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Madam Speaker Purick took the Chair at 10 am.

SPEAKER'S STATEMENT
Filming in Chamber

Madam SPEAKER: Honourable members, I have given permission to the media outlets today to film inside the Chamber which will be doing an activity very shortly.

VISITORS
Nightcliff Primary School

Before we link arms in support of White Ribbon Day I would like to advise of the presence of two Year 6 classes from Nightcliff Primary School, accompanied by their teachers, Mr Nick Kokkinomagoulos and Ms Janelle Saunders.

Welcome to Parliament House, I understand Polly Hayes is in that group. Put your hand up, Holly. Lovely, welcome. Your mother is Ros Chenoweth, one of our Parliamentary draftspeople. I want you to pay particular attention to the legislation because she probably drafted it. I hope she did a good job.

Welcome to Parliament House.

Members: Hear, hear!

Mr McCARTHY: A point of order, Madam Speaker! Could I draw attention to Daniel and Ella Morgan my nephew and niece.

Madam SPEAKER: Member for Barkly, of course.

SPEAKER'S STATEMENT
Isolated Children's Parents Association

Madam SPEAKER: I also draw your attention to the presence in the gallery of the Northern Territory Isolated Children's Parents Association on my left. Tiani Cook is the president, from Supplejack Station. Sally Sullivan is the Vice President, from Cave Creek Station. Sarah Measey is the Treasurer, from Douglas Daly Station and Sarah Cook is from Aileron Station.

Welcome to Parliament House. I hope you enjoy your time here.

Members: Hear, hear!

White Ribbon Day

Madam SPEAKER: Honourable members, in support for White Ribbon Day, to show our combined support and determination to eliminate domestic violence on all fronts, anywhere, under any circumstance, we will be linking arms in front of our desks, and the media people would love to show that we, as parliamentarians, are united against domestic violence anywhere, anytime, under any circumstance.

If you would like to take your places, Mr King would you like to join honourable members on the Chamber floor, by special permission?

Members linked arms for White Ribbon Day.

PUBLIC HOLIDAYS AMENDMENT BILL
(Serial 7)

Continued from 26 October 2016.

Ms MOSS (Environment and Natural Resources): Madam Speaker, I speak in support of the Public Holidays Amendment Bill that was introduced by the Minister for Public Employment in the first sittings of this Assembly. It speaks to how important this legislation is and the values behind it are to the Gunner

government. In effect, this legislation will create two part-time public holidays between 7 pm and midnight on both Christmas Eve and New Year's Eve.

It has been clear for some time that while we have much in the Territory to be excited about in the challenges and opportunities ahead, there are significant economic challenges that must be faced head on. I commend the work the Minister for Public Employment, the Chief Minister and the Treasurer have been doing in this regard. They recognise that our initiatives and commitments should strategically reflect our aspirations as a community and deliver a sensible economic plan for the benefit of all Territorians.

Over the past four years we have faced significant population drain in the Northern Territory, and a number of the Gunner government's initiatives are targeted to address this economic challenge. We are also suffering under the weight of the former CLP government's legacy, which included failing to plan for the inevitable next stage of the INPEX project, selling off public assets and plunging the Territory further into deficit, which ran to \$900m at the end of its term.

Last week a question was asked about GST revenue. It must be stated again that addressing the loss of people from the Territory is vital to ensuring that we continue to get our share of GST to run the services required within our complex environment. Ultimately this legislative change goes to fairness. That is something that every one of my colleagues believes in very strongly; fairness and showing fairness to those who work in a range of industries, and often in very trying circumstances, often at times when many other Territorians are spending time with family and friends and having time off.

The Territory has among the lowest numbers of public holidays of all Australian jurisdictions. We must continue to make the Northern Territory an attractive and competitive place to live and work and, ultimately, a fair place for people to live and work. It goes without saying that it is a different scenario going to work at 8 pm on Christmas Eve or doing a shift at 11 pm on New Year's Eve, times when most of the community is with family and friends. This is not a change that impacts on just one industry.

We just had a very powerful moment here, and my thoughts constantly go back to the people who, over this Christmas period, will be spending their time supporting some of the most vulnerable people in our community. They will be on the end of phones, working in our crisis accommodation, still responding to fires, emergencies and crisis. For me, this goes to the heart of looking after those people who look after us around the clock. That is what this is all about. It is about fairness, looking after people, addressing the population drain and making this a much more attractive place for people to want to work.

This is a change that will impact on those who work in essential services to help keep us protected and keep our lights on. It will impact those who provide services to our most vulnerable and are experiencing difficult times at Christmas; it is a particularly difficult time for a lot of Territorians. It will also impact workers in industries such as hospitality, during those peak times.

I hope that everyone in this Chamber can get on board and acknowledge that it is a positive thing to ensure fairness and incentives for those who work in peak times to provide a range of services to Territorians and visitors. We have an opportunity here to be a champion for Territorians' working conditions, and to be champions for businesses that provide jobs to locals. I hope Territorians take this opportunity to champion the small and medium businesses that employ locals because, ultimately, this debate is bigger than two part-time public holidays—we are talking about a number of hours. It is also about supporting locals and those who put money back into our economy.

Territorians and Territory businesses have an opportunity to celebrate those who will champion fair conditions for workers in a host of industries by Christmas shopping and celebrating with many of our wonderful, unique businesses. That ties into this debate; we should encourage people to buy local and support our local businesses to keep their doors open all year round. We have fabulous businesses in hospitality, and a range of other industries, that deserve our support and our patronage. I hope that, in a time when it is attractive to go online and do your shopping to save time, people continue to support our small local businesses. We all recognise the importance of our small and medium-sized businesses in the Northern Territory. We recognise how much they contribute to our economy and community. All of us, as members in this Chamber, have people in our electorates who run those small businesses and who have had a tough time over a long period of time.

There are people who work in a range of industries who will work on Christmas Eve and New Year's Eve; that includes our firefighters, essential services workers, community services workers, hospitality workers and people who work at Casuarina in retail who will be stocking the shelves on Christmas Eve. They

deserve to be acknowledged for the work they put in at a time when other people are taking time off to be with family.

A lot has been said about unions in this debate, both within this Chamber and outside of it. I find this a bit odd. Unions are the reason we have an eight-hour working day. They have stood up time and again, fighting fiercely and tirelessly for workers' rights. We have heard many stories in this Chamber about that, and many have experienced it as well. We need to recognise, rightly and respectfully, the role that unions have played in protecting workers' rights in the Territory and around the world.

If the opposition wants to choose to frown upon fighting for workers' rights then that is their choice. I am proud to be part of a political movement borne from this fight. I know many of my colleagues feel the same way.

Reference should be made to some other hypocrisy from the opposition. The members of the opposition were here when concerns were raised time after time about people leaving the Territory. Our population is buoyed by the natural birth rate. We have talked many times over a long period, in the Chamber with the former CLP government, about the threat of people leaving the Territory. We have discussed issues that present to us economically and the need to do something to ensure we are keeping people in the Territory. We all love it. Territorians love it. They leave for a range of reasons. We want to ensure we are coming up with a suite of measures to address the population drain. We want people to have the opportunity to stay, raise their families and have careers here. We want their children to want to stay and study here. Ultimately that is a longer term view, for people to continue contributing as active members of our community.

The CLP government's response to concerns that were raised was not targeted, and was too little too late. The members of the opposition were in this Chamber when concerns were raised time after time about work going interstate. The fears for local businesses were dismissed at almost every turn. I want to put that on the record because we are hearing a lot about concerns of businesses. This legislation is really good for workers, and we will not pretend that everybody is going to be ecstatic about it—I have talked to businesses in my local electorate—but it is fair.

Measures such as the first home buyers initiative, which the Treasurer has been talking about in recent times, and other initiatives that are already in action, together can continue to keep people in the Territory.

We need to collectively have the view that we are here to look after Territorians. Ultimately I believe this legislation is fair, and looks after Territorians who look after us. We need to make sure we are promoting everything our local businesses have to offer. We need to support those giving it a red-hot go in our community, not only those running their own businesses, but those working for local business owners.

I am very pleased to speak to this legislation. The debate will continue, and I look forward to hearing different perspectives on it. I hope that, ultimately, we can remember what is at the heart of this legislation, which is fairness and looking after those who look after us. It is about keeping people in the Territory, which is an incredibly important aspiration for all us to have and what we need to remain focused on.

Ms FINOCCHIARO (Spillett): Madam Speaker, I rise to speak against this government's bill.

I note the comments of the minister, saying this bill and the measure this government has taken is fair. I am not sure who they asked or who they think heard this announcement and thought it was fair. The businesses we have spoken to do not think this is a fair measure. It is certainly not fair on workers, who you so vehemently protect. You say you are a party based on the foundations of working for workers' rights. It is not fair if a worker has no work to go to because of a kneejerk reaction your government has made to ensure the union masters are getting their way.

It is so early in your term; three months into your term and we are already seeing the unions ruling the roost and pressuring this government to make snap decisions without consulting Territorians and businesses. To come into this House and say it is fair is very hypocritical. It is very amusing. For the minister to acknowledge that she has spoken to people in her electorate who are very unhappy with this measure and yet stand here and defend it, is very interesting. It demonstrates the lack of consultation and the carefree attitude this government is taking, as though it has completely forgotten its promises to Territorians about being open, accountable, trustworthy and transparent, and to consult. It is almost like they have completely

forgotten what happened just three months ago and have already moved on to reign supreme in the Northern Territory.

The way the word 'fair' has been thrown around in this Chamber so early in the public holidays debate is an outrage. No government, particularly our Territory government, should be making employing Territorians more difficult. This proposal by this already seriously arrogant government is ...

A member interjecting.

Mrs FINOCCHIARO: Oh, it hurts! The truth hurts!

This proposal will mean it is more expensive to keep people at work. This is from the government that says it protects the worker. If a worker does not have employment to go to, that is not protecting the worker or their rights. It is not protecting their rights if they cannot go to work because their employer cannot afford to keep them due to measures and snap decisions put in place by a government which is completely out of touch just three short months into a long four-year term. It is astonishing. It is expensive to keep people at work, and this government is making it harder and harder. It is not fair.

The proposals of this Gunner government have no focus on wealth creation, and it has been very good at spending money. We have seen that in a few pocket announcements here and there, particularly in the last two days in relation to 'stimulus'. I use that word in inverted commas because they are the opposite of stimulus. Spending money is easy. Running up debt and deficit is easy. What is very hard—and I know now you are in government you are realising this—is creating new and enduring wealth. Consulting with Territorians, being the voice of the people and the government of Territorians is hard, and you have failed your very first test.

This debate is about priorities. A government's priorities are very important; they set the tone and the agenda. The priority of this government should be to make it easier for businesses to employ people. They talk about being a government of jobs. In order to create jobs you have to make it easier to employ people and keep them in employment. This government is making it more difficult, and I do not understand how the 18-strong government members on the other side of this House cannot see that. There are 18 of you representing electorates and Territorians across this great Territory. I hope that, unlike in our alcohol motion last week, we will hear from all 18 of you in this debate, no doubt supporting the Cabinet on this snap decision, if in fact it was a decision of Cabinet and not just the Chief Minister.

It will be very interesting to hear how you, as local members, have consulted with Territorians in your electorate and what their responses were when you asked them, 'How do you feel about not having a job to go to now?' I would love to know the answers because they have been very clear on this side of the Chamber. We have been listening very hard and have been concerned. We mounted a strong campaign to urge you to send this to a committee and not proceed with the bill today. You ignored our calls and that means you ignored the calls of Territorians.

This Gunner government has economic growth going backwards. The Minister for Primary Industry and Resources said last week, 'Everybody knows the economy is buggered'. This is from a minister of the Crown to a contribution to a ministerial statement on infrastructure. I am not injected with positivity from that comment. I am not feeling the momentum. What a statement to make as a minister of the Crown about the economic state of the Northern Territory.

We, the Country Liberals, strongly believe that it is all about jobs. The policy settings and the signals sent to businesses should say that we want it to be easier to create jobs in the Northern Territory; that is how you keep people here. This Chief Minister stood in the media's scrum and said, 'The main reason we want to create two part public holidays is so more people move to the Territory and stay here'. I have never heard anything so ridiculous in my entire life. I cannot see Western Australians, South Australians, New South Welshmen, Queenslanders and Tasmanians turning to each other over the dinner table and saying, 'Darling, I think we should move to the Northern Territory because they have two new part public holidays'. Have you ever heard anything as crazy as that? It is embarrassing; it is embarrassing to justify a decision that is just to pay back your union mates by saying it will create jobs, wealth, bring new people to the Northern Territory and keep Territorians here. That is an epic, total fail by this government.

In 2012 the Shop, Distributive and Allied Employees' Association, the SDA, agreed to the introduction of similar legislation in South Australia with the aim of getting retail trade back into the city. However, if you ask any local retail or hospitality sector about additional public holidays and penalty rates, they will tell you there is potential for loss of vitality in the CBD as many businesses will not open because of the additional

operating costs on those days. This is not a secret; it is not unknown or an unintended consequence of your bill.

Assistant minister for a vibrant Darwin CBD, I cannot wait to hear your contribution on this. Certainly the CBD in Darwin will be very hard hit as a result of this announcement if the bill passes today. I hope that it is referred to a committee. A vibrant CBD was flagged by this government leading up to the election; it has been earmarked and bestowed an assistant minister, yet we are seeing a decision that directly and detrimentally impacts the CBD and its operators from continuing to make our CBD a vibrant place. It completely flies in the face of that commitment to have a vibrant Darwin CBD.

It may appear to be an easy decision for the unions to make, but for them this is about money, not jobs. The point that is always missed by the union movement is that workers will not be paid if the business is not open or viable. There must be a balance; one relies on the other. It is a symbiotic relationship. It is important to get the balance right; it ensures workers continue to be employed and paid well, and have a sense of self and pride in what they are doing. There is a fine line between what business can and cannot do. When businesses are pushed to the brink, they will shut their doors because that is a decision they must make. The direct consequence is that a worker does not have a place of employment to attend.

It is crystal clear that this decision was not made with hard-working Territorians in mind, as there was a lack of consultation. This is part of the unions expanding their borders and influence into the NT immediately after the Labor government came in. If the Gunner government is serious about transparency and looking after hard-working Territorians, it should start by listening—a core component of what it promised Territorians it would do—to the retail and hospitality sectors, not the unions. The government should reverse this decision until an objective analysis of the costs and the productivity is undertaken.

How does this measure support the Territory going forward? How does it support jobs and growth? It is a retrograde, regressive, anti-jobs, snap decision by this government at the most critical, expensive time of year—Christmas. The Gunner government has given Territorians a very big bag of coal. This government should be ashamed. Shame on you for describing a measure that strangles the potential of Territory businesses and takes jobs away from young Territorians.

Territorians are surprised by this Chief Minister's priorities. This bizarre part day public holiday will close businesses, prevent services being delivered, increase red tape, cost jobs and increase inflation. At the end of the day, the whole Northern Territory will suffer as a result of this deal.

The Chief Executive Officer of Restaurant and Catering South Australia, Sally Neville, said her members advised her that they would shut their doors if these half public holidays were legislated in South Australia. As night follows day, it happened. Restaurants shut, employees lost their shifts and workers went hungry as a direct result. They were warned, and it happened.

Territorians know that when restaurants shut their doors, when they are looking for something to eat and cannot find a venue, that they can blame the unions and this government, all 18 of you. I urge members to see how many restaurants are already closed on public holidays or charge a surcharge. They will be surprised with the overall impact of these public holidays on the community.

There are many workers who rely on the current working arrangements of Christmas and New Year's Eve to give them income to pursue their studies, supplement other income sources, accommodate their lifestyle or buy their kids a nice present for Christmas Day. It is commercially naive to assume that if a business employs eight people and then the cost becomes equivalent to employing 20 people, that eight will remain engaged. There will be no opportunity to earn money if the venues cut back their staff, which they said they would do, or close early or altogether.

Moving away from dining, what about aged care? At the time of this debate in South Australia, the South Australian Aged Care Association Chief Executive Officer Paul Carberry said:

The aged care industry is already struggling financially, with 25% of providers operating at a loss, according to the Federal Government's figures. Aged care funding and fees are regulated by the Commonwealth, so providers will have no way of recovering these extra costs and no way of avoiding them. If this goes ahead, this industry, which cares for South Australia's elderly, will just be an innocent victim of a deal between the government and a powerful union.

Does that not sound very similar and ring true here in the Northern Territory? Our most deserving senior Territorians will pay the price of the unions and Gunner deal done with no consultation whatsoever with Territorians.

It is critical that all responsible and conscionable members—all of you, there are a lot of you, but we do not hear from you very often unless you have a nice little contribution to make on a puff-piece ministerial statement. So far you have not tested your flesh in this place or spoken to anything of any particular substance. Today might be the time ...

Ms Nelson interjecting.

Mrs FINOCCHIARO: Today might be the time for you, Member for Katherine, to make an important contribution to an important debate, to talk about the hard-working retailers and workers in Katherine. I would love to know what the people of Katherine have been saying to you, and to hear your contribution to this debate.

Mr Paech: 'We love the ALP', is what they have been saying.

Mrs FINOCCHIARO: The same for you, Member for Namatjira. You love to snipe from the sidelines. I cannot wait to hear your contribution to this debate. What do the hard-working people of Namatjira have to say about you costing them jobs? You are complicit in this by way of association with a government that bows over to the unions. I cannot wait to hear what the people of Namatjira and Katherine have to say about these two half-day public holidays.

In this debate of utmost importance, we should listen to what businesses in our electorates are saying. The Chamber of Commerce Northern Territory's Chief Executive, Greg Bicknell, said:

National penalty rates has been a major debate because we believe it cuts job opportunities.

The Country Liberal's key foundation philosophy is one of hope, reward and opportunity to build a strong economy and a safe and secure Northern Territory. The Gunner government's selective listening must end. Informing is not the same as consulting. We have heard the Chief Minister's lack of understanding on that in Question Time. Why was the Chief Minister not straight with the people of the Northern Territory before the election? Why did he not tell us before the election who would call the shots if Labor was elected to government? In his own words, the Chief Minister said:

The unions had been agitating for this before the election.

... The unions absolutely have an influence on my government.

Why is the Chief Minister so unsure about his divided loyalties between the interests of the unions and Territorians, those the government said it would protect.

The Country Liberals believe in a bigger, better Territory with a brighter future.

Ms Nelson: A greedy Territory, apparently.

Mrs FINOCCHIARO: I pick up on the interjection of 'a greedy Territory'. Are you calling small and medium businesses greedy? Is that what you are saying, member for—what is she?

Madam SPEAKER: Katherine.

Mrs FINOCCHIARO: Katherine, thank you, Madam Speaker ...

Ms Uibo interjecting.

Mrs FINOCCHIARO: Member for Arnhem, I cannot wait to hear your debate on this about the hard-working businesses in your electorate. If you are calling small and medium enterprises greedy then you have a lot to answer for when you leave this place later today, because I am sure they will be very happy to tell you just how hard they work. Small and medium businesses are the backbone of the Northern Territory. They are the employers. That is where jobs come from. I do not think they would appreciate you calling them greedy at all.

It is laughable to suggest that two part day public holidays are any kind of solution to the declining population growth; I touched on that earlier in my contribution. Robust words to censure is the only way to give the government a wake-up call, and hopefully shock it back onto the right track.

It is not right to say one thing before an election and then do something completely different immediately after it. The opposition knows that nine of the 18 Labor members praised their union mates and masters in their Address in Reply speeches. Misleading people is a serious offence, and it attracts serious rebuke and consequences from the electorate. How reckless is it to acknowledge the economic headwinds, just like the Minister for Primary Industry and Resources did, but then put a huge roadblock in the way of job creation.

While these two part-day public holidays amount to only 10 hours, it sends an important message to local business and international investors as to where the priorities of this Labor government lie. It has sent a very strong and enduring message to business. This move has been made without consulting with the national retail bodies, the National Retail Association and the Australian Retailers Association:

Dominique Lamb, chief executive officer of the NRA, said in a statement on Wednesday ...

Twenty-six October 2016:

... the NRA and the wider retail industry had not been consulted about the possible introduction of the two half-day public holidays, while ARA executive director Russell Zimmerman ...

Said:

... there was no consultancy with the ARA and there definitely should have been.

...

SMEs will want to trade for longer hours on those nights, and if you're paying double-time-and-a-half award rates, it's going to be a huge cost.

The Council of Small Business Australia's Chief Executive, Peter Strong, called the government the Grinch:

Some retailers in Darwin would receive a lot of late trade with people coming in from outlying communities and flying in from other states.

He added that the measure is 'economic and social stupidity'.

There is a spectre of deliberate ignorance hanging over this debate. I am referring to the Chief Minister's confusion between truly consulting with stakeholders versus the more convenient approach of informing stakeholders of a preordained outcome. Unfounded, arbitrary decisions, like the two part day public holidays, cannot stand up to genuine, robust engagement. There is simply no evidence to back up this decision. The only way to get away with such a move is to hit and run; hit the industry with the decision by informing, and then run away from true consultation and engagement.

In Question Time on 22 November the Chief Minister informed the House that he had rung the Australian Hotels Association Northern Territory and the Chamber of Commerce NT with respect to the two new part-day public holidays. The Chief Minister has failed to appreciate the difference between informing and consulting. It is an important gap and difference.

For the benefit of the House, I seek leave to table the International Association for Public Participation's IAP2 Spectrum of Public Participation.

Leave granted.

Mrs FINOCCHIARO: The Territory stands to benefit if the Chief Minister would afford the spectrum some hours of study. In a two-way conversation, the Chief Minister must be open to change and receiving feedback from the electorate.

In conclusion, there is a plethora of reasons why this government should be condemned for taking this step:

1. It is apparent from the actions of the Chief Minister that his approach to consultation is fundamentally broken. The evidence before this parliament and the Territory public is that the Chief Minister is confusing 'informing' with 'consulting'. At this time—more than any other time in our history, with significant economic headwinds ahead and a looming jobs cliff—it is critical that the government understands and enacts true consultation. During the election it said to Territorians, 'We will be open, transparent and accountable, and we will consult'. It failed Territorians on its very first test of that promise. Territorians will remember that, and they know what to expect the next time this government pops its head up and says, 'We will consult; we will listen'. They will know better than to trust the government a second time.
2. The government is not in possession of any numbers pertaining to jobs that would be lost or created by this measure, and has made no effort to find out how many jobs would be lost.
3. The premise and argument used to justify this measure, that it will grow the Territory's population—the Chief Minister has failed to provide any basis or evidence for this logic.
4. There have been no detailed costings undertaken by the government pertaining to the direct or indirect cost of these new half-day public holiday measures.
5. The modelling, if any, has been done on the cost and effect of population growth rates, and has not been made public. No feedback mechanism has been put in place, and this constitutes a serious breach of trust with Territorians.
6. There were \$184m in public service jobs that the Gunner government tried to hide when releasing its costings just 24 hours before the election. If the government wanted to raise the wages of workers on Christmas Eve, an independent review of salary or enterprise bargaining agreements could have achieved the same objective. So we question this shifty way of achieving a wage rise for workers.
7. It raise the spectre of the jobs cliff, the big hole that will exist in private sector employment when major projects currently at the construction phase transition to the production phase of their operations.

It is time for his inexperienced government to listen and consult in order to get the Territory back on track.

Mr McCONNELL (Stuart): Madam Speaker, I support the legislation recognising 7 pm to midnight on Christmas Eve and 7 pm to midnight New Year's Eve as public holidays in the Northern Territory.

I thank the Member for Spillett for her contribution to the debate, but I am worried that it sounds like the sky is falling and this will end the world. I sincerely believe that to run a good business you need to support your staff because they are critical to delivering good business outcomes. They are good for the bottom line. It is good for people to be paid adequately to work on these important nights. I apologise to the Member for Spillett for supporting my colleagues. I am very sorry that is not the usual way of the government, or at least has not been for the last four years. I sincerely and wholeheartedly apologise for supporting the Michael Gunner government, which I am proud to be a member of. There will be difficult things for us to discuss at times. I am not renowned as being a shrinking violet; I will put my opinion forward, but I will be proud to support my team.

These are part-day, five-hour shifts on Christmas Eve and New Year's Eve, when most workers would choose to be home with their family and friends. Every business knows it must achieve a good balance between reducing costs and investing in its business. In this case I believe investment in our workforce, our human capital, is best practice. Developing and maintaining a local workforce, as well as attracting new workers to the NT, is essential to growing the Territory. We have witnessed people leave the Northern Territory and we want to reverse that. This is a great place to live, and the more Territorians I can share that with, the happier I will be. Most people in business in the NT have experienced high turnover. Our work conditions must continue to be competitive in order to retain good staff.

I share the view that it is fair to recognise 7 pm to midnight on Christmas Eve and New Year's Eve as different to other nights of the year. Our workers and the public view these as different nights of the year. We should recognise that it is a sacrifice for the public and private sector workers to work on these evening shifts. I recognise the sacrifice of our hospitality, emergency, shop and other workers. I am grateful when I want to get good service—or am unfortunate enough to need an emergency service—and I know people are getting paid just recompense for coming in and working on those evenings.

Good staff should not be considered another overhead. Good staff can make or break a business. There is a huge cost to continually recruiting, training and retraining. If we make it competitively attractive to work in the NT, we will have a better chance of keeping good workers in our local workforce.

The work conditions in remote and rural areas are not attracting workers. There are places in my electorate that find it difficult to recruit and retain staff, particularly in the hospitality sector. There is often an intrinsic cost for those who choose to work in regional or remote areas. Good workers who are mobile can easily choose to live and work elsewhere. We see that a lot. It happens in the mining and construction industry. The grass will get greener somewhere else, so people chase that greener grass. It is our responsibility, as a government, to ensure that we are making this an attractive place to work. We are not making it an attractive place to work because we are controlled by the unions or doing secret deals; we are doing this because we need workers to deliver economic outcomes. This applies to small and large businesses, the public sector and everyone. Without workers who are properly remunerated for their effort, you cannot deliver those services and your business and jurisdiction will not grow.

I have had one business from my electorate contact me expressing an opposing view to this legislation, and I acknowledge it will cause an increase of cost to some employers. A responsible government should think about these issues from all sides. That is what we need to do, not respond to just one pressure group or another, but look, consult and to talk to a wide range of people about it.

There are people in the Chamber of Commerce who have a view. It is an institution I greatly respect; I have run organisations that are members of the Chamber of Commerce. It will deliver a view around controlling the cost of wages. That is a fair view from the perspective it comes from. It is also a fair view to respect the rights and interests that unions represent. There is no need to come into this place and accuse unions of being some type of attack dog for the Labor Party. They play an important role in our society. I am appreciative of things the union movement has achieved to make the environment more equitable for employees, businesses, the public sector and everyone else. I am thankful for the great work unions do. The unions will continue to lobby this Labor government, just as the business community will. This government will continue to make good decisions such as these two part-day public holidays.

Is it reasonable to ask people to work these times on Christmas Eve and New Year's Eve without additional compensation? It is important that workers who willingly work these times receive additional benefit. This is fair. We came into this place as a Labor government talking about being fair to everyone. It is necessary to have an active business community to create the economy for the people to work in, but that is not at the expense of the workers. The workers need opportunity. I was thinking about this while I was waiting to speak. The people who seem to benefit the most from this are probably some of the lowest-paid workers. That again shows that it is a responsible and forward thinking initiative. The government should be commended for that. It is nice to know that some of those low paid workers are earning a decent income for at least two five hour periods.

Supporting and investing in good workers will be beneficial to the Territory. The NT should be a preferred place to work regardless if someone is working at a takeaway outlet, a small roadside vendor, in a hotel or in any other position. I want to see people opening NT job sites and thinking, 'Gee, I would love to work in the Territory'. In the businesses I have been involved in, that has always been central to the business model. Whether it is the pastoral industry, the mining industry or working for Indigenous NGOs, I have always found benefit, as a manager, in treating staff as an asset, remunerating them properly and asking them to share my values. If they do not share your values as an employer then you can easily free up their future. One of the best ways to get people to share your values is to remunerate them properly, especially on nights that are important to people, like Christmas Eve and New Year's Eve.

Besides attracting more families and workers to the Territory, I believe in investing in the development of the local workforce. This includes treating our local workforce fairly. I believe in equal rights and the right to an equal wage. I do not believe the CDP, Community Development Program—the program that replaced CDEP and RJCP—which affects so many remote communities in my electorate, is policy that promotes development of our remote workforce. It is highly punitive and overly administrative, and it does not increase access to support services that enable people to engage in the workforce. It is a Commonwealth policy, but is a major topic of discussion in my electorate.

I seek the opportunity and support from opposition to talk to the Commonwealth about not having rules that unjustly penalise people in remote parts of the Northern Territory. I look back to the old days fondly. I grew up on a pastoral property where I worked with Aboriginal people in a stock camp. There were issues around fairness at that time too, but those issues of fairness are quite different to the ones we have now. The issues of fairness we have now, in remote communities, are that the unjust policy is being driven by

the Commonwealth. If we want to look at some laws and things being done in the Territory that are affecting us unduly, I am open to any support we can get, including that of the opposition, to look at programs and policies that are hurting people in remote communities.

I got a little off track, as I sometimes do. The opposition has the opportunity to squeal like the sky is falling in regard to something that remunerates people who are working on nights that are important to us all, or the opportunity to help and support the government to look at things the Commonwealth is rolling out that are quite unfair.

Something I am quite passionate about that is an alternative—you always need to be responsible and bring forward alternative ideas, not just talk about what is wrong. I am an advocate of Transitional Employment Pathways, which develop good work habits and skills for people to gain employment. We need to grow the local workforce in the Northern Territory. Yes, I mean Indigenous people predominately, but not just Indigenous people. There is a real opportunity to look at how we can get more Indigenous people in remote communities to participate in the working economy.

Some innovative policy around people transitioning into the workforce—giving people the opportunity to change their lifestyle and life choices that are sometimes not conducive to work. Giving people a transitional employment pathway is something a responsible government would do. We have examples of having done it before; the Northern Territory Government's Flexible Employment Program, FEP, is a policy that was rolled out by the previous Labor government. It is a flexible employment program that allows traditional owners to work on national parks in the Northern Territory. It is a brilliant piece of public policy and should be heralded from the rooftops. It has been suffering under the CLP government for the last four years, but it is an important example of innovation to address some of the issues around greater workforce participation for Indigenous people. It looks at, as the name suggests, flexible employment and hours. It is a really good initiative. I hope that the government will look more at these types of projects to increase local workforce participation.

We have all heard in this place about the great work we are doing with Families as First Teachers and innovations around the housing program, particularly Room to Breathe. We are doing good things in this space already. These are things we do to make sure the economy is ticking over. We also do it so employees can earn a decent wage. One of the ways to earn a decent wage is to be remunerated appropriately when you choose to work on Christmas Eve or New Year's Eve. All these things link together. Consultation is made with the community; we talk to business and, heaven forbid, we talk to unions.

In conclusion, the government has a major role to play in encouraging the Territory to have a competitive and attractive living and working environment. There is a lot to be done to grow the Territory. I believe this minor legislative change is part of making that difference.

I want to live in a place where treating our workers and their families fairly is important. This is an important part of growing the Territory's economy and ensuring we have a great place to live and work.

Mr WOOD (Nelson): Mr Deputy Speaker, I thank the Member for Stuart for his thoughtful approach to this issue, much of which I agreed with. People who have been listening to my occasional speeches on CDP and the role of local government in employing people would agree wholeheartedly with some of the matters the Member for Stuart raised. They are issues we have to continue to look at because high Aboriginal unemployment is also part of the reason we have high rates of domestic violence. When people are bored and have nothing to do, there are problems.

I also agree with many of the things the Member for Stuart said about the workers. I will not pound the living daylight out of workers being given the right to a reasonable wage. I worked for 16 years in my local hardware store. I worked every weekend, and the one thing I regret is I never became an A-grade football umpire because I could not umpire on the weekends much. I could not go to training because I had to be at work at 7.50 am and finished at 6.10 pm. I enjoyed my job but worked long hours. I got a Christmas bonus every now and then.

I understand where the Member for Stuart is coming from. My position on this is not about being anti-worker; it is the process by which the government has arrived at this point that I am concerned about it. It is a process that is unfair because there are two sides to this debate. The consultation has not been even, and the Member for Stuart talked about consultation. I never knew, during the election campaign, that there was a move to make two half-day public holidays.

By the way, the Member for Casuarina mentioned the number of public holidays. Three other states have 11 public holidays and Western Australia has 10. It is not a competition to see who has the most public holidays; that is irrelevant in this argument. The debate is, should someone receive extra pay for working on Christmas Eve and New Year's Eve. Why not have it on the Thursday before Good Friday? In this less religious world we live in today, Good Friday is not observed by many people. They watch the NRL or go bush. Thursday night is a good time to pack up all the camping gear and head bush. There are other days you could argue the case that people like to go home and get ready for the festivities of the long weekend. Just because it is Christmas—again, how many people celebrate it because it is the birth of Christ or because it is another day off? The Australian way is that a long weekend is a great weekend. Of course we celebrate those days and it is important that we celebrate them, hopefully with our families.

There is a process that should have been looked at first. Unions have a right to ask for better pay and conditions, and that is why unions exist. But businesses also have the right to say they cannot afford it and it will affect their business. Even though we need to encourage more people into the Territory—which I do not think this legislation will—if you argue that people should be rewarded then you do not go down this path on a one-sided road; you look at both points of view. If you want to look at both points of view—our industrial relations are Commonwealth industrial relations—you go through the Fair Work Commission. The Fair Work Commission has been set up for exactly that reason. I will read from its website:

The Fair Work Commission is Australia's national workplace relations tribunal. It is an independent body with power to carry out a range of functions including:

- *providing a safety net of minimum conditions, including minimum wages in awards ...*

It talks about modern awards:

Modern awards cover a whole industry or occupation, and provide a safety net of minimum pay rates and employment conditions.

...

The Fair Work Commission is responsible for making and varying awards in the national workplace relations system. Standard clauses in modern awards include

- *award flexibility*
- *consultation*
- *dispute resolution*
- *types of employment*
- *termination of employment*
- *redundancy*
- *minimum wages*
- *national training wage*
- *allowances*
- *superannuation, and*
- *transitional provisions.*

It talks about National Employment Standards:

Minimum wages and conditions in agreements and awards for all employees are underpinned by the NES.

The NES relate to the following matters:

- *maximum weekly hours*
- *requests for flexible working arrangements*
- *parental leave and related entitlements*
- *annual leave*
- *personal/carer's leave and compassionate leave*
- *community service leave*
- *long service leave*
- *public holidays*
- *notice of termination and redundancy pay, and*
- *the Fair Work Information Statement*

The Fair Work Commission sits every year and decides on minimum wages for awards. It makes a national minimum wage order after looking at all the issues that have been put before it.

I am interested in what discussions the government had with the union. Who set this in motion? I knew nothing about this. It was not raised in the public arena. Businesses did not come to me and say, 'We heard there will be a change in the status of two half-day holidays'. It just came up. I am concerned that something has occurred which does not appear to be transparent.

The government spoke clearly about consultation when it came into power. I quote from the opening speech by the Administrator on behalf of the government:

My government was elected on a platform of trust, accountability and integrity, and a commitment to govern for all Territorians.

I am worried that statement is not ringing true today. All Territorians—it did not say ones who have a union ticket or only the Australian Hotels Association; it said all Territorians. If it really means that then it has to be fair. If the government went through the Fair Work Commission, where employers and employees can put their case, then there might be a very good case for this legislation.

VISITORS
Nightcliff Primary School

Mr DEPUTY SPEAKER: Honourable members, I advise of the presence in the gallery today of the Year 5/6 class from Nightcliff Primary School, accompanied by their teacher, Mrs Sue Mihailou. I extend a welcome on behalf of the Assembly

Members: Hear, hear!

Mr WOOD: The Administrator went on to say that:

Territorians have placed their trust in my government, and this trust will be honoured by listening to and consulting widely with the community before making major decisions.

The only thing we have heard is that the Chief Minister has rung the AHA and the Chamber of Commerce and told them this will happen. The word here is 'consulting'. That has not happened. I believe the government is making a mistake in not doing this the proper way.

There are small businesses that are struggling at the moment. It is all very well to say 'increase the pay' but if a small business is struggling to make ends meet—look at the cafes in the mall; they are small business.

I had dinner last night at the end of the mall, and the owner said, 'We just don't employ anyone. We are a family business so we just employ family.' They probably can stay open, but he was saying to me—and I have heard it from more than just him—that small businesses are struggling.

This is a broad brush approach, saying it does not matter for the government to add a bit more to the debt by paying public servants more, et cetera. That is the government; it is the boss of the public service so it can say that. This includes the little IGA that normally closes at 8 pm or 9 pm. People might be coming into that supermarket for their last-minute food and beverages. Not Coles or Woolworths, just the little supermarket where people do not make a lot of money. They then have to say, 'We will close at 6 pm or 7 pm because we cannot afford to stay open later'.

I will give you an idea. Under the Hospitality Industry (General) Award 2010, a retail person working in a shop gets \$18.28 an hour. On Saturday it is \$22.76 an hour, so there is an increase. On Sunday it is \$31.87 an hour. That is an increase of nearly double on a Sunday. If an employee works in the evening Monday to Friday, 7 pm to midnight, there is an extra \$2.06 an hour, which is over \$20 an hour. If an employee works midnight to 7 am—they could be working in the hospitality industry—there is an extra \$3.09 per hour. On public holidays they will be paid \$45.53 and a minimum of four hours.

For a small business, that is a very large increase in its wage bill. There may be a good argument for saying people who work on those days deserve that rate, but I am not the expert; the Fair Work Commission is. The unions and the government, if it wants to put its case, should go to the Fair Work Commission and give the reasons why it thinks there should be an increase in the hourly rate on a public holiday evening. It should not just change the base or the classification of a day. That means you could do that anytime. What will we call these days? We have Christmas Day, Picnic Day, Anzac Day and now we will have Gunner Day because we do not have a name for these half holidays yet.

Mr Gunner: It is Christmas Eve, Gerry.

Mr WOOD: I know. It will always be remembered as the Gunner day.

Mr Gunner: I do not mind if it is, but it is Christmas Eve and New Year's Eve.

Mr WOOD: That is all right. The point is most public holidays are declared public holidays for a specific reason.

A member: Christmas.

Mr WOOD: Yes, Christmas, Easter, Good Friday, Queen's Birthday—we should swap that for the Melbourne Cup Day—are specific days and they are holidays for a reason. They are not a holiday for putting wages up; they are a holiday to celebrate something. In the process, yes, people who work on that day get an increase in their wages. But here the government has decided there is not really a reason to celebrate, but it needs to increase people's wages, so it changed the bottom line instead of going through the Fair Work Commission.

What is wrong with the Fair Work Commission? The process for unions and employers is to put their case to the commission that the employees working on those specific nights should have an increase in pay. Why has the government gone down this path and not used the proper process we use for industrial relations? I cannot understand that. The only thing I can conclude is that a promise was made with the unions, and the only way to avoid going through the Fair Work Commission is to simply pass a piece of legislation today, which will do what the unions want; that is, declaring two half-days as public holidays.

Has the government done any due diligence to see what the financial cost of these changes will be? How much will it cost in public service wages? How much will it cost small business? Has the government had any indication of what it will cost small business? It is good that the Member for Stuart said, 'Of course we should give workers a good place to work, and we should look after them and make a place for them where they want to work'. But it does not mean you make the place go broke in the process. There is a range of businesses that are affected; there are little businesses and big businesses. If a small business decides it is going to close at 6 pm instead of operating until 9 pm, then someone has lost out in wages.

I cannot see how this will encourage more people to move to the Northern Territory. If you lose small business—I am speaking about the people who decide life is getting tough so they will pack up and go. I do not believe the argument that this will encourage more people to come to the Territory has any weight at all. The argument as to whether people should get paid more for that evening is a reasonable argument

that should be discussed, not forced on people without a fair opportunity to put their point of view forward. When has the small business, or any business, had an opportunity to come to the government and say, 'We would like to discuss this'?

Is there an opportunity for any compromise on this issue? No; there is a piece of legislation that says this is what the government is doing. There is no compromise because the wages are already set by the Fair Work Commission. If the classification of those days is changed to a public holiday then people have to pay that amount. There is no room for compromise here; that is why you have a Fair Work Commission, but you have not done that. That is why I am disagreeing with this. The government should go to the Fair Work Commission and put its case.

Mr Gunner: You do not understand the process, Gerry. That is not the case.

Mr WOOD: You have a one-sided debate.

Mr Gunner: That is an error of process.

Mr WOOD: You could do it that way if you wished.

Mr Gunner: No, they do not decide public holidays.

Mr WOOD: Well you do not do it this way because there is only one side to the debate and that is your side.

Mr Gunner: That is not our business. You do not understand the process, Gerry.

Mr WOOD: You may have an argument; I am not saying there is no argument for paying people more, but employees are already paid more for Saturdays and Sundays. If Christmas Day falls on a Sunday—under this legislation you shift the holiday to Monday. What do you pay people on Sunday? The Saturday, Sunday or public holiday rate? There are various times when the public holiday falls on different spots in the calendar. Someone said to me the other day—I think it is in the Territory, but maybe it has changed in the legislation—if Christmas falls on a Sunday it is not regarded as the public holiday. The public holiday is on Monday. The person who has to work on Sunday, which is Christmas, only gets the Sunday rate and gets the public holiday rate on Monday. This person said he would prefer Sunday to stay as the public holiday and be paid at the Sunday rate on the Monday. That is a by-product of what has come forward. This was from someone in small business.

The Member for Stuart spoke about consultation. There has been no consultation on one side, which is disappointing. I will not say there is not a case for people working those hours to be paid a higher rate. It could be the Saturday or Sunday rate, which is still substantial. But this is a blatant case of, 'This is what will happen'.

I am no friend of the AHA. There are small businesses in my electorate, like the local shopkeeper, who will close at 7 pm and say, 'Well, blow that'. That is part of the discussion the government has not had. It knows it can easily pay its own workers more money—that will just be an extra load on the debt—and those people will think it is fantastic, but we have to look at it overall because it will affect more than just the public service. It will affect quite a few small businesses.

If the government does not agree with that, then can it provide the analysis it has done on the effect of these changes? That would be fair. What effect will this have on small business? How much will it cost small business? How many businesses will be affected? Some businesses will not be affected because they knock off at 5 pm or 6 pm. But how many small businesses will be affected? We have not had any of that information. I have had to glean it by talking to people in small business, and they are not happy about it.

I am happy if the government consults some form of independent arbiter where both the employees and the unions can put their case, and it is determined that the decision is fair in the circumstances. I repeat, many small businesses are struggling at the moment. This is not a good time if you are a small business in Darwin because the tourist season is nearly finished, and people are finding it difficult. It sends the wrong message; the government has decided to do this so there you are, lump it, you have to pay it or close for the evening. I do not think that is the right attitude to encourage small business to stay open. There could have been much more compromise.

It seems that the government has made a decision and spoken to the unions. It will be interesting to see where this legislation came from originally. I do not think it is fair that the government has done it this way. It could have been a lot more open and transparent. The Chief Minister said in his original speech that he would consult and listen. But the government seems to have listened to one side only. It is an important side, but not the only one. That is a failing of the government with this bill.

Madam Speaker, I will not be supporting the bill as it is. I will support the rights of workers, but I will do it in a way that I believe is fair for both sides.

Mr GUNNER (Chief Minister): Mr Deputy Speaker, this debate ultimately comes down to values. The government believes that working men and women of the Territory should be treated fairly. We work hard, but at the heart of our society and our individual lives is our families. We believe Christmas Eve and New Year's Eve are not ordinary working evenings. We believe people should be with their loved ones. That is the expectation on those special evenings, so if they are required to work they should be properly rewarded for doing so. That is why the government is introducing these two half-day holidays.

Minister McCarthy will provide a wrap at the end of this debate, as is appropriate for the minister introducing the bill, but I have to pick up on some of the points the Member for Nelson made. I reject the idea that no one celebrates on Christmas Eve and New Year's Eve. They are special evenings. I know plenty of people who celebrate Christmas Eve and New Year's Eve. The idea that no one does is simply an error which cannot be believed. The idea that businesses will go bankrupt because of five hours on Christmas Eve and New Year's Eve is garbage. I reject that too. It is simply not true. That is also an error. That this is a decision for Fair Work Australia is not the case. It is a decision for this parliament. Fair Work Australia does not decide public holidays; this parliament does. Another error of process—three errors in a row. This is a very simple question; it does not require complicated consultation.

Members interjecting

Mr DEBUTY SPEAKER: Honourable members, Standing Order 20. There are no interruptions during debate.

Mr GUNNER: I was disappointed to see the Member for Nelson get so much wrong in his contribution. I missed the Member for Spillet's contribution. I am sure she made the same errors of fact. It is very disappointing to see this debate come forward and members get it utterly wrong.

The government believes in fairness. The Member for Nelson asked where this came from. It came from my sense of fairness. I think this is fair so I brought this forward. I am completely comfortable in owning this. The Member for Nelson said we have not listened; I do not agree. That will happen sometimes in the Territory. I do not agree that five hours on Christmas Eve and New Year's Eve will send businesses bankrupt. It is a fair recognition of the work done by the workers on that night.

I utterly reject the Grinches from Nelson, Spillet and Daly.

Members interjecting.

Mr GUNNER: We believe in fairness and that is what we are standing up for. It is so disappointing to see those members ...

Mr DEPUTY SPEAKER: Chief Minister, please pause. Honourable members, I refer you to Standing Order 20: no interruption during debate. It is getting too rowdy and I do not want to put someone on a warning.

Mr GUNNER: It is incredibly disappointing to see those members speak against workers of the Territory and dismiss the importance of Christmas Eve and New Year's Eve. The Member for Nelson actually said, 'I do not know what those days are about, they do not even have names.' They have names. They are Christmas Eve and New Year's Eve. I reject the contribution; It was particularly unhelpful and erroneous.

I support these half-days and believe they are fair. I have stolen some of Minister McCarthy's thunder, but the Member for Nelson made an unfair, inaccurate contribution to this House. I am used to receiving better contributions from him. I completely disagree with the fairness of what he said, and he is usually a fair man. Right now he is not being fair to the workers of the Northern Territory.

This decision will not be welcomed by all in the private sector. That is a fact. It will be more popular with the workers than the bosses, but that does not deny it being fair. There are some hotels, retailers and

restaurateurs concerned by costs. These concerns need to be balanced against what is right and fair, and how this will affect our economy.

This is a fair recognition of the work being done by people on Christmas Eve and New Year's Eve. I utterly reject the heartlessness of those opposite who are opposing what is fair for the workers of the Northern Territory. It is an extraordinary line that got drawn very quickly in this Chamber, and they stood on a side they are going to regret, a side against workers in the Northern Territory and says, 'We do not believe in Christmas Eve and New Year's Eve, and that they are special evenings. We do not believe they deserve the right to be respected for the work they are doing on those evenings.'

They have deliberately and specifically chosen a side of this debate that is against workers of the Northern Territory, the contributions they make and the specialness of those evenings. I am flabbergasted they made that decision, but that is their decision to make. They have made it and decided it is not fair to recognise and respect the work people do on those evenings. It is utterly extraordinary and it will be counted against them for years to come. They said, 'We do not respect Christmas Eve or New Year's Eve and we do not respect the work people do on those evenings', to their shame. I would be embarrassed to have that position, but they took it.

Mr WOOD: A point of order, Mr Deputy Speaker! The Member for Fannie Bay is misrepresenting what I said.

Mr GUNNER: I am very happy for people to read the Member for Nelson's comments and they will see that he stood against this bill, which is a disgrace against his name. They will see the comments he made about no one celebrating Christmas Eve and New Year's Eve, which are quite extraordinary comments. The members who spoke against this legislation, this is the value proposition they have taken and the values they have decided to uphold; those evenings are not special and the workers who work on those evenings do not deserve to be respected for what they are doing. Shame on them.

I will come back to some of the factors we need to consider here. We know the Territory is struggling to retain people. What once was a steady ebb and flow of good people in and out of the Territory has become a profound trend of fewer in and more out. We have to keep our good people here. We must make the Territory an attractive place to stay, build friendship networks and raise a family. We must work to overcome the reasons people choose to overlook the Territory and the reasons people choose to leave, by treating people fairly and allowing the fundamental right of proper reward for work, unlike the position those opposite have taken.

We are saying to people that they are valued and so are their families; we value them. The opposition does not; they have chosen to dismiss the value of Christmas Eve and New Year's Eve, and the sacrifice people make by working on those evenings. We do not. We value them. The message we are sending to the workers of the Northern Territory is that we value them. It is a tragedy that the members opposite do not value those contributions by Territorians. More than anything else, our economy needs to retain people. A bigger Territory is a more effective, dynamic and wealthy Territory. More people means more jobs; more jobs means more people, and so the cycle goes on. It is not rocket science.

This decision will give the Territory the edge it needs. We will be the only jurisdiction, alongside South Australia, that offers this option for workers. Other states and territories will consider this, but let us get ahead of them. We cannot be left behind. Life does not reward those who come late. As I have said before, we have 11 public holidays in the Northern Territory. We are behind other states and have fewer public holidays than other states in the country. Despite being behind, the other side opposes this recognition of fair work. It is a disgrace and a shame.

Mrs Finocchiaro: Businesses will close their doors.

Mr GUNNER: I pick up on that point. It is five hours on Christmas Eve and five hours on New Year's Eve, and the Member for Spillett again says, 'Businesses will close. They will stop being businesses because of five hours on Christmas Eve and five hours on New Year's Eve.' Suddenly business will close down in the NT. That is utter scaremongering that businesses will be wiped off the map.

The same party said Whyalla would be wiped out; remember that? They find a way to exaggerate and scaremonger. Five hours on Christmas Eve and five hours on New Year's Eve suddenly means businesses close down forever. I reject the scaremongering from the Member for Spillett. Get it right. Get things into perspective and debate the context of this. Five hours on Christmas Eve and five hours on New Year's

Eve—we are not talking about public holidays 365 days of the year. Clearly that is an error by the Member for Spillett, and a disgrace and a shame for this House.

The greatest economic burden of this decision rests on the government. We have estimated it will cost about \$450 000 per year for the government to implement these holidays. We are happy to wear that burden in return for rewarding our nurses, police, firefighters and others. They are often forgotten in this debate by the members opposite. We will see proper recognition of those working on the front line. They cannot knock off at 7 pm. We cannot have the police suddenly not working on Christmas Eve because they want to be at home with their families. They are making a sacrifice to work on behalf of Territorians on those evenings. We recognise that.

How could you possibly look those people in the eyes, as the members opposite are, and say their essential work on these dangerous, difficult and draining nights away from their families, keeping everyone safe, is not valued? Yet that is the decision members opposite have made in opposing this legislation. They do not value ...

Mrs Finocchiaro interjecting.

Mr DEPUTY SPEAKER: Chief Minister, please hold. Member for Spillett, you are on a warning. Standing Order 20: no interruption of debate.

Mr GUNNER: They have made a decision to not value the work of our emergency services workers, the people on the front line who are sacrificing their time with family on Christmas Eve and New Year's Eve. Unlike the members opposite, we recognise the importance of those evenings and are acknowledging it in this House. They reject that those evenings are important and the sacrifice those workers make. It is a shame.

My colleagues believe the half-days for employees will assist within their portfolios. I will reflect for a moment on the police of the Northern Territory. Police officers have an incredibly difficult job on an ordinary day. On Christmas Eve and New Year's Eve that incredibly difficult job becomes more challenging. They work because they are needed and it is their duty. They often work all night to protect and serve Territorians, and they do it well. In particular they protect Territorians seeking to have a good time at the restaurants, night clubs, hotels and retail outlets open on those nights. I have always appreciated the work of police. How much work they do was affirmed when I became a member of this Assembly. I am now the minister responsible for police and I know the nature of their work and what they must deal with each day. But let us recognise that on Christmas Eve and New Year's Eve, when so many people want to spend time with family and friends, the police are spending it on the job looking after us. They are on call, especially in bush communities. They may not be on roster but they are on call. We respect the work they do.

If I, as minister, am asking people to leave their families and protect our communities, I must also be asking myself how we can fairly reward them for doing so. The question before the Chamber today is: what is fair? We are answering it with this bill. The members opposite are answering it with a 'no', which is a shame. By declaring these half-day public holidays, I am, in a small way, acknowledging the impact on their lives and their families.

When we were in opposition we made it very clear that we believed the CLP had gone too far in eroding the rights and rewards for Territory workers and public servants. The CLP's *Return to Work Act*, with its unfair 15% rule on injuries sustained by workers and its blatant refusal to extend the range of cancers it would support for our suffering firefighters, showed complete disregard for working men and women of the Territory. We will be revisiting both those issues, the *Return to Work Act* and the firefighters cancer act. Additionally, the constant battle of ill will waged with our public service for four years over enterprise bargaining agreements for police, firefighters, correctional staff, teachers, nurses and general public servants left a sour taste in the mouths of many current and now, sadly, former Territorians. This was not a government that treated the public service with respect and negotiated fairly.

I believe these things are causing us to lose people to the south. What is the message being sent to the workers of the Northern Territory? Do you value them? The *Return to Work Act* showed a lack of value and respect for workers; how the CLP treated workers through the EBAs showed a lack of respect; the decision about recognising the prevalence of cancer amongst our firefighters was a disgrace too. This all left a sour taste in the mouths of Territorians, and sent a very strong message from the CLP: 'We do not value the work you do for us.' This government will send a message that we value Territorians and workers in the Northern Territory, and I will not be ashamed of sending that message. I reject the campaign and arguments from the opposition and the Independents on this message.

We are determined to strike a balance regarding cost impacts against the need to retain workers. We believe this public holiday declaration hits this balance right and will enhance the Territory's appeal as a good place to live, work and raise a family. We are sending the message to Territorians that we value them. Since coming to office we have demonstrated our support for Territory business. We are getting the money out locally and into our community. We are creating certainty for business and we will build and restore confidence in our economy. To support business and jobs we have tightened local content rules by broadening the procurement they apply to and driving the rules for the subcontractors through the tender. This will keep locals in work, and we are applying it to our capital grants; the people who get government money to spend have to comply with our Buy Local Plan. These are positive changes that give Territory businesses a fairer crack at work from the Territory government.

We removed stamp duty for first home buyers from the first \$500 000 for the purchase of an existing house or unit, and introduced a \$10 000 grant for first home buyers seeking to renovate their homes. We did this to keep Territorians here. We are working on population in the Northern Territory and sending positive messages to Territorians. This is another one; we value you; buy your first place here; stay.

We have announced an infrastructure plan that will support jobs and help an economy that is burdened by the comprehensive failure to plan properly by the previous CLP government. We saw them stumble from budget to budget. In our Treasurer we have someone who is looking forward to the long-term benefits and prosperity of the Northern Territory by creating and supporting jobs.

We brought forward a number of significant construction industry jobs with how we managed that pipeline of works. We announced the \$22m stimulus package for small contractors. We are supporting small business and workers in the Northern Territory. We have to get this balance right, keep Territorians here and show confidence in our economy. We have to be a government that gets the balance right and that is what we are going to do. We have dived into our jobs agenda and we are getting the money flowing. We are supporting workers on which our businesses and economy rely. Our workers must be rewarded and treated fairly.

This is a core value of this government. It is decency. This legislation is about doing the right thing by the people of the Northern Territory, those sacrificing their Christmas Eve and New Year's Eve, away from their families and those who support us on the frontline. They are making that sacrifice; we are recognising it. This is a fair thing to do and that is why I support this legislation. I commend the minister for bringing it to the House.

Mr DEPUTY SPEAKER: Leader of the Opposition, before you start I take the opportunity to remind elected members of Standing Order 20: no interruption during a debate. Also Standing Order 34: to refer to an elected member by their title not their Christian name. If you seek further advice on interruption please refer to Standing Order 37.

Mr HIGGINS (Opposition Leader): Mr Deputy Speaker, I have just heard one of the most disgraceful speeches from a Chief Minister in this House. The misinterpretation and twisting of what previous members have said in this House is a disgrace. To pre-empt what I might say in this House is a disgrace and not reflective of the responsibility of a Chief Minister.

What I would like to say about the introduction of this legislation, firstly, is that this government came into power saying it would inform, consult with and involve people, but this piece of legislation ticks none of those boxes. I fully support appropriately paying people for the work they do. I have been a member of multiple unions. I have been an employer. I have paid people. I see it from every side.

There is a way in which this should have been done. Firstly, it should have been consulted on properly. The Member for Spillett tabled a document that describes what that involves: inform people of what you might do, consult with them to get feedback, involve them in discussions, have a collaborative approach and empower people. That was in this document, and that did not happen with this legislation. This is a mickey mouse way of recognising the value we place on our workers. I do not question that value. I question the mickey mouse way of doing it, because that is what it is. The proper way of doing this, as the Member for Nelson said, is to go through Fair Work. That is where you will hear both sides of the argument.

As the Chief Minister incorrectly said, it is not the role of this parliament to decide people's wages. If that could be justified, I would support them going to Fair Work. I do not support this mickey mouse way of introducing that.

I pick up on the Member for Casuarina's comment that this is a way of paying back the unions. 'We look after those who look after us.'

Ms Moss: Talk about twisting.

Mr HIGGINS: No, your exact words were, 'We on this side will look after those that look after us.'

That is a clear indication that they will just bow to the unions' requirements. If the unions think this is so deserving—I want to make it very clear that I am not saying it is not deserving—then do it through Fair Work. We attempted, in this parliament, to have this legislation put to a committee. If the government is so open and wants to be consultative with people, why not put this to the new committee it is proposing? We will only miss out for a little while. What is the problem? If it has been an issue for so long, surely we can do it the right way. I do not want emergency legislation put through to overcome problems.

If we think this should be made payable to police officers—and I agree that they work very hard. I have had two sons in the police service and I support them, but there are EBAs. This government can negotiate those EBAs and alter them. It is not incumbent upon this parliament to simply pay people wage increases or recognise them for work by granting them public holidays.

The issue the Member for Nelson raised in regard to how you value the work on Christmas Eve was recognition by him that there is a value to it. I agree. I recognise Christmas Eve and New Year's Eve, but why pay them as a public holiday? Fair Work needs to assess whether to pay it as a public holiday, a Sunday or a Saturday. It is the independent arbitrator. That is where it should be.

The unions are not the issue here, the issue is the government and its lack of accountability and involvement with anyone other than unions. It has left itself open to criticism. It has only consulted with the unions. It misled the people of the Territory. Did it put this up as an election commitment? No, it did not. But the Chief Minister made it quite clear that this has been an issue for years. Why did he not have the gumption to put it up as an election commitment? Was he scared that people would disagree with him? I think the latter. He knew that people would disagree with him.

As for small business, he twisted the words of the Member for Spillett; she said businesses will close but the Chief Minister said this is not enough for them to close. It is. It will cost too much to open on New Year's Eve and Christmas Eve. Estimates are that an hourly rate of just over \$20 will become about \$50. That is a big impost on small business. I had a discussion this morning, which I did not prompt. Someone rang me and said one of the things they will do on these evenings is not allow staff to have free meals. They may open but it will cost the workers. They will not be given their meals and drinks at the end of their shift. These are little things people are thinking about.

This legislation is meant to put in place proper public holidays. It is not a mickey mouse way of giving people wage increases. All of this should be referred to Fair Work. If the government is not willing to do that then it should at least put it to their new, open, transparent committee; let the public get involved. Let us get some comments and hear what people are really thinking.

Madam Speaker, there is no way the people in the opposition will be supporting this piece of legislation. We will be voting against it. We also recommend that the people in government who can see the truth and realise the correct way of doing this is through Fair Work vote against this legislation. I support putting it through Fair Work because that is where it should be.

Ms WAKEFIELD (Territory Families): Madam Speaker, I stand in support of the Public Holidays Amendment Bill. As the Minister for Territory Families I am particularly proud to support this bill because, at its heart, it is about the importance of family, particularly during the festive season.

On the weekend I was pleased to attend three Christmas functions put on by our multicultural community. On Friday night I attended the Multicultural Council of Darwin's Christmas function with the Member for Sanderson. There were many children who were very happy to see Santa. I thank Ron Mitchell and Kevin for the opportunity to attend. On Saturday night the Deputy Chief Minister and I also attended the Malayalee and Sri Lankan Christmas functions. I thank the Malayalee president, Salas Abraham, and the Sri Lankan president, Manjula Sirisena, for the opportunity to attend these events. It is a privilege to be the minister responsible for multicultural affairs, and these events gave me an opportunity to reflect on Christmas in our great Northern Territory.

We have many different cultures with different languages and traditions. It is a joy to hear familiar Christmas carols sung in other languages at these functions. At the core of these events—the thing that is the same across cultures and joins us together—is family. It is a time to spend with family and friends, celebrate each other, reflect and renew and strengthen bonds through shared experiences. We all have Christmas family stories. Last year Santa left a bike on our roof. We all have our little traditions. Some traditions are quite different. The Deputy Chief Minister and I got to light an oil lamp at the Sri Lankan event and eat cake at the Malayalee event. There were a lot of children at those events who were excited, pleased and celebrating community. Yet every year we ask hardworking Territorians to sacrifice this time.

I have always had a job, except for a couple of years, that I worked on Christmas. This has been an issue for my mother since I was 16. When I was working in one of the first 24-hour convenience stores in Victoria as a shop assistant, there was controversy about places opening on Christmas Eve. The reality is, 24-hour service is part of our world now, which means people have to work. We saved quite a few Santas over the years in that 24-hour shop; running in for batteries seemed to be the biggest issue.

This is important work. When you are getting abused by a customer or dealing with a drunk customer, which is the reality of 24-hour service delivery, it stings a little more on Christmas Eve when your family is missing you. You would much rather be at home with them, but yet again you are missing out on Christmas photos.

I paid my way through university by caring for people with disabilities. I took people with disabilities to church services on Christmas Eve because it is an important time for many traditions. I am bewildered by some of the comments on the other side about this not being an important time. It is a very important time for the Christian community, and helping someone with a disability to be included in that process is a really important thing. Giving up time with your own family is part of this conversation.

That is specialist work; you need people who are specially trained, particularly with people with severe disabilities, to provide the care that some people in the community need. We need to ensure people with disabilities have access to the community because it is a basic human right to attend social functions. It is important that we support our disability workers because, as the Member for Stuart said, many are our lowest-paid workers. That extra bit of help, especially around this time of year, is really important for low-paid workers. It is about recognising the sacrifice.

As a social worker I am acutely aware that Christmas is a very difficult time for many people. Suicide rates, domestic violence rates and the road toll all increase, which means the emergency department fills up. Workers in those services are at high alert during this time of year, and more people are rostered on due to the need for additional resources. We are not talking about people who normally knock off at 5 pm. These people do this year round, but there is something different about attending to a car accident on Christmas Eve; the family will be impacted by it in a different way because it happened on Christmas Eve. It has a greater toll on the workforce, and we need to acknowledge this and support those workers. The very design of what we have put forward acknowledges that. We are not talking about all day; we are talking about five hours in the evening when families are usually setting out the cookies for Santa Claus and lighting the lights. There are so many family traditions on Christmas Eve; in many families, presents are given out on this night. It is a really important part of many traditions and there has been no recognition of that from the opposite side of the Chamber.

Seeing difficult scenes on Christmas Eve can take a toll on your ability to be in the moment with your family the next day. Those of us who have done this hard work on the front line know that emotional toll. It is hard the next day—while the rest of the family is talking about what a great time they had last night and what you missed out on, knowing what you have just had to do is often a difficult thing. It takes its toll and we need to acknowledge that.

Bottom line, this is about fairness and recognising when people are going that extra yard. That is what Territory workers are doing, often volunteering to be on that night, taking turns. One of the things I am not missing is organising the Christmas roster at the Alice Springs Women's Shelter. It is an awful thing to have to do. We start in October every year because people need to plan if they will be working Christmas. They need to plan about what they are giving up. It is very difficult to ask workers you know have worked solidly all year to give up something more.

Also, because they deserve their family time, often in small communities you know their families and what you are asking them to give up. Whilst you might add additional things like meals—as the Opposition Leader said, people are taking meals away on Christmas Eve—as an employer I always tried to ensure

there was additional support on those evenings with extra meals, making sure it was acknowledged and the load was shared across the workforce.

Being able to give those workers a pay rise of additional money into their pockets that reflects the sacrifice they are making is important. I agree wholeheartedly with the Member for Stuart in that if we invest in our workforce and workers feel supported with a good work/life balance or acknowledgement, and that work/life balance is getting out of whack, as it can around that time of year—there is something poignant about having to open the door to a woman and her children on Christmas Eve. It reflects the true meaning of the holiday when homeless women and children present to your service.

Madam Speaker, I support this bill. It is about families and recognising family values at a time of year when we are all focused on families. It is about acknowledging the sacrifice many people make to work at this time of year. It is also about being fair. I am proud to be part of a government that has introduced this bill.

Debate suspended.

The Assembly suspended.

PUBLIC HOLIDAYS AMENDMENT BILL (Serial 7)

Continued from earlier this day.

Mrs LAMBLEY (Araluen): Madam Speaker, it is my pleasure to stand this afternoon to talk on the Public Holidays Amendment Bill 2016 (Serial 7). I listened very intently, particularly to the contributions of the government this morning, and I have some comments to make pertaining to my position on this bill, which I will not be supporting.

Approximately 30% of the workforce in the Northern Territory are public servants employed by all levels of government. Around 70% are employed within the private sector. This morning the Chief Minister said it will cost us—I presume he meant the Northern Territory Government—\$450 000 for 10 hours of additional public holidays for New Year's Eve and Christmas Eve. That is \$450 000 taken out of an already strained Northern Territory Government budget for public holidays that I do not recall anyone ever asking for. I am sure the unions have asked the new Labor government to bring this on. No one has publically come forward and asked for these public holidays.

This is a big decision; \$450 000 could be spent on a range of services—non-government services, perhaps—throughout the Northern Territory but, interestingly, this government has decided to create public holidays. If it is costing 30% of the workforce, the public service, \$450 000 then I can only guess it is costing the private sector at least double that: \$1m. If you do the math, that is how it works out. Thirty percent of the public service equals \$450 000, and 70% has to equal around \$1m. There are variations on the types of industries that will or will not have people employed on New Year's Eve and Christmas Eve. Based on the figure the Chief Minister generously provided this morning, this exercise will cost Territorians between \$1m and \$1.5m. This is an expensive venture the new government has decided to make as one of its first decisions in this Chamber: to put an impost on Territorians to the tune of around \$1.5m.

Who exactly asked for this? Obviously, only the unions. I do not recall anyone coming forward and saying this was required. We heard the Chief Minister, in the first sittings of this parliament, say that he was a very proud union man, his government is a union orientated government and that is the way it is. Usually Labor governments are a little more subtle on their connections to the unions; although we all know the connections exist, they are not usually defined so clearly. This is a government that has come in on honesty and integrity. The Chief Minister was honest with us. He told us that this government has strong ties to the unions, and this is obviously a motion that has very strong support from the unions, if not completely instigated by them.

Thirty percent of the people who work on New Year's Eve and Christmas Eve will come from the public service. This morning the government has talked about workers—emergency services, nurses, police and other carers employed by the government and non-government sector—who will be getting this time-and-a-half from 7 pm to midnight on New Year's Eve and Christmas Eve. That money will be welcomed by any family, no doubt, but the other side is the breakdown of the Northern Territory workforce. Around 70% of those affected by this will be employed by the private sector, so it is the private sector that will be most affected. We have heard various non-government members speak about their concern for the impact this will have on small business and big business right across the Northern Territory.

What we have not heard from the government is a breakdown of exactly how much it will cost the relevant departments that will be most impacted by this impost. How much will it cost the Health department? How much will it cost Police, Fire and Emergency Services? We need to know exactly what the breakdown is. The Chief Minister has come up with a figure of \$450 000; what is the breakdown? I would like to hear answers to these questions in the summation that will be provided by Minister McCarthy later today. What is the breakdown? How much will it cost these departments and where will the money come from? This is something the government is in the process of learning; if you spend money on one thing then you are not spending money on another thing. You constantly rob Peter to pay Paul.

Health is probably where most of the money is being spent, between Health and Police, Fire and Emergency Services. A rough breakdown is that it will cost Health an extra \$200 000 a year and Police, Fire and Emergency Services maybe the other \$250 000; so where is the money coming from to pay for the extra costs of these new public holidays, and what will suffer as a result? What is the economic cost of making this decision about putting money into the pockets of workers who did not particularly ask for it in order to gain some political leverage?

The non-government sector will be affected by this. How much will it cost St. John Ambulance to operate through these new public holidays? What is the extra cost to St John Ambulance? My guess is it would be maybe \$50 000 to \$100 000; I do not know. Where do they get that money? I know from being the Minister for Health for several years that they are constantly stretched. Where do they get the money to pay for these new public holidays? I would like some answers to these questions; obviously you have thought this through and done some modelling and costings around the impact of this decision on the Northern Territory public service, and we need to know exactly what these breakdowns are. How much will it cost each and every government department that is impacted by this decision?

The private sector will also be affected. How many businesses will be affected by this throughout the Northern Territory? Has the government done modelling around this? My guess is you are talking about 1000 businesses throughout the Northern Territory. I could be wrong; there could be many more. You are talking about retailers, service stations, hospitality and airport staff who will be paid double time-and-a-half from 7 pm to midnight for this indulgence by the new Labor government. You will be talking about recreation services, large sectors of the business world that would normally operate between 7 pm and midnight on Christmas Eve and New Year's Eve, as a matter of course, that will be impacted by this decision. What is your modelling in regard to the impact on private enterprise, Treasurer and Minister McCarthy, who is responsible for moving this bill through the House? What will the impact be throughout the community? Four-hundred-and-fifty-thousand dollars is a small slice of what the impact will be. We, in this Chamber, need to know exactly what it is before this decision is made today.

I am assuming the government has done its homework and is not being driven by a fancy and emotional decision to please the people who helped it win the election in August. Even in Alice Springs we saw many union people, who were very up front and visible, helping with the election campaign in August. No doubt those are the people who have been in the government's ear suggesting it is time for a bit of a carrot, a Christmas gift—ho, ho, ho—or a sweetener to thank them for all their hard work in getting Labor to where it is today.

The government should provide some clarification today before we make a decision on this important bill. I noticed in the *Weekend Australian* that Victoria is making a similar decision about extending public holidays into Christmas Eve and New Year's Eve. The reaction from the Victorian business community is outrage. Victoria already has the most public holidays of any jurisdiction in Australia, and the business community is aching and feeling the pain of this

The government gave two main reasons for creating these public holidays: fairness and values. Fairness is probably one of those values. I struggle to follow this argument because public holidays, including Christmas and New Year's Day, are festive occasions. Now the notion is that the festivities must start at 7 pm the night before Christmas and New Year's Day. Perhaps that should apply to all public holidays. Is that what the Labor government is suggesting, that we have an eve for all our public holidays because that is the fair, good and decent thing to do?

I do not accept the premise of that. People work on Christmas Eve, New Year's Eve, their birthdays, anniversaries and all the festive occasions in their lives, and this is no different. There has been no expectation from the community that these periods become public holidays. The Labor government sees this as a way of rewarding the community when most people working those shifts—although the money will be welcomed and appreciated—will have the view that it is an unfair impost on the taxpayers of the Northern Territory, their employers and businesses.

Fairness comes in all different shapes and forms. My family has a business that operates on Christmas Eve and New Year's Eve; on those days we usually start to wind down by 7 pm, but we will be closing at 7 pm now, without a doubt. It is a small retail business. It has been under pressure the last few years. Retail has changed considerably and things are not as easy as they used to be. Our business is no different to most other businesses throughout the Territory. If you want small businesses to survive and flourish in the Northern Territory, you have to think very carefully about how these decisions impact on proprietors, business owners and people trying to operate the 70%—they make up 70% of employers in the Northern Territory. Most people are not employed by the public service; I hate to break it to you. That is probably the main point of my speech.

Seventy percent of employers will hurt because of this decision. It takes away from a very finely-balanced profit and loss sheet of their business, the fact they will have to pay an extra \$1000, depending on the size of the business. They will be impacted more or less. This takes away the cream, the profits that often only come at this time of year. Christmas is when many people make their money. In January or February, particularly in retail, profits go down to next to nothing, especially in Alice Springs, Katherine and Tennant Creek. Tourism is not particularly great in those long, hot summer months, and those places suffer. You are taking away the extra money that helps them survive through those difficult times.

It sounds like the Gunner government has made up its mind. It is about looking after people who did not ask to be looked after by giving them an extra bonus at Christmas because it is a kind and wonderful thing to do. I think it is a backwards step. You can never go back; you cannot take public holidays away once you create them. To take them away would be political death. You are setting the Territory on a trajectory which is not necessarily the best way to go.

We have heard all the ministers, on numerous occasions, tell us what a diabolical financial and economic point we are at, yet it has made this decision to take away money from the public service and businesses, which it did not need to take. This is a reckless decision, which you will not win any more votes for. The people supporting this vote for you already; they are all members of unions, lined up behind you. You will not get anywhere with this. I would argue that it will hurt you.

This is what people will remember the government for. One of the first decisions of the Gunner Labor government was to create more public holidays and more pain for business. That is how you will be remembered.

Mr McCARTHY (Public Employment): Madam Speaker, a sincere thank you to all members who have contributed to this important debate. I will start by repeating the technical explanation of what this bill does:

The bill amends the Public Holidays Act to clarify that 'public holiday' will mean either a day or part of a day ... legislates additional public holidays when Christmas and New Year's Day fall on weekends.

... the bill will provide that if the public holiday for 25 December, Christmas Day, and the public holiday for 1 January, New Year's Day, were to fall on a weekend then that day and the following Monday shall both be public holidays. These changes also align with the other Australian jurisdictions that legislate additional public holidays in their relevant Holiday Acts.

Further, the bill amends Schedule 2 to provide for part-day public holidays on 24 December, Christmas Eve, and 31 December, New Year's Eve. These public holidays will commence from 7 pm and run until midnight.

These changes ensure that workers can access the *Fair Work Act* National Employment Standards' entitlements for working during this period. The bill amends the definition of 'public holiday' in section 4, Interpretation, which makes it clear that a public holiday can include a part-day as a public holiday. Under the current legislation this is unclear.

The bill amends section 6, Additional Public Holidays, to provide for the appointment of a day or a part-day as an additional public holiday. Similarly, as mentioned in the second reading speech:

... the bill amends section 7, Alteration of Public Holidays, so that the minister by notice in the Gazette may declare a day or a part day in a year that would, otherwise than by virtue of the act, be observed as a public holiday shall not be observed as a public holiday in that year; and provide that the minister may appoint another day or part day in that year to be observed as a public holiday in its stead.

The consequential amendment to section 10, Payments and other Acts on Public Holidays, ensures that it applies only to whole days that are public holidays.

Christmas Eve and New Year's Eve are important times for family and community celebrations. The establishment of Christmas Eve and New Year's Eve as public holidays acknowledges that the Territorians required to serve us—police, emergency services, hospital staff and workers in hospitality and tourism—have the same access to entitlements under the *Fair Work Act 2009* and modern awards or enterprise agreements for working at these times.

Sickness and injury do not go on holiday for the Christmas period. Our hospitals do not stop for us to open our presents in the morning. Our nurses do not take a break to sing Auld Lang Syne at 12 am on 1 January when there are 50 people needing care in the emergency room. Currently our nurses do not get paid extra for working those precious hours. These are times of the year most people would rather be spending with their families, but our nurses are spending time with your families. This bill ensures that for the five hours before Christmas or New Year's Day they are compensated for doing essential work for our community. The average nurse will be \$243 better off for that shift. I hope no one in this House would think it is too much to say thank you for caring for the sick and injured during this special time of year. Similarly, crime does not sleep just because it is the festive season. The average constable will be \$206 better off for working on either of those nights. We want to ensure police on the streets know we value their work and recognise the sacrifice they make for working these hours.

We value public servants who work during these hours. We know it is an impost on their time and family lives. We know a lot of employees would rather not be working at this time, and we are compelled to support them just as they are compelled to work by a sense of their duty.

On Christmas Eve the most common group of workers in the private sector is young retail assistants, working at the local Kmart or Woolworths, ready to serve customers with last-minute gifts or Christmas Day meals. These workers stand to gain an extra \$131 if that store is open until midnight. That is \$131 for working during one of the busiest times of the year for any retailer. Modelling shows that for the entire night a small local retail store would pay an additional \$393 in wages, and a large department store would pay \$2625 in wages for the night. I ask members to visualise the cash point in a Kmart or Woolworths at these particular times and then do a quick estimate of how much they would be taking per hour as customers rush through to complete their Christmas and festive duties.

Similarly, for New Year's Eve the hospitality industry has one of its busiest nights of the year. Who here has ever walked into a bar on New Year's Eve and not had to wade through crowds of celebrating patrons? These places are usually full on New Year's Eve because people are not deterred by the fact they have to pay an entry fee. A hospitality worker over the age of 21 would earn an extra \$122 that night. For a restaurant with 14 staff this would cost them an extra \$1711. Similarly, a pub with 16 staff would be paying \$1865 for the night. This is a night when a bar should be turning over the most revenue in that year. This is a night when no matter how many staff are working, there will always be lines. This is a night when industries struggle to retain staff and need an important incentive for people to give up that valuable family time and serve their business and patrons.

Furthermore, unless they are rostered on, casual workers do not get paid for public holidays such as Christmas Day or New Year's Day. Permanent workers get paid for these days regardless of whether they work or not, but casual workers miss out. This legislation helps casual workers over the holiday season, especially in retail. This is compensation for the fact that these workers, often younger people, would rather be celebrating than working. This legislation makes these nights fairer for our lowest paid and casual workers.

There is nothing more Labor than a bill that fairly compensates workers during the most unsociable hours in any year. In hospitality and retail, workers below the age of 21 are paid junior rates. The headline rates I have quoted do not apply to junior rate earners, who can earn just half of what their adult counterparts earn. There is a large number of young employees in hospitality and retail, and they are often being paid much less than what you or I would get paid in the same positions. For these young workers every dollar counts. Many of them are on the cusp of study or their adult work life and are saving for a car, a laptop for university or a holiday. A small compensation in return for working while their friends are celebrating puts money in the pockets of workers to spend in the tills of other Territory businesses. This is an issue of fairness, and I hope the members in this House will support it.

It was great to hear many contributions to the debate, although some were not positive. I acknowledge the Member for Casuarina's contribution to the debate, and want to make sure the House hears that the heart

of this legislation is about fairness. It is about looking after those who look after us. The Member for Spillett was clear in her contribution to the debate; she sees this legislation as unfair. She thinks people should not be remunerated for their extra work in these critical times when they want to be celebrating with their family and friends. The Member for Spillett made insinuations that people will lose their jobs. This is scaremongering of the first degree, which represents a two-fold opposition that is simply reading off the page from the same, tired spin doctors upstairs that have continued on. It is really disappointing that the Member for Spillett will not support those young people in her own electorate who will be working their hearts out on that night, such as Year 12 graduates who are saving for that important laptop to go to university the following year ...

Members interjecting.

Ms NELSON: A point of order, Madam Speaker! Standing Order 20: no interruption.

Madam SPEAKER: Thank you, Member for Katherine. If members could cease yelling across the Chamber it would be useful.

Mr McCARTHY: It was interesting to hear the same old rhetoric of union bashing from the two Liberals on the other side. It was a bit disappointing. In the last four years of chaotic, dysfunctional CLP government, which these two members were very much a part of—a Cabinet minister and the Whip, active members of that party—union membership increased because workers were under attack from a despicable government. Now they have the hide to come into this House and deny some of our lowest-paid workers this very modest acknowledgement of their contributions to the business sector and the community. It is also hard to take after four years in opposition in which we saw a train wreck of economic management. I am being lectured by two County Liberal members who now stand clear, front and centre, of a \$900m deficit after all the public assets were sold and the budget was frittered away on one-line thought ideas. We inherited a slowing economy and industry that is hurting. Now we have the important policy around stimulus to make sure we start to pick up on the deficit that regime left us. It is a bit disheartening to hear that argument from the other side.

Regarding the loss of Territory jobs, the Member for Spillett was very clear in her contribution to debate when she challenged that we will oversee the loss of Territory jobs. Well, 8000 people left the Territory in the last four years. That is 8000 people representing Territory families. Any policy that rewards the lowest-paid workers and those conducting essential services for our community so that they say, 'Thank you and we may stay longer and revisit our decision to leave the Territory', is a good policy. This is a very small component of that. This is something that should be acknowledged and celebrated, particularly by members who oversaw the exit of 8000 Territorians over the last four years.

The Member for Spillett talked about aged care. I immediately envisioned my elderly aunt, who lives in a nursing home, and her reaction to the nurses and patient care assistants. They are some of the lowest-paid workers in our community and they do an exceptionally splendid job of looking after and supporting our seniors. I wonder what my elderly aunt would say to the Member for Spillett, who is trying to deny that patient care assistant a very modest acknowledgement of the work they will do over five hours on Christmas Eve or New Year's Eve. It was a very interesting sector to pick because I will return to this House with a contribution from my elderly aunt and, Member for Spillett, it will be cutting. It will cut straight to the bone.

The CLP has extended its negativity in this debate and is really attacking families at important times of the year. It has turned this debate into an extremely negative contribution, scaremongered and has not embraced any of the important elements of supporting some of our lowest-paid workers.

The Member for Stuart was outstanding in his contribution. I really enjoyed listening to him stand up for Northern Territory workers and hearing his philosophy on investing in people, which is in stark contrast to those members who have a very negative hangover from the last four years of trauma they suffered under the jurisdiction of their compatriots. The Member for Stuart made some very important comments on how to develop and retain good staff. He spoke about a capital investment in people. He also spoke about the need for Territory workers; they are in great demand. Since we have seen over 8000 people exit in the last four years there are certainly some gaps that have been created in our economy.

The Member for Stuart spoke about a rational role of the unions. I witnessed the increase in union membership. There were discussions with family and friends in the community, back home in Tennant Creek, over the last four years, when union membership increased under a tyrannical Liberal regime of attack. It was certainly one element of our industry sector that people went to for support when the

government refused to listen and essentially kept workers downtrodden. We are, as the Member for Stuart outlined, speaking about some of the lowest-paid workers in the community. We are talking about juniors and a lot of young people who are doing this work for experience and important savings to support their families.

The Member for Nelson spoke about this process as being unfair because there has been no consultation. He did not consider that the consultation has been conducted. I can assure the Member for Nelson that members on this side have spoken to lots of Territory workers, and there are many workers who are congratulating the government for this initiative and encouraging the government to take this forward as soon as possible.

Remember, this legislation is being conducted in terms of the normal passage of legislation through this Assembly. This legislation was discussed in the community, introduced formally into parliament and sat on the *Notice Paper* for 30 days, which gives community stakeholders and business lots of opportunity to respond. This legislation is supporting frontline workers and some of the lowest-paid workers, in terms of one or two, maximum five, hours. This legislation has its passage through parliament and I encourage all members to support this today.

The Chief Minister asserted his leadership in this House today. He gave a message about values, fairness and acknowledging Territory workers. The message was about serving the public. He is the first minister to show leadership in supporting Territory workers, and he should be commended for that. This is the grass roots of our Territory community development. It is rich for those CLP members to be critical after we have seen workers desert the Northern Territory. We have seen economic slow down and lack of policy and preparation, and that needs to be reviewed. You need to rethink your contributions in this House when you are representing that legacy, both active members in that policy of the last regime.

The Member for Daly got fired up and I heard some comment at the lunch break about the return of zest and passion to debate in this House, so well done, Member for Daly; you got a mention. Once again you talked about lack of consultation. This has been discussed in the community; the Chief Minister discussed this with major stakeholder groups in the industries of retail, tourism and hospitality. This legislation has had a normal passage through parliament. I would expect you to acknowledge that.

Member for Daly, you should acknowledge that you had a briefing from the office of public employment, which is important when getting your material for organising your debate. But it really suggests that there is already a major division in the CLP opposition. It has emerged today, and it is of great worry to me that already—from 16 to 12 and from 12 to 11, now we have two. There is a division on the floor where the Deputy Leader of the CLP said, 'This is a union issue', and the leader of the CLP said, 'The unions are not an issue in this debate'. I think you two should take it outside and sort it out, because already we are seeing—it is in the CLP DNA. It is a division, and I see that as being of great concern in regard to the functioning of this parliament.

The Member for Braiting, who always gets the ear of the parliament, the Minister for Territory Families, provided a very simple contribution to this House. It was about the importance of family, family values and families being together. It was a very important contribution, and was about a request for us, as parliamentarians, to acknowledge the hard-working Territorians who do very important work and are missing family time. It is also, once again, about supporting the lowest-paid workers who are making a huge sacrifice for very low levels of remuneration.

The Member for Araluen asked about the modelling around this, and they were very good questions. The Member for Araluen answered the question I had in regard to the public sector. This will cost the public sector around \$450 000. Remember that we are talking about frontline workers, people who are dealing with the community. Nobody stops to sing Auld Land Syne when there are 50 people in the emergency department of a Northern Territory hospital. There is a budget implication, Member for Araluen. The modelling around Health shows that it will cost Territory taxpayers around \$344 000, and for Police, Fire and Emergency Services around \$80 000. These are not additional budget allocations; they are found from within the condition of consolidated allowance. These frontline workers already have a condition, and this will be funded from within.

The Member for Araluen then shifted the debate to the private sector. I acknowledge that she comes from a private sector background. She mentioned her family business. Once again, I think it is really important to see the reality of this in regard to the private sector, as well as the Year 12 student working at a retail cash point to save for a laptop to use at university over the following four years. The continual chime of that cash

point per hour, which he is ringing up for that business—whether we are talking about Kmart or Woolworths, or those medium to small businesses.

This is the most important time for trading in the year. This legislation is an incentive for staff to work. Thanks to this government, it is a remuneration and acknowledgement of that work. It is also money in the pocket of a Territorian who will reinvest in Territory businesses. If these young retail and hospitality workers are earning that little bit more, that is the bit more they can reinvest into the Territory economy to stimulate businesses once the community returns to normal and the shops and services re-open. It benefits the workers, but it also benefits the business sector, and that should be very clear. We are talking about five hours maximum over those two days. It is important to reiterate that industry struggles to retain staff on these nights. Industry is uncertain about who will work because of workers wanting to be with their families and children. This very modest remuneration will be an incentive for those people, and it will be an acknowledgement of their efforts.

In regard to airports, you cannot deny the high turnover on those occasions. The retail sector also has high turnover and record sales. The health sector can have a record number of patrons through the ED. The same goes for our police serving and protecting the community.

This is a very important bill. I will go through, in general comment, some of the issues I picked up on in this debate. Regarding pressure on business, wages make up a proportion of all business running costs. Wages pay people for their labour, which creates value for their employer. Do not ever lose sight of that, Leader of the Opposition. Wages create value for the employer. I remember the great stories you have told about the mango industry and how that mango crop created wealth, not only for the employer but for the Northern Territory. Without those workers, including significantly lower-paid casual workers, it would not have happened. We have already seen that debate rolling out in the federal parliament with the backpacker tax.

We have a regulated wages system in Australia, with rules on how much you should be paid and when. Public holidays are remunerated at a higher rate for a reason. They are times for family and friends, and missing out on that is not desirable for most workers. We consulted with business and have had the legislation open for consultation for over a month now. The community has had a good chance to have its say. Businesses that open their doors on a public holiday pay premium for staff. It is the choice for the business to open, but if they can open on other public holidays, surely the busiest time of the year is not a far stretch. There is very little evidence to suggest any Territory business will close their door, but it is the choice of the business owner. It is common for small businesses to close on days when they would not normally make a profit. Businesses that make a profit will stay open.

The idea of businesses not hiring workers was an interesting point from the Member for Stuart. The government has not heard any real evidence of this. Businesses that otherwise would not have opened is not a case of businesses not hiring. It is up to business owners to determine the correct staffing levels and if they will be profitable on any day. The idea of businesses sacking workers is simple scaremongering from the CLP, and is false and unbelievable. To terminate the employment of workers, employers need to follow the correct procedures. If CLP members are aware of this, I encourage them to uphold the law by reporting that employer to the Fair Work Ombudsman.

This legislation is ALP policy that makes sense. We are providing justice for lower paid workers in the Northern Territory. It is about workers; it is not a mischievous debate that has been run out of the federal arena by the federal counterparts.

Ms FYLES: A point of order, Madam Speaker! I seek an extension of time for the Member for Barkly.

Motion agreed to.

Mr McCARTHY: Madam Speaker, we have consulted with business and have had this legislation open for consultation for over a month now. The community has had its chance to have a say, and I will reiterate that there has been acknowledgement from Territory workers about this legislation and it has been positive. We have received great feedback from ordinary workers on the award wage. They love the fact they will be paid a little bit extra to serve people, like the members opposite, at such precious times of the year.

In terms of the costings, it is important to put the business impact statement on the public record. In fact, the modelling from the government shows that it will cost a local retail store with three retail assistants \$393.75; a restaurant with four cooks, eight wait staff, two food and beverage attendants, \$1711; a pub or a club with four security officers, two cooks, two wait staff, eight food and beverage attendants, \$1865; a

large department store with 20 shop assistants—you can imagine the cash registers with 20 shop assistants working during that last mad rush on Christmas Eve—\$2625. Keep in mind that most retail stores do not stay open until midnight on Christmas Eve, and we are well aware of the impacts on business and on Territory workers.

In terms of the slowing economy, we know that slowing economies need economic stimulus and not austerity. The members opposite want to rip the money out of the hands of workers; this reduces the amount of money circulating in our economy. The best thing we can do right now is keep money flowing. The idea that an extra 10 hours of public holiday during the highest period of turnover in the year will tank the economy is purely untrue.

Passing on the cost to consumers—it is important to note that modelling from the Department of Trade, Business and Innovation factors in holiday surcharges and notes that they are commonly used to cover additional costs of trading. That is a reality from our Liberal business sector members.

Territorians going out to enjoy themselves are more than happy to pay that small extra cost of a public holiday if it means they receive friendly and speedy service. It is already common for Territory businesses to put a surcharge or cover charge on venues during public holidays.

It is important to include the reason for these holidays in this debate. The reason for these two half-days is simple: these nights flow into the two biggest holidays in our calendar. They are extremely unsociable hours to be working. It is unfair that the lowest-paid workers in the most essential services in our economy have to work, but others, like the members opposite and me, get the day off. We even have our own names for these holidays. The holiday period is observed universally regardless of religion. It is a time for getting together with friends and family, and for rest, recreation and celebration.

Lastly, people were already leaving the Northern Territory. Over 8000 people have left the Northern Territory in the last eight years. This legislation and government is about trying to stop that cross border migration and encouraging families to stay. The stories we heard today from the opposition do nothing to boost the Territory's confidence. It is simply scaremongering and not true. I stand very proud here today to conduct the passage of this legislation and I encourage members to support this bill.

Motion agreed to; bill read a second time.

Consideration in Detail

Mr HIGGINS: Can the minister please list for us which organisations he consulted with?

Mr McCARTHY: First of all, in the debate, Leader of the Opposition, I said we consulted with Territorians. Each and every member on this side is part of that team. Secondly, the Chief Minister conducted consultations with the major tourism and hospitality stakeholders. Then the legislation started its passage through parliament and sat on the *Notice Paper* for 30 days, as per the normal protocols. We have not received any adverse reaction to the bill. The passage of this bill continues.

Mr HIGGINS: Was that consultation done before or after the Chief Minister made his announcement?

Mr McCARTHY: That consultation was done in relation to the passage of this legislation.

Mr HIGGINS: That is saying to me: after it was announced.

Mr McCARTHY: Not at all. Consultation was conducted with the major stakeholders and the community. The planning for this started before the election, Leader of the Opposition. This was an element of the Labor election commitments.

Mr HIGGINS: If it was a Labor election commitment, did the costings appear in your pre-election budget?

Mr McCARTHY: The specific costings were mostly contained within the public sector and we did not have access to your books, so no it did not. But it was a value that we brought forward in our planning and policy. When we achieved government those consultations started and the passage of this legislation commenced.

Mr HIGGINS: I recall that the Chief Minister admitted in this House that this was not announced until after the election. If it was announced after the election, how did you include those costs prior to the election,

and why were those costs not made available to the public—the public that you call ‘Territorians who should be involved in this’?

Mr McCARTHY: Leader of the Opposition, this was a value that we took to the election. Upon coming to government we then proceeded to consult with Territory stakeholders and Territorians, and worked through the costs when they were available to the government.

Mr HIGGINS: Which not-for-profit organisations did you speak to? Can you name them specifically?

Mr McCARTHY: No, Leader of the Opposition. I do not have that information in front of me.

Mr HIGGINS: Will you provide that information later on?

Mr McCARTHY: Certainly. I can ask for a list of the not-for-profit organisations that were consulted.

Mr HIGGINS: Talking about the actual costs to departments and the costs coming from within, can you tell us which functions the police, health and emergency services will not be providing to cover costs?

Mr McCARTHY: That is a mischievous question. As I said in contribution to debate, this is factored into the operations of all those frontline services. This is part of a consolidated allowance. Of course they will provide normal services to the community and all those services will be covered.

Mr HIGGINS: What was that last bit? All of those services will be cut or covered?

Mr McCARTHY: Health, emergency departments, police, and corrections—all those public services—will be covered. We are simply debating the nature of the people performing those services and missing out on important family time being acknowledged accordingly.

Mr HIGGINS: Was any consideration given to taking this to Fair Work, or was it simply a decision that it would be an additional holiday? In other words, did anyone ask if it should be taken to Fair Work? If it was asked, was it considered the appropriate place to take it?

Mr McCARTHY: I am advised that it is not the role of the Fair Work Commission or the federal government to determine state or territory holidays.

Mr HIGGINS: That was not the question, minister. The argument being used here is that we have to look after workers and pay them a fair wage, all of which the people on this side agree with. Fair Work makes that judgment. We are looking at the defence of the arguments you have been using; was that a consideration, who considered it and why was it ruled out?

Mr McCARTHY: Leader of the Opposition, it is not the role of the Fair Work Commission and therefore the government proceeded with this legislation.

Mr WOOD: Minister, that was not the answer to the right question. The Fair Work Commission sets out minimum wages for people. We are not asking that they set out a public holiday, because that is the right of the government. The question is, why did you not use the Fair Work Commission to arbitrate on whether people should get paid more money on Christmas Eve and New Year’s Eve regardless of whether it was a public holiday or not—or any eve for that matter?

Mr McCARTHY: Member for Nelson, there are over 116 awards.

Mr WOOD: Yes, I have some of them here.

Mr McCARTHY: Very good. It was the government’s choice and decision. It is not the role of the Fair Work Commission, so upon implementing this policy the government has gone ahead with this; we have done the modelling, consulted with the community and now this legislation is passing through parliament.

Mr HIGGINS: All of your statements today highlight that you are looking after employees and you want to give them a fair salary, but these are things that should be taken to Fair Work. We are not arguing that the government has the ability to make a holiday. We are simply saying that if you want to determine if someone is being paid fairly, Fair Work is the place to go. Obviously no one considered that so we will move on.

I asked a question about not for profit organisations. Can you also tell me how many people in the tourism, horticultural and hospitality industry you consulted with, just to name three?

Mr McCARTHY: Leader of the Opposition, I do not have those numbers in front of me, and like I said before, I will get those numbers for you.

Mrs FINOCCHIARO: Minister, in coming to this decision, did you consult with the assistant minister for a vibrant Darwin CBD? If so, what was his analysis of the impact and activation of the CBD as a result of these public holidays?

Mr McCARTHY: Deputy Leader of the Opposition, this was consulted on as a Labor Caucus. There are 18 members of the Caucus and we do things as a team. This is the role of the assistant minister, the ministers and the vibrant staff. You know how it works. It is a collective.

Mr HIGGINS: You said in your summation that wages are regulated by Fair Work Australia. Why are you trying to use legislation to regulate wages?

Mr McCARTHY: Leader of the Opposition, this is not about wages; it is about public holidays and acknowledgement of Territory workers who spend their valuable time away from their families and loved ones to serve the community.

Mr HIGGINS: So we should disregard all the comments you made in your summation and your speech about how you are looking after Territorians to ensure they are given fair pay for their work?

Mr HIGGINS: Not at all. I stand by my contribution to debate in this House.

Mrs LAMBLEY: Earlier today the Chief Minister told parliament that the cost to the Northern Territory government will be approximately \$450 000 for the extra 10 hours of public holidays. Could you provide us with information, based on your modelling, of the cost to the private sector, as well as other levels of government such as the federal government and local government?

Mr HIGGINS: Member for Araluen, I provided costings on the Northern Territory Public Sector of the analysis that was done around those key tourism, retail and hospitality sectors. The consultation was conducted by the Chief Minister's office, so I will have to get back to you in regard to federal and local governments.

Mrs LAMBLEY: So you do not have a costing for the impact on the private sectors? Is that correct?

Mr HIGGINS: I provided elements of that in the debate, Member for Araluen. We looked at the key sectors that would be most impacted, such as a local retail store with three shop assistants, \$393.75 ...

Mrs LAMBLEY: Minister, we heard you say that earlier this afternoon. As part of your costings, you would have worked out how many businesses in the Northern Territory—we only have a population of 245 000 people; it is fairly easy to work out—would operate from 7 pm to midnight on New Year's Eve and Christmas Eve. You have done some costings on particular industries based on their staffing numbers. Have you done an approximate estimate on the cost to the private sector?

Mr McCARTHY: Thank you, Member for Araluen. I made it very clear that not all businesses will open their doors. It is up to the business if it knows it will make a profit. There is a very important element to the debate about attracting and retaining staff to work those critical hours. This was general modelling around those major sectors, and then it will be determined by Territory businesses who opens and employs, and who does not.

Mrs LAMBLEY: Minister, surely it is not hard to determine which businesses you would expect to have open during those periods, for example, hotels, clubs, restaurants and the entertainment industries throughout the Northern Territory. Did you look into costing around the businesses you would anticipate and expect to open from 7 pm to midnight on New Year's Eve and Christmas Eve?

Mr McCARTHY: Yes, Member for Araluen, and that was the modelling I provided in the contribution to debate.

Mr HIGGINS: Minister, in your modelling did you do a comparison of the cost to not just the public sector but also the private industry on simply doing four hours as opposed to five? Did you compare to six? Who came up with the five and how was that determined?

Mr McCARTHY: Leader of the Opposition, the policy position was based on what other jurisdictions were doing, and the policy position came up with five hours.

Mr HIGGINS: Have we just copied someone else?

Mr McCARTHY: Leader of the Opposition, it looked at what other jurisdictions do, which is always good policy development. It landed at five hours.

Mr HIGGINS: You say it is good policy position. Did you ask the other jurisdictions how they came up with five hours.

Mr McCARTHY: I am not sure of that detail, but when you analyse other jurisdictions it is quite clear that the material is researched.

Mr HIGGINS: I think the Territory is a bit different. The South Australian introduction of this was for a completely different purpose than what you are espousing today.

Mr McCARTHY: Christmas Eve and New Year's Eve are the same everywhere, Leader of the Opposition.

Mr HIGGINS: I was referring to the reason that South Australia introduced this, which was to try to increase the trade in the main city centre.

Mr McCARTHY: It will be wonderful if this legislation has that outcome in the Northern Territory.

Mr HIGGINS: So you did not consider it?

Mr McCARTHY: Leader of the Opposition, we did the analysis. I have provided the figures for the general retail sectors, which will be the critical ones, and now the decision will be with Territory businesses.

Mrs FINOCCHIARO: Minister, can you tell us which retail and hospitality businesses asked the government to bring in these part public holidays so they can increase staff retention?

Mr McCARTHY: The consultation was done by the Chief Minister's department, but we took the policy to the people, Member for Spillett. We took the policy to the industry sector.

Mrs FINOCCHIARO: How did you do that?

Mr McCARTHY: As the Chief Minister outlined, consultation was conducted with the major stakeholders.

Mrs FINOCCHIARO: I think the Chief Minister said he informed the Chamber of Commerce and the AHA, and that was the extent of it. Do you not have an answer on how many businesses asked the government to bring on this policy to help retain staff?

Mr McCARTHY: I do not have the number of businesses, but this is government policy that we took to the people.

Mr HIGGINS: Minister, what analysis was done on population increase? How was it done and what were the formulas used?

Mr McCARTHY: The analysis on population in the Northern Territory was that over 8000 people left under your government, Leader of the Opposition. This policy is part of a platform to see if we can stop that cross-border migration, encourage Territory families to stay and look at how to put a modest amount of dollars in Territorians' pockets so they can reinvest in our economy.

Mr HIGGINS: Can I have a factual answer, please, minister?

Mr McCARTHY: That was a factual answer.

Mr HIGGINS: In other words, what analysis was done and what formulas did you use to prove this would lead to a population increase?

Mr McCARTHY: The last budget papers of the CLP government are probably the best analysis Territorians can get.

Mr HIGGINS: So you cannot give an answer.

Mrs LAMBLEY: Minister, the non-government sector will be impacted by these changes. Have you done some modelling and costings around the impact on, for example, women's shelters and refuges? How will those organisations cover the extra cost of wages for those 10 expensive hours you are introducing?

Mr McCARTHY: Member for Araluen, the consultations were conducted by the Chief Minister's department. I have already said we will get back to you with those details.

Mrs LAMBLEY: There will be an extra impost on non-government organisations that operate on New Year's Eve and Christmas Eve. Do you anticipate giving those organisations government funding to cover the cost of this initiative?

Mr McCARTHY: You would know, as a former Treasurer, that these organisations come to government with sincere requests and submissions. Should that be the case here, I will listen and try to support them as best I can.

Mrs FINOCCHIARO: Minister, you said that you took this policy to the people. Can you please point us to which policy document released prior to the election contained this policy in it?

Mr McCARTHY: No, I cannot point to any because I do not think it was published. In our election campaign and in policy development—we conducted very extensive consultations over four years, but the most intensive part was around the last 12 to 18 months. This was a clear message that came from Territorians.

Mr DEPUTY SPEAKER: Member for Nelson, just before you start, I take this opportunity to inform new members of the Assembly that the function of this stage is the consideration of the text of the bill, if necessary clause by clause and schedule by schedule and the consideration of amendments and making such amendments in the bill as are acceptable to the House. The powers of the House at this stage are limited. I remind members that questions being asked are to be in line with the clauses of the bill.

Mr WOOD: Could I get clarification of that? What did we agree to at the beginning of this section?

Ms FYLES: I think we agreed to take the bill as a whole, which means it is not clause by clause, but we seem to be tending to debate. The second reading is where we generally have the debate. We are happy to answer questions on the bill as a whole, but I note that we seem to be going back into a debate.

Mr WOOD: I have questions in relation to clauses as well. We are dealing with clauses 2, 3 and 4 to some extent, which is a change to the *Interpretation Act*. I am not debating the *Interpretation Act* section, but clauses 2, 3 and 4 deal with the basis of what we are talking about, which is the changing of the definition of a public holiday. The question we are asking is, why have you changed that instead of using the Fair Work Commission? You said the Fair Work Commission could not look at all the different awards. I know there are many awards, but that is the Fair Work Commission's job.

Would it have been better to leave the government's wants—that is, it wanted to see people paid for working on Christmas Eve and New Year's Eve—to the Fair Work Commission, whose job would have been to look through all the awards and come back with a ruling? The government could then say it had done the right thing; it looked at all the awards and the Fair Work Commission analysed the effects of those awards on all the businesses, including the government. Would that not have been a better process than this method which is regarding all awards as exactly the same and having exactly the same effect?

Mr McCARTHY: Member for Nelson, this is legislation about public holidays and the Fair Work Commission does not set public holidays, as we have ascertained. However, this is all based on award conditions. That is the nature of what is in front of you with this legislation.

Mr WOOD: Thank you, but the effect of these changes that you have in this are to avoid going through the Fair Work Commission by changing the act so that we have two half-days declared as public holidays. What is the effect of calling these two half-days public holidays? What is the effect on the awards?

Mr McCARTHY: Member for Nelson, I have been advised that if it is a public holiday you can reasonably refuse to work. However, if it is not a public holiday you cannot reasonably refuse to work.

Mr WOOD: Minister, the question was, by bringing in this section of the act you are changing the definition of the term 'public holiday'. By doing that, have you not affected the wages that businesses have to pay? In other words, you are saying it is a public holiday but you know this will change the wages of people working on those days.

Mr McCARTHY: Member for Nelson, it will not change the award. It will just apply to an increase in hours if the business chooses to open.

Mr WOOD: This is a fundamental question; you know that it will change the award. This amendment has an effect on businesses and the public service. You said yourself that there are many awards. I saw the list last night. Have you had an analysis done on the effect this will have on those particular businesses? They are not all the same and it could have a detrimental effect that has not been considered. This is why I am asking, why not go to the Fair Work Commission for this to be analysed properly? Surely someone should have looked at the effect of what this public holiday definition change will mean to businesses in a whole range of awards.

Mr McCARTHY: I think we have established that the Fair Work Commission does not have that delegation. The government declares public holidays. The award rates are set and this will allow a modest increase in remuneration. It is then up to Territory businesses to decide whether they will participate.

Mr WOOD: I quoted today that someone working in the hospitality industry general award would be paid \$45.53 an hour for working on a public holiday. If they are working that evening, they will be paid about \$230 for the evening. If they are working on the next evening, that is another \$500 for that person. You are saying the Fair Work Commission does not set the public holiday, but are you not doing this through the back door? You are changing the act; you know it will have an effect on businesses, yet businesses do not have a say on whether they think this is fair.

Mr McCARTHY: Member for Nelson, no. The *Fair Work Act* sets the award wages. It is clear. The Territory has 11 public holidays. These two half-day public holidays will be paid at award wages, set by the Fair Work Commission, and it will be up to Territory business owners to decide whether they want to participate.

Mr WOOD: But the Fair Work Commission could do the same work if this was a normal day. As the government, you can put your case to the Fair Work Commission and ask it to consider your view that people working these two days should be entitled to a higher rate. That way you are out of the equation and you are allowing the debate between unions, employees and employers to take place independently. This would give you an independent arbiter and would be fair to both sides of the debate, that is, the unions and the employers.

Mr McCARTHY: Thank you, Member for Nelson. We are at that cutting edge now. The answer is no. You cannot take that to the Fair Work Commission.

Mr WOOD: Why not?

Mr McCARTHY: They do not have that jurisdiction. They set award wages. We have declared the public holiday based on the Fair Work award wages. It is now up to Territory businesses to decide whether they want to pay their employees those extra hours.

Mr WOOD: According to their website they can deal with matters called 'requests for flexible working arrangements' and 'public holidays'. They can do those things. Why did you not take it to them instead of using these three clauses?

Mr McCARTHY: Member for Nelson, it is not a case of flexible work practices, and the Fair Work Commission set the awards. We have gone over and over this. We have simply applied five hours on Christmas Eve and New Year's Eve to be additional public holidays to acknowledge and remunerate workers.

Mr HIGGINS: Minister, is this amendment to the legislation simply so you can make five hours a public holiday? Without this amendment you could have declared any holiday but not a part-day?

Mr McCARTHY: No, Leader of the Opposition. We brought this legislation to the parliament in good faith through normal legislative procedures to ensure it was transparent to the community.

Mr HIGGINS: That was not what I asked. My interpretation is that you could have declared a public holiday but the amendments to this legislation are simply to enable you to make a part-day as a public holiday.

Mr McCARTHY: We did, and we are proud we brought it to parliament because the act did not reference part-time public holidays. If you look at the other mechanics in this bill you will see that there are some changes that clean up some red tape and support Territory workers.

Mr DEPUTY SPEAKER: Thank you, minister. Are there any further questions to the clauses within the bill?

Mr WOOD: I will read from the explanatory statement. Clause 9:

... ensures that New Year's Day is a public holiday so that, if New Year's Day falls on a Saturday or Sunday, that day and the following Monday will be public holidays.

That is the same for Christmas Day. At the moment the government has to declare that as happening, but this clause says it is automatic. Is that correct?

Mr McCARTHY: That is correct, Member for Nelson.

Mr WOOD: The question I have was raised by someone; I think I mentioned it in my speech earlier. People who work on the actual public holiday, which is Monday, get the benefit of you calling that a public holiday; however, when Christmas Day falls on a Sunday, it is not a public holiday, it is a Sunday, so workers only get the rates for a Sunday. Why not declare the Sunday that Christmas Day falls on the public holiday? People want to be home on Christmas Day, not the public holiday; so why is that day not called the public holiday, or at least the wages on that day paid at public holiday rates and the Monday perhaps paid at a Saturday or Sunday rate? I will not get into what it should be. There is an unfairness there.

Mr McCARTHY: Good question, Member for Nelson. If Christmas falls on Sunday then Sunday is the public holiday. Tuesday will be a public holiday because Monday will be Boxing Day.

Mr WOOD: We will make it a bit simpler then. If New Year's Day falls on a Sunday then you will declare the next day, Monday, the public holiday. So the worker, who would like to get over the celebrations of the night before, will only be paid on the Sunday rate on New Year's Day, and people who work on Monday will get the public holiday advantage. Is that correct?

Mr McCARTHY: Member for Nelson, yes. If New Year's Day falls on a Sunday, that is the public holiday and the Monday is the declared public holiday. I think it is called the long weekend.

Mr WOOD: So people working on the Sunday and the Monday will be paid a 250% loading per hour? Is that correct?

Mr McCARTHY: That is correct, but remember this legislation is about five hours on New Year's Eve.

Mr WOOD: No, this legislation is about changing public holidays. Clause 9 is not about the half-day holidays.

Mr McCARTHY: We always had them.

Mr WOOD: Yes, that is right. But you are making it permanent. This is an opportunity to explain how it works when this is in operation.

Mr McCARTHY: The previous government gazetted these public holidays this year because of the nature of when they fall. This legislation will put this through so you do not have to revisit that every four years. It will be automatic.

Mr WOOD: If Christmas Day or New Year's Day falls on a Sunday, you automatically get an extra holiday, the long weekend. There are then two public holidays in that long weekend, is that correct?

Mr McCARTHY: That is correct, when it falls in that pattern.

Mr WOOD: Will the half-day public holiday on the Saturday now apply as well, so you have two-and-a-half-days of public holiday payments for those days?

Mr McCARTHY: Member for Nelson, you get two working days plus five hours only when it falls in that cycle.

Mr WOOD: I wanted to raise that because the total wages bill for those two-and-a-half-days at a 250% loading is a heavy burden on small businesses, especially on weekends. We have not looked at some of these issues thoroughly enough to know the effects. Thank you for clarifying that matter.

Bill taken as a whole and agreed to.

Mr McCARTHY (Essential Services): Madam Speaker, I move that the bill be now read a third time.

The Assembly divided.

Ayes 18

Noes 6

Ms Ah Kit
Mr Collins
Mr Costa
Ms Fyles
Mr Gunner
Mr Kirby
Ms Lawler
Mr McCarthy
Mr McConnell
Ms Manison
Ms Moss
Ms Nelson
Mr Paech
Mr Sievers
Ms Uibo
Mr Vowles
Ms Wakefield
Mrs Worden

Mrs Finocchiaro
Mr Guyula
Mr Higgins
Mrs Lambley
Mr Mills
Mr Wood

Motion agreed to.

PUBLIC INFORMATION AMENDMENT BILL (NO 2) (Serial 6)

Continued from 26 October 2016.

Mr HIGGINS (Opposition Leader): Madam Speaker, I thank the Chief Minister for bringing this bill into the House. The primary purpose of the bill is to strengthen the existing act to ensure funds are used appropriately in providing the public with information that does not promote party political purposes.

I received a briefing on the bill, and I thank the Chief Minister for making his departmental staff available to do that. The bill will be supported by regulations that will assist government agencies with compliance, and assist the Auditor-General in determining whether or not the public information promotes party political purposes. These regulations are prescribed and will set the criteria for the standards and content of types that will apply.

The previous public information guidelines have been revoked and will be replaced by regulations. These regulations will need to include a definition as to when you can and cannot pay for government advertising, and when it is appropriate to use a minister of the government's name and photo. The amendment makes provisions for the Auditor-General to determine a contravention of the act if the content does not meet the criteria prescribed by the new regulations.

The opposition supports the amendment and looks forward to its application, given the way in which previous governments, both Labor and CLP, used advertising to their political advantage. It provides certainty to ministers and public servants.

Mr WOOD (Nelson): Madam Speaker, this has been a long time coming. The Member for Wanguri and I go back a long way with this bill. I definitely support this bill, and that will save the Chief Minister from giving a long response. The Member for Wanguri spent many hours trying to put this bill through. It ran into some complications.

A member: Just a few.

Mr WOOD: Yes, just a few. It also ran into some opposition because the important part of this bill is the guidelines, which were missing although they were in the bill a long time ago. When the CLP came in, it conveniently removed those guidelines

Those who were in the last Assembly will remember the ice ads. It was a classic example of a government using its position of power to put out information to the public that simply was not true. The truth was distorted when those ice ads were put in the paper.

I saw advertisements outside polling booths during the election. I did not realise they were not advertisements on behalf of the Electoral Commission; they were advertisements by the CLP. They said 'important electoral information' and had a little box with an envelope going in it. 'You only have to put 1.' It did not say you can also put 1, 2 and 3. I thought that was strange coming from the Electoral Commission, but I thought maybe it was encouraging people to make sure they actually vote. To find out—way down the bottom in tiny print—that was not true, reinforced the fact that sometimes things do not change.

I am not saying this necessarily applies in an election period, but during the election before last there were banners saying things about me which the CLP did not put its name to, except in tiny print. I am sure people driving past did not stop to see who put the sign up. The signs were deliberately meant to misinform people, and there is very little chance to reply to that misinformation.

The information in the ice ads was unfair. It was deliberately meant to put—I nearly said a four-letter word—on people who opposed the legislation. There was no attempt to tell people why some members of parliament did not support the legislation.

I am sure there are other examples. One of the tricky parts of advertising—I remember when TIO was owned by the government and you could put on feel-good ads with the family sitting outside their house saying how wonderful the Northern Territory is. These ads built up just before an election, but they were feel good ads about living in the Territory. Those were the days of TIO, so it is a bit hard to do that these days.

Under Part 2 of the Auditor-General's Functions, review of public information, there is some clarification under section 6:

The Auditor-General may determine this act is contravened in relation to particular public information if the Auditor-General is satisfied the content of the information ...

There is a new subsection (d):

... is an advertisement that includes an image of the holder or occupier of the office of a minister.

Then there is a new section (2A):

The Auditor-General may also determine this act is contravened in relation to particular public information if the Auditor-General is satisfied the content of the information does not meet the criteria prescribed by regulation for the giving of public information.

It is the prescribed regulation that we now have in place that gives guidance for the Auditor-General. I have some sympathy for the Auditor-General; she has to deal with advertisements and consider whether they are political or are government information. That is not easy, but at least having the public information guidelines in place sets out the principals of the act that:

... the content of public information must not promote party political interests; or include statements which are misleading or factually inaccurate; or clearly distinguish a statement and facts from a statement of comments.

That is set out there. The difficulty with this legislation is that it has no teeth. The Auditor-General, when making a ruling on the ice ads—I hope I am right here—was, more or less, told by the Chief Minister to fly away. He reckoned, 'Too bad, oh dear, how sad.' If you are passing this legislation, it is difficult to have penalties. The Auditor-General is not a police officer; that is not her role. You would hope that any fair-minded government that believes in the independence of the Auditor-General would accept his or her ruling in relation to a matter that had gone through the *Public Information Act*. Otherwise, to some extent, you are saying to the Auditor-General, 'We do not accept you as independent'. Auditor-Generals are independent. If you do not accept them as being independent then what have we got to go on in this parliament? We use their Auditor-General reports as being independent because we are always assessing if the government is on the right track financially.

I expect governments to respond to any report by the Auditor-General on whether the departments are running correctly financially. Any government should accept the ruling of the Auditor-General under this section of the *Public Information Act*. I welcome this act before parliament. It adds another layer of transparency to the way governments operate because there is someone overseeing whether the government is doing the right thing in relation to promotion and advertising.

I thank the Member for Wanguri for all the efforts she has made over many years. There were a number of versions of this act. She also spent some time with Colin McDonald QC, who looked at it as well, and the Auditor-General looked at it a couple of times. But it could not get off the ground. If you wait long enough in this job some things happen. I can say that from an Independent's point of view, some things take a long time, but this was well worth the wait. It will be good for government, good for the community and it will be much better for the Auditor-General because she now has a clear set of guidelines to work under.

I fully support this piece of legislation.

Ms MANISON (Treasurer): Madam Speaker, I thank the Chief Minister for bringing this bill to the House. As the Member for Nelson pointed out, I have experience working with this bill. I am delighted to see it in the Chamber today. The bill before us is very similar to the last bill I introduced, which we never had an opportunity to bring forward to the second reading debate. Sometimes, in general business and opposition business times, it is very difficult to get some pieces of legislation on the agenda.

I was very happy, when we were successful in winning government, that we pursued updating the *Public Information Act* to show that our intentions in opposition were consistent with how we would go about government. One thing we saw in the last term of government was blatant abuse of public funds to drive political advertising. There were some adverts which were found by the Auditor-General to be false, not true, not correct and blatantly political. I will go into the details of those soon. Territorians have a reasonable expectation that when government is expending money on advertising, it is relevant and appropriate public information that is not political. If it is political in nature then a political party—or a member or an Independent—should be funding it themselves; it should not be paid for by taxpayers.

It is important to show early on, as a new government, that we are drawing a line in the sand to say, 'This is what we will deem as appropriate public information, and political information being paid for by the taxpayer is simply not acceptable'. That is a reasonable expectation for Territorians to have for the expenditure of public funds on advertising and materials for public consumption. It is important that we have budgets for public information, advertising and communication to the public. For example, things like public health campaigns are an appropriate form of government expenditure on advertising. Promoting health, better wellbeing and ensuring people are getting the right checks and the right help is important.

Road safety campaigns—I cannot stress how important they are given the horrendous road toll we have in the Northern Territory; we are statistically so much higher than anywhere else in the nation. I recently went to a road safety minister's conference, and the conversations the other road safety ministers were having around the table were not in line with the issues we still face; they dealt with these issues decades ago. We are still dealing with the problem that too many people get in a car and do not wear seatbelts, so when an accident happens it is tragic and devastating. The last two deaths on our roads have been little kids. It is hard to fathom.

Too many people lose their lives because of drink-driving. It should not happen. I am not just referring to fatalities, but also serious injury. Someone who sustains a serious injury in road trauma is impacted for the rest of their life, and their family is impacted for the rest of their lives. It is effectively a life sentence.

That is appropriate expenditure of public money. It is important. Often advertising and marketing budgets are brought forward in all sorts of arenas, but there is a level of government expenditure that is needed and

appropriate. When government needs to consult with the public to obtain feedback, it is appropriate to advertise and so forth. Changes to rules and laws that people need to be aware of are other examples of appropriate public information.

This started with the new government. It swiftly revoked the former *Information Act* guidelines that outlined what was appropriate public information, and gave the Auditor-General clear criteria. When reports are made about breaches of the *Public Information Act*, the Auditor-General can now reference a succinct checklist of issues. This is something we are addressing in this legislation.

We saw some stark examples of significant public money spent on advertising campaigns by the former government which should have been footed by the Country Liberal Party. They were significantly costly. The 'on track' campaign was referred to the Auditor-General. It cost in the vicinity of \$500 000 of taxpayer money for full page advertisements and high-rotation television commercials to tell Territorians that there is nothing to see here and everything is on track. I struggled to take away the relevant public information, aside from the constant message that everything is on track. Later, when the government was scrutinised, we discovered that the development for this campaign was based on market research and trying to understand what the public thought of the government. The campaign was effectively designed to help increase positive perception of the Territory government.

We felt it was spin. We referred it to the Auditor-General under the *Public Information Act* to assess. In the February report, the Auditor-General made the following observations:

Review of the information publicly available from the Country Liberals' website identified that, whilst not communicated as a slogan per se, the phrase 'on track' has been consistently used by the Country Liberal members in media releases and other publicly available and reported information. The phrase 'on track' can also be linked to the Country Liberals' 2012 election campaign.'

The Auditor-General's conclusion was:

I am of the opinion that the referred matter constitutes and contravention of Section 6(2)(a) of the Public Information Act, in that the content of the information may be regarded as promoting political party interests (whether express or implied).

That was found to have contravened the *Public Information Act*, so the campaign ceased, which was part of the recommendations from the Auditor-General. The horse had already well and truly bolted and about half a million dollars had gone towards the 'on track' advertising campaign. That is not a small or insignificant amount of money; that is a lot of money. Five-hundred-thousand dollars was spent on what was effectively political spin funded by taxpayers.

The other advert we will not forget—the Member for Nelson referred to it—is what I refer to as the infamous ice advert, which was a blatant contravention of the *Public Information Act*. The government put completely false information in a full page advert in the *NT News* that accused the then-opposition and Independent members of blocking ice drug laws; it was not accurate, true or factual. They used political party references in the advert, which is completely inappropriate when it is taxpayer-funded advertising. You cannot refer to the CLP or Labor in NT Government advertising. That was disgraceful and probably the most blatant abuse of government advertising that we saw in the previous term of government; it was an absolute shocker.

I still cannot believe that, upon bringing that very serious matter forward with the former Chief Minister, he did not seem to think it was a problem. I was glad to see it reported to the Auditor-General, and we received information through the 2016 Auditor-General's Report. Here were some of the observations the Auditor-General made on the ice advert:

I am therefore of the opinion that the advertisement has contravened section 6(2)(a) of the Public Information Act in that it promotes party political interests. Further guidance as to what content may be seen as promoting party political interests is provided in section 6(4), which states:

Without limiting subsection (2)(a), the content of the public information promotes particular party political interests if the information includes an image or message that may reasonably be regarded as promoting (whether expressly or implicitly) a particular political party or any of its members.

In regard to section 6(2)(b):

The ice drug laws were not blocked as communicated in the advertised content 'This week the NT Government proposed legislation to give police more power to stop and search ICE traffickers on our major highways. This law was BLOCKED in parliament.' The Misuse of Drugs Amendment Bill had not progressed to the point where it was being debated, therefore it was my opinion that the advertisement includes statements that are misleading and factually inaccurate and consequently the advertisement is in contravention of section 6(2)(b) of the act.

Then we look at section 6(2)(c):

The list of Legislative Assembly Members listed under the heading 'Government Members who voted in favour' represents the names of the Legislative Assembly Members who voted for an urgency motion to be supported in order that the Misuse of Drugs Amendment Bill could be debated. The content and format of the advertisement suggests that the listed Legislative Assembly Members voted in favour of a piece of legislation relating to the drug known as 'Ice'. The list of Legislative Assembly Members listed under the heading 'Blocked by:' represents the names of the Legislative Assembly Members who negatived the urgency motion proposed in order that the Misuse of Drugs Amendment Bill could be debated. The Misuse of Drugs Amendment Bill was not debated in Parliament and therefore it was not voted for or against by any Legislative Assembly Members. The advertisement does not provide a reference to the Parliamentary transcript of Wednesday 16 September 2015 in order to enable a reader to determine for themselves if the public information provided in the advertisement was factually correct and therefore, it is also my opinion that the advertisement is a contravention of section 6(2)(c) of the act in that the advertisement does not clearly distinguish a statement of facts from a statement of comments.

To top it all off, they used the crest of the Northern Territory on the ad. It was a disgrace. Those are two examples of the former government taking the mickey and blatantly using taxpayers' money for political advertising. It was not appropriate public information to be funded by government. If the CLP wanted to stump up those funds, they could have, although the ice ad still would not have been true.

This is why we were so keen to see the public information laws amended, so we could stop this blatant misuse of public funds in government advertising. This is why we worked on a bill. We brought forward a first bill but discovered that putting teeth in the act, such as fines and penalties, was difficult to enforce. So we went back to the drawing board and we brought forward a bill very similar to what we have before the House today.

The intent of this bill is to draw a line in the sand about what is and what is not acceptable public information when it is being funded by the taxpayer. It is important to bring this to the Chamber because we all agree that if advertising is political in nature, the political party should pay for it. If advertising is relevant, important public information that government should be communicating to Territorians, then it is appropriate for government to fund it.

However, in the case of the last government, we saw continued abuses of public expenditure on advertising. It is important to make these changes and make a clear statement on what is acceptable and what is not. We will be held accountable with this legislation. It is the standard we will be held to and scrutinised on. We welcome that scrutiny because it should be in place. It is important. Sometimes there are thin lines and grey areas, but let us be clear about what is appropriate public information and what is not. Let us set the bar high and, by all means, if we are not reaching that bar we should be held accountable.

I thank the Chief Minister for bringing this bill to the House. I am glad to see the changes have been made to strengthen the public information regulations and laws. It is important because the public should have confidence that when government spends money on advertising, it is in the best interests of Territorians.

Ms LAWLER (Education): Madam Speaker, this government was elected on a platform of trust, accountability and integrity, and as a member of this parliament I will work hard to uphold these values. That is why I stand here today in support of the Chief Minister's Public Information Amendment Bill.

Government has a responsibility to ensure public funds are used appropriately. This includes ensuring there is proper scrutiny of the funds spent on providing the public with information. It is important that the public receive timely and informative advice, but we need to ensure we do this in a way that meets public interest and does not promote party political interests.

During the previous CLP government's tenure, money was spent on advertising that clearly promoted the political interests of their party; however, no amount of spin marketing could cover the scandals and ineptitude. Facebook pages purported to be providing the public with information about important policy areas were actually being used to promote CLP candidates and attack opposition members. It backfired; Territorians saw through it, especially public servants, who recognised it as political advertising.

Advertising campaigns stated lies as facts on important issues relating to drug laws—the Member for Wanguri spoke about the ice ads—for the sole purpose of promoting the political interests of the CLP. There was about \$1m spent on those ice ads; we even saw them on the back of buses. It stooped to new lows, but so little was expended on addressing the issue. More money was spent on the advertising than was spent on the ground. These advertising campaigns cost over \$400 000 to taxpayers for the purpose of promoting political slogans. The CLP government was completely off the track. Hundreds of thousands of dollars could have been spent on providing services to the community—support for the most vulnerable in our society or investing in teachers, nurses, specialists' services and support staff—rather than self-promotion.

At the time, I was working in the public service and could clearly see what was happening; I found it frustrating. For every \$100 000 spent on advertising and promoting the political interest of the CLP, there could have been another teacher in a classroom providing young people with a quality education, or a specialist or inclusion support assistant to support schools and their students. It is the same with nurses; \$100 000 could give us another nurse in accident and emergency. As a parent and a grandparent, I know the frustration for parents when there is a wait at accident and emergency. One-hundred-thousand dollars spent on advertising could be another nurse in accident and emergency making your time there smoother and quicker. I know the frustrations and the horror that the public sector felt at seeing hundreds of thousands of dollars being spent on advertising. In the agency that I worked in, sport and recreation, there were literally hundreds of thousands of dollars being spent on advertising.

This bill and the supporting regulations will assist government agencies in their compliance, and assist the Auditor-General in determining if public information promotes party political interests. There will be clear standards for government ministers, the opposition, other honourable members and government agencies. It will be about keeping everyone accountable. This bill will strengthen public confidence in government and ensure public information is factual and about programs, services and policies. We need to promote the good work of our governments and public servants because that is work people need to know about; but there does not need to be political faces on those messages.

I stand here because I was elected on a platform of trust, accountability and integrity. We heard that from our electorates when we were doorknocking. This motion, Public Information Amendment Bill, is a step in the direction of restoring trust, accountability and integrity for government.

Mr MILLS (Blain): Madam Speaker, being a long-term occupant of this Chamber and having heard the ebb and flow from both sides, I would like to make statements regarding this particular matter, as well as this matter in a general context.

Firstly, this particular matter being responded to is a bad example of misuse of power. It is extraordinary that such a judgment could have been made and that the community could have thought it was an acceptable proposition in any event; it certainly was not. It has been correctly called and judged. This has my full support.

In a general context, I will speak about the concern that I have. What irks me is this sense of black and white and this new era of, 'We are the good guys and they were the bad guys'. This is in fact about shades of grey. What we are speaking about today is bordering on black; it is very dark and noticeably wrong. However, in my 12 years in opposition—this is not an issue peculiar just to the previous administration. Although it has never been as blatant as this, there were issues with the previous Labor administration. The then-Labor government made use of its position to promote itself politically. The Chief Minister at that time, Clare Martin, accepted being called out by a very small opposition that it was inappropriate, and then made some adjustments.

I only say that to give you a broader context—pride comes before a fall—before you start crafting yourselves as the ones who are pure as the driven snow and this has only happened to those baddies that are now no longer with us. Be careful and ever vigilant that you do not fall into the trap of this occurring again, because it has happened before. Labor has done bad things and been called out for it as well. That is only to say that we all must be very careful. It is not about the previous administration; it is about doing the right thing.

Mr VOWLES (Primary Industry and Resources): Madam Speaker, I thank the Chief Minister for bringing this bill forward.

Continuing on from the Member for Blain—I was actually going to mention it in my speech; I remember a small opposition, that he led, raising this many years ago. We were such a good and listening new government that we took it on board. It might have been a legacy of previous governments before that, but in the interests of being a new and good government, we did take heed of the advice and comments of the opposition at the time. I am only in my second term; the Member for Blain has been here since 1997?

Mr Mills: 1999.

Mr VOWLES: I think 1997 was the former Member for Wanguri, was it?

Mr Gunner: 1999 for both of them.

Mr VOWLES: That is right; there you go. It is always good to get a history lesson in here.

Over the last four years the previous government had debacles, rorted the rules and wasted Territory taxpayers' money on blatant political ads in order to win votes and favour with the public. It bombarded them with things that often were not true.

It has been mentioned, but I will tell a short story about the ice ads and the impact they had. We were a very focused opposition. We did not have many members but we were very focused and strategic in our way forward and our policy direction and planning. It was through planning, as we know here—and other people have experienced that. There were discussions that were sometimes forceful and opinions were raised, but we always had a focus on holding the government accountable. We were here and in good faith. On behalf of everyone in our electorates, we brought their sentiments and concerns into an environment where we were supposed to have good debate. My understanding is that it is supposed to be respectful debate, which did not happen often. I will talk more about that later.

We came in prepared for the ice ads and what they meant. We had a long debate about the process and what it meant to bring that legislation in to parliament, but this was about bringing it in on urgency. They brought the ice legislation in on urgency. For people who were not around at the time, a couple of years ago, we could not support urgency because there had been no consultation with anyone. Yes, there was that common thread and theme of the previous government, led by the worst Chief Minister we have ever seen or heard from any party in this Chamber.

It was a new low. We did not support the urgency because there was no consultation with anybody. We took offence and took a stance against it because the urgency on such an important topic, ice, and its impacts on our communities—and I am not just talking about in an urban environment, but in a Territory context. We hear stories of people on ice doing crazy things in Darwin and around the Territory in remote communities. It is such a serious issue and we were outraged because we could not believe that they were ramming things through parliament with no consultation. For something so important—ice and the impacts it has—they did not speak to any experts or community members. There was no consultation whatsoever, so we voted that we could not support it.

I received a call from someone saying, 'Kenny, you have made the papers!' I thought, 'Oh no. The phone hasn't rung this morning so it cannot be too bad; they have not asked me to front the cameras yet.' Then somebody sent me a screenshot of what was in the paper, and it was just disgusting because it was blatantly not true. They had played politics with taxpayers' money by paying a fortune for these ads that were not true and were a blatant abuse of the *Public Information Act* for political advertising.

It is okay in here because we understand, but trying to explain to people outside of this House that we voted against urgency, not the bill, was difficult. Not only was I receiving calls on Sunday when my office was open at the markets, but a number of people were coming in very upset. These were people who could not believe we voted no to parents of people affected by the drug. They were outraged to the point where they were not acting in a civil manner towards me or my staff.

As often as possible, I try to catch up with my family on Saturdays to keep me grounded and hear stories about how everybody is doing outside of the political world of looking after my electorate and trying to do the right thing by the people who voted me in. Some of my family members were stopped by people and talked to about it.

One Saturday I was catching up with my family at Casuarina and somebody stopped and abused me in an aggressive manner, saying how could I not support stopping ice coming in to the Territory, in front of my mum, niece and nephews. I thought, enough is enough. When someone is that outraged and you are trying to speak sense and say, 'No, you are not actually correct', in my life experience that does not go well. Sometimes you have to cop it and say, 'Could you please not use that language or behave in that manner around my family. I am happy to talk to you another time but this is my job not my family's job.'

These are the repercussions of using taxpayers' money to tell Territorians lies. It was a deception. Regardless of our opinions on most of the members of the previous government, they had some political knowledge and nous. We always respected that. We respected that this was a strategy of theirs to do it at all costs. 'Because we can do it, let us do it.' They were not allowed to do it but they did. That was only one example.

The other example is the 'on track' advertisements. We wrote many complaints and started the process. We could not believe that taxpayers' money was being rolled out and used for an obviously political campaign on behalf of the Country Liberal Party under the Territory government logo. The Auditor-General did a great job and made a ruling—I think it was \$500 000 in breach—and said the government had to stop. It would be interesting to hear from the Treasurer about whether that money was ever given back. Is there a bill to the CLP for the \$500 000? That is some money we could get back. That was a ruling the Auditor-General made, and it needed to happen.

A desperate man called Adam Giles, the former Chief Minister, took desperate measures by putting political advertising under an NT Government logo. By that time many Territorians had switched off. Even long-term CLP people had switched off; they were sick of his lies and deceit and absolute—I have to be careful not to say what I am really thinking—mood or his ability to interpret things differently to what is reality. We saw that from when he took over from the former Chief Minister, the Member for Blain, when Adam Giles did not even give him the credibility, professionalism or respect to kick him out of his job while he was in the country. Then when all the midnight coups and the police issues—we have read an insert, be it true or not, that his phone was bugged and he threw it from the 12th floor into a pool. To give an insight, I saw the man struggling in desperation to keep his job at all costs. Sadly the CLP paid for it; they let this political, immature, egotistical person run the Territory into the ground and supported him in the end. I digress but I have not finished.

I am happy to give you some leeway on the *Public Information Act*. I always look back and every time I see the former Member for Katherine in the press or somewhere else, I think he should have just taken the former Chief Minister on. He should not have cowered, walked away and been bullied into stepping down. If he had the tenacity and a bit of ticker then I might not be standing on this side of the Chamber. We respected the government, the processes, everything parliament and this job gave us as an opposition, and we stuck by that, adhered to it and used it around our processes to get back into government.

Here we are. Many times in opposition, during the election campaigns, we spoke about openness and transparency. I am sure Territorians are getting sick of hearing how open and transparent we are, but we are going to talk about it for four years, because the last government was not. It used taxpayers' money to tell lies about trying to be open and transparent but actually used that money to tell mistruths.

I stood as a proud member of the Michael Gunner opposition and now I stand as a proud member of the Michael Gunner government. That is important because people put us here on a platform of trust and integrity. This is why we are honouring that commitment. Member for Wanguri, we knew if we came into government that we would want to change the Public Information Bill, and that is what we did. We need to engage with the public. We know at times governments need to engage with publicly-funded programs to raise awareness of services and promote what the Northern Territory is doing, in an apolitical manner, for economic gain. We know we need to do that. We need to promote ourselves throughout the Territory, Australia and internationally.

In my portfolio of Primary Industry and Resources, it is pivotal that we promote an investment strategy into Asia and India. The Chief Minister was in Rizhao and South Korea, and where else, Chief Minister?

Mr Gunner: Japan and China.

Mr VOWLES: Japan, that is it. It is important to have an international investment strategy. It is important to promote and raise the Territory's profile as a destination for resource investment. We want to assist companies to attract investment in exploration and development projects, and talk to interstate people who want to invest here. We know we need to promote ourselves as a government. The Chief Minister and the

rest of my colleagues in the House know that we need to, at some stage and at varying times, promote ourselves as a place to invest, as a place to enjoy tourism, enjoy sport, fly from Sydney to Darwin to watch the Parramatta Eels play, and watch AFL. We know we need to promote our campaigns because we need to engage the public in this, but it is also for an economic gain to the Territory. Respective regulations can provide clarity to the Auditor-General when she is required to adjudicate on whether a public information campaign is appropriate or not.

This government is about the future—the Michael Gunner government. I will not dwell on the past. I know I have; I dwelt on it a little and have given a former Chief Minister a bit of curry. I had to. I could stand up here and speak for another 20 minutes on the former Chief Minister. Maybe one day I will do that before the end of my term, but I want to look to the future. There is no better person to lead the Territory than Michael Gunner, and that is why Territorians have voted for him and why we are all here. We had a plan and did what we had to do, but we are fully aware of our responsibility in using taxpayers' money and not wasting it. This is why I am very happy that the Chief Minister has brought in this Public Information Amendment Bill and made some changes so the funds can be used appropriately. As a government and a political party, we do not promote our own political party's interests using taxpayers' money under the guise of the NT Government logo. As ministers, the Chief Minister and members of our Caucus, we do not use taxpayers' money for our own political gain.

I will tell Territorians that for the Freds Pass Rural Show, Royal Darwin Show, Alice Springs, Tennant Creek and Katherine shows, we use our own funds. We contribute and use our own funds to pay for the ads in those booklets. We also do it for the Glenti and other events. We are very specific about using our own money to politically promote ourselves. That is something we have done for a while. We did over the last term. The Chief Minister could mention that about his time before me. We are very conscious of having a clear delineation between political—taxpayers can pay for our ad at the Freds Pass Show. No. We will allocate this money. We put forward a proposal of how much it costs, and then we pay for it ourselves. There is a very clear definition between the former government using taxpayers' money and this government contributing out of its salaries to a fund that pays for these ads. You can see why we jumped up and down on the misuse of funds and using taxpayers' money for political gain.

I have a list here that says Adam Giles about 15 times, but I will move on. It says something about CLP propaganda; 'Territorians never want to see him again in any capacity whatsoever.' It talks about misuse of government resources—a clear breach of the act, the bill, use of taxpayers' money. He did a disservice using government resources. We have a new way of doing things. This is the start. People will realise now that in our press releases there are no pictures of us. There used to be pictures of some very average looking Territorians on a letterhead ...

Madam SPEAKER: I hope that does not include media releases from the Speaker's Office.

Mr VOWLES: Of course not. Only ministers, Madam Speaker.

We changed things straight away under the new Chief Minister. Press releases coming from our portfolio areas do not have our picture on them. We understand, and it is in the bill, that we may have to do that interstate if there is a campaign, or internationally. As the Member for Blain knows, it is about having a face of respect in places like Asia. We have already started that. None of our portfolio media releases and statements include a picture of us. That is a good start.

We support this. We introduced this in opposition and we have brought it back now that we are fortunate enough to be in government. We should, as members of this Assembly, be the standard bearers. The Michael Gunner government acknowledges this and we have already put in to action our key election commitments. We are being open and transparent; we are doing the right thing again. There was a blatant misuse of the public purse for promotional campaigns over the last four years. That has been proven—done and dusted, let us move forward. Let us use taxpayers' money wisely and appropriately.

Mr GUNNER (Chief Minister): Madam Speaker, I thank all of the members who have contributed to this debate: the Member for Daly, the Leader of the Opposition; the Member for Nelson, thank you Gerry; the Treasurer and Deputy Chief Minister, who has a very long history of wrestling with this issue in our last term. She and the Member for Nelson had many conversations about the best way to advance this legislation and provide this service to Territorians; the Member for Drysdale, the Minister for Education; the Minister for Primary Industry and Resources, who had a fantastic contribution at the end—a very weighty, substantive contribution; and the Member for Blain, a former Leader of the Opposition and former Chief

Minister, touched upon some important historical things, which I will come back to because that was an important contribution.

We have had discussion today regarding what is an important bill; this is an important bill. It may not get top coverage in the nightly news, but it is an important bill that goes to honest and fair government. We have seen the very antithesis of honest and fair government over the last four years. This bill, in large measure, restores integrity to the flow of information from the government to the public, who we are legislating on behalf of.

There is a common thread being spoken about today, which is application. We have a bill which will, hopefully, soon be an act. Everyone has indicated support for this and the regulations that we will abide by, but this is also about how we apply ourselves to this bill. There have been warnings from the Member for Blain and others about how governments can choose to apply themselves badly. We will be a government that chooses to apply itself well. We must implement this legislation on behalf of Territorians, and we will. We will. That is very much the point that the Minister for Primary Industry and Resources made. We have started off on the right foot and we will continue that through this term by implementing this legislation.

I thank the Deputy Chief Minister, the Member for Wanguri, for her efforts on this issue over a number of years. She made several attempts to get this legislation up in the last term with a government that was hostile to the idea of having any control over the public information it put out through the taxpayer dollar. It is a significant body of work that the Member for Wanguri has done, not just in speaking to the bill today but over a number of years, on behalf of Territorians to ensure we have better checks and controls in place for the flow of information to the public and ensuring it is not for political party purposes. She spoke about relevant public information and gave some examples of health and road safety ads; I want to get back to that in a second when I speak about the regulations we have brought in. We tabled them at the time we introduced the bill so everyone had a chance to look at the regulations because, importantly, they show how we are capturing that, which is worth going through on the record.

I thank the Deputy Chief Minister, the Member for Wanguri, for the work she has done, not just today, but leading up to today over a number of years. She is right; the previous government blatantly used taxpayer money for political messaging and it was a disgrace. Their ads always had a political purpose; they were either over the top puffery, like the On Track ads, or they were blatantly misleading of the public, like the ice ads. They were always driven by a political purpose.

The Member for Nelson also brought up the ghosts of the last four years and mentioned the debates he had with the Member for Wanguri about trying to get this legislation right. That was effective; it made a difference and it delivered for Territorians. He also brought up the infamous ice ads; everyone who was a member of the last term has brought those up. I have a copy of them here that I stole off the Deputy Chief Minister's desk. The ad was clearly misleading and in breach of the *Public Information Act* even with the regulations removed—which the former Chief Minister did—and there was a damning Auditor-General's report.

It was clearly a misuse of taxpayers' money. The Member for Blain called it a dark time. It was not an appropriate use of taxpayers' dollars in any way, shape or means. It was completely misleading on the issue and had a very damning report from the Auditor-General. Interestingly, the Member for Nelson also brought up the election advertisements from the CLP which were disguised like they were from the Electoral Commission. This has been raised with me a lot. It is not something that will necessarily be captured by this bill about public information and the public dollar, but, without a doubt, the Electoral Commissioner will do a review into the last election as he always does. I am assuming he will pick up on this topic because advertisements from a political party that are designed to mislead on election day are something that will need to be looked at.

The Deputy Chief Minister mentioned the letter that the CLP Chief Minister of the time put into the paper and other places on the day before the election. It was funded by the CLP but had the parliamentary crest. It was clearly in breach; the use of the crest was not lawful, and it was also, in some respects, deceptive. It had the same political intent as previous CLP ads. They were deceiving Territorians and it fed into this constant vein of lack of trust. You should not deceive the public, but we saw it happen again in their election ads. The Member for Nelson mentioned the 'Vote 1' ad that looked like it came from the Electoral Commissioner because it was misusing the crest. That is not the right way to communicate to Territorians. This bill is about returning honesty to public information, which the CLP removed in November 2013.

I thank the Member for Nelson for his support. On that note, I thank the Member for Blain, the former CLP Chief Minister and former Leader of the Opposition, who gave his full support to this. I also

welcome that he asked us to be ever vigilant that we do not slide backwards. I take that on board and agree. He gave a bit of a history lesson about the efforts he took when he was in opposition, and in the brief time he was Chief Minister, in regard to this issue. It must have been gutting for him as probably a number of things were. I will read from the *Gazette*:

Public Information Act

Revocation of Guidelines

I, Adam Graham Giles, Chief Minister, under section 9(3)(a) of the Public Information Act and with reference to section 43 of the Interpretation Act, revoke the public information guidelines, notice of the making of which was given on 14 July 2010 and published in Gazette No. G31 of 4 August 2010. Dated 14th November, 2013.

That was the former CLP Chief Minister destroying the work the Member for Blain did—both as Leader of the Opposition and in his early days as Chief Minister—with bipartisan support of the government at the time to try to ensure proper use of taxpayers' dollars regarding the *Public Information Act*. The Member for Blain was rolled as Chief Minister; the Member for Braitling took over as Chief Minister, and one of his first acts was to revoke those guidelines regarding the control of taxpayer money on advertising, which allowed complete and utter misuse of taxpayer money.

It was an early signal from the CLP members, under the Member for Braitling, about how they intended to behave in government, the care they would apply to the purse of the taxpayer and how they intended to interact with Territorians. It was a bad decision in the early days. That must have been at the top of the list of things that were particularly gutting to the Member for Blain after all the work he had done to get to that point on 14 July 2010, under the Labor government, to get a *Public Information Act* controlling the use of taxpayers' money to ensure it was spent on the right things for the right purposes when it came to advertising in the Northern Territory.

As detailed in my second reading speech, the primary purpose of the Public Information Amendment Bill is to strengthen the existing *Public Information Act* to ensure public funds are used appropriately in providing public information that does not promote party political interests. It is essential for government to provide comprehensive information to the public about programs, policies and services. This is good democracy, and it must be done transparently and honestly. It must also be relevant and non-politicised, and this bill addresses those points.

This bill is supported by regulations that will assist government agencies in their compliance, and the Auditor-General in determining whether or not public information promotes party political interests. The regulations set out the criteria for the standards and content of public information produced by government ministers, the Leader of the Opposition, members of the Assembly, government agencies and me. It is being done by regulation so we are flexible with the changing nature of social media and do not lose our ability to manage these circumstances and have to keep coming back onto the floor of the House to tidy things up.

These regulations, which we tabled at the time of introducing the bill, go to the Deputy Chief Minister's important point about relevant public information, the point the Leader of the Opposition raised about application and the point the member for Blain made about not sliding backwards. The common thread running through all the speeches was ensuring that we apply ourselves and do better. The Minister for Primary Industry and Resources discussed what we are doing now and how we are trying to behave better, before the bill has even passed. These are all important points.

Public information provided by a public authority must meet at least one of the following criteria:

- a) *the information serves to do any of the following:*
 - (i) *maximise compliance with the laws of the Territory;*
 - (ii) *achieve awareness of a new or amended law;*
 - (iii) *improve public safety or personal security;*
 - (iv) *encourage responsible behaviour;*
 - (v) *preserve order in the event of an emergency;*

- (vi) *promote awareness of rights, responsibilities, duties or entitlements;*
- (vii) *encourage usage of, or familiarity with government products or services;*
- b) *the purpose of the information is to do any of the following:*
 - (i) *report on performance in relation to government undertakings;*
 - (ii) *communicate functions of government (for example, education campaigns, recruitment, community engagement, expressions of interest, future plans);*
 - (iii) *communicate on matters of social cohesion, civic pride, community spirit or tolerance.*

They are the guidelines for defining public information. That was all provided when I delivered the second reading speech and tabled the bill and regulations in the House. Everyone had a chance to look at them. We have some support in the House for the bill and regulations, but it is important to put on the record what the regulations are. That very important point made by the Deputy Chief Minister about the need for public information is all covered here, and they are all very sensible standards as to what is public information.

The road safety campaigns, the health campaigns and the education campaigns are all important things that are covered by this bill. We will be applying ourselves to making sure we comply with this; the information is about providing information and access to government services. There are very clear definitions about how that works and some commonsense regulations about what we are doing with the public information space. Going over the page:

Ensuring public information is factual

A public authority giving public information must ensure:

- (a) *all facts ... and statistics are presented accurately and objectively; and*
- (b) *all arguments are presented objectively; and*
- (c) *the source of all data is indicated or a means for identifying the data source is provided.*

This goes to the work of the Auditor-General which is really important. We trust the Auditor-General; we have had several Auditor-Generals in this space. They are very professional people and you have to give them the capacity for how they measure what is going on in these ads, which provides that test. It is an important test and we have seen it pay off in spades from the work of the Auditor-General when they go through public information to either clear it or condemn it. It provides a very clear basis for how we judge these things. For the interest and support on the floor, commonsense arrangements for how the Auditor-General does their job. An agency giving public information must not comment on the views, policies or actions of a particular political party or politician, or criticise the views, policies or actions of a particular political party or political person.

That is essentially the ice ad, which we have discussed in great detail. This goes to what we have been talking about, which is having a definite part of the regulations that ensures we are not doing these ads for a political purpose. This is about providing information, access to services and other sorts of sensible campaigns that are for the benefit of Territorians. It is about providing information the right way and for the right reasons. It is a commonsense set of regulations, and I thank everybody for their support of these regulations. It gives the Auditor-General the basis for providing the test—if they are ever required to test it—and the basis for the agency so when they do their ads they have a clear set of guidelines, rules and regulations to abide by.

There was an interesting point raised by the Minister for Primary Industry and Resources; those regulations do not apply when we pay for it out of our own pockets. It is something we are very sensitive to and have been for a while now. If we are going to pay for an advertisement—and the Greek Glenti is an obvious example because it was actually referred to the Auditor-General by the CLP. We paid out of our own pocket for a Greek Glenti advertisement in the newspaper and had our faces showing support for the event. We thought it was important to show support for the Greek Glenti so decided we would pay to do that ourselves.

The CLP could not get their heads around the fact that we would pay for our own advertisements, so they referred it to the Auditor-General, saying we had clearly breached the public information guidelines. They were looking for a square up, after they had been found time and time again to be breaching the *Public Information Act*. The Auditor-General wrote us and we sent a very simple response saying we paid for it ourselves. We thought we should do the right thing and pay for the advertisement ourselves, showing our support for the Greek Glenti as Labor Party members. It was not something that the CLP could get their head around and that is why they referred that advertisement.

This is about how we apply ourselves to public expenditure for a public service in promoting good public policy. There are good guidelines there, which we will abide by. We will apply ourselves, Member for Nelson. We will not slide backwards, Member for Blain. We will ensure that we only promote relevant public information, Deputy Chief Minister. Thank you very much for your contributions on those grounds. The regulations clearly show the truth of what we are trying to do here. I thank everybody for their universal support of this.

Briefly outlining the specifics, this bill removes the definition of public information guidelines because standards and criteria are now to be covered by regulation, making it fluid and flexible for the changing world we live in. Clause 5 is amended to provide that Jacana Energy and Territory Generation are not public authorities for the purposes of the act, consistent with Power and Water Corporation not being a public authority under the existing act.

Clause 6 amends section 6 to insert section 6(2)(a), which allows the Auditor-General to determine a contravention of the act if the content provided does not meet the criteria prescribed by regulation for the giving of public information. It also amends section 6(2)(d) to provide that including in advertising an image of the holder or occupier of the office of a minister may contravene the act. Further amendments in section 6 are in place so this will not apply if the audience is interstate or overseas. The Minister for Primary Industry picked up on this point; to enhance the effectiveness of the information we are giving a face to the NT and aiding in the developing of relationships between the government and national or international audiences.

I know others have gone overseas on behalf of government. This is a very important point about how we use this information. Clearly, if you are in Japan, Korea or China you are not trying to convince them to vote for you, so it is not for a party political purpose. If a person's face is on this information it is for promoting the Territory. That is an important exemption. This also does not apply in times of emergencies, for example a cyclone or flood, where there would be the expectation of leadership from the community. This is something that has been negotiated in the past.

Clause 7 ensures that if the request for review of public information is made for the Auditor-General by a member of the Assembly then the member will also receive a copy of the report and the findings of that review.

I thank all the members who have contributed to the debate so far. This is part of the agenda we had last election about restoring trust and integrity in government. For many people this might be the face of government and the only way to interact with government: the ads on television at night, in the paper during the day, on the radio and social media. This controls the integrity and trust of government by ensuring the information the public receives is not party political and complies with the guidelines.

This is an important bill—which will hopefully soon become an act—which goes to our integrity and trust agenda. I thank everyone for their support in getting it to this stage. The Member for Drysdale noted that we were elected on a platform of trust. This bill goes to that end, and it strengthens and restores existing legislation. It addresses the mistake made by Adam Graham Giles when he revoked the regulations underpinning the *Public Information Act* last term.

We are restoring confidence to government information and accountability because we are an accountable government. I thank those who support this bill and I commend it to the House.

Motion agreed to; Bill read a second time.

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

Motion agreed to; bill read a third time.

PAPERS TABLED
Travel Report – Deputy Leader of the Opposition

Madam SPEAKER: Honourable members, I table a report pursuant to clause 6 of the RTD, travel undertaken by the Deputy Leader of the Opposition, dated 24 November.

Treasurer's 2016–17 Mid-Year Report

Ms MANISON (Treasurer): Madam Speaker, in accordance with the *Fiscal Integrity and Transparency Act*, I present the 2016–17 mid-year report, which provides updated information on the Territory's fiscal position and economic outlook.

The mid-year report provides an update on where we have been and where we are going. It provides a frank assessment of the Territory's finances and incorporates the changes which have taken place under the new government. This includes capturing the changes to the machinery of government and incorporates this government's priorities and election commitments.

As part of the 2016 election campaign the Territory government announced a number of commitments which underpin its policy platform. These election commitments cover areas such as children and social development, jobs, lifestyle and trust in governance. The budgetary effects of these commitments now form the baseline for the 2016–17 mid-year report. The net cost of the government's official election commitments contained in this report remain consistent with that provided prior to the August 2016 election.

Recurrent commitments are estimated to cost \$23.9m in 2016–17, rising to \$77.6m in 2019–20. Key recurrent initiatives include funding of \$15.5m in 2016–17 rising to \$31m ongoing from 2019–20 for additional school resourcing; funding of \$5m in 2017–18 rising to \$15.8m ongoing from the 2019–20 year for police resourcing and recruitment; funding of \$3m ongoing from 2017–18 to introduce an independent commission against corruption for the Northern Territory; and \$1m in 2017–18 rising to \$5m ongoing from the 2019–20 year to expand the nurse home visits program through the Nurse-Family Partnership Program. These are important, ongoing commitments that will make differences in the lives of all Territorians.

In addition to these recurrent commitments, the government has committed to stimulating the economy through targeted infrastructure aimed at creating jobs. In the lead-up to the election this government foreshadowed the development of a 10-year infrastructure program to support the economy and promote local employment. The development of this plan has commenced, in consultation with key sectors, industry and business, with our economic summits process. The \$1.7bn infrastructure spend this financial year commenced by the previous government has also continued in line with the Labor government's commitment to ensure the change of government did not put any handbrakes on the economy.

We have also brought forward a number of our election commitment projects to support local businesses and create jobs. We brought forward \$120m worth of projects to support jobs, the economy and deliver important infrastructure for Territorians. In addition to this, the government has brought forward \$22m of stimulus to support local jobs and businesses. These changes will be captured in the 2017–18 budget papers.

As a new government, we have committed an extra \$1.1bn over the next 10 years to remote housing across the Northern Territory, and an additional \$100m across the next two financial years to fund infrastructure and further stimulus. We are also committed to returning the budget to surplus. To assist in this objective the cost of our overall commitments is being met through a combination of savings measures, savings totals of \$38m in 2016–17 rising to \$50m by 2019–20. It is important to note that these measures will be achieved without compromising delivery to core government services. Savings will be achieved through efficiencies resulting from machinery of government changes, as well as reductions in discretionary government spending such as advertising, communications, marketing and travel costs.

Also included in the savings measures is the government's commitment to improve alcohol policy by reintroducing the Banned Drinker Register and increasing the focus on diversionary programs to provide a more holistic approach in tackling alcohol-related social and health problems. In addition, the government has been able to fast-track and reprioritise the existing capital works program to better target more industries across the Territory while ensuring the fiscal targets are maintained.

The incorporation of our election commitments and the changes in the projected outcomes since the August 2016 Pre-election Fiscal Outlook, PEFO, have been influenced by the following key factors:

- the 2015–16 final outcome
- the Territory's \$25m contribution to the Royal Commission into Child Protection and Youth Detention Systems of the Northern Territory, announced by the Prime Minister on 26 July 2016
- a reduction in GST revenues related to lower collections in 2015–16 that flow through to all forward years.

Overall, with all these factors combined, the fiscal balance deficit is projected to be largely unchanged at \$875m in 2016–17, consistent with the Pre-election Fiscal Outlook. The fiscal balance improves over the forward years to a \$29m surplus in 2019–20, being the year this government has committed to returning the budget to surplus.

Net debt and net debt-to-revenue are still projected to increase over the forward estimates period, with an increase of \$40m by 2019–20 when compared to the PEFO. This increase is largely driven by lower GST revenues which, in aggregate, have been reduced by \$56m over the budget cycle. While lower GST collections impact all states in Australia, it highlights the importance of the GST to the Territory and is why we are committed to protecting our fair share and the principles of horizontal fiscal equalisation.

Overall, the key elements of the fiscal outlook presented in the mid-year report are:

- a general government operating surplus of \$1m in 2016–17, with operating deficits projected for both 2017–18 and 2018–19, before returning to surplus of \$67m in 2019–20
- fiscal deficits from the non-financial public sector forecast in 2016 through to 2018, before returning to a surplus in 2019–20 of \$29m
- net debt of \$1.85bn in 2015–16, increasing to \$3.1bn in 2019–20
- a net debt-to-revenue ratio of 27% in 2015–16, which was influenced by the 99-year lease of the Port of Darwin, rising to 46% in 2019–20.

The 2016–17 mid-year report includes an update on the Territory's economic outlook, a look back at where we have been, and provides an update of where things are heading.

In 2015–16 the Territory economy grew by 2.7%. Although the Territory economy continues to grow, 2.7% is a far cry from the growth we experienced in recent times. It is clear we have begun to experience a transition from a period of high growth driven by recent record levels of private investment associated with the mining investment boom. The 2.7% level of growth in 2015–16 was driven by increases in household consumption, up 5.2%, and net exports, up 50.6%, which was largely driven by the significant decline in international imports. Private investment declined by 32.6% to \$9.1bn, reflecting a decline in investment associated with work on major projects including the Ichthys liquefied natural gas project.

Unfortunately in 2015–16 the economy was experiencing a large decline in private investment; public sector investment also declined by 16.4%. State final demand, which focuses on domestic activity and excludes net exports, decreased by 12.5%. Although this decrease was more than the estimate in the 2016 budget papers of -5.4%, it is broadly in line with the expected return to historical levels following the recent record levels of private investment. Consumption and government investment are expected to be the main drivers of onshore economic activity over the next year or two.

In addition to the economic growth outcome, the latest figures show Territory employment increased by 1.3% in 2015–16, similar to the growth forecast in the 2016–17 budget. Unemployment was unchanged from 2014–15, averaging 4.2%. The Territory continues to have one of the lowest unemployment rates and highest participation rates of all jurisdictions.

In 2015 the Territory's population increased by 0.4%, which was slightly lower than estimated but reflects an increase from the result in 2014 when there was no increase to the Territory's overall population. The increase in 2015 was mainly due to a slight improvement in net state migration.

Price pressures remain moderate in the Territory, with the consumer price indexes remaining flat this year to September 2016. It is clear we are now confronting challenges across the Territory, as recent drivers of growth contract and our economy transitions to the production and export phases of the resources cycle. These are challenging economic times, but the Labor government is supporting the Territory's economy transition by facilitating an environment of domestic and international investment and trade, along with innovation and support for key areas of potential growth, to encourage northern development and build on the Territory's economic strengths.

These strategies will be implemented under the Territory's economic development framework, which will be a key outcome of this government's upcoming economic summits. The Territory government is working to broaden the Territory's economic base and expand identified growth areas, such as agribusiness, the resources industry, tourism, international education, construction and Defence industries.

We will also invest in emerging industries such as tropical and desert health, Aboriginal bush medicines, art, food and fashion. A range of investments by the private sector and the Commonwealth Government are in the pipeline to supplement our \$1.7bn infrastructure spend this financial year. The Commonwealth is spending ahead on Defence projects, including \$8bn over the next decade and a further \$12.2bn between 2025-26 and 2035-36. These projects include \$500m redevelopment works at Larrakeyah Barracks and HMAS Coonawarra in Darwin, and \$470m for new air combat facilities at RAAF Base Tindal.

Road investments to support the Territory's agriculture and tourism sectors are also coming up, and the *Developing Northern Australia White Paper* investment. Private investment projects continued from the previous government, which have been committed to and have real potential for the Territory's future development include the North East Gas Interconnector, the Darwin luxury hotel and the shiplift facility.

There are also other potential projects still subject to various approvals, including Project Sea Dragon, the proposed \$1.5bn aquaculture project expected to create up to 1500 direct, sustainable full-time jobs across northern Australia. This project is still subject to approvals and final investment decisions, but it would be a significant driver of employment and exports for the Territory if it proceeds.

Our government is helping first home buyers purchase their first home with the introduction of stamp duty discounts for those purchasing existing properties. To date, over 100 applications by first home buyers have already been approved.

This government is keeping a close eye on fuel prices for Territory motorists and businesses. We are committed to continuing to implement the recommendations from the Australian Competition and Consumer Commission report on the Darwin petrol market. We are also investigating initiatives that have been tried and tested in other jurisdictions to ensure more transparent and competitive fuel prices in the Territory without increasing the burden on business.

We have only just begun to steer the economy back in the right direction and we know we have a long way to go, but we are starting with a plan. At the heart of the plan is consultation with Territorians to drive long-term change in sustainable economic growth.

I table the mid-year report and move that the Assembly note the report.

Debate adjourned.

CONSIDERATION OF COMMITTEE REPORTS, AUDITOR GENERAL'S REPORTS AND GOVERNMENTS RESPONSES

The Auditor-General for the Northern Territory Report to the Legislative Assembly November 2016—consideration adjourned.

ADJOURNMENT

Ms FYLES (Leader of Government Business): Madam Speaker, I move that the Assembly do now adjourn.

Ms LAWLER (Drysedale): Madam Speaker, I will talk about the motivated young people I met recently at the Duke of Edinburgh Awards. On 11 November 2016 I had the honour of hosting the 2016 gold, silver and bronze award ceremony for the Duke of Edinburgh Awards at Parliament House.

Due to the popularity of this program, there was a second awards ceremony at Parliament House on Monday 14 November, which was hosted Mrs Vicki Baylis, the Acting Chief Executive of the Department of Education, on my behalf since I was in Jabiru at the time.

The Duke of Edinburgh Awards has been operating in the Northern Territory for over 40 years. Over that time they have helped to develop 6000 strong, motivated and resourceful young people. As I listened to the adventures and challenges that each of the awardees experienced through their journey of the program, I was struck by the leadership skills they had developed and the growth in their knowledge and confidence.

At each of their levels, the young people participate in the following activities: Service, which encourages young people to connect with their local community and volunteer their time to help others; Physical Recreation, which encourages young people to participate in sport and other physical recreational activities to improve their health, wellbeing and fitness; Skills, which encourage the development of personal interests and practical and social skills; Adventurous Journey, which encourages a sense of adventure while undertaking a team journey or expedition—as part of a small team the young people will plan, train for and undertake a journey with a defined purpose in an unfamiliar environment, definitely an adventurous journey; and Residential Project, completed only at the gold level which aims to broaden the young person's horizons and understandings by working with and supporting others in a residential setting.

Over the two nights 243 young people were awarded a gold, silver or bronze award. Of these, 159 young people were awarded bronze, 79 young people were awarded silver and five young Territorians were awarded the gold award. All the young people who participated came from schools across Darwin, including Casuarina Senior College, Dripstone Middle School, Kormilda College, Essington, Marrara Christian School, Taminmin High, Good Shepherd Lutheran College, Darwin Middle School, Police Junior Rangers and Mackillop Catholic College. Congratulations to all the winners; I am sure they and their parents are proud of their achievements.

I would like to name the five young people who achieved the gold award for 2016. They are Senuri Pinto, Georgia Storey, Jemma Briton, Millie Hunt and Niamh Marah. I am sure these amazing young people will become future leaders and role models for the Territory. I also thank the award leaders, the volunteers and the parents for their valuable support of the young people and ensuring continued success of the program.

Ms AH KIT (Karama): Madam Speaker, this evening I would like to take the time to acknowledge my electorate in the lead up to the festive season. I would like to start by acknowledging the schools in my electorate, of which I have six. I have four primary schools, being Manunda Terrace Primary School, Malak Primary School, Karama Primary School and Holy Family Catholic Primary School. I also have one senior school being the O'Loughlin Catholic College.

There is also the Malak Re-engagement Centre, which provides specialised support services to young people in order to provide a pathway to an active future. I am pleased to advise that I am working in partnership with the Member for Sanderson to support Sanderson Middle School, as it is the only government middle school that is a close by feeder school for both electorates.

I have had the privilege of working with and supporting each school in their endeavours to provide the very best educational outcome for all students, which has been a fantastic success to date. I have also been fortunate enough to attend many public school assemblies where students have been acknowledged and rewarded for their values, behaviour and academic achievements. This is a fantastic idea and an important mechanism to celebrate good behaviour in the school setting. I acknowledge and thank all the school principals, staff and school councils for their hard work this year to ensure that our children receive the support and guidance they so richly deserve. I also wish all grade six students the very best of luck in middle school next year.

I also acknowledge the hard work, dedication and commitment displayed by local businesses in both Malak and Karama this year. Both suburbs have faced their fair share of challenges with antisocial behaviour and crime, to name a few issues, but in true Territorian fashion they maintained resilience and continued to deliver for our community and beyond.

I would like to shine a special light on the great work that Kelly and Jo have undertaken at KJS Entertainment in Malak to provide activities for kids and their families, which have been a huge success. Jo and Kelly are continually looking at ways to engage community members in family friendly activities, and I cannot thank them enough for playing their part to build a great sense of community.

Darwin Community Arts is located in the Malak shopping centre where they deliver programs and initiatives for a wide cross-section of our community. Jim, Bong and other staff members deliver an impressive amount of work and have had a great impact on our community through monthly community dinners, supporting the Malak marketplace and managing the Chambers Crescent Theatre for public use.

I also am fortunate enough to have the Karama Library located in the Karama Shopping Plaza, which provides a welcoming haven for individuals, families and community groups. I thank all staff for their ongoing efforts to engage with community members and I look forward to more fun events, like the Star Wars Reads Day, in 2017.

I also thank all those who work at the Malak Shopping Centre and the Karama Shopping Plaza for their contribution to our community. It has been a wonderful 2016. Finally, I thank the good people of Malak and Karama for putting their faith in me to serve as their local member. It has been a privilege to meet many people, both during my campaign and in the three months since, and to hear their experiences of living in our wonderful community. Thank you to those who share their ideas of how we can improve our community together and to those who put their hands up to get involved with that process.

In closing, I wish all those who live or work in my electorate the very best for the festive season; I look forward to supporting them all in 2017.

Mr GUYULA (Nhulunbuy): Mr Deputy Speaker, I continue on from last week. According to media reports, the NLC board has now agreed to a 99-year lease at Gunyanara. Despite the media proclaiming this deal is some kind of success, it is in fact a case of top to bottom lawlessness.

For starters, the land in question is not Gumatj owned land. If Gumatj do have a claim, it is as one clan amongst several within Ringitj-alliance. They cannot own it alone. It is possible that they are Djagamirr caretakers for this area but it is a certainty that under Madayin law there are clans with a higher-priority claim to ownership. Lamamirri and Warramirri, by many accounts, top the list.

The consultation for the Gunyangara 99-year lease is also revealing. To the best of my knowledge the NLC conducted affective community consultations in Galupa, Yirrkala, Galiwinku and Gapuwiyak, but not in Gunyangara itself. At Galupa, Yirrkala and Galiwinku we have been informed that there was clear disagreement to the application. We do not know what happened at Gapuwiyak. Lamamirri and Warramirri also made themselves known during these meetings, and claimed their status as traditional Aboriginal owners, not just an affected community. The NLC ignored their status.

The consultation was then finalised over two days in Gunyangara. The meeting was Gumatj only. Some Lamamirri paid their own way to get to this consultation but were denied the right to speak and possibly even enter the meeting. Under instruction from members of the Gumatj Corporation, NLC restricted the meeting to the Gumatj clan only. Lamamirri kin who approached the NLC to protest the exclusion of Lamamirri gutharra were told they were not TAOs by the NLC staff.

The whole consultation for the Gunyangara 99-year lease was finished within four weeks, not in 10 years like some media reported. The deal is so raw that there is not a constitution for the proposed entity that will take control of the lease. In contrast, the 99-year township lease consultations with Gunbalanya's TAOs lasted something like two years. I know this because I visited these people during the consultation.

The point seems to be that if the NLC wants something, it will happen. It does not matter if you have the right TAOs or if you are following the law. It does not matter if everyone is confused or upset. The attitude of the Darwin-based NLC is that it knows best. When amendments like 19A(3) exist, the context is ripe for systems that fund on 'deals for mates'.

We are now left to clean up the mess of the recent 99-year lease deal. The whole Gunyangara Island and the mainland sites of Wartjaba, Gorrkpuy, Galupa and Narrariyal will now be held under a 99-year lease to a corporation currently without a constitution. This is not satisfactory.

The agreement sees the handover of land by people who do not own it. It sees the demolition of other people's rights, rights refined over thousands of years and then earned again with many decades of struggle under colonial government. This agreement sees the exchange of fair Madayin law for weak corporate law.

The NLC needs to stop and start listening. This matter, the Gunyangara 99-year lease, is just a symptom. The whole Gove Peninsula remains under a cloud of NLC denial. Against repeated attempts to make

corrections, the NLC has for decades maintained that Gumatj and Rirratjingu are the traditional Aboriginal owners of the bulk of the land on the Gove Peninsula. This is wrong. The real traditional owners of the Gove Peninsula, bar pockets and tracks of Ringgitj-alliance land, are the Lamamirri—inherited by their Gutharra—the Dhudi Djambarrpuynu and the Dhurili.

Rirratjingu and Gumatj are not TAOs of Gove; they are part of the management of the land only. They are Djagamirr caretakers. I am not saying this on my own. This is what the law says and it is the testament of all the clans involved, including Rirratjingu and Gumatj. We Yolngu people want to unite, not fight in courts like the NLC forces us to do.

This issue is very important. The NLC determination in Gove was precedent setting. It throws out all matters of land ownership in our region. For example, if Gumatj and Rirratjingu, who are Djagamirr caretakers by Madayin law, are determined by the NLC to be TAOs in Gove, what stops other Djagamirr caretakers from being named traditional Aboriginal owners elsewhere?

The only way forward for the majority of my electorate is protection under the Madayin law. We must have room to be ourselves and to decide for ourselves. Amendments like 19A(3) do not allow for the rule or law; they attract corruption instead. NLC deciding that a 99-year lease is right for us and pursuing it without pause for the law is not allowing us to decide for ourselves. It is also an attack on our sovereign rights and could create lawlessness for generations.

It is time for the NLC to get straight with the law—the Land Rights Act and our Madayin law. It is time for the NLC to accept the political status of our Ngarra institution and its authorities. It is time for the NLC to accept the jurisdictions of Ringgitj-alliances. It is also time they acknowledge the proper land ownership of Gove Peninsula without excuses, and acknowledge the Lamamirri Gutharra, the Dhudi Djambarrpuynu and the Dhurili. I do not know what will happen with the Gunyangara 99-year lease. If the Land Trust has not signed it off; it should not. If there are legal processes available to challenge the decision to accept this proposal, they should be considered. If that is not possible, the constitution of the proposed corporation has to match the rights provided to our people under Madayin law; anything less is an act of contempt for Yolngu society.

Ms PURICK (Goyder): Mr Deputy Speaker, I will talk about some of the achievements of people in my electorate, and their horses. I have mentioned before that there is high horse ownership in my area. There are none on my property fortunately, but there are lots of horses on my constituents' properties. They do a fine job of horsemanship, animal husbandry and competing.

I went to the Darwin Dressage Club's presentation night and Christmas function at the Rydges hotel in Palmerston. It was a good evening and a lot of fun. There were some fun games, and awards were given for the year's activities and competitions. What amazes me about the sport of dressage equestrian activities is that it is a completely level playing field; although, perhaps some do not think of it that way. Men compete against women, and adults compete against children as young as 14; a lot of the time the children win against mature horse riders, not only in dressage but in pony club activities and jumping. We do not have cross country up here. We did once upon a time. I am hoping that sometime in the near future we can get cross country up and running again.

Congratulations to the recipients of all the awards; I know that it is hard work. It is especially hard work in the hotter months of our year, like January, February and March. Kirsty Leslie was awarded senior rider. Shanna Mudge was awarded junior rider; she is a lovely young girl who will be a real star. She spent two days with me on work experience, one day in the Speaker's office and one day in my electorate office. I think she is going places, not only with her horse riding but also generally in her life. The preliminary champion was Joe Brosnan; the novice champion was Amy Fisher; the elementary champion was Jackie Gould; and the Pam Prellin award went to Christine Hazel. Pam Prellin was a wonderful dressage rider and coach who passed away a few years ago.

The committee award, which I sponsor, went to Melanie Coban, someone who really contributes to the club and all the activities generally. The newcomer award went to Alex Mud; the senior encouragement award went to Alisha Horne; and the junior encouragement went to Tanisha Walters. Congratulations to all of those people. I know they worked very hard. They have worked their horses hard and have looked after them. Both the horses and the riders are probably looking forward to a well-earned spell over the Christmas break and the Wet Season.

A lot of the people involved in dressage and equestrian activities are working behind the scenes; these activities would not happen unless you had coaches and judges. They are aligned with national

accreditation and equestrian Australia rules, whether it be coaching or judging. Previously in this House I spoke about Vanessa Lyons, a coach in the rural area, when she achieved level one coaching under the National Coaching Accreditation Scheme for equestrians. That scheme was started in 1980 by the Australian Sports Commission. It is not just dressage. There are almost 100 sports registered with the NCAS program. The entry level is introductory, which is aimed at coaches who want to specialise in coaching beginners.

Level three is the highest standard of accreditation and is for coaches who work in the high performance areas or are coaching elite riders, which means Olympic standard. There are three levels for this coaching: level one, two and three. Clearly if you are level two you are almost at level three. Vanessa Lyons has just achieved level two coaching accreditation, and that is an amazing achievement for someone in Darwin, because she has to travel interstate to be assessed. We do not have the people in the Territory to assess and judge. Not only is she doing it at personal cost and expense, but her time—she has a full-time job. She is a popular coach for both adults and children. Congratulations to her for reaching level two. I am sure someone like her could easily push on to become a level three judge, which would be fabulous given our distance from equestrian centres and populations of horses and riders.

Two other people in the rural area have achieved a judging level of qualification, which is E level. It does not sound like it is much, but it is very good. It goes from E to A and they have achieved this level. It has also taken quite a lot of personal commitment, expense and time. Congratulations to Danila Lockran and Jodie Triggs. They have been around the dressage and pony club world for a long time and are very popular. They are great people. I enjoy their company; they are always happy to explain all the funny things these horse people do, all the equestrian activities they get up to and the difference between long boots and short boots.

For the new members, there is no such thing as a white horse. Even if it is white, it is grey, all right? I learned that early in the piece. Juniors have short boots; seniors have long boots. There are different coloured trousers for different events. It is always fun going to those events. It is nice sitting under the trees at Fred's Pass with a lime drink or two, watching these wonderful riders—adults and children, men and women, girls and boys—enjoying what they do well. It is a great spectator sport for people like me.

Congratulations to all the dressage cup winners. Congratulations to Vanessa Lyons, Danila Lockran and Jodie Triggs. Well done, and bigger and better next year.

Ms NELSON (Katherine): Mr Deputy Speaker, I wish to speak about mental health during the Christmas season, and about a very special young man who was born and raised in Katherine.

This man has, in his young life, inspired so many of us with his positive energy, compassion and refusal to allow labels to deter him from his true self. Jake Gablonski was selected this year as the NT ambassador for R U OK? Day. While it took a lot of courage, Jake showed a lot of emotional resilience and maturity when he took on the challenge of being the NT ambassador for R U OK? Day. In that role he has spoken extensively about his own personal experience in learning to live with depression.

Jake felt a strong responsibility to speak out publicly in order to help his community of Katherine. He drew attention to mental health issues amongst our young adults, especially young Indigenous adults. He also drew attention to the incredibly debilitating effects depression has not only on the sufferer, but on their family and friends.

It is people like Jake and the message he delivers—which is that together we can get through depression—that will break down the stigma that prevents young people from seeking help. I am sure many of you will agree there is a huge gap between the way mental health and physical health are understood and treated. Even in relatively advanced countries like Australia, diagnosis at times is poor and treatment is inconsistent. While we have made strides in improving education about mental health, we still have work to do.

Mental illness carries with it a stigma, and there are many common misunderstandings about mental health in our society. For one, mental illness is far more common than most people would believe. Each year one in four people will experience some form of mental ill health. For many people this might be a surprising statistic, but when you speak to them they all have friends or family who have suffered from anxiety or depression. These are the most common mental health difficulties people encounter, yet they often go unrecognised or unsupported.

Some of us do not think of these as mental health issues. We brush it off by using terms like 'nervous' or 'a little bit sad'. We need to change the way we talk about mental health issues and start being far more careful in the labels we use. Lack of education about mental health also means many people have a fundamental misunderstanding of what mental illness really is. For many people mental illness is still categorised by strange, erratic or dangerous behaviour, so the vast majority of mental health problems that do not fit that stereotype often stay hidden or go unrecognised. Because a depressed person's behaviour does not fit the stereotype, there is a belief that their illness is somehow less real or less serious. It is too easy to dismiss as just sadness; it is entirely different than being a little sad.

Some people with depression are unable to feel anything. Some people have actually described it as like being dead and alive at the same time. To an outsider it might seem like the remedy or cure for sadness is happiness, and that a depressed person needs help in having a more positive outlook, but that is not the nature of this illness; it does not follow that logic. It has taken me a really long time to learn that. It has taken me many years of supporting and loving family members and friends who have suffered depression to know that being positive and faking happiness just is not logical for those with depression.

We need to reach a point where the general public understands the nature of mental illness. The more we do that, the better the diagnosis, treatment and social attitudes will become. As we head into the Christmas holidays it is also important to be a little more aware and observant in the changes in our friends' and family members' behaviour during this period. It has been reported that during significant seasonal holidays, such as Christmas, rates of suicide increase and the number of people being admitted to hospital for acute mental healthcare increases. As we all busy ourselves with preparing for Christmas and holiday get-togethers, we should take a moment or two to check in with each other and our friends and family and ask, 'Are you doing ok?'

I close by saying thank you to Jake Gablonksy for his strength and courage for speaking out publicly about his journey with depression, and for his incredibly selfless desire to help others.

Mr SIEVERS (Brennan): Mr Deputy Speaker, I rise as the assistant minister for sport and community events and I would like to speak about our government's AFLNT umpires and this government's commitment to women's football.

Minister Moss and I are excited for the first inaugural women's AFL season to begin in 2017, and even more excited to know there will be nine Territory female players involved in the AFL women's competition. This government has now doubled the previous government's commitment to the NT Adelaide Crows female team to \$300 000 over two years. I especially look forward to two of these games being played in the Northern Territory.

Additionally, the increase of sponsorship from this government will bring great visibility for this wonderful game and support our current and future female players, like my young daughter, Savannah, who is currently playing for the Buffettes. This will allow all women to follow their dream in the women's AFL. There is now a clear pathway from the Territory to the AFL women's league for Territory girls, and we are very proud of our increased investment because it demonstrates how serious we are about increased opportunities for our talented, hard-working female athletes.

All umpires have an extremely difficult job, as their every move is critiqued by the crowd as well as the players who still have some breath. Our umpires have to make hard calls, with only seconds to react at any given time. As a player of many codes, I was always proud that I played the ball and not the man. I was even prouder that I was never sent off or reprimanded by an umpire. I respected their calls and got on with the game that I enjoyed so much as a young man.

We are very fortunate in the Territory to have a total of 225 current and registered AFLNT umpires across the NT, which is the largest group of sporting officials in the NT. These umpires range from 13 to 77 years old. Further, it is extremely pleasing that of the 225 AFLNT umpires, 81 of these officials are under the age of 18, which is a significant number of junior umpires. I am advised that these numbers have been building through good management and training since 2005.

I am very happy to know there are now 40 females involved in the AFLNT umpiring program. I am also informed that this number continues to grow each season. AFLNT is constantly recruiting new people to take up umpiring. It has a program called Come and Try Umpiring, which ran in August and October of this year. This program recruited 67 new people into AFLNT umpiring in this season alone, which is a credit to Mark Noonan and his team of umpires. Additionally, not only should we commend Mark Noonan, who is the AFLNT umpire manager, we should also thank his team of umpires and volunteers for their ongoing efforts

to build and provide a great service to football and its fans every weekend, especially in the heat and humidity of the Top End.

Before I wrap up on the umpires, there is also one further person I should mention regarding Territory umpires. This umpire was around when I played football—so many years ago—and this person is still running around today, supporting Territory football. Last weekend this person umpired his 400th game in the NT. This is surely a record. This person is no other than the Member for Nelson, Mr Gerry Wood. I not only congratulate Gerry Wood on his fantastic achievement of umpiring his 400th game last weekend, but I also note his outstanding record and commitment to the community. Of the 400 games Gerry has umpired, 382 of them were as a field umpire, one game was on the boundary and 17 games were in the goals.

I am also advised by his colleagues that Gerry is considered to be a very valuable member of the AFLNT umpires group, so our hat is off to you, Gerry. This is an outstanding record and I am sure everyone in the House and the NT Umpires Association will join me in our thank yous for your ongoing commitment to the AFLNT umpires and the game we love so much.

Motion agreed to; the Assembly adjourned.