

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 42

Tuesday 16 August 1988

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly of 26 May 1988. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. RESIGNATION OF MEMBER - STATEMENT - PAPER TABLED:

The Speaker announced that on 15 August 1988 he had received from Mr R.A. Hanrahan a letter resigning his seat as the Member for Flynn.

Paper tabled: The Speaker laid on the Table a copy of Mr Hanrahan's letter of resignation dated 11 August 1988.

4. 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 and the divisions of administrative responsibilities.

Paper tabled: Mr Perron laid on the Table a copy of His Honour the Administrator's Administrative Arrangements Order, dated 14 July 1988.

MINISTERS, MINISTRIES AND MAJOR FUNCTIONS

HON M.B. PERRON

- **Chief Minister:** Department of the Chief Minister; Department of the Legislative Assembly; Police Force of the Northern Territory; Ombudsman; and Auditor-General.
- **Treasurer:** Northern Territory Treasury; Territory Insurance Office.

HON B.F. COULTER

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

HON D.W. MANZIE

- **Attorney-General:** Department of Law.
- **Minister for Lands and Housing:** Department of Lands and Housing; Northern Territory Housing Commission; Aboriginal Sacred Sites Protection Authority; and Northern Territory Land Corporation.
- **Minister for Conservation:** Conservation Commission of the Northern Territory; Museums and Art Galleries; and Territory Parks and Wildlife Conservation.

HON D.F. DALE

- **Minister for Health and Community Services:** Department of Health and Community Services; Social Welfare; Consumer Affairs; Correctional Services, Parole and Probation; and Youth Affairs, Sport and Recreation.

HON T. HARRIS

- **Minister for Education:** Department of Education; University College of the Northern Territory; Advanced Education and Darwin Institute of Technology; Northern Territory Teaching Service; and Libraries.
- **Minister Assisting the Chief Minister on Constitutional Development.**

HON F.A. FINCH

- **Minister for Transport and Works:** Department of Transport and Works; and Darwin Port Authority.

HON T.R. MCCARTHY

- **Minister for Labour, Administrative Services and Local Government:** Department of Labour and Administrative Services; Public Service, Work Health Authority; Industrial Relations; and Jabiru Town Development Authority.

HON E.H. POOLE

- **Minister for Tourism:** Northern Territory Tourist Commission; Racing, Gaming and Liquor Commission; and Northern Territory Totalizator Administration Board.
- **Minister Assisting the Chief Minister on Central Australian Affairs.**

HON M.A. REED

- **Minister for Primary Industry and Fisheries:** Department of Primary Industry and Fisheries.

5. PETITIONS:

Mr McCarthy presented a petition from 559 citizens of the Northern Territory relating to the completion of the Daly River Road and upgrading of the Woolianna Road.

Petition read.

Mr Leo presented a petition from 118 citizens of the Northern Territory requesting immediate amendment of the *Liquor Act* to permit the return of the vehicle of Mrs Liyapidiny Marika OAM forthwith.

Petition read.

6. NOTICES:

The following notices were given:

Mr Manzie: To present the Interpretation Amendment Bill (No. 3) 1988 (Serial 126) and the Natural Death Bill 1988 (Serial 113).

7. QUESTIONS:

Questions were asked of Ministers.

The Speaker made a statement relating to supplementary questions.

Further questions were asked of Ministers.

8. PERSONAL EXPLANATION:

The Member for Macdonnell (Mr Bell), by leave, made a personal explanation relating to comments made by the Minister for Health and Community services during Question Time earlier this day.

9. GOVERNMENT OBJECTIVES AND PRIORITIES - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT - STATEMENT NOTED:

The Chief Minister (Mr Perron) made a statement relating to the changes and directions of the Government for the remainder of the Fifth Assembly.

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

Debate ensued.

Suspension of sitting: The sitting was suspended between 11.53 a.m. and 2.00 p.m.

Debate resumed.

Member named and suspended: And the Member for Stuart (Mr Ede), failing to address the Chair and failing to resume his seat when the Speaker was attempting to address the Assembly, the Speaker named Mr Ede.

The Leader of Government Business (Mr Coulter) moved - That Mr Ede be suspended from the service of the Assembly.

Question - That Mr Ede be suspended from the service of the Assembly - put.

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

AYES, 15

NOES, 7

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

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

And so it was resolved in the affirmative.

Mr Ede was, therefore, suspended at 2.45 p.m. for 24 hours, pursuant to Standing Order 241, and he accordingly withdrew from the Chamber.

Proposed referral of matter of naming of Member to Committee of Privileges: The Member for Nhulunbuy (Mr Leo), by leave, moved - That the naming and suspending this day of the Member for Stuart (Mr Ede) be referred to the Committee of Privileges.

And Mr Leo addressing the Assembly -

Point of order: The Leader of Government Business (Mr Coulter) raised, as a point of order, the inappropriateness of the proposed reference of the naming of a Member to the Committee of Privileges.

Debate ensued.

Ruling of Speaker: The Speaker ruled that the motion was not in order.

Want of Confidence in Speaker - Motion: The Member for Nhulunbuy (Mr Leo), by leave, moved - That this Assembly has no confidence in the Speaker.

Debate ensued.

Question - put.

The Assembly divided (Deputy Speaker, Mr Dondas, in the Chair) -

AYES, 4

NOES, 14

Mr Bell
Mr Leo
Mr Smith
Mr Tipiloura

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

And so it was resolved in the negative.

Suspension of Standing Orders: The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent his moving - That the Assembly rescind its resolution suspending the Member for Stuart (Mr Ede).

Debate ensued.

Question - That the question be now put - put.

The Assembly divided (Deputy Speaker, Mr Dondas, in the Chair) -

AYES, 14

NOES, 5

Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie

Mr Bell
Mr Collins
Mr Leo
Mr Smith
Mr Tipiloura

Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter

And so it was resolved in the affirmative.

Question - That Standing Orders be suspended - put.

The Assembly divided (Deputy Speaker, Mr Dondas, in the Chair) -

AYES, 5

NOES, 14

Mr Bell
Mr Collins
Mr Leo
Mr Smith
Mr Tipiloura

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

And so it was resolved in the negative.

Debate continued upon the motion - That the Assembly take note of the statement, Government Objectives and Priorities.

Question - put and passed.

10. COMMONWEALTH PARLIAMENTARY ASSOCIATION - 77TH BIRTHDAY MESSAGE - PAPER TABLED:

The Speaker advised Members that he had received a copy of the Commonwealth Parliamentary Association birthday message for 1988 from the Chairman of the Commonwealth Parliamentary Association's Executive Committee, the Hon Lavu Mulimba MP.

11. BUSINESS DISCHARGED - ORDERS OF THE DAY:

The Leader of Government Business (Mr Coulter), by leave, moved - That Government Business, Orders of the Day Nos 17, 21, 22, 25 and 28 be discharged from the Notice Paper -

- o No. 17 Education - Note statement
- o No. 21 Statehood - Note statement
- o No. 22 Work Health - Note statement
- o No. 25 Equal Opportunity Program - Note statement
- o No. 28 Noxious Weeds - Note statement

Question - put and passed.

12. PARLIAMENTARY COMMITTEES - CHANGES IN MEMBERSHIP - STATEMENT - PAPER TABLED:

The Speaker advised Members that he had received a letter from the Member for Katherine (Mr Reed) requesting that he be discharged from service upon the following Committees -

- House Committee
- Publications Committee
- Subordinate Legislation and Tabled Papers Committee
- Sessional Committee on the Environment
- Public Accounts Committee.

He further advised that following the resignation of Mr Hanrahan from the Assembly, vacancies now exist in the membership of the following Committees -

- Standing Orders Committee
- Subordinate Legislation and Tabled Papers Committee.

13. RESIGNATIONS AND APPOINTMENTS TO PARLIAMENTARY COMMITTEES - MOTION AGREED TO:

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

- (1) The Member for Katherine (Mr Reed) be discharged from further attendance on:

The House Committee;
The Publications Committee;
The Public Accounts Committee;
The Subordinate Legislation and Tabled Papers Committee; and
The Sessional Committee on the Environment; and

- (2) Members be appointed to those Committees as follows:

House Committee - Mr Palmer;
Publications Committee - Mr Hatton;
Standing Orders Committee - Mr Firmin;
Subordinate Legislation and Tabled Papers Committee - Mr Dondas and Mr Palmer; and
Sessional Committee on the Environment - Mr Hatton.

Question - put and passed.

14. LEAVE OF ABSENCE:

The Member for Nhulunbuy (Mr Leo), by leave, moved - That leave of absence be granted to the Member for Arnhem (Mr Lanhupuy) this day.

Question - put and passed.

15. COMMITTEE OF PRIVILEGES, REPORT UPON MEMBER FOR BARKLY - PAPER TABLED - PAPER PRINTED - MOTION TO ADOPT REPORT:

The Chief Minister (Mr Perron) laid on the Table the report of the Committee of Privileges on the Statement made by the Member for Barkly (Mr Tuxworth) on the ABC 7.30 Report on 25 February 1988.

Mr Perron moved - That the report be printed.

Question - put and passed.

Mr Perron moved - That the report be adopted.

On the motion of the Member for Barkly (Mr Tuxworth) debate was adjourned.

16. ADJOURNMENT:

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

Paper tabled: The Member for Millner (Mr Smith), by leave, laid on the Table a schedule, Value of Government Debt and Contingent Liabilities and made a statement relating thereto.

Debate continued.

Question - put and passed.

The Assembly adjourned at 6.56 p.m. until tomorrow at 10 a.m.

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PAPERS:

The following papers were deemed to have been presented on 16 August 1988:

Annual Reports:

Department of Health and Community Services, 1986-87

Publications and Films Review Board, 1987

Uranium Mining (Environment Control) Act, 1987 (Ninth Report)

Hospital Management Board Report:

Tennant Creek Hospital 1986-87

Regulations 1988:

No.26 - Amendment of the Port By-laws

No.27 - Amendments of the Supreme Court (Companies) Rules

No.28 - Amendment of Stock Diseases Regulations

No.29 - University College of the Northern Territory - Amendment to the
By-law governing exclusion

No.30 - University College of the Northern Territory - Amendment
governing the Library

No.31 - Amendments of Motor Vehicles (Standards) Regulations

No.32 - Exotic Diseases (Animal) (Screw-worm fly Infestation)
Compensation Regulations

No.33 - Amendments of the Apprenticeship Regulations

No.34 - Amendments of the Supreme Court Rules

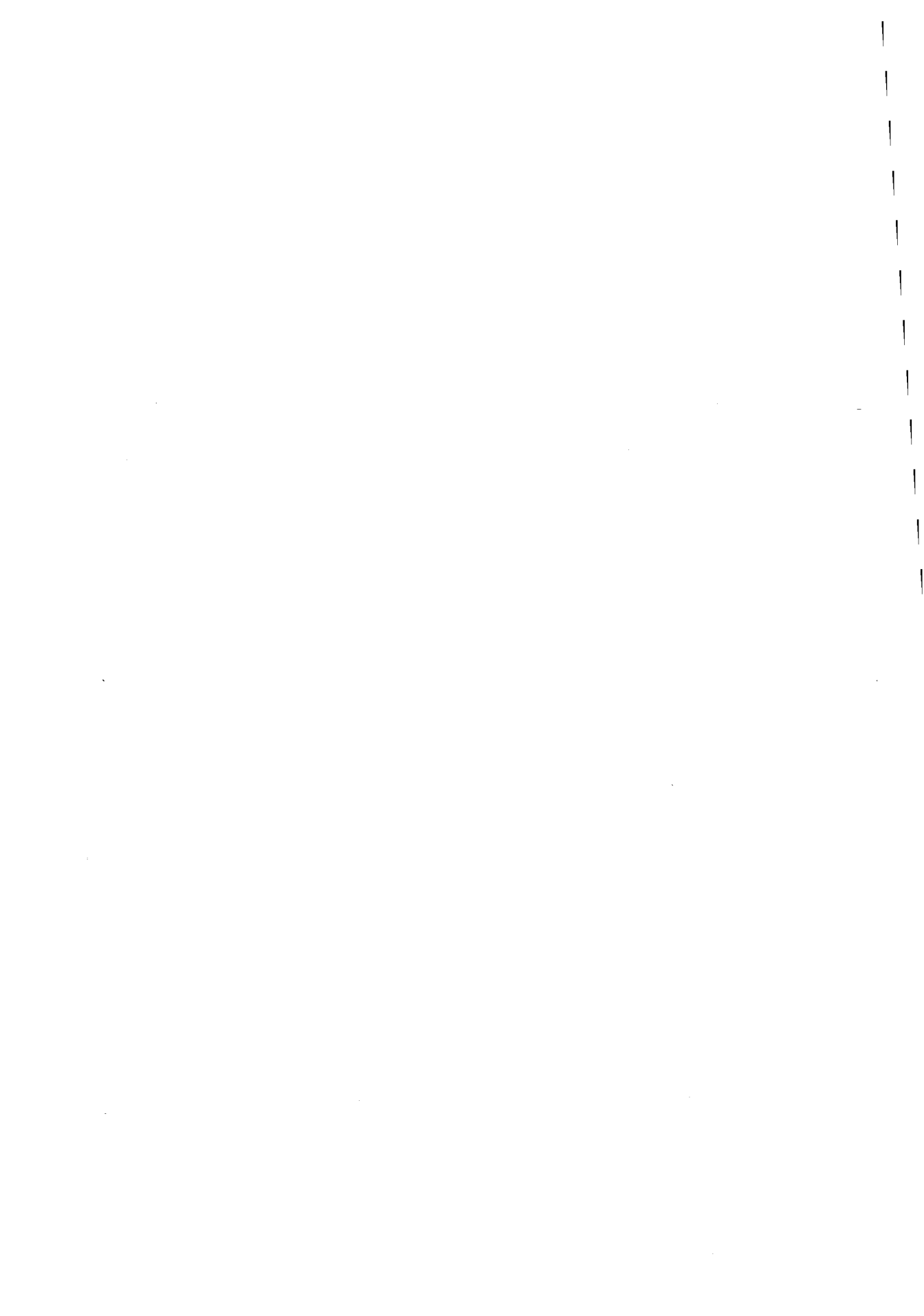
No.35 - Amendments of the Supreme Court Rules

No.37 - Registration of Births, Deaths and Marriages Regulations

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ATTENDANCE:

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



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 43

Wednesday 17 August 1988

1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.
2. PRAYERS.
3. MESSAGE FROM THE ADMINISTRATOR:
The Speaker advised Members that he had received the following message from the Acting Administrator:

Message No.7

I, KEITH JOHN AUSTIN ASCHE, the Acting Administrator of the Northern Territory of Australia, in pursuance of section 11 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, recommend to the Legislative Assembly a Bill for an Act to appropriate certain sums out of the Consolidated Fund for the service of the year ending 30 June 1989.

Dated 12 August 1988.

(Sgd) AUSTIN ASCHE
Acting Administrator

4. NEW PARLIAMENT HOUSE, CANBERRA, FIRST SITTINGS - STATEMENT:
The Speaker advised Members that he had received an invitation to attend the first sitting of the Commonwealth Parliament in the New Parliament House, Canberra on Monday, 22 August 1988. He advised that due to sittings of the Assembly, the Deputy Speaker (Mr Dondas) would attend in his stead accompanied by the Deputy Clerk, Mr Ian McNeill. A message of congratulations to the President of the Senate, Senator the Honourable Kerry Sibraa, and the Speaker of the House of Representatives, the Honourable Joan Child, on this historic occasion would be sent on behalf of all Members.
5. PETITION:
Mr Collins, by leave, presented a petition not conforming with Standing Orders, from 1573 citizens of Alice Springs requesting that an animal shelter be established in Alice Springs.
Petition read.
6. QUESTIONS:
Questions were asked of Ministers.
7. APPROPRIATION BILL 1988-89 (Serial 127) - BUDGET SPEECH - PAPERS TABLED:
The Treasurer (Mr Perron) presented a Bill for an Act to appropriate certain sums out of the Consolidated Fund for the Service of the year ending 30 June 1989, the subject of His Honour the Acting Administrator's Message No.7.
Bill read a first time.
Papers tabled: Mr Perron laid on the Table Budget Papers 1988-89 -

- No.1
 - Budget Speech

- No.2
 - Appropriation Bill
 - Special Appropriations
 - Revenue Sources

- No.3
 - Overview

- No.4
 - Detailed Estimates

- No.5
 - Capital Works

- No.6
 - The Northern Territory Economy

Mr Perron moved - That the Bill be now read a second time - and delivered the budget speech.

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

Suspension of sitting: The sitting was suspended between 11.52 a.m. and 2.00 p.m.

8. SUSPENDED MEMBER - RE-ADMISSION TO HOUSE AND REVOCATION OF SUSPENSION:

The Member for Stuart (Mr Ede), by indulgence of the Speaker and with the concurrence of Honourable Members, returned to the Chamber and referred to the incident on 16 August 1988 which resulted in his suspension from the Assembly. Mr Ede apologized and expressed his regret stating that he had not intentionally ignored the Speaker's call to order and would have complied immediately had he been aware of the call.

With the concurrence of Honourable Members, the suspension of Mr Ede was revoked.

9. INTERPRETATION AMENDMENT BILL (No.3) 1988 (Serial 126):

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

10. NATURAL DEATH BILL 1988 (Serial 113):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to provide for, and give legal effect to, directions against artificial prolongation of the dying process.

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.

11. ELECTORAL AMENDMENT BILL 1988 (Serial 112):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

The Leader of Government Business (Mr Coulter) advised that in the absence of the Chief Minister (Mr Perron) he would take carriage of the Bill, pursuant to Standing Order 77.

Clause 1 agreed to.

Proposed new clause -

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

"1A. PRINTING OF ROLLS

"Section 24(2) of the *Electoral Act* is amended by omitting paragraph (a) and substituting the following:

'(a) immediately following the fourteenth day after the issue of the writ for an election; and'."

Proposed new clause negatived.

Clause 2 read.

Mr Perron moved the following amendment -

Omit from proposed section 26A(1) "for the preparation," and insert in its stead "for, or for the carrying out of a procedure relating to, the preparation,".

Amendment agreed to.

Mr Perron moved the following further amendment -

Omit from proposed section 26A(1) all words after "and the Commonwealth," and insert in their stead "whether for the purpose of the rolls being used as electoral rolls for Commonwealth or Territory elections, or for any other purpose.".

Amendment agreed to.

Clause, as amended, agreed to.

Proposed new clause -

Mr Ede moved - That the following new clause be added to the Bill -

"2A. ALTERATION OF ROLLS

"Section 32(3) of the *Electoral Act* is amended by omitting 'on the day of the issue of the writ' and substituting 'on the fourteenth day after the issue of the writ'."

Debate ensued.

Proposed new clause negatived.

Title agreed to.

Bill to be reported with amendments.

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

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

12. DAIRIES SUPERVISION REPEAL BILL 1988 (Serial 99):

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 Primary Industry and Fisheries (Mr Reed), the Bill was read a third time and passed to be a proposed law.

13. SOCCER FOOTBALL POOLS AMENDMENT BILL 1988 (Serial 97):

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 Tourism (Mr Poole), the Bill was read a third time and passed to be a proposed law.

14. SUPREME COURT AMENDMENT BILL 1988 (Serial 98):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

15. ADJOURNMENT:

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

Debate ensued.

Petition: The Member for Victoria River (Mr McCarthy), by leave, presented a petition, not conforming with Standing Orders, from 27 citizens of the Northern Territory relating to the revision of the curriculum for all Northern Territory Government Schools to include a program of Religious Education.

Debate continued.

Question - put and passed.

The Assembly adjourned at 6.22 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 August 1988:

Casino Licensing and Control Act:

Casino Operator's Agreement, dated 8 July 1987

Community Government Schemes:

Nauiyu Nambiyu

Yugul Mangi

Financial Administration and Audit Act:

Direction by the Administrator, section 13(1)(a) dated 30 May 1988

- Department of the Chief Minister to Department of the Legislative Assembly, dated 30 May 1988
- Office of the Public Service Commissioner to Department of Labour and Administrative Services, dated 30 May 1988
- Power and Water Authority, Department of Mines and Energy and Trade Development Zone Authority to Northern Territory Treasury and Northern Territory Housing Commission, dated 28 June 1988

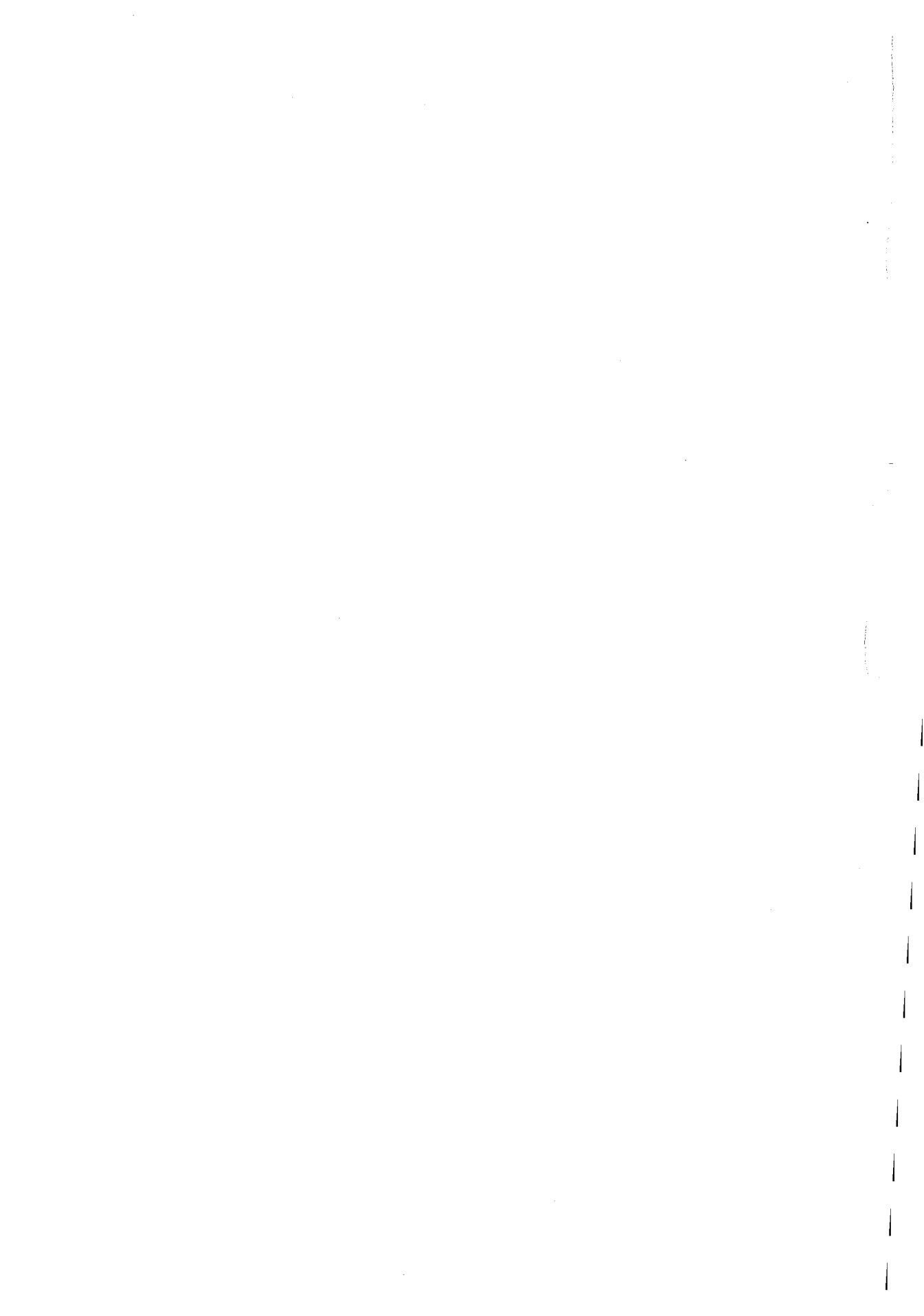
Direction by the Treasurer, section 13(1)(b) - Transfers of Funds Saved

- Department of Industries and Development, dated 23 May 1988
- Department of Health and Community Services, dated 30 May 1988
- Department of Mines and Energy, dated 31 May 1988
- Office of the Ombudsman, dated 6 June 1988
- Department of Industries and Development, dated 9 June 1988
- Department of Education, dated 10 June 1988
- Technical and Further Education Advisory Council, dated 10 June 1988
- Department of Transport and Works, dated 20 June 1988
- Department of the Chief Minister, dated 28 June 1988
- Department of Education, dated 28 June 1988
- Department of Lands and Housing, dated 28 June 1988
- Northern Territory Treasury, dated 28 June 1988
- Department of Mines and Energy, dated 28 June 1988
- Technical and Further Education Advisory Council, dated 28 June 1988
- Department of Health and Community Services, dated 28 June 1988
- Department of Labour and Administrative Services, dated 28 June 1988
- Office of the Ombudsman, dated 26 July 1988
- Northern Territory Police, Fire and Emergency Services, dated 26 July 1988
- Department of the Legislative Assembly, dated 26 July 1988
- Department of Mines and Energy, dated 26 July 1988
- Department of Industries and Development, dated 26 July 1988
- Department of Law, dated 26 July 1988
- Department of Lands and Housing, dated 26 July 1988
- Department of Health and Community Services, dated 26 July 1988
- Department of Education, dated 26 July 1988

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ATTENDANCE:

All Members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 44

Thursday 18 August 1988

1. MEETING:

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

2. PRAYERS.

3. PETITION:

Mrs Padgham-Purich presented a petition from 543 citizens of the Northern Territory requesting that the Assembly reject plans for the proposed new "Government Precinct" planned for Darwin.

Petition read.

4. QUESTIONS:

Questions were asked of Ministers.

5. ORDER OR BUSINESS:

The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day, relating to the Appropriation Bill 1988-89 (Serial 127), be called on forthwith.

Question - put and passed.

6. APPROPRIATION BILL 1988-89 (Serial 127):

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

Debate resumed.

Suspension of sitting: The sitting was suspended between 11.42 a.m. and 2.00 p.m.

Debate continued.

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

7. JUSTICES AMENDMENT BILL 1988 (Serial 103):

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

Debate resumed.

Suspension of Standing Orders: The Chief Minister (Mr Perron) moved - That so much of Standing Orders be suspended as would prevent the Minister for Mines and Energy (Mr Coulter) from completing his speech.

Question - put and passed.

Debate continued.

Question - put and passed.

Bill read a second time.

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

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

8. FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL 1988 (Serial 117):
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 Treasurer (Mr Perron), the Bill was read a third time and passed to be a proposed law.

9. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:
The Minister for Mines and Energy (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills namely the Power and Water Authority Amendment Bill 1988 (Serial 119) and the Electricity Amendment Bill 1988 (Serial 120) -

- (a) being considered together and one motion being put in regard to, respectively, the second reading, 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.

10. PERSONAL EXPLANATION:
The Leader of the Opposition (Mr Smith), by leave, made a statement relating to his comments referred to by the Minister for Mines and Energy (Mr Coulter) during debate upon the Appropriation Bill concerning the extent of the Territory debt.

11. ADJOURNMENT:
The Leader of Government Business (Mr Coulter) moved - That the Assembly do now adjourn.
Debate ensued.
Paper tabled: The Member for Sadadeen (Mr Collins), by leave, laid on the Table a copy of a statement made by Justice Mader in Alice Springs on Wednesday 29 June 1988.
Petition: The Member for Sadadeen (Mr Collins), by leave, presented a petition, not conforming with Standing Orders, from 29 citizens of Alice Springs requesting that an animal shelter be established in Alice Springs.
Debate continued.
Question - put and passed.
The Assembly adjourned at 7.52 p.m. until Tuesday 23 August 1988 at 10.00 a.m.

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ATTENDANCE:
All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 45

Tuesday 23 August 1988

1. MEETING:

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

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Perron: To present the Disasters Amendment Bill 1988 (Serial 121) and the Taxation (Administration) Amendment Bill (No.2) 1988 (Serial 125).

Mr Poole: To present the Summary Offences Amendment Bill (No.2) 1988 (Serial 135) and the Liquor Amendment Bill 1988 (Serial 134).

Mr Bell: To present the Heritage Preservation (Interim Arrangements) Bill 1988 (Serial 133).

Mr Bell: To move - That so much of the Standing Orders be suspended as would prevent him from presenting the Liquor Amendment Bill (No.2) 1988 (Serial 138).

Mr Smith: To move - That this Assembly, pursuant to section 4A of the *Inquiries Act*, resolves that a Board of Inquiry of 3 members be appointed to inquire into and report to the Administrator on or before 7 November 1988 on the Northern Territory Financial Accounts and, in particular, to:

- (a) prepare Northern Territory Financial Accounts to determine the true deficit of the total public sector; such data to be prepared for 1987-88 with historical data over the last 5 years;
- (b) determine the full extent of public sector actual and contingent liabilities;
- (c) prepare a balance sheet for the Territory as at 30 June 1988;
- (d) reconcile the reconstructed accounts with the Australian Statistician's estimates of the position in the publication 'Government Financial Estimates Australia 1987-88'; and
- (e) advise on the impact of, and procedures involved in, applying full accrual accounting to all public sector bodies.

Mr Tuxworth: To present the Juvenile Justice Amendment Bill 1988 (Serial 131).

Mr McCarthy: To present the Local Government Grants Commission Amendment Bill 1988 (Serial 136); the Local Government Amendment Bill 1988 (Serial 137); and the Work Health Amendment Bill 1988 (Serial 128).

Mr Collins: To present the Real Property Amendment Bill (No.2) 1988 (Serial 140); and the Aboriginal Sacred Sites Amendment Bill 1988 (Serial 139).

Mr Manzie: To present the Justices Amendment Bill (No.3) 1988 (Serial 122); the Statute Law Revision Bill 1988 (Serial 130); and the Trustee Amendment Bill 1988 (Serial 123).

4. QUESTIONS:

Questions were asked of Ministers.

5. WARRANT, DEPUTY CHAIRMAN OF COMMITTEES _ REVOCATION OF PREVIOUS NOMINATION - PAPER TABLED:

The Speaker laid on the Table the following warrant:

WARRANT

Pursuant to the provision of Standing Order 12, I hereby revoke the nomination of the Member for Katherine, the Honourable M.A. Reed, as a Deputy Chairman of Committees and nominate the Member for Sadadeen, Mr D.W. Collins, to act as a Deputy Chairman of Committees when requested so to do by the Chairman of Committees.

GIVEN under my hand this Twenty-third day of August, One thousand nine hundred and eighty-eight.

(Sgd) R.W.S. VALE
Speaker

6. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, SIXTH REPORT - PAPER TABLED:

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

7. REFERENDA ON CONSTITUTION - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Chief Minister (Mr Perron) made a statement relating to the forthcoming Federal Referenda on the Constitution.

Mr Perron moved - That the statement be noted.

The Member for Stuart (Mr Ede) moved as an amendment -

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

"This Assembly recommends to the electors of the Northern Territory that on 3 September 1988 they vote to allow the Federal Constitution to be altered so as to:

- (1) Allow maximum terms of four years for Members of both Houses of the Commonwealth Parliament;
- (2) (a) provide fair elections for the House of Representatives, the state parliaments and legislatures of the mainland territories, based on the principle of 'one vote, one value' but subject to permissible limited variations in the numbers of electors in each electorate in each state or territory;
- (b) confer the right to vote in Commonwealth, state and mainland territory elections on all Australian citizens over the age of 18, subject to certain qualifications;
- (c) provide for the fair determination of electoral divisions for elections for the House of Representatives, state parliaments and legislatures of the mainland territories;
- (d) prohibit multiple voting; and

- (e) guarantee to Australian citizens over the age of 18 the right to vote in elections subject to certain qualifications;
- (3) provide for the establishment and continuance of a system of local government, with local government bodies elected in accordance with the laws of the state and empowered to administer and to make by-laws for their respective areas in accordance with the laws of the state;
- (4) (a) extend the right given by section 80 of the Constitution to trial by jury for offences against laws of the Commonwealth, and to confer a like right to trial by jury for serious offences against the laws of the states and territories;
- (b) ensure that acquisition of property under state and territory laws, and acquisitions under Commonwealth law from persons in the territories, must be on just terms; and
- (c) extend to the states and territories the existing prohibition on Commonwealth interference with religious freedom."

The Attorney-General (Mr Manzie) moved - That the debate be adjourned.

Question - That the debate be adjourned - put.

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

AYES, 15

NOES, 7

Mr Collins
Mr Coulter
Mr Dale
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 Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Suspension of sitting: The sitting was suspended between 12.15 p.m. and 2.30 p.m.

8. MATTER OF PUBLIC IMPORTANCE - ABORIGINAL HEALTH:

The Speaker informed the Assembly that the Member for Macdonnell (Mr Bell) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day: "the failure of the Northern Territory Government to adequately provide for the health of its Aboriginal citizens."

The proposed discussion having received the necessary support -

The Speaker called on Mr Bell to address the Assembly.

Discussion ensued.

Discussion concluded.

9. STAMP DUTY AMENDMENT BILL (No.2) 1988 (Serial 124):

The Treasurer (Mr Perron) presented a Bill for an Act to amend the *Stamp Duty Act*.

Bill read a first time.

Suspension of Standing Orders: Mr Perron moved - That so much of Standing Orders be suspended as would prevent the Stamp Duty Amendment Bill (No.2) 1988 (Serial 124) passing through all stages at this sittings.

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

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

On the motion of the Member for Millner (Mr Smith) debate was adjourned.

10. PAY-ROLL TAX AMENDMENT BILL 1988 (Serial 132):

The Treasurer (Mr Perron) presented a Bill for an Act to amend the *Pay-roll Tax Act*.

Bill read a first time.

Suspension of Standing Orders: Mr Perron moved - That so much of Standing Orders be suspended as would prevent the Pay-roll Tax Amendment Bill 1988 (Serial 132) passing through all stages at this sittings.

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

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

On the motion of the Member for Millner (Mr Smith) debate was adjourned.

11. BUSINESS FRANCHISE AMENDMENT BILL 1988 (Serial 129):

The Treasurer (Mr Perron), by leave, presented a Bill for an Act to amend the *Business Franchise Act*.

Bill read a first time.

Suspension of Standing Orders: Mr Perron moved - That so much of Standing Orders be suspended as would prevent the Business Franchise Amendment Bill 1988 (Serial 129) passing through all stages at this sittings.

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

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

On the motion of the Member for Millner (Mr Smith) debate was adjourned.

12. PUBLIC ACCOUNTS COMMITTEE - STANDING ORDER 21A AND CHANGE IN MEMBERSHIP:

The Chief Minister (Mr Perron), by leave, moved -

(1) That provisional Standing Order 21A relating to a Standing Committee of Public Accounts, as contained in the Sessional Order made by resolution of the Assembly on 28 April 1987, be adopted as a Standing Order; and

(2) That the Member for Katherine (Mr Reed) be discharged from further attendance on the Committee and Mr Dondas be appointed in his place.

Debate ensued.
Question - put and passed.

13. MAGISTRATES AMENDMENT BILL 1988 (Serial 100):

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

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

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

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

14. APPROPRIATION BILL 1988-89 (Serial 127):

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 Education (Mr Harris) debate was adjourned.

15. POWER AND WATER AUTHORITY AMENDMENT BILL 1988 (Serial 119) and ELECTRICITY AMENDMENT BILL 1988 (Serial 120):

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

Debate resumed.
The Member for Stuart (Mr Ede) moved as an amendment -

Omit all words after "That" and insert in their stead - "the Bills be withdrawn and redrafted to include provisions whereby the right of the public and the parliament to full information relating to the basis on which financial arrangements are entered into by the Power and Water Authority is recognised".

Debate ensued.
Question - That the amendment be agreed to - put.
The Assembly divided (the Speaker, Hon R.W.S. Vale, in the Chair) -

AYES, 6

NOES, 15

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

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

And so it was resolved in the negative.
Debate continued.

Question - That the Bills be now read a second time - put.
The Assembly divided (the Speaker, Hon R.W.S. Vale, in the Chair) -

AYES, 16

NOES, 6

Mr Collins	Mr Bell
Mr Coulter	Mr Ede
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	Mr Tipiloura
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

And so it was resolved in the affirmative.

Bills read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Power and Water Authority Amendment Bill 1988 (Serial 119):

Clause 1 agreed to.

Clause 2 negatived.

Clause 3 -

Debate ensued.

Question - That Clause 3 stand as printed - put.

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

AYES, 15

NOES, 6

Mr Coulter	Mr Bell
Mr Dale	Mr Ede
Mr Dondas	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Harris	Mr Tipiloura
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

And so it was resolved in the affirmative.

Title agreed to.
Bill to be reported with an amendment.

Electricity Amendment Bill 1988 (Serial 120):

Clause 1 agreed to.
Clause 2 negatived.
Clause 3 -
Debate ensued.
Question - That Clause 3 stand as printed - put.
The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 13

NOES, 6

Mr Coulter	Mr Bell
Mr Dale	Mr Ede
Mr Dondas	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Harris	Mr Tipiloura
Mr Hatton	
Mr Manzie	
Mr Palmer	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

And so it was resolved in the affirmative.
Title agreed to.
Bill to be reported with an amendment.

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

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

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

AYES, 14

NOES, 6

Mr Coulter	Mr Bell
Mr Dale	Mr Ede
Mr Dondas	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Harris	Mr Tipiloura
Mr Hatton	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

And so it was resolved in the affirmative.
The bills were read a third time and passed to be proposed laws.

16. ADJOURNMENT:

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

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

- Panorama, Ansett Inflight Magazine article "Sea of Stone" by Penny van Oosterzee, March 1988
- Letter - Penny van Oosterzee to Jane Rich, Editor, Panorama Magazine, dated 10 March 1988
- Letter - Member for Macdonnell to Ms J. Rich, Editor, Panorama Magazine, dated 12 April 1988
- Letter - Jane Rich to Member for Macdonnell, dated 28 April 1988
- Letter - The Speaker to Ms J. Rich, dated 4 May 1988

Debate continued.

Question - put and passed.

The Assembly adjourned at 10.45 p.m. until tomorrow at 10 a.m.

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PAPERS:

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

Annual Reports:

Agricultural Development and Marketing Authority, 1986-87

Museums and Art Galleries Board, 1986-87

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 46

Wednesday 24 August 1988

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mrs Padgham-Purich presented a petition from 302 citizens of the Northern Territory requesting the easing of unnecessary regulation of building matters relating to improvements upon rural freehold land.

Petition read.

Mr Coulter, by leave, presented a petition, not conforming with Standing Orders, from 1328 citizens of the Northern Territory requesting reinstatement of a doctor at the Palmerston Health Clinic.

Petition read.

4. NOTICES:

The following notice was given:

Mr Harris: To present the Northern Territory University Bill 1988 (Serial 141).

5. QUESTIONS:

Questions were asked of Ministers.

Answer to Question: The Minister for Tourism (Mr Poole) provided an answer to a question asked of him by the Member for Macdonnell during the adjournment debate of 23 August 1988.

6. TOWARDS THE 90s, VOLUME II - PAPERS TABLED - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Education (Mr Harris) laid on the Table the following papers -

- Towards the 90s, Excellence, Accountability, and Devolution in Education for the Future, Volume II
- Curriculum and Advisory Services, Information Paper, August 1988
- School Improvement Plans, Individuality Within the Framework, Information Paper, August 1988
- Staff Development, Meeting Local Needs, Information Paper, August 1988
- Flexibility in Devolution, Direct Grants to Schools, School Staffing, Information Paper, August 1988
- Master Teachers, A Recognition of Excellence, Information Paper 1988.

Mr Harris made a statement relating thereto.

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

Debate ensued.

On the motion of the Member for Nightcliff (Mr Hatton) debate was adjourned.

7. COMMONWEALTH BUDGET OVERVIEW - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Chief Minister (Mr Perron) made a statement relating to the Commonwealth Budget.

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

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

Debate resumed.

Question - put and passed.

8. SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT - CHANGE OF MEMBERSHIP - PAPER TABLED:

The Speaker advised Members that he had received a letter from the Member for Port Darwin (Mr Harris) dated 24 August 1988 requesting discharge from further attendance upon the Select Committee on Constitutional Development.

9. SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT - VARY TERMS OF REFERENCE - CHANGE OF MEMBERSHIP:

The Chief Minister (Mr Perron) moved - That -

(1) The resolution of 28 April 1987 establishing the Select Committee on Constitutional Development be varied as follows:

(a) Omit from paragraph (3) the words "the Chief Minister, the Leader of the Opposition" and insert in their stead "Mr Hatton, and Mr Leo"; and

(b) Omit paragraphs (4) and (5) and insert in their stead:

(4) The Chief Minister and the Leader of the Opposition, although not Members of the Committee, may attend all meetings of the Committee; may question witnesses; and may participate in the deliberations of the Committee, but shall not vote."; and

(2) Mr Harris be discharged from further attendance on the Committee and Mr Firmin be appointed in his stead.

Debate ensued.

Question - put and passed.

10. PARKS, RESERVES AND HISTORICAL SITES - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Lands and Housing (Mr Manzie) made a statement relating to the future of parks and reserves in the Northern Territory.

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

Debate ensued.

Question - put and passed.

11. HERITAGE PRESERVATION (INTERIM ARRANGEMENTS) BILL 1988 (Serial 133):

The Member for Macdonnell (Mr Bell), pursuant to notice, presented a Bill for an Act to provide for the interim protection from destruction, damage or alteration of certain historic and other buildings and places in the Territory pending the passing of legislation by the Legislative Assembly providing for similar protection of the Territory's heritage and estate, to provide for the appointment of a committee of inquiry to recommend the form of such legislation, and for other purposes.

Bill read a first time.

Suspension of Standing Orders - Negatived: Mr Bell moved - That so much of Standing Orders be suspended as would prevent the Heritage Preservation (Interim Arrangements) Bill 1988 (Serial 133) passing through all stages at this sittings.

Debate ensued.

Question - put.

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

AYES, 6

NOES, 16

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

Mr Collins
Mr Coulter
Mr Dale
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

And so it was resolved in the negative.

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

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

- Heritage Places (Western Australia) Bill 1987 (No. of 1987)
- South Australian Heritage Act, 1978
- Northern Territory Heritage Act 1979 - Draft

On the motion of the Member for Sanderson (Mr Manzie) debate was adjourned.

12. SUSPENSION OF STANDING ORDERS - TO PRESENT LIQUOR AMENDMENT BILL (No.2) 1988 (Serial 138) - NEGATIVED:

The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent him from presenting the Liquor Amendment Bill (No. 2) 1988 (Serial 138).

Debate ensued.

Question - put.

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

AYES, 6

NOES, 14

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

Mr Collins
Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Harris

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

And so it was resolved in the negative.

13. NORTHERN TERRITORY FINANCIAL ACCOUNTS - MOTION NEGATIVED:

The Leader of the Opposition (Mr Smith) moved - That this Assembly, pursuant to section 4A of the *Inquiries Act*, resolves that a Board of Inquiry of 3 members be appointed to inquire into and report to the Administrator on or before 7 November 1988 on the Northern Territory Financial Accounts and, in particular, to:

- (a) prepare Northern Territory Financial Accounts to determine the true deficit of the total public sector; such data to be prepared for 1987-88 with historical data over the last 5 years;
- (b) determine the full extent of public sector actual and contingent liabilities;
- (c) prepare a balance sheet for the Territory as at 30 June 1988;
- (d) reconcile the reconstructed accounts with the Australian Statistician's estimates of the position in the publication 'Government Financial Estimates Australia 1987-88'; and
- (e) advise on the impact of, and procedures involved in, applying full accrual accounting to all public sector bodies.

Debate ensued.

Paper tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table a graph of Commonwealth payments to the Northern Territory for the years 1985-89.

Debate continued.

Question - put.

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

AYES, 6

NOES, 14

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

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

And so it was resolved in the negative.

14. JUVENILE JUSTICE AMENDMENT BILL 1988 (Serial 131):
The Member for Barkly (Mr Tuxworth), pursuant to notice, presented a Bill for an Act to amend the *Juvenile Justice Act*.
Bill read a first time.
Mr Tuxworth moved - That the Bill be now read a second time.
On the motion of the Member for Sadadeen (Mr Collins) debate was adjourned.
15. REAL PROPERTY AMENDMENT BILL (No.2) 1988 (Serial 140):
The Member for Sadadeen (Mr Collins), pursuant to notice, presented a Bill for an Act to repeal the prohibition against persons, other than legal practitioners, being entitled to sue for or receive fees, costs or charges for work done in relation to dealings in land.
Bill read a first time.
Mr Collins moved - That the Bill be now read a second time.
On the motion of the Member for Koolpinyah (Mrs Padgham-Purich) debate was adjourned.
16. ABORIGINAL SACRED SITES AMENDMENT BILL 1988 (Serial 139):
The Member for Sadadeen (Mr Collins), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal Sacred Sites Act*.
Bills read a first time.
Mr Collins moved - That the Bill be now read a second time.
On the motion of the Member for Koolpinyah (Mrs Padgham-Purich) debate was adjourned.
17. PUBLIC ACCOUNTS COMMITTEE, THIRD AND FOURTH REPORTS - REPORTS 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) (26 May 1988) - That the Assembly take note of the reports -
Question - put and passed.
18. POISONS AND DANGEROUS DRUGS, DRAFT BILL - MINISTERIAL STATEMENT - STATEMENT NOTED:
The order of the day having been read for the resumption of the debate on the motion of the Member for Macdonnell (Mr Bell) (26 May 1988) - That the Assembly take note of the statement -
Question - put and passed.
19. BUSINESS POSTPONED:
The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day No.1 relating to the Aboriginal Land Amendment Bill 1988 (Serial 90) and 5 related Bills be postponed until the next sitting day.
Question - put and passed.
20. DISASTERS AMENDMENT BILL 1988 (Serial 121):
The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Disasters Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
On the motion of the Member for Millner (Mr Smith) debate was adjourned.

21. TAXATION (ADMINISTRATION) AMENDMENT BILL (No.2) 1988 (Serial 125):
The Treasurer (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Taxation (Administration) Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
On the motion of the Member for Millner (Mr Smith) debate was adjourned.
22. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:
The Minister for Tourism (Mr Poole) moved - That so much of Standing Orders be suspended as would prevent two Bills namely: the Summary Offences Amendment Bill (No.2) 1988 (Serial 135) and the Liquor Amendment Bill 1988 (Serial 134) -
- (a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and
 - (b) the consideration of the Bills separately in Committee of the Whole.
- Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
23. SUMMARY OFFENCES AMENDMENT BILL (No.2) 1988 (Serial 135) and LIQUOR AMENDMENT BILL 1988 (Serial 134):
The Minister for Tourism (Mr Poole), pursuant to notice, presented Bills for Acts to amend the *Summary Offences Act* and the *Liquor Act*.
Bills read a first time.
Mr Poole moved - That the Bills be now read a second time.
On the motion of the Member for Millner (Mr Smith) debate was adjourned.
24. LOCAL GOVERNMENT GRANTS COMMISSION AMENDMENT BILL 1988 (Serial 136):
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy), pursuant to notice, presented a Bill for an Act to amend the *Local Government Grants Commission Act*.
Bill read a first time.
Mr McCarthy moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
25. LOCAL GOVERNMENT AMENDMENT BILL 1988 (Serial 137):
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy), pursuant to notice, presented a Bill for an Act to amend the *Local Government Act*.
Bill read a first time.
Mr McCarthy moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.
26. WORK HEALTH AMENDMENT BILL 1988 (Serial 128):
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy), pursuant to notice, presented a Bill for an Act to amend the *Work Health Act*.
Bill read a first time.
Mr McCarthy moved - That the Bill be now read a second time.
On the motion of the Member for Millner (Mr Smith) debate was adjourned.

27. JUSTICES AMENDMENT BILL (No.3) 1988 (Serial 122):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Justices Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time and, by leave, had his second reading speech incorporated in **Hansard**.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
28. STATUTE LAW REVISION BILL 1988 (Serial 130):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to revise and correct the law of the Territory in minor respects.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time and, by leave, had his second reading speech incorporated in **Hansard**.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
29. TRUSTEE AMENDMENT BILL 1988 (Serial 123):
The Attorney-General (Mr Manzie) pursuant to notice, presented a Bill for an Act to amend the *Trustee Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time and, by leave, had his second reading speech incorporated in **Hansard**.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.
30. SMALL CLAIMS AMENDMENT BILL 1988 (Serial 108):
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 Setter)

Bill, by leave, taken as a Whole.

Clause 5 -

Mr Bell moved the following amendment -

Omit "\$3,000" and insert in its stead "\$5,000".

Amendment agreed to.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

31. REAL PROPERTY AMENDMENT BILL 1988 (Serial 114):

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 Setter)

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

Clause 6 -

Mr Manzie moved the following amendment -

Omit all words after "prescribed form" and insert in their stead "which shall be executed -

- (a) by the registered proprietor or, in the case of a transfer of land by a mortgagee, encumbrancee or receiver exercising a power of sale, that mortgagee, encumbrancee or receiver; and
- (b) unless the Registrar-General has directed otherwise with respect to the dealing in question or dealings of a class to which it belongs, by the transferee or grantee."

Amendments agreed to.

Clause, as amended, agreed to.

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

Bill to be reported with an amendment.

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

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

32. OATHS AMENDMENT BILL 1988 (Serial 101):

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 Setter)

Clauses 1 to 9, by leave, taken together and agreed to.

Clause 10 -

Mr Manzie, by leave, moved the following amendments together -

Omit from proposed section 20, paragraph (c) and insert in its stead the following:

"(c) attest the execution of an instrument,".

Omit from proposed section 20 "executing the deed, instrument or other document" and insert in its stead "attesting the execution of the instrument".

Amendments agreed to.

Clause, as amended, agreed to.

Clauses 11 to 17, by leave, taken together and agreed to.

Clause 18 -

Mr Manzie moved the following amendment -

Add at the end the following:

"(5) Where during the time a person is a Commissioner for Oaths by virtue of subsection (3) or (4) he or she is or becomes a Commissioner for Oaths also by virtue of his or her office or position and subsequently ceases to hold or occupy that office or position, that person, on so ceasing to hold or occupy the office or position, ceases to hold office as a Commissioner for Oaths in either capacity.

"(6) Notwithstanding section 23C of the Principal Act as amended by this Act, a statutory declaration may be made, and shall be accepted, in a form and in accordance with the law in force immediately before the commencement of this Act if made before 1 January 1989."

Amendment agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

33. ADJOURNMENT:

The Minister for Health and Community Services (Mr Dale) moved - That the Assembly do now adjourn.

Debate ensued.

Paper tabled: The Leader of the Opposition (Mr Smith), by leave, laid on the Table a Report of his overseas visit investigating Australian participation in the Nuclear Fuel Industry, July 1988.

Debate continued.

The Member for Barkly (Mr Tuxworth), by leave, made a statement responding to the Report of the Privileges Committee relating to his comments on the ABC 7.30 Report of 25 February 1988.

Debate continued.

Question - put and passed.

The Assembly adjourned at 11.47 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS:

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

Agreements and Determinations:

- Police Arbitral Tribunal Determination No.1 of 1982 -
Determination dated 25 June 1987
- Police Arbitral Tribunal Determination No.1 of 1982 -
Determination dated 25 June 1987
- Police Arbitral Tribunal Determination No.1 of 1982 -
Determination dated 30 March 1988
- Police Arbitral Tribunal Determination No.1 of 1982 -
Consent Agreement dated 6 July 1988
- Police Arbitral Tribunal Determination No.1 of 1982 -
Determination dated 5 August 1988
- Police Arbitral Tribunal Determination No.2 of 1982 -
Determination dated 25 June 1987
- Police Arbitral Tribunal Determination No.2 of 1982 -
Determination dated 27 July 1987
- Police Arbitral Tribunal Determination No.2 of 1982 -
Determination dated 30 March 1988
- Police Arbitral Tribunal Determination No.2 of 1982 -
Determination dated 22 April 1988
- Police Commissioned Officers Association -
Consent Agreement dated 10 February 1988
- Police Commissioned Officers Association -
Consent Agreement dated 5 May 1988
- Prison Officers Arbitral Tribunal Determination No.10 -
Determination No. T1 of 1988

=====

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 47

Thursday 25 August 1988

1. MEETING:

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

2. PRAYERS.

3. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 4 October 1988 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

Question - put and passed.

4. QUESTIONS:

Questions were asked of Ministers.

5. SUSPENSION OF STANDING ORDERS - CENSURE OF MINISTER FOR TOURISM - MOTION:

The Leader of the Opposition (Mr Smith) moved - That so much of the Standing Orders be suspended as would prevent his moving a Want of Confidence motion in the Minister for Tourism and the Minister Assisting the Chief Minister on Central Australian Affairs.

Question - put and passed.

6. CENSURE OF MINISTER FOR TOURISM - MOTION NEGATIVED:

The Leader of the Opposition (Mr Smith) thereupon moved - That this Assembly has no confidence in the Minister for Tourism and the Minister Assisting the Chief Minister on Central Australian Affairs as his conduct, when Chairman of the Northern Territory Tourist Commission, evidenced that Mr Poole is not a fit and proper person to hold the responsible position of Minister, in that when Chairman of the Northern Territory Tourist Commission:

(a) over a period of 2 years he failed to acquit his American Express Card expenses of \$50 000 in the manner determined by the Commission; and

(b) despite requests from the Auditor-General he had not acquitted these expenses prior to his resignation from the position of Chairman of the Commission.

The Leader of Government Business (Mr Coulter) indicated the Government's acceptance of the motion under Standing Order 95.

Debate ensued.

Paper tabled: Mr Smith, by leave, laid on the Table a letter from the Office of the Auditor-General to the Commissioners of the Northern Territory Tourist Commission, dated 7 May 1986, and attached Schedules 1, 2 and 3.

Debate continued.

Paper tabled: The Member for Casuarina (Mr Dondas), by leave, laid on the Table a letter from the Office of the Auditor-General to the Honourable the Minister for Tourism, dated 31 October 1986.

Debate continued.

Personal Explanation: The Member for Macdonnell (Mr Bell) made a personal explanation relating to comments made by Mr Dondas during this debate.

Debate continued.

Suspension of sitting: The sitting was suspended between 12.05 a.m. and 2.00 p.m.

Debate resumed.

Question - That the Minister for Tourism be censured - put.

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

AYES, 6

NOES, 14

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

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

And so it was resolved in the negative.

7. LEGISLATIVE REVIEW OF ABORIGINAL SITES OF SIGNIFICANCE, JUNE 1987, REPORT - PAPER TABLED - STATEMENT - MOTION TO NOTE STATEMENT:
The Minister for Lands and Housing (Mr Manzie) laid on the Table the Report to the Chief Minister of the Committee to Review Legislation Relating to Sites of Significance to Aborigines, dated June 1987.
Mr Manzie made a statement relating thereto.
Mr Manzie moved - That the statement be noted.
And the Member for Macdonnell (Mr Bell) having addressed the Chair was granted leave to continue his remarks at a later hour.
8. PUBLIC ACCOUNTS COMMITTEE - ANNUAL REPORT 1987-88 - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:
The Member for Karama (Mr Palmer) laid on the Table the Fifth Report of the Public Accounts Committee entitled "Annual Report year ended 30 June 1988".
Mr Palmer moved - That the report be printed.
Question - put and passed.
Mr Palmer moved - That the Assembly take note of the paper.
Debate ensued.
On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.

9. MATTER OF PUBLIC IMPORTANCE - EMILY HILLS SUBDIVISION:
The Speaker informed the Assembly that the Member for Macdonnell (Mr Bell) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day: "the Northern Territory Government's acquiescence in ad hoc town planning specifically with relation to the various plans for a subdivision in the Emily Hills area and the resultant impact on the life-style of neighbouring rural residents."
- The proposed discussion having received the necessary support -**
The Speaker called on Mr Bell to address the Assembly.
Discussion ensued.
Discussion concluded.
10. NORTHERN TERRITORY UNIVERSITY 1988 (Serial 141):
The Minister for Education (Mr Harris), pursuant to notice, presented a Bill for an Act to establish a university in the Northern Territory, and for related purposes.
Bill read a first time.
Mr Harris moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.
11. STAMP DUTY AMENDMENT BILL (No.2) 1988 (Serial 124):
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 Treasurer (Mr Perron), the Bill was read a third time and passed to be a proposed law.
12. PAY-ROLL TAX AMENDMENT BILL 1988 (Serial 132):
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 Treasurer (Mr Perron), the Bill was read a third time and passed to be a proposed law.
13. BUSINESS FRANCHISE AMENDMENT BILL 1988 (Serial 129):
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 Treasurer (Mr Perron), the Bill was read a third time and passed to be a proposed law.

14. ABORIGINAL LAND AMENDMENT BILL 1988 (Serial 90); SUMMARY OFFENCES AMENDMENT BILL 1988 (Serial 91); STOCK DISEASES AMENDMENT BILL (No.2) 1988 (Serial 92); BUSHFIRES AMENDMENT BILL 1988 (Serial 93); FENCES AMENDMENT BILL 1988 (Serial 94); and INTERPRETATION AMENDMENT BILL (No.2) 1988 (Serial 104):

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

Suspension of Standing Orders: The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent the Bills being postponed to a later hour.

Debate ensued.

Question - put.

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

AYES, 6

NOES, 15

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

Mr Collins
Mr Dale
Mr Dondas
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 resumed.

Closure of Member: The Member for Macdonnell (Mr Bell) moved - That the Member for Jingili (Mr Setter) be not further heard.

Question - put and negatived.

Debate continued.

Personal explanation: Mr Bell, by leave, made a personal explanation in regard to comments made by the Minister for Labour, Administrative Services and Local Government (Mr McCarthy) earlier during this debate.

Debate continued.

Question - put and passed.

Bills read a second time.

Personal explanation: Mr Bell, by leave, made a personal explanation in regard to comments made by the Minister for Lands and Housing (Mr Manzie) earlier during this debate.

Leave granted for a motion for the third readings of the Bills to be moved forthwith.

The Minister for Lands and Housing (Mr Manzie) moved - That the Bills be now read a third time.

Debate ensued.

Motion - Leave to move not granted: Mr Bell sought leave to move a motion committing the Bills to the Committee of the Whole.

Objecting being raised, leave not granted.

Debate continued.

Question - put and passed.

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

15. **POWERS OF ATTORNEY AMENDMENT BILL 1988 (Serial 115); and ADULT GUARDIANSHIP BILL 1988 (Serial 118):**

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

Debate resumed.

Question - put and passed.

Bills read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Powers of Attorney Amendment Bill 1988 (Serial 115):

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

Bill to be reported without amendment.

Adult Guardianship Bill 1988 (Serial 118):

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

Clause 3 -

The Minister for Health and Community Services (Mr Dale) moved the following amendment -

Omit the definition of "intellectual disability" and insert in its stead the following:

"'intellectual disability' means a disability in an adult resulting from an illness, injury, congenital disorder or organic deterioration or of unknown origin and by reason of which the person appears to be unable to make reasonable judgments or informed decisions relevant to daily living;".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 4 to 16, by leave, taken together and agreed to.

Clause 17 -

Mr Dale moved the following amendment -

Insert in subclause (1) after "her" the word "infant".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 18 to 20, by leave, taken together and agreed to.

Clause 21 -

Mr Dale moved the following amendment -

Insert in subclause (1) after "medical" (twice occurring) the words "or dental".

Amendment agreed to.

Mr Dale moved the following further amendment -

Insert in subclause (2) after "practitioner" the words "or person registered pursuant to the *Dental Act*".

Amendment agreed to.

Mr Dale moved the following further amendment -

Insert in subclause (3) after "practitioner" the words "or person registered pursuant to the *Dental Act*".

Amendment agreed to.

Mr Dale moved the following further amendment -

Insert in subclause (4)(a) after "a medical" the words "or dental".

Amendment agreed to.

Mr Dale moved the following further amendment -

Insert in the same subclause after "profession" the words "or, as the case may be, dental profession".

Amendment agreed to.

Clause, as amended, agreed to.

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

Powers of Attorney Amendment Bill 1988 reported without amendment and Adult Guardianship Bill 1988 reported with amendments.

The Speaker (Mr Vale) resumed the Chair and the Chairman (Mr Dondas) reported accordingly and the reports were adopted.

On the motion of the Minister for Health and Community Services (Mr Dale) the Bills were read a third time and passed to be proposed laws.

16. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

The Attorney-General (Mr Manzie) moved - That so much of Standing Orders be suspended as would prevent the Interpretation Amendment Bill (No.3) 1988 (Serial 126) passing through all stages at this sittings.

Debate ensued.

Question - put.

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

AYES, 14

NOES, 5

Mr Collins

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Harris

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

Mr Perron

Mr Poole

Mr Setter

Mr Vale

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Tipiloura

And so it was resolved in the affirmative.

17. OPINION OF INTERPRETATION AMENDMENT BILL (No.3) 1988 (Serial 126) - PAPER TABLED - STATEMENT:

The Attorney-General (Mr Manzie) laid on the Table a copy of an Opinion from Mr C.R. McDonald relating to the Interpretation Amendment Bill (No.3) 1988 (Serial 126), dated 23 August 1988.

Mr Manzie made a statement relating thereto.

The Member for Macdonnell (Mr Bell), by leave, addressed the Chair.

The Chief Minister (Mr Perron), by leave, addressed the Chair.

The Member for Stuart (Mr Ede), by leave, addressed the Chair.

18. INTERPRETATION AMENDMENT BILL (No.3) 1988 (Serial 126):

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.

Paper tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table a paper summarising the Northern Territory Acts in which reference is made to "public roads"; "public road"; "public places"; and "public".

Debate continued.

Question - put and passed.

Bill read a second time.

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

In the Committee

(Chairman - Mr Dondas)

Clause 1 agreed to.

Clause 2 - The Attorney-General (Mr Manzie), by leave, moved the following amendments together -

Omit from proposed section 59A(1) all words after "and even though" and insert in their stead "that Act of the Commonwealth or the *Aboriginal Land Act* limits the persons or classes of persons who may enter and remain on that Aboriginal land".

Omit proposed section 59A(2) and insert in its stead the following:

"(2) For the purposes of a law of the Territory referred to in subsection (1), the persons who are not precluded by the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth or the *Aboriginal Land Act* from entering or remaining on Aboriginal land, or who are on Aboriginal land whether or not they are entitled by those Acts, or either of them, to enter or remain on Aboriginal land, are capable of constituting, and shall be deemed always to have been capable of constituting, a section of the public in relation to that land."

Omit subclause (3) and insert in its stead the following:

"(3) Nothing in the amendment effected by subsection (1) shall be taken -

- (a) to permit a person to enter or remain on Aboriginal land who would not otherwise be entitled to do so;
- or

- (b) in any way to affect a right or entitlement of a person, given by or under the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth or the *Aboriginal Land Act*, to enter or remain on Aboriginal land or the rights under those Acts of the beneficial owners of Aboriginal land."

Amendments agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

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

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

19. REFERENDUM ON PROPOSED AMENDMENTS TO THE CONSTITUTION - MINISTERIAL STATEMENT - STATEMENT NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Perron) (23 August 1988) - That the Assembly take note of the statement and on the amendment moved thereto by the Member for Stuart (Mr Ede) (23 August 1988) viz -

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

"this Assembly recommends to the electors of the Northern Territory that on 3 September 1988 they vote to allow the Federal Constitution to be altered so as to:

- (1) Allow maximum terms of four years for Members of both Houses of the Commonwealth Parliament;
- (2) (a) Provide fair elections for the House of Representatives, the state parliaments and legislatures of the mainland territories, based on the principle of 'one vote, one value' but subject to permissible limited variations in the numbers of electors in each electorate in each state or territory; and
 - (b) confer the right to vote in Commonwealth, state and mainland territory elections on all Australian citizens over the age of 18, subject to certain qualifications;
 - (c) provide for the fair determination of electoral divisions for elections for the House of Representatives, state parliaments and legislatures of the mainland territories;
 - (d) prohibit multiple voting; and
 - (e) guarantee to Australian citizens over the age of 18 the right to vote in elections subject to certain qualifications;

- (3) Provide for the establishment and continuance of a system of local government, with local government bodies elected in accordance with the laws of the state and empowered to administer and to make by-laws for their respective areas in accordance with the laws of the state;
- (4) (a) extend the right given by section 80 of the Constitution to trial by jury for offences against laws of the Commonwealth, and to confer a like right to trial by jury for serious offences against the laws of the states and territories;
- (b) ensure that acquisition of property under state and territory laws, and acquisitions under Commonwealth law from persons in the territories, must be on just terms; and
- (c) extend to the states and territories the existing prohibition on Commonwealth interference with religious freedom."

Debate ensued.

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

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

20. PUBLICATIONS COMMITTEE, SIXTH REPORT - PAPER TABLED- REPORT ADOPTED:

The Member for Jingili (Mr Setter) laid on the Table the Sixth Report of the Publications Committee, recommending that the following papers be printed -

- Alice Springs Hospital Management Board - Annual Report 1986-87
- Cobourg Peninsula Sanctuary Board - Annual Report 1986-87
- Darwin Institute of Technology - Annual Report 1986-87
- Department of Business Technology and Communications - Annual Report 1985-86
- Department of Community Development - Annual Report 1985-86
- Department of Industries and Development - Annual Report 1986-87
- Department of Lands and Housing - Lands and Housing, First Annual Report 1986-87
- Department of Lands and Housing - Northern Territory Housing Commission, Annual Report 1986-87
- Department of Law - Annual Report 1986-87
- Department of Law - Corporate Affairs Office, Annual Report 1986-87
- Department of Mines and Energy - Annual Report 1986-87
- Executor Trustee and Agency Company of South Australia Limited - Annual Report 1986-87
- Government Printing Office - Financial Statements 1986-87
- Jabiru Town Development Authority - Annual Report 1986-87
- Juvenile Justice Review Committee - Annual Report 1986-87
- Katherine Hospital Management Board - Annual Report 1986-87
- Mental Health Act - Annual Report 1986-87
- Menzies School of Health Research - Annual Report 1986-87
- National Trust of Australia (Northern Territory) - Annual Report 1986-87
- Northern Territory Electricity Commission - Annual Report 1986-87

- Northern Territory Government and Public Authorities Employers Superannuation Trust Fund - Annual Report 1986-87
- Northern Territory Government and Public Authorities Superannuation Scheme - Annual Report 1986-87
- Northern Territory Plumbers and Drainers Board - Annual Report, Year ended 30 September 1987
- Northern Territory Local Government Grants Commission - Financial Statements 1986-87
- Northern Territory Racing, Gaming and Liquor Commission - Annual Report 1986-87
- Northern Territory Totalizator Administration Board - Second Annual Report 1986-87
- Northern Territory Tourist Commission - Annual Report 1986-87
- Northern Territory Water Authority - Annual Report 1986-87
- Parole Board of the Northern Territory - Annual Report 1987
- Police Force of the Northern Territory, Northern Territory Emergency Service, Fire Service of the Northern Territory - Annual Report 1986-87
- Public Service Commissioner for the Northern Territory - Annual Report 1986-87
- Remuneration Tribunal - Determination No.1 of 1988 - Members of the Legislative Assembly
- Remuneration Tribunal - Recommendation No.1 of 1988 - Judges of the Supreme Court of the Northern Territory
- Remuneration Tribunal - Recommendation No.2 of 1988 - Magistrates of the Northern Territory
- Royal Darwin Hospital Management Board - Annual Report 1986-87
- Speaking times in Committee of the Whole and the adjournment debate in the Legislative Assembly
- Territory Loans Management Corporation - Annual Report 1986-87
- The Surveyors Board of the Northern Territory - Annual Report 1986-87
- Trade Development Zone Authority - Annual Report 1986-87
- Valuer-General's Office, Northern Territory - Annual Report 1986-87
- Work Health Authority - Annual Report 1986-87
- Working Group Report - Review of Consumer Affairs Policy and Legislation in the Northern Territory

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

21. ADJOURNMENT:

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

Debate ensued.

And the Assembly having continued to sit until 12 midnight -

FRIDAY 26 AUGUST 1988, A.M.

Question - put and passed.

The Assembly adjourned at 12.04 a.m. until Tuesday 4 October 1988 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 25 August 1988:

Annual Reports:

Department of Education, 1987

Department of Industries and Development, 1987-88

Department of Transport and Works, 1987-88

University College of the Northern Territory, 1987

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ATTENDANCE:

All Members attended the sitting, except Mr Tipiloura.

H.G. SMITH

Clerk of the Legislative Assembly

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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