
PART III

THE MINUTES OF PROCEEDINGS

Minutes of Proceedings
OF THE
LEGISLATIVE ASSEMBLY

No. 19

Tuesday 11 October 1983

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

2. BROADCASTING OF PROCEEDINGS - PAPERS TABLED - MOTION TO AUTHORIZE:
Mr Speaker made a statement concerning a proposal to broadcast certain proceedings of the Assembly.

Papers Tabled: Mr Speaker laid on the Table correspondence between himself and Mr Abell of 8 Top FM Radio relating thereto from the commencement of each days sitting to the conclusion of questions without notice.

Mr Everingham (Chief Minister), by leave, moved - That the Legislative Assembly authorizes 8 Top FM Radio to broadcast direct the proceedings of the Assembly from the commencement of each days sitting to the conclusion of questions without notice, under the following conditions:

(1) the broadcast shall start, on each sitting day, at the commencement of the sitting and shall cease at the conclusion of questions without notice;

(2) no sponsorship shall be associated with any such broadcast;

(3) no re-broadcast of all or part of the broadcast shall be made by Radio Station 8 Top FM, or any other station, unless with the express permission of the Speaker;

(4) in making any condition relating to such a re-broadcast, the Speaker may call upon the advice of the House Committee;

(5) the following general principles apply to announcements to be made by Radio 8 Top FM announcers -

(a) any announcement is to be confined to a straight description of the proceedings before the Assembly,

(b) no political views or forecasts are to be included, and

(c) the announcement of each member receiving the call shall include the following particulars -

(i) name;

(ii) parliamentary office or portfolio; and

(iii) political party; and

(6) no comment on the presence or absence of members (including ministers) is to be made.

Debate ensued.

Question - put and passed.

3. PETITION:

Mr Leo presented a petition from 424 people of Nhulunbuy and citizens of the Northern Territory relating to newspaper prices.

Petition received and read.

4. NOTICES:

The following notices were given:

Mr Robertson: To present the Law Reform (Miscellaneous Provisions) Amendment Bill 1983 (Serial 310) and the Supreme Court Amendment Bill 1983 (Serial 354).

Mr Tuxworth: To present the Fish and Fisheries Amendment Bill 1983 (Serial 355) and the Adoption of Children Amendment Bill 1983 (Serial 327).

5. QUESTIONS:

Questions without notice were asked.

Business of the day called on: On the motion of Mr Robertson (Attorney-General), business of the day was called on.

6. AUDITOR GENERAL'S REPORT - PAPER TABLED - PUBLICATION AND PRINTING - MOTION TO NOTE PAPER:

Mr Speaker laid on the Table the Report of the Auditor-General upon the Treasurer's Annual Financial Statements for the year ended 30 June 1983 and upon other activities.

Mr Everingham (Chief Minister), by leave, moved - That this Assembly, in accordance with the provisions of the *Legislative Assembly (Powers and Privileges) Act 1977*, authorize the publication of the Report of the Auditor-General for 1982-83.

Question - put and passed.

Ordered - That the report be printed.

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

Ordered - That the debate be adjourned until a later hour and that Mr Everingham have leave to continue his remarks on the resumption of the debate.

7. DEALINGS BY THE GOVERNMENT WITH SIR FREDERICK SUTTON AND HIS COMPANIES - MINISTERIAL STATEMENT:

Mr Everingham (Chief Minister), by leave, made a statement on the government's dealings with Sir Frederick Sutton and his companies.

8. ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL 1983 (Serial 331):

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

Debate resumed.

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

Mr Robertson (Minister for Mines and Energy) moved - That the committee stages be later taken.

Question - put and passed.

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

9. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - ELEVENTH REPORT - PAPER TABLED - PAPER NOTED:

Mr Harris (Port Darwin), laid on the Table the eleventh report of the Subordinate Legislation and Tabled Papers Committee.

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

Debate ensued.

Question - put and passed.

10. APPROPRIATION BILL 1983-84 (Serial 342):

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

Debate resumed.

Extension of time: On the motion of Mr Robertson, an extension of time was granted to Mr Perron.

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

Mr Robertson (Attorney-General) moved - That the committee stages be later taken.

Question - put and passed.

11. ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly do now adjourn.

Question - put and passed.

And then the Assembly at 7.26 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 11 October 1983:

Annual Reports:

Department of the Legislative Assembly, 1982-3

Department of the Treasury, 1982-3

Public Trustee for the Northern Territory, 1982-3

Regulations 1983:

No. 30 Amendments of the Petroleum (Prospecting and Mining) Regulations

No. 31 Amendment of the Medical Practitioners Registration Regulations

No. 32 Amendment of the Pharmacy Regulations

No. 34 Jabiru Town Development (Chemical Preparations) By-laws

ATTENDANCE:

All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 20

Wednesday 12 October 1983

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

2. NOTICES:

The following notices were given:

Mr Everingham: To present the Financial Administration and Audit Amendment Bill (No. 2) 1983 (Serial 353).

Mr Steele: To present the Plumbers and Drainers Licensing Amendment Bill 1983 (Serial 364).

3. QUESTIONS:

Questions without notice were asked.

Answer to question: Mr Everingham (Chief Minister), by leave, provided information in answer to a question asked of him earlier this sittings.

Business of the day called on: On the motion of Mr Robertson (Attorney-General), business of the day was called on.

4. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - RACING INDUSTRY POLICY:

Mr Speaker informed the Assembly that Mr Leo had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the government's failure to develop a policy for the racing industry that secures that industry's long-term viability, guarantees the best possible return for the racing public, and contributes adequately to the public welfare".

The proposed discussion having received the necessary support - Mr Leo addressed the Assembly.

Discussion ensued.

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

Discussion resumed.

Discussion concluded.

5. LAW REFORM (MISCELLANEOUS PROVISIONS) AMENDMENT BILL 1983 (Serial 310):

Mr Robertson (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Law Reform (Miscellaneous Provisions) Act*.

Bill read a first time.

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

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

6. SUPREME COURT AMENDMENT BILL 1983 (Serial 354):

Mr Robertson (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Supreme Court Act*.

Bill read a first time.

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

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

7. FISH AND FISHERIES AMENDMENT BILL 1983 (Serial 355):
Mr Tuxworth (Minister for Primary Production and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Fish and Fisheries Act*.
Bill read a first time.
Mr Tuxworth moved - That the Bill be now read a second time.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
8. ADOPTION OF CHILDREN AMENDMENT BILL 1983 (Serial 327):
Mr Tuxworth (Minister for Community Development), pursuant to notice, presented a Bill for an Act to amend the *Adoption of Children Act*.
Bill read a first time.
Mr Tuxworth moved - That the Bill be now read a second time.
Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.
9. SUPERANNUATION BILL 1982 (Serial 246):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Bill, by leave, withdrawn.
10. STOCK DISEASES AMENDMENT BILL 1983 (Serial 309):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed - Bill read a second time.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Tuxworth (Minister for Primary Production and Conservation), the Bill was read a third time and passed to be a proposed law.
11. ARCHITECTS AMENDMENT BILL 1983 (Serial 349):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed - Bill read a second time.
The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 to 5, by leave, taken together and agreed to.
Clause 6 -
On the motion of Mr Everingham the following amendment was made, after debate -

Omit from proposed section 14(2)(e) "such examination as is prescribed" and insert in its stead "an approved examination".

On the motion of Mr Everingham the following further amendments were made -

Omit from proposed section 14B(1)(c) -

- (a) "not less than" (first occurring) and insert in its stead "subject to sub-section (4), not less than"; and
- (b) all words after and including "members of the company" and insert in its stead "members of the company".

Insert after proposed section 14B(3) the following:

"(4) A company which has 2 directors, shall be deemed to have met the requirements of sub-section (1)(c) where one director is an architect and that director holds not less than two-thirds of the total voting rights of all persons entitled to vote at a general meeting of members of the company."

Clause, as amended, agreed to.

Clause 7 agreed to.

Clause 8 -

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

Omit from proposed section 19(2) in paragraph (b) "posted on or" and insert in its stead "posted or".

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10 -

On the motion of Mr Everingham the following amendments were made -

Omit proposed section 20B(2) and insert in its stead the following:

"(2) When a partnership dissolves by virtue of sub-section (1), the partnership shall be deemed to continue for a period of 60 days or such further period determined by the Board.

"(2A) Where an application for extension of the period in which a partnership is deemed to continue is made in an approved form, the Board may, as it thinks fit, determine a further period during which the partnership is deemed to continue."

Omit from proposed section 20B(3) "60 days" and insert in its stead "60 days or such further period determined by the Board".

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12 -

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

Omit from proposed section 25(2)(b) "a corporate member" and insert in its stead "eligible to be a corporate member".

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

12. COMMUNITY WELFARE BILL 1983 (Serial 351):

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

Debate resumed.

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

13. JUVENILE JUSTICE BILL 1983 (Serial 352):

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

Debate resumed.

Personal Explanation: Mrs O'Neil (Fannie Bay) made a personal explanation relating to her remarks made during this debate.

Debate resumed.

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

14. ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 6.22 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 12 October 1983:

Annual Report:

Elder's Trustee and Executor Company Limited, 1981-2

Compulsory Acquisition of Land - Statement of Reasons:

Part Portion 1187 Hundred of Bagot - Thorak Road for road reserve purposes

ATTENDANCE:

All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 21

Thursday 13 October 1983

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. DISTINGUISHED VISITOR - HON. TERRY McRAE:
Mr Speaker informed the Assembly of the presence in the Gallery of the Hon. Terry McRae, Speaker of the South Australian House of Assembly, and on behalf of the Assembly extended a warm welcome to the distinguished visitor.
3. BROADCASTING OF PROCEEDINGS - STATEMENT:
Mr Speaker made a brief statement relating to the interruption of the direct broadcast of proceedings by 8 Top FM Radio on 12 October 1983, and read a letter from the station manager relating to the incident.
4. NOTICES:
The following notices were given:
Mr Everingham: To present the Crown Lands Amendment Bill 1983 (Serial 357) and the Long Service Leave Amendment Bill 1983 (Serial 362).
Mr Steele: To present the Motor Vehicles Amendment Bill (No. 2) 1983 (Serial 358).
Mr Tuxworth: To present the Meat Industry Bill 1983 (Serial 356).
Mr Robertson: To present the Companies (Trustees and Personal Representatives) Amendment Bill 1983 (Serial 359).
5. QUESTIONS:
Questions without notice were asked.
Answer to question:
Mr Everingham (Chief Minister), by leave, provided additional information on a question asked of him earlier this sittings.
Further questions were asked.
Business of the day called on: On the motion of Mr Robertson (Attorney-General), business of the day was called on.
6. ANSWERS TO QUESTIONS:
Mr Everingham (Chief Minister), by leave, provided additional information relating to questions asked of him earlier this sittings.
7. FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL (No.2) 1983 (Serial 353):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Financial Administration and Audit Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
8. NOTICE POSTPONED:
On the motion of Mr Steele (Minister for Transport and Works), Notice No. 2, Government Business, was postponed until a later hour.
9. CRIMINAL CODE BILLS - BAIL (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 334), ELECTORAL (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 336), EVIDENCE (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 337), INTERPRETATION (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 338), JURIES (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 339), PRISONS (CORRECTIONAL SERVICES) (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 340), SUMMARY OFFENCES (CRIMINAL CODE) AMENDMENT BILL 1983

(Serial 341), SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) BILL 1983 (Serial 343), JUSTICES (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 344), and POISONS AND DANGEROUS DRUGS (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 346):

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

Debate resumed.

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

Mr Robertson (Attorney-General) moved - That the committee stages be made an order of the day for a later day.

Question - put and passed.

10. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Steele (Minister for Transport and Works), Notice No. 2, Government Business, was called on.

11. PLUMBERS AND DRAINERS LICENSING AMENDMENT BILL 1983 (Serial 364):

Mr Steele (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to amend the *Plumbers and Drainers Licensing Act*.

Bill read a first time.

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

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

12. CRIMINAL LAW (REGULATORY OFFENCES) BILL 1983 (Serial 335):

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

Debate resumed.

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

Mr Robertson (Attorney-General) moved - That the committee stages be made an order of the day for a later day.

Question - put and passed.

13. POLICE ADMINISTRATION AMENDMENT BILL (No. 4) 1983 (Serial 345):

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

Debate resumed.

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

Mr Everingham (Chief Minister) moved - That the committee stages be made an order of the day for a later day.

Question - put and passed.

Suspension of sitting: The sitting was suspended between 12.12 and 2.00 p.m.

14. PLACE NAMES AMENDMENT BILL 1983 (Serial 325):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Everingham (Chief Minister), the Bill was read a third time and passed to be a proposed law.

15. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Attorney-General), order of the day No. 11, Government Business, was called on.

16. COMMUNITY WELFARE BILL 1983 (Serial 351):

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

Debate resumed.

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

17. EDUCATION AMENDMENT BILL 1983 (Serial 330):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

18. ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly do now adjourn.

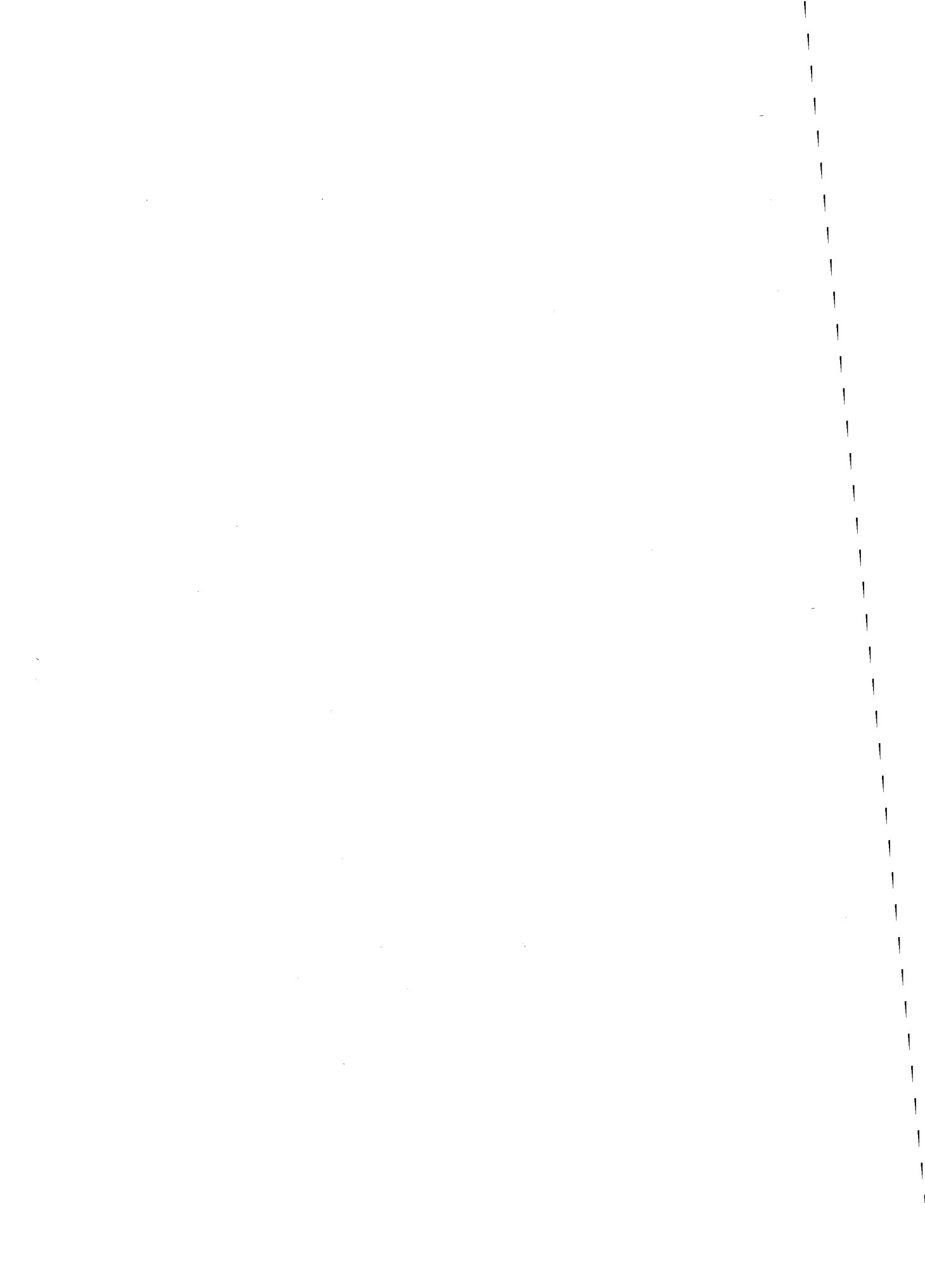
Debate ensued.

Question - put and passed.

And then the Assembly at 4.43 p.m. adjourned until 10.00 a.m. on Tuesday 18 October 1983.

ATTENDANCE:

All members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 22

Tuesday 18 October 1983

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. NOTICE:
The following notice was given:
Mr Perron: To present the Education Amendment Bill (No. 3) 1983 (Serial 361).
3. QUESTIONS:
Questions without notice being asked -
Notice of motion - Leave not granted: Miss D'Rozario (Sanderson) asked leave to give notice of a motion to censure the Minister for Mines and Energy. Objection being raised, leave not granted.
Suspension of Standing Orders: Mr B. Collins (Leader of the Opposition) moved - That so much of standing orders be suspended as would prevent Miss D'Rozario from moving without notice a motion to censure the Minister for Mines and Energy.
Debate ensued.
Question - put and passed.
4. CENSURE OF MINISTER FOR MINES AND ENERGY - MOTION:
Mr Robertson (Attorney-General) having informed the Assembly that the government would not, in conformity with practice, proceed with further business until the notice of motion of Miss D'Rozario had been disposed of, sought leave of the Assembly for the motion to be moved forthwith.
Leave having been granted -
Miss D'Rozario (Sanderson) moved - That this Assembly censures the Minister for Mines and Energy for his failure to prevent senior officers of his department from improperly using their positions in the Department of Mines and Energy for private gain to the detriment of the mining industry and the people of the Territory.
Debate ensued.
Question - put and negatived.
5. APPOINTMENT OF OMBUDSMAN - PAPER TABLED:
Mr Everingham (Chief Minister) laid on the Table a copy of the instrument appointing Russell Henderson Watts as Ombudsman for the Northern Territory.
6. EAST COAST SHIPPING SERVICE - MINISTERIAL STATEMENT - MOTION TO NOTE:
Mr Steele (Minister for Transport and Works), by leave, made a statement relating to the east coast shipping service to the Northern Territory.
Mr Steele moved - That the Assembly take note of the statement.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
7. CROWN LANDS AMENDMENT BILL 1983 (Serial 357):
Mr Everingham (Minister for Lands, Industrial Development and Tourism), pursuant to notice, presented a Bill for an Act to amend the *Crown Lands Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.

8. LONG SERVICE LEAVE AMENDMENT BILL 1983 (Serial 362):

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

Bill read a first time.

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

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

9. MOTOR VEHICLES AMENDMENT BILL (No. 2) 1983 (Serial 358):

Mr Steele (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to amend the *Motor Vehicles Act*.

Bill read a first time.

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

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

10. MEAT INDUSTRY BILL 1983 (Serial 356):

Mr Tuxworth (Minister for Primary Production and Conservation), pursuant to notice, presented a Bill for an Act to provide for the control of the production of meat fit for human consumption and to otherwise regulate the meat industry.

Bill read a first time.

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

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

11. COMPANIES (TRUSTEES AND PERSONAL REPRESENTATIVES) AMENDMENT BILL 1983 (Serial 359):

Mr Robertson (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Companies (Trustees and Personal Representatives) Act*.

Bill read a first time.

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

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

12. FOOD AND DRUGS AMENDMENT BILL 1983 (Serial 333):

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

Debate resumed.

Suspension of sitting: The sitting was suspended between 12.06 and 2.00 p.m.

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5 -

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

Omit from paragraph (g) "by adding" and insert in its stead "by inserting in sub-section (8),".

Clause, as amended, agreed to.

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

Bill to be reported with an amendment.

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

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

13. STATUTE LAW REVISION BILL 1983 (Serial 347):

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

Debate resumed.

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

Mr Everingham (Chief Minister) moved - That the committee stages be later taken.

Question - put and passed.

14. LOCAL GOVERNMENT AMENDMENT BILL (No. 2) 1983 (Serial 306):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

15. ABORIGINAL SACRED SITES AMENDMENT BILL 1983 (Serial 315):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Everingham (Chief Minister), the Bill was read a third time and passed to be a proposed law.

16. APPROPRIATION BILL 1983-84 (Serial 342):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Schedule 2 -

Appropriations for Divisions 10, 11, 12, 13, 14 and 15, by leave, taken together and agreed to.

Appropriation for Division 16 agreed to, after debate.

Appropriation for Division 20 agreed to, after debate.

Appropriation for Division 21 agreed to, after debate.

Appropriations for Divisions 22 and 23, by leave, taken together and agreed to.

Appropriations for Divisions 25 and 26, by leave, taken together and agreed to.

Appropriation for Division 27 agreed to, after debate.

Appropriation for Division 30 agreed to, after debate.

Appropriations for Divisions 31, 32, 33 and 34, by leave, taken together and agreed to.

Appropriation for Division 40 agreed to, after debate.
Appropriations for Divisions 41 and 42, by leave, taken together and agreed to.
Appropriation for Division 45 agreed to, after debate.
Appropriation for Division 46 agreed to.
Appropriation for Division 50 agreed to.
Appropriations for Divisions 55 and 56, by leave, taken together and agreed to.
Appropriation for Division 57 agreed to, after debate.
Appropriation for Division 60 agreed to, after debate.
Appropriation for Division 61 agreed to, after debate.
Appropriation for Division 62 agreed to.
Appropriation for Division 63 agreed to, after debate.
Appropriations for Divisions 70 and 71, by leave, taken together and agreed to.
Remainder of the Bill, by leave, taken as a whole and agreed to.
Mr Everingham, by leave, answered certain questions asked of him earlier during consideration of the Bill.
Bill to be reported without amendment.

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

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

17. ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
And then the Assembly at 6.33 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 18 October 1983:

Annual Reports:

Department of Mines and Energy, 1982-3

National Trust of Australia (Northern Territory), 1982-3

ATTENDANCE:

All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 23

Wednesday 19 October 1983

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. NOTICES:
The following notices were given:
Mr Everingham: To present the Northern Territory Development Land Corporation (Vesting of Land)(No. 2) Bill 1983 (Serial 365) and the Aboriginal Community Living Areas Bill 1983 (Serial 367).
Mr Robertson: To present the Real Property Amendment Bill (No. 2) 1983 (Serial 366).
Mr Tuxworth: To present the Yulara Tourist Village Management Bill 1983 (Serial 360).
3. QUESTIONS:
Questions without notice were asked.
Business of the day called on: On the motion of Mr Robertson (Attorney-General), business of the day was called on.
4. FORT HILL WHARF DESIGN CHECK - PAPER TABLED - PRINTED - MINISTERIAL STATEMENT:
Mr Steele (Minister for Transport and Works) laid on the Table a report entitled Port of Darwin, Fort Hill Wharf Design Check.
Ordered to be printed.
Mr Steele (Minister for Transport and Works), by leave, made a statement relating thereto.
5. ELECTRICITY SUBSIDY ARRANGEMENTS - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
Mr Perron (Treasurer), by leave, made a statement on the electricity subsidy scheme for the Northern Territory.
Mr Perron moved - That the Assembly take note of the statement.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
6. ANSWER TO QUESTION:
Mr Steele (Minister for Transport and Works), by leave, provided further information in answer to a question asked of him earlier this sitting.
7. EDUCATION AMENDMENT BILL (No. 3) 1983 (Serial 361):
Mr Perron (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Education Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
8. PLANNING AMENDMENT BILL 1983 (Serial 350):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.

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

Debate resumed.

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

Mr Robertson (Attorney-General) moved - That the committee stages be later taken.

Question - put and passed.

9. DARWIN PORT AUTHORITY BILL 1983 (Serial 328):

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

Debate resumed.

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

10. CRIMINAL CODE BILLS - BAIL (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 334), ELECTORAL (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 336), EVIDENCE (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 337), INTERPRETATION (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 338), JURIES (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 339), PRISONS (CORRECTIONAL SERVICES)(CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 340), SUMMARY OFFENCES (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 341), SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) BILL 1983 (Serial 343), JUSTICES (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 344), and POISONS AND DANGEROUS DRUGS (CRIMINAL CODE) AMENDMENT BILL 1983 (Serial 346): The order of the day having been read for the consideration of the Bills in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Bail (Criminal Code) Amendment Bill 1983 (Serial 334)

Clauses 1 to 5, by leave, taken together and agreed to.

New clause -

On the motion of Mr Robertson the following new clause was added to the Bill -

"6. ENFORCEMENT OF BAIL UNDERTAKINGS, &c.

"Section 40(4) of the Principal Act is amended by omitting 'or under the Criminal Law Consolidation Act'."

Title agreed to.

Electoral (Criminal Code) Amendment Bill 1983 (Serial 336)

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

Evidence (Criminal Code) Amendment Bill 1983 (Serial 337)

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

Interpretation (Criminal Code) Amendment Bill 1983 (Serial 338)

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

Juries (Criminal Code) Amendment Bill 1983 (Serial 339)

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

Prisons (Correctional Services)(Criminal Code) Amendment Bill 1983 (Serial 340)

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

Summary Offences (Criminal Code) Amendment Bill 1983 (Serial 341)

Clauses 1 to 7, by leave, taken together and agreed to.

Clause 8 -

On the motion of Mr B. Collins the following amendment was made, after debate -

Omit from proposed section 68B "or lost" (twice occurring).

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10 -

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

Omit from proposed section 69A "Imprisonment for 12 months" and insert in its stead "Imprisonment for 3 months".

Clause, as amended, agreed to.

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

Sexual Offences (Evidence and Procedure) Bill 1983 (Serial 343)

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

Justices (Criminal Code) Amendment Bill 1983 (Serial 344)

Clauses 1 to 6, by leave, taken together and agreed to.

Clause 7 -

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

Omit from proposed section 131A(1) "189 or 192" and insert in its stead "186 or 189".

Clause, as amended, agreed to.

Title agreed to.

Poisons and Dangerous Drugs (Criminal Code) Amendment Bill 1983 (Serial 346)

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

Bills to be reported with amendment to the *Bail (Criminal Code) Amendment Bill 1983 (Serial 334)*, amendments to the *Summary Offences (Criminal Code) Amendment Bill 1983 (Serial 341)*, and amendment to the *Justices (Criminal Code) Amendment Bill 1983 (Serial 344)*.

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

The Bills were read a third time and passed to be proposed laws.

11. CRIMINAL LAW (REGULATORY OFFENCES) BILL 1983 (Serial 335):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 and 2, by leave, taken together and agreed to.

Heading to Part II -

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

Omit the heading and substitute the following:

"PART II - MINING AND INDUSTRIAL SAFETY AND ASSOCIATED MATTERS".

Heading, as amended, agreed to.

Clause 3 agreed to.

Clause 4 negatived, after debate.

New clause -

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

"4. ENERGY PIPELINES ACT

"Section 63 of the *Energy Pipelines Act* is amended by adding at the end the following:

'(4) An offence of contravening or failing to comply with sub-section (3) is a regulatory offence.'."

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7 negatived, after debate.

New clause -

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

"7. *LIQUEFIED PETROLEUM GAS (SUBSIDY) ACT*

"Section 12 of the *Liquefied Petroleum Gas (Subsidy) Act* is amended -

(a) by omitting from sub-section (2) 'Penalty: \$1,000.'; and

(b) by adding at the end the following:

'(3) An offence of contravening or failing to comply with this section is a regulatory offence.

Penalty for an offence against this section:
\$1,000.'."

Clauses 8 and 9, by leave, taken together and agreed to.

Clause 10 negatived.

New clause -

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

"10. *MINING ACT*

"Section 186 of the *Mining Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'."

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

Clause 17 negatived.

New clause -

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

"17. *CONTAINERS FOR HAZARDOUS SUBSTANCES ACT*

"Section 4 of the *Containers for Hazardous Substances Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'."

Clauses 18 to 22, by leave, taken together and agreed to.

Clause 23 negatived.

New clause -

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

"23. *NURSING ACT*

"Section 22 of the *Nursing Act* (being Ordinance No. 24 of 1982 as amended) is amended by inserting after sub-section (1) the following:

'(1A) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'."

Clauses 24 to 36, by leave, taken together and agreed to.

New Part -

On the motion of Mr Robertson the following new Part was added to the Bill -

"PART IV - CONSERVATION AND ASSOCIATED
MATTERS

"Division 1 - Acts

"37. *BUSHFIRES ACT*

"The *Bushfires Act* is amended by inserting after section 58 the following:

'58A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 35, 38, 39, 41, 42, 44(3), 45(3) or 47(3B) is a regulatory offence.'

"38. *FORESTRY ACT*

"Section 13 of the *Forestry Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"39. *SOIL CONSERVATION AND LAND UTILIZATION ACT*

"The *Soil Conservation and Land Utilization Act* is amended by inserting after section 45 the following:

'45A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with an order or a requirement under section 14, 15 or 39 is a regulatory offence.'

"40. *TERRITORY PARKS AND WILDLIFE CONSERVATION ACT*

"The *Territory Parks and Wildlife Conservation Act* is amended by inserting after section 117 the following:

'117A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 24, 25F, 25G, 30, 32, 40, 41, 44, 94 or 114 is a regulatory offence.'

"Division 2 - Regulations

"41. *FORESTRY REGULATIONS*

"The *Forestry Regulations* made under the *Forestry Act* are amended by inserting after regulation 100 the following:

'101. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 21(2), 26, 36(1), (2) or (3), 37, 38, 40, 52, 53, 57, 72(2), 73, 74, 78(2), 82(1), (2) or (3), 84(1) or (2), 85, 86, 87, 88, 91, 92, 96(1) or (2) or 98(1) is a regulatory offence.'

"PART V - COMMUNITY DEVELOPMENT, EDUCATION AND ASSOCIATED MATTERS

"Division 1 - Acts

"42. *CARAVAN PARKS ACT*

"The *Caravan Parks Act* is amended by inserting after section 17 the following:

'17A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 8(3) or 17(b) or (c) is a regulatory offence.'

"43. CEMETERIES ACT

"The *Cemeteries Act* is amended by inserting after section 39A the following:

'39B. REGULATORY OFFENCES

'An offence against section 21, 23, 24 or 37 is a regulatory offence.'

"44. CHILD WELFARE ACT

"Section 29 of the *Child Welfare Act* is amended -

(a) by omitting 'Penalty: \$50, or imprisonment for 10 days or both.'; and

(b) by adding at the end the following:

'(3) An offence of contravening or failing to comply with this section is a regulatory offence.

Penalty: \$50 or imprisonment for 10 days.'

"45. DARWIN RATES ACT

"Section 51 of the *Darwin Rates Act* is amended by inserting after sub-section (2) the following:

'(2A) An offence of contravening or failing to comply with this section is a regulatory offence.'

"46. DOG ACT

"The *Dog Act* is amended by inserting after section 67 the following:

'67A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 42(1), 64(1) or (2) or 67 is a regulatory offence.'

"47. HAWKERS ACT

"The *Hawkers Act* is amended by inserting after section 16 the following:

'16A. REGULATORY OFFENCES

"An offence of contravening or failing to comply with section 4(2), 10A or 11 is a regulatory offence.'

"48. LOCAL GOVERNMENT ACT

"The *Local Government Act* is amended by inserting after section 397 the following:

'397A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 313A(4), 368(1)(i), (j) or (1) or (2), 381, 382(1), 383(1), 384(1)(a), 389, 390 or 395 is a regulatory offence.'

"49. MOTOR VEHICLE DEALERS ACT

"The *Motor Vehicle Dealers Act* is amended by inserting after section 49 the following:

'49A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 14(1) or (5), 15, 19, 21(3)(b), 22(1)(b) or (c), 28, 30, 36, 41 or 48 is a regulatory offence.'

"50. NATIVE AND HISTORICAL OBJECTS AND AREAS PRESERVATION ACT

"Section 9F of the *Native and Historical Objects and Areas Preservation Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"51. PLACES OF PUBLIC ENTERTAINMENT ACT

"The *Places of Public Entertainment Act* is amended by inserting after section 21A the following:

'21B. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 9(1) in respect of a condition relating to the number of persons who may be admitted to a place of public entertainment, 10, 11, 16, 17 or 20 is a regulatory offence.'

"52. PRISONS (CORRECTIONAL SERVICES) ACT

"The *Prisons (Correctional Services) Act* is amended by inserting after section 94 the following:

'94A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 16(1) or 94(1)(d) is a regulatory offence.'

"53. VOCATIONAL TRAINING COMMISSION ACT

"The *Vocational Training Commission Act* is amended by inserting after section 84 the following:

'84A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 20(1) or (2), 23, 34, 38, 42, 48, 55(1), 59, 65(1), 70(3) or 73 is a regulatory offence.'

"Division 2 - Regulations

"54. CEMETERIES REGULATIONS

"The *Cemeteries Regulations* made under the *Cemeteries Act* are amended by inserting after regulation 36 the following:

'36A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 15, 21 or 26 is a regulatory offence.'

"55. PRISONS (CORRECTIONAL SERVICES) REGULATIONS

"Regulation 2 of the *Prisons (Correctional Services) Regulations* made under the *Prisons (Correctional Services) Act* is amended by adding at the end the following:

'(3) An offence of contravening or failing to comply with sub-regulation (2)(c), (f), (n), (p) or (aa) is a regulatory offence.'

"56. WEIGHTS AND MEASURES (DATE-MARKING OF PRE-PACKAGED FOODS) REGULATIONS

"The *Weights and Measures (Date-marking of Pre-packaged Foods) Regulations* made under the *Weights and Measures (Packaged Goods) Act* are amended by adding at the end the following:

'14. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 5, 6(5), 8 or 9(1) is a regulatory offence.'

"PART VI - PRIMARY INDUSTRY AND ASSOCIATED MATTERS

"Division 1 - Acts

"57. *ABATTOIRS AND SLAUGHTERING ACT*

"The *Abattoirs and Slaughtering Act* is amended by inserting after section 56 the following:

'56A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 12, 55 or 56(c), (d) or (e) is a regulatory offence.'

"58. *BRANDS ACT*

"The *Brands Act* is amended by inserting after section 58 the following:

'58A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 13(a) or (c), 23, 36, 36A, 37, 44A or 56A is a regulatory offence.'

"59. *NOXIOUS WEEDS ACT*

"Section 7 of the *Noxious Weeds Act* is amended by inserting after sub-section (4) the following:

'(4A) An offence of contravening or failing to comply with sub-section (4) is a regulatory offence.'

"60. *PET MEAT ACT*

"The *Pet Meat Act* is amended by inserting in Part IX after section 52 the following:

'52A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 17 (other than paragraph (h) or (j)), 23, 28 (other than paragraph (b) or (d)), 48, 49(1) (subject to section 30(5)), 49(2) (subject to section 44) or 49(3) is a regulatory offence.'

"61. *STOCK (ARTIFICIAL BREEDING) ACT*

"The *Stock (Artificial Breeding) Act* is amended by inserting after section 15 the following:

'15A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 4, 6(2) or (3) or 7(6) is a regulatory offence.'

"62. *STOCK DISEASES ACT*

"The *Stock Diseases Act* is amended by inserting after section 43 the following:

'43A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 13, 16, 18, 20, 21, 22, 22C, 24, 26 or 38 is a regulatory offence.'

"63. *STOCK FOODS ACT*

"The *Stock Foods Act* is amended by inserting in Part IV after section 25 the following:

'25A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 5(3), 15(1), 19(2) or 26(2) is a regulatory offence.'

"64. STOCK ROUTES AND TRAVELLING STOCK ACT

"The *Stock Routes and Travelling Stock Act* is amended by inserting after section 65 the following:

'65A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 19, 20, 21, 38, 38A, 39, 40, 43, 44, 47, 50 or 51 is a regulatory offence.'

"65. VETERINARY SURGEONS ACT

"The *Veterinary Surgeons Act* is amended by inserting after section 44 the following:

'44A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 21 or 25 is a regulatory offence.'

"Division 2 - Regulations

"66. ABATTOIRS AND SLAUGHTERING REGULATIONS

"The *Abattoirs and Slaughtering Regulations* made under the *Abattoirs and Slaughtering Act* are amended by inserting after regulation 53 the following:

'53A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 16, 17, 18, 19, 20, 21(1), (2) or (3), 22, 23(1), 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39(2), 40, 41, 42 (other than sub-regulation (4)), 45 or 46 is a regulatory offence.'

"67. BRANDS REGULATIONS

"Regulation 13A of the *Brands Regulations* made under the *Brands Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-regulation (1) is a regulatory offence.'

"68. PET MEAT REGULATIONS

"The *Pet Meat Regulations* made under the *Pet Meat Act* are amended by inserting after regulation 14 the following:

'14A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 5(2), 9(2) or 13(2) is a regulatory offence.'

"69. STOCK (ARTIFICIAL BREEDING) REGULATIONS

"The *Stock (Artificial Breeding) Regulations* made under the *Stock (Artificial Breeding) Act* are amended by inserting after regulation 18 the following:

'18A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 5, 9 (other than paragraph (c), (k), (n) or (p)), 10, 11(1) or (2), 12, 13, 14(1), 15(1) or 18(1), (2) or (3) is a regulatory offence.'

"70. STOCK ROUTES AND TRAVELLING STOCK REGULATIONS

"The Stock Routes and Travelling Stock Regulations made under the *Stock Routes and Travelling Stock Act* are amended by inserting after regulation 34 the following:

'35. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 8, 9(2), 10, 11 or 32(2) is a regulatory offence.'

"PART VII - TRANSPORT AND WORKS AND ASSOCIATED MATTERS

"Division 1 - Acts

"71. CONTROL OF WATERS ACT

"Section 16K of the *Control of Waters Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"72. MARINE ACT

"The *Marine Act* is amended by inserting after section 191 the following:

'191A. REGULATORY OFFENCES

'An offence of contravening or failing to comply -

(a) with section 32, 33, 34(2), 37, 40(1) or (2), 43(1), 47(1), 54, 63, 70, 71, 78(2), 80(3), 83(2), 89(3), 99, 100, 101, 128(2), 137(3), 140(2), 163(3), 166, 174(3) or 175; or

(b) subject to section 157, with section 148, 150 or 155,

is a regulatory offence.'

"73. MOTOR VEHICLES ACT

"The *Motor Vehicles Act* is amended -

(a) by inserting after section 117 the following:

'117A. REGULATORY OFFENCES

'An offence against, or of contravening or failing to comply with, section 16(1) or (2), 19, 20(1), (2) or (4), 24, 25, 25(A), 28(3), 29, 32, 35(1) or (2), 36, 37(1), 40, 42, 43, 52, 54, 55, 95(1), 96(1), 97, 98, 107(1) or (3), 107A, 108, 108A, 109, 110 or 128 is a regulatory offence.'; and

(b) by omitting from section 130 'A person' and substituting 'Subject to section 117A, a person'.

"74. PETROLEUM PRODUCTS SUBSIDY ACT

"Section 17 of the *Petroleum Products Subsidy Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"75. PLUMBERS AND DRAINERS LICENSING ACT

"The *Plumbers and Drainers Licensing Act* is amended by inserting after section 46 the following:

'46A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 28(4), 44, 45 or 46 is a regulatory offence.'

"76. *PORTS ACT*

"The *Ports Act* is amended by inserting after section 27F the following:

'27FA. REGULATORY OFFENCES

'An offence of contravening or failing to comply with -

(a) an order or direction under section 26; or

(b) a prohibition or restriction under section 27C,

is a regulatory offence.'

"77. *TRAFFIC ACT*

"The *Traffic Act* is amended -

(a) by omitting from section 51(1) 'A person' and substituting 'Subject to section 55A, a person';

(b) by omitting from section 51(2) 'It is a defence' and substituting 'Subject to section 55A, it is a defence'; and

(c) by inserting after section 55 the following:

'55A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 8(2), 30, 35B, 35G, 35H, 35N(1), (2) or (4), 36 or 45 is a regulatory offence.'

"78. *WATER SUPPLIES DEVELOPMENT ACT*

"Section 26 of the *Water Supplies Development Act* is amended by inserting after sub-section (6) the following:

'(6A) An offence of contravening or failing to comply with sub-section (6) is a regulatory offence.'

"79. *WATER SUPPLY AND SEWERAGE ACT*

"The *Water Supply and Sewerage Act* is amended by inserting after section 68 the following:

'68A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 14(3), 21(1), 51(1) or (3), 53, 55, 56, 57(1) or (3), 59(1) or (2), 64, 67, 71(1) or (2) or 73(2) is a regulatory offence.'

"Division 2 - Regulations

"80. *MARINE (PASSENGER) REGULATIONS*

"The *Marine (Passenger) Regulations* made under the *Marine Act* are amended by adding at the end the following:

'10. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 6, 7(2) or 9(f) is a regulatory offence.'

"81. *MARINE (SAFETY) REGULATIONS*

"The *Marine (Safety) Regulations* made under the *Marine Act* are amended by inserting after regulation 17 the following:

'18. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 15 or 16 is a regulatory offence.'

"82. MARINE (SEAMEN) REGULATIONS

"The Marine (Seamen) Regulations made under the *Marine Act* are amended by inserting in Part III after regulation 17 the following:

'27A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 7(2), 8(2), 9, 14 or 17 is a regulatory offence.'

"83. MOTOR OMNIBUS REGULATIONS

"The Motor Omnibus Regulations made under the *Motor Vehicles Act* are amended -

(a) by inserting after regulation 87 the following:

'87A. REGULATORY OFFENCES

'An offence of committing, or knowing, aiding, abetting, counselling, procuring or assisting any person to commit, a breach of regulation 18, 23, 30, 35, 36, 40(a), 42, 57, 59(1) or (2), 61, 63, 73, 77, 78, 81A, 82, 83 or 84 is a regulatory offence.'; and

(b) by omitting from regulation 88 'No person' and substituting 'Subject to section 87A, no person'.

"84. MOTOR VEHICLE (HIRE CAR) REGULATIONS

"The Motor Vehicle (Hire Car) Regulations made under the *Motor Vehicles Act* are amended by inserting after regulation 44 the following:

'44A. REGULATORY OFFENCES

'An offence of committing, or knowingly aiding, abetting, counselling, procuring or assisting any person to commit, a breach of regulation 7, 13(a), 17, 19A, 22, 24A, 27, 28, 31, 32, 32B, 32C, 32F, 32G, 32M(a) or (c), 33 or 39 is a regulatory offence.'

"85. MOTOR VEHICLES (REGISTRATION LABELS AND MISCELLANEOUS) REGULATIONS

"The Motor Vehicles (Registration Labels and Miscellaneous) Regulations made under the *Motor Vehicles Act* are amended -

(a) by inserting after regulation 19 the following:

'19A. REGULATORY OFFENCES

'An offence of committing, or knowingly aiding, abetting, counselling, procuring or assisting any person to commit, a breach of regulation 7(1), 12 or 13 is a regulatory offence.'; and

(b) by omitting from regulation 20 'A person' and substituting 'Subject to regulation 19A, a person'.

"86. MOTOR VEHICLES (STANDARDS) REGULATIONS

"The Motor Vehicles Standards Regulations made under the *Motor Vehicles Act* are amended by inserting after regulation 5 the following:

'5A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with a requirement of regulation 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,

22 (subject to regulation), 23, 24, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45 or 46 is a regulatory offence.'

"87. PORT BY-LAWS

"The Port By-laws made under the *Ports Act* are amended by inserting after by-law 85 the following:

'85A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with by-law 4(3), (4) or (5), 4C, 4E, 4F, 5, 6(3) or (4), 7, 7A, 9(3), 11, 13A, 13C(b) or (c), 13D, 17(4), 18A, 18B, 21, 23, 24(1) or (2), 25, 28, 29, 30(1), (2), 32, 56, 57, 63, 69 or 70 is a regulatory offence.'

"88. TRAFFIC REGULATIONS

"The Traffic Regulations made under the *Traffic Act* are amended by inserting after regulation 46 the following:

'46A. REGULATORY OFFENCES

"An offence of contravening or failing to comply with regulation 21(1), 28, 43 or 44 is a regulatory offence.'

"PART VIII - FINANCE AND ASSOCIATED MATTERS

"Division 1 - Acts

"89. BUSINESS FRANCHISE (TOBACCO) ACT

"The *Business Franchise (Tobacco) Act* is amended by inserting after section 36 the following:

'36A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 27, 28 or 35(3) is a regulatory offence.'

"90. PAY-ROLL TAX ACT

"Section 61 of the *Pay-roll Tax Act* is amended by inserting after sub-section (1) the following:

'(1A) Subject to sub-section (2), an offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"91. PRICES REGULATION ACT

"The *Prices Regulation Act* is amended by inserting after section 59 the following:

'59A. REGULATORY OFFENCES

'Subject to section 59, an offence of -

(a) contravening or failing to comply with; or

(b) contravening or failing to comply with an order, notice, direction, requirement or other instrument given under or in force by virtue of,

section 18(4)(a), 23(1) or (2), 29, 50, 52 or 57(3) is a regulatory offence.'

"92. TAXATION (ADMINISTRATION) ACT

"The *Taxation (Administration) Act* is amended by inserting after section 123 the following:

'123A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 9(1A), 9A, 14(1) or (4), 19, 22, 24, 27, 28, 32, 33, 36(1), 37, 39, 42, 45, 48, 52, 57, 59(3) or (6), 62, 63, 64, 67, 71, 74, 75, 76 or 126 is a regulatory offence.'

"Division 2 - Regulations

"93. PAY-ROLL TAX REGULATIONS

"The Pay-roll Tax Regulations made under the *Pay-roll Tax Act* are amended by inserting after regulation 42 the following:

'43. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 33(1), 37 or 38 is a regulatory offence.'

"PART IX - RACING AND GAMING AND ASSOCIATED MATTERS

"Division 1 - Acts

"94. CASINO LICENCE AND CONTROL ACT

"The *Casino Licence and Control Act* is amended by inserting after section 57 the following:

'57A. REGULATORY OFFENCES

'Subject to section 55(2), an offence of contravening or failing to comply with section 52(6) or 53(3) is a regulatory offence.'

"95. LOTTERIES AND GAMING ACT

"The *Lotteries and Gaming Act* is amended by inserting in Part V before section 47 the following:

'46A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 22(8), 30, 31, 32(1), 40(4) or 45(1) or (2)(a) or (c) is a regulatory offence.'

"96. SOCCER FOOTBALL POOLS ACT

"The *Soccer Football Pools Act* is amended by inserting after section 28 the following:

'28A. REGULATORY OFFENCES

'Subject to section 28(3), an offence of contravening or failing to comply with section 17(3) or 19(2) is a regulatory offence.'

"97. RACING AND BETTING ACT

"The *Racing and Betting Act* is amended by inserting after section 145 the following:

'145A. REGULATORY OFFENCES

'(1) An offence of contravening or failing to comply with -

(a) subject to sub-section (2), section 26, 28, 31, 39 or 45(8);
or

(b) section 35(6), 78(c), (d), (e), (j) or (k), 80, 97(4), 100,
102(3), (4) or (5), 105(1) or (2), 106 or 116,

is a regulatory offence.

'(2) Sub-section (1)(a) does not apply to a person referred to in section 141(1) who was unknowingly concerned in or party to the commission of the offence.'

"Division 2 - Regulations

"98. LOTTERIES AND GAMING (GAMING MACHINES) REGULATIONS

"The Lotteries and Gaming (Gaming Machines) Regulations made under the *Lotteries and Gaming Act* are amended by inserting after regulation 6 the following:

'7. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 4(3) or 5 is a regulatory offence.'

"99. LOTTERY AND GAMING REGULATIONS

"The Lottery and Gaming Regulations made under the *Racing and Betting Act* are amended by inserting after regulation 21 the following:

'21A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 12 or 20 is a regulatory offence.'

"100. TOTALIZATOR RULES

"The Totalizator Rules made under the *Racing and Betting Act* are amended by inserting after rule 10 the following:

'10A. An offence of contravening or failing to comply with rule 4, 5, 6 or 10 is a regulatory offence.'

"PART X - MISCELLANEOUS MATTERS

"Division 1 - Acts

"101. ANNUAL LEAVE ACT

"The *Annual Leave Act* is amended by inserting after section 19 the following:

'19AA. REGULATORY OFFENCES

'Subject to sections 15 and 19(3), an offence of contravening or failing to comply with section 9, 10, 11, 14 or 16(1) or (2) is a regulatory offence.'

"102. ARCHITECTS ACT

"The *Architects Act* is amended by inserting after section 26 the following:

'26A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 18 or 22 is a regulatory offence.'

"103. ASSOCIATIONS INCORPORATION ACT

"The *Associations Incorporation Act* is amended by inserting after section 27 the following:

'27A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 12, 15, 16, 17(5), 19, 23G(2), 25, 25S, 25U, 25V(1) or (3), 25AE, 25AF or 25AI(1), (2) or (3) is a regulatory offence.'

"104. AUCTIONEERS ACT

"The *Auctioneers Act* is amended by inserting after section 17 the following:

'17A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 12 or 14(1) is a regulatory offence.'

"105. *COMMERCIAL AND PRIVATE AGENTS LICENSING ACT*

"The *Commercial and Private Agents Licensing Act* is amended by inserting after section 46 the following:

'46A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 16(6), 25(1), 39 or 44 is a regulatory offence.'

"106. *COMPANIES ACT*

"The *Companies Act* is amended by inserting after section 381 the following:

'381A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 23(2), 29(6), 74A(6), 111, 112(2), 113(3), 148, 149(3), 157(8), 202(5), (6), (7), 211A(3), 214(3) or (3A), 272(3) or (7), 280, 281(1) or 307(2) is a regulatory offence.'

"107. *COMPANIES (TRUSTEES AND PERSONAL REPRESENTATIVES) ACT*

"Section 37 of the *Companies (Trustees and Personal Representatives) Act* is amended by adding at the end the following:

'(3) An offence of contravening or failing to comply with this section is a regulatory offence.'

"108. *COMPANIES (UNCLAIMED ASSETS AND MONEYS) ACT*

"Section 14 of the *Companies (Unclaimed Assets and Moneys) Act* is amended by adding at the end the following:

'(4) An offence of contravening or failing to comply with sub-section (3) is a regulatory offence.'

"109. *CO-OPERATIVE SOCIETIES ACT*

"Section 71 of the *Co-operative Societies Act* is amended by inserting after sub-section (1) the following:

'(1A) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"110. *CORONERS ACT*

"Section 50 of the *Coroners Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"111. *CREDIT UNIONS ACT*

"The *Credit Unions Act* is amended by inserting after section 118 the following:

'118A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 38, 101(2) or 123(2) is a regulatory offence.'

"112. *ELECTORAL ACT*

"The *Electoral Act* is amended by inserting after section 138 the following:

'138AA. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 55(5), 61(10), 62, 66(3), 70, 73, 84(2) or 113 is a regulatory offence.'

"113. *ELECTRICAL WORKERS AND CONTRACTORS ACT*

"The *Electrical Workers and Contractors Act* is amended by inserting after section 55 the following:

'55A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 51, 53 or 54 is a regulatory offence.'

"114. *FISH AND FISHERIES ACT*

"The *Fish and Fisheries Act* is amended by inserting after section 89 the following:

'89A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 27(1) or (2), 28(1) or (2), 29(1), 31, 32, 34, 36, 46 or 49 is a regulatory offence.'

"115. *HIRE-PURCHASE ACT*

"Section 11 of the *Hire-Purchase Act* is amended by adding at the end the following:

'(3) An offence of contravening or failing to comply with this section is a regulatory offence.'

"116. *LAND AND BUSINESS AGENTS ACT*

"The *Land and Business Agents Act* is amended by inserting after section 125A the following:

'125B. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 47, 59, 60, 61, 80(1), 111(2), 118, 119, 120 or 125(1) is a regulatory offence.'

"117. *LEGISLATIVE ASSEMBLY (POWERS AND PRIVILEGES) ACT*

"Section 18 of the *Legislative Assembly (Powers and Privileges) Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-section (1) is a regulatory offence.'

"118. *LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) ACT*

"Section 8 of the *Legislative Assembly (Register of Members' Interests) Act* is amended by adding at the end the following:

'(4) An offence of contravening or failing to comply with sub-section (3) is a regulatory offence.'

"119. *LIQUOR ACT*

"The *Liquor Act* is amended by inserting after section 124 the following:

'124AA. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 75(1), 93(b), 103, 104, 111, 113, 114, 118, 119(1) or (6) or 123(1) is a regulatory offence.'

"120. *LONG SERVICE LEAVE ACT*

"Section 18 of the *Long Service Leave Act* is amended by adding at the end the following:

'(4) An offence of contravening or failing to comply with section 14 is a regulatory offence.'

"121. *PAWNBROKERS ACT*

"The *Pawnbrokers Act* is amended by inserting after section 39 the following:

'39A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 20 or 29 is a regulatory offence.'

"122. *PUBLIC HOLIDAYS ACT*

"The *Public Holidays Act* is amended by inserting after section 16 the following:

'16A. REGULATORY OFFENCES

'Subject to section 16(3), an offence of contravening or failing to comply with section 11(3) or (4)(a) or (c), or 13(1) or (2) is a regulatory offence.'

"123. *SUMMARY OFFENCES ACT*

"The *Summary Offences Act* is amended by inserting after section 91 the following:

'91A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 43(2), 45B, 65AA, 74(3), 77(2), 82(3) or (4), 87, 89 or 91 is a regulatory offence.'

"124. *VALUATION OF LAND ACT*

"Section 43 of the *Valuation of Land Act* is amended -

(a) by omitting 'Penalty: 40 dollars;'; and

(b) by adding at the end the following:

'(3) An offence of contravening or failing to comply with this section is a regulatory offence.

Penalty for an offence against this section: \$40.'

"125. *WORKMEN'S COMPENSATION ACT*

"The *Workmen's Compensation Act* is amended by inserting after section 26 the following:

'26A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with section 7A, 160(7), 17D, 17G or 25(5) or (6) is a regulatory offence.'

"Division 2 - Regulations

"126. *BUILDING REGULATIONS*

"Regulation 16 of the *Building Regulations* made under the *Building Act* is amended by adding at the end the following:

'(3) An offence of contravening or failing to comply with sub-regulation (2) is a regulatory offence.'

"127. CO-OPERATIVE TRADING SOCIETIES REGULATIONS

"Regulation 27 of the Co-operative Trading Societies Regulations made under the *Co-operative Societies Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with sub-regulation (1) is a regulatory offence.'

"128. CROWN LANDS (RECREATION RESERVE) REGULATIONS

"The Crown Lands (Recreation Reserve) Regulations made under the *Crown Lands Act* are amended by adding at the end the following:

'27. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 17(a), (b) or (c) or 24 is a regulatory offence.'

"129. DARWIN MALL BY-LAWS

"By-law 6 of the Mall By-laws made under the *Local Government Act* is amended by adding at the end the following:

'(2) An offence of contravening or failing to comply with by-law 3(1), (2) or (3) is a regulatory offence.'

"130. DARWIN MUNICIPALITY BY-LAWS

"The By-laws of the Municipality of Darwin made under the *Local Government Act* are amended by inserting after by-law 10.04 in Chapter 1 the following:

'10.04A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with by-law 12.02, 12.04, 12.06, 12.09, 12.10, 12.11, 12.12, 12.13, 12.14, 12.15, 12.16, 12.24, 12.25(1) or (3), 12.27, 12.28, 12.31, 12.34, 12.40, 12.43, 12.44, 12.45, 12.46 or 12.47 in Chapter 3, 13.04 in Chapter 4, 6, 7 or 10(a) or (b) in Chapter 4A, 13, 14, 26 or 29(1) or (3) in Chapter 5, 15.02, 15.03, 15.04, 15.07 or 15.08 in Chapter 6, 16.14 or 16.16 in Chapter 7, 17.02 in Chapter 8, 18.21, 18.22, 18.24 or 18.31 in Chapter 9, 20.03 in Chapter 11, 21.16 or 21.18 (subject to by-law 21.19) in Chapter 12 is a regulatory offence.'

"131. DARWIN (PRIVATE SWIMMING POOL) BY-LAWS

"By-law 5 of the Darwin (Private Swimming Pool) By-laws made under the *Local Government Act* is amended by omitting from clause (7) 'an offence' and substituting 'a regulatory offence'.

"132. ELECTRICITY BY-LAWS

"The Electricity By-laws made under the *Electricity Commission Act* are amended by adding at the end the following:

'PART VI - OFFENCES

'27. REGULATORY OFFENCES

'An offence of contravening or failing to comply with by-law 5, 8, 18(1) or (2), 19(1), (2) or (4), 20(1) or (3) or 26(1) or (2) is a regulatory offence.'

"133. FIRE HAZARDS REGULATIONS

"The Fire Hazards Regulations made under the *Fire Brigades Act* are amended by adding at the end the following:

'22. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 4, 5, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 or 21 is a regulatory offence.'

"134. INFLAMMABLE MATTER REGULATIONS

"The Inflammable Matter Regulations made under the *Fire Brigades Act* are amended by inserting after regulation 19 the following:

'20. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 8, 9, 10, 11, 12, 13, 14 or 17 is a regulatory offence.'

"135. JABIRU TOWN DEVELOPMENT (PLANTS) BY-LAWS

"By-law 7 of the Jabiru Town Development (Plants) By-laws made under the *Jabiru Town Development Act* is amended by inserting after clause (4) the following:

'(4A) An offence of contravening or failing to comply with clause (4) is a regulatory offence.'

"136. JABIRU TOWN DEVELOPMENT (PRIVATE SWIMMING POOL) BY-LAWS

"The Jabiru Town Development (Private Swimming Pool) By-laws made under the *Jabiru Town Development Act* are amended by inserting after by-law 11 the following:

'11A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with a provision of, or a notice under, by-law 3(1), 4 or 7(a) is a regulatory offence.'

"137. JABIRU TOWN DEVELOPMENT (REFUSE) BY-LAWS

"The Jabiru Town Development (Refuse) By-laws made under the *Jabiru Town Development Act* are amended by adding at the end the following:

'13. REGULATORY OFFENCES

'An offence of contravening or failing to comply with by-law 6, 11 or 12(2) is a regulatory offence.'

"138. JABIRU TOWN DEVELOPMENT (STALLHOLDERS) BY-LAWS

"By-law 8 of the Jabiru Town Development (Stallholders) By-laws made under the *Jabiru Town Development Act* is amended by inserting after clause (2) the following:

'(2A) An offence of contravening or failing to comply with a provision of, or a notice under, clause (2) is a regulatory offence.'

"139. JABIRU TOWN DEVELOPMENT (SWIMMING POOL COMPLEX) BY-LAWS

"By-law 4 of the Jabiru Town Development (Swimming Pool Complex) By-laws made under the *Jabiru Town Development Act* is amended by inserting after clause (2) the following:

'(2A) An offence of contravening or failing to comply with a provision of, or a notice under clause (2) is a regulatory offence.'

"140. LAND AND BUSINESS AGENTS REGULATIONS

"The Land and Business Agents Regulations made under the *Land and Business Agents Act* are amended by inserting after regulation 22 the following:

'22A. REGULATORY OFFENCES

'An offence of contravening or failing to comply with regulation 15 or 22 is a regulatory offence.'

"141. WORKMEN'S COMPENSATION REGULATIONS

"Regulation 10A of the Workmen's Compensation Regulations made under the *Workmen's Compensation Act* is amended by inserting after sub-regulation (2) the following:

'(2A) An offence of contravening or failing to comply with sub-regulation (1) or (2) is a regulatory offence.'."

Title agreed to.

Bill to be reported with amendments.

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

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

12. COMMUNITY WELFARE BILL 1983 (Serial 351):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

In the committee

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

Clause 4 -

Mrs O'Neil moved as an amendment -

Insert in the definition of "place of safety" in sub-clause (1) after "other place" the words "other than a police prison within the meaning of the *Prisons (Correctional Services) Act*."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 5 to 20, by leave, taken together and agreed to.

Clause 21 -

Mrs O'Neil moved as an amendment -

Add at the end the following:

"(2) Where a Child Protection Team determines that it is appropriate to do so, the Chairman shall send to the Court a report of the team in relation to the known or suspected maltreatment of a child."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 22 to 38, by leave, taken together and agreed to.

Clause 39 -

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

Add at the end the following:

"(3) At the hearing of an application under this Part, where the Court is of the opinion that the child the subject of the proceedings needs legal representation and that such representation has not been arranged by or on behalf of the child, it may, by order, make such provision for the legal representation of the child as it thinks fit."

Clause, as amended, agreed to.

Clauses 40 to 52, by leave, taken together and agreed to.

Clause 53 negatived, after debate.

Clauses 54 to 57, by leave, taken together and agreed to.

Clause 58 agreed to, after debate.

Clauses 59 to 64, by leave, taken together and agreed to, after debate.

Clause 65 -

Mrs O'Neill moved as an amendment -

Omit from sub-clause (2) all words after "Minister" and insert in their stead "who shall, at least once in every 3 months, review the circumstances of the child and the arrangements made for the child's care and welfare for the purpose of -

(a) ensuring that the continuance of the arrangements is suitable and desirable; or

(b) considering change to the arrangements."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 66 to 73, by leave, taken together and agreed to.

Clause 74 -

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

Omit from sub-clause (5) "12 months" (twice occurring) and insert in its stead "3 years".

Clause, as amended, agreed to.

Clauses 75 to 83, by leave, taken together and agreed to.

Clause 84 -

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

Omit from sub-clause (4) "12 months" (twice occurring) and insert in its stead "3 years".

Clause, as amended, agreed to.

Clauses 85 to 96, by leave, taken together and agreed to.

Clause 97 negatived.

New clause -

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

"97. OFFENCE TO REMOVE CHILD

"(1) A person who, without lawful excuse, removes or causes to be removed a child from the custody of a person with whom, or from a place at which, the child has been placed under this Act, is guilty of an offence.

Penalty: \$1,000 or imprisonment for 6 months.

"(2) For the purposes of sub-section (1), a person shall not be taken to have had a lawful excuse for removing or causing to be removed a child to whom Part VII applies unless he had the prior permission of the Minister to remove the child or cause it to be removed."

Remainder of Bill, by leave, taken as a whole and agreed to.
Bill to be reported with amendments.

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

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

13. JUVENILE JUSTICE BILL 1983 (Serial 352):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 -

Mrs O'Neil moved as an amendment -

Omit from the definition of "juvenile" in sub-clause (1) "17 years" (twice occurring) and insert in its stead "18 years".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 4 to 21, by leave, taken together and agreed to.

Clause 22 -

Mrs O'Neil moved as an amendment -

Omit sub-clause (1) and insert in its stead the following:

"(1) Where proceedings under this Act are taken before a magistrate against a juvenile and -

(a) the juvenile has not previously been convicted of an offence;
or

(b) the magistrate believes that the ends of justice will be best served by him so doing,

the magistrate shall order that the Court be closed and, subject to sub-section (2), that no persons remain in or enter a room or place in which the Court is being held, or remain within the hearing of the Court, without his permission."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 23 and 24, by leave, taken together and agreed to.

Clause 25 -

Mrs O'Neil moved as an amendment -

Omit from sub-clause (1)(a) all words after "offence" and insert in their stead "; or".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 26 to 31, by leave, taken together and agreed to.

Clause 32 -

Mrs O'Neil moved as an amendment -

Insert after sub-clause (1) the following:

"(1A) Where under sub-section (1) a juvenile is detained at a place other than a detention centre, he shall, as far as practicable, be

kept apart from the other persons under detention at the place who are not juveniles."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 33 -

Mrs O'Neil moved as an amendment -

Omit from sub-clause (1) "7 days" and insert in its stead "4 days".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to

Clauses 34 to 38, by leave, taken together and agreed to.

Clause 39 -

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

Add at the end the following:

"(2) Without limiting its power under sub-section (1)(b), where a juvenile is found guilty before the Supreme Court of the offence of murder, the Supreme Court may, notwithstanding section 164 of the *Criminal Code*, sentence the juvenile to life imprisonment or such shorter period of imprisonment as it thinks fit."

Clause, as amended, agreed to.

Clause 40 -

Mrs O'Neil moved as an amendment -

Omit "the juvenile the subject of the proceedings needs legal representation and that such representation has not been arranged by or on behalf of the juvenile, it may," and insert in its stead "legal representation has not been arranged by or on behalf of the juvenile the subject of the proceedings, it shall,".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 41 to 44, by leave, taken together and agreed to.

Clause 45 negatived, after debate.

Clause 46 agreed to.

Clause 47 -

Mrs O'Neil moved as an amendment -

Omit from sub-clause (1)(d) all words after "detained" and insert in their stead "in a detention centre".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 48 and 49, by leave, taken together and agreed to.

Clause 50 -

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

Omit from sub-clause (1) all words before "shall be furnished" and insert in their stead "(1) Subject to this section, a copy of every report received by the Court in proceedings before it".

On the motion of Mr Tuxworth the following further amendment was made -

Omit sub-clause (2) and insert in its stead the following:

"(2) The Court may order that a report received by it in a proceeding, or part of such a report, shall not be made available to a

juvenile to whom it relates or to any other person who, under sub-section (1), would be entitled to receive a copy of the report, where it is of the opinion that the report contains material that, if disclosed to the juvenile or that person, may be prejudicial to the welfare of the juvenile.

"(2A) The juvenile to whom a report referred to in sub-section (1) relates, or a parent, guardian or person having the custody of the juvenile, may give evidence or call witnesses to rebut the contents of the report."

On the motion of Mr Tuxworth the following further amendment was made -

Insert in sub-clause (3) after "sub-section (1)" the words
", which is not a report under section 44,".

Mrs O'Neil moved as an amendment -

Add at the end the following:

"(4) Where a report is required under this section to be furnished to a person, it shall be so furnished at least 48 hours before the report is to be considered by the Court."

Debate ensued.

Question - put and negatived.

Clause, as amended, agreed to.

Clauses 51 to 53, by leave, taken together and agreed to.

Clause 54 -

Mrs O'Neil moved as an amendment -

Insert after sub-clause (1) the following:

"(1A) Where the Court exercises a power under sub-section (1), it may exercise the power subject to such conditions, qualifications and limitations as it thinks fit.

"(1B) Where a juvenile fails to pay a fine which he has previously been ordered under this Act to pay, notwithstanding the *Justices Act*, he shall be, as soon as practicable, brought before a Court and the Court may revise the penalty and deal with the juvenile in such manner as it thinks fit except that no greater penalty can be imposed on the juvenile than the Court could have imposed on him in respect of the original offence."

Debate ensued.

Mr Tuxworth (Minister for Community Development) moved - That further consideration of clause 54 be postponed.

Question - put and passed.

Clauses 55 to 91, by leave, taken together and agreed to.

Clause 92 agreed to, after debate.

Clauses 93 to 97, by leave, taken together and agreed to.

Clause 98 -

Mrs O'Neil moved as an amendment -

Omit from sub-clause (1)(b) "6 months" and insert in its stead
"2 years".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 99 and 100, by leave, taken together and agreed to.

Postponed clause 54 -

Debate resumed on Mrs O'Neil's scheduled amendment No.190.11, previously moved.

Question - put and negatived.

Mrs O'Neil moved as an amendment -

Insert after sub-clause (6) the following:

"(6A) Where, in pursuance of sub-section (6), a person is detained in a detention centre after he has attained the age of 18 years, for the purposes of this Act, he is deemed to be a juvenile.

"(6B) Where the Attorney-General thinks fit, he may apply to the Supreme Court to imprison at a place other than a detention centre a juvenile who has been convicted and sentenced under this Act to a period of detention.

"(6C) Notwithstanding any other provision of this Act, where an application is made under sub-section (6B) and the Supreme Court, after hearing the application, believes there are reasonable grounds for so doing, it may order that a juvenile, who has been convicted and sentenced to a period of detention under this Act, be imprisoned at a place other than a detention centre."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

14. POLICE ADMINISTRATION AMENDMENT BILL (No.4) 1983 (Serial 345):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 to 7, by leave, taken together and agreed to.

Clause 8 -

Mr Leo moved as an amendment -

Omit proposed section 17A.

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 9 agreed to.

Clause 10 negatived.

New clause -

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

"10. POLICE OFFICERS OF OTHER JURISDICTIONS

"Section 29(2) of the Principal Act is amended by omitting 'not be a member of the Police Force but shall comply with the provisions of Part V of this Act' and substituting 'be deemed to be a member of the Police Force'."

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

Bill to be reported with an amendment.

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

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

15. PLUMBERS AND DRAINERS LICENSING AMENDMENT BILL 1983 (Serial 364):

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

Declaration of urgency: Mr Speaker, pursuant to standing order 153, declared the Bill to be an urgent bill.

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5 -

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

Insert in proposed section 52(6) after "approved" the word "advanced".

Clause, as amended, agreed to.

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

Bill to be reported with an amendment.

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

Question - That the Bill be now read a third time -

Debate ensued.

Question - put and passed.

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

16. ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL 1983 (Serial 331):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

Leave granted for third reading to be moved forthwith.

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

17. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Attorney-General), the order of the day relating to the Planning Amendment Bill 1983 (Serial 350) was called on.

18. PLANNING AMENDMENT BILL 1983 (Serial 350):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Clause 1 agreed to.

Clause 2 negatived, after debate.

New clause -

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

"2. COMMENCEMENT

"The several sections of this Act shall come into operation on such dates as are respectively fixed by the Administrator by notice in the Gazette."

Clauses 3 to 9, by leave, taken together and agreed to.

Clause 10 -

Mr Smith moved as an amendment -

Insert after proposed section 47(2) the following:

"(2A) For the purposes of sub-section (2), a notice of the exhibition of a draft planning instrument shall be accompanied by a map showing the location and boundaries of the land to which the instrument relates."

Debate ensued.

Question - put and negatived.

Mr Smith moved as an amendment -

Add at the end of proposed section 47 the following:

"(4) Where the Authority believes that owners of land in the vicinity of land the subject of a draft planning instrument will be affected by the draft planning instrument, it shall serve on the owners of the land notice of the draft planning instrument and a map showing the location and boundaries of the land to which the instrument relates."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 11 to 18, by leave, taken together and agreed to.

Clause 19 -

On the motion of Mr Everingham, by leave, the following amendments were made, after debate -

Omit from proposed section 66A(1) "Subject to sub-section (2),".

Omit proposed section 66A(2).

Omit from proposed section 66A(3) "Authority" and insert in its stead "consent authority".

Clause, as amended, agreed to

New clause -

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

"19A. RESTRICTION ON SUBDIVISIONS

"Section 84 of the Principal Act is amended by omitting all words after 'in accordance with' and substituting 'a plan of survey approved under section 49(2) of the *Licensed Surveyors Act* by the Surveyor-General.'."

Clauses 20 to 24, by leave, taken together and agreed to.

New clause -

On the motion of Mr Everingham the following new clause was inserted in the Bill, after debate -

"24A. REPEAL AND SUBSTITUTION

"Section 99 of the Principal Act is repealed and the following substituted:

'99. EFFECT OF LODGING PLANS, &c.

'(1) In this section "service authority" means the Territory, a council of a municipality constituted under the *Local Government Act*, the Northern Territory Electricity Commission established under the *Electricity Commission Act* or a statutory public authority of the Territory or the Commonwealth prescribed for the purposes of this section.

'(2) On the depositing, under section 101 of the *Real Property Act*, with the Registrar-General, and registration, of a plan of survey in relation to the subdivision of land which has been approved under section 49(2) of the *Licensed Surveyors Act* all land shown on the plan of survey as a road, street, passage, court, alley, thoroughfare, *cul-de-sac*, square, park, water or drainage reserve, reserve or other similar open space shall, by virtue of this section and without further assurance, freed and discharged of all interests, trusts, restrictions, dedications, reservations, obligations, mortgages, encumbrances, contracts, licences, charges and rates of any kind, vest in the service authority specified, and for the purpose indicated, in the plan of survey.

'(3) On the registration of a plan of survey as referred to in sub-section (2) the Registrar-General shall make such entries in the Register Book kept by him under the *Real Property Act*, relating to the land affected, as he thinks fit, to record -

- (a) the fact that the plan of survey has been deposited and registered; or
- (b) the vesting under sub-section (2) of the land.

'(4) Every road, street, passage, court, alley, thoroughfare or *cul-de-sac* vested under sub-section (2) shall be a road within the meaning and for the purposes of the *Control of Roads Act*.

'(5) Land vested under sub-section (2) in the Territory, other than land referred to in sub-section (4), shall be deemed to be land reserved under section 103 of the *Crown Lands Act* for the purpose indicated in the plan of survey.

'(6) A plan of survey referred to in sub-section (2) may indicate that land delineated in it is subject to or intended to be subject to an easement in favour of a specified service authority.

'(7) Where a plan of survey referred to in sub-section (2) indicates an intended easement in favour of a specified service authority and describes it by a description in Schedule 2 or in a regulation made for the purposes of this section then, on the registration of the plan of subdivision as referred to in sub-section (2) -

- (a) the intended easement shall be an easement notwithstanding that it may not be appurtenant to a dominant tenement; and
- (b) without limiting the power that it may have under any other law in force in the Territory, the service authority -
 - (i) shall have the use and benefit of the easement for the purposes; and
 - (ii) has for itself and its agents, servants and workmen all the powers,

specified in that Schedule or that regulation, as the case may be, in relation to that easement.

'(8) Where, by virtue of this section, land is the subject of an easement, the Registrar-General shall make such entries in relation

to the land in the Register Book kept by him under the *Real Property Act* as he thinks fit, to evidence the easement.

'(9) A pipe, duct, wire, pole or other thing attached to or constructed on land which, by virtue of this section, is subject to an easement and which was so attached or constructed for or in relation to a relevant purpose described in Schedule 2 or a regulation made for the purposes of this section, shall be deemed not to be a fixture to the land for the purpose of giving the proprietor of the land a proprietary interest in it.

'(10) A service authority which is the proprietor of an easement referred to in this section may allow any other person, himself or by his agents, servants or workmen, to enter on and do anything on the land to which the easement relates that the proprietor of the easement can do as the proprietor, and the proprietor of the land shall not hinder or obstruct a person entering on or doing anything on the land in pursuance of the authority of the service authority.'."

Clauses 25 to 32, by leave, taken together and agreed to.

Clause 33 -

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

Omit from proposed section 141A(1)(a) "applicant" and insert in its stead "appellant".

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

Omit from proposed section 141A(3) all words after "of the opinion" and insert in their stead "that no useful purpose would be served by a conference before the hearing of the appeal."

Clause, as amended, agreed to.

Clauses 34 to 37, by leave, taken together and agreed to.

Clause 38 -

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

Insert after proposed section 165(1)(d) the following:

"(da) prescribing types of easements for the purposes of section 99 and the purposes and powers in relation to those easements;".

Clause, as amended, agreed to.

Clause 39 agreed to.

New clause -

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

"39A. SCHEDULE

"The Schedule to the Principal Act is amended -

(a) by omitting the heading 'SCHEDULE' and substituting the following:

'SCHEDULES

SCHEDULE 1'; and

(b) by adding at the end the following:

'SCHEDULE 2

Section 99

Easements

Description

Sewerage easement.

Purpose

Supplying or conveying to, through or across the land a sewerage service.

Power

To break the surface of, dig, open up and use the land for the purpose of laying down, fixing, taking up, repairing, relaying or examining pipes for the purposes of the easement and of using and maintaining those pipes, and to enter the land at any time (if necessary with vehicles and equipment) for the purposes of the easement or exercising these powers.

Description

Water supply easement.

Purpose

Supplying or conveying to, through or across the land a water service.

Power

To break the surface of, dig, open up and use the land for the purpose of laying down, fixing, taking up, repairing, relaying or examining pipes for the purposes of the easement and of using and maintaining those pipes, and to enter the land at any time (if necessary with vehicles and equipment) for the purposes of the easement or exercising these powers.

Description

Drainage easement.

Purpose

Draining water, sewerage or other effluents from, through or across the land.

Power

To break the surface of, dig, open up and use the land for the purpose of laying down, fixing, taking up, repairing, relaying or examining drains or drainage pipes for the purposes of the easement and of using and maintaining such drains and pipes, and to enter the land at any time (if necessary with vehicles and equipment) for the purposes of the easement or exercising these powers.

Description

Electricity supply easement.

Purpose

Supplying or conveying to, through or across the land an electricity service.

Power

For the purposes of the easement -

- (a) to enter on and pass, either with or without motor or other vehicles, along or over the land;
- (b) to construct and lay -

- (i) under the surface of the land, ducts, pipes, conductors, cables, wires and other works; and
 - (ii) on the surface of the land, incidental or ancillary works for the transmission of electricity (including, without limiting the generality of the foregoing, manholes and cable markers);
 - (c) without limiting the generality hereof, to erect on a portion of the land so designated in the plan, to a height not exceeding 4 metres, or such other height as is shown in the plan, from the surface of the land, poles, equipment for transforming electricity and incidental or ancillary works (including such walls or other structures as the proprietor of the easement considers necessary);
 - (d) to break the surface of, dig, open up and use the land for the purposes of the easement or exercising these powers;
 - (e) to inspect, repair, alter, remove and replace works referred to in these powers; and
 - (f) to transmit electricity by means of any such works.
-

Description

Electronic communications easement.

Purpose

Supply or convey to, through or across the land a communications service by electronic means.

Power

For the purposes of the easement -

- (a) to enter on and pass, either with or without motor or other vehicles, along or over the land;
 - (b) to construct and lay -
 - (i) under the surface of the land, ducts, pipes, conductors, cables, wires and other works; and
 - (ii) on the surface of the land, incidental or ancillary works for the transmission of telecommunication services (including, without limiting the generality of the foregoing, manholes and cable markers);
 - (c) to break the surface of, dig, open up and use the land for any of the purposes of the easement or exercising these powers; and
 - (d) to inspect, repair, alter, remove and replace any works referred to in these powers.
-

Description

Energy supply easement.

Purpose

Supplying or conveying to, through or across the land gas, liquid fuels or water or other liquids in such a form or state as to be capable of conveying energy.

Power

To break the surface of, dig, open up and use the land for the purpose of laying down, fixing, taking up, repairing, relaying or examining pipes for the purposes of the easement and of using and maintaining those pipes, and to enter the land at any time (if necessary with vehicles and equipment) for the purposes of the easement or exercising these powers.

Description

General service easement.

Purpose

All of the purposes of -

- (a) a sewerage easement;
- (b) a water supply easement;
- (c) a drainage easement;
- (d) an electricity supply easement;
- (e) an electronic communications easement;
- and
- (f) an energy supply easement.

Powers

All of the powers in this Schedule relating to the purposes of the easement.'."

Clause 40 negatived.

New clause -

On the motion of Mr Everingham the following new clause was inserted in the Bill, after debate -

"40. TRANSITIONAL

Where before the commencement of the relevant section of this Act an application or submission had been made which, at the commencement of that section had not been fully disposed of or considered, or a proceeding had commenced, to which an amendment effected by the relevant section would, but for this section, apply, that application or submission shall continue to have effect or proceeding may be continued, and any action may be taken as a result of its so continuing (including action on the disposal of the application, the consideration of the submission or the conclusion of the proceeding) as if that relevant section had never commenced."

Title agreed to.

Bill to be reported with amendments.

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

Question - That the Bill be now read a third time -

Debate ensued.

Question - put and passed.

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

19. ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 8.31 p.m. adjourned until tomorrow at 10.00 a.m.

ATTENDANCE:

All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 24

Thursday 20 October 1983

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. DISTINGUISHED VISITOR - HIS EXCELLENCY MR FRANCISCO UTRAY:
Mr Speaker informed the Assembly of the presence in the Gallery of His Excellency Mr Francisco Utray, Ambassador for Spain in Australia, and on behalf of the Assembly extended a warm welcome to the distinguished visitor.
3. QUESTIONS:
Questions without notice were asked.
Answer to question: Mr Robertson (Attorney-General), by leave, provided further information in answer to a question asked of him earlier this day.
Further questions without notice were asked.
And Mr Harris having asked a question and Mr Tuxworth proceeding to answer the question -
Point of order: Mr B. Collins raised a point of order, viz.- That Mr Harris' question was not in order as it sought an opinion.
Ruling of Speaker: The Speaker ruled - That the question did not seek an opinion and that a minister was not prevented from giving an opinion in his answer.
Dissent from Speaker's ruling: Mr B. Collins moved dissent from the Speaker's ruling.

Suspension of sitting: The sitting was suspended between 10.46 and 10.47 a.m.

The Assembly resumed - Mr Speaker read a transcript of the question asked by Mr Harris and re-confirmed his previous ruling.
Mr B. Collins (Leader of the Opposition) withdrew his motion of dissent.
A further question was asked.
Business of the day called on: On the motion of Mr Robertson (Attorney-General), business of the day was called on.
4. EMPLOYMENT OF SCHOOL LEAVERS - MINISTERIAL STATEMENT - STATEMENT NOTED:
Mr Everingham (Chief Minister), by leave, made a statement on the employment of school leavers.
Mr Everingham moved - That the Assembly take note of the statement.
Debate ensued.
Question - put and passed.
5. SCHOOL BASED FUNDING AND SUBSIDY SCHEMES - MINISTERIAL STATEMENT:
Mr Perron (Minister for Education), by leave, made a statement on school based funding and subsidy schemes for schools.
6. AUSTRALIA'S ROLE AS A URANIUM SUPPLIER - MINISTERIAL STATEMENT:
Mr Robertson (Minister for Mines and Energy), by leave, made a statement on Australia's role as a uranium supplier and its effect on the economy of the Northern Territory.

7. WILDMAN RIVER STATION, LAND USE - MINISTERIAL STATEMENT:

Mr Tuxworth (Minister for Primary Production and Conservation), by leave, made a statement on the purchase of Wildman River Station by the Conservation Land Corporation.

Suspension of sitting: The sitting was suspended between 12.04 and 1.30 p.m.

8. BRUCELLOSIS AND TUBERCULOSIS ERADICATION PROGRAMME - MINISTERIAL STATEMENT - STATEMENT NOTED:

Mr Tuxworth (Minister for Primary Production and Conservation), by leave, made a statement on the operation of the brucellosis and tuberculosis eradication programmes in the Northern Territory.

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

Debate ensued.

Question - put and passed.

9. NORTHERN TERRITORY DEVELOPMENT LAND CORPORATION (VESTING OF LAND) BILL (No. 2) 1983 (Serial 365):

Mr Everingham (Minister for Lands, Industrial Development and Tourism), pursuant to notice, presented a Bill for an Act to vest in the Northern Territory Development Land Corporation an estate in fee simple in certain land, and for related purposes.

Bill read a first time.

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

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

10. NOTICE POSTPONED:

On the motion of Mr Everingham (Minister for Lands, Industrial Development and Tourism), Notice No. 2., Government Business, was postponed until a later hour.

Question - put and passed.

11. REAL PROPERTY AMENDMENT BILL (No. 2) 1983 (Serial 366):

Mr Robertson (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Real Property Act*.

Bill read a first time.

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

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

12. YULARA TOURIST VILLAGE MANAGEMENT BILL 1983 (Serial 360):

Mr Tuxworth (Minister for Community Development), pursuant to notice, presented a Bill for an Act to provide for the municipal governance of the town of Yulara, and for other purposes.

Bill read a first time.

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

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

13. DARWIN PORT AUTHORITY BILL 1983 (Serial 328):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5 agreed to, after debate.

Clauses 6 to 16, by leave, taken together and agreed to.

Clause 17 -

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

Omit from sub-clause (2)(f) "or passing through".

On the motion of Mr Steele the following further amendment was made -

Omit from sub-clause (2)(p) "out of various functions and activities within the Port and, in the case of a licence issued to a person to carry out the business as a stevedore, it may make as a condition of the licence that he only imposes" and insert in its stead "on of the business of a stevedore within the Port and it may make as a condition of the licence that the person, to whom a licence is issued, only impose".

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

Omit from sub-clause (2)(q) "fees for the issue and renewal of licences" and insert in its stead "a fee for the issue of a licence to a stevedore and for the renewal of such a licence".

Clause, as amended, agreed to.

Clauses 18 to 24, by leave, taken together and agreed to.

Clause 25 agreed to, after debate.

Clauses 26 to 31, by leave, taken together and agreed to.

Clause 32 agreed to, after debate.

Clauses 33 to 37, by leave, taken together and agreed to.

Clause 38 -

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

Omit from sub-clause (1) " -

(a) carrying on a business;

(b) providing a service;

(c) operating a vessel; or

(d) hiring out or operating machinery or equipment,

of a commercial nature and for profit or reward" and insert in its stead "the carrying on of a business of a stevedore".

Clause, as amended, agreed to.

Clause 39 agreed to.

Clause 40 -

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

Omit from sub-clause (1) " -

(a) carry on a business;

(b) provide a service;

(c) operate a vessel; or

(d) hire out or operate machinery or equipment,

of a commercial nature and for profit or reward" and insert in its stead "carry on a business of a stevedore".

Clause, as amended, agreed to.

Clauses 41 to 47, by leave, taken together and agreed to.

Clause 48 negatived, after debate.

New clause -

On the motion of Mr Steele the following new clause was inserted in the Bill, after debate -

"48. BY-LAWS

(1) The Port Authority may make by-laws, not inconsistent with this Act, prescribing all matters that are required or permitted by this Act to be prescribed by by-laws or are necessary or convenient to be so prescribed, for the control, regulation and management of the Port and in particular for providing for or in relation to -

- (a) the control, supervision and instruction of employees of, and the control of property vested in or belonging to, the Port Authority;
- (b) the security and facility of navigation in the Port;
- (c) the regulation, control and supervision of loading and unloading and of the use of machinery, equipment and appliances in loading and unloading and of the storage, and handling of goods and cargo, in the Port;
- (d) the mode of leasing and licensing under this Act;
- (e) the construction of wharves, docks, piers, jetties or embankments and of sheds, landing stages, slips, platforms, railways, tramways or hoisting sheers and engines;
- (f) the dredging, cleansing and scouring and the improvement of the bed and channel of the Port and the abating and removing of wrecks and impediments, obstructions and nuisances to navigation in the Port;
- (g) the supply and removal of ballast and water for shipping;
- (h) the improvement and management of facilities in the Port;
- (j) the imposing and levying of fees, rates, dues or charges for services rendered by the Port Authority for entry into or anchoring in the Port or for the use of the Port or port facilities or for any other service;
- (k) prescribing substances for the purposes of section 17(2)(g) and the charges which may be imposed in respect of those substances;
- (m) carrying out and performing the functions and responsibilities of a pilotage authority;
- (n) the regulation and management of vessels, except where provided by the *Marine Act*, but including the anchoring, mooring and fastening and shifting, removal and control of vessels in the Port whether under way or at anchor, afloat or aground, hove down, hauled up or in dock;
- (p) the regulation and control of the use of lights and fire on board vessels within the Port;
- (q) the appointing of places for the loading or unloading and the manner of loading or unloading, handling and storage of dangerous goods;
- (r) the licensing of persons to establish and operate as, or carry on the business of, stevedores;

- (s) prescribing a fee for the issue of a licence to a stevedore and for the renewal of such a licence;
- (t) the sorting, stacking, storage or delivery of cargo;
- (u) the prevention of pollution;
- (w) the procedure and the manner in which tenders are to be invited and contracts made;
- (y) the regulation (including the prohibition), management and control of vehicular traffic and pedestrians;
- (z) the erection and form of traffic signs;
- (za) the manner in which the length or tonnage of a vessel may be ascertained;
- (zb) the regulation and control of the conduct and behaviour of persons within the Port and the conditions upon which persons may be admitted to or excluded from any part of the Port;
- (zc) the payment and recovery of fees, rates, dues, rentals or charges imposed by this Act or the by-laws; and
- (zd) the imposition of penalties (not exceeding a fine of \$10,000) for a contravention of or failure to comply with the by-laws.

(2) Where there is an inconsistency between a by-law made under this section, or continued under section 50(1) to apply, and a provision of or under the *Dangerous Goods Act*, the provision of or under the *Dangerous Goods Act* shall, to the extent of the inconsistency, cease to apply."

Remainder of the Bill, by leave, taken as a whole and agreed to.
Bill to be reported with amendments.

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

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

14. STATUTE LAW REVISION BILL 1983 (Serial 347):

The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

In the committee

Clauses 1 and 2, by leave, taken together and agreed to.

New clause -

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

"2A. PLACES OF PUBLIC ENTERTAINMENT REGULATIONS (No. 24 of 1983)

"(1) Regulation 2 of the Places of Public Entertainment Regulations (No. 24 of 1983) made under the *Places of Public Entertainment Act* is amended by omitting 'Act (No. 2)' and substituting 'Amendment Act'.

"(2) Sub-regulation (1) shall be deemed to have come into operation on 26 August 1983."

Clause 3 agreed to.

Schedule -

On the motion of Mr B. Collins the following amendment was made -

Omit from the Schedule under *Fire Service Act*

"Section 32(1)(c) the whole paragraph (c) in the case of a person appointed under section 29(1)(c) -

(i) his retirement or dismissal from the Fire Service; or

(ii) his transfer to a station so distant from the place where the Board ordinarily sits that his continuing to act would, in the opinion of the Director, interfere with the efficient working of the Fire Service.'."

and insert in its stead the following:

"Section 32(1)(c) the whole sub-paragraph (iii) 'the secretary or other relevant officer of the body or organization which nominated the person to be the available nominated member by notifying the Minister, by notice in writing, that the person has ceased to be the available nominated member for that body or organization.'."

Title agreed to.

Bill to be reported with amendments.

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

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

14. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Everingham (Chief Minister), Notice No. 2, Government Business, was called on.

15. ABORIGINAL COMMUNITY LIVING AREAS BILL 1983 (Serial 367):

Mr Everingham (Minister for Lands, Industrial Development and Tourism), pursuant to notice, presented a Bill for an Act to provide for the excision of certain areas of land from pastoral leases and the granting of an estate in fee simple in those areas as living areas for the benefit of Aborigines who are or have been ordinarily resident on those pastoral leases, and for related purposes.

Bill read a first time.

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

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

16. AUDITOR-GENERAL'S ANNUAL REPORT 1982-83 - PAPER NOTED:

The order of the day having been read for the resumption of the debate on the motion of Mr Everingham (11 October 1983) - That the Assembly take note of the statement -

Debate resumed.

Question - put and passed.

17. SPECIAL ADJOURNMENT:

Mr Robertson (Attorney-General) moved - That the Assembly, at its rising, adjourn until 10.00 a.m. on Tuesday 15 November 1983 or such other time and date as set by Mr Speaker under Sessional Order.

Question - put and passed.

18. ADJOURNMENT:

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

Question - put and passed.

And then the Assembly at 4.34 p.m. adjourned until Tuesday 15 November 1983 or such other time and date as notified to members in writing by Mr Speaker.

PAPERS:

The following papers were deemed to have been presented on 20 October 1983:

Annual Reports:

Corporation of the Municipality of Alice Springs, Auditor's Report and Financial Statements 1978-9

Department of Primary Production, 1982-3

Northern Territory Teaching Service, 1982-3

Regulations 1983:

No. 35 - Administration and Probate Regulations

No. 36 - Amendments of the Traffic Regulations

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All members attended the sitting, except Mrs Padgham-Purich.

H.G. SMITH

Clerk of the Legislative Assembly

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SECOND SESSION

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N = Negatived

P = Passed

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19 August 1980

To
20 October 1983

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