

PART IV

THE BILLS INTRODUCED

BILLS INTRODUCED

7 - 16 June 1977

Serial No.	Title	Sponsor
210	Allocation of Funds (Supply)(No.1) 1977-78	Mr Tambling
211	Allocation of Funds (Supply)(No.2) 1977-78	Mr Tambling
206	Building Societies 1977	Miss Andrew
205	Church Lands Leases 1977	Mr Perron
209	Crown Lands (No.2) 1977	Mr Perron
212	Crown Lands (Validation of Leases) 1977	Mr Pollock
204	Local Government 1977	Mr Tambling
214	Parole of Prisoners 1977	Miss Andrew
177	Pharmacy 1977	Mr Tuxworth
207	Public Service (No.2) 1977	Dr Letts
202	Small Claims 1977	Miss Andrew
208	Special Purposes Leases 1977	Mr Perron

THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL

for

AN ORDINANCE

To make interim provision with respect to the expenditure of moneys appropriated by the Parliament for operating expenditure for the service of the year ending on 30 June 1978 in respect of matters specified in determinations made under section 4ZE of the Northern Territory (Administration) Act 1910

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- | | |
|--|-------------------------|
| 1. This Ordinance may be cited as the <u>Allocation of Funds (Supply) Ordinance (No. 1) 1977-78.</u> | Short title |
| 2. The sum of \$10,454,000, being the sum appropriated by the Parliament by virtue of Division No. 457-1 of the <u>Supply Act (No. 1) 1977-78</u> , is allocated in the manner specified in the Schedule for operating expenditure for the service of the financial year ending on 30 June 1978. | Allocation of moneys |
| 3.(1) Where, in respect of the financial year ending on 30 June 1978 -

(a) no provision has been made in the Schedule in respect of services of a kind to which this Ordinance applies or the allocation of funds for services in a sub-division in the Schedule is deficient; and | Variation of allocation |

- (b) the Executive Member for Finance and Local Government is of the opinion that it is necessary in the interests of the administration of the government of the Territory for funds, or additional funds, as the case may be, to be provided for those services in the financial year,

he may, notwithstanding anything elsewhere contained in any Ordinance but subject to this section, by instrument in writing, order that there shall be applied in the financial year in aid of the services in respect of which no or insufficient funds have been allocated, as the case may be, an amount out of any surplus arising on another sub-division in the Schedule or from an amount provided by the Treasurer out of funds made available to the Treasurer by the Parliament of the Commonwealth.

(2) The Executive Member shall not make an order under sub-section (1) for the application of an amount -

- (a) that exceeds \$200,000 or such amount as the Executive Council approves in a particular case; or
- (b) that, in the aggregate with all other amounts for the application of which orders under sub-section (1) have been made, exceeds \$1,000,000 or such amount as the Executive Council approves.

(3) The Executive Member for Finance and Local Government shall, within 3 sitting days after the making of an order under sub-section (1), table a copy of the order in the Legislative Assembly.

(4) The total of expenditure from funds allocated in the Schedule and from funds applied in pursuance of orders under sub-section (1) shall not, at any time, exceed the sum of the amount specified in section 2 and the amount provided by the Treasurer referred to in sub-section (1).

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SCHEDULE
ABSTRACT

Page refer- ence	Departments	Total
		\$
6	DEPARTMENT OF THE CHIEF SECRETARY	1,893,500
7	DEPARTMENT OF COMMUNITY SERVICES	718,500
8	DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT	1,261,200
9	DEPARTMENT OF LAW	4,965,700
10	DEPARTMENT OF TRANSPORT AND INDUSTRY	1,615,100
	TOTAL	10,454,000

DEPARTMENTS

DEPARTMENT OF THE CHIEF SECRETARY

Division	Sub-Division		
10		ADMINISTRATIVE	\$
	1	Salaries and Payments in the nature of Salary	513,500
	2	Administrative Expenses	230,000
	3	Reserves Board and Territory Parks and Wildlife Commission - For expenditure under the National Parks and Gardens Ordinance and the Territory Parks and Wildlife Conservation Ordinance	862,000
	4	Other Services	100,000
			1,705,500
11		NORTHERN TERRITORY LEGISLATIVE ASSEMBLY	
	1	Salaries and Payments in the nature of Salary	130,000
	2	Administrative Expenses	58,000
			188,000
		<u>Total:</u> DEPARTMENT OF THE CHIEF SECRETARY	1,893,500

DEPARTMENT OF COMMUNITY SERVICES

Division	Sub-Division		
15		ADMINISTRATIVE	\$
	1	Salaries and Payments in the nature of Salary	161,000
	2	Administrative Expenses	11,500
	3	Museums and Art Galleries Board - For expenditure under the Museums and Art Galleries Ordinance	223,000
	4	Betting Control Board - For expenditure under the Lottery and Gaming Ordinance	50,000
	5	Other Services	273,000
		<u>Total:</u> DEPARTMENT OF COMMUNITY SERVICES	718,500

DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT

Division	Sub-Division		
20		ADMINISTRATIVE	\$
	1	Salaries and Payments in the nature of Salary	234,000
	2	Administrative Expenses	23,000
	3	Other Services	1,004,200
		<u>Total:</u> DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT	1,261,200

DEPARTMENT OF LAW

Division	Sub-Division		
25		ADMINISTRATIVE	\$
	1	Salaries and Payments in the nature of Salary	562,000
	2	Administrative Expenses	64,000
	3	Other Services	283,700
			909,700
26		POLICE FORCE	
	1	Salaries and Payments in the nature of Salary	3,079,000
	2	Administrative Expenses	977,000
			4,056,000
		<u>Total:</u> DEPARTMENT OF LAW	4,965,700

DEPARTMENT OF TRANSPORT AND INDUSTRY

Division	Sub-Division		
30		ADMINISTRATIVE	\$
	1	Salaries and Payments in the nature of Salary	1,109,000
	2	Administrative Expenses	21,000
	3	Tourist Board - For expenditure under the Tourist Board Ordinance	245,000
	4	Other Services	240,100
		<u>Total:</u> DEPARTMENT OF TRANSPORT AND INDUSTRY	<u>1,615,100</u>

THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL

for

AN ORDINANCE

To make interim provision with respect to the expenditure of moneys appropriated by the Parliament for capital expenditure in respect of the year ending on 30 June 1978 in respect of matters specified in determinations made under section 4ZE of the Northern Territory (Administration) Act 1910

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Allocation of Funds (Supply) Ordinance (No. 2) 1977-78.

Short
title

2. The sum of \$9,682,000, being the sum appropriated by the Parliament by virtue of Division No. 899-1 of the Supply Act (No. 2) 1977-78, is allocated in the manner specified in the Schedule for capital expenditure in respect of the financial year ending on 30 June 1978.

Alloca-
tion of
moneys

3.(1) Where, in respect of the financial year ending on 30 June 1978 -

Variation
of alloca-
tion

(a) no provision has been made in the Schedule in respect of works or services of a kind to which this Ordinance applies or the allocation of funds for works or services in a sub-division in the Schedule is deficient; and

- (b) the Executive Member for Finance and Local Government is of the opinion that it is necessary in the interests of the administration of the government of the Territory for funds, or additional funds, as the case may be, to be provided for those works or services in the financial year,

he may, notwithstanding anything elsewhere contained in any Ordinance but subject to this section, by instrument in writing, order that there shall be applied in the financial year in aid of the works or services in respect of which no or insufficient funds have been allocated, as the case may be, an amount out of any surplus arising on another sub-division in the Schedule or from an amount provided by the Treasurer out of funds made available to the Treasurer by the Parliament of the Commonwealth.

(2) The Executive Member shall not make an order under sub-section (1) for the application of an amount -

- (a) that exceeds \$200,000 or such amount as the Executive Council approves in a particular case; or
- (b) that, in the aggregate with all other amounts for the application of which orders under sub-section (1) have been made, exceeds \$1,000,000 or such amount as the Executive Council approves.

(3) The Executive Member for Finance and Local Government shall, within 3 sitting days after the making of an order under sub-section (1), table a copy of the order in the Legislative Assembly.

(4) The total of expenditure from funds allocated in the Schedule and from funds applied in pursuance of orders under sub-section (1) shall not, at any time, exceed the sum of the amount specified in section 2 and the amount provided by the Treasurer referred to in sub-section (1).

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SCHEDULE

ABSTRACT

Page Refer- ence	Departments	Total
		\$
4	DEPARTMENT OF THE CHIEF SECRETARY	50,000
5	DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT	9,632,000
	TOTAL	9,682,000

DEPARTMENT OF THE CHIEF SECRETARY

Division	Sub-Division		
50		CAPITAL WORKS AND SERVICES	\$
	1	Plant and Equipment	50,000
		<u>Total:</u> DEPARTMENT OF THE CHIEF SECRETARY	50,000

DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT

Division	Sub-Division		
60		CAPITAL WORKS AND SERVICES	\$
	1	Housing Commission - For expenditure under the Housing Ordinance	8,500,000
	2	For expenditure under the Encouragement of Primary Production Ordinance	600,000
	3	Local Government Authorities - For expenditure under the Local Government Ordinance	532,000
		<u>Total:</u> DEPARTMENT OF FINANCE AND LOCAL GOVERNMENT	<u>9,632,000</u>

THE NORTHERN TERRITORY OF
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend "The Building Societies Act, 1881" of the State of South Australia in its application to the Northern Territory

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Building Societies Ordinance 1977. Short title
2. "The Building Societies Act, 1881" of the State of South Australia is in this Ordinance referred to as the Principal Statute. Principal Statute
3. The Principal Statute, as amended by this Ordinance, may be cited as the Building Societies Act and Ordinance. Citation
- 4.(1) Section 3 of the Principal Statute is amended by omitting the definition of "Registrar" and substituting the following new definition: Interpretation

"The term 'Registrar' means the Registrar within the meaning of the Companies Ordinance and he is and may be known as the Registrar of Building Societies."
- (2) An act done by an officer or employee within the meaning of the Public Service Act 1922 prior to the commencement of this Ordinance and purported to be done under the Principal Statute is, and shall be deemed to have been, as valid and effectual as if done by the Registrar within the meaning of the Companies Ordinance and this Ordinance had then been in operation.
- 5.(1) Section 4 of the Principal Statute is Establishment and

registration of new societies amended by omitting "Any" and substituting "Subject to sub-section (2), any".

(2) Section 4 of the Principal Statute is amended by adding at the end thereof the following sub-section:

"(2) The Registrar shall not register a permanent society unless it has a share capital of not less than 500,000 dollars of which not less than 250,000 dollars is paid up on terms that do not permit repayment before the expiration of 2 years after the day on which it is received by the society."

THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL

for

AN ORDINANCE

To amend the Church Lands Leases Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- | | |
|---|-----------------------|
| 1. This Ordinance may be cited as the <u>Church Lands Leases Ordinance 1977</u> . | Short title |
| 2. The <u>Church Lands Leases Ordinance</u> is in this Ordinance referred to as the Principal Ordinance. | Principal Ordinance |
| 3. The long title of the Principal Ordinance is omitted and the following substituted:

"An Ordinance to make Provision for the Leasing of Land in the Town of Darwin for the Purpose of a Church or Mosque". | Long title |
| 4. Sections 3(1), 10 and 11 of the Principal Ordinance are amended by omitting "church" (wherever occurring) and substituting "church or mosque". | Additional amendments |
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THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL
for
AN ORDINANCE

To amend the Crown Lands Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Crown Lands Ordinance (No. 2) 1977.

Short
title

2. The Crown Lands Ordinance is in this Ordinance referred to as the Principal Ordinance.

Principal
Ordinance

3. Sections 14(2)(b), 14(3)(d), 19(1)(a), 23B(1)(a), 26(1A), 26(1B), 27(1), 112A(1), 112A(2), 112A(2A) and 112A(4) of the Principal Ordinance are amended by omitting "church" (wherever occurring) and substituting "church or mosque".

Mosques



THE NORTHERN TERRITORY OF
AUSTRALIA

A BILL

for

AN ORDINANCE

To revoke certain reservations and purported
reservations of land and to validate certain
leases

BE it ordained by the Legislative Assembly for the Northern Territory
of Australia as follows:

1. This Ordinance may be cited as the
Crown Lands (Validation of Leases) Ordinance 1977.

Short
title

2.(1) The reservations, and purported reservations
of land, details of which are set out in column 2 of
Schedule 1, insofar as they still have effect and
notwithstanding the provisions of any other law
relating to the revocation of a reservation of land,
are revoked.

Revocation
of certain
Reserves

(2) A revocation effected by sub-section (1)
shall be deemed to have had effect from and including
the relevant date shown in column 3 of Schedule 1.

3. Each purported lease described in column 2 of
Schedule 2 is, and shall be deemed to have been, as
valid and effectual as it would have been if the lands
comprised in the lease had been, on the date of the
purported leasing, vacant Crown land.

Validation
of certain
leases



SCHEDULES

Section 2

SCHEDULE 1

RESERVES REVOKED

Column 1 Date of Proclamation	Column 2 Details of Reservation	Column 3 Date Revocation deemed to have effect
30 March 1892	A reservation, by proclamation dated 30 March 1892 and published in the <u>South Australian Government Gazette</u> on 28 April 1892, for the use and benefit of the Aboriginal inhabitants of the Northern Territory, of certain Crown Lands comprising all that portion of land included in pastoral application No. 127/80, situate at Chambers Bay, Northern Territory.	2 September 1920
13 March 1912	A reservation, by proclamation dated 13 March 1912 and published in the <u>Commonwealth Gazette</u> on 16 March 1912, for Aboriginals, of Crown Lands comprising all that portion of land included in pastoral application No. 127/80, situate at Chambers Bay, Northern Territory.	2 September 1920

9 June 1909

A reservation, by proclamation dated 9 June 1909 and published in the South Australian Government Gazette on 17 June 1909, for the use and benefit of the Aboriginal inhabitants of the State of South Australia, of certain Crown Lands comprising that portion of the Northern Territory of the State of South Australia bounded on the east and south by portions of pastoral lease 2184; and on the west by permit No. 111; and on the north by portions of permits Nos. 82 and 141.

11 March 1948

13 March 1912

A reservation, by proclamation dated 13 March 1912 and published in the Commonwealth Gazette on 16 March 1912, for Aboriginals, of Crown Lands comprising all that portion of the Northern Territory bounded on the north by permit No. 141 and portion of permit No. 82; and on the east and south by pastoral lease No. 2184; and on the west by portion of permit 111.

11 March 1948

SCHEDULE 2

Section 3

LEASES VALIDATED

Column 1 Date lease deemed to have commenced	Column 2 Details of Lease
1 July 1967	Pastoral Lease No. 727, being a lease of Northern Territory Portion 1050, registered in the Register Book of Crown Leases, Volume 72 Folio 99.
1 July 1973	Pastoral Lease No. 793, being a lease of Northern Territory Portion 1299, registered in the Register Book of Crown Leases, Volume 120 Folio 21.
1 July 1931	Agricultural (Cultivation Farm) Lease No. 371, being a lease of Northern Territory Portion 1532, registered in the Register Book of Crown Leases, Volume 3 Folio 91.

THE NORTHERN TERRITORY OF
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the Local Government Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- | | |
|---|--------------------------------|
| 1. This Ordinance may be cited as the <u>Local Government Ordinance 1977</u> . | Short title |
| 2. The <u>Local Government Ordinance</u> is in this Ordinance referred to as the Principal Ordinance. | Principal Ordinance |
| 3. Section 175B(3) of the Principal Ordinance is amended - | Land which is not ratable land |
| (a) by omitting from paragraph (f) "or" (second occurring); and | |
| (b) by inserting at the end thereof the following word and paragraph: | |
| "; or (h) within an area that is set aside or being used for defence purposes." | |
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THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL
for
AN ORDINANCE

To amend the Parole of Prisoners Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- | | |
|--|-------------------------|
| 1. This Ordinance may be cited as the <u>Parole of Prisoners Ordinance 1977</u> . | Short title |
| 2. The <u>Parole of Prisoners Ordinance</u> is in this Ordinance referred to as the Principal Ordinance. | Principal Ordinance |
| 3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the <u>Gazette</u> . | Commencement |
| 4. An appointment duly made, or other action duly taken or done, before the commencement of this Ordinance under or for the purposes of the Principal Ordinance and having effect immediately before the commencement of this Ordinance is as valid and effectual as if duly made, taken or done under or for the purposes of that provision as amended by this Ordinance, but any action that may be taken or done in respect of an appointment or action made, taken or done under or for the purposes of that provision as amended by this Ordinance may be taken or done in respect of that first-mentioned appointment or action. | Savings |
| 5. Section 3D of the Principal Ordinance is amended by omitting "as the Administrator in Council determines" and substituting "as are prescribed". | Remuneration of members |
| 6. Section 3K(2) of the Principal Ordinance is amended - | Secretary to the Board |
| (a) by omitting "It is the duty of the Secretary to the Board" and substituting "Subject to the | |

directions of the Executive Member, the Secretary to the Board shall"; and

(b) by omitting from paragraphs (a) to (e) inclusive "to" (first occurring).

Repeal

7. Sections 3L, 3M and 3N of the Principal Ordinance are repealed.

Additional Amendments

8.(1) Sections 3B(1)(b), 3B(2), 3K(1) and 3P(1) of the Principal Ordinance are amended by omitting "Administrator in Council" and substituting "Executive Member".

(2) Sections 3E and 3H(1) of the Principal Ordinance are amended by omitting "Administrator" and substituting "Executive Member".

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THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL
for
AN ORDINANCE

To amend the Pharmacy Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

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|-------|--|-----------------------------------|
| 1. | This Ordinance may be cited as the <u>Pharmacy Ordinance</u> 1977. | Short title |
| 2. | The <u>Pharmacy Ordinance</u> is in this Ordinance referred to as the Principal Ordinance. | Principal Ordinance |
| 3.(1) | Section 39(a) of the Principal Ordinance is amended by omitting "shop" (wherever occurring) and substituting "dispensary". | Conduct of business by pharmacist |
| (2) | Section 39(c) of the Principal Ordinance is amended by inserting after "carry on business" the words "as a pharmacist". | |
| (3) | Section 39 of the Principal Ordinance is amended by adding at the end thereof the following sub-section: | |
| (1) - | "(2) For the purposes of sub-section | |
| | (a) a dispensary includes a place within a shop in which there are drugs or other substances the possession or use of which by any person could constitute an offence against the <u>Dangerous Drugs</u> | |

Ordinance or the Poisons
Ordinance; and

- (b) a dispensary is open for business at all times when it is not securely locked in a manner approved by the Board."

THE NORTHERN TERRITORY OF
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the Public Service Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- | | |
|---|----------------------------|
| 1. This Ordinance may be cited as the <u>Public Service Ordinance (No. 2) 1977.</u> | Short title |
| 2. The <u>Public Service Ordinance</u> is in this Ordinance referred to as the Principal Ordinance. | Principal Ordinance |
| 3. Section 13 of the Principal Ordinance is amended by inserting after sub-section (1) the following sub-section: | Delegation by Commissioner |
| "(1A) The Commissioner may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to an employee under his direct control any of his powers under this Ordinance, or the regulations, other than this power of delegation." | |
| 4. Section 36(2) of the Principal Ordinance is amended by inserting after "as an employee" the words ", if it is required to be notified in pursuance of section 29(4),". | Appeals against promotions |
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THE NORTHERN TERRITORY OF
AUSTRALIA
A BILL
for
AN ORDINANCE

To amend the Small Claims Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Small Claims Ordinance 1977.

Short
title

2. The Small Claims Ordinance is in this Ordinance referred to as the Principal Ordinance.

Principal
Ordinance

3. The Principal Ordinance is amended by adding after section 48 the following new section:

"49. In relation to proceedings, other than proceedings in relation to which the Court has made an order under section 18(1), the Clerk shall cause to be published in the Gazette and in such other publications as the Executive Member directs, within 6 months after the Court gives a judgment under this Ordinance -

Public-
ation of
details
of claim

- (a) the name of the claimant;
- (b) the name of the defendant;
- (c) the nature of the claim; and
- (d) the judgment of the Court."

THE NORTHERN TERRITORY OF
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the Special Purposes Leases Ordinance

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Special Purposes Leases Ordinance 1977.

Short
title

2. The Special Purposes Leases Ordinance is in this Ordinance referred to as the Principal Ordinance.

Principal
Ordinance

3. Section 11 of the Principal Ordinance is amended by omitting from paragraph (a) "a church" and substituting "a church or mosque".

Rent for
Church
sites, &c.,
not sub-
ject to re-
appraise-
ment

