

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 78

Tuesday 10 October 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment.

2. RESIGNATION OF SPEAKER - PAPER TABLED:

The Clerk of the Assembly (Mr H.G. Smith), laid on the Table a letter from His Honour the Administrator notifying Members of the resignation of the Speaker, Hon R.W.S. Vale.

It read as follows:

The Legislative Assembly of the NT
GPO Box 3721
Darwin NT 0801

I desire to inform the Legislative Assembly of the Northern Territory that I have received a letter from Mr Roger William Stanley Vale MLA, dated 4 September 1989, tendering his resignation as Speaker of the Legislative Assembly of the Northern Territory.

(Sgd) J.H. MUIRHEAD

Administrator.

Dated 6 October 1989

3. ELECTION OF SPEAKER:

The Clerk of the Assembly presiding, the Chief Minister (Mr Perron) proposed to the Assembly for its Speaker the Member for Casuarina (Mr Dondas) and moved - That the Member for Casuarina, do take the Chair as Speaker.

The motion was seconded by the Leader of Government Business (Mr Coulter) and Mr Dondas accepted the nomination.

The Member for Barkly (Mr Tuxworth) proposed to the Assembly for its Speaker the Member for Koolpinyah (Mrs Padgham-Purich) and moved - That the Member for Koolpinyah do take the Chair as Speaker.

The motion was seconded by the Leader of the Opposition (Mr Smith) and Mrs Padgham-Purich accepted the nomination.

The time for proposals having expired -
Debate ensued.

The Assembly then proceeded to ballot.

Bells rung and ballot conducted: Scrutineers Mr Setter and Mr Lanhupuy.

The Clerk of the Assembly announced the result of the ballot:

Mr Dondas (Casuarina) - 14 votes

Mrs Padgham-Purich (Koolpinyah) - 11 votes

and declared the Member for Casuarina (Mr N.M. Dondas) elected as Speaker in accordance with Standing Orders.

Members having offered congratulations to the Speaker - the Speaker thanked the Assembly for the high honour it had conferred upon him, and thereupon took the Chair.

4. PRESENTATION OF SPEAKER TO ADMINISTRATOR:

The Speaker invited Honourable Members to accompany him to the Lounge where he would present himself to His Honour the Administrator as the choice of the Assembly as its Speaker.

Suspension of sitting: The sitting was suspended between 10.40 a.m. and 10.52 a.m.

5. PRAYERS.

6. REPORT OF SPEAKER:

The Speaker reported that, accompanied by Honourable Members, he had presented himself to His Honour the Administrator as the choice of the Assembly for its Speaker and His Honour was pleased to congratulate him upon his appointment as Speaker.

7. SPEAKER'S COMMISSION TO ADMINISTER OATHS AND AFFIRMATIONS - PAPER TABLED:

The Speaker announced that he had received from His Honour the Administrator the following authorization to administer to Members Oaths or Affirmations of Allegiance and of Office, which was laid upon the Table.

The Commission was read by the Clerk, as follows:

COMMONWEALTH OF AUSTRALIA

His Honour the Administrator of the Northern Territory of Australia.

To: The Honourable Nicholas Manuel Dondas, MLA.

Greeting:

WHEREAS by section 13 of the *Northern Territory (Self-Government) Act 1978* it is amongst other things enacted that every Member of the Legislative Assembly shall, before taking his seat, make and subscribe before the Administrator, or some person authorized by him, an Oath or Affirmation of Allegiance in the form set out in

Schedule 2 to the *Northern Territory (Self-Government) Act 1978* and an Oath or Affirmation of Office in the form set out in Schedule 3 to the aforesaid Act:

NOW, THEREFORE I, JAMES HENRY MUIRHEAD, the Administrator aforesaid, do by these Presents command and authorize you from time to time, in the Legislative Assembly Chamber, Darwin, to administer the said Oaths or Affirmations of Allegiance and of Office to such Members of the Legislative Assembly as have not already taken and subscribed them since their election to the Assembly.

Given under my hand and the Public Seal of the Northern Territory of Australia, this tenth day of October, one thousand nine hundred and eighty nine.

(Sgd) J.H. MUIRHEAD
Administrator.

8. CHAIRMAN OF COMMITTEES - APPOINTMENT:

The Speaker, addressing Members of the Assembly, reminded Members of the necessity for the Assembly to appoint a Member to be its Chairman of Committees -

Whereupon the Chief Minister (Mr Perron) proposed to the Assembly for its Chairman of Committees the Member for Ludmilla (Mr Firmin) and moved - That the Member for Ludmilla be appointed Chairman of Committees.

The motion was seconded by the Leader of Government Business (Mr Coulter) and Mr Firmin accepted the nomination.

The Member for Barkly (Mr Tuxworth) proposed to the Assembly for its Chairman of Committees the Member for Sadadeen (Mr Collins) and moved - That the Member for Sadadeen be appointed Chairman of Committees.

The motion was seconded by the Member for Flynn (Mr Floreani) and Mr Collins accepted the nomination.

The time for motions having expired the Assembly then proceeded to ballot.

Bells rung and ballot conducted: Scrutineers Mr Setter and Mr Lanhupuy.

The Speaker announced the result of the ballot:

Mr Firmin (Ludmilla) - 14 votes
Mr Collins (Sadadeen) - 11 votes

and declared the Member for Ludmilla (Mr Firmin) appointed as Chairman of Committees in accordance with Standing Orders.

Mr Firmin thanked the Assembly for the high honour it had conferred upon him and acknowledged the congratulations of Members.

9. MINISTRY AND ADMINISTRATIVE ARRANGEMENTS - MINISTERIAL STATEMENT - PAPER TABLED:

The Chief Minister (Mr Perron), by leave, made a statement informing the Assembly of the appointment of Ministers, the organization of the Ministry and the division of administrative responsibilities.

Paper tabled: Mr Perron laid on the Table a copy of His Honour the Administrator's Administrative Arrangements Order being Northern Territory Government *Gazette* No S51, dated 4 September 1989.

MINISTERS, MINISTRIES AND MAJOR FUNCTIONS

HON M.B. PERRON

- **Chief Minister:** Department of the Chief Minister; Department of the Legislative Assembly; Ombudsman for the Northern Territory; Auditor-General; and Parliamentary Counsel.
- **Treasurer:** Northern Territory Treasury; and Territory Insurance Office.
- **Minister for Police, Fire and Emergency Services:** Police Force of the Northern Territory; Fisheries Protection and Enforcement; and Fire and Emergency Services.

HON B.F. COULTER

- **Minister for Mines and Energy:** Department of Mines and Energy; and Power and Water Authority.
- **Minister for Industries and Development:** Department of Industries and Development; Trade Development Zone Authority; and Communications Policy.

HON D.W. MANZIE

- **Attorney-General:** Department of Law; Supreme Court; Legal Profession; and Corporate Affairs.
- **Minister for Lands and Housing:** Department of Lands and Housing; Northern Territory Housing Commission; Aboriginal Areas Protection Authority; Planning and Urban Development; and Building Control.

HON T. HARRIS

- **Minister for Education, the Arts and Cultural Affairs:** Department of Education; Northern Territory University; Menzies School of Health Research; Northern Territory Teaching Service; Libraries; and Arts and Cultural Affairs.

HON S.P. HATTON

- **Minister for Health and Community Services:** Department of Health and Community Services.
- **Minister for Conservation:** Conservation Commission of the Northern Territory; Museums and Art Galleries Board; Forestry; Heritage; and Territory Parks and Wildlife.

HON F.A. FINCH

- **Minister for Transport and Works:** Department of Transport and Works; Darwin Port Authority; and Motor Vehicle and Aviation Transport.
- **Minister for Racing and Gaming:** Racing, Gaming and Liquor Commission; Northern Territory Totalisator Administration Board; and Lotteries.

HON T.R. MCCARTHY

- **Minister for Labour, Administrative Services and Local Government:** Department of Labour and Administrative Services; Public Service Commissioner; Work Health Authority; Local Government and Jabiru Town Development Authority.
- **Minister Assisting the Chief Minister on Aboriginal Affairs.**

HON M.A. REED

- **Minister for Primary Industry and Fisheries:** Department of Primary Industry and Fisheries; Agricultural Development and Marketing Authority; and Quarantine.
- **Minister for Correctional Services:** Department of Correctional Services.

HON R.W.S. VALE

- **Minister for Tourism:** Northern Territory Tourist Commission.
- **Minister for Youth, Sport, Recreation and Ethnic Affairs:** Office of Youth, Sport, Recreation and Ethnic Affairs; and Community Grants.
- **Minister Assisting the Chief Minister on Central Australian Affairs.**

10. NOTICE:

The following notice was given:

Mr Tuxworth: To move - That the Attorney-General be censured -

- (1) for failing to carry out his responsibilities in relation to the payment of compensation to claimants under the *Crimes Compensation Act*; and
- (2) for displaying apparent prejudice and antagonism to certain claimants under that Act.

11. CENSURE OF ATTORNEY-GENERAL - CRIMES COMPENSATION ACT - MOTION NEGATIVED:
The Leader of Government Business (Mr Coulter) informed the Assembly that the government, pursuant to Standing Order 95, accepted the notice of motion as a censure motion.

The Member for Barkly (Mr Tuxworth) thereupon moved - That the Attorney-General be censured -

- (1) for failing to carry out his responsibilities in relation to the payment of compensation to claimants under the *Crimes Compensation Act*; and
- (2) for displaying apparent prejudice and antagonism to certain claimants under that Act.

Debate ensued.

Point of Order: The Member for Macdonnell (Mr Bell) raised, as a point of order, that a phrase used by the Attorney-General (Mr Manzie) was unparliamentary and should be withdrawn.

Ruling of Speaker: The Speaker ruled - That the Attorney-General was quoting words used by the Member for Barkly in a previous debate and therefore there was no point of order.

Dissent from Speaker's Ruling: Mr Bell moved - That the ruling of the Speaker be dissented from and pursuant to Standing Order 82, submitted such dissent in writing.

Debate ensued.

Dissent withdrawn: Mr Bell, by leave, withdrew the motion of dissent.

Debate continued.

Question - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 8

NOES, 14

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

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

And so it was resolved in the negative.

12. OFFICE OF THE AUDITOR-GENERAL, ANNUAL REPORT 1988-89 - PAPER TABLED - PAPER PRINTED:

The Speaker laid on the Table the Annual Report of the Office of the Auditor-General for the year ended 30 June 1989.

The Leader of Government Business (Mr Coulter) moved - That the report be printed.

Question - put and passed.

13. PARLIAMENTARY COMMITTEES - CHANGES IN MEMBERSHIP:

The Leader of Government Business (Mr Coulter), by leave, moved - That -

- (1) the Member for Casuarina (Mr Dondas) be discharged from further attendance on the Public Accounts Committee; the Publications Committee; the Privileges Committee; the House Committee; the Subordinate Legislation and Tabled Papers Committee; and the Sessional Committee on the Environment;
- (2) the Member for Nightcliff (Mr Hatton) be discharged from further attendance on the Publications Committee; and the Sessional Committee on the Environment;
- (3) the Member for Nhulunbuy (Mr Leo) be discharged from further attendance on the Select Committee on Constitutional Development;
- (4) the Member for Arafura (Mr Tipiloura) be discharged from further attendance on the Subordinate Legislation and Tabled Papers Committee; and
- (5) members be appointed to those Committees as follows:

Standing Committee on Publications -
Mr Firmin and Mr Poole;

Standing Committee on Public Accounts -
Mr Poole;

Standing Committee on Privileges -
Mr Vale;

Standing Committee on the House -
Mr Poole;

Standing Committee on Subordinate Legislation and Tabled
Papers -
Mr Poole and Mr Bailey;

Sessional Committee on the Environment -
Mr Poole and Mr Palmer; and

Select Committee on Constitutional Development -
Mr Bailey.

Question - put and passed.

14. APPOINTMENT OF GOVERNMENT WHIP:

The Leader of Government Business (Mr Coulter) advised that the Member for Jingili (Mr Setter) had been appointed as Government Whip.

15. OMBUDSMAN, ANNUAL REPORT 1988-89 - PAPER TABLED - PAPER PRINTED:

The Chief Minister (Mr Perron) laid on the Table the Eleventh Annual Report of the Ombudsman for the year 1 July 1988 to 30 June 1989.

Mr Perron moved - That the report be printed.

Question - put and passed.

Suspension of sitting: The sitting was suspended between 1.12 p.m. and 2.30 p.m.

16. CHAMBERLAIN COMPENSATION CLAIM - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Attorney-General (Mr Manzie) made a statement relating to the payment of legal fees and expenses in the form of compensation to the Chamberlains.

Papers tabled: Mr Manzie laid on the Table the following papers -

- Letter, Pastor R.D. Craig, Seventh Day Adventist Church to Messrs Brennan, Blair and Tipple, dated 8 November 1988;
- Letter, Brennan, Blair and Tipple to Hon D.W. Manzie, dated 24 November 1988;
- Letter, Hon Daryl Manzie to Mr Stuart Tipple, dated 16 December 1988;
- Letter, Brennan, Blair and Tipple to Hon D.W. Manzie, dated 20 April 1989;
- Letter, Hon Daryl Manzie to Mr Stuart Tipple, dated 16 May 1989;
- Letter, Brennan, Blair and Tipple to Hon D.W. Manzie, dated 23 June 1989; and
- Letter, Hon Daryl Manzie to Mr Stuart Tipple, dated 29 August 1989.

Mr Manzie moved - That the Assembly take note of the Statement.
Debate ensued.

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

Omit all words after "That", and insert in their stead:

- "(1) this Assembly accepts the principle that Lindy and Michael Chamberlain should receive just compensation for what has been found by the Northern Territory Court of Criminal Appeal to be their wrongful conviction; and
- (2) mindful of the length of the time which has elapsed since the question of compensation for Lindy and Michael Chamberlain has been raised, this Assembly resolves that appropriate administrative or judicial processes be established at the earliest possible time to determine the criteria and scale of just compensation for what has been found by the Northern Territory Court of Criminal Appeal to be their wrongful conviction."

Debate ensued.

Question - That the amendment be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 9

NOES, 16

Mr Bailey
Mr Bell
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura
Mr Tuxworth

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

And so it was resolved in the negative.

Debate continued.

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

17. CHAMBERLAIN CORRESPONDENCE - MOTION NEGATIVED:

The Member for Macdonnell (Mr Bell), by leave, moved - That -

- (1) the correspondence between the Attorney-General and counsel for Michael and Lindy Chamberlain, tabled by the Attorney-General when making his statement of 10 October 1989 in relation to the question of payment of legal fees and expenses and compensation to Mr and Mrs Chamberlain, be not considered public; and

(2) its publication be not deemed to have been authorized by the Assembly.

Debate ensued.

Question - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 8

NOES, 15

Mr Bailey
Mr Bell
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

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

And so it was resolved in the negative.

18. APPROPRIATION BILL 1989-90 (Serial 215):

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.

On the motion of the Chief Minister (Mr Perron) debate was adjourned.

19. DEPUTY CHAIRMEN OF COMMITTEES - WARRANT AND REVOCATION OF PREVIOUS WARRANTS:

The Speaker laid on the Table the following Warrant:

W A R R A N T

Pursuant to the provisions of Standing Order 12, I hereby revoke all previous warrants nominating Members to act as Deputy Chairmen of Committees and nominate Mr Eric Poole, Mr Denis Collins and Mr Wesley Lanhupuy to act as Deputy Chairmen of Committees when requested so to do by the Chairman of Committees.

Given under my hand this tenth day of October nineteen hundred and eighty nine.

(Sgd) NICK DONDAS
Speaker

20. ADJOURNMENT:

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

Question - put and passed.

The Assembly adjourned at 9.48 pm until tomorrow at 10.00 a.m.

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PAPERS:

The following Papers were deemed to have been presented on 10 October 1989:

Annual Reports:

Accounting Standards Review Board, 1987-88
Executor Trustee and Agency Co. of SA Ltd, 1987-88
Treasurer's Annual Financial Statements, 1988-89

By-laws:

Northern Territory University (Powers and Responsibilities of the Vice-Chancellor) By-laws
Northern Territory University (Student Association) By-laws

Hospital Management Board:

Gove District, 1988-89

Regulations 1989:

- No.22 - Amendments of the Business Franchise (Petroleum Products) Regulations
- No.23 - Amendments of the Motor Vehicles (Registration Labels and Miscellaneous) Regulations
- No.24 - Amendments of the Motor Vehicles (Hire Car) Loan Security Regulations
- No.25 - Amendments of the Motor Vehicles (Hire Car) Regulations
- No.26 - Amendment of the Motor Vehicles (Fees and Charges) Regulations
- No.27 - Amendment of the Water Supply and Sewerage Regulations
- No.28 - Amendment of Unit Titles Regulations

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 79

Wednesday 11 October 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. PETITION:

Mr Coulter presented a petition from 13 citizens of the Northern Territory relating to the removal of strip shows from hotels.

Petition read.

4. NOTICE:

The following notice was given:

Mr Bell: To move - That -

(1) this Assembly censures the Attorney-General for bringing his Office into the utmost disrepute in that:

(a) he has supported, as a principle, that prior sexual relationship denies a woman her full rights to protection from sexual violence;

(b) he has, through abuse of his powers under the *Crimes Compensation Act*, established precedent for that principle; and

(c) he has, in his public defence of that principle, undermined the rights of all Territory women; and

(2) this Assembly therefore requires and demands that he resign forthwith.

5. CENSURE OF ATTORNEY-GENERAL - WOMEN'S RIGHTS - MOTION NEGATIVED:

The Leader of Government Business (Mr Coulter) informed the Assembly that the Government, pursuant to Standing Order 95, accepted the motion as a censure motion.

The Member for Macdonnell (Mr Bell) thereupon moved - That -

(1) this Assembly censures the Attorney-General for bringing his Office into the utmost disrepute in that:

(a) he has supported, as a principle, that prior sexual relationship denies a woman her full rights to protection from sexual violence;

(b) he has, through abuse of his powers under the *Crimes Compensation Act*, established precedent for that principle; and

(c) he has, in his public defence of that principle, undermined the rights of all Territory women; and

(2) this Assembly therefore requires and demands that he resign forthwith.

Debate ensued.

Document quoted from - Paper ordered to be Tabled: Mr Coulter moved - That pursuant to Standing Order 256, Mr Ede lay upon the Table the document from which he had quoted earlier in this debate.

Question - put and passed.

Mr Ede thereupon laid upon the Table the following paper -

- ° Transcript of ABC Radio "Morning Program", interview with Attorney-General (Hon D.W. Manzie), 11 October 1989 - Crimes Compensation.

Debate continued.

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

Privilege - Comments made by Member for Barkly on ABC Radio - Request for Referral to Committee of Privileges: The Attorney-General (Mr Manzie), pursuant to Standing Order 83, raised as a matter of privilege, comments made by the Member for Barkly (Mr Tuxworth) on ABC Radio this day which Mr Manzie claimed were defamatory, and requested that the Speaker refer the matter to the Committee of Privileges.

The Speaker agreed to consider the matter and report his decision before or during the next sitting day.

Debate continued upon the motion of censure moved by Mr Bell.

Question - put.

The Assembly divided (the Speaker, Hon N.M. Dondas in the Chair) -

AYES, 9

NOES, 15

Mr Bailey
Mr Bell
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura
Mr Tuxworth

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

And so it was resolved in the negative.

6. PRIVILEGE - COMMENTS MADE BY MEMBER FOR BARKLY ON ABC RADIO - REQUEST FOR REFERRAL TO COMMITTEE OF PRIVILEGES - STATEMENT - SPEAKER'S DECISION:
The Speaker advised the Assembly that he had considered the request of the Attorney-General (Mr Manzie) to refer a matter to the Committee of Privileges.

The Speaker informed the Assembly of his decision in the following terms -

"Immediately after lunch today the Honourable Attorney-General, pursuant to Standing Order 83, raised as a matter of Privilege, the fact that the Member for Barkly, Mr Tuxworth, on Talkback radio this morning had stated that the Honourable Attorney-General is 'always in the bar'.

In the past, a charge that a Member is always in the bar or was affected by drink could well have been regarded as a contempt of the Assembly and complaints by Members that others had made such a statement would have been adjudicated upon by the Parliament.

Indeed, section 10 of the *Legislative Assembly (Powers and Privileges) Act* states 'subject to the *Defamation Act*, a person shall not publish any words, whether orally or in writing or any cartoon, drawing or other pictorial representation, tending to bring the Assembly into hatred or contempt'.

In 1987, however, section 6 of the *Parliamentary Privileges Act* of the Commonwealth abolished defamation as a contempt and thus, because of the wording of section 12 of the *Northern Territory (Self-Government) Act* of the Commonwealth, defamation as a contempt, to all intents and purposes, has been abolished, in relation to the Northern Territory Legislative Assembly.

Had any Honourable Member made such a statement in the Assembly, I would have had no hesitation in naming him or her forthwith. However, in view of section 6 of the *Parliamentary Privileges Act* 1987 of the Commonwealth and its effect upon the *Legislative Assembly (Powers and Privileges) Act*, I do not intend to refer the matter to the Committee of Privileges."

7. APPROPRIATION BILL 1989-90 (Serial 215):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Firmin)

In accordance with Standing Order 188, the Committee first considered Schedule 2.

The Treasurer (Mr Perron) moved the following amendment -

Omit Schedule 2 and insert in its stead the following -

"SCHEDULE 2

Sections 2 and 3

SUMMARY

Division	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
CHIEF MINISTER			
14 Office of the Auditor-General	1 721	73	1 648
15 Office of the Ombudsman	661		661
11 Department of the Chief Minister	18 191		18 191
10 Department of the Legislative Assembly	7 737	450	7 287
TREASURER			
25 Northern Territory Treasury	178 383	109 606	68 777
26 Advance to the Treasurer	11 000		11 000
29 Territory Loans Management Corporation	3 339		3 339
MINISTER FOR POLICE, FIRE AND EMERGENCY SERVICES			
16 Northern Territory Police, Fire and Emergency Services	57 575		57 575
MINISTER FOR MINES AND ENERGY			
46 Power and Water Authority	303 254	208 156	95 098
47 Electrical Workers and Contractors Licensing Board	156	4	152
45 Department of Mines and Energy	15 265		15 265
MINISTER FOR INDUSTRIES AND DEVELOPMENT			
23 Trade Development Zone Authority	19 570	11 077	8 493
91 Department of Industries and Development	29 169		29 169
ATTORNEY-GENERAL			
55 Department of Law	20 378	1 775	18 603

SUMMARY - continued

Division	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
MINISTER FOR LANDS AND HOUSING			
32 Aboriginal Areas Protection Authority	1 400		1 400
30 Department of Lands and Housing	36 938		36 938
86 Northern Territory Housing Commission	145 208	117 895	27 313
MINISTER FOR EDUCATION, THE ARTS AND CULTURAL AFFAIRS			
37 Northern Territory University	32 632	12 329	20 303
35 Department of Education	183 035		183 035
36 Technical and Further Education	45 717	2 379	43 338
MINISTER FOR HEALTH AND COMMUNITY SERVICES			
70 Department of Health and Community Services	199 157		199 157
MINISTER FOR CONSERVATION			
51 Museums and Art Galleries Board	5 702	99	5 603
85 Conservation Commission of the Northern Territory	35 003	1 631	33 372
MINISTER FOR TRANSPORT AND WORKS			
81 Darwin Port Authority	12 764	8 431	4 333
60 Department of Transport and Works	256 620	3 091	253 529
MINISTER FOR RACING AND GAMING			
27 Racing, Gaming and Liquor Commission	3 421	69	3 352
MINISTER FOR LABOUR, ADMINISTRATIVE SERVICES AND LOCAL GOVERNMENT			
12 Work Health Authority	3 576	223	3 353

SUMMARY - continued

Division	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
13 Department of Labour and Administrative Services	72 864	5 561	67 303
MINISTER FOR PRIMARY INDUSTRY AND FISHERIES			
92 Department of Primary Industry and Fisheries	43 721		43 721
MINISTER FOR CORRECTIONAL SERVICES			
79 Department of Correctional Services	22 089		22 089
MINISTER FOR TOURISM			
20 Northern Territory Tourist Commission	20 267	3 774	16 493
MINISTER FOR YOUTH, SPORT, RECREATION AND ETHNIC AFFAIRS			
71 Office of Youth, Sport, Recreation and Ethnic Affairs	8 077	5 800	2 277
TOTAL	1 794 590	492 423	1 302 167

ACTIVITIES

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Division 14			
OFFICE OF THE AUDITOR-GENERAL	1 721		
Audit Services	1 721	73(a)	1 648
Total Appropriation Division 14			1 648

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Division 15			
OFFICE OF THE OMBUDSMAN	661		
Ombudsman	661		661
Total Appropriation Division 15			661
Division 11			
DEPARTMENT OF THE CHIEF MINISTER	18 191		
Corporate Management	3 945		3 945
Specialist Services	7 370		7 370
Executive Government	6 876		6 876
Total Appropriation Division 11			18 191
Division 10			
DEPARTMENT OF THE LEGISLATIVE ASSEMBLY	7 737		
Assembly Services	2 173		2 173
Members Services	5 564	450(b)	5 114
Total Appropriation Division 10			7 287
Division 25			
NORTHERN TERRITORY TREASURY	178 383		
Corporate Management	3 469		3 469
Resources and Expenditure Management	3 189		3 189
Financial Systems and Services	4 360	1 321(a)	3 039
Information Systems and Services	29 135	17 706(e)	11 429
Conditions of Service Provisions	19 189	789(d)	18 400
Debt Servicing	119 041	89 790(a)	29 251
Total Appropriation Division 25			68 777
Division 26			
ADVANCE TO THE TREASURER	11 000		
(1) To enable the Treasurer to make money available for expenditure pending the issue of a Treasurer's Warrant specifically			

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
applicable to the expenditure, and to make money available for expenditure, particulars of which will afterwards be submitted to the Legislative Assembly			
(2) To make money available to meet future cost increases in respect of goods and services			
(3) To make money available to meet escalation costs and adjustments to Special Purpose Programs			
Total Appropriation Division 26			11 000
Division 29			
TERRITORY LOANS MANAGEMENT CORPORATION	3 339		
Loans Management	3 339		
Total Appropriation Division 29			3 339
Division 16			
NORTHERN TERRITORY POLICE, FIRE AND EMERGENCY SERVICES	57 575		
Executive and Administration	16 557		16 557
Northern Operations Command	16 590		16 590
Central and Southern Operations Command	10 239		10 239
Operational Support Command	6 552		6 552
Fire Services	6 630		6 630
Emergency Services	1 007		1 007
Total Appropriation Division 16			57 575
Division 46			
POWER AND WATER AUTHORITY	303 254		
Corporate Management	38 374		
Power	207 843		
Water	30 899		
Sewerage	14 566		

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Water Resources	11 572		
<i>less funds from sources other than appropriation</i>		208 156	
Total Appropriation Division 46			95 098
Division 47 ELECTRICAL WORKERS AND CONTRACTORS LICENSING BOARD	156		
Electrical Licensing	156		
<i>less funds from sources other than appropriation</i>		4	
Total Appropriation Division 47			152
Division 45 DEPARTMENT OF MINES AND ENERGY	15 265		
Corporate Management	2 415		2 415
Mining Resource Development	10 298		10 298
Energy Resource Development	2 552		2 552
Total Appropriation Division 45			15 265
Division 23 TRADE DEVELOPMENT ZONE AUTHORITY	19 570		
Corporate Management	1 713		
Marketing, Incentives and Assistance	5 239		
Zone Assets	10 047		
Debt Servicing	2 571		
<i>less funds from sources other than appropriation</i>		11 077	
Total Appropriation Division 23			8 493
Division 91 DEPARTMENT OF INDUSTRIES AND DEVELOPMENT	29 169		
Corporate Management	1 319		1 319
Trade and Marketing	1 388		1 388
Industry and Development	9 362		9 362

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Tourism Infrastructure Support	17 100		17 100
Total Appropriation Division 91			29 169
Division 55 DEPARTMENT OF LAW	20 378		
Corporate Management	3 835		3 835
Legal Services	7 500		7 500
Community Services	2 559		2 559
Courts	6 484	1 755(e)	4 709
Total Appropriation Division 55			18 603
Division 32 ABORIGINAL AREAS PROTECTION AUTHORITY	1 400		
Protection of Aboriginal Areas	1 400		1 400
Total Appropriation Division 32			1 400
Division 30 DEPARTMENT OF LANDS AND HOUSING	36 938		
Corporate Management	7 197		7 197
Land Management	7 981		7 981
Survey and Land Information	8 102		8 102
Housing Administration	5 758		5 758
Land Acquisition	7 900		7 900
Total Appropriation Division 30			36 938
Division 86 NORTHERN TERRITORY HOUSING COMMISSION	145 208		
Aboriginal Housing and Infrastructure	31 114		
Rental Housing Construction	27 368		
Rental Operations	22 898		
Home Purchase Assistance	9 828		
Debt Servicing	54 000		
<i>less funds from sources other than appropriation</i>		117 895	

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Total Appropriation Division 86			27 313
Division 37 NORTHERN TERRITORY UNIVERSITY	32 632		
Corporate Management	20 828	<i>7 800(f)</i>	
Higher Education Academic Programs	11 804		
<i>less funds from sources other than appropriation</i>		<i>4 529</i>	
Total Appropriation Division 37			20 303
Division 35 DEPARTMENT OF EDUCATION	183 035		
Corporate Management	16 272		16 272
Pre-School and Primary Education	80 889		80 889
Secondary Education	39 727		39 727
Education Support Services	26 983		26 983
Non-Government Education Organizations	19 164		19 164
Total Appropriation Division 35			183 035
Division 36 TECHNICAL AND FURTHER EDUCATION	45 717		
Corporate Management	1 749		1 749
TAFE Services	9 532		9 532
Colleges	17 912	<i>2 195(d)</i>	15 717
Institute of TAFE	16 524	<i>184(d)</i>	16 340
Total Appropriation Division 36			43 338
Division 70 DEPARTMENT OF HEALTH AND COMMUNITY SERVICES	199 157		
Corporate Management	20 194		20 194
Hospital Services	99 728		99 728
Health Services	52 293		52 293
Community Services	26 942		26 942

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Total Appropriation Division 70			199 157
Division 51 MUSEUMS AND ART GALLERIES			
BOARD	5 702		
Administration	2 949		
Curatorial and Display	2 753		
<i>less funds from sources other than appropriation</i>		99	
Total Appropriation Division 51			5 603
Division 85 CONSERVATION COMMISSION OF THE NORTHERN TERRITORY	35 003		
Corporate Management	9 282		
Park Management	16 449		
Conservation	9 272		
<i>less funds from sources other than appropriation</i>		1 631	
Total Appropriation Division 85			33 372
Division 81 DARWIN PORT AUTHORITY	12 764		
Corporate Management	1 294		
Port Services	6 884		
Debt Servicing	4 586		
<i>less funds from sources other than appropriation</i>		8 431	
Total Appropriation Division 81			4 333
Division 60 DEPARTMENT OF TRANSPORT AND WORKS	256 620		
Corporate Management	8 306		8 306
Public Works	91 911		91 911
Rental Housing Construction	27 368		27 368
Roads	103 398		103 398
Transport	8 676		8 676
Technical Services	6 243		6 243
Bus Services	10 718	3 091(d)	7 627

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Total Appropriation Division 60			253 529
Division 27			
RACING, GAMING AND LIQUOR COMMISSION	3 421		
Racing, Gaming and Liquor Management	3 421		
<i>less funds from sources other than appropriation</i>		69	
Total Appropriation Division 27			3 352
Division 12			
WORK HEALTH AUTHORITY	3 576		
Work Health	3 576		
<i>less funds from sources other than appropriation</i>		223	
Total Appropriation Division 12			3 353
Division 13			
DEPARTMENT OF LABOUR AND ADMINISTRATIVE SERVICES	72 864		
Corporate Management	2 266		2 266
Labour Services	7 293		7 293
Government Printer	5 561	5 561(e)	
Property Management	24 764		24 764
Municipal Government Grants and Subsidies	8 029		8 029
Community Government Grants and Subsidies	5 478		5 478
Other Local Governing Bodies' Grants and Subsidies	10 798		10 798
Other Local Government Administration and Grants	8 675		8 675
Total Appropriation Division 13			67 303
Division 92			
DEPARTMENT OF PRIMARY INDUSTRY AND FISHERIES	43 721		
Corporate Management	5 188		5 188
Industry Support	3 982		3 982
Animal Industry	4 919		4 919
Plant Industry	5 809		5 809

ACTIVITIES - continued

Division and subdivisions	Expenditure	<i>Other funds</i>	Appropriation
	\$000	\$000	\$000
Fisheries	4 398		4 398
Primary Industry Assistance	5 634		5 634
Brucellosis and Tuberculosis Eradication Campaign	13 791		13 791
Total Appropriation Division 92			43 721
Division 79 DEPARTMENT OF CORRECTIONAL SERVICES	22 089		
Correctional Services	22 089		22 089
Total Appropriation Division 79			22 089
Division 20 NORTHERN TERRITORY TOURIST COMMISSION	20 267		
Corporate Management	3 418		
National Tourism	11 949		
International Tourism	4 900		
<i>less funds from sources other than appropriation</i>		3 774	
Total Appropriation Division 20			16 493
Division 71 OFFICE OF YOUTH, SPORT, RECREATION AND ETHNIC AFFAIRS	8 077		
Youth, Sport, Recreation and Ethnic Affairs	8 077		
<i>less funds from sources other than appropriation</i>		5 800(d)	
Total Appropriation Division 71			2 277

- Notes: (a) Special Appropriations under the *Financial Administration and Audit Act*.
 (b) Special Appropriation under the *Legislative Assembly Members' Superannuation Act*.
 (c) Inter-Departmental recoveries.
 (d) Trust fund external receipts.
 (e) Special Appropriation under the *Supreme Court (Judges Pensions) Act*.
 (f) Corporate management expenditure by ITAFE."

Ordered - That the proposed amendment to Schedule 2 be considered division by division.

Appropriation for Division 14 agreed to.
Appropriation for Division 15 agreed to.
Appropriation for Division 11 agreed to, after debate.
Appropriation for Division 10 agreed to, after debate.
Appropriation for Division 25 -
Debate ensued.

Further consideration - leave not granted: The Leader of the Opposition (Mr Smith) asked leave to speak to the Question for a third time.

Objection being raised, leave not granted.

Suspension of Standing Orders: Mr Smith moved - That so much of Standing Orders be suspended as would prevent him from speaking to the Question for a third time.

Debate ensued.

Question - put.

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

AYES, 9

NOES, 14

Mr Bailey	Mr Coulter
Mr Bell	Mr Finch
Mr Collins	Mr Firmin
Mr Ede	Mr Floreani
Mr Lanhupuy	Mr Harris
Mr Leo	Mr Hatton
Mrs Padgham-Purich	Mr McCarthy
Mr Smith	Mr Manzie
Mr Tipiloura	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.

Debate continued.

Question - That Appropriation for Division 25 be agreed to - put and passed.

Appropriation for Division 26 agreed to, after debate.
Appropriation for Division 29 agreed to, after debate.
Appropriation for Division 16 agreed to, after debate.
Appropriation for Division 46 agreed to, after debate.
Appropriation for Division 47 agreed to.
Appropriation for Division 45 agreed to, after debate.
Appropriation for Division 23 agreed to, after debate.
Appropriation for Division 91 agreed to, after debate.
Appropriation for Division 55 agreed to, after debate.
Appropriation for Division 30 agreed to, after debate.
Appropriation for Division 86 agreed to, after debate.

Ordered - That the Chairman do report progress and ask leave to sit again.

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

9. ADJOURNMENT:

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

And the Assembly having continued to sit until 12 midnight -

THURSDAY 12 OCTOBER 1989, A.M.

Paper tabled: The Member for Wanguri (Mr Bailey), by leave, laid on the Table the following paper -

- ° A Tourism Strategy for Central Australia, 18 June 1989, A Public Report, Central Australian Conservation Council (Tourism Sub-Committee).

Debate continued.

Question - put and passed.

The Assembly adjourned at 12.17 a.m. until today at 10.00 a.m.

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PAPER:

The following paper was deemed to have been presented on 11 October 1989:

Financial Statement

Northern Territory Grants Commission, 1988-89

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 80

Thursday 12 October 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Perron: To present the Miscellaneous Acts Amendment (Aboriginal Community Living Areas) Bill 1989 (Serial 230).

Mr Manzie: To present the Married Persons (Equality of Status) Bill 1989 (Serial 227).

4. QUESTIONS:

Questions were asked of Ministers.

Paper tabled: The Attorney-General (Mr Manzie) laid on the Table the following paper -

- ° Letter, Mr B.R. Ede, MLA to Hon D.W. Manzie, MLA, Minister for Lands, dated 9 October 1989.

Further questions were asked of Ministers.

5. LIBRARY FOOTAGE - STATEMENT:

The Speaker advised Honourable Members that NTD Channel 8 would be filming library footage this day.

6. PUBLICATIONS COMMITTEE, ELEVENTH REPORT - PAPER TABLED - REPORT ADOPTED:

The Chairman of the Publications Committee (Mr Setter) laid on the Table the Eleventh Report of the Publications Committee recommending that the following papers be printed -

Parliamentary Papers 1989		
No.	TITLE	DATE TABLED
57	Museums and Art Galleries Board - Annual Report 1987-88	16. 5.89
58	Uranium Mining (Environment Control) Act - Annual Report 1987-88	17. 5.89
59	Royal Darwin Hospital Management Board - Annual Report 1987-88	18. 5.89
61	Government Printing Office - Financial Statement 1987-88	23. 5.89
62	Agricultural Development and Marketing Authority - Annual Report 1987-88	24. 5.89
63	University College of the Northern Territory - Annual Report 1988	24. 5.89

Parliamentary Papers 1989

No.	TITLE	DATE TABLED
64	Remuneration Tribunal - Report and Recommendation No. 1 of 1989, Magistrates of the Northern Territory	24. 5.89
65	Public Sector Financial Reporting	25. 5.89

Mr Setter moved - That the report be adopted.
Question - put and passed.

7. CORONATION HILL AND CONSERVATION ZONE - MINISTERIAL STATEMENT - MOTION AGREED TO:

The Minister for Mines and Energy (Mr Coulter) made a statement relating to the deferral by the Federal Government to mine Coronation Hill.

Paper tabled: Mr Coulter laid on the Table the following paper -

- ° Map of the Northern Territory showing Land Classifications, by W. Wynne Williams, 1928.

Mr Coulter, by leave, moved - That -

(1) this Assembly -

- (a) deplores the decision of the Federal Government to include 98% of the "Conservation Zone" within Kakadu National Park and to defer a decision on Coronation Hill and El Sherana mineral deposits for a further 12 months, for political reasons;
- (b) expresses its concern at the denial of Northern Territory rights in the matter, and the disregard of the Statutes and Laws of the Northern Territory;
- (c) notes with regret the hoax perpetrated by the Federal Government in perpetuating the myths that Coronation Hill and the "Conservation Zone" are:
 - (i) areas comparable, in national park terms, with Kakadu Stage I and worthy of World Heritage status when they are not and could not be regarded as virgin wilderness, having been both cattle stations and areas subject to mining; and
 - (ii) areas of staggering Aboriginal cultural significance; and
- (d) calls on the Federal Government to reverse its decision immediately and to permit the mining of Coronation Hill and continued exploration in the "Conservation Zone"; and

(2) the terms of this Resolution be forwarded to the Prime Minister by the Speaker forthwith.

Debate ensued.

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

Omit all words after "That", and insert in their stead:

"This Assembly believes that resource development companies operating within the Northern Territory are entitled to an approval process that is based on objective criteria which are consistent throughout the planning and development phases of their projects."

Debate ensued.

Papers tabled: At the request of Mr Bell, Mr Coulter laid on the Table the following papers from which he had quoted during this debate -

- ° Coronation Hill, notes; and
- ° Coronation Hill - proposed Amendments to the *Aboriginal Land Rights (Northern Territory) Act*.

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

Debate continued.

The Member for Araluen (Mr Poole) moved - That the question - that the amendment be agreed to - be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 13

NOES, 6

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

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith

And so it was resolved in the affirmative.

Question - That the Amendment be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 6

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith

NOES, 15

Mr Coulter
Mr Dondas
Mr Finch
Mr Firmin
Mr Floreani
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Poole
Mr Reed
Mr Setter
Mr Tuxworth
Mr Vale

And so it was resolved in the negative.

Debate continued.

Question - That the motion be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 17

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

NOES, 7

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

And so it was resolved in the affirmative.

8. AIRLINE PILOTS' STRIKE, EFFECT ON TOURISM - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Tourism (Mr Vale) made a statement relating to the effect of the airline dispute on the Tourism Industry.

Mr Vale moved - That the Assembly take note of the Statement.

Debate ensued.

On the motion of the Leader of Government Business (Mr Coulter) debate was adjourned.

9. APPROPRIATION BILL 1989-90 (Serial 215):

The Assembly, according to order, resolved itself into a Committee of the Whole for the further consideration of the Bill and the amendment to Schedule 2, moved by Mr Perron.

In the Committee
(Chairman - Mr Firmin)

Schedule 2 -

Appropriation for Division 37 agreed to, after debate.

Appropriation for Division 35 agreed to, after debate.

Appropriation for Division 36 agreed to, after debate.

Appropriation for Division 70 -

Debate ensued.

Suspension of Standing Orders: The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent him from completing his speech.

Question - put.

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

AYES, 7

NOES, 13

Mr Bailey

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

Mr Tipiloura

Mr Coulter

Mr Finch

Mr Firmin

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

Mr Poole

Mr Reed

Mr Setter

Mr Vale

And so it was resolved in the negative.

Debate continued.

And the Assembly having continued to sit until 12 midnight -

FRIDAY 13 OCTOBER 1989, A.M.

Appropriation for Division 70 agreed to, after further debate.

Appropriation for Division 51 agreed to.

Appropriation for Division 85 agreed to, after debate.

Appropriation for Division 81 agreed to, after debate.

Appropriation for Division 60 -

Debate ensued.

Papers tabled: The Minister for Transport and Works (Mr Finch) laid on the Table the following papers -

- Northern Territory Roads, A Key Role in Economic Development;
- "NT Transport and Works claim a national record", Australian Safety News, September 1989;

- Documented action plans for each division of the Department of Transport and Works;
- Darwin Bus Service, Monthly Report, September 1989;
- Corporate Directions, Department of Transport and Works; and
- Capital Works Program 1989-90, Department of Lands and Housing, Housing - Other Centres.

Debate continued.

Question - put and passed.

Appropriation for Division 60 agreed to, after debate.

Appropriation for Division 27 agreed to, after debate.

Appropriation for Division 12 agreed to, after debate.

Appropriation for Division 13 agreed to, after debate.

Appropriation for Division 92 agreed to, after debate.

Appropriation for Division 79 agreed to, after debate.

Appropriation for Division 20 agreed to, after debate.

Appropriation for Division 71 agreed to.

Question - That the amendment to Schedule 2, be agreed to - put and passed.

Schedule 2, as amended, agreed to.

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

Bill to be reported with an amendment.

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

The Leader of Government Business (Mr Coulter) moved - That the Bill be now read a third time.

Question - put and passed.

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

10. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 4.28 a.m. until Tuesday 17 October 1989 at 10.00 a.m.

=====

ATTENDANCE:

All Members attended the sitting.

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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PART III

THE MINUTES OF PROCEEDINGS

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 81

Tuesday 17 October 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment.

2. ABSENCE OF SPEAKER:

The Clerk (Mr H.G. Smith) advised Honourable Members that the Speaker (Mr Dondas) would be unavoidably absent because of a family bereavement. In accordance with Standing Order 9, the Deputy Speaker (Mr Firmin) thereupon took the Chair.

3. PRAYERS.

4. DEPUTY SPEAKER, POWERS DURING ABSENCE OF SPEAKER:

The Leader of Government Business (Mr Coulter) moved - That, during the absence of the Speaker, the Deputy Speaker shall on each Sitting Day, take the Chair of the Assembly and may, during such absence, perform the duties and exercise the authority of the Speaker in relation to all proceedings of the Assembly and to proceedings of Standing and Sessional Committees to which the Speaker is appointed.

Question - put and passed.

5. LEAVE OF ABSENCE:

The Member for Jingili (Mr Setter) moved - That leave of absence be granted to the Speaker (Mr N.M. Dondas) for today and the remainder of these sittings on account of a family bereavement.

Question - put and passed.

6. NOTICES:

The following notices were given:

Mr Manzie: To present the Instruments Amendment Bill 1989 (Serial 232); the Sexual Offences (Evidence and Procedure) Amendment Bill 1989 (Serial 229); the Planning Amendment Bill 1989 (Serial 226); the Building Amendment Bill 1989 (Serial 220); and the Land and Business Agents Amendment Bill 1989 (Serial 225).

Mr Hatton: To present the Community Welfare Amendment Bill 1989 (Serial 228); and the Hire Purchase Amendment Bill 1989 (Serial 231).

Mr Smith: To move - That -

- (1) the following matter be referred to the Public Accounts Committee -

The actual and contingent liabilities of -

(i) the Yulara Development; and

(ii) the Alice Springs Sheraton,

with particular reference to -

- (a) examination of the amounts paid out in support of the Alice Springs Sheraton and the Yulara Development in 1988-89 to determine why expenditure was greater than estimated;

- (b) an examination of changes in external conditions impinging on the financial projections for the two projects;
 - (c) an examination of the short and long-term consequences of the pilots' strike on the financial projections for the projects;
 - (d) the accuracy of the original projections;
 - (e) the anticipated exposure of the Northern Territory Government; and
 - (f) the conditions under which disposal of the Government interest in those assets would benefit the Northern Territory Government; and
- (2) the Public Accounts Committee be empowered to meet, review and report on the situation at the end of each financial year's trading.

Mr Bell: To move - That -

- (1) a Committee, to be known as the Sessional Committee on Use of Alcohol by the Community, consisting of five Members of the Assembly, be appointed and that Members be appointed by subsequent resolution;
- (2) the Committee be empowered, unless otherwise ordered, to inquire into and from time to time report on:
 - (a) the ongoing endemic, personal and social destruction being wrought by alcohol in the Territory;
 - (b) the best efforts of Aboriginal people and their organisations to control these effects; and
 - (c) the single-minded determination on the part of many suppliers to expand liquor sales in a contracting market;
- (3) the Committee establish objective criteria with a view to monitoring the effects of alcohol in the community and in so doing consult, as appropriate, with all government and non-government agencies and community groups involved and interested in the use and abuse of alcohol, including medical services, Aboriginal organisation, rehabilitation groups and suppliers of alcohol;
- (4) the Committee be empowered to send for persons, papers and records, to sit in public or in private session notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and make such interim recommendations as it may deem fit, and to publish information pertaining to its activities from time to time: the Committee shall make an annual report to the Assembly of its activities;

- (5) the Committee be empowered to publish from day to day such papers and evidence as may be ordered by it, and, unless otherwise ordered by the Committee, a daily **Hansard** be published of such proceedings as take place in public; and
- (6) the foregoing provisions of this Resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Mr Bailey: To move - That this Assembly notes the concern in the community at the lack of legislation protecting residents from undue noise, and supports the development of a set of principles on which noise control legislation can be based.

7. LIBRARY FOOTAGE - DEPUTY SPEAKER'S STATEMENT:

The Deputy Speaker advised Members that the ABC Television Station Channel ABD6 had permission to film library footage in the Chamber during Question Time this morning.

8. QUESTIONS:

Questions were asked of Ministers.

9. ABORIGINAL ADVANCEMENT - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Chief Minister (Mr Perron) made a statement relating to Aboriginal advancement in the Northern Territory since Self-Government.

Mr Perron moved - That the Assembly take note of the Statement.
Debate ensued.

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

Debate resumed.

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

Omit all words after "That" and insert -

"this Assembly -

(1) is of the opinion that:

- (a) Aboriginal people as a group are still the most disadvantaged in our society;
- (b) the Government has stated that it has spent \$4 billion in its attempts to solve this problem over the last 11 years; and
- (c) the results achieved are obviously not commensurate with the expenditure of that amount; and

(2) calls upon the Government to undertake an immediate and thorough review of its policies and procedures and develop a strategic plan which will ensure that inequalities of opportunity are removed and equal access to services is provided by the year 2001."

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

Question - That the question be now put - put.

The Assembly divided (Deputy Speaker, Mr C.C. Firmin in the Chair) -

AYES, 15

NOES, 7

Mr Coulter
Mr Finch
Mr Firmin
Mr Floreani
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Poole
Mr Reed
Mr Setter
Mr Tuxworth
Mr Vale

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

And so it was resolved in the affirmative.

Question - That the amendment be agreed to - put.

The Assembly divided (Deputy Speaker, Mr C.C. Firmin in the Chair) -

AYES, 7

NOES, 17

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

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

Amendment negatived accordingly.

Debate continued.

On the motion of the Minister for Education (Mr Harris) debate was adjourned.

10. PLANNING ACT, REVIEW - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Minister for Lands and Housing (Mr Manzie) made a statement relating to the review of the Northern Territory *Planning Act*.

Mr Manzie moved - That the Assembly take note of the Statement.
Debate ensued.

On the motion of the Minister for Transport and Works (Mr Finch) debate was adjourned.

11. PERSONAL EXPLANATION:

The Attorney-General (Mr Manzie), by leave, made a personal explanation relating to comments made in the previous debate.

12. MISCELLANEOUS ACTS AMENDMENT (ABORIGINAL COMMUNITY LIVING AREAS) BILL 1989 (Serial 230):

The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend certain Acts to make provision for the excision of certain areas of land from pastoral leases and the granting of an estate in fee simple in those areas as living areas for the benefit of Aboriginals who are or have been ordinarily resident on those pastoral leases or other Aboriginals, and for related purposes.

Bill read a first time.

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

On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

13. MARRIED PERSONS (EQUALITY OF STATUS) BILL 1989 (Serial 227):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to provide for the Equality of Status of Married Persons, to repeal the *Married Women's Property Act* and the *Married Persons (Torts) Act*, and to amend certain other Acts.

Bill read a first time.

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

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

14. TRAFFIC AMENDMENT BILL (No. 2) 1989 (Serial 223):

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 Transport and Works (Mr Finch) the Bill was read a third time and passed to be a proposed law.

15. HOUSING AMENDMENT BILL 1989 (Serial 214):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

16. PERSONAL EXPLANATION:

The Leader of the Opposition (Mr Smith), by leave, made a personal explanation relating to comments made by the Attorney-General (Mr Manzie) earlier this day.

Papers tabled: Mr Smith, by leave, laid on the Table the following papers -

- Letter, Jason Willcocks, President, Royal Australian Planning Institute Inc. to Mr Terry Smith, MLA, dated 10 July 1989; and
- Notice, "N.T. Planning System Review" Public Forum, Royal Australian Planning Institute Inc., dated 10 July 1989.

Personal Explanation: The Attorney-General (Mr Manzie), by leave, made a statement in relation to the comments made by the Leader of the Opposition (Mr Smith).

17. FINANCIAL INSTITUTIONS DUTY BILL 1989 (Serial 219):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee

(Deputy Chairman - Mr Poole)

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

Clause 3 -

On the motion of the Chief Minister (Mr Perron) the following amendments were agreed to -

Omit from subclause (1) the definition of "approved superannuation scheme".

Omit paragraph (f) from the definition of "financial institution" in subclause (1) and insert in its stead the following:

(f) a person whose sole or principal business in the Territory is the operation of a scheme of superannuation, retirement benefit or pension created and operated under a law of the Territory, the Commonwealth or a State or another Territory of the Commonwealth or a prescribed scheme;"

Omit from the definition of "financial institution" in subsection (1) all words after paragraph (n) and insert in their stead the following:

"and includes a person or body corporate (including a person or body corporate referred to in paragraphs (f) to (n), inclusive, of this definition) declared by the Minister to be a financial institution for the purposes of this Act;"

Insert in the definition of "money" in subclause (1), after "bill of exchange", the word ", cheque".

Omit from the definition of "term deposit in subclause (1) the words "short term deposit" and insert in their stead "short-term dealing".

Omit subclause (6) and insert in its stead:

"(6) The Minister may, by notice in the *Gazette*, declare a person or body corporate to be a financial institution, in respect of all or a part only of the person's or body corporate's business, for the purposes of this Act."

Clause 3, as amended, agreed to.

Clauses 4 to 6, by leave, taken together and agreed to.

Clause 7 -

On the motion of Mr Perron the following amendment was agreed to -

Add at the end of subclause (2) the following:

"(r) where a registered financial institution is a financial institution by virtue of being so declared under section 3(6) in respect of a part only of its business - a receipt of money in any other part of that registered financial institution's business;

(s) such other receipts or receipts of a class of receipt as may be prescribed."

Clause 7, as amended, agreed to.

Clause 8 -

On the motion of Mr Perron the following amendments were agreed to -

Omit from subclause (1)(a) "repayable to him or her" and insert in its stead "repayable by him or her".

Omit from item B in the formula in subclause (3)(a) "the median daily liability" and "median liabilities" and insert in their stead "the daily closing balances of the liability" and "balances", respectively.

Clause 8, as amended, agreed to.

Clauses 9 to 18, by leave, taken together and agreed to.

Clause 19 -

On the motion of Mr Perron the following amendment was agreed to -

Add at the end the following:

"(2) For the purposes of calculating the amount to be paid under subsection (1) by a person or persons to a financial institution, where the amount of the liability, when expressed in cents or in dollars and cents, leaves a fraction of a cent remaining, that amount may be rounded off as follows:

(a) if the fraction is 0.5 or less, that fraction shall be disregarded and the amount of the liability shall be taken to be the amount so expressed in cents or in dollars and cents;

(b) if the fraction exceeds 0.5, the amount of the liability shall be taken to be the amount so expressed in cents, or in dollars and cents, plus one cent."

Clause 19, as amended, agreed to.

Clauses 20 to 22, by leave, taken together and agreed to.

Clause 23 -

On the motion of Mr Perron the following amendment was agreed to -

Omit all words after paragraph (a) and insert in their stead:

"(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act,

and, in particular,

(c) prescribing the maximum aggregate amount of duty payable by a person under this Act or in respect of a particular transaction or particular transactions;

(d) prescribing the place where records of financial institutions required by section 126(1) of the *Taxation (Administration) Act* to be kept for the purposes of this Act shall be kept, and allowing the Commissioner to permit them to be kept at places otherwise than as prescribed subject to such conditions, if any, as the Commissioner thinks fit; and

(e) allowing the Commissioner to permit records of financial institutions otherwise required by section 126(1) of the *Taxation (Administration) Act* to be kept in the English language to be kept in such other language or form, and subject to such conditions, if any, as the Commissioner thinks fit."

Clause 23, as amended, agreed to.

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

Bill to be reported with amendments.

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

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

18. MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL (No. 2) 1989 (Serial 221):
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 Leader of Government Business (Mr Coulter) moved - That the committee stages be later taken.
Question - put and passed.
19. LIQUOR AMENDMENT BILL 1989 (Serial 196):
The Assembly, according to Order, resolved itself into Committee of the Whole for the consideration of the Bill.

In the Committee
(Deputy Chairman - Mr Poole)

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

Clause 4 -

Debate ensued.

The Leader of Government Business (Mr Coulter) moved - That the Committee do report progress and ask leave to sit again.

Question - put and passed.

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

20. FURTHER NOTICE:

The following further notice was given, by leave:

Mr Leo: To move -

(1) that this Assembly notes and accepts the recommendations of the Auditor-General specifically made to the Assembly on pages 16 and 17 of his Annual Report for the year ended 30 June 1989; and

(2) that those recommendations of the Auditor-General contained in paragraphs headed:

(a) Ex-"Summary of Audit Matters arising";

(b) Ex-"Government as a Whole";

(c) Ex-"Departments"; and

(d) Ex-"Corporations";

be referred to the Public Accounts Committee and that the Committee undertake the reviews recommended therein and report, if necessary, on an interim basis by 31 March 1990.

21. REAL PROPERTY AMENDMENT BILL (No. 2) 1989 (Serial 192):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Deputy Chairman - Mr Poole)

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

Clause 6 negatived.

Clause 7 -

On the motion of the Minister for Lands and Housing (Mr Manzie) the following amendments were agreed to -

Insert in proposed section 146(1) after "The Public Trustee may" the words ", in his absolute discretion,".

Omit from proposed section 146(1) paragraph (d).

Insert after proposed section 146(1) the following:

"(1A) The Public Trustee may if he thinks fit require a person at whose instance he proposes to exercise his power under subsection (1) to undertake to indemnify him in respect of any costs or liabilities incurred in connection with or by reason of that exercise."

Omit from proposed section 147(1) paragraph (d).

Insert in proposed section 147(1) after "the Public Trustee may" the words ", in his absolute discretion,".

Insert after proposed section 147(1):

"(1A) The Public Trustee may if he thinks fit require a person at whose instance he proposes to exercise his power under subsection (1) to undertake to indemnify him in respect of any costs or liabilities incurred in connection with or by reason of that exercise."

Add at the end of proposed section 147:

"(3) In the case of a mortgage to secure contingent liabilities, or to secure both the payments of moneys and contingent liabilities, the reference in subsection (1) to all the moneys secured by a mortgage having been paid is or includes (as the case may require) a reference to the contingency or contingencies in question having become incapable of occurring."

Clause 7, as amended, agreed to.

Clause 8 -

On the motion of Mr Manzie the following amendments were agreed to -

Omit from proposed section 151A(1) "(subject to subsection (4))" and insert in its stead "(subject to subsection (5))".

Omit from proposed section 151A(2) "(subject to subsection (4))" and insert in its stead "(subject to subsection (5))".

Omit from proposed section 151A(5) "subsections (1) and (2)" and insert in its stead "subsection (1) and, in a case where land is added to land comprised in a registered title but not where it is removed therefrom, the consents required by subsection (2)".

Clause 8, as amended, agreed to.

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

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

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

22. ALTERATION TO ORDER OF BUSINESS:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day, No. 5 relating to the Committee stages of the Liquor amendment Bill 1989 (Serial 196) be called on forthwith.

Question - put and passed.

23. LIQUOR AMENDMENT BILL 1989 (Serial 196):

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

In the Committee
(Deputy Chairman - Mr Poole)

Clause 4 -

Debate resumed.

Clause 4 agreed to.

Clause 5 agreed to.

Clause 6 -

Debate ensued.

On the motion of the Minister for Racing and Gaming (Mr Finch) the following amendment was agreed to, after debate -

Omit "associated with" and insert in its stead "under".

Clause 6, as amended, agreed to.

Clauses 7 to 11, by leave, taken together and agreed to, after debate.

Clause 12 -

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

Insert before the existing text the following:

"(1) Section 32(1) of the Principal Act is amended -

(a) by inserting at the end of paragraph (b) 'and the extent, if any, to which the area likely to be served under the licence applied for is already served by the other licensed premises';

(b) by inserting at the end of paragraph (d) 'and the public interest implications of the granting or withholding of the licence applied for'; and

(c) by inserting after paragraph (d) the following:

'(da) the likely commercial viability of the business to be conducted by the licensee on the licensed premises;'.

Debate ensued.

Amendment negatived.

Clause 12 agreed to.
Clauses 13 and 14, by leave, taken together.
Debate ensued.

Clauses 13 and 14 agreed to.

Clause 15 -

On the motion of Mr Finch the following amendment was agreed to, after debate -

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

"(e) by omitting from subsection (4) 'subsection 3(a), (b), (c) or (d)' and substituting 'that subsection';".

Clause 15, as amended, agreed to.

Clause 16 agreed to, after debate.

Clause 17 agreed to, after debate.

Clause 18 -

Mr Bell moved the following amendment -

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

"(c) by omitting from subsection (2) 'the business of the licensee' and substituting 'the business of the licensee or that -

(a) the licensee is not a fit and proper person to hold a licence; or

(b) the public interest requires the suspension or cancellation of the licence or the variation of a condition of the licence';".

Amendment negatived, after debate.

On the motion of Mr Finch the following amendment was agreed to -

Omit from paragraph (c) "the licensee" (wherever occurring) and insert in its stead "a licensee".

Clause 18, as amended, agreed to.

New clause -

Mr Bell moved - That the following new clause be inserted in the Bill -

"18A. NEW SECTION

"The Principal Act is amended by inserting after section 48 the following:

"48A. POWER TO SUSPEND LICENCE OR IMPOSE OR VARY CONDITIONS

'(1) The Commission may, on its own motion in an emergency or pending the investigation of a complaint under section 48, but subject to subsection (2), suspend a licence, or impose or vary a condition of a licence, where in its opinion it is in the public interest to do so.

'(2) Without derogating from the Commission's powers elsewhere given in this Act, action of the Commission taken under subsection (1) has no effect after the expiration of 7 days after the action is taken.'."

Debate ensued.

Proposed new clause agreed to.

Clause 19 -

Mr Bell moved the following amendment -

Add at the end the following:

"(e) by adding at the end the following:

'(5) The registrar shall, in writing, as soon as practicable after a decision by the Commission is made on a hearing in relation to an objection or complaint under this Part, advise the objector or complainant of that decision.'."

Debate ensued.

Amendment negatived, after debate.

Clause 19, as printed, agreed to.

Clauses 20 to 26, by leave, taken together and agreed to, after debate.

New clause -

Mr Bell moved - That the following new clause be inserted in the Bill -

"26A. NEW SECTION

"The Principal Act is amended by inserting after section 125 the following:

'125A. COMMISSION MAY CONDUCT EDUCATIONAL PROGRAMMES

'It is a function of the Commission (and for that purpose it has the necessary power) to expend such moneys as are made available to it for that purpose on conducting educational programmes on the responsible social use of alcohol and the dangers of alcohol abuse.'."

Debate ensued.

Proposed new clause negatived.

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

Bill to be reported with amendments.

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

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

24. ALTERATION TO ORDER OF BUSINESS:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day No. 12 relating to the Airline Dispute, Effect on Tourism Industry, Ministerial Statement, be brought on forthwith.

Question - put and passed.

25. AIRLINE DISPUTE, EFFECT ON TOURISM INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The order of the day having been read for the resumption of the debate on the motion of the Minister for Tourism (Mr Vale) (12 October 1989) - That the Assembly take note of the Statement -

Debate resumed.

On the motion of the Minister for Primary Industry and Fisheries (Mr Reed) debate was adjourned.

26. FURTHER NOTICE:

The following further notice was given:

Mr Collins: To present the Land and Business Agents Amendment Bill (No. 2) 1989 (Serial 234).

27. ADJOURNMENT:

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

Paper tabled: The Minister for Primary Industry and Fisheries laid on the Table the following paper -

- ° Letter, Mr Brian Ede, MLA to Hon D.W. Manzie, Minister for Lands and Housing, dated 9 October 1989.

Debate continued.

Question - put and passed.

The Assembly adjourned at 9.00 p.m. until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 17 October 1989:

Annual Reports:

Department of Transport and Works, 1988-89

Work Health Ministerial Advisory Council, 1988-89

Recommendation under section 103 of the Crown Lands Act:

Revocation of Reserve No. 1497, Town of Alice Springs

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ATTENDANCE:

All Members attended the sitting except Mr Dondas (on leave).

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 82

Wednesday 18 October 1989

1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Deputy Speaker, Mr C.C. Firmin, took the Chair.
2. PRAYERS.
3. PETITION:
Mr Bailey presented a petition from 373 citizens of the Northern Territory requesting that an Ear, Nose and Throat Specialist be provided in Darwin by the end of 1989.
Petition read.
4. NOTICES:
The following notices were given:
Mr Bell: To move - That this Assembly expresses deep concern that the major print news source in the Northern Territory, the Northern Territory News, by its editorial of Monday, 18 September 1989, has been highly critical of the Supreme Court Bench and by so doing has tended to bring that Court into contempt.
Mr Reed: To present the Stock Diseases Amendment Bill 1989 (Serial 233).
5. QUESTIONS:
Questions were asked of Ministers.
6. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, TWELFTH REPORT:
The Member for Jingili (Mr Setter) laid on the Table the Twelfth Report of the Subordinate Legislation and Tabled Papers Committee.
7. ACTUAL AND CONTINGENT LIABILITIES, YULARA DEVELOPMENT AND ALICE SPRINGS SHERATON - REFERENCE TO PUBLIC ACCOUNTS COMMITTEE - MOTION AGREED TO:
The Leader of the Opposition (Mr Smith), by leave, amended Notice No. 1 standing in his name and thereupon moved - That the following matter be referred to the Public Accounts Committee -
 - (1) The actual and contingent liabilities of the Northern Territory Government in respect of -
 - (i) the Yulara Development; and
 - (ii) the Alice Springs Sheraton,with particular reference to -
 - (a) an examination of the amounts paid out in support of the Alice Springs Sheraton and the Yulara Development in 1988-89 to determine why expenditure was greater than estimated;
 - (b) an examination of changes in external conditions impinging on the financial projections for the two projects;

- (c) an examination of the short and long-term consequences of the pilots' strike on the financial projections for the projects;
 - (d) the accuracy of the original projections;
 - (e) the anticipated exposure of the Northern Territory Government; and
 - (f) the conditions under which disposal of the Government interest in those assets would benefit the Northern Territory Government; and
- (2) The Public Account Committee be empowered to meet, review and report on the situation at the end of each financial year's trading.

Debate ensued.

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

Question - That the question be now put - put and passed.

Question - That the motion be agreed to - put and passed.

Suspension of sitting: The sitting was suspended between 11.46 a.m. and 2.00 p.m.

8. PROPOSED SESSIONAL COMMITTEE ON USE OF ALCOHOL BY THE COMMUNITY - MOTION TO APPOINT:

The Member for Macdonnell (Mr Bell) moved - That -

- (1) a Committee, to be known as the Sessional Committee on Use of Alcohol by the Community, consisting of five Members of the Assembly, be appointed and that Members be appointed by subsequent resolution;
- (2) the Committee be empowered, unless otherwise ordered, to inquire into and from time to time report on:
 - (a) the ongoing endemic, personal and social destruction being wrought by alcohol in the Territory;
 - (b) the best efforts of Aboriginal people and their organisations to control these effects; and
 - (c) the single-minded determination on the part of many suppliers to expand liquor sales in a contracting market;
- (3) the Committee establish objective criteria with a view to monitoring the effects of alcohol in the community and in so doing consult, as appropriate, with all government and non-government agencies and community groups involved and interested in the use and abuse of alcohol, including medical services, Aboriginal organisations, rehabilitation groups and suppliers of alcohol;

- (4) the Committee be empowered to send for persons, papers and records, to sit in public or in private session notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and make such interim recommendations as it may deem fit, and to publish information pertaining to its activities from time to time: the Committee shall make an annual report to the Assembly of its activities;
- (5) the Committee be empowered to publish from day to day such papers and evidence as may be ordered by it, and, unless otherwise ordered by the Committee, a daily **Hansard** be published of such proceedings as take place in public; and
- (6) the foregoing provisions of this Resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

On the motion of the Member for Jingili (Mr Setter) debate was adjourned.

9. PROPOSED NOISE CONTROL LEGISLATION - MOTION NEGATIVED:

The Member for Wanguri (Mr Bailey) moved - That this Assembly notes the concern in the community at the lack of legislation protecting residents from undue noise, and supports the development of a set of principles on which noise control legislation can be based.

Debate ensued.

Question - put and negatived.

10. SAN FRANCISCO EARTHQUAKE - MESSAGE OF SYMPATHY - STATEMENT:

The Chief Minister (Mr Perron), by leave, advised Members that he had sent this day a letter to the Ambassador for the United States of America, His Excellency, Mr Melvin Sembler expressing the sympathy of the people of the Northern Territory at the loss of life and the devastation caused by the earthquake in San Francisco this day.

11. RECOMMENDATIONS CONTAINED IN THE AUDITOR-GENERAL'S REPORT 1988-89 - REFERENCE TO PUBLIC ACCOUNTS COMMITTEE - MOTION AS AMENDED AGREED TO:

The Member for Nhulunbuy (Mr Leo) moved - That -

- (1) this Assembly notes and accepts the recommendations of the Auditor-General specifically made to the Assembly on pages 16 and 17 of his Annual Report for the year ended 30 June 1989; and
- (2) those recommendations of the Auditor-General contained in paragraphs headed:
 - (a) Ex-"Summary of Audit Matters arising";
 - (b) Ex-"Government as a Whole";
 - (c) Ex-"Departments"; and
 - (d) Ex-"Corporations";

be referred to the Public Accounts Committee and that the Committee undertake the reviews recommended therein and report, if necessary, on an interim basis by 31 March 1990.

Debate ensued.

The Chief Minister (Mr Perron) moved the following amendments together, by leave -

- (1) omit from paragraph (1) the words "and accepts"; and
- (2) omit from paragraph (2) the words "if necessary on an interim basis, by 31 March 1990", and insert in their stead "to the Assembly".

Mr Perron moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (Deputy Speaker, Mr C.C. Firmin in the Chair) -

AYES, 14

NOES, 8

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

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

And so it was resolved in the affirmative.

Question - That the amendment be agreed to - put.

The Assembly divided (Deputy Speaker, Mr C.C. Firmin in the Chair) -

AYES, 15

NOES, 7

Mr Collins
Mr Coulter
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bailey
Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

Amendment agreed to accordingly.

The Leader of Government Business (Mr Coulter) moved - That the motion, as amended, be now put.

Question - That the motion, as amended, be now put - put.

The Assembly divided (Deputy Speaker, Mr C.C. Firmin in the Chair) -

AYES, 13

NOES, 9

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

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

And so it was resolved in the affirmative.

Question - That the motion as amended be agreed to - put and passed.

12. LAND AND BUSINESS AGENTS AMENDMENT BILL (No. 2) 1989 (Serial 234):

The Member for Sadadeen (Mr Collins), pursuant to notice, presented a Bill for an Act to amend the *Land and Business Agents Act*.

Bill read a first time.

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

On the motion of the Minister for Lands and Housing (Mr Manzie) debate was adjourned.

13. PUBLIC ACCOUNTS COMMITTEE - SEVENTH REPORT, AUDITOR-GENERAL'S ANNUAL REPORTS 1986-87; and EIGHTH REPORT, AERO-MEDICAL CONTRACT - PAPERS NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Member for Karama (Mr Palmer) (25 May 1989) - That the Assembly take note of the Papers -

Question - put and passed.

14. ALTERATION OF ORDER OF BUSINESS:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Notice No. 2 relating to the Sexual Offences (Evidence and Procedure) Amendment Bill 1989 (Serial 229) be called on after Notice No. 6 relating to the Community Welfare Amendment Bill 1989 (Serial 228).

Question - put and passed.

15. INSTRUMENTS AMENDMENT BILL 1989 (Serial 232):

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

Bill read a first time.

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

On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

16. PLANNING AMENDMENT BILL 1989 (Serial 226):
The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Planning Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Wanguri (Mr Bailey) debate was adjourned.
17. BUILDING AMENDMENT BILL 1989 (Serial 220):
The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Building Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
18. LAND AND BUSINESS AGENTS AMENDMENT BILL 1989 (Serial 225):
The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Land and Business Agents Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
19. SUSPENSION OF STANDING ORDERS - CHANGE OF SPONSOR - TAKE TWO BILLS TOGETHER:
The Minister for Health and Community Services (Mr Hatton) moved - That so much of Standing Orders be suspended as would prevent -
- (1) the notice relating to the Sexual Offences (Evidence and Procedure) Amendment Bill 1989 (Serial 229) standing in the name of Mr Manzie being moved by the Minister for Health and Community Services and that Minister taking charge of the Bill; and
 - (2) two Bills, namely the Community Welfare Amendment Bill 1989 (Serial 228) and the Sexual Offences (Evidence and Procedure) Amendment Bill 1989 (Serial 229) -
 - (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 the Committee of the Whole.
- Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
20. COMMUNITY WELFARE AMENDMENT BILL 1989 (Serial 228); and SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 1989 (Serial 229):
The Minister for Health and Community Services (Mr Hatton), pursuant to notice and resolution, presented a Bill for an Act to amend the *Community Welfare Act* and a Bill for an Act to amend the *Sexual Offences (Evidence and Procedure) Act*.
Bills read a first time.

Mr Hatton moved - That the Bills be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

21. HIRE PURCHASE AMENDMENT BILL 1989 (Serial 231):
The Minister for Health and Community Services (Mr Hatton), pursuant to notice, presented a Bill for an Act to amend the *Fire-Purchase Act* and the Regulations.
Bill read a first time.
Mr Hatton moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
22. MOTOR ACCIDENTS (COMPENSATION) AMENDMENT BILL (No. 2) 1989 (Serial 221):
The Assembly, according to Order, resolved itself into Committee of the Whole for the consideration of the Bill.

In the Committee
(Deputy Chairman - Mr Poole)

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

Clause 4 -

The Leader of the Opposition (Mr Smith), by leave, moved the following amendments together -

Insert in paragraph (a), before the proposed definition of "attendant care services", the following:

"'approved medical practitioner' means a medical practitioner approved under subsection (3);".

Omit from the proposed definition of "permanent impairment" in paragraph (b) the words "the Board" and insert in their stead "an approved medical practitioner".

Add at the end the following:

"(d) by adding at the end the following:

'(3) The Board may, in writing, approve a medical practitioner for the purposes of assessing whether a person is suffering permanent impairment and the degree of any such permanent impairment.'."

Debate ensued.

Amendments negatived.

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

Debate ensued.

Remainder of the Bill agreed to.

Bill to be reported without amendment.

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

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

23. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
The Chief Minister (Mr Perron) moved - That so much of Standing Orders be suspended as would prevent the Miscellaneous Acts Amendment (Aboriginal Community Living Areas) Bill 1989 (Serial 230) passing through all stages at these sittings.
Debate ensued.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
24. MISCELLANEOUS ACTS AMENDMENT (ABORIGINAL COMMUNITY LIVING AREAS) BILL 1989 (Serial 230):
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.
On the motion of the Minister for Health and Community Services (Mr Hatton) debate was adjourned.
25. ADJOURNMENT:
The Minister for Health and Community Services (Mr Hatton) moved - That the Assembly do now adjourn.
Debate ensued.
Paper tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table the following paper -
- ° Submission - National BTEC Operational Management Review, Brian Ede, MLA.
- Debate continued.
Question - put and passed.
The Assembly adjourned at 10.37 p.m. until tomorrow at 10.00 a.m.

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ATTENDANCE:

All Members attended the sitting except Mr Dondas (on leave).

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 83

Thursday 19 October 1989

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The Deputy Speaker, Mr C.C. Firmin, took the Chair.

2. PRAYERS.

3. QUESTIONS:

Questions were asked of Ministers.

Supplementary answers were given by Ministers.

4. ENTRENCHMENT OF A NEW CONSTITUTION, INFORMATION PAPER No. 2 - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:

The Chairman of the Select Committee on Constitutional Development (Mr Hatton), by leave, laid on the Table the following paper -

- ° Select Committee on Constitutional Development, Information Paper No. 2, Entrenchment of a New State Constitution.

Mr Hatton moved - That the Paper be printed.

Question - put and passed.

Mr Hatton moved - That the Assembly take note of the Paper.

On the motion of the Member for Wanguri (Mr Bailey) debate was adjourned.

5. REGIONAL LAND COUNCILS - MOTION:

The Chief Minister (Mr Perron) moved - That -

(1) this Assembly

- (a) notes and supports the growing interest among significant numbers of Aboriginal Territorians in the establishment of smaller, locally responsible, regional land councils;
- (b) believes that such Councils will provide a democratic representation of the interests of Aboriginal people in relation to those areas of responsibility given to land councils generally under the *Aboriginal Land Rights (Northern Territory) Act*;
- (c) recognises that such regional land councils would be better able to articulate the aspirations of their constituents and supports their establishment when that is the expressed will of the relevant people under the provisions of the *Aboriginal Land Rights (Northern Territory) Act*;
- (d) calls on the Federal Government to support and facilitate the democratic expression of the wishes of Aboriginal Territorians in relation to regional land councils in the spirit of the *Aboriginal Land Rights (Northern Territory) Act*;

- (e) calls on the Federal Minister for Aboriginal Affairs to take prompt and positive action on any approaches or applications by Aboriginal Territorians for the establishment of regional land councils in the spirit of the *Aboriginal Land Rights (Northern Territory) Act*;
 - (f) calls on the Federal Minister for Aboriginal Affairs to indicate his support for the move of establishing new land councils and to ensure that the wishes of Aboriginal Territorians are not frustrated;
 - (g) also calls on the Northern and Central Land Councils to indicate their support for the process of establishing regional land councils and to support and encourage the clear expression of the wishes of their constituents in this regard; and
- (2) the Terms of this Resolution be forwarded to the Prime Minister, the Federal Minister for Aboriginal Affairs, the Leader of the Federal Opposition and the Chairmen of the Northern, Central and Tiwi Land Councils by the Deputy Speaker, forthwith.

Debate ensued.

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

Omit all words after 'That' and insert in their stead:

"this Assembly,

RECOGNISING the ancient and modern diversity of aspirations of Aboriginal people of the Northern Territory,

accepts the right of Aboriginal people to establish Land Councils under the processes laid down in the *Aboriginal Land Rights (Northern Territory) Act*, and

calls upon the Federal Government to set out clear guidelines and procedures which will be followed where that desire is expressed; and

ACKNOWLEDGING the desire of many Aboriginal people for greater control over local issues relating to land within a larger Land Council structure,

calls upon the Federal Government to ensure that amendments to the *Aboriginal Land Rights (Northern Territory) Act* are processed such as will allow the further devolution of powers over local issues from the central council, while utilising the central body for varying degrees of administrative support and the resolution of matters of broader concern."

Papers tabled: Mr Ede, by leave, laid on the Table the following papers -

- Letter, David Ross, Director, Central Land Council to Hon B.F. Coulter, MLA, dated 29 August 1989;
- Letter, Hon B.F. Coulter, MLA to David Ross, Director, Central Land Council, dated 16 October 1989;
- Letter, Jonathan Rodd, Legal Officer, Central Land Council to Hon B.F. Coulter, MLA, dated 13 October 1989; and
- Letter, Sharon Mulholland, Ministerial Officer, Office of the Minister for Mines and Energy, to J. Rodd, Legal Officer, Central Land Council, dated 18 October 1989.

Suspension of sitting: The sitting was suspended between 11.46 a.m. and 2.00 p.m.

Debate continued.

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

- Plebiscite for the Proposed South East Arnhem Land Council, Basic Rules and Procedures; and
- Press release signed by Mr John Joshua, B.A., Vice President and Mr David Daniels, President, Yugul Mangi Community Government Council.

Debate continued.

On the motion of the Member for Jingili (Mr Setter) debate was adjourned.

6. FISHING INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Minister for Primary Industry and Fisheries (Mr Reed) made a statement relating to the Northern Territory Fishing Industry.

Paper tabled: Mr Reed laid on the Table the following paper -

- The Australian Angler's Fishing World, October 1989.

Mr Reed moved - That the Assembly take note of the Statement.

Debate ensued.

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

- Letter, R.J. Slack-Smith, Director of Fisheries, Department of Ports and Fisheries to Executive Officer, Australian Fishing Industry Council, dated 15 May 1985;
- Copy of receipt No. 60541 in the name of Mr Anton Brljevic, dated 11 February 1980;
- Letter, David Dunstan, Executive Officer, Australian Fishing Industry Council to Director of Fisheries, dated 8 May 1985;
- Letter, Hon S.P. Hatton, MLA, Minister for Ports and Fisheries to Mr A. Brljevic, dated 27 April 1986;

- Letter, Anthony Crane, Mildren Silvester and Partners, Barristers and Solicitors to Mr A. Brljevic, dated 11 September 1986;
- Letter, Hon N. Dondas, MLA, Minister for Ports and Fisheries, to Mr A. Brljevic, dated 10 November 1986;
- Copy of Licence No. P2348 in the name of Anton Brljevic, dated 8 November 1979; and
- Letter, Mr Anton Brljevic to Mr P.G. Blake, Department of Ports and Fisheries, dated 27 January 1987.

Debate continued.

On the motion of the Member for Jingili (Mr Setter) debate was adjourned.

7. MATTER OF PUBLIC IMPORTANCE - WOMEN'S ISSUES:

The Deputy Speaker informed the Assembly that the Leader of the Opposition (Mr Smith) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day -

"the concern of Territory women at the Government's neglect and contempt for issues of significance to women."

The proposed discussion having received the necessary support -

The Deputy Speaker called on Mr Smith to address the Assembly. Discussion ensued.

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

- Statistics of Women and Men employed by the Cabinet Ministers and in Local Government.

Discussion continued.

Discussion concluded.

8. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, THIRTEENTH REPORT - PAPER TABLED:

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

9. PUBLICATIONS COMMITTEE, TWELFTH REPORT - PAPER TABLED - REPORT ADOPTED:

The Chairman of the Publications Committee (Mr Setter) laid on the Table the Twelfth Report of the Publications Committee recommending that the following papers be printed -

Parliamentary Papers 1989		
No.	TITLE	DATE TABLED
67	Northern Territory Fisheries Joint Authority - Annual Report 1988	22. 8.89
68	Police Force of the Northern Territory, Northern Territory Emergency Service, Fire Service of the Northern Territory - Annual Report 1987-88	24. 8.89

Parliamentary Papers 1989

No.	TITLE	DATE TABLED
69	Territory Insurance Office - Annual Report 1988-89	31. 8.89
70	Northern Territory Treasury - Annual Report 1988-89	31. 8.89

Mr Setter moved - That the report be adopted.
Question - put and passed.

10. STOCK DISEASES AMENDMENT BILL 1989 (Serial 233):

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

Bill read a first time.

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

On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

11. MISCELLANEOUS ACTS AMENDMENT (ABORIGINAL COMMUNITY LIVING AREAS) BILL 1989 (Serial 230):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee

(Deputy Chairman - Mr Poole)

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

Clause 6 -

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

Omit from the definition of "applicant" in proposed section 94 -

- (a) "an Aboriginal" and insert in its stead "an Aboriginal or a group of Aboriginals";
- (b) "was ordinarily resident" and insert in its stead "was or were ordinarily resident";
- (c) "himself or herself" (first occurring) and insert in its stead "himself or herself or the group";
- (d) "who otherwise has" and insert in its stead "who otherwise has or have"; and
- (e) "himself or herself" (second occurring) and insert in its stead "himself or herself or the group".

Amendment negatived.

On the motion of the Chief Minister (Mr Perron) the following amendment was agreed to -

Omit from proposed section 96 "section 102H" and insert in its stead "section 102H or".

Mr Ede moved the following amendment -

Omit from proposed section 98 all words after "may" and insert in their stead "terminate the appointment of a member of the Tribunal appointed under section 95 where the member -

- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;
- (b) is incompetent or guilty of misbehaviour; or
- (c) is the subject of an order under section 13(1) of the *Mental Health Act*."

Debate ensued.

Amendment negatived.

On the motion of Mr Perron, by leave, the following further amendment was agreed to -

Omit from proposed section 98 "or section 99(a)".

Mr Ede moved the following further amendment -

Omit from proposed section 100(1)(a)(ii)(B) "in substitution" and insert in its stead "which is acceptable to the applicant in substitution".

Debate ensued.

Amendment negatived.

On the motion of Mr Perron the following further amendment was agreed to -

Omit subclause (1) from proposed section 102 and insert in its stead the following:

"(1) At the request in writing of a party to an application or an Aboriginal who wishes to make an application, a person (including the relevant Land Council in the case of a request by an Aboriginal) may represent the party or Aboriginal in relation to the application or a reference to the Tribunal."

Mr Ede, by leave, moved the following further amendment -

Omit from proposed section 102(1) -

- (a) "in writing"; and

(b) "that application or" and insert in its stead "that application and".

Amendment negatived.

On the motion of Mr Perron the following further amendment was agreed to -

Omit from proposed section 102(2) all words before "upon" and insert in their stead the following:

"(2) A person representing a party or Aboriginal in pursuance of a request under subsection (1) shall attach a copy of the writing referred to in that subsection".

Mr Perron moved the following further amendment -

Omit subsection (1) from proposed section 102F and insert in its stead the following:

"(1) In its consideration of an application or reference under this or any other Act the Tribunal (except as provided in subsection (7) or section 102G, or in such exceptional circumstances as the Chairman may allow,) shall not consider any matter other than that contained in written submissions or material before it."

Debate ensued.

Mr Ede, by leave, moved the following amendment to the amendment moved by Mr Perron -

Omit the word "exceptional".

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

Question - That the amendment moved by Mr Perron be agreed to - put and passed.

On the motion of Mr Perron the following further amendment was agreed to -

Omit from proposed section 102F(8) "subsection (6)" and insert in its stead "subsection (7)".

On the motion of Mr Perron the following further amendment was agreed to, after debate -

Omit from proposed section 102H(2) "those matters" and insert in its stead "the matters referred to in section 102J(1)(b)(viii), and to such other matters".

On the motion of Mr Perron the following further amendment was agreed to -

Omit from proposed section 102J(1)(b)(i) "degree of acceptability" and insert in its stead "acceptability".

Mr Ede moved the following further amendment -

Omit from proposed section 102J(1)(b) proposed subparagraph (v).

Debate ensued.

Amendment negatived.

On the motion of Mr Perron the following further amendment was agreed to -

Omit from proposed section 102J(1)(b)(vi) "or another Territory of the Commonwealth".

On the motion of Mr Perron the following further amendment was agreed to, after debate -

Insert in proposed section 102K(1), after "receiving it," the words "(and having regard to such matters as the Minister thinks fit but in any event having regard to the Tribunal's comment on the matters referred to in subsection (1)(b)(viii))".

Mr Ede moved the following further amendment -

Omit from proposed section 102K(1) "accept in whole" and insert in its stead "and having regard to the Memorandum of Agreement Between the Commonwealth and the Northern Territory on the Granting of Community Living Areas in Northern Territory Pastoral Districts, signed on 7 September 1989, a copy of which is printed in the Schedule of the *Miscellaneous Acts Amendment (Aboriginal Community Living Areas) Act*, accept in whole".

Amendment negatived.

On the motion of Mr Perron the following further amendment was agreed to, after debate -

Insert in proposed section 102M(2), after "the relevant land" (second occurring), the words "(including, where necessary, an easement for reasonable access to the land)".

Mr Ede moved the following further amendment -

Omit from proposed section 102N(1) proposed paragraph (b) and insert in its stead the following:

(b) manifestly wrong,".

Debate ensued.

Amendment negatived.

Clause 6, as amended, agreed to.

Clause 7 -

Mr Ede moved the following amendment -

Omit from proposed section 105A(1) all words after "means the case" and insert in their stead "where the applicant or those Aboriginals for whose benefit the grant of land was made, or the members from time to time of the association to which the land was granted have been, for a continuous period of 10 years before an application is made under subsection (2), absent from the land.".

Debate ensued.

Amendment negatived.

On the motion of Mr Perron, by leave, the following further amendment was agreed to -

Omit from proposed section 105A(1) all words after "the applicant" and insert in their stead "nor any of those Aboriginals for whose benefit the grant of land was made, or any of the members from time to time of the association to which the land was granted, have occupied the land as their principal place of residence during the 5 year period before an application is made under subsection (2)".

Clause 7, as amended, agreed to.

Clauses 8 to 11, by leave, taken together and agreed to.

Clause 12 -

Mr Ede moved the following amendment -

Insert before paragraph (a) the following:

"(aa) by inserting after subsection (1) the following:

'(1A) Where an association has been granted land in pursuance of Part IV of the *Crown Lands Act* for an Aboriginal community living area and that land or any part of it is not occupied under an exploration licence, exploration retention licence or mining tenement, the association may apply in writing to the Minister for the Minister to exercise his or her powers under subsection (1) in respect of that land or part, as the case may be, and the Minister, on receiving such an application, shall exercise his or her powers under that subsection accordingly'."

Debate ensued.

Amendment negatived.

Clause 12 as printed, agreed to.

Clauses 13 to 15, by leave, taken together and agreed to.

Clause 16 -

On the motion of Mr Perron the following amendment was agreed to, after debate -

Omit "the land was granted" and insert in its stead "the land were an excision from a pastoral lease granted".

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

Bill to be reported with amendments.

The Deputy Speaker (Mr Firmin) resumed the Chair; the Deputy Chairman (Mr Poole) reported accordingly; and the report was adopted.

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

12. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 21 November 1989 at 10.00 am or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

Question - put and passed.

13. ADJOURNMENT:

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

Debate ensued.

Paper tabled: The Minister for Tourism (Mr Vale), by leave, laid on the Table the following paper -

- Junior Asahi Almanac (Asahi Almanac for Children) 1990, Social Studies, Text "Practical Study" Two-Text set.

Debate continued.

Statement by Deputy Speaker - Paper tabled: The Deputy Speaker made a statement relating to references to the Public Accounts Committee and the effect of Standing Order 236 and laid the Statement on the Table.

Debate continued.

Question - put and passed.

The Assembly adjourned at 10.47 p.m. until Tuesday 21 November 1989 at 10.00 a.m. or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 19 October 1989:

Annual Reports:

Department of Industries and Development, 1988-89

Department of Law, 1988-89

Department of the Legislative Assembly, 1988-89

Mental Health Act, 1988-89

Northern Territory Local Government Grants Commission 1989 -

Report on Distribution of Funds under the Commonwealth's
Local Government (Financial Assistance) Act 1986

Northern Territory Local Government Grants Commission 1989 -

Distribution of Northern Territory Operational Subsidy

Remuneration Tribunal:

Report and Determination No. 2 of 1989 - Judges of the
Northern Territory Supreme Court

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ATTENDANCE:

All Members attended the sitting except Mr Dondas (on leave).

H.G. SMITH

Clerk of the Legislative Assembly.

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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231	Hire Purchase Amendment 1989	587,607
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