

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 60

Tuesday 14 February 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly of 1 December 1988. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PETITIONS:

Mr Firmin presented a petition from 19 citizens of the Northern Territory relating to strip shows in hotels.

Petition read.

Mr Smith presented a petition from 1812 citizens of Palmerston and adjoining rural areas requesting a 24-hour accident/emergency treatment centre for Palmerston.

Petition read.

4. QUESTIONS:

Questions were asked of Ministers.

5. REQUEST TO TABLE REPORT:

The Member for Stuart (Mr Ede), pursuant to Standing Order 255, requested the Minister for Education (Mr Harris) to table a document from which the Minister had quoted during Question Time.

Discussion ensued.

The Speaker requested Mr Harris to table the papers from which he had quoted.

Papers tabled: Mr Harris thereupon laid on the Table a resume of recommendations contained in a report upon school fees.

6. AUDITOR-GENERAL'S REPORT UPON PRESCRIBED STATUTORY CORPORATIONS, 1987-88 - PAPER TABLED - ORDER TO PRINT:

The Speaker laid on the Table the report of the Auditor-General upon Prescribed Statutory Corporations for the year ended 30 June 1988. (Parliamentary Paper No. 25/1989).

The Leader of Government Business (Mr Coulter) moved - That the Report be printed.

Question - put and passed.

7. PAPERS TABLED BY MINISTER FOR EDUCATION:

Point of order: The Leader of the Opposition (Mr Smith) raised, as a point of order, that at the conclusion of Question Time the Minister for Education (Mr Harris) had not tabled the entire document from which he had quoted.

Discussion ensued.

Ruling of Speaker: The Speaker ruled - That the Minister had tabled the documents from which he had quoted.

Dissent from Speaker's ruling: Mr Smith moved - That the ruling of the Speaker in relation to the tabling of documents by Mr Harris be dissented from and pursuant to Standing Order 82, submitted such dissent in writing.

Debate ensued.

The Leader of Government Business (Mr Coulter) moved - That the question be now put.

Question - That the question be now put - put and passed.

Question - That the motion be agreed to - put.

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

AYES, 6

NOES, 18

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

Mr Collins
Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Floreani
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Tuxworth

And so it was resolved in the negative.

8. PERSONAL EXPLANATION:

The Leader of the Opposition (Mr Smith), by leave, made a personal explanation relating to comments made earlier this day by the Leader of Government Business (Mr Coulter) regarding correspondence between Mr Smith and the Minister for Arts, Sport, the Environment, Tourism and Territories (Senator Richardson).

9. PUBLICATIONS COMMITTEE, EIGHTH REPORT - PAPER - REPORT ADOPTED:

The Member for Jingili (Mr Setter) laid on the Table the Eighth Report of the Publications Committee recommending that the following papers be printed -

Parliamentary Papers 1989		DATE
No.	TITLE	TABLED
1	Alice Springs Hospital Management Board - Annual Report 1987-88	22.11.88
2	Conservation Commission of the Northern Territory - Ninth Annual Report 1987-88	30.11.88
3	Darwin Omnibus Service - Financial Statement 1987-88	29.11.88
4	Department of Health and Community Services - Annual Report 1987-88	30.11.88
5	Department of the Chief Minister - Annual Report 1987-88	22.11.88
6	Department of Lands and Housing - Lands and Housing - Second Annual Report 1987-88	12.10.88
7	Department of the Legislative Assembly - Annual Report 1987-88	22.11.88
8	Gove District Hospital Management Board - Annual Report 1987-88	23.11.88
9	Mental Health Act - Annual Report 1987-88	5.10.88
10	Menzies School of Health Research - Annual Report 1987-88	30.11.88
11	Ministerial Advisory Council, Work Health Authority - Annual Report 1987-88	13.10.88
12	Northern Territory Architects Board - Annual Report 1985-86	5.10.88
13	Northern Territory Architects Board - Annual Report 1986-87	5.10.88
14	Northern Territory Architects Board - Annual Report 1987-88	5.10.88
15	Northern Territory Racing, Gaming and Liquor Commission - Annual Report 1987-88	24.11.88
16	Northern Territory Treasury - Annual Report 1987-88	13.10.88
17	Report on distribution of Northern Territory Operational Subsidies - Annual Report 1988	13.10.88
18	Report on distribution of funds under the Commonwealth's Local Government (Financial Assistance) Act 1986 - Annual Report 1988	13.10.88
19	Territory Insurance Office - Annual Report 1987-88	4.10.88
20	Remuneration Tribunal - Report and Recommendation No. 3 of 1988 - Allowance for Acting Chief Justice of the Supreme Court of the Northern Territory	1.12.88
21	Northern Territory Tourist Commission - Annual Report 1987-88	1.12.88
22	Northern Territory Totalizator Administration Board - Annual Report 1987-88	1.12.88
23	Department of Mines and Energy - Annual Report 1987-88	1.12.88
24	Trade Development Zone Authority - Annual Report 1987-88	1.12.88

Mr Setter moved - That the report be adopted.
Question - put and passed.

10. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, NINTH REPORT - PAPER:
The Member for Jingili (Mr Setter) laid on the Table the Ninth Report of the Subordinate Legislation and Tabled Papers Committee.

11. SELF-GOVERNMENT - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Chief Minister (Mr Perron) made a statement relating to constitutional development in the Northern Territory and the further transfer of powers from the Commonwealth to the Northern Territory.
Mr Perron moved - That the Assembly take note of the statement.

Suspension of sitting: The sitting was suspended between 11.54 a.m. and 2.15 p.m.

Debate ensued.

The Leader of the Opposition (Mr Smith) moved the following amendment -

Omit all words after "That" and insert in their stead:

"this House -

(1) expresses its concern over the CLP government's stop-start approach to the Territory's Constitutional Development; and

(2) urges the government to continue constructive work towards the attainment of Statehood by the centenary of the Federation of the Australian States."

Debate ensued.

On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.

12. ORDER OF BUSINESS POSTPONED:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Orders of the Day, Nos. 2 and 5 relating to the Poisons and Dangerous Drugs Amendment Bill 1988 (Serial 86) and the Listening Devices Bill 1988 (Serial 158), respectively, be postponed until the next sitting day.

Question - put and passed.

13. OATHS AMENDMENT BILL (No.2) 1988 (Serial 163):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

The Attorney-General (Mr Manzie) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

14. UNLAWFUL BETTING BILL 1988 (Serial 159):

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

Ordered - That the debate be adjourned and the Member for MacDonnell (Mr Bell) have leave to continue his remarks on the resumption of the debate.

15. ADJOURNMENT:

The Attorney-General (Mr Manzie) moved - That the Assembly do now adjourn. Debate ensued.

Question - put and passed.

The Assembly adjourned at 7.51 pm until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 14 February 1989:

Annual Reports:

Darwin Port Authority, 1987-88

National Trust of Australia (Northern Territory), 1987-88

Northern Territory Housing Commission, 1987-88

Northern Territory Plumbers and Drainers Licensing Board,
Year ended 30 September 1988

Public Trustee for the Northern Territory, 1987-88

Road Safety Council of the Northern Territory, 1987-88

The Surveyors Board of the Northern Territory, 1987-88

Valuer-General's Office, Northern Territory, 1987-88

By-laws:

Angurugu Community Government Council (Offensive Weapons) By-laws

Northern Territory University (Common Seal) By-laws

Northern Territory University (Library) By-laws

Northern Territory University (Rules) By-laws

Northern Territory University (Site and Traffic) By-laws

Northern Territory University (Student Conduct) By-laws

Financial Administration and Audit Act:

Direction by Administrator in pursuance of s.13(1)(a) -

University College of the Northern Territory, Darwin

Institute of Technology and Department of Education to

Technical and Further Education and Northern Territory

University, dated 23 December 1988

Hospital Management Board:

Katherine, 1987-88

Lands Acquisition Act:

Statement of reasons for compulsory acquisition of Section 1552,

Hundred of Cavenagh, as a matter of urgency under s.31(1)(b),

dated 5 December 1988

Statement of reasons for compulsory acquisition of Section 204,

Hundred of Colton, as a matter of urgency under s.31.(1)(b),

dated 23 January 1989

Regulations 1988:

- No.52 - Amendment of the Fish and Fisheries Regulations
- No.53 - Amendments of the Motor Vehicles (Fees and Charges)
Regulation
- No.54 - Amendment of the Public Holidays Regulations
- No.55 - Amendment of Taxation (Administration) Regulations
- No.56 - Amendment of Supreme Court Rules

Regulations 1989:

- No. 1 - Amendments of the Port By-laws
- No. 2 - Amendment of Energy Pipelines Regulations
- No. 3 - Amendment of the Fish and Fisheries Regulations

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 61

Wednesday 15 February 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PETITIONS:

Mrs Padgham-Purich presented a petition from 376 citizens of the Northern Territory relating to strip shows in hotels.

Petition read.

Mr Hatton presented a petition from 253 citizens in similar terms to the preceding petition.

Mr Hatton presented a further petition from 15 citizens in similar terms to the preceding petition.

4. NOTICES:

The following notices were given:

Mr Manzie: To present the Local Court Bill 1989 (Serial 144) and the National Crime Authority (Territory Provisions) Amendment Bill 1989 (Serial 102).

Mr Perron: To present the Stamp Duty Amendment Bill 1989 (Serial 168); the Taxation (Administration) Amendment Bill 1989 (Serial 169); and the Police Administration Amendment Bill (No.2) 1989 (Serial 167).

Mr Dale: To present the Criminal Law (Conditional Release of Offenders) Amendment Bill 1989 (Serial 170).

Mr Finch: To present the Marine Amendment Bill 1989 (Serial 171).

5. QUESTIONS:

Questions were asked of Ministers.

Paper tabled: The Minister for Lands and Housing (Mr Manzie) laid on the Table the following paper -

- ° Land Release Guide through the Northern Territory

Further questions were asked of Ministers.

6. PERSONAL EXPLANATION:

The Minister for Mines and Energy (Mr Coulter), by leave, made a personal explanation relating to a statement he made in answer to a question from the Member for Ludmilla (Mr Firmin) earlier this day.

7. DISCHARGE OF GOVERNMENT BUSINESS - ORDERS OF THE DAY:

The Leader of Government Business (Mr Coulter), by leave, moved - That the following Orders of the Day, Government Business, be discharged from the Notice Paper -

- No.18 East Timor - Visit by Chief Minister - Ministerial Statement - Note statement
- No.20 De Facto Relationships - Report of Northern Territory Law Reform Commission - Paper - Note paper
- No.21 Review of Consumer Affairs Policy and Legislation in the Northern Territory, Working Group Report - Paper - Ministerial Statement - Note paper and statement
- No.23 Road Safety - Ministerial Statement - Note statement

- No.24 Ombudsman's Report 1986-87 - Paper - Note paper
- No.25 Child Abuse - Ministerial Statement - Note statement
- No.26 Domestic Violence, Draft Bills - Ministerial Statement -
Note statement

Question - put and passed.

8. PERSONAL EXPLANATION:

The Member for Stuart (Mr Ede), by leave, made a personal explanation relating to the Personal Explanation made by the Minister for Mines and Energy (Mr Coulter) earlier this day.

9. ABORIGINAL DEATHS IN CUSTODY, ROYAL COMMISSION - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Chief Minister (Mr Perron) made a statement relating to Aboriginal deaths in custody.

Paper tabled: Mr Perron laid on the Table the following paper:

- ° Interim Report, Royal Commission into Aboriginal Deaths in Custody by Justice J.H. Muirhead, Commissioner

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

Suspension of sitting: The sitting was suspended between 12.03 p.m. and 2.00 p.m.

Debate ensued.

Question - put and passed.

10. MATTER OF PUBLIC IMPORTANCE - FINANCIAL SERVICES:

The Speaker informed the Assembly that the Leader of the Opposition (Mr Smith) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:

"the need to increase the range of financial services available in the Northern Territory."

The proposed discussion having received the necessary support -

The Speaker called on Mr Smith to address the Assembly.

Discussion ensued.

Discussion concluded.

11. UNLAWFUL BETTING BILL 1988 (Serial 159):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

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

12. RACING AND BETTING AMENDMENT BILL 1988 (Serial 157):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.
13. ADJOURNMENT:
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
The Assembly adjourned at 7.46 p.m. until tomorrow at 10.00 a.m.

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ATTENDANCE:
All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 62

Thursday 16 February 1989

1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.
2. PRAYERS.
3. PETITION:
Mr Setter presented a petition from 41 citizens of the Northern Territory relating to strip shows in hotels.
Petition read.
4. NOTICES:
The following notices were given:
Mr Coulter for and behalf of Mr Perron: To present the Financial Administration and Audit Amendment Bill 1989 (Serial 174).
Mr Coulter: To present the Petroleum (Submerged Lands) Amendment Bill 1989 (Serial 172).
Mr Poole: To present the Racing and Betting Amendment Bill 1989 (Serial 173).
5. QUESTIONS:
Questions were asked of Ministers.
6. LEAVE OF ABSENCE:
The Leader of Government Business (Mr Coulter) moved - That leave of absence be granted to the Chief Minister (Mr Perron) and the Minister for Labour, Administrative Services and Local Government (Mr McCarthy) this day on account of attending a funeral service.
Question - put and passed.
7. LEAVE OF ABSENCE:
The Member for Stuart (Mr Ede) moved - That leave of absence be granted to the Leader of the Opposition (Mr Smith) and the Member for Arnhem (Mr Lanhupuy) this day on account of attending a funeral service.
Question - put and passed.
8. PERSONAL EXPLANATION:
The Member for Stuart (Mr Ede), by leave, made a personal explanation relating to comments made by the Minister for Education (Mr Harris) earlier this day.
9. PERSONAL EXPLANATION:
The Minister for Education (Mr Harris), by leave, made a personal explanation relating to comments made by the Member for Stuart (Mr Ede) earlier this day.
10. PERSONAL EXPLANATION:
The Minister for Tourism (Mr Poole), by leave, made a personal explanation relating to comments he made relating to the introduction of amending legislation to control strip shows in the hotel industry, during these sittings.

11. ANSWER TO QUESTION:

The Minister for Lands and Housing (Mr Manzie) answered a question asked earlier these sittings.

12. NEW PARLIAMENT HOUSE COMMITTEE - REPORT ON CONCEPTUAL PLANS FOR NEW PARLIAMENT HOUSE - PAPER - PRINT - MOTION TO ADOPT REPORT:

The Speaker laid on the Table the report on Proposed Conceptual Plans for a New Parliament House in State Square, dated February 1989 (Parliamentary Paper No. 26/1989).

The Minister for Transport and Works (Mr Finch) moved - That the paper be printed.

Question - put and passed.

Paper tabled: The Speaker laid on the Table the following paper:

- ° Architectural Brief, Parliament House, dated October 1988

Mr Finch moved - That the report be adopted.

Debate ensued.

On the motion of the Member for Jingili (Mr Setter) debate was adjourned.

13. MENTAL HEALTH SERVICES - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Health and Community Services (Mr Dale) made a statement relating to Mental Health Services in the Northern Territory.

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

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

Debate ensued.

The Member for Macdonnell (Mr Bell) moved the following amendment -

Add after the word "statement" -

"but this Assembly deploras the fact that the Minister for Health and Community Services has failed to report fully in the statement on recent publicly-reported incidents involving violent assault against innocent patients and the actions that he and his department have taken to correct the dangerous and inhumane situation which pertained and may still pertain in some Territory hospitals."

Debate continued.

Paper tabled: Mr Bell, by leave, laid on the Table the following paper:

- ° Memo to Secretary, Department of Health and Community Services and Minister for Health and Community Services from M.J. Bowden, Acting Regional Director Alice Springs and Barkly Region, dated 13 January 1989

Debate continued.

Paper tabled - leave not granted: Mr Bell sought leave to table a paper.

Objection being raised, leave not granted.

Debate continued.

Papers tabled: Mr Dale laid on the Table the following papers:

- ° Memo to Secretary, Department of Health and Community Services from Minister for Health and Community Services, dated 19 October 1988
- ° Memo to CMT Members from Secretary, Department of Health and Community Services, dated 30 January 1989

Debate continued.

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

Debate continued.

Question - That the Assembly take note of the statement - put and passed.

14. PORT OF DARWIN - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Transport and Works (Mr Finch) made a statement relating to improvements of the facilities in the Port of Darwin.

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

Debate ensued.

Question - put and passed.

15. LOCAL COURT AMENDMENT BILL 1989 (Serial 144):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to establish the Local Court, to confer on the Local Court jurisdiction in respect of certain civil claims, and for related purposes.

Bill read a first time.

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

On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

16. NATIONAL CRIME AUTHORITY (TERRITORY PROVISIONS) AMENDMENT BILL 1989 (Serial 102):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *National Crime Authority (Territory Provisions) Act*.

Bill read a first time.

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

On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

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

The Leader of Government Business (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills namely the Stamp Duty Amendment Bill 1989 (Serial 168) and the Taxation (Administration) Amendment Bill 1989 (Serial 169) -

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

(b) the consideration of the bills separately in Committee of the Whole.

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

18. STAMP DUTY AMENDMENT BILL 1989 (Serial 168) and TAXATION (ADMINISTRATION) AMENDMENT BILL 1989 (Serial 169):
The Leader of Government Business (Mr Coulter) on behalf of and at the request of the Treasurer (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Stamp Duty Act* and a Bill for an Act to amend the *Taxation (Administration) Act*.
Bills read a first time.
Mr Coulter moved - That the Bills be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.
19. POLICE ADMINISTRATION AMENDMENT BILL (No.2) 1989 (Serial 167):
The Leader of Government Business (Mr Coulter) on behalf of and at the request of the Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Police Administration Act*.
Bill read a first time.
Mr Coulter moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.
20. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL 1989 (Serial 170):
The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the *Criminal Law (Conditional Release of Offenders) Act*.
Bill read a first time.
Mr Dale moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
21. MARINE AMENDMENT BILL 1989 (Serial 171):
The Minister for Transport and Works (Mr Finch), pursuant to notice, presented a Bill for an Act to amend the *Marine Act*.
Bill read a first time.
Mr Finch moved - That the Bill be now read a second time.
On the motion of the Member for Arafura (Mr Tipiloura) debate was adjourned.
22. HEALTH PRACTITIONERS AND ALLIED PROFESSIONALS REGISTRATION AMENDMENT BILL 1988 (Serial 148):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

Bill, by leave, taken as a whole.
New clause -
On the motion of the Minister for Health and Community Services (Mr Dale) the following new clause was inserted in the Bill -

"14A. EFFECT OF DISCIPLINARY ACTION

"Section 57(1)(a) of the Principal Act is amended by omitting 'under Part V' and substituting 'under Part VI'."

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

The Speaker (Mr Vale) resumed the Chair; the Chairman (Mr Dondas) reported accordingly; and the report was adopted.

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

23. PETROLEUM PRODUCTS SUBSIDY AMENDMENT BILL 1988 (Serial 156):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

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

24. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 6.58 p.m. until Tuesday 21 February 1989 at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 16 February 1989:

Financial Statement:

Northern Territory Local Government Grants Commission, 1987-88

Regulations 1988:

No.46 - Amendments of Darwin (Control of Public Places) By-laws

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ATTENDANCE:

All Members attended the sitting, except Messrs Perron, McCarthy, Smith and Lanhupuy, on leave.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 63

Tuesday 21 February 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PETITIONS:

Mr Lanhupuy presented a petition from 9 citizens of the Northern Territory relating to strip shows in hotels.

Mr Firmin, by leave, presented a petition, not conforming with Standing Orders, from 1273 citizens of the Northern Territory requesting that the Assembly proceed with the Barramundi Management Plan.

Petition read.

Mr Perron presented a petition from 48 citizens of the Northern Territory relating to strip shows in hotels.

Mrs Padgham-Purich presented a petition from 149 citizens of the Northern Territory relating to strip shows in hotels.

Petition read.

4. NOTICE:

The following notice was given:

Mr Manzie: To present the Local Court (Consequential Amendments) Bill 1989 (Serial 175).

5. QUESTIONS:

Questions were asked of Ministers.

Paper tabled: The Minister for Transport and Works (Mr Finch) laid on the Table the following papers:

- ° Darwin Airport Redevelopment Target Schedule - overall program, bar graph, draft copy from Federal Airports Corporation
- ° Darwin Airport Project Schedule, bar graph

Answers to questions: The Chief Minister (Mr Perron) answered a question asked earlier these sittings.

The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) answered a question asked earlier these sittings.

6. EDUCATIONAL ASSESSMENT PACKAGE - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Education (Mr Harris) made a statement relating to the methods of assessing Year 10 students in English and mathematics.

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

Suspension of sitting: The sitting was suspended between 11.54 a.m. and 2.00 p.m.

Debate resumed.

Question - put and passed.

7. CRIMINAL JUSTICE SYSTEM, REVIEW - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Attorney-General (Mr Manzie) made a statement relating to criminal justice in the Northern Territory.

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

Debate ensued.

On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.

8. MATTER OF PUBLIC IMPORTANCE - TRADE DEVELOPMENT ZONE:

The Speaker informed the Assembly that the Leader of the Opposition (Mr Smith) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:

"The need to recognise the state of the Trade Development Zone and to take the necessary steps to ensure -

- (1) removal of political interference in its operations;
- (2) private sector management;
- (3) attraction of a major firm to act as a flagship for the zone; and
- (4) a two year performance deadline".

The proposed discussion having received the necessary support -

The Speaker called on Mr Smith to address the Assembly.

Discussion ensued.

Discussion concluded.

9. FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL 1989 (Serial 174):

The Minister for Mines and Energy (Mr Coulter), on behalf of and at the request of the Treasurer (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Financial Administration and Audit Act*.

Bill read a first time.

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

On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.

10. PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL 1989 (Serial 172):

The Minister for Mines and Energy (Mr Coulter), pursuant to notice, presented a Bill for an Act to amend the *Petroleum (Submerged Lands) Act*.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

11. RACING AND BETTING AMENDMENT BILL 1989 (Serial 173):

The Minister for Tourism (Mr Poole), pursuant to notice, presented a Bill for an Act to amend the *Racing and Betting Act*.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

12. ABORIGINAL SACRED SITES REVIEW COMMITTEE, REPORT - STATEMENT - STATEMENT NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Attorney-General (Mr Manzie) (25 August 1988) - That the Assembly take note of the statement -

Debate resumed.

Suspension of Standing Orders: The Member for Jingili (Mr Setter) moved - That so much of Standing Orders be suspended as would allow Mr Manzie to complete his speech.

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

Debate continued.

Paper tabled: Mr Manzie laid on the Table the following paper:

- Newspaper advertisement "The NT Government is tearing up the Aboriginal Sacred Sites Act!"

Question - put and passed.

13. ADJOURNMENT:

The Minister for Health and Community Services (Mr Dale) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.45 p.m. until tomorrow at 10.00 a.m.

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PAPERS:

The following paper was deemed to have been presented on 21 February 1989:

Annual Reports:

Cobourg Peninsula Sanctuary Board, 1987-88

Corporate Affairs Office (Department of Law), 1987-88

Department of Law, 1987-88

Jabiru Town Development Authority, 1987-88

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 64

Wednesday 22 February 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. FILM FOOTAGE - STATEMENT:

The Speaker advised Members that he had given approval to Channel 8 to film for library footage this day.

4. PETITIONS:

Mr Coulter presented a petition from 971 citizens of the Northern Territory requesting a 24-hour accident/emergency treatment centre for Palmerston.

Petition read.

Mr Harris presented a petition from 62 citizens of the Northern Territory relating to strip shows in hotels.

5. NOTICES:

The following notices were given:

Mr Coulter: To present the Energy Pipelines Amendment Bill 1989 (Serial 143).

Mr Finch: To present the Motor Vehicles Amendment Bill 1989 (Serial 178).

Mr Manzie: To present the Territory Parks and Wildlife Conservation Amendment Bill 1989 (Serial 177) and the Nitmiluk (Katherine Gorge) National Park Bill 1989 (Serial 176).

6. QUESTIONS:

Questions were asked of Ministers.

7. SUSPENSION OF STANDING ORDERS - PROPOSED DISCHARGE OF POISONS AND DANGEROUS DRUGS AMENDMENT BILL 1988 (Serial 86):

The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent -

(1) Government Business, Order of the Day No. 12 relating to the Poisons and Dangerous Drugs Amendment Bill 1988 (Serial 86) being discharged from the Notice Paper;

(2) the Member for Macdonnell having leave to introduce a Bill for an Act to amend the *Poisons and Dangerous Drugs Act* to ensure that certain persons supplying or who have supplied hypodermic syringes and needles in pursuance of a needle exchange program are not committing, or may not be prosecuted for, a criminal offence for so doing, forthwith; and

(3) the Poisons and Dangerous Drugs Amendment Bill 1989 (Serial 179) passing through all stages at these sittings.

Debate ensued.

The Leader of Government Business (Mr Coulter) moved - That the question be now put.

Question - That the question be now put - put and passed.
Question - That the motion be agreed to - put and negatived.

8. SCHOOL LEAVERS EMPLOYMENT PROGRAM - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) made a statement relating to the school leaver employment program.

Mr McCarthy moved - That the Assembly take note of the statement.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

9. MATTER OF PUBLIC IMPORTANCE - BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN:

The Speaker informed the Assembly that the Member for Stuart (Mr Ede) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:

"the failure of the Northern Territory government to adequately manage the Brucellosis and Tuberculosis Eradication Campaign in respect of -

- (a) destocking of land pursuant to the program; and
- (b) the staffing and operation of the Department of Primary Industry and Fisheries".

The proposed discussion having received the necessary support -

The Speaker called on Mr Ede to address the Assembly.
Discussion ensued.

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

Discussion resumed.

Paper tabled: The Minister for Primary Industry and Fisheries (Mr Reed) laid on the Table the following paper:

- ° Northern Territory Cattlemen's Association Inc., Advertisement, NT News, 2 November 1988

Discussion continued.
Discussion concluded.

10. LOCAL COURT (CONSEQUENTIAL AMENDMENTS) BILL 1989 (Serial 175):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend various Acts consequential on the passing of the *Local Court Act 1989*.

Bill read a first time.

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

On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

11. EDUCATION AMENDMENT BILL (No.2) 1988 (Serial 161):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

Clause 1 agreed to.

Clause 2 agreed to, after debate.

Clauses 3 to 5, by leave, taken together and agreed to.

Clause 6 read -

Ordered - That consideration of the clause be by proposed new section.

Proposed new sections 40 to 42, by leave, taken together and agreed to.

Proposed new section 43 agreed to, after debate.

Proposed new sections 44 to 47, by leave, taken together and agreed to, after debate.

Proposed new section 48 agreed to.

Proposed new sections 49 and 50, by leave, taken together and agreed to.

Proposed new sections 51 and 52, by leave, taken together and agreed to, after debate.

Proposed new section 53 agreed to, after debate.

Proposed new sections 54 to 60, by leave, taken together and agreed to, after debate.

Proposed new section 60A agreed to, after debate.

Remainder of clause 6, by leave, taken as a whole and agreed to.

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

Bill to be reported without amendment.

The Speaker (Mr Vale) resumed the Chair; the Chairman (Mr Dondas) reported accordingly; and the report was adopted.

The Minister for Education (Mr Harris) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

12. ORDER OF BUSINESS:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day No.3 relating to the Mining Amendment Bill (No.2) 1988 (Serial 152) be called on forthwith.

Question - put and passed.

13. MINING AMENDMENT BILL (No.2) 1988 (Serial 152):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

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

Clause 4 read -

The Minister for Mines and Energy (Mr Coulter) moved the following amendment -

Insert after paragraph (c) the following:

"(ca) by omitting the definition of 'fossick' and substituting the following:

"'fossick' means, in respect of a mineral which a miner may fossick for under this Act, to search for or extract the mineral -

(a) by digging by hand or hand-held instrument; or

(b) by using a hand-held instrument,

but does not include the use of explosives or any mechanical device other than a hand-held metal-detecting device;".

Amendment agreed to.

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6 read -

Mr Coulter moved the following amendment -

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

"(b) by omitting subsection (1)(b) and substituting the following:

'(b) subject to subsection (3), to enter on any Crown land -

(i) not comprised in an exploration licence area held by any other person; or

(ii) not the subject of an application for an exploration retention licence or mining tenement by any other person,

and carry out exploration for minerals or extractive minerals on that land;".

Amendment agreed to.

Mr Coulter moved the following further amendment -

Insert after paragraph (c) the following:

"(ca) by omitting from subsection (1)(e) 'for gold, or gemstones or semi-precious stones' and substituting 'for gemstones or semi-precious stones,'; and".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 7 to 13, by leave, taken together and agreed to.
Clause 14 negatived.

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

"14. OTHER MINING INTERESTS OVER LICENCE AREA

"Section 25 of the Principal Act is amended -

(a) by omitting from paragraph (c) 'with the written approval of the licensee' and substituting 'subject to section 83(2)'; and

(b) by omitting from paragraph (d) 'gold,'."

Clauses 15 to 43, by leave, taken together and agreed to.
Clause 44 read -

Mr Coulter moved the following amendment -

Omit from proposed section 83(5) "fails to with" and insert in its stead "fails to comply with".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 45 to 47, by leave, taken together and agreed to.

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

"47A. APPLICATION FOR RENEWAL OR FURTHER RENEWAL

"Section 90(1) of the Principal Act is amended by omitting '6 months' and substituting '3 months'."

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

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

Insert after clause 50 the following new clause:

"50A. APPLICATION FOR RENEWAL

"Section 103(1) of the Principal Act is amended by omitting '6 months' and substituting '3 months'."

Insert after clause 62 the following new clause:

"62A. FOSSICKING

"Section 133 of the Principal Act is amended by omitting 'search for' and substituting 'fossick for'."

Clause 63 -

Omit paragraphs (a) and (b) and insert in their stead the following:

"(a) by omitting from subsection (3) all words after and including 'unless he is satisfied' and substituting 'unless the Minister is satisfied that the first-mentioned applicant is, under the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth, no longer entitled to enter into or to continue those negotiations.'; and

(b) by omitting subsection (5)."

Clause 68 -

Omit "14 days" and insert in its stead "21 days".

Omit clause 69 and insert in its stead the following new clause:

"69. PRIORITY IN CONSIDERING APPLICATIONS

"Section 164 of the Principal Act is amended -

(a) by omitting from subsection (1) 'Subject to subsection (2), where' and substituting 'Where';

(b) by omitting from subsection (2) 'Where 2 or more applications' and substituting 'Where 2 or more applications for the grant of an exploration licence'; and

(c) by adding at the end the following:

'(3) For the purposes of subsection (1), an application for a mining tenement, other than a mineral lease, shall be deemed to be lodged at the time when the area of land which is the subject of the application is taken possession of and marked out in accordance with the Regulations.'."

Clause 71 -

Insert after proposed section 166(1)(b) the following:

"(ba) notify the Secretary in writing of any change in an address referred to in section 162(1)(b) and (c) within 14 days of any such change;".

Insert after clause 74 the following new clause:

"74A. CAVEATS

"Section 174(1)(b) of the Principal Act is amended by omitting 'the prescribed mining registrar's office' and substituting 'any prescribed mining registrar's office'."

Insert after clause 78 the following new clause:

"78A. SERVICE OF DOCUMENTS

"Section 188 of the Principal Act is amended -

(a) by omitting from subsection (1) 'Subject to subsection (2)' and substituting 'Subject to this section'; and

(b) by adding at the end the following -

'(3) Notwithstanding subsection (2), where a document is required by or under this Act to be served on the holder of an exploration licence, exploration retention licence or a mining tenement and service cannot be effected in the manner permitted in subsection (1)(a), (b) or (c), the document may be served by displaying it on a notice board at the office of the Secretary, and service shall be deemed to be effected 7 days after the date on which the document is first displayed.'."

Omit clause 79 and insert in its stead the following new clause:

"79. NO EXPLORATION, &c., EXCEPT IN ACCORDANCE WITH LAW

"Section 190 of the Principal Act is amended -

(a) by omitting from subsection (1) '\$10,000' and substituting '\$40,000 or imprisonment for 12 months'; and

(b) by adding at the end the following:

'(3) An offence against this Act may be prosecuted by summary proceedings before the Court of Summary Jurisdiction.'."

Clause 80 -

Insert after proposed section 190A(1)(d) the following:

"(da) inspect, take extracts from or copies of any documents in the premises, vehicle, vessel, aircraft or place;

(db) inspect, take extracts from or copies of any register, report or document kept under this Act or any authority, claim, lease, licence, permit or right granted under this Act;".

Add at the end of proposed section 190A the following:

"(5) A vehicle, vessel, aircraft or any plant, motor, appliance, fitting, gear or equipment seized under subsection (1) shall be delivered into the custody of the Secretary or to a person authorized by the Secretary in that behalf and may be retained by the Secretary or that authorized person for 30 days after the date of the seizure or, if a prosecution for an offence against this Act in the commission of which it may have been used or otherwise involved is instituted within that period, until the prosecution is completed.

"(6) The Secretary, a person authorized under subsection (5) or the Territory shall not be liable, subject to reasonable care being taken, for any deterioration or damage to a vehicle, vessel, aircraft or any plant, motor, appliance, fitting, gear or equipment seized under subsection (1)."

Add at the end of proposed section 190A the following new clause:

"190B. FORFEITURE AND OTHER ORDERS ON CONVICTION

"(1) Where a court convicts a person of an offence against section 190, the court may order -

- (a) the forfeiture to the Territory of any vehicle, vessel or aircraft or any plant, motor, appliance, fitting, gear, equipment or thing used in or in respect of the offence, whether or not it has been seized under section 190A(1)(d);
- (b) the person to pay to the Territory the cost of restoring, removing or repairing any damage done (including to the environment) by that person in the commission of the offence; or
- (c) the person to pay to the Territory an amount representing the value of any minerals or extractive minerals mined in the commission of the offence and not otherwise recovered by the Territory.

"(2) An order of the court under subsection (1) shall be in addition to, and not in substitution for, any other penalty which may be imposed by this Act.

"(3) Where the court makes an order under subsection (1)(b) or (c), the amount so ordered to be paid shall be recoverable as a judgment debt to the Territory in a court of competent jurisdiction.

"(4) Any property forfeited to the Territory under subsection (1)(a) may be sold or otherwise disposed of as the Minister thinks fit."

Schedule -

Omit "'exploration licences or' (wherever occurring)	'exploration licences, exploration retention licences or'"
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and insert in its stead the following -

"'exploration licence or' (wherever occurring)	'exploration licence, exploration retention licence or'".
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Omit from the item relating to section 174(5) "by registered mail" and insert in its stead "by registered letter".

Remainder of the Bill, as amended, agreed to.
Bill to be reported with amendments.

The Speaker (Mr Vale) resumed the Chair; the Chairman (Mr Dondas) reported accordingly; and the report was adopted.

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

14. BUSINESS FRANCHISE AMENDMENT BILL (No.2) 1988 (Serial 162):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

Clause 1 agreed to.

New clause -

On the motion of the Treasurer (Mr Perron) the following new clause was inserted in the Bill -

"1A. COMMENCEMENT

"This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*."

Clause 2 agreed to.

Clause 3 read -

Mr Perron moved the following amendment -

Add at the end of paragraph (d) the following:

"'sale' includes -

- (a) the supply for or in expectation of reward or a benefit paid or provided, or to be paid or provided, by the person supplied or another person, whether or not any person was or is under an obligation to pay or provide a reward or benefit; and
- (b) the supply in satisfaction or part satisfaction of an existing or future debt or other obligation, whether or not the supply was to the person to whom the debt or obligation was or will be owed;"

Amendment agreed to.

Clauses 4 to 11, by leave, taken together and agreed to.

Clause 12 read -

Mr Perron moved the following amendment -

Omit paragraph (b) and insert in its stead:

"(b) by omitting subsection (2) and substituting the following:

'(2) For the purposes of subsection (1) -

(a) the value of tobacco purchased shall be determined by the Commissioner as the amount, including any duty thereon, for which, in his opinion, the tobacco would ordinarily be expected to be sold in an arm's length transaction to persons engaged in retailing tobacco or the amount for which it is subsequently purchased for sale by retail, whichever is the greater; and

(b) where tobacco is or petroleum products are in fact sold by retail, it or they shall be deemed to have been purchased for sale by retail.

'(2A) Where an applicant for a licence does not purchase tobacco or petroleum products but produces it or them in the Territory for sale by retail, whether in the Territory or otherwise -

(a) in the case of tobacco - the *ad valorem* amount to be paid by the applicant for the licence shall be calculated on the amount the Commissioner determines would be the value of the tobacco if the applicant had purchased it in an arm's length transaction from a person who had not already paid a fee under this Act in respect of the tobacco; and

(b) for the purposes of calculating the licence fee payable under subsection (1)(b) in the case of petroleum products - the petroleum products shall be deemed to have been purchased from a person who had not already paid a fee under this Act in respect of them,

and the tobacco or petroleum products shall be deemed to have been purchased for sale by retail in the Territory.

'(2B) Without limiting the generality of subsections (2) or (2A), where tobacco is or petroleum products are produced or purchased, whether in the Territory or otherwise, without it being clear that it was or they were produced or purchased for sale by retail in any particular State or Territory, or in Australia at all, and it is or they are subsequently sold by retail in the Territory, that tobacco or those petroleum products so sold in the Territory shall be deemed to have been purchased or produced for sale by retail in the Territory.';"

Amendment agreed to.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The Speaker (Mr Vale) resumed the Chair; the Chairman (Mr Dondas) reported accordingly; and the report was adopted.

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

15. POLICE ADMINISTRATION AMENDMENT BILL (No.2) 1988 (Serial 110); JUSTICES AMENDMENT BILL (No.2) 1988 (Serial 107); and BAIL AMENDMENT BILL (No.2) 1988 (Serial 109):

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

Debate resumed.

On the motion of the Member for Nightcliff (Mr Hatton) debate was adjourned.

16. NEW PARLIAMENT HOUSE - SESSIONAL COMMITTEE - REPORT ON PROPOSED CONCEPTUAL PLANS FOR A NEW PARLIAMENT HOUSE IN STATE SQUARE - REPORT ADOPTED:

The order of the day having been read for the resumption of the debate on the motion of the Minister for Transport and Works (Mr Finch) - That the Assembly adopt the report -

Debate resumed.

Question - put and passed.

17. NEW PARLIAMENT HOUSE COMMITTEE - DECLARED DESIGN AND CONSTRUCTION STAGES OF NEW PARLIAMENT HOUSE - MOTION AGREED TO:

The Minister for Transport and Works (Mr Finch), by leave, moved - That -

- (1) the following be declared stages in the design and construction of the new parliament house -

(a) design development;

(b) detailed architectural documentation; and

(c) interior design, including -

(i) approval of proposals;

(ii) approval of documentation; and

(iii) final acceptance of fit-out and finishes;

- (2) work shall not be commenced or carried out on a declared stage in the design or construction of parliament house unless the New Parliament House Committee or one of its subcommittees, has passed a resolution authorizing the commencement of work on that stage; and

- (3) the New Parliament House Committee shall report any such authorization to the Legislative Assembly when the Assembly next meets.

Debate ensued.

Question - put and passed.

18. ADJOURNMENT:

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

Debate ensued.

Leave not granted: At the conclusion of his speech the Member for Barkly (Mr Tuxworth) sought leave to make a personal explanation.

Objection being raised, leave not granted.

Suspension of Standing Orders: Mr Tuxworth moved - That so much of Standing Orders be suspended as would prevent him from making a personal explanation.

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

Personal explanation: Mr Tuxworth made a personal explanation relating to comments in the Northern Territory News of 22 February 1989 regarding the Needle Exchange Program.

Debate continued.

Question - put and passed.

The Assembly adjourned at 10.43 p.m. until tomorrow at 10.00 a.m.

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 65

Thursday 23 February 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PRIVILEGE - CHANNEL 8 NEWS TELECAST - REQUEST FOR REFERRAL TO COMMITTEE OF PRIVILEGES:

The Leader of Government Business (Mr Coulter), pursuant to Standing Order 83, raised as a matter of privilege a news broadcast by Channel 8 in which sound recording of members and footage of public gallery were used on Wednesday 22 February 1989. Mr Coulter requested that the Speaker refer the matter to the Committee of Privileges.

Paper tabled: Mr Coulter produced a copy of a letter from Channel 8 which sought permission to film Members for library footage purposes and a letter from the Speaker replying to that request.

The Speaker agreed to consider the matter and to advise the Assembly of his decision later this day.

4. PETITIONS:

Mr Hatton presented a petition from 2204 citizens of the Northern Territory concerning funding cuts to Darwin Public Libraries.

Petition read.

Mr Leo presented a petition from 164 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill 1988 (Serial 146).

Petition read.

Mr Perron presented a petition from 10 citizens of the Northern Territory relating to strip shows in hotels.

Mr Bell presented a petition from 400 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill 1988 (Serial 146).

Mr Ede presented a petition from 404 citizens of the Northern Territory in similar terms to the preceding petition.

Mr Smith presented a petition from 19 citizens of the Northern Territory relating to strip shows in hotels.

Mr Smith presented a further petition from 340 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill 1988 (Serial 146).

Mr Lanhupuy presented a petition from 236 citizens of the Northern Territory in similar terms to the preceding petition.

Mr Tipiloura presented a petition from 285 citizens of the Northern Territory in similar terms to the preceding petition.

5. NOTICE:

The following notice was given:

Mr Bell: To move - That this Assembly -

- (a) applauds the positive attitude the Perron government has taken to the recognition of Aboriginal land rights at the Nitmiluk (Katherine Gorge) National Park;

- (b) condemns the action of the Chief Minister's predecessors in banishing the Conservation Commission of the Northern Territory from a management role at the Uluru and Katatjuta National Park by refusing to accept the recognition of Aboriginal traditional ownership at Uluru and Katatjuta; and
- (c) encourages the Northern Territory government to continue to pursue a positive attitude to the *Aboriginal Land Rights (NT) Act* and the Land Councils constituted under that legislation.

6. QUESTIONS:

Questions were asked of Ministers.

Paper tabled: The Minister for Education (Mr Harris) laid on the Table the following paper:

- Memo from Secretary, Department of Education to Minister for Education, dated 23 February 1989

Further questions were asked of Ministers.

7. RACING INDUSTRY - MINISTERIAL STATEMENT - REPORT NOTED:

The Minister for Tourism (Mr Poole) made a statement relating to the Northern Territory Racing Industry.

Papers tabled: Mr Poole laid on the Table the following papers:

- Report - An Economic Assessment of Certain Aspects of the Northern Territory Racing Industry by Peter Bennett and Associates Pty Ltd, dated October 1988
- Summary - An Economic Assessment of Certain Aspects of the Northern Territory Racing Industry by Peter Bennett and Associates Pty Ltd, dated October 1988

Mr Poole moved - That the Assembly take note of the report.

Debate ensued.

Distinguished visitor: The Speaker informed the Assembly that Mr B.F. Kilgariff, the first Speaker of the Northern Territory Legislative Assembly, a former Member of the Northern Territory Legislative Council and a former Senator for the Northern Territory was present in the Assembly Chamber. On behalf of honourable Members The Speaker extended a warm welcome.

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

Debate resumed.

Question - put and passed.

8. PRIVILEGE - CHANNEL 8 NEWS ITEM - REFERENCE TO COMMITTEE OF PRIVILEGES:

The Speaker informed the Assembly that he had considered the matter of privilege relating to a Channel 8 news item broadcast on Wednesday 22 February 1989 which was raised by the Leader of Government Business (Mr Coulter) and that he referred the matter to the Committee of Privileges and would advise the Committee accordingly.

9. COMMITTEE OF PRIVILEGES - POWERS OF INQUIRY - MOTION AGREED TO:
The Attorney-General (Mr Manzie), by leave, moved - That for the purposes of its inquiry into the broadcasting of material on Channel 8 News on Wednesday 22 February 1989, the Committee of Privileges be empowered to send for persons, papers and records and to move from place to place.
Question - put and passed.
10. ABORIGINAL EMPLOYMENT - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) made a statement relating to an Aboriginal Employment and Economic Development policy.
Mr McCarthy moved - That the Assembly take note of the statement.
Debate ensued.
Distinguished Visitor: The Deputy Speaker (Mr Dondas) informed the Assembly that Mr Don Piper, Clerk of the Legislative Assembly of the Australian Capital Territory, was present in the gallery. The Deputy Speaker extended a warm welcome to Mr Piper.
Debate continued.
Question - put and passed.
11. NEXT MEETING:
The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 16 May 1989 at 10.00 a.m. or such other time and/or date as may be set by the Speaker pursuant to Sessional Order.
Question - put and passed.
12. ENERGY PIPELINES AMENDMENT BILL 1989 (Serial 143):
The Minister for Mines and Energy (Mr Coulter), pursuant to notice, presented a Bill for an Act to amend the *Energy Pipelines Act* and the Regulations made under that Act.
Bill read a first time.
Mr Coulter moved - That the Bill be now read a second time.
On the motion of the Member for Sadadeen (Mr Collins) debate was adjourned.
13. MOTOR VEHICLES AMENDMENT BILL 1989 (Serial 178):
The Minister for Transport and Works (Mr Finch), pursuant to notice, presented a Bill for an Act to amend the *Motor Vehicles Act*.
Bill read a first time.
Mr Finch moved - That the Bill be now read a second time.
On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.
14. TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1989 (Serial 177):
The Minister for Conservation (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Territory Parks and Wildlife Conservation Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.

15. NITMILUK (KATHERINE GORGE) NATIONAL PARK BILL 1989 (Serial 176):
The Minister for Conservation (Mr Manzie), pursuant to notice, presented a Bill for an Act to acknowledge and secure the right of Aboriginals who are the traditional Aboriginal owners of certain land in the Northern Territory of Australia, and certain other Aboriginals, to occupy and use that land, to establish a National park comprising that land to be known as the Nitmiluk (Katherine Gorge) National Park, to provide for the management and control of that Park, and for related purposes.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.
16. POLICE ADMINISTRATION AMENDMENT BILL (No.2) 1988 (Serial 110); JUSTICES AMENDMENT BILL (No.2) 1988 (Serial 107); and BAIL AMENDMENT BILL (No.2) 1988 (Serial 109):
The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -
Debate resumed.
Question - put and passed.
Bills read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bills.

In the Committee
(Chairman - Mr Dondas)

Police Administration Amendment Bill (No.2) 1988 (Serial 110):

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

Justices Amendment Bill (No.2) 1988 (Serial 107):

Clauses 1 to 3, by leave, taken together and agreed to.
Clause 4 read -
The Chief Minister (Mr Perron) moved the following amendment -

Omit from proposed section 100AD(1) all words after "can conveniently be made".

Amendment agreed to.
Mr Perron moved the following further amendment -

Insert after proposed section 100AD(1) the following:

"(1A) A member of the Police Force who under subsection (1) removes a person to a police station or other place may detain the person at that police station or place for as long as is reasonably necessary for an application under section 100AC in relation to the person to be made and an order given or refused but, in any case, for not more than 4 hours after the person was first taken into custody."

Debate ensued.
Amendment agreed to.

Mr Perron moved the following further amendment -

Omit from proposed section 100AE(3) "complainant" (twice occurring) and insert in its stead "applicant".

Amendment agreed to.

Mr Perron moved the following further amendment -

Omit from proposed section 100AF(2)(c) "place of abode" and insert in its stead "place of abode and the defendant has acknowledged receipt of the mail containing the order in accordance with the procedures under that Act for acknowledging receipt".

Amendment agreed to.

Mr Perron moved the following further amendment -

Insert in proposed section 100AF(2)(d), after "made known", the words "orally or in writing".

Debate ensued.

Amendment agreed to.

Mr Perron moved the following further amendment -

Add at the end the following:

"100AK. PROTECTION OF MEMBERS OF POLICE FORCE ACTING IN GOOD FAITH

"A member of the Police Force who makes an application under this Division or who represents another member of the Police Force at a hearing under this Division, and who acts in good faith and in the normal course of duty in so doing, is not liable in any civil action arising out of the conduct of the hearing."

Amendment agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

Bail Amendment Bill (No.2) 1988 (Serial 109):

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

Bill to be reported without amendment.

The Speaker (Mr Vale) resumed the Chair; the Chairman (Mr Dondas) reported that the committee had considered the bills and had agreed to the Police Administration Amendment Bill (No.2) 1988 (Serial 110) without amendment; the Justices Amendment Bill (No.2) 1988 (Serial 107) with amendments; and the Bail Amendment Bill (No.2) 1988 (Serial 109) without amendment; and the report was adopted.

On the motion of the Chief Minister (Mr Perron) the Bills were read a third time and passed to be proposed laws.

17. PLANT DISEASES CONTROL AMENDMENT BILL 1988 (Serial 155):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Primary Industry and Fisheries (Mr Reed) the Bill was read a third time and passed to be a proposed law.
18. PRISONERS (INTERSTATE TRANSFER) AMENDMENT BILL 1988 (Serial 154):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.
19. ADJOURNMENT:
The Attorney-General (Mr Manzie) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
The Assembly adjourned at 8.20 p.m. until Tuesday 16 May 1989 at 10.00 a.m. or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 23 February 1989:

Annual Reports:

Electrical Workers and Contractors Licensing Board, 1987-88
Power and Water Authority, 1987-88
Work Health Authority, 1987-88

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ATTENDANCE:

All Members attended the sitting.

H.G. SMITH
Clerk of the Legislative Assembly

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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