

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 54

Tuesday 22 November 1988

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly of 13 October 1988. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PETITION:

Mr Harris presented a petition from 594 citizens of the Northern Territory concerning funding cuts to Darwin Public Libraries.

Petition read.

4. NOTICE:

The following notice was given:

Mr Dale: To present the Cancer (Registration) Bill 1988 (Serial 160).

5. DISCHARGE OF GOVERNMENT BUSINESS - CANCER (REGISTRATION) BILL 1988 (Serial 105):

The Minister for Health and Community Services (Mr Dale) moved - That Government Business, Order of the Day No.10 relating to the Cancer (Registration) Bill 1988 (Serial 105) be discharged from the Notice Paper.

Question - put and passed.

6. FURTHER NOTICES:

The following further notices were given:

Mr Manzie: To present the Housing Amendment Bill 1988 (Serial 153); the Listening Devices Bill 1988 (Serial 158); the Unlawful Betting Bill 1988 (Serial 159); and the Racing and Betting Amendment Bill 1988 (Serial 157).

7. QUESTIONS:

Questions were asked of Ministers.

8. DISTINGUISHED VISITOR:

The Speaker informed the Assembly that Mr Robert Alison, Usher of the Black Rod in the Australian Senate, was present in the gallery. The Speaker extended a warm welcome to the Black Rod.

9. PERSONAL EXPLANATION:

The Member for Nhulunbuy (Mr Leo) made a personal explanation relating to comments made earlier this day by the Minister for Mines and Energy during Question Time.

10. COMMISSIONER OF CONSUMER AFFAIRS, ANNUAL REPORT 1986-87; AND COMMISSIONER OF MOTOR VEHICLE DEALERS, ANNUAL REPORT 1987 - PAPER TABLED - PAPER PRINTED:

The Minister for Health and Community Services (Mr Dale) laid on the Table the Report of the Commissioner of Consumer Affairs, 1986-87, including the Report of Commissioner of Motor Vehicle Dealers, 1987. (Parliamentary Paper 94/1988).

Mr Dale moved - That the paper be printed.

Question - put and passed.

11. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, SEVENTH REPORT - PAPER TABLED:

The Member for Jingili (Mr Setter) laid on the Table the Seventh Report of the Subordinate Legislation and Tabled Papers Committee.

12. HOUSING ASSISTANCE SCHEME - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Lands and Housing (Mr Manzie) made a statement relating to a new Northern Territory Government Housing Purchase Assistance Package.

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

- ° Discussion Paper on the draft Northern Territory Shared Equity Home Ownership Scheme.

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

Debate ensued.

The Member for Nhulunbuy (Mr Leo) moved the following amendment -

Omit all words after "That" and insert in their stead - "this Assembly welcomes the change to the Home Loan Scheme but expresses its concern that -

- (1) so many homeowners had been forced out of their houses before action was taken; and
- (2) no action had been taken by the government to address the wider problems causing the housing crisis."

Debate ensued.

Paper tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table the following paper:

- ° estimated quarterly resident population figures for the Northern Territory from March 1984 to June 1988.

Debate continued.

Suspension of sitting: The sitting was suspended between 12.08 p.m. and 2.15 p.m.

Debate resumed.

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

Debate continued.

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

13. MENINGOCOCCAL MENINGITIS - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Health and Community Services (Mr Dale) made a statement relating to the recent campaign against the disease Meningococcal Meningitis in the Alice Springs and Barkly regions.

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

Debate ensued.

Question - put and passed.

14. STATE SQUARE DEVELOPMENT - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Transport and Works (Mr Finch) made a statement relating to the State Square project.

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

Debate ensued.

The Member for Stuart (Mr Ede) moved the following amendment -

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

"the Assembly expresses its concern that the government has failed to protect the interests of the citizens of the Northern Territory in the manner in which it has conducted negotiations on the State Square deal in that -

- (1) the government has not established the need for the development;
- (2) the government has refused to provide information on the deal;
- (3) the government, by not following established tender procedures, has failed to ensure that the Territory has got the best deal for the project;
- (4) the government has failed to establish that the project has any long term economic or social benefits; and
- (5) the government has consistently and repeatedly failed to provide the costs of the project."

Debate ensued.

Question - That the amendment be agreed to - put.

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

AYES, 10

NOES, 15

Mr Bell

Mr Collins

Mr Ede

Mr Floreani

Mr Lanhupuy

Mr Leo

Mr Coulter

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Harris

Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

And so it was resolved in the negative.

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

15. BUSINESS POSTPONED:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day No.1 relating to the Statute Law Revision Bill 1988 (Serial 130) be postponed until the next sitting day.

Question - put and passed.

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

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

Bill read a first time.

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

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

17. TRUSTEE AMENDMENT BILL 1988 (Serial 123):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

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

Clause 4 read -

The Attorney-General (Mr Manzie), by leave, moved the following amendments together -

Omit from proposed section 4(1)(f) "loan to" and insert in its stead "deposit with".

Omit from proposed section 4(1)(h)(i) ", or a subsidiary of a company,".

Omit from proposed section 4(1)(k) "Operating in the Territory" and insert in its stead "registered under the *Building Societies Act*".

Omit from proposed section 4(1)(u) all words after "specified" and insert in their stead the following:

"in this section and in respect of which there existed at the time of investment an approved deed under -

- (i) Division 6 of Part IV of the Companies (Northern Territory) Code;
 - (ii) any other law of the Territory relating to companies; or
 - (iii) the equivalent or similar provisions in the law of a State or another Territory of the Commonwealth,
- and
- (iv) the scheme, undertaking or enterprise to which the approved deed relates has unitholder's equity of not less than \$5 000 000 or such other amount as is prescribed;
 - (v) the holders of prescribed interests in the scheme, undertaking or enterprise to which the approved deed relates have received a return in the nature of income in each of the 5 years immediately preceding the calendar year in which the investment is made; and
 - (vi) either the prescribed interests in the scheme, undertaking or enterprise to which the approved deed relates are listed for quotation in a stock exchange in the Commonwealth or the approved deed contains a covenant that confers on holders of prescribed interests the right to require the management company to purchase, or cause to be purchased, their prescribed interests in the manner and within the time provided for in the approved deed."

Omit from proposed section 4(1B) "all buildings" and insert in its stead "all buildings and other improvements".

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6 read -

Mr Manzie moved the following amendment -

Omit from proposed section 4C(4A)(a) ", where such insurance is reasonably available, but not including flooding from natural waterways" and insert in its stead ", and from natural waterways, where such insurance is reasonably available".

Amendment agreed to.

Mr Manzie moved the following further amendment -

Omit from proposed section 4C(7)(a) subparagraph (i) and insert in its stead the following:

"(i) \$10 000 or such other amount as is prescribed; or".

Amendment agreed to.

Clause 6, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

18. OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL 1988 (Serial 147):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

19. ADJOURNMENT:

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

Debate ensued.

Papers tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table the following papers:

- ° Statutory declaration signed by Mr Brendan Wyman, dated 21 November 1988
- ° Statutory declaration signed by Mr Dennis Graham, dated 21 November 1988
- ° Statement sworn by Ms Christina George, dated 21 November 1988

Debate continued.

Question - put and passed.

The Assembly adjourned at 11.12 pm until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 22 November 1988:

Agreement:

Prisons (Arbitral Tribunal) Act - Consent Agreement -
Northern Territory Prison Officers Association,
dated 28 September 1988

Annual Reports:

Department of the Chief Minister, 1987-88

Department of the Legislative Assembly, 1987-88

Hospital Management Board:

Alice Springs Hospital, 1987-88

Recommendations under s.103 of the Crown Lands Act:

Proposed revocation of reserve No.1713, Town of Darwin
Partial revocation of reserve No.1472, Town of Katherine

Regulations 1988:

No.45 - Alice Springs (Private Swimming Pool) By-laws
Wallace Rockhole Community Government Council (Litter) By-laws

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 55

Wednesday 23 November 1988

1. MEETING:

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

2. PRAYERS.

3. SUSPENSION OF STANDING ORDERS - HOUSING ASSISTANCE SCHEME:

The Minister for Lands and Housing (Mr Manzie) moved - That so much of Standing Orders be suspended as would prevent him from moving a motion relating to the government's new Housing Assistance Package and the actions of the Opposition in relation to it.

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

4. HOUSING ASSISTANCE SCHEME - MOTION AGREED TO:

The Minister for Lands and Housing (Mr Manzie) moved - That this Assembly condemns the Members of the Opposition for -

- (1) their gratuitous and irresponsible attempt to undermine the new Northern Territory Interest Subsidy Scheme;
- (2) their reckless attempt to mislead the Northern Territory public by falsely claiming that the new scheme may be in jeopardy;
- (3) their attempt to have the Federal Government intervene in Northern Territory affairs; and
- (4) the Leader of the Opposition's abject failure to meet his responsibilities to represent his constituents at the sittings of this Assembly without any justification for his absence.

Debate ensued.

Paper tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table the following paper:

- ° Press statement by the Hon Peter Staples, Commonwealth Minister for Housing and Aged Care, dated 23 November 1988.

Debate continued.

Mr Ede moved the following amendment -

Omit all words after "condemns" and insert in their stead -

"the Minister for Lands and Housing for his failure to ensure that the proposed housing finance initiatives conform with the Housing Assistance Agreement between the Commonwealth and the States and the Northern Territory."

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

Question - That the question be now put - put.

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

AYES, 14

NOES, 9

Mr Coulter
Mr Dale
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Question - That the amendment be agreed to - put.

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

AYES, 9

NOES, 14

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Tipiloura
Mr Tuxworth

Mr Coulter
Mr Dale
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

And so it was resolved in the negative.

Debate continued.

Suspension of sitting: The sitting was suspended between 12.02 p.m. and 2.00 p.m.

Debate resumed.

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

° letter, Hon Daryl Manzie to the Hon Peter Staples, MP,
Commonwealth Minister for Housing and Aged Care, undated.

Debate continued.

Question - That the motion be agreed to - put.

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

AYES, 15

NOES, 5

Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Tipiloura

And so it was resolved in the affirmative.

5. NOTICES:

The following notices were given:

Mr Dale: To present the Health Practitioners and Allied Professionals Registration Amendment Bill 1988 (Serial 148).

Mr Finch: To present the Petroleum Products Subsidy Amendment Bill 1988 (Serial 156).

6. QUESTIONS:

Questions were asked of Ministers.

7. SERVICES FOR THE INTELLECTUALLY DISABLED - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Health and Community Services (Mr Dale) made a statement relating to services for the intellectually disabled and for psychiatric patients in the Northern Territory.

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

Debate ensued.

Question - put and passed.

8. CANCER (REGISTRATION) BILL 1988 (Serial 160):

The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to provide for the registration of cancer and for related matters.

Bill read a first time.

Suspension of Standing Orders: Mr Dale moved - That so much of Standing Orders be suspended as would prevent the Cancer (Registration) Bill 1988 (Serial 160) passing through all stages at these sittings.

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

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

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

9. HOUSING AMENDMENT BILL 1988 (Serial 153):

The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Housing Act*.

Bill read a first time.

Suspension of Standing Orders: Mr Manzie moved - That so much of Standing Orders be suspended as would prevent the Housing Amendment Bill 1988 (Serial 153) passing through all stages at these sittings.

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

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

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

10. BUSINESS POSTPONED:

The Attorney-General (Mr Manzie) moved - That Government Business, Notices Nos 3, 4 and 5 be postponed until Tuesday 29 November 1988, viz

- No.3 - Listening Devices Bill 1988 (Serial 158)
- No.4 - Unlawful Betting Bill 1988 (Serial 159)
- No.5 - Racing and Betting Amendment Bill 1988 (Serial 157)

Question - put and passed.

11. EDUCATION AMENDMENT BILL 1988 (Serial 150):

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.

The Member for Macdonnell (Mr Bell) moved - That the debate be adjourned.

Question - put and negatived.

Debate continued.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Clauses 1 to 10, by leave, taken together and agreed to.

Clause 11 read -

The Minister for Education (Mr Harris), by leave, moved the following amendments together -

Omit proposed section 31(1)(a) and insert in its stead the following:

"(a) any member of the Police Force when in uniform; and".

Omit from proposed section 31(3)(a) "his identification as a member of the Police Force or, as the case may require," and insert in its stead ", in the case of a person authorized under subsection (1)(b),".

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

"(d) by inserting in subsection (4) after 'after producing' the words 'in the case of a person authorized under subsection (1)(b)'.".

Amendments agreed to.

Question - That the clause as amended be agreed to - put.

Debate ensued.

Clause 11, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

12. STATUTE LAW REVISION BILL 1988 (Serial 130):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

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

Proposed new clause -

On the motion of the Attorney-General (Mr Manzie) the following new clause was inserted in the Bill -

"7. AMENDMENT AS CONSEQUENCE OF PASSING OF *FISHERIES ACT*

"(1) Subject to subsection (2), section 18 of the *Aboriginal Land Act* is amended by omitting subsection (1) and substituting the following:

'(1) Subject to the *Fisheries Act*, the holder of a licence issued under the *Fish and Fisheries Act* (and kept in force under section 72 of the *Fisheries Act*), or the holder of a licence granted under the *Fisheries Act*, who held the licence before the publication of a notice under section 12, may, together with any persons who assist or work for the holder, enter and fish the area of closed seas referred to in that notice.'

"(2) The amendment referred to in subsection (1) shall come into operation on the commencement of the *Fisheries Act 1988*."

Proposed new clause -

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

"8. AMENDMENTS AS CONSEQUENCE OF PASSING OF *NORTHERN TERRITORY UNIVERSITY ACT*

"(1) Subject to subsection (2), the provisions of the Acts and Regulations specified in Schedule 3 are amended as provided in that Schedule.

"(2) The amendments referred to in subsection (1) shall come into operation on 1 January 1989."

Schedule 1 read -

Mr Manzie moved the following amendment -

Insert before the item relating to the *Medical Services Act* the following:

"*Local Government Act*

Section 4 (definition of 'Commissioner')	'Division 6'	'Division 6 or a person appointed under section 296(1) (e), as the case requires'
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Heading to Division 2 of Part IV	'Specific'	".
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Amendment agreed to.

Mr Manzie moved the following further amendment -

Insert before the item relating to the *Plumbers and Drainers Licensing Act* the following:

"*Motor Vehicles Act*

section 9	subsections (3), 3(A), (3B), (4) and (5)
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section 10A	subsections (3), (4), (5) and (6)
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sections 107, 107A, 107B and 114	the whole section	".
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Amendment agreed to.

Mr Manzie moved the following further amendment -

Insert before the item relating to the *Summary Offences Act* the following:

"*Small Claims
Amendment
Act 1988*

Section 7	'\$3,000'	'\$5,000'
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Section 16	from proposed section 30A(2) (a), (b) and (f) '(other than the claimant)'	".
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Amendment agreed to.

Schedule 1, as amended, agreed to.
 Schedule 2 agreed to.
 Proposed new schedule -
 On the motion of Mr Manzie the following new schedule was added to the Bill -

"SCHEDULE 3

Section 8 (1)

AMENDMENTS OF ACTS AND REGULATIONS

Provision	Amendment	
	omit	substitute
<i>Industry and Employment Training Act</i>		
Section 3	the definition of 'Darwin Institute of Technology'	
Section 19(2)(b)	'Darwin Institute of Technology'	'Institute of Technology and Further Education established under the <i>Northern Territory University Act</i> '
<i>Menzies School of Health Research Act</i>		
Section 3	the definition of 'College'	
	the definition of 'School'	'"Northern Territory University" means the University established by that name by the <i>Northern Territory University Act</i> '
		'"School" means the Menzies School of Health Research established by section 4(1);'
Section 5(e)	'College'	'Northern Territory University'
Section 6(e)	'College'	'Northern Territory University'

SCHEDULE 3 - continued

Provision	Amendment	
	omit	substitute
Nursing Regulations		
Regulations 13(1) (a)(ii)	'Darwin Institute of Technology'	'Institute of Technical and Further Education established under the <i>Northern Territory University Act</i> (or, in relation to a time earlier than 1 January 1989, the Darwin Institute of Technology)'
Superannuation Regulations		
Regulation 4(1)	paragraphs (a) and (b)	'(a) the Northern Territory University established by the <i>Northern Territory University Act</i> ;' "

Title agreed to.
Bill to be reported with amendments.

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

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

13. LIQUOR AMENDMENT BILL (No.3) 1988 (Serial 145):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Bill, by leave, taken as a whole.

Proposed new clause -

The Member for Macdonnell (Mr Bell) moved - That the following new clause be inserted in the Bill -

"6. NEW SECTION

"The *Liquor Act* is amended by inserting after section 101 the following:

'101A. APPEAL FROM DECISION OF MINISTER

'(1) A person aggrieved by a decision of the Minister under section 100A or 101 may, within 28 days after being notified of that decision, appeal to the Supreme Court.

'(2) The Supreme Court on the hearing of an appeal under subsection (1) may -

- (a) confirm the decision of the Minister; or
- (b) substitute its own decision for that of the Minister.

'(3) Where an appeal under this section is in respect of a decision of the Minister under section 101 not to approve the sale or return of a vehicle, vessel or aircraft, the Chairman shall not, while the appeal is pending, destroy or otherwise dispose of the vehicle, vessel or aircraft under that section.'."

Debate ensued.

Proposed new clause negatived.

Question - That the Bill stand as printed - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 18

NOES, 5

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

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Tipiloura

And so it was resolved in the affirmative.
Bill to be reported without amendment.

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

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

14. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.13 p.m. until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 23 November 1988:

Community Government Scheme:

Daguragu

Hospital Management Board:

Gove District Hospital, 1987-88

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ATTENDANCE:

All Members except Mr Smith attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 56

Thursday 24 November 1988

1. MEETING:

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

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Dale: To present the Poisons and Dangerous Drugs Amendment Bill 1988 (Serial 86); and the Prisoners (Interstate Transfer) Amendment Bill 1988 (Serial 154).

Mr Harris: To present the Education Amendment Bill (No.2) 1988 (Serial 161).

4. QUESTIONS:

Questions were asked of Ministers.

Papers tabled: The Minister for Health and Community Services (Mr Dale) laid on the Table the following papers:

- Letter, Mr Danny Sim, Director, Film North Productions to Mr Dale, dated 24 November 1988
- Press release by Mr Enzo Floreani, Member for Flynn, dated 20 October 1988

Answers to questions: The Chief Minister (Mr Perron) answered a question asked at an earlier sitting.

Paper tabled: Mr Perron tabled a written response to the question.

The Minister for Transport and Works (Mr Finch) also answered a question asked at an earlier sitting.

5. EXOTIC DISEASES - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Health and Community Services (Mr Dale) made a statement relating to surveillance, prevention and control of exotic diseases in the Northern Territory.

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

Debate ensued.

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

Debate resumed.

Question - put and passed.

6. STATEMENT BY MEMBER - LEAVE REFUSED:

The Leader of the Opposition (Mr Smith) asked leave to make a statement on his recent trip to Canberra.

Objection being raised, leave not granted.

7. KAKADU NATIONAL PARK, STAGE III - MINISTERIAL STATEMENT AND PAPER - STATEMENT AND PAPER NOTED:

The Minister for Conservation (Mr Manzie) made a statement relating to the possible inclusion of Kakadu National Park, Stage III on the World Heritage List.

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

- ° The Northern Territory Government Submission to the World Heritage Committee.

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

Debate ensued.

Question - put and passed.

8. MATTER OF PUBLIC IMPORTANCE - HEALTH AND COMMUNITY NEEDS:

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

"the failure of the Government throughout 1988 to provide for the health and community needs of the people of the Northern Territory".

The proposed discussion having received the necessary support -

The Speaker called on Mr Bell to address the Assembly.

Discussion ensued.

The Minister for Health and Community Services (Mr Dale), by leave, had that part of his speech which he was unable to make at the expiration of the time allotted, incorporated in **Hansard**.

Discussion continued.

Discussion concluded.

9. HEALTH PRACTITIONERS AND ALLIED PROFESSIONALS REGISTRATION AMENDMENT BILL 1988 (Serial 148):

The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the *Health Practitioners and Allied Professionals Registration Act*.

Bill read a first time.

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

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

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

The Minister for Transport and Works (Mr Finch), pursuant to notice, presented a Bill for an Act to amend the *Petroleum Products Subsidy Act*.

Bill read a first time.

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

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

11. CRIMES (FORFEITURE OF PROCEEDS) BILL 1988 (Serial 149):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

12. HOUSING AMENDMENT BILL 1988 (Serial 153):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

13. ADJOURNMENT:

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

Debate ensued.

Paper tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table the following paper:

° list of alleged Colonia Dignidad members.

Question - put and passed.

The Assembly adjourned at 8.45 p.m. until Tuesday 29 November 1988 at 10.00 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 24 November 1988:

Annual Report:

Northern Territory Racing, Gaming and Liquor Commission, 1987-88

Territory Parks and Wildlife Conservation Act:

Arltunga Historical Reserve Plan of Management

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 57

Tuesday 29 November 1988

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mr Hatton presented a petition from 341 citizens of the Northern Territory concerning funding cuts to Darwin Public Libraries.

Petition read.

Mr Perron presented a further petition from 469 citizens in terms similar to the preceding petition.

Mr Smith presented a further petition from 379 citizens in terms similar to the preceding petition.

Mr Smith presented a petition from 835 citizens of the Northern Territory relating to an appointment of a Women's Advisor.

Petition read.

4. NOTICES:

The following notices were given:

Mr Ede: To move -

That this Assembly -

- (1) draws the attention of the government to the plight of the buffalo and cattle industries consequent upon the Brucellosis and Tuberculosis Eradication Campaign;
- (2) advises the Minister for Primary Industry and Fisheries of the widespread concern and anger over mismanagement and inequities within the Brucellosis and Tuberculosis Eradication Campaign; and
- (3) calls upon the government to take urgent steps, including changes to the fundamental aims of BTEC, to save the remnants of the buffalo industry and the livelihood of Pastoralists.

Mr Perron: To present the Police Administration Amendment Bill (No.2) 1988 (Serial 110); the Justices Amendment Bill (No.2) 1988 (Serial 107); the Bail Amendment Bill (No.2) 1988 (Serial 109); and the Business Franchise Amendment Bill (No.2) 1988 (Serial 162).

Mr Smith: To move -

That this Assembly -

RECOGNISING that every individual has the right to know what information the government holds concerning her or him;

RECOGNISING that every person has the right to evaluate what the government has done; and

RECOGNISING that every citizen has the right to participate in what the government proposes to do,

urges the government, as the first step in attaining these rights, to give every person a legal right to gain information held on them in documentary form which is in the possession of Ministers or of the departments and statutory authorities of the government.

Mr Reed: To present the Plant Diseases Control Amendment Bill 1988 (Serial 155).

5. FILMING IN THE CHAMBER - STATEMENT BY THE SPEAKER:

The Speaker advised Members that Film North would be filming for library footage in the Chamber this morning for the Channel 10 network.

6. QUESTIONS:

Questions were asked of Ministers.

7. AIDS, DISCUSSION PAPER - PAPER TABLED - MOTION TO NOTE PAPER:

The Minister for Health and Community Services (Mr Dale) laid on the Table the following paper: AIDS: a Time to Care, a Time to Act - Towards a strategy for Australians.

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

Debate ensued.

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

8. DE FACTO RELATIONSHIPS - PAPER TABLED - MOTION TO NOTE PAPER:

The Attorney-General (Mr Manzie) laid on the Table the report of the Northern Territory Law Reform Committee on De Facto Relationships.

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

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

9. DARWIN AND ALICE SPRINGS AIRPORTS, REDEVELOPMENT - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Transport and Works (Mr Finch) made a statement relating to the upgrading of the Darwin and Alice Springs Airports.

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

Debate ensued.

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

Debate resumed.

Paper tabled: The Minister for Transport and Works (Mr Finch), by leave, laid on the Table the following paper:

° Letter, G. Martin to Editor, Sunday Territorian,
27 November 1988.

Question - put and passed.

10. LAND DEGRADATION - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Minister for Lands and Housing (Mr Manzie) made a statement relating to land degradation in the Northern Territory.
Paper tabled: Mr Manzie laid on the Table the following paper:
- ° photograph depicting a regenerated area of the Marrakai Plain.
- Mr Manzie moved - That the Assembly take note of the statement.
Debate ensued.
Question - put and passed.
11. NORTHERN TERRITORY OFFSHORE FISHERY - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Minister for Primary Industry and Fisheries (Mr Reed) made a statement relating to the Northern Territory Offshore Fishery and the establishment of a substantive onshore fish processing industry.
Mr Reed moved - That the Assembly take note of the statement.
Debate ensued.
Question - put and passed.
12. MATTER OF PUBLIC IMPORTANCE - STATUS OF WOMEN:
The Speaker informed the Assembly that the Leader of the Opposition (Mr Smith) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:
- "the indifference of this government to the status of women and the limitation placed on their access to government by the Chief Minister's refusal to appoint a Women's Advisor".
- The proposed discussion having received the necessary support -**
The Speaker called on Mr Smith to address the Assembly.
Discussion ensued.
Discussion concluded.
13. UNLAWFUL BETTING BILL 1988 (Serial 159):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to make special provision relating to unlawful betting and for related purposes.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
14. RACING AND BETTING AMENDMENT BILL 1988 (Serial 157):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Racing and Betting Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
15. LISTENING DEVICES BILL 1988 (Serial 158):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to regulate the use of listening devices and for related purposes.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

16. POISONS AND DANGEROUS DRUGS AMENDMENT BILL 1988 (Serial 86):

The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the *Poisons and Dangerous Drugs Act*.

Bill read a first time.

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

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

- Scientific American, October 1988.

Debate ensued.

Papers tabled: The Member for Barkly (Mr Tuxworth), by leave, laid on the Table the following papers:

- 'AIDS concern right', NT News, 19 August 1988
- 'Heroin plan still "in early stages"', NT News, 10 June 1988
- 'The proposal to make heroin available legally to intravenous drug abusers' by David Hawks, Medical Journal of Australia, 7 November 1988
- 'AIDS - the tougher options', editorial, The Courier-Mail
- 'Quarantine considered for AIDS victims', The Australian, 23 November 1988
- 'No comment on AIDS test', NT News, 20 November 1988
- 'Needle exchange to fight AIDS', NT News, 20 November 1988

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

17. PRISONERS (INTERSTATE TRANSFER) AMENDMENT BILL 1988 (Serial 154):

The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the *Prisoners (Interstate Transfer) Act*.

Bill read a first time.

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

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

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

The Minister for Education (Mr Harris), pursuant to notice, presented a Bill for an Act to amend the *Education Act*.

Bill read a first time.

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

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

19. STREHLOW RESEARCH CENTRE BILL 1988 (Serial 142):

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.

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

Omit all words after "That", and insert in their stead "the Bill be not further considered until the Minister for Conservation lays upon the Table the documents which comprise the 'agreement' and which are listed in the Schedule to the Bill, excluding the inventories contained in the Agreement referred to in section 19(2) of the Bill".

Debate continued.

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

° letter, Mr N.R. Bell, MLA to the Hon D.W. Manzie, MLA, Attorney-General, dated 25 November 1988.

Debate continued.

And the Assembly having continued to sit until 12 midnight -

WEDNESDAY 30 NOVEMBER 1988, A.M.

Debate continued.

Question - That the amendment be agreed to - put.

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

AYES, 5

NOES, 14

Mr Bell
Mr Collins
Mr Ede
Mrs Padgham-Purich
Mr Smith

Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

And so it was resolved in the negative.

Question - That the Bill be now read a second time - put and passed.

Leave not granted: The Attorney-General (Mr Manzie) sought leave to move a motion - That the Bill be now read a third time forthwith.

Objection being raised, leave not granted.

In the Committee
(Chairman - Mr Dondas)

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 read -

Debate ensued.

The Attorney-General (Mr Manzie) moved - That so much of Standing Orders be suspended as would prevent the remainder of the Bill being taken as a whole and moved - That the question be now put.

Question - That the question be now put - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 14

NOES, 5

Mr Dale
Mr Dondas
Mr Finch
Mr Firmin

Mr Bell
Mr Collins
Mr Ede
Mrs Padgham-Purich

Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Smith

And so it was resolved in the affirmative.

Question - That so much of Standing Orders be suspended as would prevent the remainder of the Bill being taken as a whole - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 14

NOES, 5

Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bell
Mr Collins
Mr Ede
Mrs Padgham-Purich
Mr Smith

And so it was resolved in the affirmative.

Question - That the remainder of the Bill stand as printed.

Debate ensued.

The Chief Minister (Mr Perron) moved - That the question be now put.

Question - That the question be now put - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 14

NOES, 5

Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bell
Mr Collins
Mr Ede
Mrs Padgham-Purich
Mr Smith

And so it was resolved in the affirmative.

Question - That the remainder of the Bill stand as printed - put and passed.

Bill to be reported without amendment.

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

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

Debate ensued.

Question - put and passed.

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

20. ADJOURNMENT:

The Chief Minister (Mr Perron) moved - That the Assembly do now adjourn.

Debate ensued.

Papers tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table the following papers:

- ° Letter, Willowra School Council to Hon T. Harris, MLA, dated 24 November 1988
- ° Letter, Lisa Watts to Hon T. Harris, MLA, dated 12 November 1988

Question - put and passed.

The Assembly adjourned at 2.24 a.m. until 10 a.m. this day.

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PAPERS:

The following paper was deemed to have been presented on 29 November 1988:

Financial Statement:

Darwin Omnibus Service, 1987-88

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ATTENDANCE:

All Members except Mr Tipiloura attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 58

Wednesday 30 November 1988

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mr Coulter presented a petition from 42 citizens of the Northern Territory concerning the showing of the film "The Last Temptation of Christ".

Petition read.

Mr Smith presented a petition from 81 citizens of the Northern Territory relating to the appointment of a Women's Advisor.

Petition read.

4. PERSONAL EXPLANATIONS:

The Member for Barkly (Mr Tuxworth), by leave, made a personal explanation relating to comments made by the Minister for Health and Community Services (Mr Dale) during debate on the Poisons and Dangerous Drugs Amendment Bill 1988 (Serial 154) earlier this sitting.

Mr Dale, by leave, made a personal explanation relating thereto.

5. NOTICE:

The following notices was given:

Mr Manzie: To present the Oaths Amendment Bill (No.2) 1988 (Serial 163).

6. QUESTIONS:

Questions were asked of Ministers.

Papers tabled: The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) laid on the Table the following papers:

- Letter, Linda Huddleston, Bureau of the Northern Land Council to Eric Roberts, dated 16 November 1988
- Permit, issued to Mr Don Dunstan by Henry Ponto, representative of the Northern Land Council at Ngukurr Community, dated 7 November 1988

Further questions were asked of Ministers.

7. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - EIGHTH REPORT:

The Member for Jingili (Mr Setter) laid on the Table the Eighth Report of the Subordinate Legislation and Tabled Papers Committee.

8. MENZIES SCHOOL OF HEALTH RESEARCH, ANNUAL REPORT 1987-88 - PAPER TABLED - MOTION TO NOTE PAPER:

The Minister for Education (Mr Harris) laid on the Table the Menzies School of Health Research, Annual Report for 1987-88.

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

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

9. EAST TIMOR - VISIT BY CHIEF MINISTER - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Chief Minister (Mr Perron) made a statement relating to the recent visit by a Northern Territory Delegation led by the Chief Minister to East Timor.

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

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

10. CROCODILE INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Conservation (Mr Manzie) made a statement relating to the future operation of the crocodile industry in the Northern Territory.

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

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

11. BUSINESS POSTPONED:

The Leader of Government Business (Mr Coulter) moved - That intervening business be postponed till after consideration of the Order of the Day, Government Business, relating to the visit of the Chief Minister to East Timor.

Debate ensued.

Question - put.

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

AYES, 14

NOES, 10

Mr Coulter

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mr Palmer

Mr Perron

Mr Poole

Mr Reed

Mr Setter

Mr Bell

Mr Collins

Mr Ede

Mr Floreani

Mr Lanhupuy

Mr Leo

Mrs Padgham-Purich

Mr Smith

Mr Tipiloura

Mr Tuxworth

And so it was resolved in the affirmative.

12. EAST TIMOR - VISIT BY CHIEF MINISTER - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Perron) (30 November 1988) - That the Assembly take note of the statement -

Debate ensued.

On the motion of the Minister for Labour, Administrative Services and Local Government (Mr McCarthy) debate was adjourned.

Suspension of sitting: The sitting was suspended between 12.10 p.m. and 2.15 p.m.

13. BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN - MOTION NEGATIVED:
The Deputy Leader of the Opposition (Mr Ede), pursuant to notice, moved -
That this Assembly -

- (1) draws the attention of the government to the plight of the buffalo and cattle industries consequent upon the Brucellosis and Tuberculosis Eradication Campaign;
- (2) advises the Minister for Primary Industry and Fisheries of the widespread concern and anger over mismanagement and inequities within the Brucellosis and Tuberculosis Eradication Campaign; and
- (3) calls upon the government to take urgent steps, including changes to the fundamental aims of BTEC, to save the remnants of the buffalo industry and the livelihood of Pastoralists.

Debate ensued.

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

- ° costs incurred by the Klines caused by mismanagement of BTEC.

Debate continued.

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

- ° Letter, Hon M. Reed, MLA to Mr B. Ede, MLA dated 12 October 1988
- ° Letter, Mr B. Ede, MLA to Hon M. Reed, MLA dated 11 November 1988

Debate continued.

Question - put and negatived.

14. GOVERNMENT-HELD INFORMATION AND CITIZENS' RIGHTS - MOTION NEGATIVED:
The Leader of the Opposition (Mr Smith), pursuant to notice, moved - That
this Assembly -

RECOGNISING that every individual has the right to know what information the government holds concerning her or him;

RECOGNISING that every person has the right to evaluate what the government has done; and

RECOGNISING that every citizen has the right to participate in what the government proposes to do,

urges the government, as the first step in attaining these rights, to give every person a legal right to gain information held on them in documentary form which is in the possession of Ministers or of the departments and statutory authorities of the government.

Debate ensued.

Question - put and negatived.

15. HERITAGE PRESERVATION (INTERIM ARRANGEMENTS) BILL 1988 (Serial 133):
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.
The Leader of Government Business (Mr Coulter) moved - That the debate be adjourned.
Question - put.
The Assembly divided (the Speaker, Hon R.W.S. Vale, in the Chair) -

AYES, 12

NOES, 8

Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Poole
Mr Reed
Mr Setter

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Tuxworth

And so it was resolved in the affirmative.

16. JUVENILE JUSTICE AMENDMENT BILL 1988 (Serial 131):
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.
The Leader of Government Business (Mr Coulter) moved - That the debate be adjourned.
Question - put.
The Assembly divided (the Speaker, Hon R.W.S. Vale, in the Chair) -

AYES, 16

NOES, 4

Mr Bell
Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Collins
Mr Floreani
Mrs Padgham-Purich
Mr Tuxworth

And so it was resolved in the affirmative.

17. REAL PROPERTY AMENDMENT BILL (No.2) 1988 (Serial 140):

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.

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

AYES, 4

NOES, 13

Mr Collins
Mr Floreani
Mrs Padgham-Purich
Mr Tuxworth

Mr Coulter
Mr Dale
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter

And so it was resolved in the negative.

18. DISCHARGE OF GENERAL BUSINESS - ORDER OF THE DAY:

The Member for Sadadeen (Mr Collins), by leave, moved - That General Business, Order of the Day No.4 relating to the Aboriginal Sacred Sites Amendment Bill 1988 (Serial 139) be discharged from the Notice Paper.

Question - put and passed.

19. PUBLIC ACCOUNTS COMMITTEE, ANNUAL REPORT 1987-88 - PAPER NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Member for Karama (Mr Palmer) (25 August 1988) - That the Assembly take note of the paper -

Question - put and passed.

20. PUBLIC ACCOUNTS COMMITTEE - SIXTH REPORT - PUBLIC ADMINISTRATION AND RECURRENT EXPENDITURE (WASTE-WATCH) - PAPER NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Member for Karama (Mr Palmer) (13 October 1988) - That the Assembly take note of the paper -

Question - put and passed.

21. SUSPENSION OF STANDING ORDERS - TAKE THREE BILLS TOGETHER:

The Chief Minister (Mr Perron) moved - That so much of Standing Orders be suspended as would prevent three Bills namely: the Police Administration Amendment Bill (No.2) 1988 (Serial 110); the Justices Amendment Bill (No.2) 1988 (Serial 107); and the Bail Amendment Bill (No.2) 1988 (Serial 109) -

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

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

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

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

The Chief Minister (Mr Perron), pursuant to notice and resolution, presented a Bill for and Act to amend the *Police Administration Act*; a Bill for an Act to amend the *Justices Act*; and a Bill for an Act to amend the *Bail Act*.

Bills read a first time.

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

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

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

The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for and Act to amend the *Business Franchise Act*.

Bill read a first time.

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

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

24. PLANT DISEASES CONTROL AMENDMENT BILL 1988 (Serial 155):

The Minister for Primary Industry and Fisheries (Mr Reed), pursuant to notice, presented a Bill for and Act to amend the *Plant Diseases Control Act*.

Bill read a first time.

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

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

25. ADJOURNMENT:

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

Debate ensued.

Paper tabled: The Member for Barkly (Mr Tuxworth), by leave, laid on the Table the following paper:

- ° Report on Study Tour on Leave of Law Enforcements Training Centres, Maximum Security Prisons, Operational Units and Armed Forces Depots, by Des Morrison, 12 July 1988 to 20 October 1988.

Question - put and passed.

The Assembly adjourned at 11.28 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 30 November 1988:

Annual Reports:

Conservation Commission of the Northern Territory, 1987-88 (Ninth)
Department of Health and Community Services, 1987-88

Territory Parks and Wildlife Conservation Act:
Alice Springs Telegraph Station Historical Reserve Plan of
Management

=====

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 59

Thursday 1 December 1988

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mr Setter presented a petition from 719 citizens of the Northern Territory concerning the showing of the film "The Last Temptation of Christ".

Petition read.

Mr Bell presented a petition from 166 citizens of Tennant Creek relating to a voluntary code of ethics for strip and lingerie shows.

Petition read.

4. QUESTIONS:

Questions were asked of Ministers.

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

- ° letter, R. Humeniuk, Buildings Officer, Department of Transport and Communications, South Australia/Northern Territory Region to the Executive Officer, Department of Transport and Works, dated 1 December 1988.

Further questions were asked of Ministers.

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

The Minister for Health and Community Services (Mr Dale) answered a further question asked earlier these sittings.

Mr Finch answered a question asked earlier these sittings.

The Minister for Lands and Housing (Mr Manzie) answered a question asked earlier these sittings relating to the Home Ownership Scheme.

5. WARRANT, DEPUTY CHAIRMAN OF COMMITTEES - APPOINTMENT - PAPER TABLED:

The Speaker laid on the Table the following warrant:

WARRANT

Pursuant to the provisions of Standing Order 12, I hereby nominate the Member for Nightcliff, Mr S.P. Hatton, to act as a Deputy Chairman of Committees when requested so to do by the Chairman of Committees.

GIVEN under my hand this 24th day of November One thousand nine hundred and eighty-eight.

(Sgd) R.W.S. Vale
Speaker

6. BUSINESS POSTPONED:

The Leader of Government Business (Mr Coulter) moved - That intervening business be postponed till after consideration of Government Business, Notice No.1, relating to the presentation of the Oaths Amendment Bill (No.2) 1988 (serial 163).

Question - put and passed.

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

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Oaths Act*.

Bill read a first time.

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

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

8. NEXT MEETING:

The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 14 February 1989 at 10.00 a.m. or such other time and/or date as may be set by the Speaker pursuant to Sessional Order.

Question - put and passed.

9. BATCHELOR COLLEGE - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Education (Mr Harris) made a statement relating to the future direction of Batchelor College.

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

Debate ensued.

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

On the motion of the Minister for Labour, Administrative Services and Local Government (Mr McCarthy) debate was adjourned.

10. DROVING AUSTRALIA - STATEMENT:

The Minister for Primary Industry and Fisheries (Mr Reed), by leave, made a statement relating to the Droving Australia Bicentennial Project.

Mr Reed presented the Speaker with a Brahman hide as a memento of the project.

The Member for Barkly (Mr Tuxworth), by leave, made a statement relating thereto.

11. PRIVILEGES COMMITTEE - CHANGE IN MEMBERSHIP - MOTION AGREED TO:

The Speaker advised Members that he had received a letter from the Chief Minister (Mr Perron) requesting that he be discharged from further attendance upon the Committee of privileges.

The Leader of Government Business (Mr Coulter), by leave, moved - That Mr Perron be discharged from further attendance on the Committee of Privileges and that the Member for Sanderson (Mr Manzie) be appointed to that Committee.

Question - put and passed.

12. WORLD EXPO, BRISBANE 1988 - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Industries and Development (Mr Coulter) made a statement relating to the Northern Territory's participation at the World Expo in Brisbane.

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

Debate ensued.

Question - put and passed.

13. OVERSEAS VISIT BY DEPUTY CHIEF MINISTER - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Deputy Chief Minister (Mr Coulter) made a statement relating to his travel overseas from 6 November to 22 November 1988 and prospects for foreign investment in the Northern Territory.
Mr Coulter moved - That the Assembly take note of the statement.
Debate ensued.
Question - put and passed.
14. TRADE DEVELOPMENT ZONE AUTHORITY MARKETING AND PROMOTION ACTIVITIES - REPORT BY MR F. SIMPSON - PAPER TABLED - PAPER NOTED:
The Minister for Industries and Development (Mr Coulter) laid on the Table the following paper: Review of Trade Development Zone Authority Marketing and Promotion Activities October 1988 by Fergus Simpson and Associates.
Mr Coulter moved - That the Assembly take note of the paper.
Debate ensued.
Question - put and passed.
15. GAS FIRED POWER STATION - STATEMENT - PAPER TABLED:
The Leader of the Opposition (Mr Smith), by leave, made a statement and tabled the following paper: Gas fired power station for Darwin, Katherine Advertiser dated 1 May 1980.
16. CANCER (REGISTRATION) BILL 1988 (Serial 160):
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.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Health and Community Services (Mr Dale) the Bill was read a third time and passed to be a proposed law.
17. PERSONAL EXPLANATION:
The Member for Sadadeen (Mr Collins), by leave, made a personal explanation relating to comments made by the Minister for Health and Community Services (Mr Dale) earlier this day.
18. GAS FIRED POWER STATION - STATEMENT:
The Leader of Government Business (Mr Coulter), by leave, made a statement relating to the statement made and newspaper article tabled earlier this day by the Leader of the Opposition (Mr Smith).
19. FISHERIES BILL 1988 (Serial 151):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

Bill, by leave, taken as a whole.

The Minister for Primary Industry and Fisheries (Mr Reed), by leave, moved - That the following amendments contained in schedules 56 and 57 be taken together -

Clause 10 -

Omit the clause.

Clause 12 -

Omit from subclause (9) "under subsections (7) or (8)".

Clause 13 -

Omit subclause (2) and insert in its stead the following:

"(2) Notwithstanding subsection (1), the Director may receive and process an application for the renewal of a licence at any time before the expiration of the period of 6 months after the licence has expired and -

- (a) for that purpose;
- (b) for the purposes of preventing the applicant from committing an offence by being in possession of any proscribed fishing gear without a licence; and
- (c) for the calculation of any fee payable,

only, but not for the purpose of operating the licence, the licence shall be deemed not to have expired until the expiration of that period of 6 months.

"(2A) Subsection (2) applies only to a licence or that part of a licence that authorizes fishing in -

- (a) a limited entry fishery (but subject to the provisions of any management plan); or
- (b) a managed fishery."

Omit from subsection (3) ", where relevant, the maximum number of licences fixed in respect of a limited entry fishery has not been reduced," and insert "nothing in an instrument of a legislative or administrative character made under this Act prevents it,".

Clause 19 -

Omit "or" from subclause (2) and insert "on".

Clause 21 -

Omit from subclause (1) "the registered owner of a vessel" and insert "the owner of a registered vessel".

Omit from subclause (1) the word "boat" and insert "vessel".

Clause 26 -

Insert in subclause (3) after "and" the words ", after advising any relevant advisory committee of any amendments and the reasons for them,".

Clause 31 -

Insert after subclause (1)(a) the following:

"(aa) require a person to unlock any locked vehicle, vessel, premises, or place, or locked container, cupboard, drawer, chest, trunk, box, cage, or other receptacle, if the person is the owner of, is in possession of, or is the person who locked the item required to be unlocked, and is in the immediate vicinity;".

Insert in subclause (1)(b) after "tests" the words ", in the prescribed manner".

Omit from subclause (1)(d) the expression "(b)" and insert "(c)".

Omit from subclause (2) the expression "(b)" and insert "(aa), (c),".

Clause 33 -

Omit from subclause (9) the expression "(7)" and insert "(8)".

Clause 34 -

Omit from subclause (7) all the words after "made" and insert "no later than 30 days after the day on which the property is seized".

Insert after subclause (9) the following:

"(9A) A person convicted of an offence against this Act shall be liable to pay to the Crown the reasonable costs of handling, securing, maintaining, and storing property seized under subsection (1) in relation to the offence, which costs may be assessed by the convicting court and collected in like manner to a monetary penalty.".

Clause 35 -

Omit from subclause (1) the word "brought" and insert "bought".

Clause 41 -

Omit "the registered owner of a vessel" and insert "the owner of a registered vessel".

Clause 45 -

Omit "prescribed" from subclause (6).

Insert after subclause (7) the following:

"(8) Evidence that fish or aquatic life was on display in a shop is evidence that the fish or aquatic life was offered for sale."

Clause 46 -

Omit the heading to clause 46 and insert "LIABILITY OF DIRECTORS, MANAGERS, AND LICENSEES".

Clause 47 -

Omit from subclause (1) all the words after "shall" and insert " -

- (a) where the vessel is a foreign boat - be forfeit to the Crown; and
- (b) in any other case - be forfeit to the Crown unless the court, for special reasons relating to the offence, thinks fit to order otherwise,

and disposed of as the Minister thinks fit".

Clause 48 -

Insert in subclause (2)(j) after "licensees," the words "persons working with or for licensees,".

Insert in the same subclause after "fish" the words ", or make, repair, or sell gillnet".

Insert after subclause (2)(k) the following:

"(ka) hygiene on vessels and in the use of plant, fishing gear, containers, equipment, and vehicles;".

Omit from subclause (2)(p) "or a licence or permit granted".

Insert after subclause (2)(p) the following:

"(pa) prohibiting or regulating the granting, renewal, or transfer of licences (in whole or in part), determining the number of licences that may be granted in respect of any fishery or the number of persons that may fish in a fishery, and specifying the conditions subject to which a licence may be granted, renewed, or transferred;".

Clause 49 -

Omit from paragraph (a) the words "forfeiture (both with and without compensation), revocation" and insert "revocation (both with and without compensation), forfeiture, and".

Clause 52 -

Omit subclause (2)(b).

Clause 54 -

Omit from subclause (1) all the words after "Aboriginals" and insert "who have traditionally used the resources of an area of land or water in a traditional manner from continuing to use those resources in that area in that manner."

Clause 56A -

Omit "CONVERSTION" from the heading and insert "CONVERSION".

Clause 57 -

Insert in subclause (3) after "licensee" the words "or the owner of a registered vessel" and after "licensee's" the words "or owner's".

Clause 71 -

Omit subclause (6) and insert the following:

"(6) Regulations made under the Repealed Acts and in force as at the commencement of this Act shall continue to remain in force as if they had been made under this Act.

"(6A) An arrangement made, a Joint Authority established, or other thing done under Part IIIA of the *Fish and Fisheries Act* and in existence or having effect as at the commencement of this Act shall be deemed to have been made, established, or done under Part VI of this Act, and shall exist and have effect accordingly.

"(6B) Leases granted under the *Pearling and Pearl Culture Ordinance 1964* and saved under section 4(1) of the *Fish and Fisheries Act* and in force as at the commencement of this Act shall remain in force until they would otherwise expire."

Schedule 1 -

Omit "(No 2) 1984" and insert "1984".

Schedule 2 -

Omit from clause 2(c) the words "fish, aquatic life, or seaweed" and insert "fish or aquatic life".

Amendments agreed to.
Bill, as amended, agreed to.
Bill to be reported with amendments.

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

On the motion of the Minister for Primary Industry and Fisheries (Mr Reed) the Bill was read a third time and passed to be a proposed law.

20. WOMEN LIVING IN REMOTE AREAS OF THE NORTHERN TERRITORY - PAPER NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Member for Nightcliff (Mr Hatton) (23 September 1987) - That the Assembly take note of the paper -

Debate resumed.

Paper tabled: The Chief Minister (Mr Perron) laid on the Table the following paper:

- Northern Territory Government Response to Recommendations of the Report on the Study of Women Living in Remote Areas of the Northern Territory.

Debate continued.

Question - put and passed.

21. COMMITTEE OF PRIVILEGES REPORT - STATEMENT MADE BY MEMBER FOR BARKLY, 7.30 REPORT ON 25 FEBRUARY 1988 - REPORT ADOPTED:

The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Perron) (16 August 1988) - That the Assembly adopt the Report -

Debate resumed.

Question - put and passed.

22. PERSONAL EXPLANATION:

The Member for Barkly (Mr Tuxworth), by leave, made a personal explanation relating to comments made by the Chief Minister (Mr Perron) during debate on the Committee of Privileges Report.

The Leader of the Opposition (Mr Smith), and the Chief Minister (Mr Perron), by leave, made statements relating thereto.

23. ABORIGINAL AND TORRES STRAIT ISLANDERS - PROPOSED COMMISSION - MINISTERIAL STATEMENT - STATEMENT NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Member for Nightcliff (Mr Hatton) (26 May 1988) - That the Assembly take note of the statement -

Debate resumed.

Suspension of Standing Orders: The Chief Minister (Mr Perron) moved - That so much of Standing orders be suspended as would prevent Mr Hatton from completing his speech.

Debate continued.

Question - put and passed.

24. TOWARDS THE 90s VOLUME II AND ASSOCIATED PAPERS - PAPERS NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Minister for Education (Mr Harris) (24 August 1988) - That the Assembly take note of the paper -

Debate resumed.

Question - put and passed.

25. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 9.46 p.m. until Tuesday 14 February 1989 at 10.00 a.m. or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 1 December 1988:

Annual Reports:

Department of Mines and Energy, 1987-88

Legislative Assembly Members' Superannuation Trust, 1987-88

Northern Territory Government and Public Authorities Employers' Superannuation Trust Fund, 1987-88

Northern Territory Government and Public Authorities Superannuation Scheme, 1987-88

Northern Territory Totalizator Administration Board, 1987-88

Northern Territory Tourist Commission, 1987-88

Public Service Commissioner for the Northern Territory, Department of Labour and Administrative Services, 1987-88

Territory Loans Management Corporation, 1987-88

Trade Development Zone, 1987-88

Regulations 1988:

No.47 - Amendment of the Abattoirs and Slaughtering Regulations

No.48 - Amendments of Stock Diseases Regulations

No.49 - Amendment of Home Purchase Assistance Scheme Regulations

No.50 - Northern Territory Interest Subsidy Scheme Regulations

No.51 - Amendments of the Education (School Councils) Regulations

Remuneration Tribunal:

Report and Recommendation No.3 of 1988 - Allowance for Acting Chief Justice of Supreme Court of the Northern Territory

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ATTENDANCE:

All Members attended the sitting.

H.G. SMITH

Clerk of the Legislative Assembly

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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