

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 14

Tuesday 28 July 1987

1. MEETING:

The Assembly met at 10.00 a.m., according to order of the Speaker, the Honourable R.W.S. Vale, pursuant to Sessional Order. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. MESSAGE FROM HER MAJESTY THE QUEEN - ADDRESS-IN-REPLY - PAPER TABLED:

Mr Speaker informed the Assembly that he had received the following letter from Mr Kenneth Scott, C.M.G., Assistant Private Secretary to Her Majesty the Queen, which he laid on the Table -

Dear Mr Speaker

I am commanded by The Queen to ask you to convey to the Legislative Assembly of the Northern Territory an expression of Her Majesty's sincere thanks for their kind and loyal message of greetings, sent on the occasion of the Opening of the First Session of the Fifth Assembly.

Her Majesty much appreciated this message.

Yours sincerely,
(Sgd) KENNETH SCOTT
29 June 1987

4. PETITION:

Mr Leo, by leave, presented a petition not conforming with Standing Orders from 394 citizens of the Northern Territory praying that expenditure cuts will not affect the quality of education and educational services in Nhu lunbuy.

Petition read.

5. NOTICE:

The following notice was given:

Mr Smith: To move -

- (1) That this Assembly censures the Chief Minister for -
 - (a) misleading this Assembly and the people of the Northern Territory on the extent of the budget cuts that the Government needed to make;
 - (b) failing to properly consider the impact of those cuts on the lives of ordinary Territorians;
 - (c) failing to establish proper priorities for achieving those cuts; and
 - (d) the incompetent and careless way he has handled the crises confronting the Northern Territory; and
- (2) That this Assembly calls on the Chief to resign.

6. CENSURE OF CHIEF MINISTER - MOTION NEGATIVED:

The Leader of Government Business (Mr Hanrahan) having informed the Assembly that the Government, pursuant to Standing Order 95, accepted the notice of motion as a censure motion -

The Leader of the Opposition (Mr Smith) thereupon moved -

- (1) That this Assembly censures the Chief Minister for -
 - (a) misleading this Assembly and the people of the Northern Territory on the extent of the budget cuts that the Government needed to make;
 - (b) failing to properly consider the impact of those cuts on the lives of ordinary Territorians;
 - (c) failing to establish proper priorities for achieving those cuts; and
 - (d) the incompetent and careless way he has handled the crises confronting the Northern Territory; and
- (2) That this Assembly calls on the Chief to resign.

Debate ensued.

Suspension of sitting: The sitting was suspended between 11.49 a.m. and 2.00 p.m.

Debate resumed.

Personal explanation: The Minister for Labour and Administrative Services (Mr McCarthy), by leave, made a personal explanation relating to his comments upon the Centrepoint agreement.

Question - put.

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

AYES, 9

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

NOES, 16

Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Hanrahan
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.

7. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly at its rising adjourn until Tuesday 18 August 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

Debate ensued.

Question put -

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

AYES, 17

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

NOES, 8

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

8. FURTHER NOTICE:

The following further notice was given:

Mr Hanrahan: To move - That, unless otherwise ordered and notwithstanding anything contained in the Standing Orders, during this Session of the Legislative Assembly

- (1) the total debate on a censure or want of confidence motion, accepted by a Minister pursuant to Standing Order 95, shall not exceed two hours, at the expiration of which the Question shall be put; and
- (2) the maximum period for which a Member may speak on such a motion shall be set out hereunder:

Speaker	Time
Mover	30 minutes
Member next speaking	30 minutes
Any other Member	20 minutes
Mover in reply	20 minutes.

9. PETITION TO THE ELECTORAL TRIBUNAL - PAPER TABLED:

The Clerk laid on the Table a copy of the Petition to the Electoral Tribunal of the Northern Territory of Australia in the matter of the Election for the Seat of Barkly and in the matter of the *Electoral Act*.

10. DISCHARGE OF GOVERNMENT BUSINESS - ORDER OF THE DAY:

The Minister for Labour and Administrative Services (Mr McCarthy), by leave, moved - That Government Business, Order of the Day No.1 relating to the Public Employment (Modification of Terms and Conditions of Employment) Bill 1987 (Serial 48) be discharged from the Notice Paper.

Question - put and passed.

11. PUBLIC EMPLOYMENT (MODIFICATION OF TERMS AND CONDITIONS OF EMPLOYMENT) BILL 1987 (Serial 53):

The Minister for Labour and Administrative Services (Mr McCarthy), by leave, presented a Bill for an Act relating to terms and conditions of employment of certain persons employed in the Northern Territory Public Service, or in the service of certain public authorities, institutions or bodies, to amend the *Public Service Act* and the *Teaching Service Act*, to amend the Public Service (Terms and Conditions of Employment) By-laws, and for related purposes.

Bill read a first time.

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

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

12. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:

The Treasurer and Minister for Local Government (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills namely: the Stamp Duty Amendment Bill (No.3) 1987 (Serial 52) and the Taxation (Administration) Amendment Bill (No.2) 1987 (Serial 51) -

(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.

13. STAMP DUTY AMENDMENT BILL (No.3) 1987 (Serial 52); and TAXATION (ADMINISTRATION) AMENDMENT BILL (No.2) 1987 (Serial 51):
The Treasurer and Minister for Local Government (Mr Coulter), by leave, and pursuant to resolution, presented a Bill for an Act to amend the *Stamp Duty Act* and the *Taxation (Administration) Act*.
Bills read a first time.
Mr Coulter moved - That the Bills be now read a second time.
On the motion of Mr Ede (Stuart) debate was adjourned.
14. ALTERATION OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day relating to the Public Employment (Modification of Terms and Conditions of Employment) Bill 1987 (Serial 53); the Stamp Duty Amendment Bill (No.3) 1987 (Serial 52) and the Taxation (Administration) Amendment Bill (No.2) 1987 (Serial 51) be called on forthwith in that order.
Question - put and passed.
15. PROPOSED ALTERATION OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day relating to the Stamp Duty Amendment Bill (No.3) 1987 (Serial 52) and the Taxation (Administration) Amendment Bill (No.2) 1987 (Serial 51) be called on forthwith.
Debate ensued.
Question - put and negatived.
16. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
The Minister for Labour and Administrative Services (Mr McCarthy) moved - That so much of Standing Orders be suspended as would prevent the Public Employment (Modification of Terms and Conditions of Employment) Bill 1987 (Serial 53) passing through all stages at this sitting.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
17. PUBLIC EMPLOYMENT (MODIFICATION OF TERMS AND CONDITIONS OF EMPLOYMENT) BILL 1987 (Serial 53):
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 Labour and Administrative Services (Mr McCarthy) the Bill was read a third time and passed to be a proposed law.
18. SUSPENSION OF STANDING ORDERS - PASS BILLS THROUGH ALL STAGES:
The Treasurer and Minister for Local Government (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Stamp Duty Amendment Bill (No.3) 1987 (Serial 52) and the Taxation (Administration) Amendment Bill (No.2) 1987 (Serial 51) passing through all stages at this sitting.
Debate ensued.
Question - put.
The Assembly divided (the Speaker, the Honourable R.W.S. Vale, in the Chair) -

AYES, 15

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

NOES, 8

Mr Bell
Mr Collins
Mr Ede
Mr Lanhupuy
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

19. STAMP DUTY AMENDMENT BILL (No.3) 1987 (Serial 52); and TAXATION (ADMINISTRATION) AMENDMENT BILL (No.2) 1987 (Serial 51):

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.

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

AYES, 16

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

NOES, 7

Mr Bell
Mr Ede
Mr Lanhupuy
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Bills read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Stamp Duty Amendment Bill (No.3) 1987 (Serial 52)

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

Taxation (Administration) Amendment Bill (No.2) 1987 (Serial 51)

Clauses 1 to 4, by leave, taken together and agreed to.
Clause 5 read -
Mr Coulter moved the following amendment -

Omit from paragraph (a) of the proposed definition of "accommodation house" in subclause (1)(a) "short term" and insert in its stead "accommodation for the periods of less than 14 days".

Debate ensued.
Amendment agreed to.
Clause, as amended, agreed to.
Clause 6 agreed to.
Clause 7 read -
Mr Coulter moved the following amendment -

Omit from proposed section 80D(1) "an accommodation unit" and insert in its stead "an accommodation unit after 31 March 1988".

Amendment agreed to.
Mr Coulter moved the following further amendment -

Omit from proposed section 80D(3)(b) "period of 7 days" and insert in its stead "period of 14 days".

Debate ensued.
Amendment agreed to.
Mr Coulter moved the following further amendment -

Omit from proposed section 80E(1) "each month" and insert in its stead "the month of April 1988 and each subsequent month".

Amendment agreed to.
Mr Coulter moved the following further amendment -

Omit from proposed section 80E(1) paragraph (a).

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

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

The Treasurer and Minister for Local Government (Mr Coulter) moved - That the Bills be now read a third time.

Debate ensued.

Question - put and passed.

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

20. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 10.38 p.m. until Tuesday 18 August 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 28 July 1987:

Annual Report:

Department of Correctional Services, 1985-86

Recommendations under S.103 of Crown Lands Act:

Revocation of Reserve No. 1021, Botanical Gardens, Town of Darwin

Revocation of Reserve No.R1149, Bagot Reserve, Lot 4806,
Town of Darwin

Regulations 1987:

No.26 - University College of the Northern Territory By-laws
governing the library

No.27 - University College of the Northern Territory By-laws
governing exclusion

No.28 - Alice Springs (Todd Mall) By-laws

No.30 - Amendments of the Port By-laws

No.31 - Amendments of the Education (School Councils) Regulations

No.32 - Trade Development Zone Regulations

No.33 - Amendment of Liquor Regulations

No.34 - Cigarette Containers (Labelling) Regulations

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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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