PART III

THE MINUTES OF PROCEEDINGS

# Minutes of Proceedings

OF THE

# LEGISLATIVE ASSEMBLY

No. 48

Tuesday 12 October 1982

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

#### 2. PETITIONS:

Mr D.W. Collins (Alice Springs) presented a petition from 1183 citizens of the Northern Territory relating to the Unification Church (Moonies).

Petition received and read.

Mrs O'Neil (Fannie Bay) presented a petition from 45 citizens of the Northern Territory who are members of Amnesty International relating to a South Korean prisoner Kim Yong-gi.

Petition received and read.

Mr Steele (Ludmilla) presented a petition from 141 citizens of the Northern Territory relating to the extension of the Darwin Mall.

Petition received and read.

## 3. NOTICES:

The following notices were given:

Mr Everingham: To present the Legal Practitioners Amendment Bill (No. 2) 1982 (Serial 261), the Workmen's Compensation Amendment Bill (No. 2) 1982 (Serial 259), the Disasters Bill 1982 (Serial 256), and the Annual Leave Amendment Bill 1982 (Serial 199).

Mr Perron: To present the Racing and Betting Amendment Bill 1982 (Serial 263), and the Pay-roll Tax Amendment Bill 1982 (Serial 255).

Mr Tuxworth: To present the Pharmacy Amendment Bill 1982 (Serial 262). Mr Robertson: To present the Industries Training Amendment Bill 1982 (Serial 260).

## 4. QUESTIONS:

Questions without notice were asked.

Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.

5. REMUNERATION TRIBUNAL - DETERMINATION No. 1 of 1982 - MEMBERS OF THE LEGISLATIVE ASSEMBLY - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Everingham (Chief Minister), laid on the Table Determination No. 1 of 1982 and the report of the Remuneration Tribunal on salaries and allowances for Members of the Legislative Assembly dated 8 October 1982.

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

Mr Everingham was granted leave to continue his remarks when the debate is resumed.

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

6. REMUNERATION TRIBUNAL - REPORT AND RECOMMENDATION No. 1 of 1982 - JUDGES - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Everingham (Chief Minister) laid on the Table Report and Recommendation No. 1 of 1982 relating to salaries and allowances for judges in the Northern Territory dated 8 October 1982.

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

 $\mbox{\rm Mr}$  Everingham was granted leave to continue his remarks when the debate is resumed.

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

7. REMUNERATION TRIBUNAL - REPORT AND RECOMMENDATION No. 1 of 1982 - MAGISTRATES - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Everingham (Chief Minister) laid on the Table Report and Recommendation No. 1 of 1982 relating to salaries and allowances for magistrates in the Northern Territory dated 8 October 1982.

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

Mr Everingham was granted leave to continue his remarks when the debate is resumed.

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

8. TRANSCRIPTS OF SUPREME COURT HEARINGS ON PLEAS OF GUILTY - A.R. HILL and T.W. DWYER - PAPER TABLED:

Mr Everingham (Attorney-General) laid on the Table transcripts of hearings in the Supreme Court on pleas of guilty.

9. APPROPRIATION BILL 1982-83 (Serial 235) - BUDGET DEBATE:

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.

 $\it Extension$  of time: On the motion of Mr B. Collins, an extension of time was granted to Miss D'Rozario.

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

Debate resumed.

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

10. LEAVE OF ABSENCE - Mr VALE:

Mr Harris (Port Darwin) moved - That leave of absence for the sittings be granted to Mr Vale (Stuart) who is attending a Commonwealth Parliamentary Association Conference in the Bahamas.

Question - put and passed.

11. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), Notice No. 1, General Business, was called on.

12. NORTHERN TERRITORY DEVELOPMENT CORPORATION - MOTION TO APPOINT BOARD OF INOUIRY:

Miss D'Rozario (Sanderson) moved - That this Assembly, pursuant to section 4A of the *Inquiries Act*, resolve that a Board of Inquiry be appointed to inquire into, report on and make recommendations concerning all aspects of the operations of the Northern Territory Development Corporation and in particular matters relating to -

- 1. the methods of assessment used by the Corporation to investigate the financial viability of a potential recipient of development funds before those funds are made available;
- 2. the requirements of the Corporation in terms of asset backing for security against loan funds or guarantees provided to clients under the Development Assistance Programme;
- 3. the criteria applied by the board of the Corporation in deciding which applicants for a loan have been successful;
- 4. the methods of monitoring the performance of recipients of development assistance from the Corporation;
- 5. the criteria applied by the board of the Corporation in deciding which applicants for cash incentives under the Corporation's Industrial Research and Development and Invention Assistance Grants Scheme;
- 6. the extent and appropriateness of the Corporation's relations with other government departments and authorities, including the Agricultural Development and Marketing Authority;
- 7. the rate of return on capital employed by the Corporation in each year since its inception; and
- 8. methods of increasing the accountability of the Corporation to par-

Because of the need for confidentiality in relation to loans and guarantees of the NTDC, the Board of Inquiry should undertake the whole of the proceedings of an inquiry in private in accordance with section 16 of the *Inquiries* 

Debate ensued.

Question put -

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

AYES, 7
Mr Bell
Mr B. Collins
Miss D'Rozario
Mrs Lawrie
Mr Leo
Mrs O'Neil
Mr Smith

NOES, 10
Mr D.W. Collins
Mr Dondas
Mr Everingham
Mr Harris
Mr MacFarlane
Mrs Padgham-Purich
Mr Perron
Mr Robertson

Mr Robertson Mr Steele Mr Tuxworth

And so it was negatived.

## 13. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 7.39 p.m. adjourned until tomorrow at 10.00 a.m.

## PAPERS:

The following papers were deemed to have been presented on 12 October 1982:

Financial Statement:

Government Printing Office, 1979-80

Public Service By-laws 1982:

No. 3 Amendments of the Public Service (Terms and Conditions of Service)
By-laws

## Regulations 1982:

- No. 51 Amendments of the Public Health (Barbers' Shops) Regulations
- No. 52 Amendments of the Public Health (Shops, Eating Houses, Boarding-houses, Hostels and Hotels) Regulations
- No. 53 Amendments of the Jury Fees and Jurors' Payments Regulations
- No. 54 Amendments of the Legal Practitioners Regulations
- No. 55 Legal Practitioners (Professional Indemnity Insurance) Regulations
- No. 56 The Mall By-laws
- No. 57 Small Claims Regulations
- No. 58 Amendment of the By-laws of the Darwin City Council

#### ATTENDANCE:

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

No. 49

## Wednesday 13 October 1982

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

#### 2. NOTICES:

The following notices were given:

Mr Harris: To move - That Regulations 1982, No. 50, Small Claims Regulations, tabled in this Assembly on 17 August 1982, be disallowed.

Mr Tuxworth: To present the Liquor Amendment Bill (No. 2) 1982 (Serial 264).

## 3. QUESTIONS:

Ouestions without notice were asked.

Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.

4. LEGAL PRACTITIONERS AMENDMENT BILL (No. 2) 1982 (Serial 261):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Legal Practitioners Act*.

Bill read a first time.

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

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

5. RACING AND BETTING AMENDMENT BILL 1982 (Serial 263):

Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the Racing and Betting Act.

Bill read a first time.

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

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

6. WORKMEN'S COMPENSATION AMENDMENT BILL (No. 2) 1982 (Serial 259):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the Workmen's Compensation Act.

Bill read a first time.

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

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

7. PAY-ROLL TAX AMENDMENT BILL 1982 (Serial 255):

Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the Pay-roll Tax Act.

Bill read a first time.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

8. DISASTERS BILL 1982 (Serial 256):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to provide for the adoption of measures necessary for the protection of life and property from the effects of disasters and emergencies and for other purposes.

Bill read a first time.

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

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

9. PHARMACY AMENDMENT BILL 1982 (Serial 262):

Mr Tuxworth (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the Pharmacy Act.

Bill read a first time.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

10. ANNUAL LEAVE AMENDMENT BILL 1982 (Serial 199):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the Annual Leave Act.

Bill read a first time.

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

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

11. INDUSTRIES TRAINING AMENDMENT BILL 1982 (Serial 260):

Mr Robertson (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Industries Training Act*.

Bill read a first time.

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

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

12. APPROPRIATION BILL 1982-83 (Serial 235) - BUDGET DEBATE:

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.

 $\it Extension$  of time: Mr Leo moved - That an extension of time be granted to Mr Bell.

Question - put and negatived.

Suspension of sitting: The sitting was suspended between 11.56 a.m. and 2.00 p.m.

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

#### In the committee

Schedule 2 -

Appropriations for Divisions 11, 12, 14, 15, 16, 17, 18 and 19, by leave, taken together and agreed to.

Appropriation for Division 25 agreed to.

Appropriation for Division 30 agreed to, after debate.

Appropriations for Divisions 40 and 41, by leave, taken together and agreed to.

Appropriations for Divisions 42 and 43, by leave, taken together and agreed to.

Appropriation for Division 44 agreed to, after debate.

Appropriations for Divisions 46, 47, 48 and 49, by leave, taken together and agreed to.

Appropriation for Division 50 agreed to.

Appropriation for Division 51 agreed to, after debate.

Appropriations for Divisions 52 and 53, by leave, taken together and agreed to.

Appropriation for Division 55 agreed to, after debate.

Appropriation for Division 56 agreed to, after debate.

Appropriation for Division 57 agreed to.

Appropriation for Division 60 agreed to.

Appropriation for Division 62 agreed to, after debate.

Appropriations for Divisions 63, 64, 65, 66, 67 and 68, by leave, taken together and agreed to.

Appropriation for Division 70 agreed to, after debate.

Appropriation for Division 71 agreed to.

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

Bill to be reported without amendment.

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

Question - 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.

## 13. ELECTORAL AMENDMENT BILL 1982 (Serial 244):

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

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

The Assembly resolved itself into a committee of the whole.

#### In the committee

Clause 1 agreed to.

Clause 2 -

On the motion of Mr Everingham the following amendment was made —  $\,$ 

Omit "This" and substitute "The several sections of this".

Clause, as amended, agreed to.

Clause 3 agreed to.

Clause 4 -

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

Omit from proposed definition of "authorized witness" the word "or" (third occurring) and substitute "and".

Clause, as amended, agreed to.

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

Clause 10 agreed to, after debate.

Clauses 11 to 16, by leave, taken together and agreed to.

New clause -

On the motion of Mr Everingham the following new clause was inserted in the Bill  $\boldsymbol{\mathord{\hspace{1pt}\text{--}}}$ 

"16A. PERSONS CLAIMING TO VOTE TO GIVE NAMES AND OTHER PARTICULARS

"Section 75(2) of the Principal Act is amended by omitting paragraphs (b) and (c) and substituting the following:

- '(b) "Are you an Australian citizen?"; and
- (c) "Are you qualified to vote?",

and, where the person answers the question specified in paragraph (b) in the negative  $\boldsymbol{\overline{\ }}$ 

(d) "Were you a British subject who was enrolled as a Commonwealth, Territory, or State elector on [here state the date immediate—ly before the prescribed date]?".'.".

Clause 17 agreed to.

Clause 18 negatived, after debate.

Clauses 19 to 23, by leave, taken together and agreed to.

Clause 24 agreed to, after debate.

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

Bill to be reported with amendments.

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

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

## 14. ADJOURNMENT:

Mr Everingham (Chief Minister) moved- That the Assembly do now adjourn. Debate ensued.

Papers tabled: Mr Steele (Minister for Industrial Development) laid on the Table papers and correspondence relating to the appointment of Mr H. Koh as the Northern Territory government consultant for the Asian region.

Question - put and passed.

And then the Assembly at 7.51 p.m. adjourned until tomorrow at 10.00 a.m.

#### PAPER:

The following paper was deemed to have been presented on 13 October 1982:

Annual Report:

Department of the Chief Minister, 1981-82

#### ATTENDANCE:

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

No. 50

## Thursday 14 October 1982

- 1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
- 2. OUESTIONS:

Ouestions without notice were asked.

Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.

3. AUSTRALIAN MEAT INDUSTRY - REPORT OF ROYAL COMMISSION - PAPER TABLED - PAPER NOTED:

Mr Steele (Minister for Primary Production) laid on the Table the Report of the Royal Commission inquiring into the Australian Meat Industry.

Mr Steele moved - That the Assembly take note of the paper. Question - put and passed.

4. COMMUNITY HEALTH SERVICES - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Tuxworth (Minister for Health) laid on the Table the Kirton and Whiting
Report of the Review of Urban Based Community Health Centres in the Northern
Territory of Australia, July-September 1982.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

5. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - FIFTH AND SIXTH REPORTS - PAPERS TABLED - PAPERS NOTED:

Mr Harris (Port Darwin) laid on the Table the fifth and sixth reports of the Subordinate Legislation and Tabled Papers Committee.

Mr Harris moved - That the Assembly take note of the papers.

Debate ensued.

Question - put and passed.

6. DISALLOWANCE OF SMALL CLAIMS REGULATIONS:

Mr Harris (Port Darwin) moved - That Regulations 1982, No. 50, Small Claims
Regulations, tabled in the Assembly on 17 August 1982, be disallowed.
 Question - put and passed.

7. LIOUOR AMENDMENT BILL (No. 2) 1982 (Serial 264):

Mr Tuxworth (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act*.

Bill read a first time.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

8. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), order of the day No. 5, Government Business, was called on.

9. FISH AND FISHERIES AMENDMENT BILL (No. 2) 1982 (Serial 230):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

#### In the committee

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

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

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

## 10. HOUSING BILL 1982 (Serial 240):

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.

Suspension of sitting: The sitting was suspended between 11.54 a.m. and 2.05 p.m.

Debate resumed.

Question - put and passed - Bill read a second time. The Assembly resolved itself into a committee of the whole.

## In the committee

Clause 1 agreed to.

Clauses 2 to 6, by leave, taken together and agreed to.

Clause 7 agreed to, after debate.

Clauses 8 to 15, by leave, taken together and agreed to.

Clause 16 agreed to, after debate.

Clauses 17 to 28, by leave, taken together and agreed to.

Clause 29 -

On the motion of Mr Perron the following amendment was made, after debate -

Omit from sub-clause (4) "principal sum of the loan" and substitute "interest payable under the mortgage".

Clause, as amended, agreed to.

Clauses 30 to 32, by leave, taken together and agreed to.

Clause 33 negatived.

New clause -

On the motion of Mr Perron the following new clause was inserted in the  $\operatorname{Bill}$  -

#### "33. LIABILITY FOR WATER CHARGES

- "(1) Subject to sub-section (2), the amount of a charge made under a law in force in the Territory for water supplied to land on which a dwelling is situated shall be recoverable only from the Commission.
- "(2) The amount of the charge referred to in sub-section (1) recoverable from the Commission in relation to a dwelling that is separately metered for the purpose of determining that charge does not include the component of that charge which, in the opinion of the Commission, and notwithstanding any other law in force in the Territory, is an excess or additional water charge.".

Clause 34 agreed to.

New clause -

On the motion of Mr Perron the following new clause was inserted in the  ${\tt Bill}$  -

"34A. MINISTER MAY DETERMINE AMOUNT AT WHICH DWELLING SHALL BE SOLD

"The Minister may, in writing, determine the amount at which a dwelling, including the land on which the dwelling is situated, shall

be sold under this Act and, accordingly, the Commission shall not sell that dwelling except at that amount so determined.".

Clause 35 agreed to.

Clause 36 -

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

Omit from sub-clause (2)(c) "make" and substitute "subject to section 34A, make".

Clause, as amended, agreed to.

Clauses 37 to 44, by leave, taken together and agreed to.

Schedule agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

## 11. STAMP DUTY AMENDMENT BILL 1982 (Serial 241):

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

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

Leave granted for third reading to be moved forthwith.

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

## 12. TAXATION (ADMINISTRATION) AMENDMENT BILL 1982 (Serial 242):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

#### 13. MEDICAL SERVICES BILL 1982 (Serial 238):

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

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

Leave granted for third reading to be moved forthwith.

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

#### 14. SPECIAL ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly, at its rising, adjourn until 10.00 a.m. on Tuesday 16 November 1982 or such other time and date as set by Mr Speaker under Sessional Order.

## 15. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Debate ensued.

Personal explanation: Mr Smith (Millner), by leave, made a personal explanation refuting action attributed to him by Mr Dondas during this debate.

Suspension of sitting: The sitting was suspended between 5.26 and 5.27 p.m.

Debate resumed.

Question - put and passed.

And then the Assembly at 6.11 p.m. adjourned until 10.00 a.m. on Tuesday 16 November 1982 or such other time and date as set by Mr Speaker under Sessional Order.

#### PAPER:

The following paper was deemed to have been presented on 14 October 1982:

Annual Report:

Northern Territory Development Corporation, 1981-2

#### ATTENDANCE:

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

R. CHIN
Acting Clerk of the Legislative Assembly

# THIRD LEGISLATIVE ASSEMBLY

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