

PART III

THE MINUTES OF PROCEEDINGS

*Minutes of Proceedings*  
OF THE  
**LEGISLATIVE ASSEMBLY**

No. 32

Tuesday 9 March 1982

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1. The Assembly met at 10.00 a.m., pursuant to resolution. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. COMMONWEALTH DAY - MESSAGE FROM COMMONWEALTH PARLIAMENTARY ASSOCIATION:  
Mr Speaker read a message from the Chairman of the Executive Committee of the Commonwealth Parliamentary Association commemorating Commonwealth Day, 8 March 1982.
3. NOTICES:  
The following notices were given:  
Mr Everingham: To present the Criminal Law Consolidation Amendment Bill 1982 (Serial 188), the Public Holidays Amendment Bill 1982 (Serial 178), the Classification of Publications Amendment Bill 1982 (Serial 173), and the Evidence Amendment Bill 1982 (Serial 179).  
Mr Perron: To present the Financial Administration and Audit Amendment Bill 1982 (Serial 172).  
Mr Robertson: To present the Child Welfare Amendment Bill 1982 (Serial 187).  
Mr Smith: To present the Jabiru Town Development Amendment Bill 1982 (Serial 177).
4. QUESTIONS:  
Questions without notice were asked.  
*Business of the day called on:* On the motion of Mr Robertson (Minister for Education), business of the day was called on.
5. GENERAL BUSINESS DAY - NOMINATION - STATEMENT:  
Mr Robertson (Minister for Education), by leave, advised the Assembly that the Chief Minister had nominated Thursday 11 March 1982 as the next day on which general business would take precedence of government business.
6. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - HEALTH CARE SERVICES:  
Mr Speaker informed the Assembly that Mrs O'Neil had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the changes to the delivery of health care services which are putting at risk the health of Territorians".  
The proposed discussion having received the necessary support - Mrs O'Neil addressed the Assembly.  
*Closure:* Mr Robertson (Minister for Education) moved - That the business of the day be called on.  
Question - put and passed.  
  
*Suspension of sitting:* The sitting was suspended between 12.00 noon and 2.00 p.m.

7. LIQUOR BILLS - LIQUOR AMENDMENT BILL (No. 3) 1981 (Serial 169), and SUMMARY OFFENCES AMENDMENT BILL (No. 2) 1981 (Serial 170):

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

Debate resumed.

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

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

Question - put and passed.

8. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn. Debate ensued.

Question - put and passed.

And then the Assembly at 6.38 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 9 March 1982 -

*Annual Reports:*

Conservation Commission of the Northern Territory, 1980-81

Department of Lands, 1980-81

Jabiru Town Development Authority, 1980-81

Northern Territory Electricity Commission, 1979-80

Northern Territory Housing Commission, 1979-80

Northern Territory Police Force, 1980-81

Northern Territory Port Authority, 1980-81

*Permits to Prospect for Petroleum:*

No. 220 Diano Nominees Pty Ltd

No. 225 Queensland Petroleum Pty Limited

*Recommendations under S.103 of Crown Lands Act:*

Proposed revocation, part of Reserve No. 1534

Proposed revocation, part of Reserve No. 1614

*Regulations 1981:*

No. 35 Amendments of Construction Safety Rules

No. 36 Companies (Trustees and Personal Representatives) Regulations

No. 37 Amendment of the Criminal Law (Conditional Release of Offenders) (Community Service Orders) Regulations

No. 38 Valuation of Land Regulations

No. 39 Amendments of the Motor Vehicle (Hire Care) Regulations

No. 40 Liquor Regulations

*Regulations 1982:*

No. 1 Amendments of the Construction Safety Regulations

No. 2 Amendments of the Inspection of Machinery Regulations

No. 3 Amendments of the Fish and Fisheries Regulations

No. 5 Amendments of the Public Health (Shops, Eating Houses, Boarding-houses, Hostels and Hotels) Regulations

No. 6 Amendments of the Public Health (Night-soil, Garbage, Cesspits, Wells and Water) Regulations

No. 7 Amendments of the Public Health (Barbers' Shops) Regulations

No. 8 Amendments of the Public Health (General Sanitation, Mosquito Prevention, Rat Exclusion and Prevention) Regulations

No. 9 Amendments of the Public Health (Nuisance Prevention) Regulations

No. 10 Amendments of the Public Health (Noxious Trades) Regulations

No. 11 Marine (Seamen) Regulations

No. 12 Marine (Safety) Regulations

No. 13 Marine (Passenger) Regulations

No. 14 Marine (Safety Manning) Regulations

- No. 15 Marine (Load Line) Regulations
- No. 16 Marine (Examinations and Certificates) Regulations
- No. 17 Marine (Crew Accommodation) Regulations
- No. 18 Marine (Collision) Regulations
- No. 19 Marine (Pilotage) Regulations
- No. 20 Marine (Survey) Regulations

*Report of Hospital Management Boards:*

Alice Springs, 30 June 1981

Casuarina, 30 June 1981

Gove District, 30 June 1981

Tennant Creek, 30 June 1981

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ATTENDANCE:

All Members attended the sitting.

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MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 33

Wednesday 10 March 1982

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

2. NOTICES:

The following notices were given:

Mrs O'Neil: To present the Electrical Workers and Contractors Amendment Bill 1982 (Serial 175).

Mr Tuxworth: To present the Mining Act 1980 Amendment Bill 1982 (Serial 176), and the Nursing Bill 1982 (Serial 180).

Mrs Lawrie: To move - That this Assembly affirms its support for the Universal Declaration of Human Rights, which was adopted and proclaimed by the United Nations General Assembly resolution on 10 December 1948.

Mrs Lawrie: To move - That this Assembly supports the "Convention on the Elimination of all Forms of Discrimination against Women" and urges the government to take all necessary steps to enable the ratification of the Convention by the Federal government.

3. QUESTIONS:

Questions without notice were asked.

*Business of the day called on:* On the motion of Mr Robertson (Minister for Education) business of the day was called on.

4. MINISTERIAL MISSION TO SOUTH-EAST ASIA, OCTOBER 1981 - REPORT - PAPER TABLED - MOTION TO NOTE PAPER:

Mr Steele (Minister for Industrial Development and Tourism) laid on the Table the report of the NT mission.

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

Mr Steele was granted leave to continue his speech when the debate is resumed.

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

5. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - FORESHORE AREAS AND COASTAL MANAGEMENT:

Mr Speaker informed the Assembly that Mr Smith (Millner) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the government's acknowledged failure to preserve and protect NT foreshore areas and the urgent need for the government to adopt a detailed coastal management policy under the control of a specialised coastal protection agency".

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

Discussion ensued.

*Closure:* Mr Robertson (Minister for Education) moved - That the business of the day be called on.

Question - put and passed.

6. CRIMINAL LAW CONSOLIDATION AMENDMENT BILL 1982 (Serial 188):

Mr Everingham (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Law Consolidation Act*.

Bill read a first time.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

7. CHILD WELFARE AMENDMENT BILL 1982 (Serial 187):  
Mr Robertson (Minister for Community Development), pursuant to notice, presented a Bill for an Act to amend the *Child Welfare Act*.  
Bill read a first time.  
Mr Robertson moved - That the Bill be now read a second time.  
Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.
8. PUBLIC HOLIDAYS AMENDMENT BILL 1982 (Serial 178):  
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Public Holidays Act*.  
Bill read a first time.  
Mr Everingham moved - That the Bill be now read a second time.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
9. CLASSIFICATION OF PUBLICATIONS AMENDMENT BILL 1982 (Serial 173):  
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Classification of Publications Act*.  
Bill read a first time.  
Mr Everingham moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
10. FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL 1982 (Serial 172):  
Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Financial Administration and Audit Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
11. EVIDENCE AMENDMENT BILL 1982 (Serial 179):  
Mr Everingham (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Evidence Act*.  
Mr Everingham moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.

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*Suspension of sitting:* The sitting was suspended between 12.08 and 2.00 p.m.

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12. NORTHERN TERRITORY DISASTERS AMENDMENT BILL (No. 2) 1981 (Serial 168):  
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.
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*In the committee*

Clause 1 agreed to.

Clause 2 -

Mr Everingham moved as an amendment -

Omit paragraph (b) and substitute the following:

"(b) by adding at the end thereof the following:

'; and

- (p) to provide, whether or not a state of emergency or state of disaster has been declared, such assistance as is necessary to obviate or alleviate an actual or imminent occurrence that causes or may cause loss of life or injury or distress to a person, or danger to the safety of the public or any part of the public, or destruction of or damage to property.'."

Mr Everingham moved as an amendment to the proposed amendment -

Omit "or distress to a person".

Amendment to the amendment agreed to.

Amendment, as amended, agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with an amendment.

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

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

13. SMALL CLAIMS AMENDMENT BILL 1981 (Serial 158):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

*In the committee*

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

Clause 5 negatived, after debate.

New clause -

Mrs O'Neil moved that the following new clause be inserted in the Bill -

"5. PROCEEDINGS UNDER THIS ACT

Section 5 of the Principal Act is amended -

(a) by omitting from sub-section (1) '1,000 dollars' and substituting '3,000 dollars'; and

(b) by omitting sub-section (3)."

On the motion of Mrs O'Neil the following amendment was made to the proposed new clause -

Omit "3,000 dollars" and substitute "2,000 dollars".

New clause, as amended, agreed to, after debate.

New clause -

Mrs O'Neil moved that the following new clause be inserted in the Bill -

"5A. ABANDONMENT OF EXCESS

Section 8 of the Principal Act is amended by omitting '1,000 dollars' (twice occurring) and substituting '3,000 dollars'."

On the motion of Mrs O'Neil the following amendment was made to the proposed new clause -

Omit "3,000 dollars" and substitute "2,000 dollars".

New clause, as amended, agreed to.

Clause 6 agreed to.

New clause -

Mrs O'Neil moved that the following new clause be inserted in the Bill -



"6A. COUNTER CLAIM AND SET-OFF

"Section 17 of the Principal Act is amended by omitting from sub-sections (1) and (3) '1,000 dollars' (wherever occurring) and substituting '3,000 dollars'."

On the motion of Mrs O'Neil the following amendment was made to the proposed new clause -

Omit "3,000 dollars" and substitute "2,000 dollars".

New clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

14. STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL (No. 2) 1981 (Serial 154):

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.

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*In the committee*

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

Bill to be reported without amendment.

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

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

15. PAROLE OF PRISONERS AMENDMENT BILL 1981 (Serial 159):

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 -

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

The Assembly resolved itself into a committee of the whole.

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*In the committee*

Mr Robertson (Minister for Community Development) was granted leave to take charge of the Bill.

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

New clause -

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

"3A. CANCELLATION OF PAROLE BY COURT OF SUMMARY JURISDICTION

"Section 6 of the Principal Act is amended by omitting all words after and including 'specified in' to and including 'shall' and substituting 'specified in section 5(9)(b), the court before which he is taken may'."

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

Bill to be reported with an amendment.

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

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

16. CONSTRUCTION SAFETY AMENDMENT BILL 1981 (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 - Bill read a second time.  
Mr Vale (Stuart) moved - That the committee stages be later taken.  
Question - put and passed.
17. INSPECTION OF MACHINERY AMENDMENT BILL 1981 (Serial 161):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
Mr Vale (Stuart) moved - That the committee stages be later taken.  
Question - put and passed.
18. ALTERATION OF ORDER OF BUSINESS:  
On the motion of Mr Vale (Stuart), order of the day, Government Business, No. 11 was called on.
19. LIQUOR BILLS - LIQUOR AMENDMENT BILL (No. 3) 1981 (Serial 169), and SUMMARY OFFENCES AMENDMENT BILL (No. 2) 1981 (Serial 170):  
The order of the day having been read for the consideration of the Bills in the committee of the whole Assembly -  
The Assembly resolved itself into a committee of the whole.

*In the committee*

*Liquor Amendment Bill (No. 3) 1981*

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

Clause 5 -

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

Omit sub-clause (1) and substitute -

"(1) Section 131 of the Principal Act is repealed".

Clause, as amended, agreed to.

Title agreed to.

*Summary Offences Amendment Bill (No. 2) 1981*

Clause 1 agreed to.

New clause -

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

"1A. COMMENCEMENT

"This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*".

Clause 2 -

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

Omit from the definition of "unoccupied private land" in proposed section 45C the words "means land" and substitute "means land or premises".

Mr Tuxworth moved as a further amendment -

Omit proposed section 45D and substitute:

"45D. DRINKING IN A PUBLIC PLACE

"(1) Subject to sections 45E and 45F, a person shall not drink

liquor in a public place or on unoccupied private land, being a public place or unoccupied private land within the 2 kilometres of any premises licensed under the *Liquor Act* for the sale of liquor, unless the owner or lawful occupier of that place or land has given the person express permission, which has not been withdrawn, to do so."

Debate ensued.

Mr Tuxworth moved - That further consideration of clause 2 be postponed.

Debate ensued.

Motion, by leave, withdrawn.

Proposed amendment agreed to.

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

Omit from proposed section 45F "under Part IV of the *Liquor Act*" and substitute "under Part VI of the *Liquor Act*".

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

Omit from proposed section 45J paragraphs (a) and (b) and substitute:

"(a) a specified place or land was, at a specified time, within a radius of 2 kilometres of premises at that time licensed under Part III of the *Liquor Act* for the sale of liquor;

(b) a specified public place, at a specified time, was not the subject of a Certificate of Exemption issued under section 45E;  
or

(c) a specified liquid is liquor,".

Clause, as amended, agreed to.

Title agreed to.

Bills to be reported with amendments.

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

Question - 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:

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

Debate ensued.

Question - put and passed.

And then the Assembly at 6.03 p.m. adjourned until tomorrow at 10.00 a.m.

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## PAPERS:

The following papers were deemed to have been presented on 10 March 1982:

*Annual Report:*

Publications Classification Board, 1981

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## ATTENDANCE:

All Members attended the sitting.

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MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 34

Thursday 11 March 1982

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. NOTICES:  
The following notices were given:  
Mr Perron: To present the Lands Acquisition Amendment Bill 1982 (Serial 189).  
Mr Dondas: To present the Plumbers and Drainers Licensing Bill 1982 (Serial 181), and the Water Supply and Sewerage Bill 1982 (Serial 182).  
Mr Robertson: To present the Teaching Service Amendment Bill 1982 (Serial 174).
3. QUESTIONS:  
Questions without notice were asked.
4. METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS IN DARWIN HOSPITAL - MINISTERIAL STATEMENT:  
Mr Tuxworth (Minister for Health), by leave, made a statement on methicillin resistant staphylococcus aureus in Darwin Hospital and control measures taken in relation to the bacterium.
5. NOTICES:  
The following further notices were given, by leave:  
Mr Perron: To present the Tenancy Amendment Bill 1982 (Serial 191), and the Planning Amendment Bill 1982 (Serial 193).
6. ABORIGINAL SACRED SITES PROTECTION AUTHORITY - ANNUAL REPORT, 1980-81 - PAPER TABLED - PAPER NOTED:  
Mr Everingham (Chief Minister), pursuant to statute, laid on the Table the Authority's annual report for 1980-81.  
Mr Everingham moved - That the Assembly take note of the paper.  
Debate ensued.  
Question - put and passed.
7. PUBLIC SERVICE COMMISSIONER - ANNUAL REPORT, 1980-81 - PAPER TABLED - PAPER NOTED:  
Mr Everingham (Chief Minister), pursuant to statute, laid on the Table the Commissioner's annual report for 1980-81.  
Mr Everingham moved - That the Assembly take note of the paper  
Question - put and passed.
8. JURIES AMENDMENT BILL 1981 (Serial 138):  
Mrs Lawrie (Nightcliff), pursuant to notice, presented a Bill for an Act to amend the *Juries Act*.  
Bill read a first time.  
Mrs Lawrie moved - That the Bill be now read a second time.  
Debate adjourned (Mr Vale) and the resumption of the debate made an order of the day for a later hour.
9. MOTOR VEHICLES AMENDMENT BILL (No. 4) 1981 (Serial 156):  
Mrs Lawrie (Nightcliff), pursuant to notice, presented a Bill for an Act to amend the *Motor Vehicles Act*.  
Bill read a first time.  
Mrs Lawrie moved - That the Bill be now read a second time.  
Debate adjourned (Mr Vale) and the resumption of the debate made an order of the day for a later hour.

10. JABIRU TOWN DEVELOPMENT AMENDMENT BILL 1982 (Serial 177):  
Mr Smith (Millner), pursuant to notice, presented a Bill for an Act to amend the *Jabiru Town Development Act*.

Bill read a first time.

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

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

11. U.N. UNIVERSAL DECLARATION OF HUMAN RIGHTS, 10 DECEMBER 1948 - MOTION TO AFFIRM SUPPORT:

Mr Lawrie (Nightcliff), pursuant to notice, moved - That this Assembly affirms its support for the Universal Declaration of Human Rights, which was adopted and proclaimed by the United Nations General Assembly resolution on 10 December 1948.

Debate ensued.

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

Debate resumed.

Question - put and passed.

12. ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL 1982 (Serial 175):

Mrs O'Neil (Fannie Bay), pursuant to notice, presented a Bill for an Act to amend the *Electrical Workers and Contractors Act*.

Bill read a first time.

Mrs O'Neil moved - That the Bill be now read a second time.

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

13. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN - MOTION TO SUPPORT:

Mrs Lawrie (Nightcliff), pursuant to notice, moved - That this Assembly supports the "Convention on the Elimination of all Forms of Discrimination against Women" and urges the government to take all necessary steps to enable the ratification of the Convention by the Federal Government.

Debate ensued.

Question - put and passed.

14. ANTI-DISCRIMINATION BILL 1981 (Serial 141):

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.

Mr B. Collins (Arnhem) was granted leave to take charge of the Bill.

Debate resumed.

Question - put.

The Assembly divided (the Speaker, the Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 8	Noes, 11
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mr MacFarlane
Mr Leo	Mrs Padgham-Purich
Mrs O'Neil	Mr Perron
Mr Smith	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

15. NOTICES:

The following further notices were given, by leave:

Mr Perron: To present the Motor Accidents (Compensation) Amendment Bill 1982 (Serial 192), and the Crown Lands Amendment Bill 1982 (Serial 195).

16. ELECTRICITY COMMISSION AMENDMENT BILL 1982 (Serial 194):

Mr Perron (Treasurer), by leave, presented a Bill for an Act to amend the *Electricity Commission Act*.

Bill read a first time.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

17. NOTICE:

The following further notice was given, by leave:

Mr Everingham: To present the Bushfires Amendment Bill 1982 (Serial 183).

18. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

And then the Assembly at 7.02 p.m. adjourned until 10.00 a.m. on Tuesday 16 March 1982.

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PAPERS:

The following papers were deemed to have been presented on 11 March 1982:

*Annual Reports:*

Agricultural Development and Marketing Authority, 1980-81

Northern Territory Housing Commission, 1980-81

Northern Territory Development Corporation, 1980-81

Palmerston Development Authority, 1980-81

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ATTENDANCE:

All Members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 35

Tuesday 16 March 1982

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

2. PRIVILEGE - MATTER TELECAST BY ABC - REQUEST FOR REFERRAL TO COMMITTEE OF PRIVILEGES:

Mr B. Collins (Arnhem), pursuant to standing order 72, raised a matter of privilege based upon a news item telecast by the ABC on 11 March 1982 relating to the Evidence Bill presently before the Assembly, and requested that Mr Speaker refer the matter to the Committee of Privileges.

Mr Collins tabled a transcript of the news item.

Mr Speaker advised the Assembly that he would consider the matter raised and report his decision at a later hour.

3. STATEMENT BY MEMBER - LEAVE TO MAKE NOT GRANTED:

Mr Robertson (Minister for Education) asked leave to make a statement on the matter of privilege raised by Mr B. Collins.

Objection being raised - leave not granted.

4. SUSPENSION OF STANDING ORDERS - ALLOW MEMBER TO MAKE A STATEMENT:

Mr Robertson (Minister for Education) moved - That so much of standing orders be suspended as would prevent him making a statement on the matter of privilege raised earlier this day.

Debate ensued.

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Mr Robertson made a statement.

5. SUSPENSION OF STANDING ORDERS - MOTION NOT SUPPORTED:

Mr B. Collins (Arnhem) moved - That so much of standing orders be suspended as would prevent him making a statement in reply to the statement made by Mr Robertson earlier this day.

The motion not having been supported by an absolute majority of the Assembly, Mr Speaker declared the question negatived.

6. MESSAGES FROM THE ADMINISTRATOR:

Mr Speaker read the following messages from His Honour the Administrator:

Message No. 8:

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, recommend to the Legislative Assembly



a Bill for an Act to impose a royalty on minerals recovered in the Northern Territory and for related purposes.

Dated this fifth day of March 1982.

(Sgd) E.E. JOHNSTON  
Administrator.

*Message No. 9:*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, recommend to the Legislative Assembly a Bill for an Act to provide compensation for injury as a result of a criminal act.

Dated this ninth day of March 1982.

(Sgd) E.E. JOHNSTON  
Administrator.

7. PETITIONS:  
Mr Vale (Stuart) presented a petition from 2,426 residents of the Northern Territory requesting the introduction of legislation to protect children from sexual interference.  
*Petition received and read.*  
Mrs O'Neil (Fannie Bay) presented a petition from 337 citizens of Darwin expressing concern at the proposal to remove the Parap Health Clinic.  
*Petition received and read.*  
Mr Doolan (Victoria River) presented a petition from 157 citizens of the Northern Territory expressing concern on the proposal to close the East Arm hospital.  
*Petition received and read.*
8. QUESTIONS:  
Questions without notice were asked.  
*Business of the day called on:* On the motion of Mr Robertson (Minister for Education), business of the day was called on.
9. NORTHERN TERRITORY HOUSING NEEDS - REPORT - MOTION TO NOTE PAPER:  
Mr Perron (Minister for Lands and Housing) laid on the Table a report on Northern Territory housing needs.  
Mr Perron moved - That the Assembly take note of the paper.  
Debate adjourned (Mr Bell) and the resumption of the debate made an order of the day for a later hour.
10. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - THIRD REPORT - PAPER NOTED:  
Mr Harris (Port Darwin) laid on the Table the third report of the Standing Committee.  
Mr Harris moved - That the Assembly take note of the paper.  
Question - put and passed.
11. NORTHERN TERRITORY-QUEENSLAND BORDER - MINISTERIAL STATEMENT:  
Mr Everingham (Chief Minister), by leave, made a statement relating to the border separating Queensland and the Northern Territory.
12. TELECOMMUNICATIONS POLICY FOR THE NORTHERN TERRITORY - MINISTERIAL STATEMENT:  
Mr Everingham (Chief Minister), by leave, made a statement on the proposed telecommunications policy for the Northern Territory.  
Mr Everingham moved - That the Assembly take note of the statement.  
Debate adjourned and the resumption of the debate made an order of the day for a later hour.

13. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - CHILD WELFARE:  
Mr Speaker informed the Assembly that Mrs O'Neil (Fannie Bay) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "the government's failure to introduce new child welfare legislation, as recommended by the report of the Welfare Needs Inquiry in 1979, which is denying the young people of the N.T. the benefit of effective welfare policies".  
The proposed discussion having received the necessary support - Mrs O'Neil addressed the Assembly.  
Discussion ensued.  
*Business of the day called on:* On the motion of Mr Everingham (Chief Minister), business of the day was called on.
14. MINING ACT 1980 AMENDMENT BILL 1982 (Serial 176):  
Mr Tuxworth (Minister for Mines and Energy), pursuant to notice, presented a Bill for an Act to amend the *Mining Act 1980*.  
Bill read a first time.  
Mr Tuxworth moved - That the Bill be now read a second time.  
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
15. LANDS ACQUISITION AMENDMENT BILL 1982 (Serial 189):  
Mr Perron (Minister for Lands and Housing), pursuant to notice, presented a Bill for an Act to amend the *Lands Acquisition Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
16. NURSING BILL 1982 (Serial 180):  
Mr Tuxworth (Minister for Health), pursuant to notice, presented a Bill for an Act to provide for schools of nursing and the registration and enrolment of nurses.  
Bill read a first time.  
Mr Tuxworth moved - That the Bill be now read a second time.  
Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.
17. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:  
Mr Dondas (Minister for Transport and Works) moved - That so much of standing orders be suspended as would prevent two Bills relating to water supply and sewerage services -  
(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 stages, and the third readings of the Bills together; and  
(b) the consideration of the Bills separately in the committee of the whole.  
The motion having been supported by an absolute majority of the Assembly, Mr Speaker declared the question resolved in the affirmative.
18. WATER SUPPLY AND SEWERAGE SERVICES BILLS - PLUMBERS AND DRAINERS LICENSING BILL 1982 (Serial 181), and WATER SUPPLY AND SEWERAGE BILL 1982 (Serial 182):  
Mr Dondas (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to provide for the licensing of plumbers and drainers and other purposes, and a Bill for an Act relating to the provision of sewerage and water services, and associated matters.  
Bills read a first time.  
Mr Dondas moved - That the Bills be now read a second time.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.

19. MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL 1982 (Serial 192):  
Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Motor Accidents (Compensation) Act 1979*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
20. BUSHFIRES AMENDMENT BILL 1982 (Serial 183):  
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Bushfires Act*.  
Bill read a first time.  
Mr Everingham moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
21. CROWN LANDS AMENDMENT BILL 1982 (Serial 195):  
Mr Perron (Minister for Lands and Housing), pursuant to notice, presented a Bill for an Act to amend the *Crown Lands Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
22. TEACHING SERVICE AMENDMENT BILL 1982 (Serial 174):  
Mr Robertson (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Teaching Service Act*.  
Bill read a first time.  
Mr Robertson moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
23. TENANCY AMENDMENT BILL 1982 (Serial 191):  
Mr Perron (Minister for Lands and Housing), pursuant to notice, presented a Bill for an Act to amend the *Tenancy Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr Bell) and the resumption of the debate made an order of the day for a later hour.
- 
- Suspension of sitting:* The sitting was suspended between 12.30 and 2.00 p.m.
- 
24. PLANNING AMENDMENT BILL 1982 (Serial 193):  
Mr Perron (Minister for Lands and Housing), pursuant to notice, presented a Bill for an Act to amend the *Planning Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
25. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:  
Mr Perron (Treasurer) moved - That so much of standing orders be suspended as would prevent two Bills relating to lotteries, gaming, racing and betting (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 stages, and the third readings of the Bills together; and (b) the consideration of the Bills separately in the committee of the whole.

The motion having been supported by an absolute majority of the Assembly, Mr Speaker declared the question resolved in the affirmative.

26. LOTTERY, GAMING, RACING AND BETTING BILLS - LOTTERIES AND GAMING BILL 1982 (Serial 184), and RACING AND BETTING BILL 1982 (Serial 185):

Mr Perron (Treasurer), by leave, presented a Bill for an Act to amend the *Lottery and Gaming Act*, and a Bill for an Act to regulate the conduct of lotteries, the use of gaming machines and the playing of games of chance.

Bills read a first time.

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

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

27. CRIMES COMPENSATION BILL 1982 (Serial 197):

Mr Everingham (Chief Minister), by leave, presented a Bill for an Act to provide compensation for injury as a result of a criminal act.

Bill read a first time.

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

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

28. NORTHERN TERRITORY PRODUCTS SYMBOL BILL 1982 (Serial 190):

Mr Steele (Minister for Industrial Development and Tourism), by leave, presented a Bill for an Act to authorize the use of a products symbol to distinguish and promote the sale of products made in the Territory.

Bill read a first time.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

29. TERRITORY DEVELOPMENT AMENDMENT BILL 1982 (Serial 196):

Mr Steele (Minister for Industrial Development and Tourism), by leave, presented a Bill for an Act to amend the *Territory Development Act*.

Bill read a first time.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

30. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), orders of the day, Government Business, were ordered to be taken in order from No. 3.

31. LOCAL GOVERNMENT AMENDMENT BILL (No. 2) 1981 (Serial 155):

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.

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*In the committee*

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

Clause 3 agreed to.

New clauses -

On the motion of Mr Robertson the following new clauses were inserted in the Bill -

"3A. COUNCIL TO CONDUCT POLL IN CONNECTION WITH LOCAL RATE IN CERTAIN CIRCUMSTANCES

Section 161 of the Principal Act is amended -

- (a) by omitting from sub-section (1) 'the ratable'; and
- (b) by omitting from sub-section (3) 'in accordance with the result of that poll.' and substituting 'on the land in the portion of the municipality the subject of the notice under sub-section (1).'

"3B. REPEAL AND SUBSTITUTION

Section 162 of the Principal Act is repealed and the following section substituted:

'162. ASSESSMENT OF LOCAL RATE

'A rate declared under section 161 may be -

- (a) levied on the unimproved capital value of the land in the portion of the municipality the subject of the notice under section 161(1); or
- (b) assessed and levied on such other basis as is prescribed in the Regulations.'

Clause 4 agreed to.

New clause -

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

"4A. AUDITOR, &C. MAY SUMMON WITNESS

Section 298(1) of the Principal Act is amended by omitting the words 'relevant for the purposes of the investigation' and substituting 'relevant for the purposes of the investigation or appeal'.

Title agreed to.

Bill to be reported with amendments.

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

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

32. TENANCY AMENDMENT BILL 1981 (Serial 157):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

*In the committee*

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

Clause 5 agreed to.

New clause -

Mrs O'Neil moved as an amendment that the following new clause be inserted in the Bill -

"5A. NOTICE OF RIGHT TO FAIR RENT DETERMINATION

The Principal Act is amended by inserting after section 7 the following new section:

'7A. NOTICE OF RIGHT TO FAIR RENT DETERMINATION

At or prior to the taking by a lessee of possession of premises the lessor shall hand or cause to be handed to the lessee a notice in writing in the terms set out in Schedule 5.'

Debate ensued.

Question - put and negatived.

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

Clause 17 -

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

Omit "trust account in a bank" and substitute "trust account in a bank or a building society approved by the Minister for that purpose".

Mrs O'Neil moved, as a further amendment -

Insert after paragraph (c) the following new paragraph:

"(ca) by omitting from sub-section (3) 'intends to leave the Territory for a period of more than 14 days', and inserting 'leaves the Territory'."

Debate ensued.

Question - put and negatived.

Clause, as amended, agreed to.

Clauses 18 to 26, by leave, taken together and agreed to, after debate.

New clauses -

On the motion of Mr Perron the following new clauses were inserted in the Bill, after debate -

"26A. IMPLIED TERMS

"Section 55 of the Principal Act is amended by omitting 'Every lease' and substituting 'other than a lease, or proposed form of lease, approved under section 55A, every lease'.

"26B. NEW SECTION

"The Principal Act is amended by inserting after section 55 the following:

'55A. APPROVED FORM OF LEASE

'The Commissioner may, as he thinks fit, approve a written lease or proposed form of written lease where the terms of the lease are contrary to the terms set out in Schedule 4.'."

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

Bill to be reported with amendments.

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

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

33. PRIVILEGE - MATTER TELECAST BY ABC - REQUEST FOR REFERRAL TO COMMITTEE OF PRIVILEGES - STATEMENT - SPEAKER'S DECISION:

Mr Speaker advised the Assembly that he had considered the request of Mr B. Collins to refer a matter to the Committee of Privileges.

Mr Speaker made a statement and then informed the Assembly of his decision in the following terms -

"I inform the Legislative Assembly that after having examined all the relevant documents in respect to the complaint made by the Leader of the Opposition there appears to be no matter that should be referred to the Privileges Committee and I rule accordingly."

Mr B. Collins (Leader of the Opposition) moved - That the matter he had complained of be referred to the Committee of Privileges.

Debate ensued.

Closure: Mr Perron moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the motion (Mr B. Collins) be agreed to - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 8	Noes, 11
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mr MacFarlane
Mr Leo	Mrs Padgham-Purich
Mrs O'Neil	Mr Perron
Mr Smith	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

34. RESCISSION MOTION - SUMMARY OFFENCES AMENDMENT BILL (No. 2) 1981 (Serial 170):

Mr Tuxworth (Minister for Health), by leave, moved - That the adoption of the report and the third reading resolution of the Summary Offences Bill (No. 2) 1981 (Serial 170) be rescinded and that the Bill be recommitted to the committee of the whole Assembly for reconsideration of new section 45D inserted in clause 2 by amendment 82.3.

Question - put and passed.

35. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Tuxworth (Minister for Health), the order of the day relating to the Summary Offences Amendment Bill (No. 2) 1981 (Serial 170) was called on.

36. SUMMARY OFFENCES AMENDMENT BILL (No. 2) 1981 (Serial 170):

The order of the day having been read for the reconsideration of new section 45D in clause 2 -

The Assembly resolved itself into a committee of the whole.

*In the committee*

*On recommittal -*

Clause 2 -

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

Omit proposed section 45D and substitute:

"45D. DRINKING IN A PUBLIC PLACE

"Subject to sections 45E and 45F, a person shall not drink liquor in a public place or on unoccupied private land, being a public place or unoccupied private land within 2 kilometres of any premises licensed under Part III of the *Liquor Act* for the sale of liquor, unless the

owner or lawful occupier of that place or land has given the person express permission, which has not been withdrawn, to do so.

Penalty: \$200."

Clause, as amended, agreed to.

Bill to be reported with a further amendment.

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

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

Debate ensued.

Question - put and passed.

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

37. LOCAL GOVERNMENT AMENDMENT BILL 1981 (Serial 71):

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 15, by leave, taken together and agreed to.

Clause 16 and Schedule, by leave, taken together and negatived.

Title agreed to.

Bill to be reported with an amendment.

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

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

38. STATUTE LAW REVISION BILL (No. 5) 1981 (Serial 162):

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

Debate resumed.

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

The Assembly resolved itself into a committee of the whole.

*In the committee*

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

Schedule -

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

(a) by inserting after -

"Marine Act 1981

Section 108                      'Division 11'                      'Division 2'"

the following:

"Places of Public  
Entertainment Act

THE FIRST SCHEDULE                      'THE FIRST SCHEDULE'                      'SCHEDULE 1'

'Paragraph (i) of  
section 24'

'Section 24(i)'

'Paragraph (i) of  
section 36'

'Section 36(i)'



THE SECOND SCHEDULE      'THE SECOND SCHEDULE'      'SCHEDULE 2'  
Long title and sections 'Ordinance' (wherever 'Act'';  
1, 2, 3, 4, 5(1), 6,      occurring)  
7(2), 18(1), 21 and  
22

- (b) by omitting from that part under the provision heading "*Registration of Births, Deaths and Marriages Act*" the following:

"'Prisons Ordinance'      'Prisons Act'"

and substituting the following:

"'Prisons Ordinance'      'Prisons (Correctional  
Services) Act'";

- (c) by omitting from that part under the provision heading "*Sheriff Act*" the following:

"Long title and sections 'Ordinance' (wherever  
1, 4, 10, 19(1)(a)      occurring)"  
(iii), 21(2), 23(1)  
and 27

and substituting the following:

"Long title and sections 'Ordinance' (wherever 'Act'';  
1, 4, 10, 19(1)(a)      occurring)  
(iii), 21(2), 23(1)  
and 27

- (d) by omitting from that part under the provision heading "*Social Welfare Act*" the word and figures "Sections 17(2)" and substituting "Sections 17(3)"; and

- (e) by omitting all words and figures after and including "*Tuberculosis Act*" up to but not including "*Unordered Goods and Services Act*".

Schedule, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

39. EVIDENCE AMENDMENT BILL 1982 (Serial 179):

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 -

*Suspension of standing orders - pass Bill through all stages:* Mr Robertson (Minister for Education) moved - That so much of standing orders be suspended as would prevent the Evidence Amendment Bill 1982 (Serial 179) being passed through all stages at this sitting.

Debate ensued.

*Closure:* Mr Robertson (Minister for Education) moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

The motion (Mr Robertson's) having been supported by an absolute majority of the Assembly, Mr Speaker declared the question resolved in the affirmative. Question - That the Bill be now read a second time.

Mr B. Collins (Leader of the Opposition) moved, as an amendment - Omit all words after "That" and insert in their stead "the Assembly declines to give the Bill a second reading as it is of the opinion that its passage would be detrimental to the proper administration of justice in the Northern Territory."

*Closure:* Mr Robertson (Minister for Education) moved - That the question be put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

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

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

Debate resumed.

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Bill read a second time.

Mr B. Collins (Leader of the Opposition) moved - That the Bill be referred to a select committee comprising Mr Everingham, Mr Robertson, Mr B. Collins, Miss D'Rozario and Mrs Lawrie.

That the committee investigate the effect of this legislation on the balance between the requirements of the Crown and those of litigants in the Northern Territory.

That the committee have power to send for persons, papers and records, to sit during any adjournment of the Assembly and to adjourn from place to place. Debate ensued.

*Personal explanation:* Mr B. Collins made a personal explanation refuting statements attributed to him by Mr Everingham during debate on the motion.

*Closure:* Mr Robertson (Minister for Education) moved - That the question be put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the motion (Mr B. Collins') be agreed to - put and negatived.

The Assembly resolved itself into a committee of the whole.

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*In the committee*

Clause 1 agreed to.

Clause 2 -

Mr B. Collins moved as an amendment -

Insert after proposed section 42D(2) the following sub-sections:

"(3) Where a certificate has issued in pursuance of section 42D a Judge shall have power to inspect the contents of a document or record in legal proceedings described in that certificate and to determine in respect of those documents or record of legal proceedings whether the certificate should have issued or otherwise."

"(4) A reference to the contents of a document or a record in legal proceedings referred to in sub-section (1) shall be read as a reference to a document or record that that has come into existence after the commencement of this Part."

Debate ensued.

Question - put.

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

Ayes, 8	Noes, 10
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mrs Padgham-Purich
Mr Leo	Mr Perron
Mrs O'Neil	Mr Robertson
Mr Smith	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

Mr B. Collins moved as an amendment -

Omit from proposed section 42F sub-section (3) and substitute the following:

"(3) A Judge may in respect of a statement by a person called upon to give evidence of a kind to which this section applies, determine after hearing that evidence whether or not such a statement should be admitted as evidence."

Debate ensued.

Question - put.

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

Ayes, 8	Noes, 10
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mrs Padgham-Purich
Mr Leo	Mr Perron
Mrs O'Neil	Mr Robertson
Mr Smith	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

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

Omit from proposed section 42G "Nothing in this Part limits" and substitute "Except in relation to documents or records in respect of which a certificate has been given under section 42D(1), or evidence of a kind to which section 42F applies, nothing in this Part affects".

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

Debate ensued.

On the motion of Mr Everingham, by leave, the following further amendment was made:

Insert in proposed new section 42F(3) after "evidence" (second occurring), "if the statement is accompanied by a certificate of the Attorney-General,".

Clause, as amended, agreed to, after further debate.

Title agreed to.

Bill to be reported with amendments.

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

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

Mr B. Collins (Leader of the Opposition) moved - That the motion be amended by omitting the word "now" and adding at the end "this day six months".

*Closure:* Mr Robertson (Minister for Education) moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the amendment (Mr B. Collins') be agreed to - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 8	Noes, 11
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mr MacFarlane
Mr Leo	Mrs Padgham-Purich
Mrs O'Neil	Mr Perron
Mr Smith	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

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

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

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

40. ELECTRICITY COMMISSION AMENDMENT BILL 1982 (Serial 194):

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

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

41. MINERAL ROYALTY BILL 1982 (Serial 198):

Mr Tuxworth (Minister for Mines and Energy), by leave, presented a Bill for

an Act to impose a royalty on minerals recovered in the Northern Territory, and for related purposes.

Bill read a first time.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

42. PET MEAT BILL 1981 (Serial 163):

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.

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*In the committee*

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

Clause 3 -

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

Omit the definition of "pet meat" and substitute the following:

"'pet' means a domestic or captive animal which is carnivorous;

'pet meat' means the fresh, chilled or frozen carcass, flesh or another product derived from animals which is intended to be fed to pets, and includes meat from stock or poultry slaughtered under the *Abattoirs and Slaughtering Act*, but does not include a carcass, flesh or another product -

(a) which has been condemned under the *Abattoirs and Slaughtering Act* as unfit for human consumption; or

(b) heat sterilized in an hermetically sealed container or heat dried;"

Clause, as amended, agreed to.

New clause -

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

"3A. APPLICATION

"(1) The Minister may, by notice in the *Gazette*, exempt a person from the whole or a specified provision of this Act.

"(2) Where a notice under sub-section (1) is in force, this Act or the specified provision of this Act, as the case may be, does not apply to, or in relation to, the person specified in the notice."

Clause 4 negatived.

New clause -

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

"4. OFFENCE TO SELL OR PURCHASE PET MEAT

"(1) No person shall sell, or intend to sell, pet meat unless -

(a) the pet meat has been derived from an animal slaughtered under the *Abattoirs and Slaughtering Act*;

(b) he is the holder of a licence to slaughter or licence to process and he sells, or intends to sell, the pet meat in accordance with his licence; or

(c) he is a retailer of pet meat and he has purchased the pet meat from the holder of a licence to process.

"(2) No person shall purchase pet meat unless -

- (a) he is the holder of a licence to process and he purchases the pet meat in accordance with his licence from a person who is the holder of a licence to slaughter or the pet meat has been derived from an animal slaughtered under the *Abattoirs and Slaughtering Act*;
- (b) he is a retailer of pet meat and he has purchased the pet meat from the holder of a licence to process; or
- (c) it is purchased for the purpose of feeding the meat to his own or his employer's pet."

Clause 5 -

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

Omit from sub-clause (2) "re-sale in the Territory" and substitute "sale".

Omit paragraphs (b) and (c) from sub-clause (3) and substitute the following:

- "(b) he is a retailer of pet meat and he has purchased the pet meat from the holder of a licence to process; or
- (c) the pet meat is not intended for sale."

Clause, as amended, agreed to.

Clauses 6 to 8, by leave, taken together and agreed to.

Clause 9 -

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

Insert after "an animal is," in paragraph (d)(i) ", was".

Insert after "pet meat is," in paragraph (d)(ii) ", was".

Clause, as amended, agreed to.

Clause 10 -

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

Omit paragraphs (g), (h) and (j) and substitute the following:

- "(g) require a person to provide his name and address where the Inspector knows or suspects the person is involved with the pet meat industry;
- (h) direct the driver of a vehicle, which he suspects was, or is being, used for transporting pet meat otherwise than in accordance with this Act or the Regulations, to drive the vehicle to, and remain at, a place specified by the Inspector;"

Clause, as amended, agreed to, after debate.

Clauses 11 and 12, by leave, taken together and agreed to.

Clause 13 -

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

Omit from paragraph (d) "the holder of a licence" and substitute "a licensed shooter".

Clause, as amended, agreed to.

Clause 14 agreed to.

Clause 15 -

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

Omit from paragraph (c) all words after "process" and substitute "or as is otherwise provided in his licence."

Clause, as amended, agreed to.

Clause 16 -

Mr Steele moved as an amendment -

Omit paragraph (e) and substitute the following:

"(e) subject to a contrary provision in his licence, ensure that the flesh from an animal slaughtered by him is identified by dyeing or other means, as prescribed, at the time of cutting up of the animal."

Debate ensued.

On the motion of Mr Steele Further consideration of the clause and the proposed amendment was postponed.

Clause 17 agreed to.

Clause 18 -

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

Omit from sub-clause (3)(a) "a licenced processing place" and substitute "the type of licensed processing place applied for by the applicant".

Clause, as amended, agreed to.

Clauses 19 to 45, by leave, taken together and agreed to.

Clause 46 negatived.

New clause -

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

"46. OFFENCE TO TRANSPORT

"No person shall transport a commercial quantity of pet meat unless -

- (a) he carries with him a certificate in the prescribed form in relation to the meat;
- (b) he has complied with the prescribed conditions before transporting the meat; and
- (c) it is kept in a frozen or chilled state and under conditions which ensure that it does not deteriorate during transportation."

Clause 47 agreed to.

New clauses -

On the motion of Mr Steele the following new clauses were inserted in the Bill -

"47A. OFFENCE OF FAILING TO IDENTIFY PET MEAT

"(1) Subject to a contrary provision in his licence, a person who is the holder of a licence to slaughter shall ensure that the carcass, flesh or another product derived from an animal slaughtered by him is identified by dyeing or other means, as prescribed, at the time of cutting up of the animal.

"(2) Subject to a contrary provision in his licence, a person who is the holder of a licence to process shall ensure that all pet meat purchased by him -

- (a) from a person who is the holder of a licence to slaughter; or
- (b) that is pet meat derived from an animal slaughtered at an abattoir in accordance with the *Abattoirs and Slaughtering Act*, is identified by dyeing or other means, as prescribed, as soon as practicable after he has purchased the meat.



"(3) A retailer shall not sell pet meat unless it is identified by dyeing or other means, as prescribed, at the time of sale.

"47B. OFFENCE TO SELL CONDEMNED MEAT

"No person shall sell or intend to sell as pet meat a carcass, flesh or another product derived from an animal where the carcass, flesh or other product has been condemned as unfit for human consumption under the *Abattoirs and Slaughtering Act*."

Clauses 48 to 51, by leave, taken together and agreed to.

Clause 52 -

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

Insert in paragraph (b) after "prescribed manner" the words "or was derived from a specified species of animal".

Clause, as amended, agreed to.

New clause -

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

"52A. EVIDENCE OF INTENTION

"For the purposes of section 4(1), evidence that a person had in his possession or under this control a commercial quantity of pet meat, other than -

- (a) under a licence held by him;
- (b) whilst transporting pet meat as permitted under section 46;
- (c) in pursuance of an exemption under section 3A; or
- (d) for the purpose of feeding the meat to his own or his employer's pet,

is prima facie evidence of an intention to sell the pet meat."

Clause 53 -

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

Omit paragraph (e) and substitute the following:

- "(e) the inspection by an Inspector of the carcasses of animals intended for use as pet meat;
- (ea) the quantity of meat which shall be deemed a commercial quantity for the purposes of sections 46 and 52A;"

Clause, as amended, agreed to.

Clause 54 agreed to.

Postponed clause 16 and the amendment proposed by Mr Steele -

Omit paragraph (e) and substitute the following:

- "(e) subject to a contrary provision in his licence, ensure that the flesh from an animal slaughtered by him is identified by dyeing or other means, as prescribed, at the time of cutting up of the animal;"

Debate ensued.

Question - put and passed.

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

Omit from paragraph (f) "and vehicles".

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

Omit paragraph (n) and substitute the following:

"(n) subject to a contrary provision in his licence, sell pet meat only to the holder of a licence to process."

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

43. BUSINESS DISCHARGED:

On the motion of Mr Robertson (Minister for Education) order of the day No. 10, Government Business, relating to the Crown Lands Amendment Bill 1981 (Serial 123), was discharged from the Notice Paper.

44. SPECIAL ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly, at its rising, adjourn until Tuesday 25 May 1982.

Debate ensued.

Question - put and passed.

45. SUSPENSION OF STANDING ORDERS - PASS TWO BILLS THROUGH ALL STAGES:

Mr Robertson (Minister for Education) moved - That so much of standing orders be suspended as would prevent the Mining Act 1980 Amendment Bill 1982 (Serial 176) and the Territory Development Amendment Bill 1982 (Serial 196) passing through all stages at this sittings.

Debate ensued.

The motion having been supported by an absolute majority of the Assembly, Mr Speaker declared the question resolved in the affirmative.

46. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education) the order of the day relating to the Mining Act 1980 Amendment Bill 1982 (Serial 176) was called on.

47. MINING ACT 1980 AMENDMENT BILL 1982 (Serial 176):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

48. ALTERATION OF ORDER OF BUSINESS:

Mr Robertson (Minister for Education) moved - That the order of the day relating to the Territory Development Amendment Bill 1982 (Serial 196) be now taken.

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D. W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

49. TERRITORY DEVELOPMENT AMENDMENT BILL 1982 (Serial 196):

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.

Miss D'Rozario (Sanderson) moved as an amendment - Omit all words after "That" and insert in their stead "the Assembly declines to give the Bill a second reading until adequate time has been allowed for consideration of the effects of this major alteration to financing arrangements of the Territory Development Corporation."

Debate ensued.

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 8	Noes, 11
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Mr Doolan	Mr Everingham
Miss D'Rozario	Mr Harris
Mrs Lawrie	Mr MacFarlane
Mr Leo	Mrs Padgham-Purich
Mrs O'Neil	Mr Perron
Mr Smith	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

And so it was negatived.

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

Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

Ayes, 11	Noes, 8
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Mr Doolan
Mr Harris	Miss D'Rozario
Mr MacFarlane	Mrs Lawrie
Mrs Padgham-Purich	Mr Leo
Mr Perron	Mrs O'Neil
Mr Robertson	Mr Smith
Mr Steele	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for third reading to be moved forthwith.

Mr Steele (Minister for Industrial Development and Tourism) 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.

50. ADJOURNMENT:

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

Question - put and passed.

And the the Assembly at 11.28 p.m. adjourned until Tuesday 25 May 1982.

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PAPERS:

The following papers were deemed to have been presented on 16 March 1982:

*Agreements under Police Administration Act:*

Chief Minister and Police Association, 25 February 1982

Chief Minister and the Officers Association, 23 February 1982

*Annual Reports:*

Department of Health, 1980-81

East Arm Hospital Management Board, September 1981

Katherine Hospital Management Board, 1980-81

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ATTENDANCE:

All Members attended the sitting.

F.K.M. THOMPSON

Clerk of the Legislative Assembly

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THIRD LEGISLATIVE ASSEMBLY

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FIRST SESSION

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