

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Second Assembly

Parliamentary Record

Tuesday 28 February 1978

Wednesday 1 March 1978

Thursday 2 March 1978

Tuesday 7 March 1978

Thursday 9 March 1978

Part I—Debates

Part II—Questions

PART I

THE DEBATES

Tuesday 28 February 1978

Mr Speaker MacFarlane took the Chair at 10 am.

APPOINTMENT OF CLERK

Mr SPEAKER: I have to inform the Assembly of the retirement on 16 December 1977 of Mr F.H. Walker from the position of Clerk of the Legislative Assembly and that I have appointed to that position the former Deputy Clerk, Mr F.K.M. Thompson.

PETITIONS

TROWER ROAD PEDESTRIAN OVERPASS

Mr ISAACS (Opposition Leader): I present a petition from 61 citizens in the northern suburbs area requesting a pedestrian overpass be built on Trower Road. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders.

I move that the petition be received and read.

Motion agreed to; petition received and read.

To the honourable Speaker and members of the Legislative Assembly for the Northern Territory, the humble petition of the people of Rapid Creek area respectfully sheweth that the absence of a pedestrian overpass on Trower Road is promoting danger to motorists and pedestrians attempting to negotiate Trower Road, one of the main arterial roads linking Darwin with the northern suburbs. Your petitioners therefore humbly pray that this Assembly support the erection of a pedestrian overpass in the vicinity of Rapid Creek Shopping Centre by the appropriate government department at the earliest possible opportunity.

TRANSFER OF POWERS - REQUEST FOR REFERENDUM

Mr BALLANTYNE (Nhulunbuy): I present a petition from 284 citizens of Nhulunbuy and other areas in the Northern Territory concerning the proposed transfer of powers to the Legislative Assembly for the Northern Territory on 1 July 1978. It requests a referendum to determine their acceptance or rejection of the proposed arrangements before 30 June 1978. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders.

I move that the petition be received.

Motion agreed to; petition received.

TRANSFER OF POWERS - REQUEST FOR REFERENDUM

Mrs PADGHAM-PURICH (Tiwi): I present a petition from 110 citizens of the Northern Territory concerning the proposed transfer of powers to the Legislative Assembly for the Northern Territory, the new constitution and new revenue-raising responsibilities which will be conferred on the people of the Northern Territory on 1 July 1978. It requests a referendum to determine their acceptance or rejection of the proposed arrangements before 30 June 1978. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders.

I move that the petition be received.

Mrs O'NEIL (Fannie Bay): I move that the motion be amended by adding the words "and read".

Amendment negatived.

Motion agreed to; petition received.

TRANSFER OF POWERS - REQUEST FOR REFERENDUM

Mr DOOLAN (Victoria River): I present a petition from 34 citizens from Pine Creek in the Northern Territory concerning the proposed transfer of powers to the Legislative Assembly for the Northern Territory on 1 July 1978. It requests a referendum to determine their acceptance or rejection of the proposed arrangements before 30 June 1978. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders.

I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly for the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully sheweth that, at the conclusion of the historic negotiations between the Majority Party and the Federal Government for the transfer of powers to the Legislative Assembly for the Northern Territory, a new constitution and new revenue raising responsibilities will be conferred on the people of the Northern Territory on 1 July 1978. Your petitioners therefore humbly pray that the honourable members of the Legislative Assembly make every effort to ensure a democratic expression of the will of the people of the Northern Territory (with the support and assistance of the Federal Government) by holding a referendum to determine their acceptance or rejection of the proposed arrangements before 30 June 1978, and your petitioners as in duty bound will ever pray.

STATEMENTS

TRADE MISSION TO ASIAN COUNTRIES

Mr STEELE (Transport and Industry) (by leave): I am pleased to announce final arrangements for the Northern Territory trade mission which will leave shortly. You are aware that the mission has been divided into two delegations to enable visits to be made to the Middle East and South-east Asian regions concurrently. The Middle East itinerary commencing on 14 March will occupy 31 days; the South-east Asian visit will commence on 7 March and last 38 days. The Middle East itinerary takes in the United Arab Emirates, Bahrain, Egypt, Saudi Arabia, Kuwait and Iran. This is a complex region enjoying an enormous boost to its economy resulting from the sale of immense quantities of oil. However, competition for those markets is fierce and constant. The South-east Asian and Far Eastern program includes Singapore, Indonesia, Malaysia including Sabah, Brunei, the Philippines, Hong Kong and Japan. Many of these countries appear to have extensive future prospects for trade with Australia, and particularly with the Northern Territory because of our geographical advantage.

As planning for the mission has progressed, we have been disappointed to

learn that all the Australian Trade Commission posts of these regions have replied that they hold no information describing the Northern Territory. Cabinet has therefore decided to include in the brief for the mission the responsibility to convey to these countries some of the basic details relating to the Northern Territory and the immense potential this part of Australia displays. Cabinet also acknowledges the developing needs to establish closer ties with our near neighbours to the north and the delegation will be exploring ways of achieving this result.

However, the prime purpose of the mission is to seek markets for our cattle and beef, particularly the possible re-opening of markets for our live slaughter cattle and, if necessary, to examine ways whereby our products can be made more acceptable to those markets. The second important responsibility of the mission is to explore potential markets for our agricultural products. We want desperately to produce these products to offset our beef industry's falling income.

Cabinet has also expressed a desire for the mission to explore, in appropriate countries, likely interests in joint venture arrangements to develop certain approved resources within the Northern Territory. As previously announced, Mr Speaker will lead this delegation to South-east Asia. We are aware that, because of your commitments to the Assembly, you are unable to participate for the full itinerary. Mr Heaslip from Alice Springs, the Northern Territory representative on the producers consultative group of the Australian Meat and Livestock Corporation, will act as leader of the Middle East delegation. Mr Jettner, chairman of the Primary Producers Board, will be the third official delegate and will manage the South-east Asian itinerary. Mr Jettner will lead this delegation when Mr MacFarlane returns to Darwin on 31 March. Mr W. de Vos, secretary of the Northern Territory Cattle Producers Council, has been appointed secretary manager of the Middle East delegation.

Formal approval has been received from the Department of Trade and Resources giving government sponsorship to the mission. I am pleased to convey to this House that this will enable commercial houses to participate in this mission and be eligible to receive compensation for part of their expenditure. The remainder will be borne by their own organisations. Eight private members have arranged to participate in all or part of the mission. These people represent a wide range of interests including frozen chilled beef, live cattle both for slaughter and breeding purposes, abattoir byproducts, fruit and vegetables, agricultural products including grain hay and hay products and protein grains, pet food products, thoroughbred horses, stud and herd bulls, pasture seeds and gem stones. You will appreciate that delegates representing such a formidable list of export items must auger well for the Territory's future export-earning capacity.

To organise such a mission gives an indication of the Majority Party's determination to support and assist the Northern Territory's existing and developing industries. The mission will have mainly an exploratory role but I am confident it will return with valuable information on the nature of present potential markets in the regions visited and will establish a direct contact between the Territory and those areas which can be cultivated in the future.

Mr DOOLAN (Victoria River) (by leave): I move that the statement be noted and I seek leave to continue my remarks at a later hour.

Leave granted.

WILLEROO PROJECT

Mr STEELE (Transport and Industry) (by leave): Because of the size and

complexity of the Willeroo Project, the executive is giving very careful consideration to the proposal to acquire the Willeroo station as the basis for a major agricultural project in that area. In its initial discussions, the executive agreed that certain criteria must be met; that finance be available at an attractive interest rate, that the properties could be purchased legally by a statutory authority formed for the purpose, that a viable management plan could be agreed on and that private buyers would have the first opportunity to develop the area. The executive will need to have regard to all these important matters and, in particular, to the financial, management and viability considerations.

A private agricultural consultant has been engaged to assist the Primary Producers Board in a detailed examination of appropriate cash flow budgets together with model farm budgets for those settlers taking up land in the area. Obviously, with experience of previous land settlement projects in the Northern Territory, it will be necessary to write into these budgets appropriate safeguards to enable new settlers to survive severe seasonal variations. Since these could occur in the early years of production, the Primary Producers Board is at present engaged in monitoring the cost of the crops growing at Scott Creek under the supervision of the receiver for NADC. It is noting in particular the technical problems of the area and the climatic peculiarities of the region. In the past, these have been shown to be important elements in the consideration of pastoral and agricultural projects of this nature in the Northern Territory.

The management of the property will obviously be critical in ensuring the effective development of the project. A management group will be required to control the large existing cattle operation, maintain a cropping program to test commercial field-size trials of new varieties, crop husbandry and rotation and to bridge the gap existing between the AIB and CSIRO experimental farms and broad acre cropping. These factors are under careful examination and an evaluation will have to be made to reduce the risk for settlers having to act as pilot farmers. It is important therefore that the executive be fully satisfied that such a group can be established in the interests of assisting the further development of the agricultural industry in the Northern Territory.

Other important functions of the management group will be to select suitable settlers to manage the staff associated with the whole complex and to oversee the general management of the scheme. Careful consideration must therefore be given to the nature and composition of the group which will be established to plan, develop and manage the Willeroo area. The executive is proceeding cautiously in its evaluation of this project. At the same time, it is anxious to develop a settlement scheme of this nature if the viability of the project can be adequately demonstrated as this could act as a major catalyst to agricultural development in this area. Of course, it would be quite irresponsible to proceed with a project of this magnitude until a full evaluation has been made in terms of the factors which I mentioned earlier. However, using the resources of the Primary Producers Board and with the expert assistance of a private consultant group, it should be possible to have answers to these various matters so that, when a full commitment is made to the project, the executive can be sure that the expenditure of a substantial amount of public money will be made on sound, viable lines.

Mr DOOLAN (Victoria River) (by leave): I move that the statement be noted and seek leave to continue my remarks at a later hour.

Leave granted.

CONSTITUTIONAL DEVELOPMENT

Mr EVERINGHAM (Majority Leader) (by leave): Since the Assembly last sat in 1977, a number of significant events have occurred in the constitutional development of the Northern Territory and events of an even more historic nature are just around the corner. It is a time of dramatic change for the Northern Territory and I would be failing in my duty if I did not place on record in this House for the information of members and for Territorians generally my summary of the situation and my assessment of the significance of the events that have occurred and those planned.

As a result of agreement reached with the Minister for the Northern Territory and other Commonwealth ministers and also as a consequence of the passage of legislation through this House late last year, a number of functions were transferred to the control of the Territory executive on 1 January 1978. The list of functions is set out in the Transfer of Powers (Further Provisions) Ordinance with which members will be familiar. Some of the more important functions that were transferred were town planning, apprentices and traffic control. The Attorney-General's Department in the Territory was divided by the transference of most officers to the Northern Territory Department of Law, the remainder being included in a new Commonwealth Deputy Crown Solicitor's Office. Most of the functions of the Attorney-General's Department in the Territory have been taken over by the Department of Law. For the first time, the Northern Territory has access to its own source of legal advice through the Solicitor for the Northern Territory, Mr Ian Barker, QC.

It is important to note that the January transfer was merely a continuance of the process that has now been going on for over a year. This transfer of powers is pursuant to an amendment to the Northern Territory (Administration) Act passed in 1976 whereby the Administrator can, after consultation with the Minister for the Northern Territory, determine that executive members will perform certain specified functions as set out in the Gazette from time to time. This system does not in any way amount to responsible self-government. The overriding control remains with the Commonwealth but the Territory executive at least has a substantial voice in the decision-making process in relation to the specified functions. The Territory executive has not hesitated to make its voice heard whenever it has been in the best interests of Territorians.

The goal remains responsible self-government. There is no argument that Territorians should have the final say in local matters that directly affect them. For too long, the Commonwealth has exercised powers in relation to the Territory which go beyond matters of national significance. The dead hand of Canberra control has crept into almost every corner of Territory life down to the most minor of matters. Responsible self-government means substantially more than that given by the 1976 amendments to the Northern Territory (Administration) Act. It means that Territorians must have the final say in all matters of local significance. It means that Territorians must have the final say on how public moneys are spent on such matters. It means that the elected representatives of this House, through the executive, must be given the administrative power to effectively implement the legislative acts of this House. The Territory executive has worked tirelessly in pursuit of the goal of responsible self-government.

I depart from my prepared statement here to say that, not only the Territory executive has worked tirelessly, but its officers have. I will not name any of the officers but they are all well known to members of this House. I would like at this stage to pay tribute to the long hours and dedicated work put in by every officer of the Northern Territory Public Service whom I have any dealings with from legislative draftsmen through to the Solicitor for the

Northern Territory, the Director General of my department right down to the clerks in the registry and the Public Service Commissioner's office. They all seem to work in bad conditions, for long hours but in a dedicated fashion. We will certainly do our best to improve their conditions as quickly as we can after 1 July.

The complexity of the issues involved has not yet been widely realised. Constant rounds of discussions have taken place in the last few months requiring the participation of members of the executive as well as senior members of the Northern Territory Public Service on a wide range of related topics. As members already know, whether or not we accept responsible self-government by 1 July 1978 will depend upon our entering into a satisfactory financial agreement with the Commonwealth.

A matter of first importance is the form of the Commonwealth legislation needed to establish responsible self-government. In this regard, I can assure members that I and my fellow cabinet members will under no circumstances accept whatever the Commonwealth and its advisers think is suitable for the Territory. The granting of responsible self-government is the most significant event that has ever occurred in the constitutional development of the Northern Territory. We want to be sure that what is granted to the Territory is as full and substantial a grant of powers as is possible in all the circumstances and that it is free of defects and limitations. What is being considered at the moment is the granting of a constitution for the Northern Territory; it is much more than merely a continuance of the process of transfer of powers. I hope it will result in the creation of the Northern Territory as a political entity in its own right under the Crown. Admittedly, it will not have the same powers as a state as it will continue to have the status of a Commonwealth territory and the overriding power of the federal parliament under section 122 of the Commonwealth Constitution will still apply. However, the Territory executive will not, under any circumstances, accept legislative provisions which will permit a continuance or re-occurrence of Commonwealth bureaucratic interference in local affairs unless the Commonwealth wants to take the whole thing back.

We have involved ourselves as actively as possible in the drafting of the bill although without much encouragement from the Department of the Northern Territory. To this end, Mr Barker obtained an opinion on constitutional issues from Professor Geoffrey Sawyer, one of Australia's leading experts in the field. A copy of the opinion has been made available to all honourable members. Mr Barker has been three times to Canberra to discuss the constitutional significance of the bill and, on the last occasion, he and I attended a conference with the federal Attorney-General and his officers. On 31 January 1978, I wrote a lengthy letter to the Attorney-General pointing out my concern about the way in which steps had so far been taken in the drafting of the necessary Commonwealth legislation. I also made a number of proposals for incorporation in the proposed legislation. A copy of this letter has been made available to all members. I seek leave to have a copy of this letter included in Hansard.

Mr SPEAKER: Do you find this is absolutely essential?

Mr EVERINGHAM: I really do, Mr Speaker, because it touches on the Northern Territory constitution and I believe these negotiations on our constitution act, as it were, should be detailed before the House and incorporated in its records.

Leave granted.

Senator The Hon. P.D. Durack,
Attorney-General of Australia,
Parliament House,
CANBERRA, A.C.T.

Dear Senator,

I refer to my letter of 19th December 1977 to the Minister for the Northern Territory concerning the proposed amendments to the Northern Territory (Administration) Act. A copy of the letter is enclosed.

Since writing the letter to Mr Adermann I have received advice from the Northern Territory Department of Law concerning the legislation, and I have given further consideration to the matter. In my view, and in the opinion of my advisers, there are some basic aspects of the proposed bill which require much closer examination than they have so far been given, if the bill is to achieve the result desired.

These are matters of considerable concern to us, and I am anxious that careful consideration should be given to the suggestions in this letter before the bill is drafted. As I indicated in my earlier letter, I believe, with respect, that my Executive Council should be consulted and kept informed in respect of the proposed bill: it is, after all, a matter of vital importance to the people of the Northern Territory.

The matters I will advert to were raised by Mr Barker at the recent Inter-Departmental Committee meeting in Canberra and also in his discussions with Mr Brazil of your Department on 24th January.

1. The Bill generally

As I understand it, the approach of the draftsman so far has been to attempt to create a Government of the Northern Territory by amending the present Northern Territory (Administration) Act. In my view this approach is basically wrong.

The new Act will be the constitution of the Northern Territory. In the constitutional history of Australia it will be a significant document, and it should be capable of being understood by the people who will be subject to it. Already the Northern Territory (Administration) Act is an untidy assortment of amendments with an almost unintelligible numbering system, with sections arranged in no logical order and with provisions having no relevance to present circumstances.

If it is amended in the manner so far proposed, the executive provisions will appear before the creation of the Government, and the provisions for the Government's legislative power will be relegated to a position of obscurity. Even the name of the present Act is not apposite to the new circumstances.

I am strongly of the view that the existing Act should be repealed in its entirety, and that the matter should be dealt with by the introduction of a new bill, to be called (for example) the "Northern Territory Constitution Act". I realise that there may be difficulties in the way of drafting a new bill within the time permitted, but, with respect, I urge upon you the view that self-government for the people of the Northern Territory is of great constitutional importance and the provision of proper legislation should be given high priority in your Government's drafting programme.

2. The Crown

It has always been basic to the negotiations that what is intended to be created is a Crown in right of the Northern Territory (see, for example, your Department's working paper of 3rd November 1977). There are obvious reasons why it is of political and legal importance for the new polity to be a "Crown", but it is at least uncertain whether the mere creation of a statutory corporation in the manner so far contemplated does in fact create a body politic which can properly be regarded as having powers and privileges derived from the Crown. On one view, the legislation proposed creates nothing more than a form of local government and it is therefore an arguable question whether the new corporation will be one under "the shield of the Crown".

As there is no doubt as to the intention of either side, I believe that the Act should be specific in the matter by referring to the Crown in such a way that there can be no doubt as to the constitutional status of the new Government. I suggest that the new entity should be created by words considerably different to those proposed in the first draft bill. In my view it is not apposite to refer to the polity as "the Government of the Northern Territory" but, rather, it should be called "the Northern Territory". The words used should, in my opinion, indicate that what is being created is a polity under the Crown, so that there can be no doubt as to its true constitutional significance.

Some assistance in this approach can, I think, be derived from a reading of The Commonwealth of Australia Constitution Act. A great deal depends upon establishing what can properly be called a Crown and I am anxious that there be no room for the argument that the proposed Government is no more than a form of local government with all the limitations such a concept would involve.

3. Judicial Powers

I believe that the Act should confer a judicial power upon the proposed Government by at least reciting the continuation of the existing Supreme Court, empowering the Assembly to regulate the proceedings of the Supreme Court and empowering the Assembly to create new courts.

I am not certain what is proposed regarding section 51 of the Northern Territory Supreme Court Act, beyond its repeal, but in my opinion there should be specific provision by Commonwealth legislation for the Government of the Northern Territory to confer upon its Attorney-General the power to prosecute on indictment in the name of the Queen, or to decline to prosecute, in respect of offences against Territory laws (including common law offences) other than Commonwealth offences.

I must say, with respect, that I remain unconvinced by the arguments propounded by your Department against the transfer of the Supreme Court to local control. This is a matter of policy, but whether or not the appointment of judges remains with the Commonwealth, I am of the view that the Territory Government should have the power to regulate the proceedings of the Supreme Court.

To achieve this would require further amendments to the Supreme Court Act: see, for example, Ss. 34-35.

4. Law Officers

I am concerned about the position of the Law Officers of the Territory

in relation to the Crown. Obviously of course if a Territory Attorney-General is to have any of the prerogative powers which one expects to inhere in the office then the proposed Government has to be a "Crown". I have already dealt with indictable offences where, in my opinion, there should clearly be a grant of specific legislative power by the Commonwealth. For the same reasons I suggest, with respect, that the Commonwealth legislation should spell out that a Territory Attorney-General should have the same prerogatives of the Crown in relation to the Northern Territory in Territory matters as the Commonwealth Attorney-General now has.

I am not suggesting that the Commonwealth Attorney-General can divest himself of his powers in relation to the Territory but if there is no doubt as to the powers and prerogatives of the Territory Law Officer then presumably the tenor of the whole arrangement would be such that the Commonwealth Attorney-General would not normally intervene in Territory matters. Apart from indictable prosecutions I am thinking specifically of the Territory Attorney-General's power to litigate on behalf of the Northern Territory and to grant or refuse his fiat in relator actions.

I think it is of vital importance that there be no doubt as to the authority of the Territory Attorney-General, Solicitor-General or Crown Solicitor, and whilst their powers can be regulated by local ordinance, they will derive to a degree from the Territory Crown and the relation of the Attorney-General thereto.

5. Land

If there is no doubt as to the Northern Territory's position as a Crown, then the legislation should, in my view, give to the Assembly the effective control and disposition of land at present held by the Commonwealth Crown. The present draft bill seems to suggest that the new body politic should hold land from the Crown, much in the same way as any private person or corporation and the general proposal appears to be that land held by the Crown in right of the Commonwealth should in some way be transferred to the Government of the Northern Territory.

In my opinion the better way to deal with land would be to simply provide that the Government of the Northern Territory shall have the control and disposition of Crown land in the Northern Territory, the areas of land to be so dealt with to be perhaps defined by the Governor-General's proclamation.

6. Existing Laws

In my view there should be specific provision to ensure that existing laws continue in force after 1st July.

7. Suits Against the Government

The proposed bill provides that the new Government may sue and be sued, subject to Commonwealth acts. As drawn, the draft bill would probably preclude the Assembly from regulating the time within which suits could be brought or the manner in which judgments against the Government should be executed. The defect could be cured by providing that new Government's liability to be sued will be subject to Territory ordinances.

One other matter concerns the position of the Administrator. In my view it would strengthen our position as a "Crown" if the Governor-General were to formally delegate to the Administrator, pursuant to section 126 of

the Constitution, the executive functions of the new Government. It is my understanding that the position of the Administrator is to be something akin to that of the Governors of the States, and in my opinion it would be appropriate if, in the exercise of his functions, he were the delegate of the Governor-General.

I should like to repeat my request that the Northern Territory Executive Council be kept informed about the progress of the bill, that we be shown copies of the drafts, and that our views be sought as to the bill's content. So far, as it seems to me, there has been a lamentable lack of consultation with Territory people about the nature and form of the legislation. We are the people who will have to live under the Act and, in my respectful submission, it would be contrary to principle and precedent to bestow a constitution upon a community of people without the fullest consultation with them.

I should appreciate your reply to this letter. As I regard the new legislation to be of great importance, Mr Barker would be available to return to Canberra to confer further with officers of your Department if such a course would appear to be helpful to a resolution of the issues I have raised.

*Yours faithfully,
P.A.E. Everingham*

Mr EVERINGHAM: In this letter, I raised the need to totally rewrite the Northern Territory Administration Act in a form appropriate to the grant of responsible self-government to the people of the Northern Territory. In my view, it is essential that the document that will substantially comprise the constitution of the Northern Territory for some time to come must be capable of being understood by the people who will be subject to it.

As to the effect of these developments on the status of this House, it is beyond argument that its powers and privileges must continue undiminished. A number of proposals are made in my letter which would enhance the standing of this House. It is proposed that the title will be changed to the Legislative Assembly of the Northern Territory rather than "for the Northern Territory". It is also appropriate that, upon self-government, the Assembly should have the power to pass acts rather than merely ordinances. I am assured that the matters put by the Territory executive are receiving full consideration by the Commonwealth. It is hoped that a bill will soon be available so that members can comment upon it. This is a matter of the utmost importance, as not only will the bill set the framework for the introduction of responsible self-government in the Northern Territory, but it will also have a direct bearing upon the form of much complementary legislation which will have to be introduced into this House. I am heartened to hear that already many of the points made by the Territory executive have been accepted by the Commonwealth and that substantial progress has been made with the redrafting of the bill. It may be that, in the course of these sittings, I will receive further information on progress in this matter and I will keep members advised.

In the meantime, work has been progressing within the Northern Territory on planning for the introduction of responsible self-government. I call upon all members to coöperate in this venture. The complexities of the issues do not allow any scope for petty bickering and in-fighting if the goal is to be attained. I, for my part, have sought to keep the Opposition informed, as evidenced by this statement, and I seek their assistance in return. Constructive criticism is welcomed; political point-scoring is to be deplored. Responsible self-government is, I hope, the common objective of all members and

will bring substantial benefits to all Territorians.

Mr ISAACS (Opposition Leader) (by leave): I move that the statement of the Majority Leader on constitutional development in the Northern Territory be noted and I seek leave to continue my remarks at a later hour.

Leave granted.

ADDRESS IN REPLY

Continued from 23 November 1977.

Mr HARRIS (Port Darwin): At the beginning of His Honour the Administrator's address to this Assembly mention was made of our having achieved yet another important milestone in our move towards responsible government. Far too few realise the historic significance of this move, a move which was started many years ago by men and women, some of whom have departed from this life, who had the belief that it was worth while fighting for a right to have a say in matters which concerned them. Ever since the first Legislative Council was elected in 1947, there has been a steady forward move to what, no doubt, in years to come will be statehood. It should be stressed, however, that at the present time we are only a link - a very important link, but we are still only a link - in a chain which started over 30 years ago.

The members of the past Legislative Councils all had their different political beliefs but they fought with tremendous effort and enthusiasm to give the people they represented a say in their own affairs. They all realised the road would be difficult and that it would cost something in terms of money, but that cost would be nothing compared with what would be achieved by being able to have their own say in matters that affected them.

To stress the efforts of those who have gone before us, one only has to look in past records. In 1958, the elected members of the Legislative Council resigned as a protest over government control of that council. In 1964, a delegation from the Legislative Council was made to members of federal cabinet, seeking political advancement for the Northern Territory. Our representation in Canberra has moved from having one member in the House of Representatives, with limited voting powers, to that member having full voting rights and, in addition, two senators to represent the Northern Territory - all forward moves, Mr Speaker.

Mr Speaker, we have come from a Legislative Council composed of elected and official members to that of a fully-elected Legislative Assembly, still fighting for the right of self-determination for the people of the Northern Territory. I was elected to this Assembly to continue that fight. I give this brief history to try to make people aware of the contribution of past members, no matter what their political beliefs, and to reiterate the fact that we are continuing in a direction that was initiated years ago. I would also like to state that we will eventually become a state - not now but in a time to come - no matter who is in power, and when that time comes people will have their final reward.

I touch now on two other areas which to me will play increasing roles in our future. The first is that of local government - the need for further involvement, the need for local government authorities to be able to take up the challenge and accept further responsibilities. The other area is that of the increased involvement of ethnic groups which have always been part of the Northern Territory's history. The Good Neighbour Council now services over 50 languages. With a few exceptions, we manage on the whole to live well together.

In closing, I would like to say that the Aboriginal people have always been part of our Territory's growth and development. The Aboriginals of the Northern Territory - and I stress "of the Northern Territory" - have always been and will continue to be a major part of our way of life. The difference of ethnic groups should not divide a community but should enrich a community. We are going through a period of challenge, a period of excitement, a period when many decisions will have to be made, and at last those decisions are to be made by men and women who live and work in the Northern Territory.

Mr DOOLAN (Victoria River): Mr Speaker, the Administrator said in his speech that rural industries made a fundamental and major contribution to the economy of the Northern Territory. One concrete way in which the government can assist the people in rural areas, who are trying to keep going in the face of the depressed pastoral industry in the Territory, is by providing more financial assistance to enable them to ensure that their children, and children of secondary school age in particular, are able to have the same education as children in towns. I realise this matter has been brought to the attention of the Assembly on previous occasions by you, Mr Speaker, but the position of pastoralists is even more desperate now than at any other time in the past. It also involves people other than pastoralists - teachers, policemen and other public servants, and people not in the employ of the government who work or carry on business in isolated areas.

There is an excellent article written by the headmaster of Ipswich Grammar School which appeared in the Queensland Country Life magazine. I am unable to find a copy of that article but I rang the author who supplied me with the following details. The assistance to isolated children who have to attend boarding schools under Commonwealth grants is a basic allowance of \$500 per annum per child. There is a further allowance of \$450 subject to the cost of board not being less than \$450 and no school in Australia could board a child for less than that amount. Thus, all children would be eligible for allowances amounting to \$950 per annum per child. There is also a supplementary allowance payable for the first three years which amounts to \$450 and an allowance up to \$550 for the last two years of secondary school. This supplementary allowance is, however, subject to a means test which is entirely unrealistic nowadays and surely must have been arrived at half a century ago. Children whose parents are in receipt of an annual income of less than \$3500 per annum are eligible for the full supplementary assistance of \$450 for the first three years secondary school and \$550 for the final two years.

The assistance works on a sliding scale so that, if parents are in receipt of \$5674 per annum, they receive a benefit of \$15 per annum. If the income reaches \$5675, they are ineligible for any allowance at all. Who could possibly afford to send children to school if they were in receipt of such ridiculously low incomes? Now the crunch comes; if the children are in receipt of the basic allowance of a possible maximum allowance of \$950 per annum, they are not eligible at all for the supplementary allowance which is obviously designed for children having long distances to cover to attend school, rather than children attending boarding schools away from home.

Isolated children attending boarding schools in the state of Queensland - God help us, of all places - are eligible for all or any of the above allowances, plus state allowances. Other states have similar schemes. There is a Queensland student allowance, again subject to a means test which is slightly more realistic but not much more, ranging from incomes of \$3935 to \$7460 per annum. The maximum allowance is \$220 per annum per child. There is also a remote area allowance available in Queensland which is free of the means test. Children in grades 8, 9 and 10 are eligible for an amount of \$360 per annum per child and, in grades 11 and 12, \$450 per annum. Again, there are 250 scholarships available in Queensland which amount to \$1000 each. These are awarded on the

basis of academic proficiency and family income and are on a sliding scale, ranging from the maximum of \$1000 down to \$250. There are also state, apart from Commonwealth, text book allowances which could assist parents.

Disregarding text book allowances, it is possible for at least 250 children in remote areas of Queensland to be entitled to a maximum allowance of \$2,620 per child per annum and a minimum of \$1,870 per annum, as against the total possible allowance for isolated children in the Northern Territory of \$950 per annum. There was an announcement made by Mr Anthony late last year that children in isolated areas would receive a further allowance of \$150 per annum but I am not aware what strings are attached to this new allowance. In any case, whether it is subject to a means test or not, it would include states as well as the Northern Territory and would only increase both state and Territory allowances by \$150.

I am unable to verify this but I do have it on good authority that Dr Eedle estimated that it would cost parents \$2,000 per annum to educate children in primary urban schools in the Northern Territory. One of my constituents in Victoria River advised me before Christmas that it is costing him at least \$4,000 per year to send each of his children to boarding school in the south. He has received a letter from the headmaster of the school giving excellent reports on his two children who attended that school last year and stating that they have excellent academic potential but they will not be enrolled this year until an outstanding amount of \$8,394 is paid before the end of the year - that was last year - and he cannot pay this amount because he is so far in debt due to the depressed state of the cattle industry.

He has another child who was due to attend secondary school this year but it is just impossible for them to pay last year's fees of \$8,394 which means that he is faced with the prospect of having two bright kids and not being able to further their education, and an additional child being faced with the prospect of having to stay home and work on the station, if work can be found for teenage kids on a station and this is unlikely. I do not know the outcome of this dilemma with which he was faced but I know that his financial position has certainly not improved. Such cases are by no means infrequent and I ask that urgent consideration be given by cabinet to take whatever immediate steps it can to alleviate the distress which is being caused to parents and the disadvantages to children in isolated areas of the Northern Territory through lack of funds being available for their secondary education. This matter has been spoken of before by many people in the Assembly over the years, and I know the Speaker will support what I have said, but no action has been initiated to remedy the injustice.

Before closing, there is another matter I would like to mention. In the previous sittings, I was taken to task by the honourable member for Port Darwin who felt that my suggestion that the paltry allocation of \$60,000 for roads in the Daly River area was asking far too much. What I tried to point out and what he evidently missed, and he seems to miss a lot, is that the Daly River has an enormous potential as a tourist area which can offer the Northern Territory an unrivalled opportunity to provide a good part of the revenue which it so desperately needs. Whoever is responsible for this miserable allocation of \$60,000 for the roads in the area is too short-sighted to see this.

Members of the government have been making loud complaints that the Opposition can offer no concrete method of raising revenue, although they are quick to criticise. What I am doing now is telling them how it is possible to raise a great deal of revenue from tourism by upgrading roads and facilities for tourists at the Daly River. The honourable member construes what I said as a plea for more money without expecting any return. I am not. You must speculate

to accumulate and, if the government is too short-sighted to expend more on the Daly River area, then it cannot expect to accumulate any revenue from the area. The revenue is there to be taken, not in the distant future but in the coming dry season. The Executive Member for Health and Resources remarked previously that tourism is a labour-intensive enterprise and I agree. I do not wish to single out the honourable member for Port Darwin but I happened to read an earlier speech of his yesterday and he accuses the Labor members of the Assembly of having no faith in the Territory. That remark was a load of garbage and he knows it. Let me assure the honourable member that the Opposition has the utmost faith in the Territory but it is correct to say that we have very little faith in how it is being mismanaged by the CLP Majority Party in this House.

Mr BALLANTYNE (Nhulunbuy): I would like to speak on His Honour the Administrator's address. I feel proud as an adopted Territorian of six and a half years to be part of this Northern Territory legislature and its future. I too am looking forward to the day when the Northern Territory will have a full say in all the affairs of government instead of just being run by a bureaucracy of public servants and people who have not got the know-how in various areas. It has been proven over the years that decisions made by public servants and other so-called Territorians have proved a waste to the economy and, moreover, we have had no progression or development because of that waste. You could say that the Territory has been a playground or a haven of indecision.

However, we are progressing and this advance at the moment is in line with our joint parliamentary committee's report which was tabled in Canberra in 1974. The first stage of this report was set for 1 January 1971 and now at 1 January 1978 we have progressed one stage further and eventually in July 1979 we take over the final responsibilities of education and health. I think the highlight of the second Assembly was the handing down of the first Northern Territory budget by the Executive Member for Finance and Planning. That just added another part of the historical background of the Northern Territory.

It must be a proud day for past members of the old Legislative Council and members of the first Legislative Assembly - people such as "Tiger" Brennan, Ron Withnall and the past Majority Leader, Dr Goff Letts, and the great advocate of self-government, the late Mr Justice Ward, commonly known as Dick, who fought hard and worked hard with those others for this great event. It is a sad day that some of these people cannot enjoy seeing the future develop. I would say that some of them will be able to see it and it will be a proud day for them, as it will be for us. I feel, too, that our federal member in parliament, Mr Sam Calder, has contributed a great deal to the future of the Territory and what it is today. I might add that Sam Calder is one of the most respected men in the federal parliament.

Mr Perkins: Not amongst the Aborigines.

Mr BALLANTYNE: That remains to be seen but opinions differ. Another person who has made a great contribution to the Northern Territory, both as a member of this Legislative Assembly and the past Legislative Council, is Senator Kilgariff who has always been plugging away doggedly at every issue on the Territory scene. I think it is a worthy lesson to other budding politicians and our present politicians that the constituency recognises hard workers and those men I have named, I would say, have done a very big job and are still working hard. We should not take a cynical attitude, as some politicians I know, but an attitude of progressive thought so that these goals and aims can be achieved for the people.

In his address, the Administrator outlined a great many things, particularly concerning the function of this new executive. He spoke on the proposed legis-

lation and I am sure this Assembly will meet those commitments and will go further still in bringing in new pieces of legislation to better the Territory. We see many needs for the Territory, particularly in our own electorates. We could all stand up here and speak of the things that we require. There are many needs for the Aboriginal people in the Territory and other ethnic groups, as the honourable member for Port Darwin said. I think patience is the most important virtue; we have to progress with patience and I am sure that experience, too, is another thing that we need as well as patience.

I am sure that each and every one of us will do his best to bring this parliament to the state it should be where it will be recognised throughout Australia. At the present moment, the people do not recognise what is happening up here. If you go down south and talk to the people they do not really know what is going on. I think we have to sing our praises and let the people of Australia know what is happening in the Territory because this is an historic moment, one which, I believe, is the biggest change to our constitution since federation. I feel that, if we can get the recognition of the rest of the people of Australia for what we are doing here - going into self-government - we can then enjoy the benefits that are available under the federalism policy and the state-type way under which we will be operating and I am sure we can only progress for the future benefit of the Territory and all Territorians.

Debate adjourned.

CROWN LANDS BILL (Serial 7)

Continued from 23 November 1977.

Ms D'ROZARIO (Sanderson): This bill is a very curious little one indeed. The ordinance it seeks to amend was first promulgated in 1931 and, since that time, it has been amended some 70 times - I think precisely it is 76. It is a very lengthy and complicated ordinance and it contains, as might be expected from its longevity, many ambiguities and anachronisms. These ambiguities certainly bear upon the lives of ordinary landowners, so I am a little disconcerted to see that the Executive Member for Finance and Planning's major concern should be the name in which the lease is issued.

I have my doubts as to whether the lessees are particularly concerned about whose name the lease is issued in. It does not alter in any way their right in the land. I am sure that, if the amendment had been to alter the name in which the leases were issued to that of Ned Kelly, it would not make one jot of difference to the lessees. Now the honourable executive member has informed us, with no embarrassment apparently, that the question of whether the royal title should be used was raised during a review aimed at modernising lease forms. It is a pity that his attempt at modernity stopped there because, as I have said, the principal ordinance is quite anachronistic in many other respects and, indeed, I would have thought in respects of far greater consequence than whether a lease is issued in the name of the Queen or the Commonwealth. I further hope that reviews of the forms of our legal documents is not the exhaustive method of discovering deficiencies in our legislation. However, I would like to say there are two matters which are of particular concern to me among the very large number of deficiencies that will be evident to anybody who has ever had dealings with the Crown Lands Ordinance, and I am sure the Majority Leader is one of those. However, I intend only to deal with two matters.

One is the situation that currently exists with respect to agricultural leases. I am sure that many members here, yourself included, will be aware of the hardships and frustrations that are caused to lessees of agricultural leases and these hardships and frustrations are well understood by those who have the

misfortune in these times to be the lessees of agricultural leases. In Darwin and Alice Springs, many agricultural lessees are in default of the conditions of the leases simply because it is not economic to work the land. In Alice Springs the Department of the Northern Territory has commissioned a study. The study was aimed at determining what could be done to rationalise the pattern of land use and the form of land holdings. I am not aware of whether anything has been done to implement that study. Certainly a similar one is required in the Darwin area. The fact is that these leases were issued over areas that were far too small to be viable economic units and, added to that fact, is the observation that many of the lands which are the subject of the leases contained very poor soils and inadequate access to water supply.

The plight of lessees is exacerbated when they seek to convert their tenure to other more realistic forms of tenure. I would recommend to the executive member that he review the existing provisions for converting agricultural leases, with a view to making it easier for lessees to convert their leases to a more realistic tenure when it can be shown that the land cannot be used for the purpose specified on the lease. Some lessees in the Darwin area have submitted applications for the conversion of their leases over 18 months ago and they have not yet had any decision as to the outcome of their applications.

The second matter I would like to raise is the matter of issuing miscellaneous licences. Section 109 of the Crown Lands Ordinance contains a provision that the Administrator may grant licences to go upon crown lands and to take certain materials. The materials which may be taken include stone, shell, sand, gravel, clay and earth. These materials are very valuable to the construction industry and licensees have built up lucrative trades in these materials. The sum of the royalty that is paid is extremely small. I think at present it stands at 10 cents per cubic metre of material removed. My major concern is not the level of the royalty, although I think it needs some review, but that the ordinance should make some provision for rehabilitative work on quarried lands.

It is quite true that there is the provision, section 110, which provides that terms and conditions attaching to a licence may be prescribed and that the licence may be forfeited for non-compliance of the terms and conditions. In cases where land has been quarried, this penalty is absolute nonsense. The conditions have been imposed on licensees and these amount to minor rehabilitative work at the expiration of the licence. Needless to say, they have rarely been undertaken. Once the licensee has quarried the material, he does not very much care whether the licence is forfeited, as the land is of no further use to him.

The issue of miscellaneous licences has led to considerable environmental effect, such as the stripping of vegetation, soil erosion, the silting up of streams and consequent flooding of rural properties. Many of these effects can be rectified if adequate restorative work is undertaken. I commend the suggestion to the executive member that provisions should be made to ensure that this is done. In all other respects, the contents of the bill really do not deserve much more comment.

Mr EVERINGHAM (Majority Leader): In rising to support the bill, may I just pass some comment on the earliest remarks of the honourable member for Sanderson where she said that she did not really think persons receiving titles under the Crown Lands Ordinance would care whether the title came from Ned Kelly or the Queen or the Commonwealth. Could I just say that it is our advice from our constitutional advisers that it is most important that the title come from the Queen rather than from Ned Kelly, otherwise they may have some trouble obtaining finance on their title from a bank. It is now proposed, because of constitutional developments that have taken place and on the advice of Professor Sawyer,

to amend this bill in committee to delete clause 3. This will ensure that the title is granted by the Queen rather than by the Commonwealth as we are endeavouring to establish between the subjects and the executive the principle that the subjects are under the shield of the Crown in the Northern Territory and not just some sort of incorporated body which exists under the Commonwealth.

In relation to the other remarks of the honourable member for Sanderson generally, I agree with all of them. There has been a piecemeal attempt over the years to cure defects that people have noticed in the Crown Lands Ordinance. It is our policy that a complete review of the operations of the Crown Lands Ordinance and associated ordinances such as the Freehold Titles Ordinance should be undertaken at the earliest possible date. We are working towards this very desirable end which will perhaps take place when we have an adequate supply of draftsmen and they have got over some of the hurdles that they are working through at the moment. We have a backbench committee composed of 3 members of my party which is reviewing this legislation with a view to making recommendations to the executive member concerned in the hope that the whole landholding system in the Northern Territory can be structured to cope with the demands of a more sophisticated and demanding age and also to cater for obvious problems that have arisen over the years with the almost unrestricted development of Northern Territory resources such as the quarrying referred to by the honourable member for Sanderson. We certainly propose to endeavour to obtain something for the community from the people who enjoy the benefits of extracting these irreplaceable resources. In this way, it is hoped that, before two years or so are out, the Territory will enjoy a much better and more sophisticated and efficient system of landholding and tenure. I support the bill.

Mrs O'NEIL (Fannie Bay): We are all obviously in an agreeable mood again today. We all obviously see the need for a review in totality of the Crown Lands Ordinance and other ordinances relating to land in the Northern Territory - the Freehold Titles Ordinance, the Darwin Town Area Leases Ordinance and similar legislation. I understand that the Real Property Act is presently under review and that is another area in which we can hopefully look forward to an improvement without too much delay.

We have heard from the Majority Leader that we do not need to worry about removing the Queen any more so I will not discuss that minor matter. The other purpose of this amending ordinance is to insert penalties. It is not surprising to us to find that the Majority Party is introducing penalties. The two major pieces of legislation which have already been passed by the Majority Party - the drugs legislation and the town planning legislation - were outstanding for the severe penalties which they imposed on the people of the Northern Territory. It seems to us unfortunate that we should now have a bill of so little importance but which is reinforcing the image we are getting of the CLP, led by the enlightened liberal, the Majority Leader by their introducing legislation relating to penalties rather than coming to grips with the real problems of legislation in the Northern Territory. I commend the bill.

Mr PERRON (Finance and Planning): I would like to thank honourable members for their comments on this piece of legislation and on other relevant pieces of legislation. These will be noted in our move towards upgrading the land tenure system in the Northern Territory. I reiterate that we will be inviting the defeat of clause 3 in committee as the executive status within the Northern Territory will change somewhat from 1 July. Until such time as the formal status of the new Northern Territory government is clarified and the form of authority attaching to the issuing of land tenure documents is established, it is deemed undesirable to change the ordinance as was proposed in clause 3 of the bill.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

LOCAL GOVERNMENT BILL
(Serial 18)

Continued from 23 November 1977.

Mr HARRIS (Port Darwin): Speaking in support of the bill, the only satisfactory method to transfer municipal powers and functions and to be able to assist those wishing to become involved with local government is to implement those transfers over a period of time. It is also necessary for us to be able to continue the transfer of powers to the 2 existing councils of Darwin and Alice Springs because, as they mature, they will be able to take on further responsibility. By making provisions such as those in clause 7 of the bill, we are able to control any movement in the local government area.

I was very pleased to hear in the second-reading speech of the Executive Member for Community and Social Development that sections of the Local Government Ordinance pertaining to the leasing of property, the general powers and the bylaw-making powers of the various councils were currently under review and at the drafting stage. This is an urgent step to enable the local government to carry out the functions in the best possible manner.

Clauses 8 to 10 relate to the counting and recounting of ballot papers at local government elections. Again, as our populations grow in local areas, it is necessary to make provision for the processing and the control of the counting of ballot papers. It is also necessary to make provision for a system of recounts whenever any form of dispute is likely to occur. This system must be just and allow for an independent decision on any disputed returns.

I note in clause 9 that, in proposed section 108A(2), the word "pending" perhaps should read "paper". I would foreshadow an amendment in this regard.

I urge members on both sides of this House to support all aspects of this bill because we need all sections of government working together. The future of the Northern Territory depends on cooperation and, to achieve that cooperation, we must continue to encourage and assist those who are ready, willing and able to take on increased responsibility. The provisions in this bill allow us that opportunity.

Mr PERKINS (MacDonnell): I rise to make some comments on the bill. The Opposition has no major objections to the bill itself and we have not moved any amendments or even suggested any amendments. It appears that the bill proposes to provide for the transfer of municipal powers and functions to the Northern Territory local government authorities and to stage a transfer over a period of time. Secondly, it provides for recounts in the municipal elections and, thirdly, it changes the legislative discrepancies in the Local Government Ordinance. In other words, it seems that the bill is designed to tidy up the principal ordinance, especially in relation to those points. It foreshadows machinery changes which are essential to enable the better functioning of local government authorities in their election procedures in the Territory.

The Opposition has a query which it would like to raise. It would appear to be a minor query but we hope to get some clarification. I would like to draw your attention to proposed section 108A(2). This says in effect that, when the returning officer recounts ballot papers under this section, he may, and at the request of the scrutineer shall, reserve any ballot pending for the decision of the stipendiary magistrate appointed under the Magistrates Ordinance. I understand that the member for Port Darwin foreshadowed an amendment sub-

stituting the word "paper" for the word "pending". It would appear that, in actual effect, the scrutineer could have too much say in actually determining whether a ballot paper is formal or informal and that it should be referred to the stipendiary magistrate for a decision. It has been suggested by some critics that the provision itself may be open to abuse and, if so, what is there by way of recourse against a scrutineer who does abuse this kind of provision? It has been suggested that, unlike the returning officer, the scrutineer is not accountable under this bill for his or her actions. I will be asking in the committee stage for a clarification of that particular matter.

While we are discussing these amendments to the principal ordinance, there are several other important matters which deserve consideration in this debate. It appears that the Executive Member for Community and Social Development did not have any discussions with the Alice Springs town council and the Darwin city council concerning the provisions of this particular bill. I am advised that the councils themselves have not actually discussed the changes proposed in this particular bill at any of their meetings, nor have their views been sought in relation to the proposed changes as such. In other words, the proposed changes have not been vetted by the local government authorities in Alice Springs and Darwin which are directly affected by the changes. In fact, we do not have a collective view from the Alice Springs town council or the Darwin city council in relation to the proposed changes. It is my opinion that such a situation is most disturbing and reveals the executive member's appalling disregard for adequate prior consultation with the relevant local government authorities. It is a situation which obviously needs to be corrected if we are to debate in this House the proposed changes which affect other authorities in the Northern Territory.

I am concerned also to note that the Executive Member for Transport and Industry has withdrawn the concession exempting the Alice Springs town council from the vehicle registration fees despite the existence of a similar concession in other states. I am advised that this privilege was actually withdrawn without any prior consultation with the Alice Springs town council. Apparently the Executive Member for Transport and Industry signed the documents withdrawing the exemption without a proper regard for the consequences of such action. Again, I believe that such a situation is appalling. It means that the views and the interests of the Alice Springs town council in relation to vehicle registration fees are being disregarded. It is deplorable that they were not consulted in the first instance regarding such action. I wonder what the honourable Executive Member for Transport and Industry will do next and whether he will restore this exemption and ensure that, in the future, there will be proper consultation with the authorities concerned. I have asked him about this matter in correspondence as has the Alice Springs town council, and I am still waiting for a reply. Am I to assume that the executive member is now advising me that the matter has been actioned or that the matter has been remedied?

I raise that particular matter because it is a follow-up to my comments regarding the attitude of the Executive Member for Community and Social Development towards consultation or the lack thereof with the appropriate authorities. I raise this matter as an example where certain members in the Assembly executive do not have a regard for the importance of adequate and proper consultation with the appropriate authorities.

I understand, and I am advised, that there have been some general discussions with local government authorities about the principal ordinance and some general changes. However, the point I am making is that there has not been a specific discussion on this particular bill with Executive Member for Community and Social Development, and that advice has come from the Alice Springs town council and from the Darwin city council. It is most unfortunate

that these people who are involved in the Alice Springs town council and the Darwin city council have not had a proper opportunity to put forward their specific views on this particular ordinance.

Thirdly, I would like to make some comment about the recent offer of local government to Katherine and to Tennant Creek which was made by the Executive Member for Community and Social Development.

Mr ROBERTSON (Community and Social Development): A point of order! This is getting a little too far off the track. The rest of the ravings we have accepted but this to me is becoming quite another subject. It is not the subject matter of this legislation or, indeed, anything before this House.

Mr SPEAKER: What is your point of order?

Mr ROBERTSON: That it is irrelevant to the subject under discussion, to this particular piece of legislation. It is very relevant to the people of Katherine and to the people of Tennant Creek but it is irrelevant to the particular bill before us.

Mr SPEAKER: There is no point of order. The Local Government Bill does apply to Alice Springs and Darwin at present but it will apply to Tennant Creek.

Mr PERKINS: Mr Speaker, I thank you for your ruling in that regard.

Mr SPEAKER: There is no need to thank me for the ruling, honourable member.

Mr PERKINS: It appears that the honourable Executive Member for Community and Social Development has a propensity to disrupt the proceedings in this House and to interfere with the general comments.

Mr SPEAKER: Order! You may not reflect on the Speaker's ruling.

Mr PERKINS: As I said before I was interrupted, Mr Speaker, I wish to make some comment regarding the recent offer of local government to the communities of Katherine and Tennant Creek by the honourable Executive Member for Community and Social Development. The Opposition has now had an opportunity to have a look at the papers in regard to that particular offer.

It appears on the surface, Mr Speaker, that the Executive Member for Community and Social Development is adopting the attitude of the Fraser government or at least the attitude which that government has adopted in relation to the transfer of powers and the whole question of statehood in the Northern Territory. It appears that whilst the Fraser government on the one hand is trying to bulldoze the executive of this Assembly into accepting the responsibilities and the powers in relation to statehood for the Northern Territory, the Executive Member for Community and Social Development is trying to bulldoze the town management boards of Katherine and Tennant Creek into accepting their offer of local government.

Even though he suggests in his correspondence to the town management boards of Tennant Creek and Katherine that they have an opportunity to hold a referendum and that the Majority Party would have been prepared to pay for the costs of that referendum, it is amazing to note - as we are advised - that he has also indicated to local members of those boards that they would be prepared to support the referendum proposal provided it was able to produce the right result.

Mr SPEAKER: Order! I have given you a pretty fair latitude but I think you are ranging a little too wide just at present. I would ask that you come back to

the bill in hand and keep your remarks about Katherine and Tennant Creek to matters concerned in the bill.

Mr PERKINS: I have indicated my concern about how the town management boards in Katherine and in Tennant Creek have been treated by the Executive Member for Community and Social Development. The town management boards are being asked, or rather forced, to enter into an agreement with the Majority Party on the basis of the current situation that exists between the Majority Party and federal government in relation to the financial arrangements

Mr SPEAKER: Order! This is the point I have been remonstrating with you about. You are ranging far too wide. Would you get onto the bill and confine your remarks to the bill. The federal government, as I see it, is not mentioned in the Local Government Bill.

Mr PERKINS: The essential point I am trying to make is that I believe the communities in Katherine and Tennant Creek are being forced into accepting an offer of local government; otherwise, if they do not, then they have to accept the consequences of higher rates which I presume would be charged by the Majority Party. I believe that such a situation is appalling. I think it reveals again the points I made earlier that the Executive Member for Community and Social Development does not have a proper regard for adequate and proper consultation with the concerned authorities which come under his responsibilities.

I am sure that, in the main, the Alice Springs town council and the Darwin city council would have no major objections to the ordinance itself as proposed in this House by the Executive Member for Community and Social Development. However, the fact that they have not been consulted and that their views as corporate bodies have not been sought on this bill is indicative of the whole attitude of the Executive Member for Community and Social Development. That is the attitude which I have described as appalling.

Mr TUXWORTH (Resources and Health): I welcome the opportunity to support the bill. There are several aspects of it that I am thoroughly in favour of, having been involved in the local government area of negotiation since 1972.

I would firstly like to comment on some of the remarks made by the deputy leader of the Opposition. I believe it is important for us to understand that the intention of the bill in allowing the phasing in of restrictive functions for local government areas is not a cleaning-up exercise. It is a new initiative and it is a new policy proposal. If you have an understanding of local government, and I feel the honourable member may lack this, the concept of local government in the states is that the minister for local government declares an area that shall have local government. He declares an election date and that there will be a certain number of councillors and he lists the number of functions that will be dumped on that area after the election. The people living in that area do not have a choice about local government; they wear it. I think it is fair to say that in most cases they are more than happy to have it.

In the Northern Territory, we have had a rather unfortunate history of local government introductions. We had the introduction of local government in Darwin in the late 1930s and early 1940s which was a disaster, and it was reintroduced in 1957. I think anybody who has had any knowledge of the operations and the financial formulas under which the Darwin City Council has operated since that time would believe it is not a terribly satisfactory system under which this local government was introduced. The Alice Springs offer was taken from the Darwin effort and was improved greatly but, again, the Alice Springs offer of local government had quite a few defects and it is not without its problems. Again one of the defects was the problem of listing a great number of functions that a small community is just not able to cope with.

Learning from this experience, the negotiations that began for the introduction of local government in Tennant Creek and Katherine in 1972 wanted to take into consideration the special financial aspects that small towns have in relation to their disadvantages and also the capacity of a local community to control and administer functions within their town. It is only fair and reasonable and common sense to say, "Look, there is no point in foisting a hundred functions of local government on a community that virtually does not want them and cannot handle them because the results will be chaos."

The intent now, in the new offers of local government, is to negotiate with the people and I believe it is fair to say that negotiations conducted by my colleagues have been regular and thorough and to the mutual satisfaction of both parties. I have been at a great number of the discussions that the honourable member has had with the town management board in Tennant Creek and I can say they were conducted on a cordial basis with a great deal of understanding of the issues at hand by both parties.

The limited transfer of local government functions to areas such as Tennant Creek and Katherine is the backbone of the offer. For us to deny the people the functions that they would like to take over and believe they can control would be folly because often the functions that they want to take over and control are the important functions financially in the administration of local government. There is no point in our denying the people this and there is no point in this government foisting on the people functions they believe they cannot handle and possibly we know they cannot handle. This is where the negotiations have, to my mind, been satisfactory in all senses because both parties have now accepted an offer of local government - one that is based on a financial formula that is fair and reasonable and that the townspeople believe will give them an opportunity to carry out the functions of local government without a great deal of disadvantage. It is also a formula that can be administered without placing undue load on the people in the community. Let us remember - and I believe the deputy leader of the Opposition may not have grasped this point - that the people who formed local government in these communities are also people who have many other things to do. They are not paid for carrying out their local government functions and they give up their time willingly in the service of their community.

The deputy leader of the Opposition asserted that the concept of holding a referendum for local government in Tennant Creek particularly was a threat to the people. I was at the meetings when the offers were made and I do not believe the people in my community believe that references to a referendum were a threat. I do not believe there was any intention that the people were to be forced into a referendum or that they would be denied a referendum; it was a matter for local decision. The decision taken by the local people was that the local government election could be fought on the basis of candidates standing who supported the concept of local government and also candidates who did not want to see local government come. That would be a fair and reasonable expression of the people's interest.

One other proposed amendment relates to the counting and polling procedures. We have all known of unfortunate circumstances that have arisen in the counting of council and town management board votes. The original ordinance was not strong enough to cover the control of elections. I believe that these amendments will be very much appreciated by the people who have to run the poll.

Mr ISAACS (Opposition Leader): The bill relates to the question of the local councils and the scrutiny of the vote, a most sensitive area. I want to go into the detail of the bill but, before I do, I want to comment briefly on the remarks of the Executive Member for Resources and Health, specifically those relating to Tennant Creek. The issue of the referendum, as he explained it,

cannot possibly hold water. When we look at the logic of what he is saying, it is this: the people of Tennant Creek are to make a choice either to have local government or to retain the town management board; a decision is taken to have local government but we are told that, in a subsequent election for a mayor and six aldermen, people can express a view whether they will or will not revert to a town management board. If that is logic, perhaps we had better start the whole game over again. In a way, it is a shame that the debates that have mushroomed out of the statements of the deputy leader of the Opposition and those subsequently made by the Executive Member for Resources and Health could not have been part of a statement by the Executive Member for Community and Social Development. The Opposition was waiting for a statement by the executive member to the Assembly detailing the various offers and the results of those offers to the town management boards of Katherine and Tennant Creek.

It is a great shame that we learn so much of the activities of the Country Liberal Party and the executive in the press and on radio, yet they do not have the decency to make a statement in this Assembly. I would have thought that it would have been a proper and appropriate requirement that the Executive Member for Community and Social Development should make a statement on those two very important offers. If I had written the letters which he wrote to the communities of Katherine and Tennant Creek, I do not suppose I would have wanted them debated either. I refer members to page 4 of the letter he wrote to the group at Katherine. Cop this for a friendly, reasoned letter from the Executive Member for Community and Social Development: "The board has already been advised by the former Cabinet Member for Finance and Local Government that an alternative to local government will be the introduction of a rating system aimed at recouping a greater percentage of municipal expenditure from within the community." That is a friendly sort of a comment to make to a group of people: accept local government or we will rate you anyway. It is pretty friendly when you are looking down the barrel of a gun.

Returning to the matters in the bill, it is important that we adopt strict procedures so far as electoral matters are concerned. It is my view that the integrity of the electoral system is basic to our system of democracy. If there are any challenges to the way in which we conduct elections - and certainly nobody is more aware of this than I am as a former trade union official - if there is any challenge to the integrity of the ballot, then the whole system falls down. You only have to refer to that great friend of the Majority Party, Mr Bjelke-Petersen, if you want to have instances of that. It seems to me that it is a great shame that the local council here in Darwin did not take advantage of the expertise available to it from the Australian Electoral Office. It staggered me, quite frankly, that in a Darwin municipality of nine Legislative Assembly electorates, it could have been a very simple way for the city council to have said, "Well, all right, we wish to elect 12 people." It would have been very easy to divide the municipality up into three separate electorates of four members each and they could have very easily used the boundaries of the Legislative Assembly electorates - those nine Darwin electorates. It would be so simple, so sensible. Yet, what did they choose to do? They divided the nine electorates into four, to elect three aldermen from each electorate. As I say, it seems to me a shame that the city council did not take advantage of what was already there without going to the extra expense of new rolls and so on. It is also a shame that city council elections cannot be run by the Australian Electoral Office. Therein lies the expertise. There would be no need for any question of the town clerk doubling up as a returning officer. We already have the expertise here. Indeed, as more and more trade unions are using the expertise of the Australian Electoral Office, it seems to me it would have been appropriate also for the local council to do just the same.

However, as my deputy has indicated, the Opposition supports the bill before the Assembly. We do look very carefully at matters relating to electoral pro-

cedures and when at some later stage apparently the Majority Party is going to introduce electoral legislation, we will give that the same very careful scrutiny.

Mr ROBERTSON (Community and Social Development): It is interesting to see how a piece of legislation which one regards as perhaps innocuous and certainly something that one would expect to obtain general support throughout the House can become the subject matter of a very detailed debate. Indeed, I think it is a very useful exercise and a commendable exercise in the Legislative Assembly forum to use legislation such as this for the purpose to which it has been put. At the risk of being pulled up yet again, Sir, about reflecting on the decision of the Chair - and that certainly is not my intention - it was certainly not my intention in drawing a point of order this morning to stifle debate; it was merely to keep it relevant, and that matter was resolved by yourself, Mr Speaker. It is very interesting to find this type of legislation used as a broad canvas for the general direction of local government, to see it used as a vehicle for expressions of concern within the handover of local government to both Tennant Creek and Katherine.

I would like to pick up a few points in the process of reply. The first one which is worthy of note was that raised by both the honourable member for Port Darwin and the honourable member for MacDonnell in relation to the utilisation of the word "pending" which clearly, of course, on a cursory glance would have indicated "paper". I would thank both honourable members for the diligence they have shown in looking at the legislation. I think so often what is apparently innocuous legislation goes through parliaments without a proper examination having been made by the members of that House. I understand that the word "pending" was inserted as a typographical error from hand-written drafting instructions which is perfectly understandable and an amendment will be introduced to correct that anomaly. The amendment has been circulated and I think that during the committee stages, if honourable members agree to the legislation in principle, they will endorse that amendment.

The member for MacDonnell raised another very valid point during the course of the debate, as did the member for Port Darwin, in that the proposed clause 9 amendment to section 108A does have within it a facility for abuse. I do not think anybody would deny that. It is certainly conceivable, even if the word "pending" is changed to "paper", that we could have a situation where the scrutineer of any one candidate within an election for local government could in fact use the power of this proposed section to refer every individual paper to a magistrate. Of course, my good friend Bob Hall, stipendiary magistrate in Alice Springs, would, no doubt, have a coronary if he was dumped with 7000 or 8000 papers referred to him by a rather capricious and vexatious scrutineer.

It is necessary to remember, of course, that scrutineers are appointed on behalf of candidates and most candidates live within the community and, of course, must maintain some sort of credibility within the community. If we tried to so enshrine legislation so that it is foolproof, then we would probably never reach the end we seek to achieve. It would become quite unworkable. I do take the point on board of both those two honourable gentlemen and I think it will be a matter of proving the pudding when the pudding is eaten. If difficulties arise through this type of activity or through this attitude - and it is quite possible under the legislation for a person to be obstructive for the sake of opposition, and I think that that would be a philosophy well known to my honourable friends opposite - then, indeed, you could have a difficulty arising and we would accept that possibility.

The other main thrust of the Opposition seems to have been in the direction of lack of consultation both with the Alice Springs town council and the Darwin

city corporation in relation to this legislation. The facts of the matter are these: the legislation which this House is debating, although it is wide ranging in the field of local government, is at the behest of those two local government organisations. It is to be remembered - and I am quite sure that the honourable member for MacDonnell will remember if he reads the paper or if he is able to read papers - that it was an action of the town clerk of Alice Springs, Mr Jenkinson, of his own motion which gave rise to a recount in the last local government election. As a result of the predicament in which he found himself, where he had no legislative support for his action, he considered, and quite properly, that it was necessary to see in legislation a facility for recounts being properly constituted or properly defined according to law. Of course, anyone could see under those circumstances that it was necessary to do so. It is quite false to suggest that we have not consulted with local government, for it is the very wish of local government that causes this legislation that appears before us.

The other point, of course, is whether we have consulted with Katherine and Tennant Creek in relation to the legislation before us. The legislation per se is designed to meet the need of those two emerging communities. It is quite contrary to what the Opposition would have us believe, that we are foisting this thing upon them. Indeed, we are deliberately tailoring legislation so that not only have we consulted them over a long period of time to allow the offers of local government to come into being, we have also sought to introduce provisions which will allow them to consult with us as to what provisions, what powers they want within their legislation as their council grows in strength, in autonomy and in experience. It is absurd to say that this is without consultation because the whole legislation is designed to meet their express needs.

The honourable member for MacDonnell and the honourable Leader of the Opposition suggested that we have gone into some sort of a bulldozing, grand slam, forceful exercise to impose this against the will of the people. There has been a long and, I think, a very creditable history of local government advancement in both those communities, not only a creditable history for this executive but for the former Department of the Northern Territory and the Department of North Australia and the Department of Northern Development - indeed, it goes back to 1971. I could go through what we see before us as a very voluminous pair of files. I do not think it will be necessary; I think a cursory glance at the history of those offers will suffice to get the message across to the members of the Opposition - which is at any time a very difficult task, but an easier task to persuade the people of both of those regional centres - that what we have heard opposite here today is sheer and utter nonsense.

The 53rd meeting of the Tennant Creek Town Management Board - and, incidentally, they are now in their hundreds - and a town management board meeting of Katherine in 1971 proposed to the then Department of the Northern Territory that they would be interested in an offer similar to that which was proposed to Alice Springs. At the stage, no one whatsoever had coerced them or placed any pressure upon them. It was a free and voluntary motion on their own behalf. It was discussed for a period between 1971 and 1974, when a formal offer was made to both of those centres. Again I do not think that has the ring of coercion - the "bulldozing" if I am to use the term of the deputy leader of the Opposition. I do not think it even has a hint of it. After all, we have gone through almost four years before even an offer is made. What is significant about that offer? The fact of the matter is that the offer was rejected by both of those organisations. The government of the day - and, incidentally, a Labor government was proposing the program in 1975 - did not do any forceful activity at all; it asked why they rejected them. The reason was very simple: the town management boards of both those communities had grave concerns about the escalating rate of inflation under a federal Labor government between the years 1972 and 1974 when the offer was

made on a quinquennial basis. Quite rightly, because they could not foresee, because of amendments to the electoral act and a few other things, that this particular crowd would ever get out of office and they anticipated that we would have a 20% rate of inflation for ever, they wanted a yearly review. Then the first executive of the Northern Territory Legislative Assembly came into existence and it was this executive, this party, which changed from a quinquennial approach to that of yearly reviews. Mr Speaker, that again can hardly be construed as having imposed any undue influence upon those two communities.

I have attended numerous conferences in both centres. I have attended on a number of occasions meetings in open forum, meetings in closed forum, public meetings - you, Sir, were aware of my presence in Katherine when Katherine finally accepted the offer. It was a free and easy vote on that occasion, not whether local government would be accepted - that was assumed by the entire mass of the people there; no one was questioning that because they genuinely wanted local government in their community; they wanted what the Opposition in this place does not want, a say in their own affairs. The fact is that the debate on that particular occasion was whether or not the low-level reserve would be included and it was overwhelmingly believed by the people of Katherine that that and all areas of local government belong to the local people and not us.

Now we get to the issue which has been raised repeatedly from the other side - and this is the only threat with which I think this party and myself can be accused - that, unless they accept local government, we are going to impose rates anyway. What an absurd - and I will use the term again, Sir - mischievous way to put a statement of reality. The facts of the matter are that municipal services in one vein or another - unless you use the ALP philosophy of going down to the basement in the treasury and printing more money - these services like any services, like you, Sir, going to the baker to buy a loaf of bread, have to be paid for. I ask the Leader of the Opposition and his colleagues, do they really believe that the people of Alice Springs and the people of Darwin, whom they represent in numerical terms mostly, would be happy with the idea of paying rates, paying their state-like taxes, and the people of Tennant Creek and Katherine being relieved of them?

If we are going to provide public services to a community - roads, health, education, sewerage, footpaths - the reality is, quite simply, that it has to be paid for. I make no apology to anyone that I sat in public and private forums in both of those centres and said that that is the reality. I also said to the people, "Do you want to determine your own priorities, do you want to determine how it is spent or do you want me to do it?" How utterly hypocritical it would be of me to take any other stance when I sit in this place with my colleagues asking Canberra to determine how we will spend our taxes and our public revenues. I would be so inconsistent as to give the lie to everything we stand for. The basis of this party is to accept from the Commonwealth the responsibilities which are properly those of the Territory. Surely it follows that it should be our philosophy to extend to the people of all communities and regions within the Northern Territory the right and responsibility to raise and disperse their revenue?

Motion agreed to; bill read a second time.

See Minutes for amendment to clause 9 agreed to without debate.

Bill passed the remaining stage without debate.

STATEMENT

FINANCIAL ARRANGEMENTS WITH FEDERAL GOVERNMENT

Mr EVERINGHAM (Majority Leader) (by leave): In accordance with my previous

undertaking to the Assembly, I wish to inform honourable members of the progress made to date in the negotiation of the financial arrangements between the federal government and the Northern Territory executive. Honourable members will recall that, before any further transfer of powers to this Assembly takes place, firm financial arrangements must be established and agreed to. I would refer honourable members to my statement of 1 December 1977 to the Assembly wherein I set out at some length the broad principles that were to form the basis of the Northern Territory executive's proposal to the federal government. I had hoped that the proposed meeting with federal ministers referred to in that statement would have taken place well before last Monday week, 20 February. I can assure the honourable members that the delay was not of our making. Indeed, I have pressed the federal ministers for an urgent decision on the matters raised during the meeting. It is abundantly clear that these delays and current uncertainties are having a very serious and adverse effect upon morale within the ranks of the Australian Public Service in the Territory and further delay will seriously jeopardise all efforts for a successful transfer of the Department of the Northern Territory and the establishment of our own treasury as from 1 July 1978, barely 5 months away. Federal ministers have undertaken to meet with us again within the next 3 weeks, and I would expect that, following that meeting, final details will be agreed covering the memorandum of understanding between the Prime Minister and myself.

A very critical stage has now been reached in our negotiations. It would be improper for me to disclose details of the matters discussed with the federal ministers. Let me say, though, that the Territory delegation comprising the Executive Member for Finance and myself was heartened by the earnestness and sincerity of the federal ministers to conclude financial arrangements which will indeed provide a sound basis for successful self-government in the Territory. Given the initiatives taken and the understandings reached with the federal ministers, we are confident that a satisfactory basis can be established and that the financial arrangements will be acceptable to this Assembly and to the people of the Territory. The federal ministers who attended the meeting were the Minister for the Northern Territory, Evan Adermann, who was chairman, Senator John Carrick, Minister for Education, who was there in his capacity as minister assisting the Prime Minister in federal affairs, John Howard, Treasurer, Eric Robinson, Minister for Finance, and Senator Peter Durack, Attorney-General.

In summary, I would refer honourable members to my earlier statement to the Assembly which substantially reflects the fundamental issues and principles that have been followed in our negotiations to date. I am confident that an acceptable arrangement can be concluded with the federal government. I am therefore hopeful that, following our next meeting with the federal ministers, a detailed statement of the proposed arrangements can be provided to the Assembly.

Mr ISAACS (Opposition Leader)(by leave): I move that the statement be noted.

The statement we have just had from the Majority Leader makes the statement made to this Assembly in December irrelevant. When I say "irrelevant", I am not attempting to downgrade that address, but none the less we are now at a stage where negotiations are taking place at a ministerial level between the Australian government and our own executive. To that extent, a person is somewhat inhibited from making any comments for fear of being accused - and I certainly do not want to put the Opposition in that position - of in some way jeopardising those talks. The responsibility for those talks will rest very squarely with the Majority Party.

With reference to the statement made by the Majority Leader today and the statement he made to the House in December, it is important to place on record the views of the Opposition, particularly those in regard to the area which seems to be causing so much discussion from the Majority Party's point of view - the

financial arrangements that are going to come into being from 1 July. We do realise the complexity and the detail involved. We do not, however, believe that it is so complex and so detailed that every person in the Northern Territory who is to be affected by it cannot understand it. At times, statements from the Executive Member for Finance and Planning certainly do have us "miffed" and sometimes, if he cannot understand it, we think perhaps the rest of the community cannot either. However, I do want to reflect at some length on the role of the Grants Commission.

I remind the Assembly of the statement made by the Executive Member for Finance and Planning this morning in answer to my question concerning officers of the Grants Commission. I do wish that the Majority Party would get their wires straight or at least find out whether the right hand knows exactly what the left hand is doing. Otherwise, they get into the sort of difficulty which the Executive Member for Finance and Planning got himself into this morning. I remind you of what the Majority Leader said in one of those turgid press releases that he has been prone to giving out over the last couple of weeks. Canberra does not do him very much good so far as his spleen and his vitriol are concerned. In the news release of 22 February 1978, if you take away all the abuse he heaped on myself, you find the following statement: "The officers of the Grants Commission who have been to the Territory have calculated that the total extra revenue effort required of the Northern Territory, bearing in mind our lower revenue capacity, is nothing like that". What he was referring to was an "Aunt Sally" of his own making. The Majority Leader was saying that I had claimed that the Northern Territory would be asked to raise an extra \$50m to \$60m. If he looks at the record, he will find that that was not what I said at all. However, that does not stop him from making these sorts of statements.

He said that officers of Grants Commission who have been to the Territory have calculated that the total extra revenue effort required of the NT, bearing in mind our lower revenue-raising capacity, is nothing like \$50m to \$60m. I asked a question of the executive member this morning and I do have a recollection of his answer. When I asked whether or not the officers of the Grants Commission had completed an assessment of the Northern Territory's revenue needs and expenditure needs, he said no. Indeed, he pointed out to me, rightly but irrelevantly, that the Grants Commission has no power under the federal act to do such an exercise. That is true, but perhaps he had better talk to his Majority Leader as to what various officers of the Grants Commission might be doing.

There is no doubt that Grants Commission officers have been here. People have told us that people are asking them how much money they raised with things like bingo and so on. Indeed, the executive member has written to a number of clubs seeking this sort of information and clubs are rightly petrified that they will be hounded because they have been gathering money illegally or that the executive member wants to get his hands on the sort of money that they are raising. As far as the Grants Commission is concerned, there is no doubt that it has made an assessment. I do believe, with some respect to the Executive Member for Finance and Planning, that he might apologise to the House for so wilfully misleading us this morning. No exercise of semantics will get him out of that. He most clearly misrepresented the position - either he did or the Majority Leader did. I dare not suggest that the Majority Leader did because I will get another one of these press releases tipping more vitriol and spleen all over the place.

We come to the role of the Grants Commission and what it can do to assist the Northern Territory. This is the one thing on which the Northern Territory executive is pinning its hopes. It says that the Grants Commission, that independent body which has served the weaker states so well over the last 40 odd years, is the body which will come to the rescue of the Northern Territory. To some extent, that might be right.

The Executive Member for Finance and Planning has told us that the Grants

Commission cannot assist us anyway but, if it were given that power, let us have a look at what it could do for us in the Northern Territory. The Majority Party is sticking out for the Grants Commission, this independent arbiter. Let us see what assistance it can give. The Executive Member for Finance and Planning knows, as indeed the Majority Party has told us, that Grants Commission officers have been here and he knows, despite his answer to me this morning, that the Grants Commission has indeed come up with an assessment. He knows it; he refuses to give the details to the Assembly. It is very easy to understand why because, if one has a look at the assessment made by the Grants Commission, then one finds the following situation: given the sort of income we could expect from federal government, based on income tax sharing arrangements and the population factor which is involved in that, given the assistance which the Grants Commission would recommend were we a claimant state so far as our revenue needs and our expenditure needs are concerned and given the revenue which we already raise in the Northern Territory, then one finds that the Territory would get an allocation of somewhere around \$80m.

We know that from 1 July, with the transfer of functions, we are going to be facing current expenditures, recurrent operating expenditures of around \$140m. Even given the Grants Commission assistance, given their assessment which I remind the executive member once again they have already made, and he is aware of it, given an allocation or recommendation by the Grants Commission and even if the Australian government were to do as it has always done on receipt of a Grants Commission recommendation - that is, adopted it - even if it were to do all that, still we would be some \$50m to \$60 light, just covering recurrent expenditures. I am not making any statement to the Majority Party which they are unaware of; they are fully aware of it; they know that with that amount of money there is a gap of \$50m to \$60m in the subvention we are talking about and no amount of assistance from the Grants Commission or anybody else is going to cover that gap. At no stage, Mr Speaker, have I suggested - despite the Majority Leader's protestations - that we in the Territory would be required to find that \$50m to \$60m. That is an absurd proposition which no government would ever contemplate. Nobody would be suggesting that thousands of public servants be thrown out of work because of some malevolence on the part of the Australian government. That will not happen.

What I am pointing out to the Assembly is that nonetheless even if the Grants Commission were to make its assessment, we still require \$50m to \$60m from the Australian government. If one looks at it in that light, one can see the irrelevance of the role of the Grants Commission. If the Grants Commission could do as the Majority Party claims it could do - that is, fill that gap - fair enough, it might have an argument. But none the less, we know, the Majority Party knows and the Executive Member for Finance and Planning knows that it will not breach that gap. After a decision or a recommendation by the Grants Commission, there is still going to be an amount of some \$50m to \$60m which has to be negotiated between the Australian government and the Northern Territory executive. Knowing that, and I am very pleased to see the Executive Member for Community and Social Development nodding so sagely - knowing that ...

Mr Robertson: No, he is not; he's going to sleep.

Mr ISAACS: Sorry about that, I mistook it - you must go to sleep with your eyes open - knowing that, they know therefore the irrelevance of the role of the Grants Commission. Indeed, it is rather strange the Majority Party should have got itself so embroiled in this argument about the Grants Commission. One might ask why do they want it, if indeed its role is irrelevant and they know it to be irrelevant. We can only answer this way. In the past - and up to 1 July 1978 - the Northern Territory has been funded by a direct line budget, if you like, through the various bids which have been made by the Australian government departments, no strings attached. From 1 July this year, the strings will start to come

into operation. Mind you, we tried it last year. I remember the argument around election time. There were all sorts of guesses being bandied about as to how much would have to be raised. I was so foolish as to suggest that we are going to be asked to pay this money - to pay for the increased level of responsibilities being passed on to us. I was told by the then leader of the Majority Party - the current Majority Leader in exile - that that was all rubbish, that I was trying to mislead people, that I was harrassing them, I was panicking them - indeed the words ring rather hollow now that one thinks about it and hears the latter day comments of the Majority Party - that what I was suggesting was heresy, that they were such good people on the other side, the Majority Party, that they would not be charging the people of the Northern Territory any extra amount.

For a while that looked right; they were not going to. You talk to people now. You ask them now about motor registration, about cheques, about transfers on house buying and transfers of shares, the things that we hear on the radio and read in the press. However, the Majority Party shows such disrespect that it is not prepared to make those statements known in the Assembly. It just dribbles them out, piecemeal, hoping that people are going to forget about the last one. When you add it all up, one sees the price that we in the Northern Territory are going to have to pay. That, of course, is the basis of it all. We have said repeatedly, to a point where the Majority Party is getting pretty sick of us, that from 1 July this year our financial arrangements are going to change from that one-line situation of which I spoke before with no strings attached to a situation where not only are the strings going to be attached, nooses are going to be tightened and the Grants Commission will come into sharp relief as the instrument. We know and the Majority Party knows that from 1 July, so far as our financial arrangements are concerned, the Northern Territory for all intents and purposes is a state. That is why we have said that from 1 July the Northern Territory will be a de facto state.

One final matter I want to reflect upon: this morning at the normal time that I listen to the news, I heard a statement purporting to be a statement emanating from the Majority Leader's office and I understand, having checked around, that there was indeed a press conference last night about the complex matters, about the discussions that he and his deputy leader had in Canberra concerning financial arrangements. I suppose it was that urgent and that important, that he divulged that information to them before us. That is his assessment of priorities.

There was one thing he did say - and I do not know whether he said it or it was misreported - but he allegedly reflected upon the electricity rates. We do not get the benefit of that statement here, so perhaps it is not true. I thought I heard on the radio this morning that electricity rates are also going to increase - only 7% and, after all, that is what the new rate is in north Queensland. But we do not get the benefit of hearing that first hand from the Majority Leader. Perhaps the Executive Member for Finance and Planning, having untangled himself with the Majority Leader as far as the operations of the Grants Commission is concerned, might be able to reflect on that matter. When statements are made to the press, perhaps they ought to think first before they give them to the press. Perhaps it might be a matter of some common decency and courtesy when they make such momentous statements, concerning negotiations between the executive of the Northern Territory and the Australian government, to make those statements to this Assembly before they spill it to the press.

Debate adjourned.

LEAVE OF ABSENCE

Mr N. DONDAS

Mr VALE (Stuart): I move that leave of absence for the duration of these sittings be granted to the honourable member for Casuarina, Mr N. Dondas, who is attending a parliamentary seminar in the United Kingdom.

Mr SPEAKER: In the absence of Mr Dondas, it will be necessary to use a deputy chairman in committee. The deputies are Mr Ballantyne, Mrs Padgham-Purich and Ms D'Rozario.

Motion agreed to.

MOTOR VEHICLES BILL (Serial 23)

Continued from 23 November 1977.

Mr COLLINS (Arnhem): This bill simply makes things a little easier for people coming to the Northern Territory. It is a problem that a lot of us had to face many years ago when we first arrived in the Territory - this vexatious business of transferring registration. The bill simply makes things a lot easier for people coming to the Territory and the Opposition has absolutely no objection to the bill at all and supports it.

Mrs LAWRIE (Nightcliff): In rising to support the bill, I only want to draw the attention of members of the House to the concluding remarks of the sponsor who introduced the bill, and I quote from Hansard of Wednesday 23 November 1977:

I do not have to tell you, Mr Speaker, of the problems the Northern Territory police and the city councils of Darwin and Alice Springs have with tracking down the owners of vehicles registered outside the Northern Territory.

Whilst I agree with the remarks of the honourable executive member, might I also draw to his attention the problems that police and municipal authorities and others with a legitimate interest have in tracing owners of vehicles registered within the Northern Territory, an area which is his responsibility and I would hope that, in replying to this debate, which obviously is going to be in support of the bill, he can give us an indication of when he hopes these problems will be ironed out within the Motor Vehicle Registry. I was given to understand that many problems arose with a switch to computerising the keeping of registrations. If this is a fact, has the problem now ceased because it would appear, Mr Speaker, that the simple matter of tracing the owner of a vehicle registered within the Northern Territory is still a cause for grave dissatisfaction and concern. In supporting this bill, I ask for some light on this allied subject from the sponsor of the bill.

Mr HARRIS (Port Darwin): In speaking in support of the bill, the legislation being introduced by this particular bill is long overdue. I feel perhaps a little more comment is required to outline several areas which are of concern.

It is quite obvious, as the Executive Member for Transport and Industry mentioned in his second-reading speech, that the definition of a visiting motor vehicle needed to be related to a period of time. Together with this point of definition, there are three other major areas of concern with regard to motor vehicles which are registered interstate. I feel it is necessary to mention these because, over the years, the situation has lent itself to a great deal of uncertainty and also embarrassment.

The first point is that of complying with our registration requirements, as laid down in the fourth schedule of the Motor Vehicles Ordinance. As some members may be aware, in some states - and I mention, for example, the states of South

Australia and Victoria - in the first instance, vehicle inspections are not required; all that is required is that you have your third party insurance and you pay the registration fee. In Queensland, vehicle inspections are required in certain instances when vehicles are transferred from one person to another, one owner to another or in the case of public transport vehicles such as motor omnibuses, taxis or hire cars. New South Wales, the Australian Capital Territory, Western Australia and the Northern Territory all require owners to submit their vehicles for inspection or to obtain a roadworthiness certificate. This is necessary before they are able to have their vehicles re-registered. Of course, there is also the fee to be paid. You can see how vehicles have been able to remain registered interstate even though their owners have been residents of the Northern Territory for periods of up to four years in some cases. I hope the practice of the Northern Territory residents continuing to register their vehicles interstate will cease after this legislation is introduced.

The second point I must bring up is that of safety. Any vehicle which does not require an inspection to be carried out is obviously in a "suspect" condition. I do not feel any further explanation is necessary in relation to safety. Of course, I am well aware that vehicles which have had an inspection are also liable to have defects but these vehicles are required under our regulations to have an inspection carried out at least once a year.

The third point, and most important point, that hopefully this bill will correct is being able to prosecute those who abuse certain bylaws and regulations. I am speaking at this stage about the Darwin scene particularly but I feel sure honourable members from the Alice Springs area would have experienced the same problems. To indicate to honourable members some of the problems which we are confronted with in connection with interstate registrations, I have obtained some figures from the Darwin city council in relation to parking offences. In a random check of some 500 parking tickets which were issued for various parking offences, it was found that 14% of these were vehicles registered interstate and that 2.5% have not paid their fines.

To indicate to you the blatant abuse of parking regulations in our city, I have again obtained figures in relation to the number of parking tickets issued to individual vehicles. These were taken over a 2-3 month period. I will state first the state the vehicle comes from and then the number of parking tickets issued. A vehicle from Western Australia, 12 tickets; a vehicle from Victoria, 12 tickets; a vehicle from Western Australia, 6; New South Wales, 5; ACT, 10; Western Australia, 6; and a vehicle from Queensland 10. People are not only abusing the parking regulations, they are actually boasting that they have interstate plates on their vehicles and are not worried about receiving parking tickets.

Another point of note is that motor vehicles which are abandoned in our streets - and the Darwin city council has no power to remove them - are often interstate vehicles. Most of them are interstate vehicles. I could refer to stolen vehicles, robberies and many other things to show why we need such legislation. To abuse bylaws or regulations is an offence and we must be able to police our laws. At last, hopefully, another area has been covered. We will be able to have some control in an area which has long been overdue for review.

Mr BALLANTYNE (Nhulunbuy): I rise to support the bill. I do not have the statistical background that the member for Port Darwin has given. However, I feel that vehicles registered in other states have caused many problems in the Territory. This legislation will bring some control. Any visitor will have the right to come here and use his vehicle but within a time limit. That is fair in itself. The registrar may exempt business people coming from interstate. There are many problems re-registering vehicles. Each time you go to the registration

branch, you have to go through all forms of checking and it could be quite an expensive exercise if a person has to do it for just a short period of time. It is up to the discretion of the registrar to give approval for any interstate visitor. We do not have the same laws as Victoria whereby, with a change of ownership, you have to go to a registered inspector. There is quite a big list of faults that you have to repair if you are a secondhand dealer or a new owner before that vehicle is considered roadworthy. As a result of the new laws, we probably will have fewer infringements of the rules by interstate vehicles. I honestly believe that we are starting to see the light of day and to recognise that there are problems which we can overcome by small changes in legislation.

Mr VALE (Stuart): I rise to speak in support of the bill. There are two points which I particularly support. The first pertains to visiting motor vehicles and the requirement for a changeover of registration after 3 months. For far too long, we have had interstate motorists here who have paid their registration fees interstate and that state has received the benefit of that cash while the motorists have utilised our roads. With this changeover proposal, we will get a little bit more revenue and, hopefully, particularly in Central Australia, we will get better roads.

I am also glad to see that section of the legislation which will allow, under special circumstances, certain vehicles to go beyond the three month period. This would probably apply particularly in Central Australia where tourists who are travelling around Australia might spend a lot longer than 3 months and then move into another state. I am also aware of tourist companies in Central Australia which move vehicles, particularly large buses, into Central Australia during the tourist season and then back into the capital cities of their choice afterwards. The other group which would benefit is the exploration firms which also move vehicles from state to state.

The only suggestion I would make that could be examined at a later date is that firms like these which do use our roads and from which we receive no funds at all could be made to pay some type of levy while in the Northern Territory.

Mr STEELE (Transport and Industry): I would like to make a couple of observations in respect of the comments of the member for Nightcliff. It is fair to say that, with the new equipment such as computers in places like the Motor Vehicle Registry, there are bound to be some bugs in the equipment and certainly these bugs cannot be expected to prevent good administration over a long period. Personally, I would like to think that the administration process at the Motor Vehicle Registry will in time be one of the best in Australia. I do not think we have yet got our visual display unit set up in cooperation with the police for checking out motor registration details but, when that is implemented, the system will probably work to a much higher degree of efficiency and everybody will be much better off. Motor vehicle legislation will come before this House from time to time. It is either a matter of rewriting the whole legislation, which we are not in a position to do, or introducing more amendments which will have some measure of success.

In regard to the member for Stuart's road levy, that is a matter that I am not qualified to speak about at this time. If he wants to propose a tourist tax, I suppose we should look at it one day.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

AUCTIONEERS BILL (Serial 14)

Continued from 23 November 1977.

Mr OLIVER (Alice Springs): I support the remarks made by the Majority Leader in his second-reading speech last year. Involved as I am with the Alice Springs Show Society, I can say that we have had problems with the auctioneering of stock, particularly horses, at show time. I feel that the passing of this bill would certainly alleviate that problem. I am sure too that the show societies up the track will also welcome this bill. As I see it, the passing of this bill is purely procedural to bring into effect amendments already passed by the Legislative Council in 1973. Briefly, I see no objections to the bill.

Mrs O'NEIL (Fannie Bay): The Opposition supports this very simple bill to give effect to the amendments which, as the honourable member from Alice Springs pointed out, were in fact passed in 1973. The Majority Leader, in introducing this piece of legislation, pointed out that the reason why it had not come into effect is that it was tied to the enactment of the Land and Business Agents Ordinance. We hope very much that an ordinance regulating land and business agents will be introduced before very long in this Assembly. It is an area of great interest to consumers in the Northern Territory and reputable real estate agents are most anxious to have proper legislation governing their actions. The present provisions of the Auctioneers Ordinance as it relates to real estate agents are completely inadequate. There is a licensing provision but no proper regulation. Real estate agents frequently hold large sums of other peoples' money in their trust accounts and, as the Majority Leader knows, there is a strict requirement on the part of legal practitioners in this regard. We hope that adequate legislation governing real estate agents is introduced fairly soon.

The Auctioneers Ordinance is another one that needs consolidating and updating. Honourable members are no doubt aware, but perhaps members of the community are not always aware, that it covers the actions of used car dealers, travel agents and the like. These are areas that are in great need of legislation. Honourable members will know that not all used car dealers act with strict propriety towards their customers and frequently we have occasions, as the Consumers Protection Council points out to us in its promptly produced annual reports, when customers of used car dealers are taken down.

We support the amendment and I will say in closing that I would also have supported the Majority Leader if he had removed provisions prohibiting auctions on Good Friday and Christmas Day from the ordinance. I hardly feel that it is the function of the Auctioneers Ordinance to reinforce religious observance.

Mr BALLANTYNE (Nhulunbuy): I rise to support the bill and I believe the amendment will be welcomed by the people in the rural areas. It will not affect my particular electorate. We do have an auctioneer over there. We had a very successful auction last weekend but I should imagine they can hold them on other days than Sundays. Now we will have the option of perhaps having one on a Sunday. It may add some interest to the town. As we are growing up, we can see the need for these things. In the past, people have been restricted and it costs a lot of money to take goods to an area for auctioning. Sometimes, they do not get much for their goods. However, I support the amendment and I hope that those people will enjoy the benefits of it.

Mr VALE (Stuart): I also support the legislation and am delighted to see an amendment which will allow the sale of livestock and, more particularly, horses in the bush areas during weekends or on Sundays. I am just wondering how this legislation affects Seventh Day Adventists or if any move has been made to overcome that problem. The other people that would benefit from this type of legislation would be some charities who hold illegal auctions or sales on Sundays. They would be greatly pleased to see this type of legislation pass through here.

Mr EVERINGHAM (Majority Leader): It is pleasing to see the general support in the House for this piece of legislation. Commenting briefly on the remarks of the member for Fannie Bay in relation to the proposed land and business agents legislation, could I say that one of my more senior officers was so bold as to say, in January or December, to the chairman of the Real Estate Institute and one of the members of the executive that he expected that this legislation should be ready for introduction around the middle of this year. I do understand, however, that we are still having some difficulty in obtaining details from the Real Estate Institute on the matters which they would specifically want provided for in the regulations to be made under the legislation. I would hope that, by the end of this year at least, a land and business agents ordinance should be in operation in the Northern Territory and I certainly think, and have thought for years, that it is a grievous anomaly that solicitors' trust accounts have to be audited but real estate agents' trust accounts which can hold considerable sums of money from time to time do not.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

ADJOURNMENT

Mr ROBERTSON (Community and Social Development): I move that the Assembly do now adjourn.

Mr ISAACS (Opposition Leader): In speaking to the adjournment motion, I want to deal with two matters. The first concerns a statement made by yourself this morning regarding the retirement of the former Clerk of the Assembly Mr Walker, and the promotion of the Deputy Clerk, Mr Thompson, to the position of Clerk.

Of course, since August we have not had the benefit of Mr Walker's officiating as Clerk of the Assembly but we have, in fact, had the benefit of Mr Thompson's expertise. On behalf of the Opposition, I would like to say that we wish Mr Walker a happy and profitable retirement. We are sorry we did not have the benefit of his experience and expertise while we were here. In saying that and commending his very long service to the Assembly, I also want to extend, without in any way attempting to curry favour with the newly appointed Clerk - and I am sure he would not take it that way - our congratulations on his coming to that position. I think I said at the adjournment of the Assembly at the end of last year that we put the Clerk under very great strain and stress, and he has accepted our being here in a most even-handed way. We look forward to Mr Thompson having a long career as Clerk of the Assembly.

The other matter I wish to speak about is a matter which has been hitting the headlines over the last three weeks or so, although I have had an interest in the matter since 3 October last year. I am sorry, in making this statement about the taxi industry, that I have not given notice to the Executive Member for Transport and Industry. I would have liked to have given him the opportunity of also speaking on it, although I do presume he is briefed fully on the matter. When it was brought to my attention on 3 October last year that the Darwin Radio Taxis Cooperative Society had imposed a bond on its drivers, I did ask the executive member to investigate the matter. I think it is of some assistance to go into the background of this current dispute and put to the Assembly my own views

on this very vexed matter.

In December, the Darwin Radio Taxis Cooperative Society ruled that they would increase the amount of bond money required from leaseholders and drivers from \$200 to \$250. The security was to be held in trust by the cooperative on the understanding that it was supposedly to protect the plate owner against small insurance claims on vehicles. We never did get to the bottom of just why the security deposit was required. In cases where drivers own their own vehicles and were leasing the plates, the security was to cover the plate owners in the event of the driver failing to meet his lease obligations. The situation with regard to leases was that the drivers must pay at least \$100 per week - as I understand it, this is the going rate for the lease - to lease the licence which had been granted by the government for the right to ply for hire. The drivers viewed the increased deposit demand as the straw that broke the camel's back. Subsequently, they formed the Darwin Taxi Drivers' Association to work for better financial and working conditions. They presented a log of claims to the cooperative on 25 January this year. They were not given the courtesy of a response. Eventually, in the face of a continued intransigence on the part of the cooperative, the drivers were forced to take strike action. You will recall that I raised a question in the House in December, again to the executive member, and I subsequently renewed those calls by letter - one, indeed, a quite lengthy letter - to the executive member to intervene and to stop what I regarded as quite unsavoury practices. I asked him to use his powers to help resolve the dispute and prevent further inconvenience to the public. Unfortunately, he failed to take any meaningful action before he left for New Zealand.

As the dispute began to get out of hand, the Majority Leader intervened and convened a meeting of the striking drivers and the members of the Cooperative. As I understand it, he put a proposition to that meeting, a four-point proposition as reported in the press. The points were as follows: that, if the drivers returned to work, there would be a three-month moratorium during which no action would be taken on the transfer of plates; that the two drivers dismissed as the result of the disputation be reinstated; that payment of the increased bond would not be required during the three-month moratorium so far as leasing drivers were concerned; and that the Transport Workers Union which had entered the dispute lift its ban. My information is that the taxi drivers, immediately the proposition was put by the Chief Secretary, agreed to the proposition. It appears that the cooperative society did not respond within the Chief Secretary's 24-hour deadline. The deadline was then extended by an additional 24 hours, even though the drivers themselves were not consulted as to whether or not that would be a fair thing. Nonetheless, the cooperative still did not respond.

The Chief Secretary took no further action with the result that the dispute escalated even further. Plate owners have recently made violent assaults on drivers while seeking illegally to recover plates. I am informed that one driver was held at knife point while the plates were removed from his car. Another driver has had his radio stolen from his car. The extraordinary thing about the radio is that the leaseholders claim it is theirs but the drivers pay the rental on it. Another driver has received threatening phone calls which have been traced to a cooperative member. In the face of all these unsavoury practices which I believe are going on, the responsible executive member has done nothing.

The situation now, as I understand it, is that legal advisers of both the cooperative and the drivers have found that the \$250 security bond has no force in law. Apparently, it is illegal because it has never been agreed to by the Registrar of Cooperative Societies. Moreover, the drivers claim that this money is in fact being misused by the cooperative. I understand that many of the drivers who have placed the \$200 bond, as it was then, with the cooperative, have not received the interest on it. Some have received a miserable \$3.50 on a \$200 bond. Those are bad interest rates. Somebody is going beserk with this

money and the drivers have a right to know what is happening to their money. The cooperative has not complied with the terms of the moratorium proposal put by the Chief Secretary which would most certainly have resolved the dispute. The drivers involved in the dispute have been given 30 days notice of dismissal. The first dismissals are to take effect in two day's time.

Further legal action has been threatened by the cooperative. A large number of drivers are about to be forced onto the dole. Many of these are buying their cars on hire purchase. If they are forced onto unemployment benefits, they will not be able to meet their financial commitments and obviously lose their cars. The travelling public is being seriously inconvenienced because there are insufficient cabs on the road. Most, if not all, of the drivers involved in the dispute are now adamant that, because of the way they have been treated by the cooperative, they will never again work for the cooperative. They are keen to establish an alternative taxi service in Darwin and, Lord knows, we need one.

Premises are available for venues and a radio frequency could be obtained within a couple of days. The drivers are happy to return their present plates if the executive member will issue them with interim plates for a period of six months. In that period of time, they believe they can introduce healthy competition in the Darwin taxi industry and at the same time demonstrate that there is a need for more cabs. They point to the fact that Darwin has one cab per 1000 people, whereas Adelaide has one cab per 625 people and Sydney has one per 750 people.

Other comparisons which can be made with the states clearly show just what a bad deal the drivers are receiving from the cooperative. I speak with some emotion about this subject as I used to be a cab driver in Sydney myself. In all states, drivers must be covered by workmen's compensation insurance, not by themselves but by the owners. In no state is there a security bond equivalent to the \$250 being demanded here. In fact, in only three states are bonds required and in those cases it is for \$20. In no states do drivers have to pay \$100 or more to absentee plate owners who in some cases are public servants or shop owners, and others are not even residents of the Northern Territory. This payment, I might remind you, is merely for the right to work.

In conclusion, I ask the executive member to use his powers to resolve the dispute. Within a matter of days, people are going to be facing hardship. I suggest that he issue plates to the drivers involved for a limited period of six months and they can then demonstrate whether or not their alternative service can work and satisfy the needs of the public. I believe it is not too late to hold an inquiry into the industry. I know the Chief Secretary has made statements in the press that he is intent on introducing legislation shortly to cover this problem. I do believe an inquiry is warranted. In the meantime, every possible action should be taken to protect the interests of those drivers who have taken the action which has brought this dispute to a head.

Mr EVERINGHAM (Majority Leader): May I also add my compliments to those already proposed by the Leader of the Opposition to the new Clerk of the Assembly, Mr Keith Thompson, on his formal appointment. His term as Acting Clerk has certainly been a long one. I should also like to pay tribute, on my own behalf and I am sure on behalf of former members of this Assembly, such as the former Majority Leader, Dr Letts, to Fred Walker who for many years was Clerk of the Legislative Council. Mr Walker, I think it will be acknowledged by everyone who knew him, performed his duties in a unique and exemplary fashion. I am also very pleased to see that not only has Mr Thompson received a promotion but Mr Chin and Mr Gleeson as well, and presumably everyone moves up the ladder in the Legislative Assembly at a time like this.

You may have observed, Mr Speaker, that recently I made a statement to the press concerning the initiatives my party has taken in the field of Aborigines and the law. My statement today is by way of elaboration of the earlier press statement. You may also be aware that last year the Commonwealth Attorney-General gave the Australian Law Reform Commission a wide-ranging reference on customary law in Australia. The Commission visited the Territory during the year and took evidence on the reference from many members of the public. Subsequent statements from the commission have indicated that this reference is one that will take considerable time to complete, extending over some years.

In the meantime, many problems have been encountered and will no doubt continue to be encountered in the application and administration of the law to the Aboriginal citizens of this Territory. The Country Liberal Party believes firmly in the impartial administration of justice for all citizens under the rule of law. It does not support the creation of separate systems of law for different Territory citizens as a means of overcoming any problems that may arise. It follows from this philosophy that, if the present system of law is operating unfairly or unreasonably with respect to specified groups in the community, the law itself and its administration must be altered to correct these defects.

With this in mind and with a view to establishing a definite policy on the administration of the law as it affects all citizens, and in particular Aboriginal citizens, I have recently written to a number of interested people and organisations in the Territory to obtain their views. These comprised the Department of Aboriginal Affairs, the Aboriginal Legal Aid Services, the Commissioner of Police, the Department of Law, the Social Development Branch and I have also interested Mr Creed Lovegrove, my special adviser on Aboriginal Affairs, in the matter. As well, we have written to the National Aboriginal Council or at least the Northern Territory division of it.

I have restricted my initial contact to the application of the criminal law. Matters of particular interest include juvenile crime among Aborigines, the influence of tribal customs on crime, and ways and means of improving relationships between the police and Aborigines. Already Mr Barker of the Department of Law has held discussions with the Aboriginal Legal Aid Service on these issues. Other matters that I would like to consider are the respective merits of using visiting stipendiary magistrates as against some local system of administration of justice for minor offences, the possibility of greater involvement of Aborigines at all levels of the legal system, the extent to which the law should require customary law to be taken into account in criminal matters and the law as to fitness to plead and associated matters. Extending outside of the criminal law, I am anxious to have a look at the law as it affects tribal marriages and the law as to illegitimacy.

I call upon all members who have any views or comments to make relating to these issues to let me have them, preferably in writing so that they can be studied. I am also anxious to receive comments from members of the public. The complexity of the issues involved should not be given as a reason for not considering them and for not taking action where appropriate. With responsible self-government hopefully but a short distance away, the opportunity is almost here to implement any policies that may be adopted and the Territory must look to the future when it becomes a single political entity governed by a single system of law applicable equally to all of its citizens.

Might I also comment on the statement of the Leader of the Opposition in relation to the taxi industry dispute. It is quite true, as he says, that I did endeavour to resolve the dispute in the absence of the Executive Member for Transport and Industry in New Zealand and it is true that the Taxi Drivers Association is, I must say, not quite straightforward. After considerable argy-bargy between themselves and the cooperative society representatives who were there,

they did accept the points I proposed by way of settlement of the dispute. It is true that, at that meeting I told the cooperative people that I thought they would be very sorry if they did not also accept the terms that were being offered. I believe that, a couple of days later, they did come around to accepting the terms but, at that stage, I am informed there was some further intransigence shown on the part of the drivers. The whole proposal fell to bits because of the intransigence of the two contesting parties to this matter.

Be that as it may, the Majority Party is very concerned to see that taxi services are provided to all citizens of the Territory at the cheapest possible rate and in the most efficient possible manner whilst ensuring a reasonable return to the persons involved who own cabs and operate cabs. I believe that very shortly the Executive Member for Transport and Industry will be able to unveil proposals which I think will have far-reaching effects on and rationalise the taxi industry in the Territory. In the meantime, I would appeal to the people involved to show a bit more reason and sense because I do not believe they are getting themselves or the public anywhere with what they are doing. Perhaps, if they could only get together again, it may, at this eleventh hour, still be possible to patch up some arrangement which will ensure that the industry moves forward without undue harm to either party at this stage.

There are people who own licences who believe they have a considerable investment because they hold this particular licence of the government; I am not at all sure that my party accepts that proposition. I do not believe any inquiry into the taxi industry is necessary; I believe that better legislation or regulation of it is certainly necessary. I do still appeal to the parties who came to my office a couple of weeks ago, and whom I thought were reasonable at the time, to get together again to patch up that settlement. Otherwise I do feel that, despite the proposal put forward by the Leader of the Opposition which I would suggest is a rather impractical one, the drivers will suffer because they will be out of work. They may suffer in the short term, but I would say this to the taxi owners: it may be they who will suffer in the long term.

Mr COLLINS (Arnhem): I would like to expand on the remarks of the Majority Leader concerning Aborigines and the law, in a slightly different context. I commend the Majority Leader for recent statements he has made concerning the atrocious situation regarding the surveillance of our coastline. The remarks I want to make this afternoon are directed particularly to the executive and more particularly to the Majority Leader himself. I understand that on the question of surveillance - and I have this from no higher authority than the federal Minister for Defence - the honourable Majority Leader has some difficulty in acclimatising to tropical conditions but, seeing as the Chamber is airconditioned, I hope he can give my remarks some attention this afternoon.

I believe the attitude of the federal government in regard to this matter is atrocious. Nobody wants to be particularly responsible for it. We certainly have a crying need for it and I think the press has shown that only too clearly over the last few months. I am sure everyone has seen in the press a recent proposal to start a Northern Territory patrol service using Aborigines. Much of the initial reaction that I got to this proposal was, I must say, of some ridicule and this attitude was expressed by people who are a long way from being anti-Aboriginal. I have known the gentleman who put this proposal up for something like ten years now. I know the man's background; it is a rather impressive one in regard to the kind of thing he is talking about. On this particular subject, he is in fact a man who does know what he is talking about. In 1962, the gentleman concerned ran a training course for some Aboriginal people at Bamyili for a period of six weeks, a very strongly militaristic-type training course; he is that kind of man. It was very successful.

I have taken the trouble to talk to some of the old hands in the Department

of Aboriginal Affairs who had some of those people working for them after that course was finished. The basic problem was that, after the Aborigines had completed the course, there was no employment available for them. But some of them - three, I think it was - did get employment as assistant patrol officers with some of the patrol officers working in the field at that time. I have spoken to those men and all of them were very impressed with the standard of discipline, if you like to use that word, and expertise that was shown by these Aborigines in performing their duties as DAA patrol officers.

The proposal, I understand, has been given to the Majority Party but I would like to note some of the major areas in the proposal so that it can be entered into Hansard. The proposal envisages a service under the direct control of the Northern Territory executive as part of the Northern Territory government, certainly not the federal government, with a large degree of Aboriginal involvement. It would be used to check on unauthorised immigration, either by sea or air, into the Northern Territory and the unauthorised importation of drugs, a serious problem that we have here, with the subsequent interstate trafficking and detection of drugs. I noted on this morning's news recent disclosures in southern states have clearly indicated that a great deal of the problems faced by southern states are caused by drugs coming into Australia through the Northern Territory. I do not think there is any doubt about that. The patrol would also be used to check on unauthorised fishing by foreign vessels; unauthorised import and export of prohibited goods; monitoring of bush fires and, of course, a very positive role could be played by this organisation in search and rescue. Natural disasters would be included and, of course, the service is envisaged as working in very close cooperation with the police, the wildlife, animal industry and customs authorities and so forth.

It is interesting to read about some of the efforts years ago with similar services. It really is foolish to ridicule such a proposition. In fact the only major drawback the proposal has that would indicate that it might not be accepted is that it makes too much sense. This little book which talks principally about Bathurst and Melville Islands has some interesting comments about the role that Aboriginal people played in the Territory during the second world war, and I would like to read extracts from it.

The book is called "The Tiwi Islands", written by Brother John Pye MSC, and is available at Tivoli at \$4 a copy:

In the Welfare Branch files, J.C. Lovegrove refers to Melville Island coastwatching:

"Aborigines employed by the RAN during the 1939-1945 war - the natives were on active duty in potentially hostile waters and were exposed to as great or greater dangers as personnel stationed in Darwin".

On 4.9.1961, Mr. H.C. Giese, Director of Social Welfare, informed Captain A.H. Hooper, Naval Officer in Command, HMAS Melville: The issue of uniforms, the conferring of rank, the equipping with arms and machine guns, the training in gunnery and grenade attack, all add up to a serious defence unit with a serious mission.

He is talking about an Aboriginal patrol service that patrolled the coast around Darwin and Bathurst and Melville Islands.

The statement of Holder Adams and Paddy One make it clear that the coast watching and patrolling involved active duty and that the members of the unit were exposed to dangers as great as those experienced by service personnel in Darwin. It is also apparent that these Aborigines were most anxious to serve their country in time of need.

Mr Giese also referred to the Melville Tiwi as being in the same position as the Papuan and New Guinea natives and that their discipline was similar.

Here is another quote from the same book:

Snake Bay was a government settlement and developed into a small war base. The Aborigines were formed into a small naval unit under Mr (later Lieutenant) Gribble. They were known amongst themselves and to outsiders as the "Black Watch". The name was used to honour them and not to belittle them.

The vessel Amity which is a boat well known to the honourable member for Victoria River was used for coastwatching.

The duties of the unit were to be on guard duty day and night and do camp work at Snake Bay ... All of the crew members had a .303 rifle, side arms and ammunition. Paddy One, a Tiwi man, was a petty officer in charge of the Amity and patrolled night and day along the coast of Melville Island and along part of the mainland near Darwin. On one occasion, they picked up two American officers and three Malays about 30 miles off the coast of Melville, after getting a signal from the Navy ... Nineteen unexploded mines were also found on the shores of Melville Island.

This same man also did a lot of work as pilot on warships that were coming in and out of the area.

Holder Adams, now president of the Snake Bay Council, said in July-August 1942 that Mr Gribble was their lieutenant and that all the natives at Snake Bay wore uniforms, had rifles and other equipment and were made into a coastal patrol.

A third petty officer was Harry One, another Tiwi man, who was also a cook. In the beginning the whole unit patrolled the east coast of Melville in a canoe. Every Wednesday, target practice was held and there was machine gun and grenade training.

They were not mucking around and they were a highly successful unit. Some of the members of that unit were decorated after the war for the work they did. In fact, one of them had the honour of capturing the very first Japanese ever captured in Australia.

It is not a frivolous proposition; it is a very serious one. I think it is a proposition worthy of consideration by the executive. I do not consider that it is a proposition that people should jump into with both feet. I do not think it is the sort of proposition that you could get off the ground in quite the way that the proponent of the plan envisages. However, I do think there is room for serious consideration to get it off the ground on a restricted basis. The original proposal mentions 60 or 70 men; I would seriously suggest to the Majority Party that they do consider getting this thing off the ground with perhaps 20 men on a limited scale and in a particular area for a period of 12 months to see just how effective it would be.

I am speaking in the Assembly this afternoon on this subject because I have canvassed this proposition with Aboriginal people in my electorate and, to my great surprise, I found a very considerable positive response to it. Aboriginal people told me that they were very keen on the idea. They said that, if anyone was to patrol the coast of Arnhem Land, they would rather do it themselves than have anybody else do it. On that point, I would consider that no one in this House would question the necessity for such a service to begin somehow somewhere.

It is obvious that the maximum possible cooperation should be got from the Aboriginal people of Arnhem Land. As has been mentioned many times in different contexts in the past, the coastline of Arnhem Land involves a fair percentage of the Northern Territory coastline. The people who know it best, of course, are the people who live there. Aboriginal people generally do not find very much hardship in living in the bush whereas many Europeans do. For this patrol to be effective, of course, it would have to patrol irregularly and for extended periods of time. I feel it would have a great impact on drug runners and various other people if it were known that such a patrol was in existence. I would suggest that Arnhem Land would be a very good place to start.

Every time a new outstation starts in Arnhem Land, it comes complete with an airstrip. There are hundreds of airstrips out there, a fact well known to you, I am sure, Mr Speaker. These airstrips do need to be regularly patrolled. People need to visit them to talk to the people who live there to find out whether in fact light aircraft have been visiting because these airstrips are extremely isolated. All of them are connected with roads, certainly during the dry season, to other communities. It is a vital service that needs to be carried out.

I would ask the executive again if they would seriously consider this idea. I do not think it is a proposition to go into in quite the way that the proponent envisages. However, I do feel that, on a limited basis, the whole idea has an enormous amount of appeal. The extent to which these people could be used in many activities apart from watching for drug-trafficking and so on are limitless. I know that Aboriginal people respond extremely well to military discipline. It is not true that they do not respond to this sort of thing. They have the same pride in their performance in this particular field as Europeans have. I was in the fortunate position of seeing all of the original photographs that were taken at the training course that was held at Bamyili. One of the photographs was published in the NT News - a line of men standing side by side at ease. One of those fellows from Groote Eylandt, whom I know personally, is about three axe handles across the shoulders and about six foot five inches tall. I am quite sure that, if I was a drug runner and he came out of the bush, I would drop my drugs and run like hell.

It is a sound proposition and I will be watching with a great deal of interest to see what initiatives the Majority Party would be prepared to take on it in the next 12 months because I am sure there is no argument at all that this question of Northern Territory surveillance is a matter of extreme urgency.

Mrs PADGHAM-PURICH (Tiwi): I would like to speak in the adjournment debate on something which I noticed was most conspicuous by its absence from the Northern Territory Police Annual Report. In fact, I would say it has not appeared in any police report for many years. The activities of the police were itemised in detail and I must commend the officers for their very much appreciated and necessary work in the community. At times, they may not be appreciated by certain members of the community when we are the recipients of their interest. However, I am concerned that no attention has been paid to the forming or the re-forming of the small mounted police section. The police are not very often popular by the very nature of their work but this public attitude never applies to the mounted police. Some will say that the mounted policeman is an anachronism, a drain on the public purse, his horse a source of pollution and his usefulness past.

I can give the lie to all of these. The mounted police in all places have a strong historical link with cavalry regiments and our own Light Horse of the First World War. They are the present continuing re-enactment of history. They

are not dead historical buildings; they are living history. Tell me of a display or parade, in which the mounted police are taking part, where the people do not crowd over to watch them.

The cost of operation of a mounted police section has been mentioned to me in the past as being one reason to negate their establishment. A point here is that the officers who could be concerned would be in the force already. As to the horses being a source of pollution, in the present climate of thought regarding recycling of natural material, horse manure has a greater further use than vehicle exhaust fumes.

The usefulness of a mounted police detachment is without parallel in many situations. It plays a definite role in any ceremonial occasion. A police officer on his horse can take the place of many officers on foot in the work of crowd control and last, but by no means least, they can be used in certain search situations. I have been told that a certain interest has been shown by young police officers in the formation of a mounted police detachment. I would like this interest to be encouraged and fostered and I hope it leads to the formation of a mounted police detachment.

Mrs LAWRIE (Nightcliff): The adjournment debate is a grievance debate and I am going to bring my grievance to the attention of the Executive Member for Transport and Industry. He seems to be copping it today so he can cop it from me as well. I presented a petition in this Assembly relating to bicycle tracks. I have asked questions about what action is to be taken by the Majority Party and the executive member responsible to arrange for at least one bicycle track for Darwin. It does appear that, like motherhood, no one is against it but, unlike motherhood, not much happens.

I have received statistics on road traffic accidents involving bicycles from 1976 and 1977. Before going into detail about these statistics, I will quote from the police report which I received today and advise the Assembly of their definition of a "traffic accident". I quote from the report:

The Territory police furnish accident reports only (a) when a person is killed or injured as a result of a street accident, (b) where the circumstances of any street accident indicate that a breach of the law was committed and (c) where, as the result of any street accident, damage was caused to a vehicle or property belonging to any commonwealth or state government department, semi-government body, municipality or shire. All accidents not in the above category are recorded at each station in a volume known as an "Accident Incident Book".

We see that it is safe to assume that many trivial accidents involving bicycles will never show up on the statistics. These statistics relate to death and injury. In 1976 and 1977, there was a total of 37 such accidents involving bicycles in the Darwin area. These resulted in 25 male persons being injured and 2 killed and 10 female persons being injured. The accidents occurred in the following localities: 5 in the city area, which includes the Daly Street bridge, 2 on Bagot Road, 1 on Gardens Hill, 1 on East Point Road, 1 on Drysdale Street, 5 on the Stuart Highway, 4 on Trower Road and 18 in other streets in the northern suburbs. The northern suburbs includes areas north of Ludmilla, including Nightcliff. Of these 37 people so affected, 23 were under the age of 18 years. In that group of 23, there were the 2 fatalities - one child aged 11 and one 13 years. Those fatalities occurred in Trower and Rapid Creek Roads. Fourteen accidents resulting in injury occurred to people of 18 years and over.

Just before Christmas, I was talking to the proprietor of a well known cycle store who was regarding his trade with some dismay. He put a lot of the blame on the fear that parents have - and I share that fear - of allowing children, even

those competent in road safety, to go on the roads on a bike. I think plenty of adults are taking their lives in their hands when they are riding to work. We see them along Bagot Road, on the main arterial roads every morning and afternoon at peak hour. A couple of them have been chipped by the police for riding on the so-called footpath along Bagot Road. It is a case of damned if you do and damned if you don't. Most of the parents in my electorate tell their children to ride on the footpath if they are riding to school or if they are going to the local shop. I am one of those parents. I tell my children to ride on the footpath and cut across the oval but not to go on the road. That in terms of our present legislation is, of course, unlawful. But what is one to do?

Although perhaps it is a small matter to members who see the world in terms of four-wheel vehicles, it is of some interest to people at least in the Darwin urban area. It is an issue on which I am receiving representation every week from adults and from the parents of children who would like to allow their kids to ride on the road. The executive member spoke at the last sittings of a feasibility study involving the RAAF side of Bagot Road being used as a cycle track. Judging from question time this morning, it appears that no interest has been shown from those sittings to these. I hope that tomorrow at the end of question time the executive member will be able to release a statement prepared by his department on what action they have taken and what steps they really do consider feasible.

I would draw to his attention the fact that in Auckland they have incorporated pedestrian and cycle tracks in the one. I think this would be of relevance on Bagot Road. There are very few pedestrians walking down Bagot Road. The small number probably could cope with bicycles whizzing past, far happier than they can with the present traffic whizzing past and the unsatisfactory state of the footpath. I hope we have some joy this sittings as to a cycle track for Darwin.

I also draw to his attention the fact that with Mr Nixon so kindly closing down the North Australia Railway, it may be possible to utilise the area reserved for the rail track for bikes and pedestrians giving an arterial link from Bagot Road right through into the city proper.

Finally, may I add my best wishes to the retiring Clerk, Mr Fred Walker, with whom I have worked for six years. I suppose Mr Walker was one of the people, along with Mr Withnall and a couple of other worthies, that whipped me into shape in my early days in this House. I also add my congratulations to the Clerk, previously the Deputy Clerk, Mr Thompson, and as the previous Majority Leader, Dr Goff Letts, has said it is fitting that the first Clerk to service the Legislative Council was the brother of the present Clerk - Mr Deric Thompson being the older brother. I add my congratulations to other members, not only to Mr Thompson but to the other staff who are servicing us so well.

Mr STEELE (Transport and Industry): I would like to reply to a couple of the questions asked earlier in the day which relate to the reports that the Opposition were so concerned about. The Ports Ordinance provides that:

The executive member shall lay the report and financial statements of the Port Authority together with the report of the Auditor-General, before the Legislative Assembly within 10 sitting days of the Assembly after their receipt by the executive member.

I have not received the report and financial statements for the financial years 1975-76 and 1976-77 so I am personally unable to table them in this Assembly. It is my understanding that the Port Authority has prepared the financial statements for 1975-76 but they have not been cleared by the Auditor-General of the Commonwealth. The board of the Port Authority has approved these statements and has informed me that there are minor problems only with the Auditor-General which it hopes to clear within one month. As soon as these 1975-76 statements

have been cleared, the 1976-77 statements can be prepared. I was unaware of the difficulties they were experiencing in obtaining Auditor-General's reports in this area.

In the reply to the question that the honourable member for Victoria River asked, there is no requirement under the Encouragement of Primary Production Ordinance for the financial statements of the Primary Producers Board to be tabled in this Assembly. I seem to recall that the member asked if I would table the reports. I am not likely to commit myself to that unless I have discussed it fully with my party colleagues.

Mrs Lawrie: That is unfortunate.

Mr STEELE: I don't mind. I will restate it. I do not want to be the brains trust of the nineteen, Mr Speaker. They can have that all on their own.

Under the regulations of the Encouragement of Primary Production Ordinance, there is a requirement for the board to report to me every year on certain of its activities, including the moneys loaned to primary producers and the amounts paid by each particular producer. I do not believe that information is properly the area of the Legislative Assembly; these are the personal returns of those people who have borrowed money.

I do not wish to take up the taxi aspects this afternoon. But what I can say at this stage is that I think the idea of issuing interim licences is an ill-conceived idea. It is not likely to be considered by our executive unless it is fully supported by a lot of background. Certainly, we would look at any proposition, and we have looked at every proposition that has come before us in respect of the taxi industry - every proposition. Personally, I do not think the interim plates are going to be of much value to us because we have to provide legislation to amend the ordinance and that will take some considerable time the way the priorities are shaping up. Even in this sittings, I think we are looking at something like 35 bills.

On the bicycle tracks, I have had two people searching for two hours to find where I commented last since 19 September on bicycle tracks and I will have to look at your reference.

Mrs Lawrie: I'll look it up for you.

Mr STEELE: Will you find the reference for me? Thank you, very much.

Mr SPEAKER: Honourable members, this morning I formally reported to the Assembly the retirement of the former Clerk, Mr F.H. Walker, after 39 years and 4 months service in the Commonwealth Public Service and the Northern Territory Public Service. As one of the two members in the current membership of the Assembly who had any considerable experience of Fred Walker's period of office, it is fitting that I should acknowledge his service to the former Legislative Council and this Assembly over the last 19 years. He was appointed Clerk Assistant in 1959 and Clerk in September 1960, succeeding the first locally appointed Clerk, Deric Thompson.

The operation of the Legislative Council, and later the Assembly, through its years of development from a colonial-type legislature with appointed official, appointed non-official and elected membership to a fully elected Assembly, depended very much for its success on the dedicated service of the person occupying the position of Clerk. Mr Walker brought to the task a profound knowledge of the history and operation of the Westminster system of parliamentary government and was completely fearless in his efforts to ensure that the Northern Territory legislature gained control of its own precincts and developed in accordance with

the traditional system, while making use of modern technology to upgrade the services of the establishment to its members and the public. The introduction of electronic recording of parliamentary debates, the first successful system of its kind to operate in Australia, was a result of Mr Walker's planning. He was instrumental in having the Australian Government Printer set up a printery in Darwin so that the documentation of the legislature could be properly reproduced and the printing of the parliamentary record carried out locally.

A parliamentary record is a document unique in parliamentary circles because within its covers are contained not only the Hansard reports of debates but the minutes and question papers for each sitting together with copies of the bills introduced. This was another innovation of Mr Walker's. He also wrote and published various booklets to assist the work of the legislature and to give school children some understanding of what the Assembly represents and what takes place here.

The status of the Northern Territory legislature among the parliaments of the Australasian region has been enhanced over the last 18 years by Mr Walker's work as honorary secretary of the Territory branch of the Commonwealth Parliamentary Association. He has been largely responsible for the branch's full participation in the activities of the association.

The last three years of Mr Walker's service were a testing experience, following the damage to the Assembly's precincts and equipment wrought by the 1974 cyclone. The Assembly owes him a debt of gratitude for his part in re-establishing the legislature and its facilities and carrying out the duties of his office in his usual exemplary fashion under very trying working conditions.

It is most unfortunate that at least a start has not been made upon the building of a new parliament house before Mr Walker's retirement because it is a project he has promoted and worked on for at least the last 15 years. May we hope that it will not be too long into his years of retirement before we have the pleasure of his company as an honoured guest at the opening of a new parliament house.

Members: Hear, hear!

Motion agreed to; the Assembly adjourned.