

PART III

THE MINUTES OF PROCEEDINGS

Minutes of Proceedings

OF THE

LEGISLATIVE ASSEMBLY

Wednesday, 17 November 1976

1. The Assembly met at 1000 hours pursuant to the Resolution of 13 October 1976 - Mr Speaker MacFarlane took the Chair.

2. NOTICES: The following notices were given:-

Mr Pollock: To present the Medical Practitioners Registration Bill 1976 (Serial 155).

Dr Letts: To present the Public Service Bill 1976 (Serial 159), the Transfer of Powers Bill 1976 (Serial 158), and the Interpretation Bill (No. 2) 1976 (Serial 160).

Mr Ryan: To present the Fire Brigades Arbitral Tribunal Bill 1976 (Serial 157).

3. QUESTIONS: Questions without notice were asked.

4. SELECT COMMITTEE APPOINTED TO EXAMINE REGIONAL COUNCILS FOR SOCIAL DEVELOPMENT - SECOND INTERIM REPORT: Mr Withnall presented the Second Interim Report from the Select Committee and, by leave, moved That the Committee be granted further time to continue its inquiries and that it report to the Assembly on the first sitting day in 1977.

Question put and passed.

5. COUNTER DISASTER BILL 1976 (Serial 152): Miss Andrew, pursuant to notice, presented the Bill which was thereupon read a first time.

Miss Andrew moved - That the Bill be now read a second time.

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

6. MAGISTRATES BILL 1976 (Serial 153): Miss Andrew, by leave, presented the Bill which was thereupon read a first time.

Miss Andrew moved - That the Bill be now read a second time.

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

7. ELECTRICITY DISTRIBUTION - STATEMENT: The order of the day having been read for the resumption of the debate on the motion of Mr Dondas - That the statement be noted.

Debate resumed.

Question put and passed.

8. LOCAL GOVERNMENT BILL 1976 (Serial 146): 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 Perron the following amendments were made:

In proposed new section 353A -

- (a) insert after "makes" the words ", or has, before the commencement of this section, made";
- (b) insert after "regulation made" the words ", before or after that commencement,"; and
- (c) omit "Territory" and substitute "Territory,".

Clause, as amended, agreed to

New clause -

On the motion of Mr Perron the following new clause was added to the Bill:

"7. The Local Government Ordinance (No. 3) 1974 shall be deemed to have had and to have effect as if it had come into operation immediately after the commencement of the Local Government Ordinance (No. 2) 1974."

Title agreed to.

The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

9. PAROLE OF PRISONERS BILL 1976 (Serial 135): 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 1156 and 1400 hours.

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 Pollock the following amendment was made:

Omit the proposed definition of "parole officer" in paragraph (a) and substitute the following definition:

""parole officer" means a parole officer, or honorary parole officer, appointed under section 3P;"".

Clause, as amended, agreed to.

Clause 7 -

On the motion of Mr Pollock the following amendments were made:

Add at the end of proposed new section 3C the following new sub-section:

"(5). Where an Acting Chairman attends a meeting of the Board pursuant to this section he shall, while so attending, be deemed to be a member of the Board."

Omit proposed new section 3R.

Clause as amended, agreed to.

Clause 8 agreed to.

Clauses 9 to 12, by leave, taken together and agreed to.

Title agreed to.

The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

10. TRAFFIC BILL 1976 (Serial 136): 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 and the resumption of the debate made an order of the day for a later hour.

Annual Reports:

Northern Territory Consumers Protection Council 1975-76.

Minutes of Meetings of Town Management Boards:

Katherine - 11 October 1976

Tennant Creek - 12 October 1976

Regulations 1976:

- No. 24 Unit Titles (Fees) Regulations
- No. 25 Amendment of the National Parks and Gardens (Berry Springs Recreation Reserve) By-laws
- No. 26 Amendment of the National Parks and Gardens (Howard Springs Recreation Reserve) By-laws
- No. 27 Amendment of the National Parks and Gardens (Katherine Gorge National Park) By-laws
- No. 28 Amendment of the National Parks and Gardens (Katherine Low Level Recreation Reserve) By-laws
- No. 29 Amendment of the National Parks and Gardens (Mataranka Recreation Reserve) By-laws
- No. 30 Amendments of the Public Service Regulations

Recommendations under Section 103 of the Crown Lands Ordinance:

Proposed revocation of Reserve No. 921

ATTENDANCE: All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 55

Thursday, 18 November 1976

1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.

2. PETITIONS: Mrs Lawrie presented two petitions from certain Northern Territory residents relating to the need for a fourth high school in Darwin.

Petition received and read.

3. QUESTIONS: Questions without notice were asked.

4. WATER RESOURCES MANAGEMENT: Mr Tuxworth tabled a paper prepared by the Australian Water Resources Council relating to a proposed national approach to water resources management.

5. PUBLICATIONS COMMITTEE - FOURTH REPORT: Mr Pollock tabled the fourth report of the Publications Committee.

Mr Pollock, by leave, moved - That the Report be adopted and That the recommendations contained therein be orders of the Assembly.

Question put and passed.

6. PUBLIC SERVICE BILL 1976 (Serial 159): Dr Letts, pursuant to notice, presented the Bill which was thereupon read a first time.

Dr Letts moved - That the Bill be now read a second time.

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

7. TRANSFER OF POWERS BILL 1976 (Serial 158): Dr Letts, pursuant to notice, presented the Bill which was thereupon read a first time.

Dr Letts moved - That the Bill be now read a second time.

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

8. INTERPRETATION BILL (No. 2) 1976 (Serial 160): Dr Letts, pursuant to notice, presented the Bill which was thereupon read a first time.

Dr Letts moved - That the Bill be now read a second time.

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

9. FIRE BRIGADES ARBITRAL TRIBUNAL BILL 1976 (Serial 157): Mr Ryan, pursuant to notice, presented the Bill which was thereupon read a first time.

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

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

10. MEDICAL PRACTITIONERS REGISTRATION BILL 1976 (Serial 155): Mr Pollock, pursuant to notice, presented the Bill which was thereupon read a first time.

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

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

11. POISONS AND DRUGS BILLS - POISONS BILL 1976 (Serial 147), DANGEROUS DRUGS BILL 1976 (Serial 148), and PROHIBITED DRUGS BILL 1976 (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.

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

SUSPENSION OF SITTING: The sitting was suspended between 1152 and 1400 hours.

12. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 3 was called on.

13. MINES SAFETY CONTROL BILL 1976 (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 resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 8, by leave, taken together and agreed to.

Clause 9 -

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

Omit sub-clause (2)(c) and substitute the following:

"(c) a person appointed by the Administrator in Council on the ground that his knowledge and experience in a particular field is, in the opinion of the Administrator in Council, likely to be of benefit to the functions of the Board; and".

Clause, as amended, agreed to.

Clauses 10 to 51, by leave, taken together and agreed to.

Clause 52 -

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

Omit from sub-clause (1) "8" and substitute "10".

Clause, as amended, agreed to.

Clauses 53 to 70, by leave, taken together and agreed to.

Schedule agreed to.

Title agreed to.

The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time, after debate, and passed to be an Ordinance.

14. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 4 was called on.
15. TERRITORY PARKS AND WILDLIFE CONSERVATION BILL 1976 (Serial 156): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly.

(In the committee)

Clause 6 -

On the motion of Dr Letts the following amendment was made:

Add at the end of the clause the following sub-clause:-

"(2). Section 13(3) of the Principal Ordinance is amended by omitting '(including any sea-bed or any subsoil)'."

Clause, as amended, agreed to.

New clause -

On the motion of Dr Letts the following new clause was inserted in the Bill:-

"6A. Section 18(9) of the Principal Ordinance is amended by omitting 'submit' and substituting 'forward to the Executive Member for presentation'."

Clause 7 agreed to.

Clause 8 -

On the motion of Dr Letts the following amendment was made:-

Omit from proposed new section 25B(2) "Penalty : 400 dollars."
(second occurring).

Dr Letts moved as a further amendment -

After "Administrator" in proposed new section 25G(1) and (6) insert "in Council".

Debate ensued.

Question put and negatived.

On the motion of Dr Letts the following further amendment was made:-

Omit from proposed new section 36(3) "Administrator's" and substitute "Executive".

Clause, as amended, agreed to.

New clauses -

On the motion of Dr Letts the following new clauses were inserted in the Bill:-

"8A. Section 45(3) of the Principal Ordinance is amended by omitting all the words from and including 'on such terms and conditions' and substituting 'in accordance with and subject to the provisions of the Public Service Ordinance.'".

"8B. Sections 49 to 55 (inclusive) of the Principal Ordinance are repealed.".

"8C. Section 89 of the Principal Ordinance is repealed.".

"8D. Section 90 of the Principal Ordinance is amended by -

- (a) omitting 'Notwithstanding section 89, the' and substituting 'The'; and
- (b) omitting 'referred to in section 89' and substituting 'employed under the Public Service Ordinance'.".

Clauses 9 and 10 agreed to.

Clause 11 negatived.

New clauses -

On the motion of Dr Letts the following new clauses were inserted in the Bill:-

"11. Section 95 of the Principal Ordinance is amended by omitting 'warden or ranger' (wherever occurring) and substituting 'conservation officer'.".

"11A. Section 96 of the Principal Ordinance is amended by -

- (a) omitting 'warden or ranger' (wherever occurring) and substituting 'conservation officer'; and
- (b) omitting 'Administrator' from sub-section (4) and substituting 'Executive Member'.".

"11B. Section 97 of the Principal Ordinance is amended by omitting 'warden or ranger' and substituting 'conservation officer'.".

Clause 12 agreed to.

New clause -

On the motion of Dr Letts the following new clause was inserted in the Bill:-

"12A. Section 100(a) of the Principal Ordinance is amended by omitting all the words from and including 'appropriated by the Parliament' and substituting 'approved for the purposes of this Ordinance by the Legislative Assembly out of moneys appropriated by the Parliament for the purpose of the government of the Northern Territory;''".

Clause 13 agreed to.

Clause 14 -

On the motion of Dr Letts the following amendment was made, after debate:-

Omit from proposed new sub-section (1) of section 114 "or grain" (wherever occurring) and substitute ", legume or seed".

Clause, as amended, agreed to.

New clauses and Schedule -

On the motion of Dr Letts the following new clauses and Schedule were added to the Bill:-

"15. Section 122 of the Principal Ordinance is amended by omitting sub-section (3).

"16. The Principal Ordinance is further amended as set out in the Schedule.

"SCHEDULE

AMENDMENT OF PRINCIPAL ORDINANCE

Section 16

Section	Amendment
19(6)	Omit 'Administrator', substitute 'Executive Member'.
22	Omit 'Commission', substitute 'Executive Member'.
66	Omit 'Administrator in Council' (wherever occurring), substitute 'Executive Member'.
76(1)	Omit 'Administrator in Council', substitute 'Executive Member'.
80(2)	Omit 'Administrator in Council', substitute 'Executive Member'.
83	Omit 'Administrator', substitute 'Executive Member'.
84	Omit 'Administrator in Council' (wherever occurring), substitute 'Executive Member'.
85	Omit 'Administrator in Council' (wherever occurring), substitute 'Executive Member'.
91(2)	Omit 'Commission', substitute 'Executive Member'.
103(b)	Omit 'Administrator', substitute 'Executive Member'.
104	1. Omit 'Administrator' (wherever occurring), substitute 'Executive Member'. 2. Omit 'Administrator in Council' (wherever occurring), substitute 'Executive Member'.
106	1. Omit 'Administrator' (wherever occurring), substitute 'Executive Member'.

2. Omit from sub-section (1) 'Treasurer', substitute 'Executive Member'.
107(2) Omit 'Administrator's', substitute 'Executive Member's'.
107(4) Omit 'Administrator', substitute 'Executive Member'."

Title agreed to.

The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

16. SPECIAL ADJOURNMENT: Dr Letts moved - That the Assembly, at its rising, adjourn until 1000 hours on Tuesday, 7 December 1976.

Question put and passed.

17. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 5 was called on.
18. COUNTER DISASTER BILL 1976 (Serial 152): 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 and the resumption of the debate made an order of the day for a later hour.

19. ADJOURNMENT: Mr Perron moved - That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1554 hours adjourned until 1000 hours on Tuesday, 7 December 1976.

ATTENDANCE: All members attended the sitting except Mr Tungatalum.

F. WALKER
Clerk of the Assembly

FIRST LEGISLATIVE ASSEMBLY

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