was not all rubbish that had been left lying around. Some of this was rubbish which had actually been put in garbags and then left there. Now that amazed me. Of course, the garbags deteriorate and the goannas get to them and the mess is even worse than if the rubbish had just been left lying around. I know there is not a simple answer to this question and I know the long-term answer is education. I know the Keep Australia Beautiful Council and the Environment Council and similar bodies are working very hard. I am certainly aware that the young members of our community are much more conscious of the problems of litter than are perhaps many of the older ones.

I have also been aware when driving in the bush of the marvellous signs that the Bush Fires Council have. I have always particularly admired the one which said "We like our lizards frilled not grilled". I would like to make a little suggestion to the responsible authorities. I think it is worth looking at: could we not have some similarly attractive signs encouraging people to take their rubbish home with them?

Mr COLLINS (Arnhem): Mr Speaker, I wish to speak briefly on two matters: one is the question of numbering police officers and the other is in relation to permits being issued for four-wheel-drive vehicles to go into the Kakadu National Park.

On the first question, I recently attended a conference in Sydney on the subject of uranium. Whilst I was there, a number of people were discussing the activities of a rather famous Sydney police division, the 21 division, known as "the bash and smash squad".

Mr Perron: We need more of them.

Mr COLLINS: I have led a very sheltered and well-fed life. I have listened during my lifetime to a lot of stories about alleged misdemeanours of police officers and most of those stories I disbelieved. When I was listening to people describing the activities of this particular police division, I expressed a great deal of disbelief. I thought the stories would certainly have been exaggerated. I was asked whether I had ever been to a demonstration and I said that I have never been to any sort of demonstration. I have never even seen a demonstration; I haven't seen any dogs burnt with napalm or anything of that sort. I was told by a person who was extremely angry and upset about my attitude of disbelieving stories about police that there was to be a demonstration of homosexuals that night in King's Cross.

Mr Everingham: Oh, don't tell me you were with the gay boys.

Mr COLLINS: That is just the sort of response I would expect from the front bench.

I was challenged: "If you don't believe the stories we are telling you about the 21 division, there is not the slightest doubt that the 21 division will turn up tonight at Kings Cross". I was told that they used to be used for bashing black fellows in hotels in Redfern and Newtown but when that became politically dangerous they then moved on to bikies and, in the colloquial

language that was used, they have now lowered themselves to "poofter bashing" If you disbelieve - as I did because I have lead a sheltered life - stories that there are elements of the law that are not normally famous for behaving themselves, watch the 21 squad in action.

I was warned by a solicitor who was there in the room and who was quite concerned that I was going to go. He said: "If you have never been to a demonstration, be careful when you get there. You are quite likely to find yourself punched in the face and thrown into the back of a dilly wagon because it has been known for completely innocent bystanders to be treated in this way when the 21 squad get going. Do you have any identification?" Just a few weeks before I had been issued with a little red book which said that I was a member of the Northern Territory Legislative Assembly so I took that along with me. It was an education for me and, if I can intrude upon the levity of the front bench opposite, I will no longer after that experience ever dismiss out of hand stories that are told to me about the brutality and the senseless behaviour of a group of police officers whom I saw in Kings Cross that night as being no more than a bunch of uniformed thugs.

Mr Perron: A good Labor state.

Mr COLLINS: I was sickened by what I saw that night. I could literally not believe it. I was hiding in a doorway at the time, feeling very sorry that I had gone there in one way because I was frightened I would probably get knocked on the head. I saw people being punched in the face for no other offence than yelling their heads off, which was all they were doing. I saw people being picked up and thrown into the back of divisional squad vehicles and I personally witnessed a police officer repeatedly slamming the door of the vehicle on the legs of a person he and a colleague had just thrown inside, full length into the back of the wagon. This bloke slammed the door two or three times on the legs of this person as they were sticking out.

I do not attend demonstrations because I do not like violence of any kind at all; I am very much opposed to it. And what I saw there sickened me. I have never seen anything like it in my life. I do not think I will bother attending any more demonstrations because I do not really think I could take seeing too much of it again. What it did for me was what it has done for a number of people who have gone through a similar experience: it put into my mind a great deal of serious doubt about law and order in the community. It made me sit down and think about all the stories I had been told.

Recently a gentleman who works for the Northern Territory Water Resources Branch came back a few months ago and told me he was attending a national conference down there in Brisbane and was picked up in the streets of Brisbane at 11 o'clock at night by the police. He alleged he was taken to the police station and bashed. This gentleman is a senior departmental official, and I know the honourable member for Nightcliff knows the same story that I am referring to. He was bashed and it is alleged that he had money taken out of his pocket that night and not given back to him next morning. The following morning he was given enough money for his taxi fare home by the sergeant on the desk - of course, the following morning it was not the same sergeant as was there the night before - he was given enough money to get a taxi home and told by the sergeant "Look, if you want to have a peaceful stay in Brisbane and you do not want to get into any more trouble, take the cab fare, shut your mouth and leave".

Mr Speaker, I assure the honourable members opposite who are shaking their heads ...

Mr Robertson: I am wondering what relevance this has to the Northern Territory Legislative Assembly.

Mr COLLINS: It has a great deal. The adjournment debate, as far as I understand it, does not have to relate to specific areas and I think the previous encumbant of my seat in the House was not exactly famous for sticking to the point.

Mr Speaker, it has a great deal of relevance to the Northern Territory if members opposite will bear with me; I do have 15 minutes. I disbelieved the story. That is the relevance of it. This fellow - and, as I said, the story is also known to the honourable member for Nightcliff - this man was a conservative individual, not a radical; I have personally known him for many years. And I was inclined to believe him when he told me but the details of the story were, to me, so unbelievable because I personally have never in my life believed stories of police brutality. And I make that confession quite freely; I never have. I have always thought, well, yes, exaggerated and coloured stories; the police would never really do things like that.

I have heard of people being bashed in cells many times but I have never believed the stories, ever. And I put this point of view in that office with about fifteen people who live in Sydney. I said rubbish! What a load of rot! And they said, "All right, friend, come along tonight and have a look". Well, it certainly added to my education because I literally could not believe what I was seeing. One particular girl, I remember distinctly, a little Chinese lady who stood no more than about five feet high in front of me was punched full in the face by a police officer, knocked to the ground and thrown into the back of a truck.

I could not identify any of the police officers present. I wanted to; I wanted desperately next morning to go and do something about it. I badly wanted to do something about it but I could not because all the police officers were wearing coats. It was cold weather. I do not know whether they were wearing numbers or not but there certainly were none on their coats. I was advised by a solicitor next morning not to do anything about it because it would be almost impossible to prove the charges, because in the confusion it was impossible for me - it was at night - to get a clear identification of the persons involved.

I think there is a legitimate reason for having police officers with numbers on their uniforms. I do not think it is an invasion into their privacy at all. The mere wearing of a number, as the honourable member for Nightcliff has already stated, is not an invasion into a person's private life at all. It would be necessary first for that person to commit some sort of act that people at least alleged was wrong and then for enquiries and so forth to take place afterwards. The mere wearing of the number is certainly not going to infringe on someone's privacy. Spike Milligan said that policemen should wear numbers in case they get lost but after seeing what I saw in Kings Cross three weeks ago, I think there are far more substantive reasons for policemen wearing numbers. So far as I am concerned, after leading a long and sheltered life I have been exposed to a few hours of the most incredible brutality I have ever witnessed by members of the police force and on future occasions I will certainly not dismiss out of hand, as I have done, stories that are brought to me about police brutality.

On the second subject I wanted to talk about, very briefly, a few weeks ago I took my landrover into a service station to be repaired. A gentleman there said to me, knowing who I was, "I'm going out next long weekend to have a look at a few sacred sites".

Mrs Lawrie: That was a good start.

Mr COLLINS: This was a gentleman, I might add, who takes great pleasure in attempting to bait me on Aboriginal issues. He is not one of the more enlightened members of the Northern Territory white community. I said "Are you?" and he said, "Yes, we're going out to have a real good look around".

Mr Tuxworth: I bet you bite at every fly.

Mr COLLINS: Not at all. As a matter of fact, I usually ignore the gentleman completely. You just do not waste your breath on some people.

I asked the fellow how he was going to look at some sacred sites and he said, "The Landrover Owners Club is taking 33 four-wheel-drive vehicles to Deaf Adder Gorge next weekend". That was the last long weekend. That horrified me completely, that permits could be given for one group to take 33 four-wheel-drive vehicles into a single camping spot. I said, "Oh, you're surely not telling the truth, you wouldn't get permits for that large a number of vehicles."

Mr Speaker, I have been driving four-wheel-drive vehicles around the Northern Territory for a long time now. I worked for the Department of Agriculture and for the CSIRO Division of Wildlife Research. I know how much damage one four-wheel-drive vehicle can do and I certainly know how much damage half a dozen four-wheel-drive vehicles can do. The thought of 33 vehicles in one group going into Deaf Adder Gorge and, as one of the people expressed it, to have a good look around at some sacred sites horrified me.

Honourable members will remember a matter which I brought up in this House before. The Northern Land Council had gone out to Deaf Adder Gorge and had erected a number of signs saying that there were sacred sites in the area and asking people not to proceed beyond the sign because there was a penalty of \$1,000 for trespassing on a sacred site. Those signs were subsequently torn down by members of the wildlife section. I remember that I asked the Executive Member for Mines and Energy, as he was at the time, for an explanation as to why this had occurred and whether the sign would be re-erected. He explained to me in answer that he did not know the reason why they had been torn down but he regretted it and said they would be put up.

The area of Deaf Adder Gorge is an area which is rich in Aboriginal sacred sites and art galleries. It is full of them. So I was very concerned when I was given this piece of information. I rang the Wildlife Commission and the lady who issues the permits said to me, "Do you mean the Landrover Owners Club or the Toyota Owners Club?"

Mrs Lawrie: Don't tell me they've all got permits.

Ms D'Rozario: Yes, they have.

Mr COLLINS: I said, "Do you mean the Toyota Owners Club is going out there also?" and she said, "Indeed they are, and I think the four-wheel-drive vehicles should be left at home with the dogs". She told me she had just issued the Toyota Owners Club with a permit to take 28 four-wheel-drive vehicles into Grave Yard Gorge in the same area. I said, "Do you have an application from the Landrover Owners Club?" She said, "Yes, we do. The details of it have not been finalised yet and the permit has not been issued but it probably will be tomorrow. They are having a meeting tonight to finalise the final arrangements".

Mr Speaker, I condemn the action of the wildlife section in issuing permits for that large a number of vehicles. I have discovered that no guidelines have been laid down to limit the numbers, so far as permits for four-wheel-drives are concerned. I would suggest to Cabinet that it considers asking for such guidelines to be given on the number of vehicles that can be approved in any one group to go into these areas. I rang the director of the department here in Darwin and asked him if he would ensure that a ranger was sent to that particular area last weekend to determine that the people did, in fact, stay within the bounds they were supposed to stay within and not trespass on the sacred sites as one of them at least had informed me he was going to do. I was told the department would comply with that request.

I know at least one member of the front bench opposite who owns a four-wheel-drive vehicle. I see it parked next door just about every day. I think he would know as well as I the damage those vehicles are capable of doing and I think any reasonable person would agree that giving permits for 33 four-wheel-drive vehicles, in the case of the Landrover Owners Club, and 28 Toyotas in one group to go into an area that has an extremely delicate environment and is full of sacred sites and art galleries which are absolutely priceless, as anyone who has seen them would agree, is irresponsible. I would ask Cabinet to consider bringing in guidelines limiting the number of vehicles that any one group can take into these areas. I am not in the business of keeping people out of national parks; in fact, I have very strong ideas to the contrary. But I do feel that 28 vehicles from one group going into one of those areas in one hit and camping together is just ridiculous. I would ask Cabinet to consider this matter.

Mr EVERINGHAM (Jingili): Mr Speaker, in rising to speak in the adjournment debate this afternoon I wish to raise a topic which is causing some concern to some people in my electorate who live along Parer Drive - I used to know one of those Parer brothers who flew the planes around and had a plantation in New Guinea. The Water Resources Branch has apparently decided to store a considerable number of large pipes in a vacant allotment on Parer Drive. This is causing concern to the people who live in the area because these pipes are very unsightly. They are certainly placed in a position which is most unsuitable because it is entirely a residential area and there is a scout and guide hall nearby. These pipes do, in some ways, present an attraction to young children to get into them. They are stacked in rows and could be dislodged; they might even crush children who happen to be playing there.

It is certainly a cause of great concern to me, not only that they disfigure the particular neighbourhood by their presence on the vacant allotment but they also pose a latent danger to young children who not only come there in organised groups such as the guides, the brownies and the cubs but also other children who might play there. I propose to make very strong representations on behalf of my constituents to endeavour to see that these pipes are removed. I regret that action such as this is taken by branches of the government without consultation with persons nearby to consider any objections or even to consider what dangers there may be.

It would seem to me that there is very little point in storing the pipes in that particular area because it would seem, certainly to an uninitiated observer such as myself, that they are unsuitable for use in the area where they are stored. They would probably be useful where sections of the pipeline between the Darwin River Dam and the main storage areas have to be replaced. Certainly, they do not appear to be suitable for use where they are stored.

Passing on to subjects raised by a couple of the other honourable members this afternoon - and changing the names to protect the innocent and all the

other facts being fairly true - I was surprised to hear the honourable member for Arnhem say that he had never previously believed there could be instances in police brutality. Regrettably, there are instances of police brutality as there are instances of brutality displayed by almost all other men at some time during their lives. We are not always kind, courteous and considerate and, unfortunately, some people are a great deal worse in this regard than others.

I do not say that policemen generally engage in this sort of thing. In fact in my experience in the Northern Territory, there have been very limited instances of brutality on the part of policemen against citizens. It does happen where you have large police forces. These particular squads are formed which specialize in controlling riots or demonstrations such as the honourable member for Arnhem was talking about. Presumably, because the methods of training these people and possibly the fact that they are kept in the one squad for too long, it coarsens them, hardens them and makes them accustomed to violence and they react far too readily.

I do not believe this situation has been reached in the Northern Territory at all because we do not even have any such squad and, please God, we will never need to have one. However the situation is explicable. The honourable member for Arnhem, of course, has not seen a really bad riot where the demonstrators or the rioters are giving the police as good if not better than they are having dished out to them. I am sure the honourable Leader of the Opposition may have seen some instances like this. There are people, particularly in large cities such as Sydney, who do engage in violence as a weapon in the course of their campaigns for their different objectives and, unfortunately, the people charged with enforcing law and order or upholding the law, such as the police, have to be trained to handle people like this. We have seen instances recently at the new airport in Tokyo - at Narita, I think it is called - where the various Japanese police riot squads have been getting a fairly rugged time from the demonstrators.

I do not say any of this by way of exculpating the police. It sounded to me, from what the honourable member for Arnhem said, that it was a very bad case. But all I say is that I hope the situation has not arrived in the Northern Territory and I hope it never does. I will certainly give consideration, as I said before, to the question of identification of the police.

Motion agreed to; the Assembly adjourned.

Wednesday 2 August 1978

Mr Speaker MacFarlane took the Chair at 10 am.

SOCCER FOOTBALL POOLS BILL
(Serial 133)

Continued from 1 August 1978

Ms D'ROZARIO (Sanderson): Mr Speaker, the Opposition supports this bill. It is quite true, as the honourable Treasurer stated when he introduced the bill yesterday, that there has been a leakage of duty from the Territory to the state of Victoria. Given the fact that Territorians will continue to subscribe to soccer football pools, we would have no wish to enjoin them from taking part in this harmless occupation. It is quite proper that the duty that accrues from this activity should remain within the Territory.

I do have one question, however, for the Treasurer which he might answer in closing the debate or perhaps in the committee stage and that is on the agreement on revenue sharing. I understood him to say that he was about to enter into an agreement with the state of Victoria for the retention of the whole of the money within the Northern Territory. I would like to ask him what chance of success is there that the Victorian legislature will agree to the entire revenue remaining within the Territory. It does seem to me that Victoria has had a pretty easy time of it out of Territorians so far. I understand his statement to read that it must be a revenue-sharing agreement. I am just wondering whether or not it will finally be the outcome that the whole \$50,000 will remain within the Northern Territory. Certainly, there has been a leakage of some of that money to Victoria and it should rightly stay within the Northern Territory. For that reason, the Opposition supports the bill.

Mr PERRON (Treasurer): In response to the question raised by the honourable member for Sanderson, I understand that the arrangement that has been entered into with the states is such that virtually the whole 30% duty is retained by the states in this situation. The agreement that is entered into as an adjunct to this legislation is not so much with the Victorian legislature as with the Victorian Treasurer - between himself and myself. Whilst no doubt the matter could be raised in the Victorian parliament and probably be debated to and fro, it is actually an executive decision that is made outside. What bears on these negotiations, of course, is the fact that the states could in actual fact impose their own duty on the sale of these interstate lottery tickets and other similar transactions or perhaps pass legislation banning the sale of interstate tickets or requiring local people who are selling such tickets to pay some local fees in the form of licences or otherwise. The states and the Territory who talk to the Victorian government on these matters are in a fairly good position to get a reasonable deal. It may have crossed some members' minds that, while we are passing legislation here relating to soccer football pools, we have another rather large lottery being run throughout the Northern Territory from another state, the Tattsлото. Why are we not passing legislation on that? The facts are that legislation is not required to enter into an agreement with the other states on Tattsлото. I have already written to state treasurers on this matter so that we can seek revenue from that field in much the same manner as we are proposing to do here through legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Ms D'ROZARIO: For the purpose of being able to make payments for prizes etc, a person applying for a licence is required to lodge a bond. I would just ask the Treasurer for clarification of what form the bond would take. There are other bits of Territory legislation in which bonds are required. When the actual time has come to lodge these bonds, there has been much discussion and legal opinion sought as to what form the bond would take. I am quite satisfied with the purpose of the bond but, for the sake of the prospective licensee, I wonder what form the bond would have to take.

Mr PERRON: I cannot advise the honourable member exactly what form it will take. I am not sure if there is a definition of a bond in other legislation. As I understand it, there are a number of ways that bonds can be put up and not only in the form of cash. They can be bank guarantees or even insurance on the subject and other types of guarantees by a person. There have been no procedures laid down under this to come into effect at the same time as this legislation. I cannot advise the honourable member the exact form the bond will take.

Clause 4 agreed to.

Clause 5:

Mr PERRON: Mr Chairman, I move amendment 121.1.

Paragraph 1(a) has been amended by omitting the word "or". This is a consequential amendment resulting from the next proposed amendment.

Amendment agreed to.

Mr PERRON: I move amendment 121.2.

The new paragraph 5(1)(aa) is proposed to allow the granting of a licence immediately the legislation is passed. Without this amendment, the licence cannot be issued prior to the bond actually being lodged and this may take some time to arrange. The amendment means that a licence can be granted under 5(1)(aa) or under section 7. Given time constraints, the first licence will most likely be issued under 5(1)(aa).

Amendment agreed to.

Mr PERRON: I move amendment 121.3.

In section 5(3) the total liability under the bond is to be reduced from \$250,000 to \$100,000. New South Wales has an upper limit of only \$250,000 and, given the smaller population in the Territory, the reduced figure is considered more appropriate.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

Mr PERRON: I move amendment 121.4.

This is a consequential amendment.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8 agreed to.

Clause 9:

Mr PERRON: I move amendment 121.5.

It is proposed to add at the end of clause 9 provision to allow a licence to be granted for a period of less than ten years. This will add some flexibility to the clause.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 13 agreed to.

Clause 14:

Mr PERRON: I move amendment 121.6.

This is a drafting correction which does not affect the substance of the bill itself.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 21 agreed to.

Clause 22:

Mr PERRON: I move amendment 121.7.

Again, this is to correct a drafting error.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 29 agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

STATUTE LAW REVISION BILL
(Serial 141)

Bill presented and read a first time.

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

I must apologise, Mr Speaker, for the late presentation of this fierce-looking document. I hasten to assure members, however, that it is much less mind-boggling than its size would suggest. The reason for the delay is the time involved in searching out the provisions to be incorporated in the schedule to the bill. They include the remaining references to "Administrator in Council" in Territory law. Pursuant to the provision of our Interpretation Act the correct current reference should be to "Administrator". It has taken long hours of painstaking checking to pick up all of those references and the final preparation of the bill was delayed until this task was completed. It then became a rush job to finish off the bill and make copies so that it could be presented at this sittings.

This bill reflects the continuing and necessary review of Territory legislation for the purpose of correcting errors, mis-statements, inconsistencies and redundancies in legislation and removing unwanted matters from the statute book. The need for a review was intensified by the considerable body of legislation passed for the purpose of self-government and every effort has been made to examine that legislation.

The amendments proposed in the bill are mostly self-explanatory. Some references to Administrator in Council have been amended for the currently used term "Administrator"; some powers which were not transferred from the Administrator to a minister are to be transferred; some redundant, inconsistent or inappropriate references, including references to "Crown", "Commonwealth" or "Queen" are omitted, and some incorrect section or paragraph references have been corrected. Also a number of ordinances which have no further application in the Territory are to be repealed.

It is obvious that some of the matters relate to wrong or ineffective amendments made by the Transfer of Powers Ordinance of the last sittings. This is unfortunate but it was really inevitable. The final terms of the Northern Territory (Self-Government) Act were not known at the time that much of the work for the Transfer of Powers Ordinance was carried out and the term "Crown", for example, was sometimes used where the appropriate term is "Territory" because, until we had studied the provisions of the Northern Territory (Self-Government) Act, we were not sure of the appropriate terms. Also, of course, the final terms of the Interpretation Ordinance were determined after the provisions of the Northern Territory (Self-Government) Act were known, so these were not available when the Transfer of Powers Ordinance was being prepared. This is not to excuse errors, Mr Speaker, but to explain the reason behind the necessary corrections. Under the circumstances, the small number of corrections to be made reflects great credit on the people who were involved in this complex exercise, in the Legislation Branch in particular and also in the Department of Law and the drafting section.

This bill is of immediate importance because of its correction of incorrect references and because it makes certain needed transfer of powers which is another quite important aspect of this type of legislation. I advised the Assembly at an earlier meeting of my concern that constant amendment in recent years had made much of our legislation difficult to follow. I indicated my

intention to get a reprint program under way as soon as possible so that Territory law may be available in a readily understandable form to courts, the legal profession and, of course, the general public. Statute law revision is an important element of it. It ensures that, when resources permit, the minor errors and inconsistencies that inevitably creep into legislation can be corrected and the law can be printed relatively error free. It is my earnest hope that the extra resources available when the new government printing office comes into operation will enable an early and effective attack on the reprint program.

In the meantime, Mr Speaker, I constantly encourage the review of legislation and the preparatory work to reprinting. This bill is part of that work and I commend it to all honourable members.

Mr ISAACS (Opposition Leader): The Opposition supports the passage of this bill; I have been quickly looking around for nods from my side. I accept the Chief Minister's assurances and apologies for the matter being brought on at such a short notice as I, too, realise the importance and necessity of bringing on this piece of legislation. In fact, I think I did remark at an earlier sittings that quite obviously we would require such amendments to be made.

I, too, would like to place on record the Opposition's congratulations to the officers of the legislative drafting section and whoever else was involved in the compilation of this particular piece of legislation and, indeed, all the other transfer of powers legislation. It is indeed, as the Chief Minister said, a most painstaking task, not a task which I personally would willingly undertake and I congratulate those people responsible for it.

I would also like to stress again a matter that I did raise at the first discussion this Assembly had on the transfer of powers in this Second Assembly, and that was in relation to the consolidation of legislation. I am pleased to hear the Chief Minister has that as a significant priority in his overall legislative program. It is most important, given the patchwork nature of legislation in the Northern Territory, that consolidations are made so that not just the legal firms but also the person in the street is able to readily come to grips with a piece of legislation and not have to worry that there are bits and pieces hanging around that perhaps that person does not know about.

We support this piece of legislation; it is important. It is unfortunate that it has been brought to the Assembly in such haste. However, that cannot be overcome; we readily understand that and we support the legislation.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

LICENSING BILL (Serial 131)

Bill presented and read a first time.

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

This is a simple bill to amend the provision relating to Sunday trading. As the law stands, clubs, hotels and wine bars may sell or supply liquor on Sundays between the hours of noon and 10 o'clock in the evening. A person or an organisation however with a special authority to sell or supply liquor on

a Sunday at a fair, exhibition, cricket ground or other place of public amusement may do so only between the hours of noon and 6 o'clock in the evening. These will be well known to honourable members as the so-called "booth-licences". I can think of no valid reason why hotel hours should not also apply to booth licences.

Honourable members will be aware that proposals are well advanced to replace the Licensing Ordinance with new legislation. This will inevitably take some time to come to fruition, however, and in the meantime this bill is an interim response to those people and organisations who have sought more equitable hours for booth licences. We are familiar in the Northern Territory with situations where people pour time and energy into organising functions only to see many of their patrons disappear after six o'clock in the evening to seek refreshment in other places.

At this point, Mr Speaker, I might mention that one of the first organisations likely to benefit from the successful passage of this bill is the Goldrush festival which is to be held in Tennant Creek on 17 September. I would hope that all honourable members will note this particular date in their diaries and I am certain that the organisers of the Goldrush would want to see all honourable members and particularly yourself, Mr Speaker, joining in this celebration at this time, because Goldrush is as important to the people of Tennant Creek as the show is to the people of Darwin.

Mr Speaker, as I believe members of the public are being adversely affected by the law as it now stands for no good reason, I will be asking for the passage of this bill through all stages at this sittings.

Mr ISAACS (Opposition Leader): The Opposition welcomes and supports this piece of legislation. The Minister for Health approached me yesterday in relation to this particular matter and he was rather modest about it. In his second-reading speech today, he said it appears that one of the first organisations to reap the benefit of it will be the Tennant Creek Goldrush. In fact, I thought the legislation was specifically for them. Nonetheless, I do not say that in any way to disparage the operation. I fully support it. I said that to the minister, as indeed I said it to Mr Kittle who rang me up, hoping that they would be able to go ahead from 6 o'clock to 10 o'clock on Sunday to sell liquor from their booths. I, too, hope I will see many people at the Goldrush. I am sure members on this side accept the very kind invitation from the minister; we will all be there in force and we have great pleasure in supporting this piece of legislation, knowing of course that it is an interim thing to take account of these particular circumstances. The Opposition does realise the urgency of this and we fully support the bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I do not support it. I do not support its passage at this sittings either. It is done as a matter of expediency to benefit a group of people. I do not doubt that they need that benefit but I think it is deplorable that legislation is introduced in this House without publicity. Who in the Territory, aside from the people referred to, know about this?

I want to make it quite clear that I do not mind the fact that the sponsor of the bill and the first group to benefit come from the same community. I think that is irrelevant, and I want members to understand that. I do think it is very odd that licensing legislation which excites the interest of vast numbers of people throughout the Territory is to be introduced and put through on one day and very few people know about it. I am frankly appalled that the Opposition so meekly accepts this line.

There are many deficiencies in the Licensing Ordinance, some of which I have attempted to patch up - and that is all this is, yet another bit of patching - and quite rightly the minister responsible for that ordinance has said since the life of this Assembly, "We wish to see no more of this piece-meal approach. We want to see the proper legislation introduced as soon as possible with the recommendations of the commission of inquiry taken into account and fully debated."

The honourable minister responsible may not know that, in the Legislative Council, I attempted to amend the Licensing Ordinance to allow the sale of liquor on a Sunday from licensed outlets other than hotels and clubs. It was like the abortion debate all over again, a great furore. I did not mind that; in fact, my proposal was defeated. That was okay too, because vast numbers of people were able to lobby their elected members - and we did have elected members, even in those days - as to why they did not wish to see this proceed. I remember that debate very clearly and I remember the intense lobbying from many sections of the industry. Although it resulted in the defeat of my legislation, I repeat that I welcomed it. That is the way to conduct the business of this House, particularly when discussing liquor, gaming and other social changes.

The honourable sponsor might say this change is so insignificant it would not attract the same attention. How does he know? This is my third term and I do not think there is anything that grabs the public interest, pro and con, as much as proposed changes to the Licensing Ordinance. Mr Speaker, I understand this House is to sit again before 18 August. If the honourable sponsor of the bill will stand this over until then - and it is clear that it can go through then, because it has 18 out of 19 members in the House in support at the moment - if he would pay me the courtesy of standing it over till then, I would feel a lot happier about the procedures of the House and the way in which the business is being conducted.

Personally, I am in favour of it but that is a purely personal opinion because I was also in favour of extending the right of other liquor outlets to sell liquor on a Sunday. It is in line with my philosophy. However, I cannot support its introduction and passage in one day when very few people of the Territory know about it. I do not believe it is so insignificant that it does not deserve proper attention and debate. Where is the press? Absent. That is a great start. It is infuriating to all members on both sides of the House when the press picks up and reports the gimmicky bits, the fun business that happens every so often in any legislature while important things are missed. Mr Speaker, if the honourable sponsor of the bill can get his department to place advertisements relating to this, I will contribute towards the cost. Somehow people have to know what is proposed in this House of Assembly. I do it as best I can through my electorate office and I assume other members take similar steps.

Mr Speaker, I oppose the second reading at this stage and I do ask that consideration be given to the points I have raised. If it can be delayed till the next sittings and it still has time to go through, I think the people of the Territory would be far better served.

Mr TUXWORTH (Health): Mr Speaker, I would like to respond to the remarks of both the Leader of the Opposition and the member for Nightcliff. I thank the Leader of the Opposition for the Opposition's support in this matter.

In referring to the honourable member for Nightcliff, I would like to say that I do take the point she raises about the alacrity of the bill going through

the House at this stage. One thing I would say is that no one is more in favour of seeing the new liquor legislation in than I am and the sooner it comes in and the sooner we have the whole scene rectified the better. But I would reflect, Mr Speaker, on the fact that, over the past two years, I think at every second sittings if not every sittings, we have introduced various amendments to the liquor legislation for one reason or another. One in particular that comes to mind was an amendment that specifically enabled the Ayers Rock operators to carry on under some circumstances. My mind forgets the details of it but it was, again, an urgent situation that needed rectification and we acted to do that.

Mr Speaker, I thank the honourable members and wish to proceed through the committee stage.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mrs LAWRIE: I rise to ask the honourable sponsor of the bill with which sections of the liquor industry has he discussed this bill? Has he discussed it with hotel licensees, club licensees etc and what other broad community representation has he made, aside from the particular group in the centre of which he spoke in his second-reading speech?

Mr TUXWORTH: In reply to the honourable member for Nightcliff, I would say that, on this particular occasion, I have not consulted anybody. But, Mr Speaker, I have been involved over a period of some 10 to 15 years in working in booths and being involved in getting licences for them, for sporting occasions and whatever. Invariably these booths were supported or supplied by trading houses and, in all of my experience over these years, I have never come across a situation where the supply industry objected or in fact the patrons objected. The only objection I have ever come across in all of these years is the fact that the damn things had to close at 6 o'clock, that it was just an anachronism and it was crazy, when everybody could be turned out of a booth at a certain point and walk 200 yards into a bar. It is just nonsense.

Clause 3 agreed to.

Title agreed to.

Bill reported; report adopted.

Mrs LAWRIE (Nightcliff): Mr Speaker, because of the numbers of the House, I merely rise on the third reading to put it on record in Hansard that I did oppose the passage of this bill through all stages at this sittings, in committee and on the third reading.

Mr ROBERTSON (Community Development): I think there is something that needs to be pointed out in the third reading concerning this government's attitude to this sort of thing. I can assure the House that there is no way this Government would pass legislation at this speed if in fact it was a change in the spirit of the legislation. Any person logically looking at the

existing legislation would realise that the retention of the hours 6 o'clock on a Sunday in respect of so-called booths was purely an oversight. It must have been an oversight in the first instance.

Mrs Lawrie: That is not so.

Mr ROBERTSON: It is not as if we are making a complete change in legislation. We are merely correcting what must have been an oversight. As the Minister for Health has pointed out, it is utterly illogical to have a booth closing at 6 o'clock and having numerous outlets still remaining open until 10 within the same community. It is simply a matter of correcting a lack of common sense in the legislation as originally processed. It is not as if we are pushing through legislation without consultation with the community. I can support what the Minister for Health said. I have myself been involved over a long period of time in Apex clubs and various other groups with the operation of applying for licences or permits for booths. If I have had one constant criticism, it has been that booths on a Sunday must close at 6 o'clock. The answer I have always given to that is it is an oversight and one that we should seek to correct. It is good that we have now had the catalyst to correct what I and the Minister for Health believe is a sheer piece of nonsense in the legislation.

Bill read a third time.

LEGISLATIVE ASSEMBLY (REMUNERATION OF MEMBERS) BILL (Serial 137)

Continued from 1 August 1978

Mr ISAACS (Opposition Leader): This is a very simple piece of legislation merely correcting a mechanical or technical mistake. It is a simple question of replacing the words "Executive Council" with the word "Administrator". It is a matter which cannot cause any debate and the Opposition supports it.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

ELECTRICAL WORKERS AND CONTRACTORS BILL (Serial 132)

Continued from 1 August 1978

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to commend the honourable Minister for Industrial Development for having taken a very positive step in correcting some errors in the original bill which, if they had been followed, would indeed have had quite dangerous implications both for public and personal safety. Since the principal ordinance has passed, we have had a severe accident relating to a worker in the power industry and it is with some pleasure that the Opposition supports the amendment that the honourable minister has put forward in this bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise to indicate to the minister responsible that I have had quite a number of representations since the passage of the Electrical Workers and Contractors Bill. The requirements to indicate one's capability to carry on a business has infuriated quite a few people who ask why their business sense has to be justified in one industry while not in others.

The only person who alluded to this in any form was the Minister for Community and Social Development who said that it could be carried to ludicrous extremes. I wish to advise the minister that, in the view of some of my constituents, it already has been carried to a ludicrous extreme. They have no quarrel at all with the requirements of the legislation regarding the trade qualifications necessary. What they are annoyed and upset about is the fact that they have to demonstrate a certain commercial ability before they are entitled to a contractor's licence. They have also pointed out that one member of the board to whom they apply is in fact a contractor. I also say that he happens to be a personal friend of mine and I think he is a man of great integrity. However, they have asked me to ascertain whether, in these cases, he will take part in any discussion on whether in fact they should be licensed.

Within the context of the bill which amends that principal ordinance, I would ask if the sponsor of this bill could give me some indication as to whether he has had representations and if there are any legislative changes intended.

As far as the bill as presented is concerned, I support it. Again, we see 38(a) "such evidence of the applicant's continued good repute and continued fitness to carry on business as an electrical contractor as the applicant wishes the board to consider". There are two issues there: one is the technical competence which must be demonstrated - and that has the support of everybody in the community - and the other relates to business sense. Quite frankly, I wonder why the Country Liberal Party has put such a philosophy in legislation. Are they intending to extend it to other commercial enterprises?

Mr STEELE (Industrial Development): The Electrical Workers and Contractors Board itself has proposed the amendments. I think it is a good process of self examination that they could get hold of the ordinance and so quickly propose these amendments. I take the honourable member's point on the examination of commercial viability of people applying for this type of licence. Certainly, we would not want to see someone being prevented from obtaining a licence on sheer commercial grounds. On the technical grounds, we would support a very close examination.

In reference to the representative that she mentioned on the particular board, that person is a representative of an industrial group and certainly he would sit in on all examinations of applications for licences. I have had no personal representations but, if there is something that should be brought to my attention, I would be pleased to have a look at it.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

TOURIST BOARD BILL (Serial 136)

Continued from 1 August 1978

Mr PERKINS (MacDonnell): The Opposition welcomes the introduction of this legislation, particularly the proposal to increase the composition of the board from eight to ten. In his second-reading speech the minister indicated that the main object of increasing the size of the board is to provide greater area representation and the Opposition would support that action. It is important that the Northern Territory should have the benefit of the advice and expertise of the Tourist Board and that the advice and expertise is based on

a wider representation of interests in the Northern Territory. In this way, the Tourist Board can effectively discharge its functions and duties. The Opposition appreciates the importance of the tourist industry to the Northern Territory and the importance of having a tourist board which is widely representative of interests in the Northern Territory and which is able to give to the tourist industry the benefit of its advice and expertise.

I would like to make a few remarks about the composition of the present Tourist Board. I am concerned to ask the minister about the criteria adopted for the selection of the members of the board. I am a little bit concerned that, in recent times, there appears to have been a cynical exercise in what I would describe as "jobs for the boys".

In particular, I was interested to note that one of the recent appointees to the Tourist Board is in fact a member of the Country Liberal Party and was a former chairman of the Young Country Liberal Party of Alice Springs. I am referring to Mr Ian Conway who is a part-Aboriginal tourist operator in the central Australian area. He specialises in bus tours and I would use him as a classic example of a situation whereby this government has actually appointed a member on the basis that he is a member of its political party. I am rather concerned to note the presence of Mr Conway on the Tourist Board because I abhor the attitudes that he has to Aboriginal people in the central Australian area. I do not think that the attitudes that he maintains about Aboriginal development are doing any good for the tourist industry in the long term. Some European people who have participated in his bus operations have also complained about the bad attitudes that he has towards Aboriginal people. I would presume that, as a part-Aboriginal, he is not on the board to represent Aboriginal interests. I think this is a very important question and I use that as an example of the argument which I am making about the composition of the Tourist Board.

I am also concerned to note that we have on the present Tourist Board a Mrs Wolf who comes from Katherine. She recently participated in a TV program in her capacity as a member of the Tourist Board of the Northern Territory. Her remarks about Aboriginal affairs in the Northern Territory and particularly Aboriginal land rights would do a disservice to the Tourist Board of the Northern Territory. Her remarks particularly upset Aboriginal people in the Territory.

I would ask the honourable sponsor of the bill whether he can give me some indication of the criteria adopted. I would ask whether he would regard the presence of such persons on the Tourist Board as being an embarrassment to the tourist industry and as not being in the long-term interests of the tourist industry.

It is important that the government of the Northern Territory should adopt proper criteria for the selection of members of the Tourist Board of the Northern Territory because it is important to have people on that board who are widely representative of interests in the Northern Territory and who can make positive contributions to the long-term interests of the tourist industry. They should be people who have attitudes which would be regarded as positive and constructive in relation to Aboriginal affairs. I am concerned that, if the government persists with a policy of providing jobs for the boys, we will end up with another instrument of the Country Liberal Party in the Northern Territory. I wonder whether in fact they could consider, when appointing the two new people to the board, that they should take every care not even to appoint a token Aboriginal person.

Mr Everingham: What is a token Aboriginal?

Mr PERKINS: Mr Speaker, if he does not know what a token Aboriginal is, I would presume that would indicate his poor knowledge of what a token is and what a token Aboriginal is. Unfortunately, that is indicative of his lack of understanding of the whole situation.

Having made those points, I would like to say that the Tourist Board of the Northern Territory is obviously an important body which has an important role to play. I would hope that my comments do not reflect on the other members of the Tourist Board.

Lastly, I would also like to commend the sponsor of the bill for his indication in the second reading that the tourist legislation in the Northern Territory will be reviewed as soon as possible. The Opposition obviously supports that and we will be looking forward to considering the results of that review and the legislation that might result from that review. The Opposition welcomes and supports the bill.

Mr TUXWORTH (Barkly): Mr Speaker, I had not intended to speak on this particular piece of legislation but the honourable member has raised some issues that I tried to clarify for him in the last sittings when I was peppered rather continuously with questions concerning the membership of the Tourist Board. Because the honourable member did not get the message on the last occasion, I will take a little time to try to give the criteria relating to appointments of people to the Tourist Board.

One of the very first principles that the Country Liberal Party adopted when it was elected in 1974 was to try to ensure that membership on boards reflected total community involvement, not just people from one or two communities. We wanted people who would have a knowledge of what they were dealing with on their particular board be it the Port Authority or the Tourist Board or whatever. With this in mind, a great deal of effort was taken to pick out people over the years who would fit into the particular categories.

I might start with the chairman of the Tourist Board, Mr Reg Harris. Mr Reg Harris, to my knowledge, does not have the slightest political persuasion at all. In fact, he would probably be more of a rebel than anybody's man. I couldn't imagine him being in any party machine. Mr Harris is a self-made man who has worked very hard over the years. He has a wide knowledge of the tourist industry and he has a great deal of management knowledge in that he has his own tourist infrastructure in Alice Springs. Apart from that the chairman of the board had for some years been the chairman of the Alice Springs Tourist Promotion Association at a time when their aggressive approach towards marketing tourism has made the centre probably the greatest tourist destination in Australia.

The honourable member suggested that the member from Katherine has some sort of affiliation. I don't believe that is correct. He also said that the attitudes of the member from Katherine, Mrs Sylvia Wolf, leaves a lot to be desired. A decision was taken to put Mrs Wolf on the board because of her aggressive approach towards marketing tourism, her particular district, her involvement in the industry and her involvement with the TPA. I am sorry if the honourable member for MacDonnell takes umbrage at some of the things that Mrs Wolf may do or say from time to time but we can hardly be held responsible for the personal attitudes and beliefs of some people.

Another member of the Board is Mr Gavin Carpenter from Tennant Creek. Gavin Carpenter has been in the roadhouse business in the Northern Territory. He has been in the airline industry in Tennant Creek for 4 to 5 years. He is a very hard-working and aggressive businessman, a man who is his own man. I believe he follows the right side of politics but he does not have the slightest apology for saying what he thinks about anything that concerns him whether in public or on the Tourist Board environment. In fact, considering his role in the tourist industry, on the Tourist Board and with the local town council, he can only bring good to all the bodies that he works for.

Another member of the Tourist Board is a Mr Fred McHugh from Darwin. Mr McHugh's particular expertise is a result of a long association with a major airline industry. That industry is the backbone of our tourist industry in the Northern Territory. Without the support, promotion and endeavours of the airlines in the earlier years, our tourist industry would be in a very sad state. Mr McHugh has a great deal to offer the board. I have never heard Mr McHugh ever say anything about anybody's politics. I would not have the faintest idea whether he is "job for the boys" or not. He most certainly is the man for the job because he knows what he is talking about when the matter of airlines is raised.

In keeping with the attitude of our party on spreading as widely as possible the representation of the board, we then sought a representative from Gove, an area not renowned for its tourist productivity. Since it is a closed town, it is particularly difficult for entrepreneurs to promote tourism in areas like Gove and Groote Eylandt as it will be in Jabiru. Given the traffic that is going through Gove today between the eastern states and Darwin, there is every reason why Gove should become a major one-night stop for people travelling. If you do not have any tourism at all, the overnight casual visitor is a great start in developing your industry. To pick someone to represent the board from Gove was not a particularly easy exercise. The two parts of private industry that had operations in Gove at the time were Ansett MMA and the hotel that operates there. The difficulty we had in picking people involved with these particular industries or the rent-a-car industry was the very high turnover in staff and senior management of these organisations. It would not have been in the interests of the board to appoint people who attend one meeting or two and then are gone. Because Nhulunbuy is a closed town, there would need to be an involvement of the administrative people in the town. Mr Hindle was selected for his role as co-ordinator. He is a man who has a very keen interest in everything that goes on in his town. I might add that Mr Hindle is also a chairman of the Hospital Board and he is on various organisations in the town. This also, to my knowledge, is not what I would regard as a "job for the boys". Mr Hindle has never in front of me or ever been reported to me as having uttered a word about politics. To infer or to suggest that Mr Hindle's would be a "job for the boys" is possibly a despicable comment.

One other member of the board is a man called Renton P. Kelly from Ayers Rock. Renton P. Kelly is probably known well to members of both sides of this House. He is a character in his own right. He has been in Alice Springs now for at least 10 years. He was involved in the setting up of the radio station there and has had a great involvement with service clubs over the years with the TPA. He works as an innkeeper at Ayers Rock. He is a man who would probably bring a great deal - and does bring a great deal - of input to the board, particularly in the assessment of the board's approach to advertising programs which is where the board's major amount of money is spent.

Mr Speaker, the honourable member could well say that Mr Kelly's appointment is a "job for the boys" and a political appointee. I would like to challenge the honourable member to just let us know when, apart from 1974 when he was

involved in heavily rolling the members on the other side of the House out of the House, has he had an involvement with the CLP?

Mrs Lawrie: For a long time.

Mr TUXWORTH: Mr Speaker, the honourable member for Nightcliff suggests for a long time. He had a professional and an occasional association with the CLP and if that is ...

Mr Perkins: That's a value judgment, if ever I heard one.

Mr TUXWORTH: Mr Speaker, it is all very well for the honourable members on the other side to sit and denigrate people as political appointees when they have the expertise that they offer. It is just not the sort of approach I believe should be adopted by anybody that would profess to be one day a member of the government rather than the Opposition.

The final member of the board that I would like to make some comment on, for the benefit of the honourable member for MacDonnell who seems to be obsessed with this issue of political appointees, is a man called Ian Conway. When Mr Conway was appointed to the board, his appointment was in line with the policy that our party had adopted in the 1974-75 era of trying wherever possible to have Aboriginal representation on the board, and an Aboriginal with some involvement in the industry. The man of the day was a man called Gus Williams who served on the board for some three years and only resigned in the last six months because he found getting to board meetings from Warrabri was an exceptionally difficult exercise.

I would like to place on record, Mr Speaker, that I believe Mr Gus Williams played a great role on the board. He contributed greatly; he was a very quiet man but he always had a lot of common-sense things to offer and he indicated after about two years that he would like to go from the board because of various personal reasons. Pressure from other board members for him to stay on won the day and he stayed. Eventually, he left the board; he left reluctantly and he left with the disappointment of the other members of the board, particularly the chairman. At the time this matter was raised with me, I asked the chairman and the members of the board at a board meeting whether they would suggest the name of somebody who was an Aboriginal and who had an involvement in the industry. The name that came back was that of a man called Ian Conway, this so-called political appointee.

Mr Speaker, I would like to place on record in this House that I found out after the appointment of Ian Conway that he was an active member of the CLP. It does not matter to me particularly whether the Opposition members like it or they take umbridge with it but that is the way it was. I would also like to say that the feeling I got around Alice Springs when I asked about Mr Conway was that he was a man of integrity, a hard-working guy who puts a lot of effort into his business and into the tourist industry and into anything he does, not a man that would be regarded as a "token Aboriginal". Wherever the member for MacDonnell got such an expression, Mr Speaker, I will never know. Although he has not as yet placed before the House his idea of what a "token Aboriginal" is, I think it is a disgusting expression and the less he uses it the better. Getting back to Mr Conway, he is a man, as far as members of this government is concerned, who is regarded in Alice Springs as an Aboriginal, a man who has a heavy involvement in the tourist industry, in his own personal life and in his approach to the Tourist Promotion Association and a man who can bring and contribute much to the operation of the board.

There has been an argument for some time that perhaps the members of the board should be done away with and that the tourist function should be turned into a departmental operation. I must say it is not a concept that I particularly relish because I believe we have so much tourist expertise on the board at the moment and so much respect amongst people overseas for the operations of the Northern Territory Government Tourist Bureau and it would be a very sad and sorry day for the Northern Territory if this existing operation were to be closed down. I believe one of the things we are not going to achieve is a development of the tourist industry by a denigration of the board. If the member for MacDonnell is going to spend his whole time denigrating appointments and the hard work of members of this particular board, he does the industry no service; he does the individuals a harm and he does his own side of politics a great deal of harm.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

LAW OFFICERS BILL (Serial 139)

Continued from 1 August 1978

Mr ISAACS (Opposition Leader): Mr Speaker, this is again a fairly simple piece of legislation. We are assured by the Chief Minister that it comes through a request from the federal government in relation to the Sheriffs Ordinance, making it clear that references to the Attorney are, of course, to the Northern Territory Attorney-General. It is a simple piece of legislation that has the support of the Opposition.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

New clause 4:

Mr EVERINGHAM: Mr Chairman, I move amendment schedule 120.

This is not numbered but it is to insert a new clause 4, following on from clause 3, and it is for the reasons that I outlined in the second-reading speech yesterday: to make it clear that the Attorney-General is the principal law officer for the Northern Territory government.

New clause 4 agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

MEMBERS' FINANCIAL AFFAIRS

Mr EVERINGHAM (Chief Minister): I seek leave to move two motions in respect of the motion passed on Friday 16 June 1978 relating to the pecuniary interests of members.

The resolution required members to deliver to the Clerk on or before 1 August in each year a statutory declaration containing a statement of each

member's financial affairs. Most members have found it impracticable to provide that statement in the time available. Apart from that, the member for Fannie Bay has suggested a useful amendment to paragraph (e) of that motion, to exclude from the statement income and expenditure involved in the normal course of running a business in which a member may have an interest, be it company, a shop or a cattle station. I propose, therefore, that the time for lodgment of statements be extended to 1 October in each year and ask for the cooperation of members for having the original motion rescinded and replaced by a motion containing the later date and the amendment to paragraph (e). Actually, Mr Speaker, I seem to recall that at one stage our motion did have a period of three months in it. It seemed to slip through in its final as "by 1 August". At that time that was certainly inadvertence on my part that it slipped through with that time limit.

Leave granted.

Mr EVERINGHAM: Mr Speaker, I move that the resolution of the Assembly passed on Friday 16 June 1978 relating to the pecuniary interests of members be rescinded.

Mr ISAACS (Opposition Leader): I second the motion, if that is required, and would simply say that we agree with the comments made by the Chief Minister. In fact, I do recall there being discussions at the time about whether or not the value of certain items was going to cause any great problem.

I might say, though, that the Opposition has been able to gather together the information that each individual member requires and I do not quite know who the Chief Minister is talking about when he says that most members have found it impractical. However, we certainly concur with the statements he has made in relation to the postponing of the lodgment until 1 October. I seem to recall, though, that the previous motion related to 31 August. Nonetheless, there is no opposition to this.

The other matter suggested by the honourable member for Fannie Bay is a practical answer to a very difficult and tortuous problem. I understand the Minister for Industrial Development is certainly agreeing with this and we will not be opposing it. In fact, we will be supporting the motion. I merely wanted to say that at this stage so that people would understand the reason for the rescision of the former motion.

Motion agreed to.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that this Assembly hereby directs each honourable member to deliver to the Clerk on or before 1 October in each year a statutory declaration containing a statement of the member's financial affairs setting out -

- (a) the nature and value of assets including money otherwise than by way of a salary as at 30 June of that year held by -
 - (i) the member; and
 - (ii) the member's spouse and each child below the age of 18 years;
- (b) the particulars of any trust in which the member and his or her spouse and each child below the age of 18 years has an interest, including the names of all trustees and the nature and value of the assets of the trust;

- (c) the location of any land in which the member or his or her spouse and each child below the age of 18 years has an interest and the nature of that interest and the value attributed to it by the member;
- (d) the nature and amounts of several or joint liabilities of each member and his or her spouse and each child below the age of 18 years as at 30 June;
- (e) in respect of each member and his or her spouse and children below the age of 18 years each item of expenditure and source of income not being an expenditure or source of income involved in the normal course of business but not being an expenditure or source of income incidental to the performance of the member's duty as a member but including any sponsored travel exceeding \$2,000 during the 12 months to 30 June and the amount of such expenditure and income;
- (f) the nature of the involvement of the member and of his or her spouse during the 12 months to 30 June in any company, whether public or private and whether as a shareholder or otherwise;
- (g) that any changes to the information disclosed by a member pursuant to parts (a), (b), (c) or (d) of this resolution, involving assets or money in excess of \$2,000 be notified to the Clerk within 3 calendar months of such change;

that the Clerk keep all statements delivered in a register and may at his discretion at all reasonable times make the register available to any bona fide enquirer, after informing the member whose statements have been requested to be disclosed to an enquirer the name of that enquirer and his interest in such statements;

that any member shall, within 30 days of becoming a Minister of the Territory or Leader of the Opposition, resign from the directorship or any public company and not accept appointment as a director of a public company whilst holding office as a Minister of the Territory or as Leader of the Opposition;

that each member who is a Minister or the Leader of the Opposition require of each person employed by him as a staff member solely responsible to him as employer to provide for that member on or before the first day of October in each year a statutory declaration containing a statement of their financial affairs including information of the kind required by paragraphs (a), (b), (c), (d), (e), (f) and (g) of this resolution.

Motion agreed to.

FINANCIAL ARRANGEMENTS WITH FEDERAL GOVERNMENT

Continued from 1 August 1978

Mr ISAACS (Opposition Leader): Before I discuss the detail of the memorandum of understanding between the government of the Northern Territory and the federal government, let me just make a number of comments on the introductory remarks made by the Chief Minister. I do not want to nitpick on some of the smaller points that he made, but I think the record ought to be set straight. It is not true to say that copies of the financial arrangements were sent to myself and to other members of the Assembly. It certainly is not true to say that it was sent to members of my side of the chamber. I received my copy of the memorandum of understanding late on the Thursday afternoon after I had

already seen it in the office of the ABC. I did circulate the document to members of my party and I believe that that is the only document they have received on this apart from the one which was circulated in the Assembly yesterday.

Secondly, I am somewhat stunned at the statement about the wide circulation of the memorandum. I had the pleasure of addressing the Society of Accountants in Darwin some short time ago and I spoke on this very subject of the memorandum of understanding and I took along my copy to that lunch time meeting. I was very surprised to find that nobody at that meeting of practising accountants had seen the document either. In fact, I was somewhat amazed when an officer of the government who is in a position where he ought to have received a copy had not received one either. I gave him one myself. I do not know just how widely the document itself has been circulated.

The major thing that one can say about the document and the way it has been presented is the extraordinary brashness of the Majority Leader when he said and I quote from the document: "The philosophy which underlies these understandings is unequivocally that they are modelled on the arrangements which apply between the Commonwealth and the states with due regard to the particular circumstances of the Territory". I use the word "brashness" because of the oft expressed view from members opposite that we are not a state and that the Labor Party's position that we would be a state in all but name is complete nonsense. The brashness is that what the Chief Minister says is quite correct. He did hint at that proposition when we last debated this. He said, "What other model is there to choose from other than the state-Commonwealth model?" That was the first occasion on which we had those sorts of sentiments emanating from the government side.

The document, the blueprint for the financial future of the Northern Territory, is very heavily and clearly modelled upon the state-federal model. The wording is the same, the terminology is the same, the way the whole package is structured is modelled precisely on the state-Commonwealth model. If the statements I am making sound somewhat similar to the statements I made the last time we debated this proposition, I do not apologise for that. I am very pleased that we have at last convinced the members opposite that they should at least be honest and forthright in accepting that that proposition is correct and valid. When you have the document and you read it through very carefully, it is very difficult not to come out to the public and say, "We told you so; we said it would be like this and there it is". We are not saying that, but I think the record speaks for itself as to who was right and who was not right in relation to what the arrangements were going to be.

The important thing, of course, with any financial package such as this is that it is, as I have said, the blueprint for the financial future of the Northern Territory. It is very important to look at the sorts of guarantees which are built into the agreement. And one sees that, in so far as the maintenance of existing standards are concerned, we have had the words of the Chief Minister, or the Majority Leader as he then was, saying that we have had this great breakthrough because the government is going to maintain standards to the level that they have always been.

That was a statement, I suppose, which people took at face value but, when you read the fine print - and remember, the Opposition has warned the people of the Northern Territory and members opposite that the Prime Minister is a master of the fine print - when you read the fine print, you find a slightly different story and a very telling story. If you look at paragraph 4, you find that until a Grants Commission assessment is made the Commonwealth assistance will be to the extent that is "sufficient to maintain standards at

an overall level equivalent to that presently provided". That is quite clear. Until a Grants Commission assessment is made, then the Commonwealth assistance will be to the extent necessary to maintain standards at an overall level equivalent to that presently provided.

It does not say what happens once the Grants Commission assessment has been made and, of course, we know that the Northern Territory government has applied to have a Grants Commission assessment commence from year one, that is from July 1979. I want to make it quite clear that that guarantee which sounded so fine in fact only applies until the Grants Commission assessment is made and, once it has been made, that guarantee no longer exists. I do not think that is a trivial difference because the Opposition has consistently and constantly pointed out the very great problems which exist in those two very large areas of expenditure, health and education, where it is my view - and I believe the figures back this up - that in so far as spending on health and education is concerned, the Northern Territory has been significantly better off, given all the problems of isolation and the problems of economies of scale and so on, than our counterparts in the states. It is my belief that, if the position so far as state standards are concerned, that is the standards which exist in Victoria and New South Wales, is to apply, then we will see a reduction in the standards in those two significant areas.

Mr Everingham: That's humbug.

Mr ISAACS: If you want to make comments like "humbug" and "nonsense", be big enough and speak after I have spoken. You can put your point of view then and we will all listen to you, I am sure.

That is the first point to be made: the guarantee which we always had from the Chief Minister, or the Majority Leader as he was then called, does not seem to be quite as watertight as he led us to believe.

The second area of guarantees relates to the amount of money that we are going to receive by way of the income tax sharing arrangement. As the document points out quite clearly, this area will be the largest allocation which we will receive from the Commonwealth government and so therefore the guarantees in relation to this particular matter are very important. Let me read to you from paragraph 25 of the memorandum because it makes the point very clear and it makes us wonder about the guarantee contained therein. Paragraph 25 on page 9 of the agreement says and I quote:

There will be a "guarantee" arrangement to ensure that the Territory's stage 1 tax sharing entitlement in any year after year one is not less in absolute terms than in the previous year.

Frankly, Mr Speaker, in these days of inflation running around 8%, by the latest figure, that is not a great guarantee at all, especially when you are talking about hundreds of millions of dollars. That is not a guarantee of very great expectation at all.

In those two areas where guarantees are provided, those very fine-sounding words from the Chief Minister in the past, when you read the fine print, are not worth a bumper. There is a final bit in that major item of income tax sharing which makes me start to shudder. It is in paragraph 26 where it talks about stage 2 of the tax sharing arrangement. I do not think I have to traverse the history of that particular item in relation to state-federal financial arrangements and the hoo-hah that has been kicked up about it. I think it is fair to say, and I would be delighted to hear from members opposite if it is to the

contrary, that the stage 2 tax sharing arrangements - that is, the right of the states to add their own income tax and have it collected by the government and then returned to the states - is something which none of the states are prepared to adopt. In fact, one very well-known premier, the current premier of New South Wales, won an election - I think it is not too high to put it - on the very theme of double taxation. When the matter of stage 2 of the income tax sharing arrangements was first mooted by the Prime Minister, Mr Fraser, the now premier of New South Wales, Mr Wran, made great play of it, to such an extent where none of the states, bar Western Australia, is at all happy about it. In fact, I am not even certain why Western Australia is happy about it. They have said that they will introduce legislation to accommodate it but they have also made it clear they are not going to implement it. How we can be heartened by the stage 2 tax sharing principles being included, I do not know.

It goes a bit further than that because there is a very ominous sentence in paragraph 26 in relation to this financial arrangement, and I quote:

The stage 2 tax sharing arrangements constitute a potential additional revenue source for the Territory rather than Commonwealth assistance.

Having read that and having heard the Treasurer's interjection "You wait", we will wait all right. I wonder whether the Treasurer is going to implement that because he says he will. It seems to me that the very fact that that is written in ought to give us some very great cause for concern that pressure is going to be placed on this Territory government to use it.

The other matter which I wish to mention is the statements which we have had about the special regard being had for the Northern Territory's position. We all recognise that the Territory is in a particularly difficult economic position given its vast geographical area, its very small population and the very diverse problems which we have. It is true that dotted through this document you can see how the Northern Territory negotiators have been able to say, "This pays special regard to the Territory's disability; for heaven's sake, put it in so that people will believe that we have looked after the interests of the Northern Territory". Having the words there does not mean a great deal at all. Simply because dotted through it on about three or four separate occasions, we have the words "Special regard will be had to the Territory's disabilities", I do not believe you can take too much from it. When you look at the passage and you come to an understanding of what the passage means, those words frankly mean nothing.

By the year 1979-80 which is to be taken as year one of the state-Commonwealth model - this is explicitly stated not just by the Chief Minister but by paragraph 1 of the financial arrangements - by the time that model takes effect, the global package the Northern Territory will receive will be compartmentalised so that any addition that we get by way of special purpose payments in one area will come off another area. If you do not believe me, if you think that is nonsense because we have been saying it for so long, perhaps you might have a look at paragraphs 37, 56 and 57. I am glad to see the Treasurer thumbing through his document. These make it quite clear that what I am saying and what the Labor Party has been saying for some time now is correct. What you get with one hand, they take away with the other. Is this consideration of the Territory's very special disabilities? I am unimpressed when people use expressions such as "we will take into account special disabilities", especially given the track record of this current federal government.

There are a number of other specific areas which I want to have a look at very briefly because the document very significantly models itself on the state-federal financial model. It compartmentalises in the way those particular arr-

angements are compartmentalised. I want to have a look at the arrangement in relation to the Northern Territory Electricity Commission. I suppose that the debates in this Assembly are not circulated widely or read widely but I am quite certain that Commonwealth Treasury is reading it very carefully. I just wonder how they are going to take the comments made by the Chief Minister yesterday in relation to the Electricity Commission's spray painting of its vehicles. That sort of sleight of hand may be pretty smart, but I think when Treasury officials read the explanation they are going to be rubbing their hands with glee at dealing with a person who is so frank and honest with them.

Let us have a look at the arrangements to take effect for the Northern Territory Electricity Commission. These are in paragraph 69 onwards. In the year 1978-79, the Australian government will make a subsidy payment to the Northern Territory Electricity Commission on the basis of the difference between actual operating cost and revenue received at average north Queensland tariff. That is a full subsidy; I am quite sure that is not a carte blanche. I am quite sure that you just cannot whack in everything you like under the Electricity Commission and hope to heavens that somebody will pick up the tab as was so blithely and simplistically put by the Chief Minister. Nevertheless, that subsidy will operate. For the next three years - 1979-80, 1980-81, 1981-82 - a different proposition will apply. When you read this particular proposition it is then that you start to wonder whether or not the Chief Minister and his cohorts have been as frank and honest with us as they claim. That is the first I had read of it and I saw the document on 29 June.

What happens in those three years is that, if the actual loss of the Northern Territory Electricity Commission at projected north Queensland rates exceeds the estimated loss, then the subsidy will only pick up half the difference of the loss in addition to the amount that could be expected to be raised on north Queensland rates. If the estimated loss exceeds the actual loss, then the subsidy will be equivalent to the actual loss plus half the difference. That sounds all right. Then one realises that there is an incentive here for the Northern Territory government to gain a financial bonus at the expense of the consumer. While the rates remain as north Queensland rates, if there is a loss over the projected loss, then we do not pick up the full amount but only the amount of loss projected plus half the difference. If we do a lot better, then we get the amount of money lost plus half the difference between that actual loss and the projected loss. There is an incentive here to use the Northern Territory Electricity Commission as a way of receiving money from the Australian government at the expense of the consumer.

It may be argued that, with greater efficiency, we can do it as well. That is true. What worries me is the way in which this matter has now been put on us. Certainly, I do not believe the Treasurer or the Chief Minister can say that that matter has ever been explained to this House before. Nonetheless, there it is. We do not know what will happen after year 1981-82. As the document says, "There will be a further review of the matter."

There is another area which has received very little attention and which came as some surprise to me. It relates to paragraph 74 of the statement concerning the transfer of assets and capital liability. I recall statements by the Chief Minister and the Treasurer that these assets are to come over to the Northern Territory government without charge. I accepted that and I am sure we all did. What we find in relation to business undertaking assets is a different proposition altogether. I tried to find the genesis of this because I do not recall it ever having been said in this Assembly that that was to be the case. I did find it in the letter from the Minister for the Northern Territory, Mr Adermann, written to Dr Letts on 26 July 1977. That was a long time ago but that

is where that particular proposition originated. We find then that, far from these assets being handed over to us lock, stock and barrel, we have to pay for them. That is not a particularly onerous proposition when you see that it is a business undertaking.

I am just drawing this particular issue out, Mr Deputy Speaker, to point out to the Assembly the way in which the federal government operates. It keeps very close tabs on what it says. You have to read the fine print very carefully. You find that, in relation to each of the four items - staff housing, Northern Territory Housing Commission, electricity supply, water supply and sewerage - there are assets being transferred over to us at an estimated value and, quite obviously, the amounts handed over bear no relationship to the actual value the various items have.

For example, in relation to staff housing - and I can assure you this has caused a nice old ruckus around the place - we have houses being transferred over at \$19,000 each, repayable over 53 years from the date of transfer at an interest rate of 5% per annum. Of course, the immediate cry that went up was, "Oh boy! They are going to sell off their houses at \$19,000 each". No way in the world, and of course no way in the world can it be done. Nonetheless, we have that item there with very little explanation or debate about it. It bobs up in this financial arrangement paper and people jump to all sorts of wrong conclusions. There is one point in this - if I might just say this in relation to staff housing - I am interested that they are repayable over 53 years from the date of transfer at an interest rate of 5% per annum, not from the date on which the buildings were completed. I do not make great play of that because it seems that, in relation to the payments of these various debts, specific purpose grants from the Australian government are going to be covering that anyway.

There is one other matter I want to make mention of in relation to the specific details of the document and then I want to make some general comments about the future of the Northern Territory, the question of the whole economic structure and the way we are going to go. I want to deal with paragraphs 64, 65 and 66 in relation to minerals other than uranium. There is a very interesting exercise here. I know that, when two parties sit around a table and negotiate a document, especially a document as complex and as lengthy as this particular one, a certain amount of bartering and horse-trading goes on and, quite obviously, that particular item in relation to housing was one of those items.

It seems to me that, in relation to minerals other than uranium, a great mistake has been made by the members opposite. By virtue of the Northern Territory (Self-Government) Act the Northern Territory owns all minerals other than uranium. Mining royalties will accrue under the Mining Ordinance in respect of mining on Aboriginal land and an amount equivalent to royalties from such ventures is going to be paid into the trust account established by the Aboriginal Land Rights (Northern Territory) Act. However, in 1979 - and this is the point I want to make - the amount obtained in mining royalties from Aboriginal land will be deducted from the tax sharing entitlement. You will find that that position is made perfectly clear in paragraph 65. It is, as it says in the agreement, a once and for all deduction to be made from the Northern Territory's tax sharing entitlement for that year.

The significance of this is two fold. Firstly, 1979-80 is year one of the Commonwealth-state model, and year one is the all important year in relation to the progressive funding of the Northern Territory. That year in which the once and for all deduction is to be made is very significant. Secondly, the amount raised by way of mining royalties on Aboriginal land is also significant. I have tried to find from the various information and statistics available just

how much this might amount to. We know in the last year's budget some half a million dollars was indicated as the amount received by the Northern Territory by way of mining royalties. Of course, that half a million dollars does not relate to mining ventures on Aboriginal land. It is a question of trying to work out how much is involved in that particular area. I do not know, but I suspect it is somewhere in the order of \$1.5 million - I would be pleased to hear from the minister ...

Mr Tuxworth: \$4 million.

Mr ISAACS: That is even worse.

\$4 million according to the Minister for Mines and Energy, that is the amount received by way of mining royalties on Aboriginal land. It seems to me, therefore, quite wrong that that amount should be deducted from year one. If it is deducted from year one, it reduces the base which has far-reaching consequences for the Northern Territory's future.

The other point in relation to uranium mining is where the Northern Territory is to receive an amount equivalent to 1.25% on uranium mining royalties when production commences, provided that the Northern Territory ensures that the terms of stamp duty or similar taxes on mining agreements are in line with the states - you will find that in paragraph 66 and, of course, we have been through that argument in relation to the Stamp Duty Ordinance.

If I can just make this comment: I do not have any inside information on the outcome of negotiations between the Australian government on the one hand and the Northern Land Council on the other but here we have the Territory government negotiating with the Australian government and the land council negotiating with the Australian government. We have 1.25%; I just wonder how much the Northern Land Council is going to get. I believe, and I say this somewhat humbly, that perhaps the Northern Territory government might have engaged the same expertise which the Northern Land Council engaged in establishing their amount of royalty to be obtained from the uranium mining.

Finally, can I merely say this: so far as the future of the Northern Territory is concerned, this particular document does not do a great deal to give us the sort of confidence of which the Chief Minister spoke and regularly speaks at these various meetings of supporters and gladhanders, such as the MBA and so on. He talks of a confident basis for a sound future. We could all look forward to the future with a great deal of confidence. It has been my experience that the business community rather than hearing such sweet-sounding words wants to see action and wants to be able to tell from the actions of government whether or not they have good reason for investment and whether or not they have good reason to believe there will be a sound economic future.

This particular financial agreement models this future on the agreement which exists between the states and the federal government. You can only listen to the words of the Chief Minister himself in relation to the sort of deal which they have received from the Australian government and the sort of expectations they have in relation to the future economic position of their states. I recall the Chief Minister returning from the Premiers' Conference crowing a great deal because he was not a state leader, because we were not a state, we had been cushioned by self-government. The implication is that the states got a lousy deal and the Northern Territory had done well. We will only tell that, of course, when the budget comes out. Within that statement lies, I believe, the real truth and the real position of the Northern Territory. The memorandum of understanding puts us in the same position as the states. There will be no

cushion and, frankly, what we get for 1978-79, when you read the memorandum of understanding, is absolutely unimportant for the economic future of the Northern Territory. What is important is 1979-80 and beyond - year one and onwards - in a Commonwealth-state model.

The Chief Minister believes that the states have had a particularly bad deal. I believe they have; every premier believes he has. From 1979-80 we will be firmly entrenched in that model. It seems to me that the Northern Territory will have to do a bit more than simply hear from its Chief Minister that everything is going to be rosy in the garden. I also believe that when people look at the manner in which the Territory's finances are being managed, the way the economy is being handled by our Treasurer, I believe they also will have some concern for the Northern Territory's future.

The position is perfectly clear now as to where we stand. In so far as our financial arrangements are concerned, we are a state in all but name and in so far as that very vital factor, the Northern Territory's future economy is concerned, we are a state. That is unequivocally stated by the Chief Minister in the document and in his own speech. I believe there is some concern for the future of the Northern Territory. I do not believe that one can just get away from it by using very fine words and looking at single issues such as, for example, uranium mining as the panacea for the Northern Territory's economic future.

Nonetheless, the document is there; we now have to see how it operates, how the Northern Territory fares under it. We ought not to be deluded by the facts. The next couple of years for the Northern Territory are going to be very difficult years indeed. The premiers of the six states are concerned in their dealings with the federal government because they know that if they wish to ...

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

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, I move that the Opposition Leader be granted an extension of time.

Motion agreed to.

Mr ISAACS (Opposition Leader): The states know that if they wish to implement a program, which the federal government has divested itself of and has requested the states to deal with, they have to pay for it. On that basis and the fact that it will be in amongst those very same guidelines, if anyone is realistic about it, he has to have some caution, some concern about the Northern Territory's economic future.

Mr PERRON (Treasurer): Mr Deputy Speaker, the Leader of the Opposition has left himself wide open as usual on a number of points in his debate on this particular statement which is being noted here today. He claims, as the Labor Party has claimed for a long time now, that with self-government and with the finalising of arrangements for 1 July, we are really a state in all but name. They have never qualified that remark at all; they have never said that, as far as the financial affairs of the Territory are concerned, we are under the state-type arrangements and therefore a state in all but name. It has been their statement for a long time, commencing before the last election, that we would be a state in all but name, particularly when one looks at our federal representation.

As a self-governing Northern Territory, we have 3 federal members. Does that make us a state in all but name? Surely we would have to have 10 senators

and perhaps 5 MHRs to be a state in all but name if the Leader of the Opposition's statements were true. The federal government has retained a power to override legislation and to refuse assent to our legislation in this House. Do the states have that? Surely if we were a state in all but name that power would not exist by the federal government on this self-governing territory. The federal government, through the Administrator, has power to dismiss ministers of this Assembly. Surely the states do not have that.

The federal government has retained control of national parks in the Northern Territory. I do not know of any state in Australia that has a national park for which they receive some funding from the federal government through their state treasuries. They are not directly funded as the federal government proposes in the Northern Territory. Not only that, there is to be an empire hierarchy of Commonwealth officers to administer those parks in the Northern Territory. If we were a state in all but name surely that would not be the case?

The federal government retained control of the uranium resources in the Northern Territory. They do not control the uranium resources in the states. If we were a state in all but name that situation would not exist. Before self-government was conferred, an exercise was undertaken very conveniently to remove from the control of the Northern Territory the Ashmore Reef and Cartier Islands which have long been deemed part of the Northern Territory. Surely if we were a state in all but name, we would still have control of those areas under this Assembly.

The Leader of the Opposition's statement is merely grandstanding and completely misleading because we are not a state in all but name. Certainly, we have financial arrangements which are modelled on those of the states. That has never been denied. The Chief Minister has said many times in his reports to this House that we would have arrangements broadly along the lines that exist between the Commonwealth and the states. This was enunciated as far back as the middle of last year when the original letters were published from the Minister for the Northern Territory commencing the final stages of negotiations with the federal government on this memorandum of understanding which is before us now.

In entering this agreement, we have a form of double insurance really. Firstly, we have the Grants Commission which has already been asked to commence an assessment on our needs to ensure that we are funded sufficiently to provide a standard of services not appreciably below those of the states. That is an insurance of one sort. In addition to that, given the vague supposition that the Grants Commission might come to the conclusion that we are grossly overfunded - and this is an inference by the Opposition Leader - if the Grants Commission did say that it did not recommend any additional assistance grant at all, the Commonwealth government has agreed, for the next 3 years, to provide a \$20m buffer. We would get what has been called an additional assistance grant if no special assistance grant was recommended by the Grants Commission. That is an insurance by the Commonwealth on the insurance we have from the Grants Commission that they will look at the Territory to ensure that we have reasonable levels of funding.

That insurance on insurance will only be required if the Grants Commission comes to the conclusion that we are overfunded after the Territory government has demonstrated the case of its special disability. The Leader of the Opposition has assumed we are overfunded. He has said that when he said that we have been in the past funded at more satisfactory levels than have the states. This does not seem to take into account recognition of the demonstrations of the special costs associated with the Northern Territory. What the Opposition Leader

is really saying is that the current levels of government spending in the Territory cannot be justified.

Mrs Lawrie: That is not what he is saying.

Mr PERRON: He is saying that completely because, if the levels of spending can be justified, the expenses of the Northern Territory can be justified. The Grants Commission will then assume that the Territory needs those levels of funding and will not come out with a recommendation that we are \$20m or \$10m overfunded and recommend that the federal government reduce the sums of money paid to the Territory.

He is also worried about the statement in the agreement which says: "In the tax-sharing arrangements, there will be an agreement that levels of funding will not be less than in previous years in absolute terms". We all know this does not take into account the matter of inflation. I am just wondering what sort of words the Leader of the Opposition may have expected to have been in there. They are the words that were used with the states when they came into tax-sharing agreements. What one has to consider in this matter is that the Northern Territory has never had an agreement before. At any time, the federal government could have cut spending in the Northern Territory to pieces. It has not done that; spending has in general increased and certainly in the future it will increase from year to year. Had they decided that a 10% cut or a 50% cut in government spending in the Territory was in line with budgetary constraints at the time, they could have done it without breaking an agreement at all. We simply did not have a financial agreement.

Mrs Lawrie: We did not have Malcolm Fraser as Prime Minister either.

Mr PERRON: Surely having an agreement that guarantees at least what you got last year is better than not having one at all.

The Leader of the Opposition took some exception to clause 26 in the memorandum of understanding because it relates to stage 2 of the tax-sharing arrangements and it constitutes a potential revenue source for the Territory rather than Commonwealth assistance. Of course, that is true. What you have to consider is the fact that any stage 2 tax-sharing levy that is put on Northern Territory taxpayers would be at the request of the Northern Territory government and no one else. If the Northern Territory government has the right to get into that area of taxation that is no different to the right it has to tax in other areas such as stamp duty and payroll tax. This is another source of additional funding for the Northern Territory if the government of the day sees fit to use it. I do not see how you can take any exception to that whatsoever.

Clause 38, relating to specific purpose payments, also caused concern for the Leader of the Opposition. He is saying that, where we do agree with the federal government, we will have specific purpose payments coming to the Northern Territory but, in general, as they are identified, they will be taken out of the global allocation to the Territory and therefore the Territory's global allocation will not be increased by that specific purpose payment. That is true to the degree that funds are coming to the Northern Territory now in fields that in a state would be regarded as specific purpose payments but, at the moment, they are not identified as such. When we say to the federal government that the expenditure on schools, for example, has to be identified as a specific purpose payments, it will come off the funds already coming to the Territory for education. However, clause 38 also says, apart from a general rule of reducing the global figure by specific purpose payments, "except to the extent that increased specific purpose assistance is justified by conditions peculiar

to the Territory or by changes in arrangements between the Commonwealth and the states which affect comparisons between the Territory and the states". That is repeated elsewhere in this document where a similar matter is touched upon. It means that, where new arrangements are at any time entered into between the Commonwealth and the states for funding specific purpose grants, say, for urban renewal - that is an example for which no one could say funds are already coming to the Territory - then the Territory will be able to apply for those funds and get them in addition to the funds it already gets.

On the subject of electricity, the Leader of the Opposition seems to think there was something snide and hidden in this agreement, that we were all going to come undone in a couple of years because of the electricity agreement. Personally, I think the agreement on electricity is one of the best parts of the whole deal. We have a year to identify clearly what electricity really costs people in the Northern Territory. He seems to oppose the incentive for energy conservation that is in the formula. The incentive is quite a reasonable incentive to my mind. The Territory will be encouraged to use electricity and expenditure on electricity sensibly. Surely no one could expect an agreement that just said the Commonwealth will pick up the tab for the loss on electricity irrespective of what it is or what we do. Obviously, there has to be some rationale put into such an agreement.

After the base year, when a figure is decided upon between ourselves and the federal government for the subsidy on electricity, it will include projected escalations in those costs - projected escalations in wages, fuel and the like. We will agree upon a figure. For example, it might be \$25 million; if the costs run above that \$25m subsidy, we will have to pick up 50% of the excess. If we manage to keep a tight rein on the costs and we manage to get it below that \$25m subsidy, we will still get 50% of the amount less than the \$25m that we cut our costs. In actual fact, they will be giving us money for nothing if we can encourage ourselves to cut costs in that way.

In the light of unforeseen circumstances from either side, this subsidy is able to be reviewed. If, for example, half way through a year a world oil crisis or whatever completely throws out the projected figures on fuel costs for electricity in the Northern Territory - and that is one of the major costs in the generation of electricity - we will be able to go back to the federal government and say, "This was beyond everyone's expectation and predications and we seek that the subsidy be adjusted". Surely, that is pretty reasonable.

The electricity assets were a matter that was pondered over long and hard during debates, whether they should in fact be transferred for nothing or whether they should be transferred at a reasonable valuation and debt charges incurred. It was agreed that they would be transferred at an asset valuation of something in the vicinity of \$55m and debt charges would be incurred. The debt charges, of course, are part of the costs of the electricity supply and will be included in the costs when establishing a subsidy. I cannot see, Mr Deputy Speaker, how anyone could dream up a much better deal on electricity finances than we have here and still be realistic about the whole affair.

On the subject of mining royalties - the Leader of the Opposition mentioned that he was somewhat suspicious of the once and for all deduction in 1979-80 or year one - a once and for all deduction equal to the mining royalties that will be received from mining on Aboriginal land. In particular this refers, of course, to Gove and Groote Eylandt royalties. It is quite obvious that, if the Northern Territory government is going to receive royalties direct from mining companies into its own treasury, then there has to be a deduction in the amount of funds which is provided to the Northern Territory for escalation.

There is no way in the world we could say to the Commonwealth, "Well, those royalties from mining on Aboriginal land will now come to the Northern Territory but that is cream on the top; that is a couple of million dollars that we were not getting before and we will be able to use that on specials". Of course not; the Territory is funded at the moment and they are making a deduction from those levels of funding of the amount that will be received direct into the treasury. It is really the same thing. We are not losing a cent in any way at all. It would be totally unrealistic to expect the federal government not to have an escalating factor in our budget for income which we are receiving direct from the mining companies in this particular situation.

It seems, Mr Deputy Speaker, that the Leader of the Opposition thinks we should have done a deal with the federal government and perhaps refused self-government or any form of autonomy until such time as we got a deal that was better than the states. He believes the states are in such an awful situation and the Territory is in a slightly better situation and we should never go anywhere near the states because we would be worse off than we were in the past. I would have to deny that, Mr Deputy Speaker. There is obviously no way that we are going to arrange a deal that gives us funding levels that are even better than the states when you consider that the average Australian taxpayer is footing most of the bills for the Northern Territory's budget anyway and they could hardly be expected to concur with funding the Northern Territory at higher levels, with better standards of service, than they are getting in their own state. It would hardly be realistic at all.

I believe the memorandum of understanding we have now between ourselves and the federal government is a long way ahead of the situation we would be in without it. I refer to the Department of the Northern Territory being in there amongst all the other federal departments - and it has never been a department that has rated very highly in the hierarchy of status in Canberra - fighting for the Northern Territory's budget. The Opposition is trying to tell us that we would be better off that way than we are with this agreement we have before this House today.

I believe it is a good agreement. I believe it lays the foundation for a lot of advances in the Territory which have been a long time coming and I support the document that has been entered into by the Chief Minister and the Prime Minister, believing it to be the best thing that has happened to the Northern Territory for a long, long time.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, I want to join this debate only briefly. There are a few matters in this memorandum which bear some consideration and I believe they are concerns that are shared by other people. Certainly, on behalf of people who have approached me, I would like to make a few remarks about some of the items.

The first paragraph quite clearly confirms what the Chief Minister and the Treasurer have always been saying, and that is that the financial arrangements between the Commonwealth and the self-governing Northern Territory will be modelled on arrangements that apply between the Commonwealth and the states. In the last sittings at which this matter was raised, I expressed some concern at that particular model and I do not intend to traverse all those arguments again. The Chief Minister at that time tried to allay some of my fears but I would not, especially after the recent Premiers' Conference, alter one single syllable of what I said then. I dare say that the Chief Minister has since observed at close quarters the political reality of the Premiers Conference.

I simply want to repeat quite briefly that I do think some better and more flexible arrangement could have been devised for the Northern Territory. The plain fact of the matter is - and I think most of the states themselves realise this and certainly most fiscal economists realise this - that the state-federal model simply does not work for communities which have a small tax-paying base. I know the argument has been put that, when the states were first constituted as states, their populations were in some cases less than the Northern Territory population at the moment. The situation was certainly different in 1901 to the situation that we have in 1978, and the constitutional responsibilities and the expectations that modern-day communities do have in what they demand of their governments simply bears no relationship to the situation that existed in 1901. I think it must be accepted that communities with a small tax-paying base do suffer disproportionately to larger states when we have this federal-state model to which we have now committed ourselves.

I have had people approach me about one point and that concerns the next stage of the transfer of powers which is to be health and education. Paragraph 2 of the memorandum states in the last part, and I quote:

Any special grant paid on the recommendation of the Commonwealth Grants Commission would be directed at enabling the Northern Territory in respect of matters for which the ministers of the Northern Territory have executive authority to function by reasonable effort at a standard not appreciably below the standards of the states.

Contrary to the interpretation that the Treasurer placed upon the Leader of the Opposition's remarks, it is a fact that, in the funding for capital works for schools, Aboriginal Affairs and in some cases hospitals and health clinics, the Northern Territory has enjoyed a higher per capita standard. The standard is not simply related to the standard of expenditure per capita but also to the physical standard of provision. It is a fact in the Northern Territory that, for example, the provision of primary schools is based on the basis of one primary school for 430 pupils. This is not so even in the smaller states such as South Australia where the standard of provision is one school per 800 pupils. As you can see, we do enjoy a higher standard of provision. Aboriginal Affairs is another example where the Northern Territory does have a higher per capita expenditure. That fact is notified in this very memorandum so I do not see how the Treasurer can now deny it.

The Leader of the Opposition did make some reference to economies of scale and to the fact of high costs due to isolation and I think those points were missed by the Treasurer. We are not saying that we enjoy these high standards at the expense of other taxpayers in the Northern Territory. We are simply saying that that is the fact, for the reasons the Leader of the Opposition mentioned. There is a concern in the community and there is certainly one organisation which has put forward the proposition that school fees be re-introduced in order to meet the commitments that will occur after the next transfer of powers when education will be included. Paragraph 2 in the memorandum clearly indicates that the grant will be made conditional upon a reasonable revenue effort being made by the Northern Territory executive.

I hope, Mr Deputy Speaker, that the Treasurer can understand the concern of the community because both the health function and the education function will be very high budgetary components in the next Northern Territory budget. These are legitimate concerns and I think the Treasurer would do well to face them rather than to pretend they do not exist in our community.

The next point I would like to raise has its origin in item 6, the level of Commonwealth assistance. That paragraph says the level of Commonwealth assist-

ance during the transitional period, that is the present financial year, will be set and here are the important words "within the framework of normal Commonwealth budget processes, in the fullest consultation with the Northern Territory Executive".

Mr Deputy Speaker, after the most recent Premiers' Conference, I think it is fair to say that every premier on leaving Canberra was in a state of shell-shock regardless of his political colour and it has been widely conjectured in the informed financial circles that the August budget which will be brought down in federal parliament will be a very tight one indeed. The Prime Minister himself has done nothing to allay this fear. In fact, he has gone so far as to promise just that same phenomenon. He has said that it would be a stiff budget and that there will be severe austerity measures, and he has also put the community on notice that they can expect cuts in capital works.

Therefore, I think that, when we read the words of paragraph 6, the Commonwealth budget will be the crucial and critical criterion. That is to say, the Territory cannot expect to get any advantage in excess of what the Australian community will get as a whole and, as we have been informed that the budget will be a very severe one, I think the Treasurer as well as the community can expect that the results of the budget will fall very heavily indeed in the Territory. I think it would do the Treasurer well to describe to the community what his government's strategy is to minimise the effects rather than waiting for them to dawn upon the community and their effects to be felt.

Item 7 of the memorandum says that, after the transitional period, which we assume will be a year but apparently could be longer, the level of Commonwealth assistance will be set by agreement having regard to the previous levels of assistance. Those are the words that I want to speak about. In my view, the insertion of the word "agreement" in that particular phrase is just a nicety because, as the Treasurer so eloquently put it, we have only three federal members. We are not in a strong bargaining position with the federal government. Certainly the high population states of New South Wales and Victoria did not come out any better than the smaller states in the last Premiers Conference and, as honourable members will realise, the states of New South Wales and Victoria is where the large majority of federal seats are tied up. I think the word "agreement" is really just a nicety. In practice, the Northern Territory government is likely to be bludgeoned into submission to the federal government's view. That is reinforced throughout this document but I take this opportunity, as it is the first occurrence of these words, to put that remark upon record.

The other part of the phrase that gives some cause for concern is that the level of assistance will be set having regard to the previous level of assistance. What that in fact means - or the way I interpret it, at least, and certainly others do as well - is that this particular year will be a very hard one for us indeed. It will be hard for the whole of Australia and we cannot assume that it will be any easier for us. I feel that, by making that the basis upon which Commonwealth assistance will follow, in fact we will be disadvantaged in future years even - and I say this with the greatest of caution - if the trend reverses itself in the states. I would say that, because the level of assistance is dependent upon what we get in this current year, the outlook is bleak simply because what we get this current year is expected to be quite small.

In paragraph 20, we again have a reference to the Commonwealth's budgetary constraints and here again is an indication that the Northern Territory government may well be consulted upon the level of assistance but, in the end, the

consultation will be because of this memorandum and the end result may not be any better for the Territory taxpayer and the Territory consumer of government services.

Paragraph 20 says in the second half of it:

The level of assistance in those years, that is after the transitional year, will be determined by the Commonwealth in the context of its priorities and its own budgetary constraints in the light of the needs of the Territory.

I think those words are quite clear especially when the Prime Minister has been all around the country telling people that belts have to be tightened and that austerity measures will be introduced.

Mrs Lawrie: Life wasn't meant to be easy.

Ms D'ROZARIO: Quite right, and I think he will be famous if anything for those words.

Mr Collins: It's the only thing he'll really be remembered for.

Ms D'ROZARIO: The Opposition Leader did make some reference to the general purpose revenue grants and the general purpose capital grants and the specific purpose revenue and capital grants. I think, in this particular case, it would certainly be the view of some members of the community that they were misled by previous statements of the Chief Minister. On one particular occasion, I remember the Northern Territory News having a headline on its front page, saying "\$20m Gift to the Northern Territory". I am not saying that the Northern Territory News got the story right but the general view among some segments of the business community was that the Northern Territory economy would be shored up by the federal government in addition to grants that would be recommended by the Commonwealth Grants Commission. But having read the memorandum very closely, it appears that this is not so, and that any special purpose grant that is made as a result of a recommendation of the Commonwealth Grants Commission will be offset by the general purpose grants and, indeed, the so-called gifts that were to be made are for three years - at \$20m each year, and then on an arithmetic progression with the factor of minus 5, so that it goes in the fourth year to \$15m, in the fifth year to \$10m, in the sixth year to \$5m and in the seventh year nothing. I think, to that extent at least, there has been some misunderstanding either on the part of segments of the community or ourselves.

Mr Robertson: Certainly by you.

Ms D'ROZARIO: It is a widely held view I might say, Mr Deputy Speaker, for the benefit of the honourable Minister for Community Development who may well take his opportunity to speak after I have sat down...

Mr Robertson: I must admit your words do catalyse that.

Mr Isaacs: That's the longest word you have used for a while.

Ms D'ROZARIO: Mr Deputy Speaker, if I might just be permitted to continue by the very vociferous minister opposite, I would like to say in respect of the stage 2 tax-sharing agreement arrangement that here again, although the words underlined are that this would only occur at the request of the Northern Territory government, I do not think the Northern Territory government is in a very strong position. I am certainly of the view - and it is the view of other informed sectors of the community - that if this enabling legislation is

introduced in the states, it would be introduced in the Northern Territory and the Northern Territory government would be in no strong position to resist the pressure of the federal government because this memorandum clearly points out that the federal government certainly is holding rather more cards than the Northern Territory government. Here again, the phrase, "the request of the Northern Territory government" is a nicety that is put there to allay the fears of the community who would think by reading this, and I think quite rightly, that there is to be double taxation at some time in the future in order to expedite the federal government's exit from the field of Northern Territory finance. It is certainly happening elsewhere and I do not think we have any reason to be complacent that it will not happen here.

Mr Deputy Speaker, there is a point of specific interest here both to myself and to the Treasurer who has, I believe, the government responsibility for many of these areas. Certainly if he read the transcript of proceedings at the Premiers' Conference and the reports in some of the financial presses, he will realise that the outlook for things that he himself has mentioned - housing, roads and urban public transport - is not good. We do have in paragraph 53 a statement that:

During the financial year 1978 - 1979, arrangements for specific purpose capital assistance will be agreed between the Commonwealth and the Northern Territory. The following are the major areas for which assistance will be paid under arrangements analogous to those existing between the Commonwealth and the states ...

and the ones listed are: housing, dwellings for pensioners, roads, urban public transport, water resources assessment and natural disaster relief. Mr Deputy Speaker, as has already been mentioned, if these grants are made for these specific purposes, then the general purpose grant will be offset by an equivalent amount. It is well worth recording because it is still fresh in the minds of the people that, at the last Premiers' Conference, the areas of public housing, roads and urban transport suffered very greatly indeed - that is, in addition to capital works for hospitals and schools which in some cases were completely removed.

I think that by pursuing this Commonwealth-state model - and both the Chief Minister and the Treasurer seem to be very proud of the fact that they have devised this system - certainly among thinking members of the community, these fears that I have just outlined are apparent. I think they are quite justified in view of the statements both by the Prime Minister himself and in view of the statements both by the Prime Minister himself and in view of the recent occurrences at the Premiers' Conference. If the Chief Minister is trying to tell us that he, with his one federal representative in the House of Representatives and two in the Senate, has any more weight than the states of New South Wales and Victoria, he might convince members of his party but I do not think he is convincing the ordinary Territory taxpayer.

Mr TUXWORTH (Mines and Energy): Mr Deputy Speaker, like the honourable member for Sanderson, I will be very brief.

I would like to ...

Ms D'Rozario: If I hadn't been interrupted so often, I would have been.

Mr TUXWORTH: Mr Deputy Speaker, I feel the debate this afternoon on this particular issue has degenerated into an exercise in prophesying gloom and doom.

In the Northern Territory, we have had a one-off agreement for the last seventy years in financial terms compared with the states during which time we have been screwed, we have been inflated and deflated at the whims of federal politicians. I think it is regrettable that the honourable members on the other side of the House would prefer to turn the clock back rather than take the bit between the teeth and get on with the job at hand. We are presented with an option of moving out of the deep, dark ages and the people of the Northern Territory took it. Whether it was with the full agreement of the members of the Opposition it does not really matter. The fact is we have taken the bit between our teeth and we are now in full flight.

When the Northern Territory government was presented with an opportunity to get an agreement, it had a couple of options. It could have gone for another one-off agreement which could have meant that, whenever the federal government felt like imposing its will financially in some way or other on the Northern Territory, it could have done so and we would not have had the support or concert of the states in our agreement or disagreement with what the federal government was doing. In fact, we would not have been any better off. The option that the Northern Territory government took was to fit in with a program that has been in existence now for some 70 years, a financial system that has been funding states, for better or worse, for the same period and a system that is going to be with us for a long time to come.

The fact is that we live in a federal system, whether we like it or not, and there is a great deal of value in the Northern Territory being a party to a similar agreement as that of the states. I might add for the benefit of the Opposition members that this agreement is not always accepted by every government of the states as the best thing in its own interest. However, it has withstood the tests of time and there is no doubt that it is going to be there for a long time to come.

The honourable Leader of the Opposition casts doubts on the comparisons that would be made between the state and the Northern Territory in relation to funding in the sense that, because of the Northern Territory's special disabilities and difficulties, the Northern Territory might well be worse off than it has ever been and could possibly be much worse off than the states. I feel that this is getting to the root of the whole problem in that the basis of our federal system is simply the comparative funding of all the states. There could be no federation in 1901 until the people working behind the scenes could come up with a system of funding that would give equality to the smaller states as well as to the larger ones. That system as it worked out has proven to be successful. Whether they like it or not, the states and all the people within the Commonwealth are going to have to put up with it because there is not very much likelihood of any state agreeing to a change in it.

The honourable member for Sanderson raised doubts about the future of funding for such things as health, education and Aborigines and I believe the Leader of the Opposition did too. I believe this is where the disability clauses and the Grants Commission considerations will probably be most in favour of the people of the Northern Territory. Probably the greatest difficulties of the health and the education departments, and possibly the most costly services provided, are those services provided by these two departments to the Aboriginal community. There is no way that any of us would see a reduction in the level of services and, in fact, I think there is every cause for an upgrading of services to all Aboriginal communities which will cost the Australian taxpayer money, and a lot of money over many years.

Because we have never had a funding arrangement with the federal government, the Northern Territory has never been able to bid for these provisions on the

same basis as would the states - for special funding, for special projects, for special services, for disadvantaged communities. I believe the departments up here have been expected to make do within their budgets for the whole of the community.

I suppose the other honourable members of this House get the reams of paperwork that is turned out from the Department of Health. Nearly every day, there is an announcement by the minister of a special grant to the states for community clinics or for dental programs, and I believe there are in existence special grants of up to \$6m for state governments to receive funds for drug rehabilitation programs. The Northern Territory does not get a cent out of this whole thing. We sit back and whenever I have approached the federal minister, particularly in the field of funds for drug rehabilitation, the answer I have got is, "Don't call us, we'll call you. But when you become a party to the federal-state financial arrangements, you will be all right".

In some ways, I am rather looking forward to the Northern Territory becoming a party to some of these agreements so that the Northern Territory communities can benefit from the things they have previously been denied because we have never had a funding system or formula that was comparable with anybody else and we took what was the whim of the people in Canberra. For my money, I do not really mind how many problems we have with our existing system, in getting it organised; there is no way that I would see us turn the clock back.

Mr ROBERTSON (Community Development): There are a couple of points I wish to raise and I will be brief. And I think I will be the first person to stick to that in this place this afternoon.

The first point relates to the approach used by the Leader of the Opposition to this debate at the outset. It seemed to me, as he quite often does, he conveniently takes parts of sentences and leaves them out of context. He commenced the debate with a reading of the first paragraph on page 3 but other than in a derisive manner later on, he failed to use the words which are in the Majority Leader's statement of yesterday: "with due regard to the particular circumstances of the Northern Territory". Later on when he dealt with page 16 of the report, we get into the arrangement with the Commonwealth on the reduction in general revenue grants as a result of specific purpose grants. This point was brought out by my colleague, the honourable Treasurer. It is very important I think for the community to realise that not only have the words been used by this side of the House, repeatedly in public forums and in this place, that special regard will be paid to the special circumstances in the Northern Territory, but we find those words in fact used in the agreement itself.

I suppose before I came to this place, and probably as much so now, I was always cynical and sceptical of the words of politicians in verbal promises. This is the point picked up by the Opposition, that they do not trust the present government. Let me assure them that there are many instances when I have not trusted both sides of the political fence. I certainly did not trust their colleagues when they were in. There is a vast difference between a verbal undertaking to pay special regard to the circumstances of the Northern Territory and a written agreement under the hand of the Prime Minister of this country and also under the hand of the Chief Minister of this government. This is quite a different story. The fact of the matter is that special regard will be paid to the special circumstances of the Northern Territory. It is in writing and it is signed and attested to at the highest political level in this country.

The other point I would like to take up is this absurdity called "double taxation". It was - and I quite agreed with the Leader of the Opposition - very successfully used by Mr Wran in his election campaign, and I think he

probably did Mr Dunstan a disservice by not putting him in that bucket as well, because he also won an election on that issue. Indeed, I would say that probably most of the members who are now sitting opposite won their seats in a similar manner. That is a quite false but nevertheless effective scare campaign directed at the people to make them afraid of what is going on at the moment.

Let us look at the reality of the ability of the states under federalism at stage 2 of tax sharing to go into the business of income tax imposition. During the first world war the Commonwealth government took upon itself by surrender of taxation rights by the states, firstly, to fund the war and, more importantly, afterwards to fund the rehabilitation of soldiers. The Commonwealth from then on assumed to itself the right to tax the people. From that date forward, particularly after the second world war when social security became such a large issue, the states have screamed loud and long ever since about the erosion of their right to tax.

It is a right to tax that the Commonwealth is talking about, not imposing a mandatory requirement that they do. There is a significant difference. All the federal government is doing through federalism policy is opening up an option to the states. The agreement, of course, would have to follow that if the states were going to pick up that, then there would have to be a counter balance arrangement with the federal government in respect of its taxation. It is an option. As pointed out by the Treasurer, it is just an extension of those options which are already available to the states. It does not necessarily mean that they are going to tax.

It is the same sort of tactic used by the Leader of the Opposition as was used by the honourable member for Sanderson when she brought up the old bogey of compulsory school fees. Mr Speaker, I have asked the Opposition before in this place to confine itself to its own policies. I accept her word, if I am to believe this, that in fact it is ALP policy to impose those school fees upon the transfer of education. I accept that and I suppose the community will believe it too because in every issue that comes up here it is the ALP which threatens the imposition of special taxation, not this side of the House. The honourable member for Sanderson is the only person I have heard in this place today mention the imposition of compulsory school fees. Mr Speaker, it is not the policy of this side of the House to do so. In fact, the only place other than from the honourable member's own mouth that I have heard the suggestion was one that was put up by the Northern Territory Council of Government Schools Organisations which suggested that the fees should be recoverable in a court of law. That obviously seemed like a good idea to the honourable member for Sanderson and she has espoused that probably as being the policy of the ALP. Let the people be aware of it; it is certainly not the policy on this side of the House.

We come to the Leader of the Opposition and I think that nothing else we have heard here more clearly demonstrates his total lack of understanding of the operation of the Grants Commission than his reference to the transfer of the function of education for the Northern Territory and the manner in which the Grants Commission would go about assessing our needs as compared with the state of New South Wales. Quite clearly, the man has not the slightest grasp of the operations of the Grants Commission. He implied quite directly, and if he does not believe me he can read Hansard in the morning and he will find I am quite right, that what the Grants Commission will do is look at per capita grants by the Commonwealth to the states for children in the state of New South Wales, being the base state. That is not so at all. The whole key to the Grants Commission's operation is equivalent services.

Mr Speaker, no one in his right mind would suggest that it costs the same to educate a child at Bamyili in your electorate, Sir, or at Port Keats or at Bathurst Island as it costs to educate a child in any urban centre or any regional centre in New South Wales. The function of the Grants Commission is to look at what extra it costs the Northern Territory to maintain a standard of service. It does not look at per capita grants in respect of either New South Wales or Victoria, which are indeed both base states, not just New South Wales, as may quite well be the impression of the honourable Leader of the Opposition. His understanding of the Grants Commission is so lacking that he probably does not realise that there are two base states and not one.

We have heard from the honourable member for Sanderson that we have a higher per capita primary school accommodation in the Northern Territory. She seems to base it on something like 430 students as being the accepted base within the states and that we are supposed to be significantly better than that. Let me assure the honourable member that of the two primary schools in my electorate, Gillen has 640, including its pre-school, and Bradshaw has 720. Let us not delude ourselves that we are that much better off than anyone else. We are not at all and the costs of providing education in the Northern Territory, because of the housing, because of leave structures which will be guaranteed by law in the transfer and the conditions on which they will cross, the costs are obviously significantly higher in the Northern Territory than they are in the base states of Australia.

It is also true to say that, looking at what the Grants Commission will be looking at, the cost of establishing a school in the major centres, Alice Springs and Darwin, is 50% higher than it is in any of the capital cities. It is 100% higher at Nhulunbuy. Quite clearly, these are the issues the Grants Commission is going to be looking at. These are the issues which make up disabilities which the Grants Commission will be looking at under the formula and under this signed agreement between the Prime Minister of this country and the Chief Minister of this government.

The other nonsense we have heard is that there has been some sort of a plot by the Country Liberal Party, by this side of the House, to kid people that we were not looking for a state-type model. Of course we were looking for a state-type model. That is precisely what we have aimed for, precisely what we asked for and precisely what we have got, bearing in mind that state-type model has the additional benefit for the Northern Territory that our special needs and circumstances will be examined. Again I refer back to page 15, the very page quoted from by the Leader of the Opposition. Of course, he conveniently left out the relevant section of that paragraph after the hyphen. He did this again to mislead the people, again so that, when they read Hansard, they would be frightened by his words and his mischief. The Chief Minister and the Treasurer who carried out this difficult and complex negotiation with the Commonwealth are to be commended for their efforts. I believe that that commendation must be coupled with a condemnation by people, and certainly by us on this side of the House, of the attitude of the Leader of the Opposition.

What have we had over the months that has led up to this debate here today and this final result which we see before us? We have not had one solitary, constructive alternative put before us. We have had no constructive alternative put before us by the Leader of the Opposition as to what he would do if he was on this side of the House - and thank God he is not and I hope he never is - we have not heard one constructive suggestion from him as to how he would have entered into this exercise of self-government or indeed even if he intended or wanted to enter into this exercise. Having said that, I have no doubt that he will cook up something to reply in the next couple of minutes. That will be the

sum of his alternative to government of the Northern Territory. I think that the people of the Northern Territory are now becoming very rapidly fed up with the negativeness that comes from the other side and its complete lack of constructiveness.

PERSONAL EXPLANATION

Ms D'ROZARIO: A point of order, Mr Speaker. I claim to have been misrepresented.

Mr SPEAKER: Will you keep your explanation brief and to the point please.

Ms D'ROZARIO: Certainly, Mr Speaker.

The Minister for Community Development claimed that I had advocated the re-introduction of compulsory school fees. I did not say that at all.

Mr Robertson: You are the only person who mentioned it.

Ms D'ROZARIO: I am not the only person who mentioned it. Mr Speaker, perhaps I might be allowed to give my explanation instead of interjections which I keep getting from the minister opposite. What I did say is that an organisation had already put forward this proposal. I did not at any time claim to be behind that proposal nor did I say that it was a proposal of my party.

Mr EVERINGHAM (Chief Minister): There is not a great deal that I can say because my ministerial colleagues have very adequately covered the scanty objections to the understanding raised by the members opposite. The Leader of the Opposition is having his usual two bob each way. He is not happy with the various constraints and restrictions which he sees imposed on the Northern Territory by the agreement itself but, at the same time, he is very critical, to use his own words, of the "carte blanche" that has been extended to the Electricity Commission for this year's operations. This is the way he always wants it: he likes to have it both ways. His panacea and I think it was his one and only substantial point in his policy speech for the 1977 election was "We'll solve everything for the Northern Territory with increased government spending". He says this agreement is not generous enough - that is his big criticism of it. When he can pick out a piece that is patently generous, the "carte blanche", then it is no good. What are we to do, Mr Speaker? We cannot satisfy this man, his whining, his snivelling, his knocking, his undermining of confidence in the Northern Territory just goes on and on in the face of absolute facts.

Were the Leader of the Opposition to be occupying the Treasurer's seat at the present time, the Northern Territory would be in a parlous position because we heard from him that he is very concerned that there has to be a once and for all deduction in 1978-79 from the moneys granted to the Territory by the Commonwealth of the amount of royalties received from mining on Aboriginal lands. It is patently obvious that the Northern Territory in that year will receive into its treasury whatever the amount of the royalties is from mining on Aboriginal land. It is patently obvious, therefore, that to make the necessary once and for all adjustments, the Commonwealth will take an identical amount off the Northern Territory subvention and that will be the end of it. The Leader of the Opposition apparently cannot understand a process as simple as that because he considers it to be most unfair and unreasonable that we don't get it both ways in that case.

The Leader of the Opposition stated that we have said that these arrangements were not to be on a statelike model. I have never indicated that the ar-

rangements were not to be on a statelike model. In fact, we have indicated on several occasions that they would be and I can remember saying words to the effect that we will be joining a powerful club by joining the states in their model. We have several significant advantages such as clause 48 to which the Leader of the Opposition did not advert and nor, as far as I can recall, did any of his colleagues. He adverted to the capital cost of the purchase or the transfer of various items but he did not advert to the fact that the Commonwealth is providing us with the interest moneys to pay back the interest that they are going to charge us on this. The Commonwealth obviously has to treat the Northern Territory on much the same general basis as a state. However, it can treat the Northern Territory sympathetically over and above this. This is an example of how it is treating the Northern Territory sympathetically. It is providing a special grant to the Northern Territory to pay the interest that it is charging us. The states cannot say that it is not charging us interest, but it is giving us the money to pay the interest.

I really cannot say much more than I have. My colleagues have handled the criticisms, such as they were, very well. I firmly believe that this agreement assures the future of the Northern Territory. I certainly would not have entered into it had I not believed that. I really believe that it is time that the Opposition ceased knocking and got on with the business of making self-government a success. That is what we are trying to do. We will do our best to assure that self-government works. As the Prime Minister himself said, Territorians have got the will, they have got the energy and they have got the capacity to make self-government work. We believe that. If the Opposition doesn't, it is their bad luck; it certainly won't stop us trying.

Mrs LAWRIE (Nightcliff): During this debate, I said by way of interjection something along the lines of "He didn't have Mr Malcolm Fraser as Prime Minister either". I meant that. I would have much less fear for the future of the Territory and its funding if we had a different Prime Minister. We are relating this agreement to those which bind the Commonwealth and the states. No one yet has stood up and said, "we know that is a fact but if the states are going to be cut right back, we too will be cut right back". That is my fear - not that relative to the states we will be worse or better but that the whole lot of us will suffer drastically at the hands of a prime minister whose attitude to state funding and federalism has drawn the ire of National Country Party premiers, Liberal premiers and Labor premiers. Why then should we rejoice with sober reflection at this bounty being offered to us by Malcolm Fraser?

The changeover in funding and administration of the Northern Territory was inevitable but the timescale surprised many. I do honestly believe that Territorians would have liked the opportunity to have more to say on that matter but that time is past. We have in front of us a document which is a fait accompli. It is wrong of some government members to assume and to state in this House that the ALP is necessarily in opposition to everything which is stated here or to Territorians having a right to determine their own future. As the Leader of the Opposition has the right to reply, I will leave him to cover his party's philosophies on those grounds.

Certainly, one of the reasons which prompted me to spring to my feet was that I will not have the Majority Party making the assumption that I am against the package in toto. I want it to be clearly understood for the record in Hansard and for anybody in the Territory who cares to listen that I am deeply suspicious of the present Prime Minister of Australia, Malcolm Fraser, and the way in which he is running this country. He is quite clearly saying to the states that they have to accept lower standards and that, if they want something, they can blasted well pay for it. It does not augur well for our future whilst he has that attitude to all states and this Territory.

The only other matter on which I will comment was alluded to by Opposition members. The point was picked up by the Minister for Community and Social Development and the member for Sanderson offered a personal explanation. It concerned the subject of compulsory school fees. For the record, because it has been raised, I am totally opposed to compulsory school fees. I believe that the president of the Northern Territory Council of Government Schools Organisation has denied that it is the philosophy of that organisation that they should be introduced. I believe what he was saying was that, if they were necessary for the orderly running of schools, they should be recognised as such and there should not be a sop to public opinion which said that schools are free. Any parent with kids attending school will know that that is pie in the sky. The current school fees for the Nightcliff High School - and fees they are - are \$50 per child in secondary school. At the moment at the Nightcliff Primary School the school fees are \$30 per child. If they are attending music lessons, which are considered an integral part of that school, it is an extra \$15 per term and extra again if one has to hire an instrument.

These are my own examples; I am up for a minimum of \$130 per year. People might say that is peanuts. All right, say that it is peanuts but do not pretend that schooling in the Territory is free. If you are late in paying those school fees, you get letters home from the school pointing out this fact and threatening to withhold services from your children. I can produce the letters if any honourable members wishes to see them.

Mr Robertson: Have you paid?

Mrs LAWRIE: I have not paid yet because I happen to believe in free education or being told I have to pay and it is compulsory. Let us have none of this ambiguity, this hypocrisy about education being free and compulsory up to a certain age. One of my children who knows well that I have not paid her fees because she keeps getting chipped about it, worked out the cost of the materials which she has used this year. These school fees are supposed to cover extra materials and excursions. Her fee is \$50 and she has used so far less than \$8 worth of extra equipment. She has had one excursion and that was to the parking area at the wharf. Big deal, Mr Speaker! I am on the board of management and they know my feelings. I have spoken against this pseudo-compulsory extra payment.

I feel very deeply about this and that is why I have taken the time of the Assembly to make my point here as the matter has already been raised. If when the Minister for Community and Social Development, on his assumption of complete responsibility for education, feels that a levy is necessary, let him make it compulsory or else do away with it. I am a little tired of the public being told of our wonderful school system and, at the same time, being expected to obey a different set of criteria.

Mr DONDAS (Casuarina): I was not going to speak in this debate either. The honourable member for Nightcliff has expressed the distrust that she has in our Prime Minister. She is saying that, whilst he is there as the Leader of Australia, she is not happy with any arrangements being made. I have every faith and will give every support to our Prime Minister. He is the government and he will be there for a long time too.

This letter is to Mr Everingham and is dated on 28 June 1978:

Dear Mr Everingham, in accordance with agreements reached between your executive and the Commonwealth ministers, I enclose a memorandum of understanding in respect of financial arrangements to apply between the Commonwealth and self-governing Northern Territory. The financial arrangements

are modelled on those that apply between the Commonwealth and the states with due regard being had to particular circumstances of the Northern Territory. I shall be pleased to have your agreement to this memorandum of understanding between our two governments.

It appears that nobody on the other side has read a copy of this letter. Some members seem to have forgotten that the Chief Minister already told this House in June that he is already aware and is satisfied with the level of funding to be provided by the Commonwealth to the Territory in the forthcoming financial year.

Mr ISAACS (Opposition Leader): I wish to take up three matters raised in the debate and to make a comment in passing on one of the comments made by the Chief Minister. He clearly does not listen. If he reads the Hansard, he will find my remarks in relation to the Commonwealth government paying the debts and interest related to the various business undertakings. I believe that was the only substantial point he made in his wild statement.

I wish to refer to three matters. The first is in relation to those very important words about which the member for Nightcliff spoke, the "due regard to the states" and related to that is the speech of the member for Casuarina concerning the word of the Prime Minister. The second matter I want to talk about in reply is the question of the stage 2 tax-sharing arrangements and the third is a matter of the state-federal committees about which the Minister for Mines and Energy spoke.

In relation to the word of the Prime Minister, frankly I do not think it is worth a bumper. In the 1977 federal campaign, the Prime Minister campaigned on a slogan of "We will maintain Medibank" and that was his 1975 story. He said he would bring down unemployment, get business moving. On each of those three propositions, he was patently misleading the whole community. In fact, if you look at Medibank now, the only thing that is maintained about it is the name. I believe that I am not the only one who does not think that the Prime Minister's word is worth a bumper. I am joined by very many people including people of the right honourable gentleman's own party. When one sees written down in a document "due regard to be had to the disabilities of the state" that does not spell out or quantify in any way what that due regard will amount to. It is all very well to say that you will give due regard but it is another thing then to say that you will come across with the amount of money. That is as high as anybody would put it; it is as high as we would put it. It is one thing to say it; it is another to see just what is going to be achieved.

The second matter is in relation to stage 2 of the income tax sharing arrangements and the new federalism about which I think the Minister for Mines and Energy and also the Minister for Community Development spoke. The fact is that, in relation to the states' taxing capacity, it is true that the Prime Minister is now urging upon the states that they take up this option. There is nothing mandatory about it; it is an option. When you are also given with that stage 2 of tax sharing the responsibility to fund those very many operations which the federal government itself has been operating, but not given consequent upon that the money which the federal government itself has spent, then you have only got two options. One is to use it, that is the stage 2 of the tax sharing arrangement, or not fund the proposition at all. Therefore, you find the states which had their various child care programs, legal aid services and so on which the Australian government has funded, finding that they now have to fund them or do away with them. So really the option is not quite as simple as the Treasurer put it. You have to understand that, in so

far as the capacity of the states to raise their own income taxes is concerned, it is consequent upon those various functions being transferred to them without the consequent funding from the Australian government.

The only other matter I wish to refer to is the question of the state-federal committees. The Minister for Mines and Energy is looking forward today to being on the various state-federal committees. It is a shame that the Minister for Transport and Works did not speak in this debate. He would have been able to give us a very good idea of what happens at these various state-federal ministers meetings, in reference to the last ATAC meeting. As I say, it is a great shame he was not able to inform us how that meeting was rudely interrupted after about three-quarters of an hour by the obdurateness ...

Mr TUXWORTH (Barkly): A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr TUXWORTH: Mr Speaker, I did not say at any stage that I was looking forward to participating in federal-state committees.

Mr ISAACS: Mr Speaker, the member is making a personal explanation. He can do that after I have finished.

Mr SPEAKER: What is the point of order?

Mr TUXWORTH: Mr Speaker, I claim to have been misquoted.

Mr SPEAKER: Do you wish to make a personal explanation?

Mr TUXWORTH: Yes, I do, Mr Speaker.

Mr ISAACS: A point of order, Mr Speaker! If it is a personal explanation, he is perfectly able under Standing Orders to make it at the end of my speech but not during it.

Mr SPEAKER: You may make your personal explanation at the end of this speech.

Mr ISAACS: Mr Speaker, all I was saying about the ATAC meeting was that it would have been interesting to have heard the Minister ...

Mr ROBERTSON (Manager of Government Business): A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr ROBERTSON: This matter was not raised at any stage during this debate. It is a new matter being introduced in reply.

Mr ISAACS: I am speaking in relation to the comments of the Minister for Mines and Energy when he spoke about wishing to be on the various state-federal committees. I am talking about one such state-federal committee which was held in Darwin recently.

Mr SPEAKER: The point of order by the Manager of Government Business is upheld. The member is introducing fresh material into the debate and I think you know Standing Orders well enough to agree with me on that.

Mr ISAACS: You are making a ruling, Mr Speaker. I am not going to agree or disagree, otherwise you would rule me out of order again.

Mr SPEAKER: You may dissent from my ruling but do it in writing.

Mr ISAACS: Not at all. All I am saying in so far as the state-federal committees are concerned, and I am sure I heard the Minister for Mines and Energy mention that phrase, is that it is not all tea and bikkies at those various gatherings and I am sure the Minister for Transport and Works would very readily attest to that after his recent meeting here in Darwin.

Mr Speaker, I think the debate has been useful in relation to the financial arrangement. I believe the people of the Northern Territory are aware of what the details of the arrangements are going to be, not just because of the so-called frankness by members opposite but also because of the questioning and constant reference by the Opposition to the various flaws and problems contained in the state-federal model. It is true, as I have said I think in June at the last sittings of the Assembly, that what we will have to do now, having seen the model and having realised we are now in the ball park of the state-federal arrangements is to work out just how the Territory can best go forward within that framework.

PERSONAL EXPLANATION

Mr TUXWORTH (Barkly): Mr Speaker, I claim to have been misrepresented. The honourable Leader of the Opposition inferred that I raised in my points ...

Mr SPEAKER: Did he infer it or did he say it?

Mr TUXWORTH: He said it. He said that I had mentioned in my debate an interest in the Northern Territory being in attendance at federal-state ministers conferences. Mr Speaker, I did not make that remark at all. What I believe will come out in Hansard is that I am looking forward to the day the Northern Territory becomes a party to federal-state financial agreements.

Motion agreed to.

HIRE PURCHASE BILL (Serial 127)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

TAXATION (ADMINISTRATION) BILL (Serial 128)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

NORTHERN TERRITORY DISASTERS BILL
(Serial 135)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

INTERPRETATION BILL
(Serial 140)

Continued from 1 August 1978

In committee:

Clause 1 agreed to.

Clauses 2 and 5 agreed to.

Clause 6:

Mr EVERINGHAM: Mr Chairman, I move amendment 124.1.

This amendment to clause 6 inserts a new section 34 in the principal act. Since the bill was introduced, I have had informal communications with the draftsman from the Attorney-General's Department in Canberra and with the Department of the Northern Territory to the effect that the Commonwealth would be prepared to amend the Self-Government Regulations made under the Northern Territory (Self-Government) Act 1978. In view of this advice, it is now thought that the bill as presently drafted would not be appropriate. The amendment would make it clear that the Administrator must act with the advice of the Executive Council in all matters other than the commencement of legislation, in matters specified by notice in the Gazette and in matters which are not section 35 matters.

The amendment proposed to the Self-Government Regulations makes it clear that the making of regulations and similar instruments is a section 35 matter. Having regard to the new simpler form of section 34 proposed in the amendment, there is no longer a need in my view for a commencement clause to the bill and that is why I did not pursue the earlier amendment.

Amendment agreed to.

Clause 6, as amended, agreed to.

Remainder of the bill taken together and agreed to.

Bill passed the remaining stage without debate.

STAMP DUTY BILL
(Serial 130)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

DANGEROUS DRUGS BILL
(Serial 134)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

FINANCIAL ADMINISTRATION AND AUDIT BILL
(Serial 138)

Continued from 1 August 1978

Mr PERRON (Treasurer): Mr Speaker, in reply I would like to touch on a couple of matters brought up by the Leader of the Opposition. The first one is the doubtful wording of clause 3(2) of the bill. He will note that an amendment has been circulated which tends to clarify the matter.

The Leader of the Opposition also brought up a matter of principle in that the bill seeks to give fairly widespread powers to prescribed statutory corporations in the Territory to write off bad debts and other amounts, and go as far as making gifts and whatever. The Leader of the Opposition indicated that it might have been more appropriate to put some control on this, a limiting amount, or perhaps have it at the discretion of the ministers.

After looking at this matter, I thought I would just bring to his attention the fact that the financial administration and audit legislation is really extremely light on controls for prescribed statutory corporations. As a matter of fact, there are next to none. To explain that, the explanatory memorandum which was circulated with the financial administration and audit legislation said that, "the Treasurer is prohibited from directing a prescribed statutory corporation as to any matter in the exercise of its functions and duties including the purposes for which payments from the trust account may be required" It further says, "The prescribed statutory corporations are free to adopt accounting procedures and rules of financial administration best suited to their operations".

In the financial administration and audit legislation, section 66 says - and I will not read it all, Mr Speaker, but it says primarily - that the "prescribed statutory corporations shall cause to be kept proper accounts and records of their transactions in accordance with accounting principles generally applied in commercial practice". It is felt sufficient that the prescribed statutory corporations have in effect the Commonwealth Auditor-General looking over their shoulder from time to time. The Commonwealth Auditor-General can, of course, bring it to the attention of the relevant minister at any time if he feels that a practice has been engaged in by a statutory corporation that is out of the ordinary.

The various corporations are expected to run along commercial lines in general and this, in fact, is the reason we set up statutory corporations - to provide that extra bit of flexibility beyond what government departments traditionally have. They are much more tightly bound. After having a look at that matter, I believe it is quite proper that we proceed with the amendments and not put any unusual constraints upon the statutory corporations in this regard. If the relevant ministers in charge of corporations wish to put such a control on their particular corporation they can do so. Most statutory corporation enabling legislation now has a little clause that says "or as directed

by the Minister" and this does empower the ministers to seek information or give directions to statutory corporations in particular circumstances if they see fit.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: Mr Chairman, I move amendment 123.1.

This amendment to clause 3 alters the wording to more clearly indicate that the appointment is to be made of the holder of an office or a person performing the functions of an office instead of a person by name. The amendment will obviate the need for additional appointments during absences of accountable officers and so on.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

MOTOR VEHICLES BILL (Serial 129)

Continued from 1 August 1978

In committee:

Bill taken as a whole and passed the remaining stages without debate.

ADJOURNMENT

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

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon in my adjournment debate I have copious notes but I hope I will not need to read them. I would like to speak this afternoon about the Darwin show. It is an event of some importance in the Darwin calendar and it happened just recently in the last weekend in July. It was the 27th Darwin show. I think it is the one event in Darwin which brings the most public participation and public patronage of any event held. Some events may have public patronage in as great numbers but not public participation. I do not want to speak about the public participation so much today as the government department participation.

In the past, there has been a great deal of support for the North Australia Show Society from the Commonwealth departments. This year, we have had outstanding support - I say "we" because I am a member of the show society - from the Northern Territory government and three Commonwealth departments. It is very important that the Northern Territory departments put on an exhibition at the

Darwin show because they are funded by the public purse. Their officers have their salaries and wages paid by the public purse and it is only fair to the public that it can see, in this encapsulated form, how its money is spent.

The show society every year provides this convenience for the government departments and they take advantage of it. In the normal course of events, anybody can go into a government department. He can seek any information, but the government departments are rather big and they employ many staff. Because they are often not very conveniently situated one to another, people use up much time and energy perhaps to get a little knowledge. Out at the Darwin show, they can go into any of the booths of government departments, ask questions and find out what is going on. It is all very convenient and in a much happier atmosphere.

Finally, I feel sure that many other honourable members walked around the Darwin show. They will have seen that first prize to a government department went to the Northern Territory Electricity Commission. If they took the trouble to go into this exhibit, they would have seen that it was justly deserved. It was an exhibit of some merit. The people who manned the exhibit were very pleasant to the public. Another government department also did very well at the Darwin show. I refer to the Police who won the tug-o-war for the third time. Finally, I would like to congratulate the officers who worked at the Gunn Point Prison Farm which took off quite a few prizes in the livestock, painting and horticultural exhibits.

Question put and negatived.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Manager of Government Business): I move that the Assembly at its rising do adjourn until a time and date to be fixed by Mr Speaker and notified to honourable members by letter or telegram.

Motion agreed to.

ADJOURNMENT

Mr TUXWORTH (Barkly): I move that the Assembly do now adjourn.

Mr Speaker, I would like to raise with honourable members this afternoon the issue of the proposed liquor ordinance. At the last sittings, we tabled a paper on the proposed liquor ordinance and we were due to have a discussion on it during the week. Unfortunately, that particular meeting has been postponed. It is my intention that we have a meeting as soon as possible after these sittings. In the meantime, I would ask all honourable members to urge the people in the electorates, particularly those who have an involvement with alcohol, whether it be selling or consuming, to put their views forward. At the moment, the response from industry has been minimal and, while there has been a great deal of interest from some quarters of the community, on the whole, the response is not satisfactory.

This morning, I briefly alluded to the goldrush festival which takes place in Tennant Creek every year in the same way that Darwin and Alice Springs and Katherine have their shows every year. This festival is particularly important to us because of our background and the makeup of our community. It is not possible for us to have a show in Tennant Creek because there is very little primary produce to be contributed to a show. The goldrush was conceived about ten years ago and has proven to be very successful. We watched with interest the way Alice Springs people developed such things as Henley on Todd and the

Apex rodeo and we felt very desperately that we needed a community day. The goldrush was dreamt up as an idea whereby the mining community could base its show day around the mining industry. In that way, we would be able to have a similar function as the other towns in the Territory.

One of the difficult exercises over the last four to five years has been getting a suitable day to set aside as a gazetted holiday. Originally, for convenience sake, the goldrush was held on the first Monday of August which was a normal gazetted holiday. However, this did not particularly fit in with the way the community operates. In recent times, the organisers of the goldrush, the Lions Club of Tennant Creek, has sought to set the day back a little later in the year so that the festival could be enjoyed without one freezing to death. Unfortunately, holding a function in August in Tennant Creek can be as uncomfortable as having one in the outdoors in Canberra at the same time of the year. Expecting people to be at the goldrush any time after 6 o'clock is just not on.

The goldrush this year has some special attractions. The organising committee are bringing mine rescue teams from as far as Tasmania and as close as Mt Isa to compete with the local mine rescue teams in safety drills etc. The hand bogging competition carries a pretty large prize of close to \$1000 for bogging a truck full of sand. It only takes them about 4½ minutes; it is a pretty easy way to win a grand if you have the energy. These are stimulating parts of the whole day and I would commend this function to honourable members of the House and ask as many as possible to come to our town and be present at our goldrush. Most members in the House try to get to the shows in other parts of the Territory from where they live. To my way of thinking, it is the only way this legislature should operate. We are not just here for our own parish pumping exercises; we are here for the interests of everybody in the Territory.

Several weeks ago in Tennant Creek, we had the death of a man who has passed away without due recognition. He was a man who contributed greatly in the early pioneering days of Tennant Creek. The man's name was Patrick Ford, a relative of the existing Ford garage operator in Tennant Creek. He was a man whose history and background in the Northern Territory were particularly colourful. Paddy Ford came to the Northern Territory in the 1930s. When you travelled to the Territory in those days, you set out from Mt Isa in a buckboard and you drove west until you hit the OT line. When you hit the OT line, you turned south until you got to Tennant Creek. When you were on your second drum of fuel, you sat up and you looked eagerly for the OT line because, if you drove past it, it was a very sad, dry tale getting back.

Paddy Ford's particular contribution to the field was that he had a buckboard and he carted the first payable ore from Tennant Creek from the Wildoria mine to Burra in South Australia where it was crushed and treated. Even after carting the ore - and I have seen a picture of the truck; I would think it would hold about 1½ ton at the most - to Burra in South Australia and crushing it there, the mine people still managed to make a very handsome profit. Although the mine has people on it at the moment it has not produced for many years but, in the early days, it was a very rich mine.

I would like to pay tribute today to the passing of Mr Paddy Ford. He was a genuine pioneer. He lived in the Territory in the very early days when things were pretty tough by our standards. Things like refrigerators were unknown, hot beer was the order of the day and tinned butter was the norm if you could afford the money for the butter. In the early days, it was not uncommon for Mr Ford and his relatives to go to school on the back of a horse. In fact, it was quite common for Paddy Ford and his relatives to take a 5 day sojourn from

the Burchett mine and ride straight across the bush on their horses to the Rising Sun which was at the back of the Nobles Nob. The Rising Sun in those days was another mine from which Mr Ford carted ore to the government batteries. After he graduated from the buckboard or T-model Ford to a truck, the only way he got the ore onto the truck was with a shovel. These people are passing away now out of the Territory's history because of their old age. There is very little known about most of them and it is a sad day for the Territory.

I would also like to raise this afternoon a matter that I believe is becoming more important to the Northern Territory as each day goes by and that is the particular issue of the Northern Territory relationship with Southeast Asia. Members would be aware of the recent trade mission by Northern Territory people to Southeast Asia with a particular purpose of selling our beef products in the area. It would be fair to say that, although this trade mission did not come back with orders in its hands, it certainly brought proof that there are market opportunities for Northern Territory people in the northern regions and that we have a great future there if we are prepared to get off our tails and develop it.

This opportunity exists in many fields, not just cattle. In the years to come, we will be selling our metal products there. I believe we have a great tourist base in this particular region and one that we ought to promote very vigorously. There is so much interest being taken in such things as fishing rights now that, as each day goes by, we not only will find ourselves getting closer to the people in the region but we have a moral obligation to work very closely with the people of the region. It is to this point that I want to turn.

The Northern Territory has now reached a point in its history where it should have consuls, agencies or representatives of some sort in most of the major countries of Southeast Asia on a full time basis. Primarily, at this stage, our interest should be in selling what the Northern Territory has to offer to the region because, without a doubt, it is one of the most outstanding markets in the world. You could carve up an area the size of Southeast Asia anywhere in the world and you be very hard put to find an area that is so densely populated. We are inclined to sit here and say, "Good idea! We must do that but let us not worry about it or hurry into it". I think every day that we let it go by is a day that we do ourselves an injustice. We as an Assembly, not just as buddies of party politics, should take every opportunity to promote the Northern Territory as a self-governing state or a Territory or whatever, and as an area of Australia that wants to sell and be involved with countries to the north. We should get in and start doing this now physically, rather than talking about it. Mr Deputy Speaker, I would be interested to get the reaction of all members of the House towards the concept of the Northern Territory having regional representation in the major countries in Southeast Asia for the prime purpose of selling the Northern Territory.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I could not agree more with the comments of the Minister for Mines and Energy. I think time is passing and I think it is regrettable that advantages are going by us in not discovering these markets. They were there all the time but, while we are working out how they would affect us, they are now being snaffled by the other states of Australia. When we were in Singapore on our way back, the West Australians were there. I understand the AMLC is setting up a regional office in Singapore. I think there is much we could do if we followed up the trade mission. As a matter of fact, I understand a small tonnage of quarter beef went to Singapore last night on Qantas which is the first direct, tangible result of the trade mission. I believe our future is with Southeast Asia, but I am a bit sick of

saying that. I am pleased to note that other people are now saying it too and I do commend the thoughts of the honourable minister.

One person who has unlimited confidence in the Northern Territory, apart from Mr Ian Viner, is a consultant named Shan Turnbull. I was lucky enough to receive, a few months after other people, a copy of his first report on the impact of mining royalties on the economic development of Aboriginal communities in the Northern Territory. I suppose I was lucky to get one at all, but I have one.

Where this Assembly has been wasting its time for many years, compiling reports on alcoholism - I understand there are 22 or 23 of them and the Opposition also has an active committee now - Mr Turnbull has sent me 73 pages of gobbledygook and officialese and, as far as I can make out, he mentioned the word "alcohol" once - that is on page 20. I do not know how many of us have this valuable document but it is here. He mentions that charter flights for ceremonial activities are inconsistent with drinking alcohol for which some of the money might be used.

I thought it was a most regrettable thing that a consultant with a most important job like this, probably very well paid too despite his short 32 days, should have the time to waste compiling a thing which does not mention the most important ill with Aboriginals. I do not think I am being grandiose in this; I think this is their most important ill.

We find amazing statements on page 3. Mr Turnbull says a two income economy is created in the Northern Territory - this is a long-term potential, in fact, but it is only a 20-year long term - is created in the Northern Territory with all - and he has the word "all" underlined - residents obtaining sufficient property income to live without work or welfare if they so choose. This sounds like utopia to me. I have been up here for 30 years and working pretty hard in my time but this is what is going to happen.

On the same page, paragraph 154 - while males suffer a cultural shock from no longer being required to work to support themselves and their families, Aboriginal traditions and values obtain widespread recognition, status and influence with the white man. This might be so but who is going to do the work? Are we going to call for volunteers or what?

Paragraph 155 - the NT becomes a business and retirement centre similar to the Gold Coast with no land taxes or rates, no stamp or death duties and no payroll or other levies to support the government of the Territory.

Mr Perron: It would be a great place.

Mr MacFARLANE: The last one is the punchline, I think, because it underlines my fears for the north of Australia. Paragraph 156 - increased migration to the Northern Territory, especially by those with assets and no property income of their own.

I commend the honourable Minister for Aboriginal Affairs for setting up this inquiry but the results are very startling when you engage a consultant like this who in 72 or 73 pages uses the word "alcohol" once. If you read the NT News, you find it a million times. If you read any of these other things, such as disintegration of traditional relationships on page 49 of this man's report, you find all this but you do not find the cause - alcohol. I would commend to the honourable Minister for Aboriginal Affairs a more exhaustive report with better prospects for spending the panacea which uranium mining will bring for the Northern Territory's economic ills, on the ills which are besetting the Aboriginals at this present time.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, the remarks of the honourable members for Tiwi and Barkly prompt me to say that the press can sometimes be most unkind to the incumbents of public office. Some politicians, Mr Deputy Speaker, are quite ordinary people. Most of us are quite ordinary; some would claim that they were extraordinary, but most of us are quite ordinary people following ordinary pursuits. Sometimes they could be regarded as eccentric but nevertheless, most members of this House at least have taken some interest in the various shows that have occurred over the last few weeks in the various Territory centres. I think that Territory shows definitely indicate - and this is certainly the feeling of exhibitors and members of the various show societies, of participants and spectators - what the community is doing for itself. Those politicians who take it upon themselves to tell the gathered assembly what they are doing for the community do not go down very well and they quite rightly incur the raucous ridicule of the people.

I would like to add my endorsement to the remarks of the honourable member for Tiwi in respect of government departments that prepared exhibits for the recent Darwin show and I would like to tender my congratulations to the honourable member for Stuart who had the best cock in the show. He did personally show me his cock and I was very impressed.

I did want to address a few remarks, Mr Deputy Speaker, to the honourable Minister for Transport and Works and the honourable Minister for Health might also have an interest in this matter. It is, of course, the matter of alcohol-related road deaths. It appears that over the years nothing much has occurred in the way of trying to stem the very distressing trend of increases in road fatalities which are induced by the consumption of alcohol. At a recent lecture which was delivered by Dr McDermott, a member of the Road Trauma Committee of Royal Australasian College of Surgeons, there were some quite useful points brought out and, in view of the fact that the new Road Safety Council has recently been appointed, I would suggest to the honourable Minister for Transport and Works that some program of public education is definitely needed in the Northern Territory.

Dr McDermott has pointed out that in Australia between 1960 and 1970 there were only some 388 deaths less than the total number of all Australians killed during the second world war. That just gives some comparison between that war and the war on the roads. He has also pointed out, which I think is a fact that is fairly well known to people who follow this particular matter, that more than half of the deaths occur in the age group under 30 years and, for all that is said about women drivers, they do not tend to kill themselves as frequently as men do on the roads. He has shown that 27% of casualties in road accidents were males who had exceeded the legal limit of alcohol intake.

One of the points that came out is the crushing ignorance of people that do drink and then insist on driving. People are not aware of the legal limit, people are not aware of how long it takes them to get to that limit and they are even less aware of how easily and in what period of time that limit can be reached. I think at the present time in the Northern Territory, certain tourist promotions which tend to promote various functions by way of publicity gimmicks related to the consumption of alcohol are tending to strain the image of the tourist industry in the Northern Territory. I am thinking of the annual Beer Can Regatta, a recent expedition to Southeast Asia by a boat constructed of beer cans and a highly disgusting event in the Back to Darwin celebrations of the Darwin Stubbie Drinking Contest. Certainly, some people who witnessed that sight were not impressed at all by the sort of publicity gimmick that is in general use in the Territory.

I am not by any means trying to inject any wowser element into what I am saying but I think it would be not a bad idea at all if some of the moneys generated from these publicity and promotional activities of tourist operators could be diverted to the Road Safety Council for a publicity campaign into the effects of alcohol on drivers. About two or three years ago, small advertisements, posters and so on did appear around clubs and hotels and in the newspaper but I have noticed that these are not apparent now. There are certainly insertions by the Road Safety Council at times like Easter and Christmas when they warn people not to drive if they are also drinking, but I think the message is not consistent or frequent enough. I would suggest with all sincerity to both the Minister for Transport and the Minister for Health that some money be set aside for a publicity campaign to educate drivers about the effects of drinking on their driving habits.

Without wishing to pre-empt any program that might be suggested by the Road Safety Council, I think things like video films could be shown at secondary schools and at licensed clubs and that posters and lectures could be widely distributed among outlets that have licences for social purposes. The trend at the moment does not look at all encouraging because some states have put a great deal of research into why drivers still insist on driving after they have been drinking. Dr McDermott is firmly of the view that an educational program is absolutely essential as a starting point to reversing this trend. I put that suggestion to the ministers opposite.

Mr BALLANTYNE (Nhulunbuy): The Deputy Speaker, I would like in this adjournment debate to talk about a few things that have happened recently in my electorate. First of all, I would like to mention the flag-raising ceremony during the celebration on 1 July. I do not know whether I have the full information but I think Yirrkala beat us all to the punch and raised their flag around about 8.56 in the morning. I was there at the time and it was supposed to be 9 o'clock. By the way, over 150 people attended that ceremony. The girls and the boys brigade lined up and saluted the flag and I thought it was a magnificent sight so early in the morning.

The Nhulunbuy township flag was raised at 10.30 and someone estimated the crowd there was 1,000 people. Being up on the dais, I did not count them but I think that was a magnificent effort for a town of 3,500 to 4,000 people. I think the figure would be less than that but that is what it was reported as. I think that was the most significant occasion since I have been the member and I feel proud to see it flying in various places in the NT. The people responsible for designing the flag are to be congratulated. On first impression in a flat position, it did not look so good, but when you see it flying unfurled, it looks magnificent. I think we will grow used to its design and stylising.

Another matter I would like to bring up concerning my electorate is one that the Chief Minister mentioned this morning in answer to my question on the Shark Cat boat which I am very pleased to hear will be used in Gove. I have raised this question of a police boat on many occasions. I think the last effort was that we got a 16 footer with a 15 horsepower outboard on it. I do not know whether you have ever seen the seas around the area but you would be lucky to get out into Melville Bay with that on a very heavy sea. I do compliment the Chief Minister for making the Shark Cat available. It will help to overcome a big problem we have had there, particularly in the search for missing persons. In a tragic accident just recently, the Fitzgerald family lost two of its members and a good samaritan in town lent his Shark Cat boat to help with the sea search. The boat was put on to the Seaway Queen and taken off but, as it was being taken off, it was extensively damaged. I hope we get that new boat very shortly so it can be used for all sorts of purposes as well as for emergency cases.

I can't boast of the show or the goldrush as other members here but I would like to mention that this weekend we have our union picnic weekend at Gove. This is quite the biggest celebration of the year. We have a number of functions in which sporting people are involved. One of the biggest attractions is the procession which one year was about a kilometre long. This year we have also added the beercan regatta to stimulate a bit of interest from the Darwin people; I believe there are people going over from here. If you are thinking of travelling to other centres in the Territory, I would like to give an invitation to members of this Chamber and other people to come across and observe our festivities. It is a four-day program which winds up on Monday with a big picnic at the grounds. We do not have to worry about 10 o'clock closing there because it is held on a Monday and it will not affect us as it would on the Sunday.

I would like to mention one thing about dingoes. Recently, there have been changes to the Territory Parks and Wildlife Ordinance and we have been waiting for the regulations on pet dingoes. A lot of these domestic dingoes are very good pets and quite docile. However, some of their other mannerisms are not very well accepted. Recently, the golf club president was complaining about vandalism which he thought was caused by young children. There was damage to flag sticks and our sand greens were dug up. One night when he was playing he saw, to his astonishment, a pet dingo jumping up, grabbing hold of the flag, pulling it down, bending the stick and then ripping the flag to shreds. We made some inquiries and some complaints. Also, that particular dingo has been pestering the wildlife in that area and I am a bit concerned about that. I would like to see some way in which pet dingoes could be registered in the same way as a dog. The people would then have to pay the penalty.

Those are a few things that I would like to raise. I remind members that this weekend is our annual picnic weekend and we hope that those celebrations mentioned by the other members will go off as well as ours will.

Mr COLLINS (Arnhem): Mr Deputy Speaker, I know that all of the trim, taut and terrific all-star athletes on the other side of the House are anxious to get home to their carrot juice and callisthenics but perhaps they could just bear with me for a few minutes. The Minister for Mines and Energy did mention that the all-party discussion on the new liquor legislation has been postponed. I commend the honourable minister for instituting the combined party meeting because it is an extremely sensible approach to what is likely to be contentious legislation. The letter I received from the honourable minister stated that he had postponed the meeting because a number of members had written to him saying that it conflicted with the public hearings of the Committee for the Environment. It may be of some interest to members to know that the reason for the liquor legislation hearing being postponed has been postponed.

The Minister for Mines and Energy also mentioned something this morning in answer to a question from the member for Tiwi which pleased me very much. He gave an undertaking concerning the activities of Urangesellschaft in the Howard Springs part of the electorate of Tiwi. Of course, the Howard Springs end of Tiwi is not the only part of the Tiwi electorate where there is some slight interest from uranium miners as is a considerable degree of activity in the other end of the electorate. The people living in the other end of Tiwi electorate will be very pleased to hear that lobbying and pressure can in fact be successful.

Concerning the statements I made yesterday about the four-wheel-drive in Deaf Adder Gorge, I did have a communication today from Mr Mal Stuart who is president of the Northern Territory Association of Four-wheel-drive Clubs and also a member of the Northern Territory Parks and Wildlife Commission's

Advisory Council. He took exception to the remarks I made and that is hardly surprising. What I want to say again is what I said to Mr Stuart: a reading of my speech will clearly show that I was not criticising in any way at all four-wheel-drive clubs of the Northern Territory. I aimed my criticism at the department that issued the permits and I suggested that there should be guidelines adopted for limiting the number of four-wheel-drive vehicles going into national park areas or delicate areas. On that matter, Mr Stuart and I agreed to differ as he did not think such restrictions should be made.

Mrs Lawrie: He is on the advisory council.

Mr COLLINS: He is indeed.

International experience has shown that the damage caused by four-wheel-drive vehicles in national parks in other parts of the world has been so great that it has been necessary to put a blanket ban on four-wheel-drives. They have been barred from many national parks over the world. I would hate to see that situation arise in the Northern Territory. I have driven in nothing else but a four-wheel-drive for the last 12 years myself and I am a past member of one of the clubs. I want to see those clubs continue to have access to national parks and that is why I do not want to see the situation arise in the Northern Territory where, because of the damage inflicted by incredible numbers of vehicles going in one group, it will be necessary to place a blanket ban on all four-wheel-drives as has been done in many other parts of the world. I just want to make that clear and I was very pleased to hear the Chief Minister this morning say that he has in fact sent that information down to Alice Springs for consideration by the director. I will be very interested to hear the result.

Interjections are interesting parts of debates as far as I am concerned. They come off the top of the head and possibly, for that reason, you could say that they are from the heart rather than from the head. I was fascinated yesterday by the interjection from the Treasurer which has been faithfully recorded in Hansard. The Treasurer's interjections have been referred to earlier in the debates today, but yesterday's interjection should be of particular note to all civil liberties groups in the Northern Territory and to all Territorians generally because it was a fairly disgusting sentiment that he expressed and he should be condemned for it. Yesterday, I talked about the activities ...

The DEPUTY SPEAKER: Order! I bring the honourable member's attention to Standing Order No. 55: "No member shall use offensive words against this Assembly or on any member and all imputations of improper motives and all personal reflections on members shall be considered disorderly".

Mr COLLINS: Mr Deputy Speaker, the Treasurer made an interjection yesterday which members can judge on its own merits. I was speaking in regard to the activities of a police division known as the 21 division in Sydney, colloquially known as the "Bash and Smash Squad". The honourable minister's interjection was, "We need more of them". That has been faithfully recorded in Hansard and I know that it will be of considerable interest to all Territorians.

Another person who has been mentioned today in regard to the Tourist Board is Mrs Sylvia Wolf in Katherine. Mrs Wolf has previously made statements concerning her excellent relationship with Aboriginal people. I am not doubting that such a relationship exists. Mrs Wolf has stated that she had an excellent relationship with Aboriginal people as Aboriginal people stage corroborees in the Katherine Gorge three times a week. In fact, this is perfectly correct. I have had a look at this matter and I have received some extremely interesting information concerning it.

These figures have been given to me just in the last couple of weeks and they may be of some interest to members. Corroborees are held 3 times a week in Katherine Gorge and they are acknowledged by everybody as being the highlight of the evening. Adults are charged \$1.80 admission and children are charged 90¢ admission; it is very cheap indeed. Sometimes up to 3 tourist buses a night go to Katherine Gorge.

The tourist promoters in the area who have this excellent relationship with Aboriginal people go to their camp and pick them up at half-past five in the afternoon of the dance, take them to Katherine Gorge where they spend an hour and a half putting their paint on and rehearsing the dance. They also take them home at night. This involves a total time for the Aboriginal people of six hours from the time they are picked up from their camp to the time they are taken back home again after putting on what everybody acknowledges as being a first-class professional performance. For this, they are paid the princely sum of \$7 each for the evening which works out a little more than \$1 an hour for every man in that troop.

It may be of some interest to members to know that the basic rate of pay for an unskilled labourer in the Northern Territory is \$2.70 an hour. It may also be of some interest for members to note that Aboriginal performers who are dancing at functions organised by the Aboriginal Arts Foundation, the cultural foundation, are paid a New South Wales Actors Equity rate of the minimum sum of \$36 per night which I would say is absolutely basic for the kind of skill that those people put into their dancing which everybody acknowledges as being excellent. Those people are paid less than half the basic minimum rate for an unskilled labourer in the Northern Territory. That is an excellent relationship that the tourist promoters in Katherine have indeed.

Today I had a communication from Mililingimbi and I know the Chief Minister has also been in touch with those people or they have been in touch with him. Over the last three weeks, there has been some incredible incursions by commercial fishing boats into Aboriginal communities and I would not even try to guess why this is happening. I have had discussions with Mr Slack-Smith, the Chief Fisheries Inspector, and he has informed me that the reason for it is that it is a very bad season for barramundi fishing at the moment. They are having trouble catching barramundi and, for this reason, fishermen are being a little bit more intrusive than they normally would be. I have had a stack of telegrams, letters of protest and numerous meetings with councils over the last three weeks protesting against the activities of the fishermen.

Honourable members will possibly remember that, in the speech that I made on the land rights legislation, I spoke at length on the economic use that the people at one particular outstation make of the sea. The per capita income of those people is \$400 a year. They rely absolutely on the fishing which provides 80% of their total protein. There are two 60-foot fishing boats anchored in the Glyde River, less than half a mile from that outstation which has 140 people in it. Those people cannot catch any fish because the commercial fishermen who have two 60-foot boats in that river have cleaned the river out. The 140 Aboriginal people who live there and who depend on the sea for 80% of their total diet are feeling a little bit hungry at the moment. I turn to the letter I have received from Mililingimbi. I have provided copies for all members in the House because I have been asked to circulate it. I will read it very quickly:

A sensational event occurred on Wednesday 19th July at Mililingimbi. A large barramundi fishing boat beached on the sand near Djawa's house. The crew were friendly enough and, after staying a few hours, went along the coast 24 kilometres away and proceeded to lay half a dozen long gill nets

near the mouth of the Glyde River. Now the Glyde River is particularly well stocked with fish. Some 40 miles of river drain the Arafura swamp lands which are known for their rich wildlife, especially fish of all kinds. Aboriginal line fishermen and spearmen take what they want without difficulty and with a little patience. They have the time to fish.

I will not read all of the letter; you have copies of it. Why are the Aboriginals upset? I will tell you why. Last week, there was not a bite to be had at the usually well-stocked upper reaches of the river. At least six tons of fillet were taken out of that river which is used by Milingimbi people for subsistence and was marketed by the fishermen who arrived and were fishing around the clock to get the fish while the going was good. Thanks to the get-rich-quick techniques of those fishermen, Aboriginal people who don't have the money to buy food - they get \$400 a year per head and rely for 80% of their protein on fish - have got none! That is why they are so upset and I commend this letter to all honourable members.

I know that the Chief Minister has been asked to go to Milingimbi and I know the dates of the meeting with the council out there have not been set. I am certainly going and I trust that the Chief Minister will go also. I might add that I commend the Department of Fisheries for the excellent cooperation they have shown for Aboriginal communities. They are to be commended for it. After complaints had been received by the department, they sent two fisheries officers in a helicopter to the area immediately and those officers were successful in catching one of the trawlers illegally fishing with its net in the water and that fishermen will be prosecuted. I commend that department for their brilliant cooperation.

There is one last item I want to mention this evening. I know it is a hackneyed phrase and I do not like using hackneyed phrases but, in this case, it happens to be very sincere. I speak on this matter more in sorrow than in anger. The honourable member for Nhulunbuy has mentioned the most notable event that has occurred in the Northern Territory. In fact, I don't think there would be any argument that it is the most notable, auspicious and public event that has ever occurred in the Northern Territory, that is, the gaining of self-government. Many sentiments have been expressed by people on both sides of the House as to the necessity for the black and white people of the Territory to work together in harmony to make this place a decent place to live and I commend all comments like that. A substantial part of my job, as I consider it, is to promote as best I can racial harmony in the Northern Territory and I stand on my record.

Members will remember that I brought their attention to something that was done by the chairman of the Northern Lands Council that I considered to be improper - and I criticise him for it - concerning Dreaming Water. I state that to make the point that I am interested in promoting racial harmony in the Northern Territory and I will criticise anyone black or white who does anything that I consider will upset it. The flag raising ceremony was an auspicious event and as the Northern Territory ...

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

Motion agreed to; the Assembly adjourned.

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