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PART III

THE MINUTES OF PROCEEDINGS

**MINUTES OF PROCEEDINGS**

OF THE

**LEGISLATIVE ASSEMBLY**

No. 21

Tuesday 12 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to resolution. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. BROADCAST OF ASSEMBLY PROCEEDINGS, 8CCC-FM RADIO - PAPERS TABLED:  
Mr Speaker laid on the table the following correspondence relating to a request by the manager, 8CCC-FM Radio to broadcast proceedings of the Legislative Assembly from the commencement of each days sitting to the end of Question Time:
  - Letter - Mr M. Alsop to Speaker, 11 October 1985
  - Letter - Speaker to Mr M. Alsop, 18 October 1985
  - Letter - Speaker to Mr M. Alsop, 24 October 1985
  - Telex - Mr M. Alsop to Speaker, 22 October 1985Mr Speaker then made a statement relating to proposed announcements before and after broadcasting.
3. BROADCAST OF ASSEMBLY PROCEEDINGS, 8CCC-FM RADIO - MOTION AUTHORIZED:  
Mr Tuxworth (Chief Minister), by leave, moved - That the resolution of this Assembly of 11 October 1983 authorising 8 TOP FM Radio to broadcast direct the proceedings of the Assembly from the commencement of each days sitting to the conclusion of Questions be varied by inserting the words "and 8CCC-FM Radio" after the words "8 TOP FM Radio" (wherever occurring).  
Debate ensued.  
Question - put and passed.
4. TELEVISIONING OF SPORTING EVENTS - STATEMENT:  
Mr Speaker informed the Assembly that in accordance with the direction of the Legislative Assembly of 29 August 1985, he had forwarded to the Prime Minister a copy of the Resolution of the Assembly of 29 August 1985 relating to the televising of sporting events by the ABC in country areas.  
Mr Speaker read a reply from the Honourable Lionel Bowen MP, Minister assisting the Prime Minister.
5. NOTICES:  
The following notices were given:  
Mr Harris: To present the University College of the Northern Territory Bill 1985 (Serial 160); the Advanced Education and Darwin Institute of Technology Bill 1985 (Serial 161); the Menzies School of Health Research Bill 1985 (Serial 162); and the Education Amendment Bill (No.2) 1985 (Serial 163).

6. QUESTIONS:

Questions were asked of Ministers.

7. AUDITOR-GENERAL'S REPORT, 1984-5 - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:

Mr Speaker laid on the Table the Report of the Auditor-General upon the Treasurer's Annual Financial Statements for the year ended 30 June 1985 and upon other activities.

Mr Tuxworth (Chief Minister) moved - That the report be printed.

Question - put and passed.

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

Ordered - That the debate be adjourned until a later hour and that Mr Tuxworth have leave to continue his remarks on resumption of debate.

8. CHAMBERLAIN INQUIRY - PAPERS TABLED - STATEMENT - PRINTING - MOTION TO NOTE PAPER:

Mr Perron (Attorney-General) laid on the Table a copy of the Solicitor-General's report on the judicial inquiry sought by Mr and Mrs Chamberlain into their convictions and the following related papers:

- Appendices accompanying the Report on the Cause of Damage to the Jumpsuit of A. Chamberlain
- Chamberlain submission for judicial inquiry
- Letter - Hon. M. Perron to Mr S. Tipple, 12 November 1985
- Photographic index to The Cause of Damage to A. Chamberlain's Jumpsuit, R.D. Bennett, K.J. Chapman, L.N. Smith
- Report on the identity of the spray material on the dash support bracket in the car of Mr and Mrs M.L. Chamberlain, L.N. Smith
- The Cause of Damage to A. Chamberlain's Jumpsuit, R.D. Bennett, K.J. Chapman, L.N. Smith
- Trial Transcript P788-921 Dr K. Brown and Sgt. F. Cocks The Queen vs Chamberlain accompanying the Report on the Cause of Damage to the Jumpsuit of A. Chamberlain
- Trial Transcript P1051-1136 Professor Chaikin, P1811-1853 Mr B. Sims, P2533-2571 Dr H. Orams, The Queen vs Chamberlain accompanying the Report on the Cause of Damage to the Jumpsuit of A. Chamberlain

Mr Perron made a statement relating thereto and moved - That the Report, the letter to Mr S. Tipple and the Statement be printed.

Question - put and passed.

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

Ordered - That the debate be adjourned and that Mr Perron have leave to continue his remarks on the resumption of the debate.

9. APPROPRIATION BILL 1985-86 (Serial 137):

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.

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**Suspension of sitting:** The sitting was suspended between 11.57 a.m. and 2.00 p.m.

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Debate resumed.

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

10. FIRE SERVICES ARBITRAL TRIBUNAL ACT REPEAL BILL 1985 (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.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr Dondas (Minister for Industry and Small Business and Tourism) the Bill was read a third time and passed to be a proposed law.
11. CRIMINAL INVESTIGATION (EXTRA-TERRITORIAL OFFENCES) BILL 1985 (Serial 133):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr Perron (Attorney-General) the Bill was read a third time and passed to be a proposed law.
12. DISCHARGE OF GOVERNMENT BUSINESS:  
On the motion, by leave, of Mr Robertson (Leader of Government Business), Government Business, Orders of the day Nos. 17, 18, 19, 21, 22, 25, 27, 30 and 32, were discharged from the Notice Paper.
13. ADJOURNMENT:  
Mr Robertson (Leader of Government Business) moved - That the Assembly do now adjourn.  
Debate ensued.  
Question - put and passed.  
The Assembly at 6.02 p.m. adjourned until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 12 November 1985:

**Annual Reports:**

Department of Law 1984-5  
Department of the Chief Minister 1984-5  
Department of the Legislative Assembly 1984-5

**Community Government Scheme:**

Elliott District Community Government Scheme

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

Proposed revocation of Reserve No.1243, Town of Nightcliff  
Proposed revocation of Reserve No.1656 - Lot 5242, Town of Darwin

**Regulations 1985:**

No.21 Film Classification Regulations  
No.22 Amendments of the Workmen's Compensation Regulations  
No.23 Workers' Compensation (Rates of Compensation) Regulations  
No.24 Amendment of the Electrical Workers and Contractors Regulations  
No.25 Police Administration (Fees) Regulations  
No.26 Amendment of the Records of Depositions Regulations

- No.27 Amendment of the Electricity By-laws
- NO.28 Marine (Small Craft) Regulations
- No.29 Classifications of Publications Regulations
- NO.30 Motor Vehicle (Hire Car) Regulations
- No.31 Amendment of the Traffic Regulations
- No.32 Amendment of the Treasury (Northern Territory Stock) Regulations

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ATTENDANCE:

All members attended the sitting.

## MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

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No. 22

Wednesday 13 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. **DISTINGUISHED VISITOR - HIS EXCELLENCY SIR A. TOLOLO:**  
Mr Speaker informed the Assembly that His Excellency Sir Alkan Tololo, K.B.E., High Commissioner for Papua New Guinea, was present in the Speaker's Gallery. Mr Speaker on behalf of all members extended a warm welcome to the distinguished visitor and wished Sir Alkan and Lady Tololo a pleasant and informative stay in the Northern Territory.
3. **NOTICES:**  
The following notices were given:  
Mr Perron: To present the Law Reform (Miscellaneous Provisions) Amendment Bill 1985 (Serial 164).  
Mr Coulter: To present the Adoption of Children Amendment Bill 1985 (Serial 134).
4. **QUESTIONS:**  
Questions were asked of ministers.  
**Member Named and suspended:**  
The Honourable Member for Arafura having raised a point of order - Mr Speaker named Mr B. Collins, offending against Standing Order 239, for refusing to withdraw offensive words.  
Mr Robertson (Leader of Government Business) moved - That the Honourable Member for Arafura be suspended from the service of the Assembly.  
Question - put and passed.  
Mr B. Collins was, therefore, suspended at 10.14 a.m. for 7 consecutive days excluding this day, pursuant to Standing Order 241.  
Mr B. Collins thereupon withdrew from the Chamber.  
Further questions were asked of ministers.
5. **DARWIN AIRPORT TERMINAL - MINISTERIAL STATEMENT - PAPERS TABLED - MOTION TO NOTE STATEMENT:**  
Mr Manzie (Minister for Transport and Works and Housing), made a statement relating to the Darwin Airport redevelopment project on the north side.  
**Papers tabled:** Mr Manzie (Minister for Transport and Works and Housing) laid on the Table the following papers:
  - Letter, Chief Minister to Hon. P.F. Morris M.P., dated 28 October 1985
  - Darwin Airport Development ReappraisalMr Manzie moved - That the Assembly take note of the statement.  
Debate ensued.  
Debate adjourned (Mr Finch) and the resumption of the debate made an order of the day for a later hour.
6. **SUSPENSION OF STANDING ORDERS - TAKE FOUR BILLS TOGETHER:**  
Mr Harris (Minister for Education) moved - That so much of Standing Orders be suspended as would prevent four Bills relating to tertiary education - the University College of the Northern Territory Bill 1985

(Serial 160), the Advanced Education and Darwin Institute of Technology Bill 1985 (Serial 161), the Menzies School of Health Research Bill 1985 (Serial 162) and the Education Amendment Bill (No.2) 1985 (Serial 163) -

(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.

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

AYES, 18	NOES, 4
Mr D.W. Collins	Mr Ede
Mr Coulter	Mr Bell
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	
Mr Firmin	
Mr Hanrahan	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Robertson	
Mr Setter	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative, the proposal having been carried by an absolute majority of members of the Assembly.

7. TERTIARY EDUCATION BILLS - UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL 1985 (Serial 160); ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL 1985 (Serial 161); MENZIES SCHOOL OF HEALTH RESEARCH BILL 1985 (Serial 162); and EDUCATION AMENDMENT BILL (No.2) 1985 (Serial 163): Mr Harris (Minister for Education), pursuant to notice, presented Bills for Acts to establish a university college in the Northern Territory, and for related purposes; to establish the Northern Territory Council of Advanced Education and to provide for the continuation of the Darwin Institute of Technology, and for related purposes; to establish as a body corporate the Menzies School of Health Research, and for related purposes; and to amend the *Education Act*.

Bills read a first time.

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

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

8. CANE TOADS - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT: Mr Hatton (Minister for Primary Production), by leave, made a statement relating to the discovery of a cane toad at Kulaluk.

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

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

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**Suspension of sitting:** The sitting was suspended between 11.57 a.m. and 2.00 p.m.

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9. APPROPRIATION BILL 1985-86 (Serial 137):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Debate adjourned (Mr Perron) and the resumption of the debate made an order of the day for a later hour.
10. PERSONAL EXPLANATION:  
Mr Ede (Stuart), by leave, made a personal explanation relating to remarks made in debate on the Appropriation Bill this day.
11. OMBUDSMAN - SEVENTH ANNUAL REPORT - PAPER TABLED - ORDER TO PRINT:  
Mr Tuxworth (Chief Minister) laid on the Table the Seventh Annual Report of the Northern Territory Ombudsman for the year ended 30 June 1985.  
Mr Tuxworth moved - That the report be printed.  
Question - put and passed.
12. INDUSTRY AND EMPLOYMENT TRAINING BILL 1985 (Serial 150):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
13. ADJOURNMENT:  
Mr Hanrahan (Minister for Health) moved - That the Assembly do now adjourn.  
Debate ensued.  
Question - put and passed.  
And then the Assembly at 6.04 p.m. adjourned until tomorrow at 10.00 a.m.

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ATTENDANCE:  
All members attended the sitting.



# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

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No.23

Thursday 14 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.

2. NOTICE:

The following notice was given:

Mr Smith: To move - That this Assembly has no confidence in the Speaker.

3. WANT OF CONFIDENCE IN SPEAKER - MOTION:

Mr Robertson (Leader of Government Business), having informed the Assembly that the government would not proceed with further business until the notice of motion of Mr Smith had been disposed of -

**Suspension of standing orders:** Mr Robertson moved - That so much of Standing Orders be suspended as would prevent Mr Smith moving without notice a motion to express want of confidence in the Speaker, forthwith.

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

Mr Smith (Deputy Leader of the Opposition) thereupon moved - That this Assembly has no confidence in the Speaker.

Debate ensued.

Mr Robertson (Leader of Government Business) moved the following amendment - Omit all words after "That", insert in their stead "this Assembly expresses its full confidence in the Speaker and further expresses its appreciation of the dignified and impartial manner in which the Speaker has discharged his duties".

Debate ensued.

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**Suspension of sitting:** The sitting was suspended between 11.50 a.m. and 2.00 p.m.

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Debate resumed.

Question - That the amendment be agreed to - put -

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

AYES, 17

Mr D.W. Collins

Mr Coulter

Mr Dale

Mr Finch

Mr Firmin

Mr Hanrahan

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

NOES, 5

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

Mr Perron  
Mr Robertson  
Mr Setter  
Mr Tuxworth  
Mr Vale

Amendment agreed to accordingly.

Question - That the motion, as amended, be agreed to - put -  
The Assembly divided (Deputy Speaker, Mr Vale, in the Chair) -

AYES, 17	NOES, 5
Mr D.W. Collins	Mr Bell
Mr Coulter	Mr Ede
Mr Dale	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Hanrahan	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Robertson	
Mr Setter	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.

4. LEAVE OF ABSENCE:

Mr D.W. Collins (Sadadeen), moved - That the Deputy Chief Minister be granted leave of absence for the remainder of this day on account of absence on official government business.

Question - put and passed.

5. DEATH OF MOST REV. BISHOP J.P. O'LOUGHLIN, M.S.C., D.D., C.M.G. - MINISTERIAL STATEMENT:

Mr Tuxworth (Chief Minister), by leave, made a statement relating to the death this day of the Most Rev. Bishop J.P. O'Loughlin, M.S.C., D.D., C.M.G. and informed members that, with the concurrence of Members, the Assembly would sit on Friday 22 November 1985 to enable a motion of condolence to be moved. Mr Tuxworth also advised that he would invite members to accompany him to a State Funeral to be held for the Bishop on that day.

6. QUESTIONS:

Questions were asked of Ministers.

7. LAW REFORM (MISCELLANEOUS PROVISIONS) AMENDMENT BILL 1985 (Serial 164):

Mr Perron (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Law Reform (Miscellaneous Provisions) Act*.

Bill read a first time.

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

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

8. ADOPTION OF CHILDREN AMENDMENT BILL 1985 (Serial 134):  
Mr Coulter (Minister for Community Development), pursuant to notice, presented a Bill for an Act to amend the *Adoption of Children Act*.  
Bill read a first time.  
Mr Coulter moved - That the Bill be now read a second time.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
9. APPROPRIATION BILL 1985-86 (Serial 137):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
Mr Tuxworth (Treasurer) moved - That the committee stages be later taken.  
Question - put and passed.
10. NOTICE POSTPONED:  
On the motion of Mr Robertson (Leader of Government Business), Government Business, order of the day NO.2 was postponed until a later hour.
11. POISONS AND DANGEROUS DRUGS AMENDMENT BILL 1985 (Serial 153):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
The Assembly resolved itself into a Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr McCarthy)

Clauses 1 to 4, by leave, taken together and agreed to.  
New clause -  
On the motion of Mr Hanrahan the following new clause was inserted in the Bill -

"4A. POWERS OF INSPECTORS

"Section 9(g) of the Principal Act is amended by omitting 'or the *Containers for Hazardous Substances Act*'."

Clause 5 agreed to.

Clause 6 -

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

Omit from proposed section 28(1)(c)(iii) in paragraph (c) "Navigation (Health) Regulations" and insert in its stead "Navigation (Orders) Regulations".

Clause, as amended, agreed to.

Clause 7 -

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

Omit from proposed section 29(4C) in paragraph (b) "Schedule 4 substance" and insert in its stead "Schedule 2, 3 or 4 substance".

Clause, as amended, agreed to.

Clause 8 -

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

Add at the end of proposed section 29A the following:

"(2) In subsection (1) 'amphetamine' includes beta-aminoisopropylbenzene and substances structurally derived from amphetamine or beta-aminoisopropylbenzene by substitution in the side chain or by ring closure therein (or both) except when included in Schedule 2, 3 or 4."

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10 -

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

Omit all words before and including "following:" and insert in their stead the following:

"Section 34 of the Principal Act is amended -

- (a) by omitting from subsection (1) '6 months' and substituting '12 months'; and
- (b) by omitting subsection 2 and substituting the following:".

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12 -

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

Omit from proposed section 39(2)(aa) "section 29(4)" and insert in its stead "section 29".

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

On the motion of Mr Hanrahan, the Bill was read a third time and passed to be a proposed law.

12. BUILDING SOCIETIES AMENDMENT BILL 1985 (Serial 154):

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

Debate resumed.

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

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr McCarthy)

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

Clause 5 -

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

Omit the words "the amount" and insert in their  
stead "\$1,000,000 or such greater amount as may be".

Clause, as amended, agreed to.

Clause 6 -

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

Insert after paragraph (a) the following:

(aa) by omitting from sub-section (2) "immediately" and  
substituting "within 7 days"; and

Clause, as amended, agreed to.

Clauses 7 to 13, by leave, taken together and agreed to.

Clause 14 -

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

Insert at the end of paragraph (a) "and by omitting  
'43(1)' and substituting 44(6)'".

Clause, as amended, agreed to.

Clause 15 agreed to.

Clause 16 -

On the motion of Mr Tuxworth the following amendments, by leave, were  
made -

Insert after proposed section 49(2)(a) in paragraph  
(b) the following:

"(aa) as a paying or collecting agent for any other  
building society in Australia in respect of money  
due to that building society by its members; and"

Insert in proposed section 49(2)(b) in paragraph  
(b) after "as a" the words "paying or".

Clause, as amended, agreed to.

Clauses 17 to 24, by leave, taken together and agreed to.

Clause 25 -

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

Omit "Register" and insert in its stead  
"Registrar".

Clause, as amended, agreed to.

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

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

On the motion of Mr Tuxworth the Bill was read a third time and passed to be a proposed law.

13. TAXATION BILLS - TAXATION (ADMINISTRATION) AMENDMENT BILL (No.2) 1985 (Serial 146); and STAMP DUTY AMENDMENT BILL (No.2) 1985 (Serial 145):

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 resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr McCarthy)

**Taxation (Administration) Amendment Bill (No.2) 1985 (Serial 146)**

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

Clause 3 -

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

Omit "Amendment".

Clause, as amended, agreed to.

Clause 4 agreed to.

Clause 5 -

On the motion of Mr Tuxworth the following amendments, by leave, were made -

Omit from definition of "cardholder" in proposed section 29A(1) the words "for whose use" and insert in their stead "at whose direction".

Insert in proposed section 29E(1)(b) after "return" the words "in accordance with the following formula:

$$(A-1) \times \$B$$

where -

A is the number of liable credit card transactions disclosed under paragraph (a); and

B is the stamp duty payable on each liable credit card transaction".

Insert at the end of proposed section 29E the following:

"(5) If a credit card agency fails to comply with subsection (1) or (2), the Commissioner may give notice of that fact in the Gazette.

"(6) From the date of publication of a notice under subsection (5) until the date of publication of a further notice revoking that notice, each cardholder of the credit card agency that is the subject of the notice shall -

- (a) be primarily liable for unpaid credit card transaction duty otherwise payable by the credit card agency; and
- (b) within 15 days after the receipt of a statement of account or of transactions from the credit card agency -
  - (i) furnish a return to the Commissioner setting out, with any necessary modification, the information specified in subsection (1)(a) and (b); and
  - (ii) pay to the Commissioner any credit card transaction duty disclosed on the return as being payable.

Penalty: \$200."

Insert in proposed section 29G after "has paid" the words "or is liable to pay".

Insert at the end of proposed section 29N the following:

"(5) If a registered financial institution fails to comply with subsection (1) or (2), the Commissioner may give notice of that fact in the Gazette.

"(6) From the date of publication of a notice under subsection (5) until the date of publication of a further notice revoking that notice, each liable account holder of the registered financial institution that is the subject of the notice shall -

- (a) be primarily liable for unpaid electronic debit transaction duty otherwise payable by the financial institution; and
- (b) within 15 days after the receipt of a statement of account or of transactions from the financial institution -
  - (i) furnish a return to the Commissioner setting out, with any necessary modification, the information specified in subsection (1)(a) and (b); and

(ii) pay to the Commissioner any electronic debit transaction duty disclosed on the return as being payable."

Insert in proposed section 29Q after "has paid" the words "or is liable to pay".

Clause, as amended, agreed to.

Remainder of the Bill, by leave, taken together and agreed to.

Bill to be reported with amendments.

**Stamp Duty Amendment (No.2) 1985 (Serial 145)**

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

Bill to be reported without amendment.

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The Assembly resumed - the Deputy Chairman (Mr McCarthy) reported accordingly and the reports were adopted.

On the motion of Mr Tuxworth the Bills were read a third time and passed to be proposed laws.

**14. ENERGY RESOURCE CONSUMPTION LEVY BILL 1985 (Serial 155):**

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

Debate resumed.

Question - put.

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

AYES, 17	NOES, 5
Mr D.W. Collins	Mr Bell
Mr Coulter	Mr Ede
Mr Dale	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Hanrahan	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Robertson	
Mr Setter	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative - Bill read a second time.

Mr Tuxworth (Treasurer) moved - That the committee stages be later taken -

Question - put and passed.

**15. SUPREME COURT AMENDMENT BILL 1985 (Serial 151):**

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

Debate resumed.

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



Leave granted for third reading to be moved forthwith.  
On the motion of Mr Perron (Attorney-General) the Bill was read a third time and passed to be a proposed law.

16. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

And then the Assembly at 7.35 p.m. adjourned until Tuesday 19 November 1985 at 10.00 a.m.

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PAPER:

The following paper was deemed to have been presented on 14 November 1985:

**Recommendation under S103(3) Crown Lands Act**

Partial Revocation of Reserve No. 1677, Town of Nightcliff

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ATTENDANCE:

All members attended the sitting.

## MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

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No. 24

Tuesday 19 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. PETITION:  
Mr Coulter presented a petition from 190 citizens of Palmerston relating to medium and high density housing.
3. QUESTIONS:  
Questions were asked of Ministers.
4. HEALTH DEPARTMENT, ANNUAL REPORT, 1984-5 - PAPER TABLED:  
Mr Hanrahan (Minister for Health) laid on the Table the Northern Territory Department of Health, Annual Report, 1984-5.
5. ALICE SPRINGS HOSPITAL MANAGEMENT BOARD, ANNUAL REPORT 1984-85 - PAPER TABLED:  
Mr Hanrahan (Minister for Health) laid on the Table the Alice Springs Hospital Management Board Annual Report, 1984-5.
6. MENTAL HEALTH ACT, ANNUAL REPORT, 1984-5 - PAPER TABLED:  
Mr Hanrahan (Minister for Health) laid on the Table the Mental Health Act Annual report, 1984-5.
7. PSYCHIATRIC SERVICES - PAPER TABLED:  
Mr Hanrahan (minister for Health) laid on the Table a Report on the Psychiatric Services of the Northern Territory, September 1984 by Dr G.S. Spragg.
8. LOCAL GOVERNMENT GRANTS, 1985 - PAPER TABLED:  
Mr Coulter (Minister for Community Development) laid on the Table the Report of the Northern Territory Local Government Grants Committee, 1985.
9. JUVENILE CRIME REPORT, ALICE SPRINGS - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:  
Mr Coulter (Minister for Community Development) laid on the Table the Report of the Task Force on Juvenile Crime, Alice Springs, 1985.  
Mr Coulter moved - That the report be printed.  
Question - put and passed.  
Mr Coulter moved - That the Assembly take note of the paper.  
Debate adjourned (Mr Vale) and the resumption of the debate made an order of the day for a later hour.
10. ABORIGINAL EDUCATION IN HOMELAND CENTRES - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:  
Mr Harris (Minister for Education) made a statement relating to Aboriginal education in outstations and homeland centres.  
Mr Harris moved - That the Assembly take note of the statement.  
Debate ensued.  
Debate adjourned (Mr McCarthy) and the resumption of the debate made an order of the day for a later hour.

11. COMMUNITY PSYCHIATRIC SERVICES - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Hanrahan (Minister for Health) made a statement relating to community psychiatric services in the Northern Territory.

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

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**Suspension of sitting:** The sitting was suspended between 11.54 a.m. and 2.00 p.m.

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Debate ensued.

**Personal explanation:** Mr Bell (MacDonnell) made a personal explanation relating to comments made during this debate.

Debate resumed.

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

12. FISHING INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Hatton (Minister for Ports and Fisheries) made a statement relating to the development of the Northern Territory fishing industry.

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

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

13. TREASURER'S FINANCIAL STATEMENTS, STATEMENT 6 - MINISTERIAL STATEMENT - STATEMENT NOTED:

Mr Tuxworth (Treasurer) made a statement relating to Statement 6 of the Treasurer's Annual Financial Statements, 1984-5.

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

Debate ensued.

Question - put and passed.

14. NURSING PROFESSION - MINISTERIAL STATEMENT - STATEMENT NOTED:

Mr Hanrahan (Minister for Health) made a statement relating to a nursing career structure for the Northern Territory.

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

Debate ensued.

Question - put and passed.

15. TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (No.2) 1985 (Serial 131); and BUSHFIRES AMENDMENT BILL 1985 (Serial 130):

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.

Leave granted for third readings to be moved forthwith.

Mr Hatton (Minister for Conservation) moved - That the Bills be now read a third time.

Debate ensued.

Question - put and passed.

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

16. SOIL CONSERVATION AND LAND UTILIZATION AMENDMENT BILL 1985 (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 third reading to be moved forthwith.  
Mr Hatton (Minister for Conservation) moved - That the Bill be now read a third time.  
Debate ensued.  
Question - put and passed.  
The Bill was read a third time and passed to be a proposed law.

17. PLANNING AMENDMENT BILL 1985 (Serial 118) and LANDS ACQUISITION AMENDMENT BILL 1985 (Serial 119):  
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -  
Debate resumed.  
Question - put and passed - Bill read a second time.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr Hatton (Minister for Lands) the Bill was read a third time and passed to be a proposed law.
18. CONSERVATION COMMISSION AMENDMENT BILL 1985 (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.  
The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman Mr Finch)

Bill, by leave, taken as a whole -  
Mr Lanhupuy moved as an amendment -  
Clause 5 -

Add at the end the following:

"(2) For the purposes of subsection (1), a disclosure of information to which that subsection applies made to an organization or group by a person appointed as a member to represent that organization or group shall be deemed a disclosure made in the course of his duties."

Debate ensued.  
Mr Smith moved - That the Committee do report progress and ask leave to sit again.  
Question - put and passed.

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

19. LEAVE OF ABSENCE:  
Mr D.W. Collins (Sadadeen), moved - That leave of absence for this day be granted to Mr Perron (Attorney-General) on the ground of ministerial business.

20. CROWN LANDS AMENDMENT BILL (No.2) 1985 (Serial 143):

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

Debate resumed.

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

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr McCarthy)

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

Clause 3 -

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

Omit from proposed section 24(2) paragraph (d), and insert in its stead the following:

"(d) to enter, travel over, and camp on, the leased land;

(da) subject to any reasonable requirements of the lessee, to take and use the water from bores or other man-made sources on the leased land for drinking, washing or cooking purposes;"

Omit from proposed section 24(2) all words from and including "but not permitting".

Question - put.

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

AYES, 5  
Mr Bell  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 15  
Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Robertson  
Mr Setter  
Mr Vale

Amendment negatived accordingly.

Clause, as printed, agreed to.

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

Bill to be reported without amendment.

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

Mr Hatton (Minister for Lands) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

21. INDUSTRY AND EMPLOYMENT TRAINING BILL 1985 (Serial 150):

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

Debate resumed.

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

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr Finch)

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

Clause 6 -

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

Omit from subclause (2) the figures "9" and "7" and insert in their stead "11" and "9" respectively.

Omit from subclause (3) "2 shall" (twice occurring) and insert in its stead "3 shall".

Debate ensued.

Question - put and negatived.

Mr Smith moved the following further amendment -

Omit subclause (4).

Debate ensued.

Question - put and negatived.

Clause agreed to.

Clauses 7 to 27, by leave, taken together and agreed to.

Clause 28 -

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

Omit subclause (1).

Omit from subclauses (2) and (3) "an industrial occurrence" (three times occurring) and insert in its stead "a breakdown in machinery".

Debate ensued.

Question - put.

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

AYES, 5

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

NOES, 17

Mr D.W. Collins

Mr Coulter

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Robertson  
Mr Setter  
Mr Tuxworth  
Mr Vale

Amendment negatived, accordingly.

Clause agreed to.

Clauses 29 to 31, by leave, taken together and agreed to.

Clause 32 -

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

Omit "employee" and insert in its stead "employer".

Clause, as amended, agreed to.

Clauses 33 to 39, by leave, taken together and agreed to.

Clause 70 -

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

Add at the end of clause 70 the following:

"(7) Where before the commencement of this Act the Commission or the Chairman of the Commission was required by the *Vocational Training Commission Act* or by another Act or law of the Territory to exercise a power or perform a function in relation to the preparation or furnishing of a report and the power was not exercised or the function was not performed before that commencement, the power may be exercised or the function performed by the Secretary as if the Secretary were the Commission or the Chairman, as the case may be."

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

---

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

Mr Dondas (Minister for Industry, Small Business and Tourism) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

## 22. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Leader of Government Business), Government Business, Order of the Day relating to the Conservation Commission Amendment Bill 1985 (Serial 129) was called on.

23. CONSERVATION COMMISSION AMENDMENT BILL 1985 (Serial 129):  
The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly -  
The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr McCarthy)

Bill as a whole and proposed amendment to Clause 5 moved by Mr Lanhupuy further considered.

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

Bill as printed, agreed to.

Bill to be reported without amendment.

---

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

Mr Hatton (Minister for Conservation) moved - That the Bill be now read a third time.

Question - put and passed.

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

24. APPROPRIATION BILL 1985-86 (Serial 137):  
The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -  
The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr McCarthy)

Schedule 2 -

Appropriation for Division 5 agreed to, after debate.

Appropriation for Division 6 agreed to, after debate.

Appropriation for Division 7 agreed to, after debate.

Appropriation for Division 23 agreed to.

Appropriation for Division 89 agreed to.

Appropriation for Division 90 agreed to.

Appropriation for Division 13 agreed to, after debate.

Appropriation for Division 14 agreed to.

Appropriation for Division 15 agreed to, after debate.

Appropriation for Division 20 agreed to.

Appropriation for Division 21 agreed to, after debate.

Appropriation for Division 22 agreed to, after debate.

Appropriation for Division 24 agreed to.

Appropriation for Division 29 agreed to.

Appropriation for Division 34 -

Debate ensued.

**Postponement negatived:** Mr Smith (Deputy Leader of the Opposition) moved - That consideration of the Appropriation for Division 34 be postponed until a later hour.

Question - put and negatived.

Appropriation for Division 34 agreed to, after further debate.

Appropriation for Division 35 agreed to, after debate.

Appropriation for Division 36 agreed to.



Appropriation for Division 41 agreed to.  
Appropriation for Division 46 agreed to, after debate.  
Appropriation for Division 51 agreed to, after debate.  
Appropriation for Division 53 agreed to.  
Appropriation for Division 54 agreed to.  
Appropriation for Division 59 agreed to, after debate.  
Appropriation for Division 60 agreed to, after debate.  
Appropriation for Division 65 agreed to, after debate.

**And the Assembly having continued to sit until 12 midnight -**

WEDNESDAY 20 NOVEMBER 1985 A.M.

Appropriation for Division 66 agreed to.  
Appropriation for Division 71 agreed to, after debate.  
Appropriation for Division 72 agreed to, after debate.  
Appropriation for Division 77 agreed to, after debate.  
Appropriation for Division 78 agreed to, after debate.  
Appropriation for Division 83 agreed to.  
Appropriation for Division 88 agreed to, after debate.  
Appropriation for Division 91 agreed to.  
Appropriation for Division 96 agreed to, after debate.  
Remainder of Bill, by leave, taken as a whole and agreed to.  
Bill to be reported without amendment.

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

Mr Tuxworth (Treasurer) moved - That the Bill be now read a third time.  
Debate ensued.

Question - put and passed.

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

25. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

And then the Assembly at 12.55 a.m. adjourned until 10.00 a.m. this day.

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PAPERS:

The following papers were deemed to have been presented on 19 November 1985:

**Annual Reports:**

Department of Education, July-December 1984

Education Advisory Council, 1984

Juvenile Justice Review Committee, 1984-5

**Public Service By-law 1985:**

No.1 Amendments of the Public Service (Terms and Conditions of Service)  
By-laws

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**ATTENDANCE:**

All members attended the sitting, except Mr Perron who had been granted leave of absence.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

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No. 25

Wednesday 20 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. PETITION:  
Mr Dondas presented a petition from 639 citizens of the Northern Territory relating to mining in national parks.
3. NOTICES:  
The following notices were given:  
Mr Perron: To present the Petroleum (Submerged Lands) Amendment Bill (No.2) 1985 (Serial 159); Law Officers Amendment Bill 1985 (Serial 165); and Presbyterian Church (Northern Territory) Property Trust Bill 1985 (Serial 166).  
Mr Vale: To move - That this Assembly -
  - ° noting the historical significance of the old Ghan railway to the Northern Territory;
  - ° noting the tourist potential which the work of the Ghan Preservation Society is enhancing; and
  - ° noting the wide support that has been expressed by the Alice Springs community for the work of the Society;(1) expresses its support for the activities of the Ghan Preservation Society; and  
(2) recommends that the Government continues to assist the Society in every possible way.  
  
Mr Hanrahan: To present the Cigarette Containers (Labelling) Amendment Bill 1985 (Serial 167).
4. QUESTIONS:  
Questions were asked of Ministers.
5. FURTHER NOTICES:  
The following further notices were given:  
Mr Hanrahan: To present the Dental Bill 1985 (Serial 158).  
Mr Tuxworth: To present the Police Administration Amendment Bill (No.2) 1985 (Serial 157).
6. ALICE SPRINGS TO DARWIN RAILWAY - MINISTERIAL STATEMENT - PAPERS TABLED - MOTION TO NOTE STATEMENT:  
Mr Tuxworth (Chief Minister) made a statement relating to the progress towards an Alice Springs to Darwin Railway.  
**Papers tabled:** Mr Tuxworth tabled the following related papers:
  - ° Final Report, Review of the Economic Viability of the Extension of Standard Gauge Rail Service from Alice Springs to Darwin
  - ° Financing the Alice Springs to Darwin railway, preliminary report
  - ° Financing the Alice Springs to Darwin railway, further preliminary report.Mr Tuxworth moved - That the Assembly take note of the statement.  
Debate ensued.

**Suspension of sitting:** The sitting was suspended between 12.10 and 2.00 p.m.

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Debate resumed.

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

7. ABORIGINAL LIVING AREAS, EXCISIONS - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Hatton (Minister for Lands) made a statement relating to the excision of Aboriginal community living areas from pastoral properties.

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

Debate ensued.

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

8. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - EDUCATION SERVICES:

Mr Speaker informed the Assembly that Mr Smith (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely: "the continued incompetence of the Minister for Education which is resulting in the deterioration of education services provided by this Government to the people of the Northern Territory".

**The proposed discussion having received the necessary support -**

Mr Smith addressed the Assembly.

Discussion ensued.

Discussion concluded.

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

Mr Harris (Minister for Education) moved - That so much of Standing Orders be suspended as would prevent the University College of the Northern Territory Bill 1985 (Serial 160); the Advanced Education and Darwin Institute of Technology Bill 1985 (Serial 161); the Menzies School of Health Research Bill 1985 (Serial 162); and the Education Amendment Bill (No.2) 1985 (Serial 163) passing through all stages at these sittings.

Mr Smith (Deputy Leader of the Opposition) moved the following amendment -

Omit the words "at these sittings" and insert in their stead "at a sitting of the Assembly to be held on Tuesday, 10 December 1985".

Debate ensued.

Mr Robertson (Leader of Government Business) moved - That the question - That the amendment be agreed to - be put.

Question - That the question be put - put.

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

AYES, 18  
Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch

NOES, 5  
Mr Bell  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Robertson  
Mr Setter  
Mr Tuxworth  
Mr Vale

And so it was resolved in the affirmative.

Question - That the amendment be agreed to - put.

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

AYES, 5  
Mr Bell  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

NOES, 18  
Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer  
Mr Perron  
Mr Robertson  
Mr Setter  
Mr Tuxworth  
Mr Vale

Amendment negatived accordingly.

Debate continued.

Main question - put.

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

AYES, 18  
Mr D.W. Collins  
Mr Coulter  
Mr Dale  
Mr Dondas  
Mr Finch  
Mr Firmin  
Mr Hanrahan  
Mr Harris  
Mr Hatton  
Mr McCarthy  
Mr Manzie  
Mrs Padgham-Purich  
Mr Palmer

NOES, 5  
Mr Bell  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith

Mr Perron  
Mr Robertson  
Mr Setter  
Mr Tuxworth  
Mr Vaie

And so it was resolved in the affirmative, the motion having been carried by an absolute majority of members of the Assembly.

10. TERTIARY EDUCATION BILLS - UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL 1985 (Serial 160); ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL 1985 (Serial 161); MENZIES SCHOOL OF HEALTH RESEARCH BILL 1985 (Serial 162); and EDUCATION AMENDMENT BILL (No.2) 1985 (Serial 163): 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.

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

11. MINING BILLS - TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1985 (Serial 90); PETROLEUM AMENDMENT BILL 1985 (Serial 93); COAL AMENDMENT BILL 1985 (Serial 92); and MINING AMENDMENT BILL 1985 (Serial 91):

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

Debate resumed.

**Paper tabled:** Mr Perron (Minister for Mines and Energy) laid on the Table the following paper: Administrative Arrangements - Exploration and Development Titles.

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

Mr Perron (Minister for Mines and Energy) moved - That the committee stages be later taken.

Question - put and passed.

12. ENERGY RESOURCE CONSUMPTION LEVY BILL 1985 (Serial 155):

The order of the day having been read for the consideration of the Bill in the Committee of the Whole - The Assembly resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr McCarthy)

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

Clause 3 -

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

Insert in definition of "levy oil" in subclause (1) after "being levy oil" the words ", but does not include levy oil which the Commissioner is satisfied is consumed in or by a motor vehicle".

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

Omit from subclause (3) "fuel" and insert in its stead "levy".

Clause, as amended, agreed to.

Clauses 4 and 5, by leave, taken together and agreed to.

Clause 6 -

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

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

"(3) No levy is payable where the levy oil consumed by a consumer during a consumption year or such shorter period as the consumer is a consumer is 10,000,000 litres or less."

Clause, as amended, agreed to.

Clause 7 -

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

Omit from subclause (2) "fuel" and insert in its stead "levy".

Clause, as amended, agreed to.

Clause 8 -

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

Add at the foot of subclause (2) "Penalty: \$1,000".

Insert after subclause (3) the following:

"(3A) A return under this section shall contain such other information as the Commissioner may specify."

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10 -

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

Omit subclause (2)(b) and insert in its stead the following:

"(b) the product of the average number of litres of levy oil disclosed as being consumed each month during the period covered by the return multiplied by 12 exceeds 10,000,000,

levy is calculated in accordance with the following formula:

$$\$1 \times \frac{A}{1,000} - B$$

where -

A is the average number of litres of levy oil disclosed as being consumed each month; and

B is any levy already paid in respect of levy oil disclosed as having been consumed.".

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

Omit subclause (4).

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12 -

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

Insert in subclause (2) after "of" the word "a".

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

---

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

Mr Tuxworth (Treasurer) moved - That the Bill be now read a third time.

Debate ensued.

Question - put.

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

AYES, 17

Mr D.W. Collins

Mr Coulter

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Hanrahan

Mr Harris

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

Mr Perron

Mr Robertson

Mr Setter

Mr Tuxworth

Mr Vale

NOES, 5

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

And so the question was resolved in the affirmative.

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

13. LAND AND BUSINESS AGENTS AMENDMENT BILL 1985 (Serial 104):

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

Debate resumed.

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

The Assembly resolved itself into Committee of the Whole.

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**In the Committee**  
(Deputy Chairman - Mr Finch)

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

Clause 6 -

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

Omit proposed section 25(a) and insert in its stead the following:

"(a) in the case of a company -

(i) the company is, by its memorandum of association, authorized to carry on business as an agent; and

(ii) all of the directors of the company and all of the persons concerned in the management or control of the company are fit and proper persons."

Omit proposed section 25(c) and insert in its stead the following:

"(c) in the case of a firm, all of the persons by whom the firm is constituted and all of the persons concerned in the management or control of the firm are fit and proper persons."

Clause, as amended, agreed to.

Clauses 7 to 15, by leave, taken together and agreed to.

Clause 16 -

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

Omit subsection (1).

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

---

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

Mr Perron (Minister for Mines and Energy) moved - That the Bill be now read a third time.

Question - put and passed.

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

14. ADJOURNMENT:

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

**Papers tabled:** Mr Tuxworth (Chief Minister) laid on the Table the following papers:

- ° Tee Tree Inquest report by Dean Mildren (Barrister) to Commissioner of Police, dated 12 October 1981
- ° Reasons for decision G.P. Galvin Chief Stipendiary Magistrate, In the matter of - An Inquest into the death of Johnny Ross Jabanardi

Debate ensued.  
Question - put and passed.  
And then the Assembly at 11.38 p.m. adjourned until tomorrow at  
10.00 a.m.

=====

**PAPERS:**

The following papers were deemed to have been presented on 20 November  
1985:

**Annual report:**

Darwin Port Authority 1984-5

**Financial statement:**

Darwin Omnibus Service 1984-5

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**ATTENDANCE:**

All members attended the sitting.

No. 26

Thursday 21 November 1985

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1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. MESSAGE FROM THE ADMINISTRATOR:  
Mr Speaker read the following message from His Honour the Administrator:

**Message No. 4**

I, ERIC EUGENE JOHNSTON, the 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 amend the *Law Officers Act*, which, in part, appropriates money from the Consolidated Fund for the purpose of paying certain pension benefits to or in respect of a Solicitor-General.

Dated this 13th day of November, 1985.

(sgd) E.E. JOHNSTON

3. DAILY HANSARD - STATEMENT:  
Mr Speaker informed members that due to the late sittings of the Assembly on Tuesday and Wednesday this week, copies of Daily Hansard would not be available today and may not be ready until early next week.
4. BROADCAST AND TELEVISION ASSEMBLY PROCEEDINGS - STATEMENT:  
Mr Speaker informed members that, pursuant to resolution of 26 February 1985, he had authorized -
  - (a) certain television stations to televise Assembly proceedings without sound today for the purposes of library footage and background pictures for news and other such programmes; and
  - (b) television stations to film the special sitting of the Assembly to be held tomorrow and for subsequent rebroadcast of the proceedings later in whole or in part.
5. ALTERATION OF ORDER OF BUSINESS:  
Mr Robertson (Leader of Government Business), by leave, moved - That Government Business, order of the day No. 1 be called on forthwith. Question - put and passed.
6. CHAMBERLAIN INQUIRY, SOLICITOR-GENERAL'S REPORT - MOTION TO NOTE PAPER:  
The order of the day having been read for the resumption of debate on the motion of Mr Perron (Attorney-General) - That the Assembly take note of the paper -  
Debate resumed.  
**Suspension of Standing Orders:** Mr Tuxworth (Chief Minister) moved - That so much of standing orders be suspended as would prevent Mr B. Collins (Leader of the Opposition) from speaking for such time as would permit him to conclude his speech.

Question - put and passed, there being an absolute majority of members of the Assembly present and no dissentient voice -  
Debate resumed.

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**Suspension of sitting:** The sitting was suspended between 12.45 and 2.00 p.m.

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Debate resumed.  
Question - put and passed.

7. QUESTIONS:  
Questions were asked of Ministers.
8. PETITIONS:  
Mr Palmer, by leave, presented a petition from 563 citizens of Karama relating to community services.  
Mr B. Collins, by leave, presented a petition from 117 citizens of the Northern Territory relating to pornographic material.
9. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - EIGHTH REPORT - PAPER TABLED:  
Mr Finch (Wagaman) laid on the Table the Eighth Report of the Subordinate Legislation and Tabled Papers Committee.
10. CORRECTIONAL SERVICES - ANNUAL REPORT 1984-5 - PAPER TABLED - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:  
Mr Coulter (Minister for Community Development) laid on the Table the Department of Correctional Services Annual Report, for the year ending 30 June 1985.  
Mr Coulter, by leave, made a statement relating to the paper.  
Mr Coulter moved - That the Assembly take note of the statement.  
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
11. PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL (No.2) 1985 (Serial 159):  
Mr Perron (Minister for Mines and Energy), pursuant to notice, presented a Bill for an Act to amend the *Petroleum (Submerged Lands) Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr Ede) and the resumption of the debate made an order of the day for a later hour.
12. LAW OFFICERS AMENDMENT BILL 1985 (Serial 165):  
Mr Perron (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Law Officers Act*.  
Bill read a first time.  
Mr Perron moved - That the Bill be now read a second time.  
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
13. PRESBYTERIAN CHURCH (NORTHERN TERRITORY) PROPERTY TRUST BILL 1985 (Serial 166):  
Mr Perron (Attorney-General), pursuant to notice, presented a Bill for an Act to provide for the incorporation of the Presbyterian Church (Northern Territory) Property Trust and for other related purposes.

Bill read a first time.

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

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

14. CIGARETTE CONTAINERS (LABELLING) AMENDMENT BILL 1985 (Serial 167):

Mr Hanrahan (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Cigarette Containers (Labelling) Act*.

Bill read a first time.

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

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

15. DENTAL BILL 1985 (Serial 158):

Mr Hanrahan (Minister for Health), pursuant to notice, presented a Bill for an Act to provide for the registration of dental hygienists, dental specialists, dental therapists and dentists, and to control the practice of dentistry in the Territory.

Bill read a first time.

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

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

16. POLICE ADMINISTRATION AMENDMENT BILL (No.2) 1985 (Serial 157):

Mr Tuxworth (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Police Administration Act*.

Bill read a first time.

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

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

17. TERTIARY EDUCATION BILLS - UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL 1985 (Serial 160); ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL 1985 (Serial 161); MENZIES SCHOOL OF HEALTH RESEARCH BILL 1985 (Serial 162); and EDUCATION AMENDMENT BILL (No.2) 1985 (Serial 163):

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 resolved itself into Committee of the Whole.

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**In the Committee**

(Deputy Chairman - Mr McCarthy)

**University College of the Northern Territory 1985 (Serial 160):**

Clauses 1 to 21, by leave, taken together and agreed to, after debate.

Clause 22 -

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

Omit from subclause (1) "this section and".

Omit from subclause (2) "Subject to this section, the" and insert in its stead "The".

Omit subclauses (3) and (4).

Amendments negatived, after debate.

Clause agreed to.

Clauses 23 to 44, by leave, taken together and agreed to.

Clause 45 -

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

Omit from subclause (2) "section 35" and insert in its stead "section 43".

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with an amendment.

**Advanced Education and Darwin Institute of Technology Bill 1985  
(Serial 161):**

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

Clause 3 -

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

Omit the definition of "Advanced education" and insert in its stead the following:

"'advanced education' means education of a kind normally provided by an institution, other than a university, concerned with the provision of post secondary school education, but does not include education accepted by the Council as technical or further education for the purposes of arrangements between the Territory and the Commonwealth relating to such education;"

Clause, as amended, agreed to.

Clauses 4 to 8, by leave, taken together and agreed to.

Clause 9 -

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

Omit subclause (1) and insert in its stead the following:

"(1) The members shall, from time to time as the occasion requires, at a meeting of the Council, elect a member appointed under section 4(2)(g) to be the Chairman of the Council."

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

"(a) for the period, if any, fixed by the Council at the time of their election; or"

Omit from subclause (4) "delivered to the Administrator" and insert in its stead "delivered to the Council at a meeting of the Council".

Amendments negatived, after debate.

Clause agreed to.

Clauses 10 to 19, by leave, taken together and agreed to.

Clause 20 -

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

Insert in subclause (2) after paragraph (c) the following:

"(ca) establish such teaching, research or other units within the Institute as the Council thinks fit;".

Clause, as amended, agreed to.

Clause 21 -

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

Omit from subclause (1) "Subject to this section, the" and insert in its stead "The".

Omit subclauses (2) and (3).

Amendments negatived, after debate.

Clause agreed to.

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

Bill to be reported with amendments.

**Menzies School of Health Research Bill 1985 (Serial 162):**

Clauses 1 to 32, by leave, taken together and agreed to.

Clause 33 -

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

Omit from subclause (1) "subsection (4) and".

Omit subclauses (2) and (3).

Amendments negatived.

On the motion of Mr Harris the following amendment, by leave, was made, after debate -

Omit from subclause (3) "this section" and insert in its stead "subsection (1)".

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.

**Education Amendment Bill (No.2) 1985 (Serial 163):**

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

Bill to be reported without amendment.

---

The Assembly resumed - the Deputy Chairman (Mr McCarthy) reported accordingly and the reports were adopted.

Mr Harris (Minister for Education) moved - That the Bills be now read a third time.

Debate ensued.

Question - put and passed.

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

18. MINING BILLS - TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1985 (Serial 90); PETROLEUM AMENDMENT BILL 1985 (Serial 93); COAL AMENDMENT BILL 1985 (Serial 92); and MINING AMENDMENT BILL 1985 (Serial 91):

The order of the day having been read for the consideration of the Bills in the Committee of the Whole.

The Assembly resolved itself into Committee of the Whole.

---

**In the Committee**

(Deputy Chairman Mr McCarthy)

**Territory Parks and Wildlife Conservation Amendment Bill 1985 (Serial 90):**

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

Clause 4 agreed to, after debate.

Clause 5 agreed to, after debate.

Clause 6 agreed to.

Clause 7 agreed to, after debate.

Clause 8 agreed to, after debate.

Clause 9 agreed to.

Title agreed to.

Bill to be reported without amendment.

**Petroleum Amendment Bill 1985 (Serial 93):**

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

Clause 4 -

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

Omit all words after "is amended by inserting" and insert in their stead the following:

"in subsection (1) -

(a) after the definition of 'licensee' the the following:

'park or reserve' means a park or reserve within the meaning of the *Territory Parks and Wildlife Conservation Act* or land declared under section 9(4) of that Act to be a park or reserve for the purposes of this Act;'; and

(b) after the definition of 'well' the following:

'wilderness zone' means a wilderness zone declared under section 12 of the *Territory Parks and Wildlife Conservation Act*.".

Clause, as amended, agreed to.

Clause 5 -

On the motion of Mr Perron the following amendments were made, after debate -

Omit proposed section 15(1) and insert in its stead the following:



"(1) In respect of land comprising the whole or a part of a park or reserve, the Minister shall not grant -

- (a) subject to subsection (1A), a permit or retention licence, unless he has considered the opinions of the minister administering the *Territory Parks and Wildlife Conservation Act* in relation to the proposed grant; or
- (b) a production licence, except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(1A) Notwithstanding subsection (1)(a), the Minister shall not grant a permit or retention licence in respect of land comprising the whole or part of a wilderness zone except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*."

Omit proposed section 15(2) and insert in its stead the following:

"(2) A permittee or retention licensee shall not carry out his technical works programme, or any other exploration, which may cause substantial disturbance to the surface of land comprising the whole or a part of a park or reserve unless he has advised the Minister, in writing, of his intention to carry out the activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (3) to be given, to protect the environment in or in the vicinity of the park or reserve."

Add at the end of proposed section 15 the following:

"(3) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (2) such directions in relation to the protection of the environment in the park or reserve as the minister thinks fit, and the Minister shall give those directions accordingly."

Clause, as amended, agreed to.

Clause 6 -

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

Omit paragraph (a).

Clause, as amended, agreed to.

Clause 7 -

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

Omit "or the Secretary".

Clause, as amended, agreed to.

Clause 8 -

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

Omit from proposed section 119(2A) all words after "park or reserve" and insert in their stead "except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*".

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

Omit proposed section 119(2B) and insert in its stead the following:

"(2B) The holder of a permit continued in force by subsection (2) shall not carry out work referred to in a statement under section 25 of the repealed Act, or other exploration, which may cause significant disturbance to the surface of land comprising the whole or a part of a park or reserve unless he has advised the Minister, in writing, of the proposed activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (2C) to be given, to protect the environment of or in the vicinity of the park or reserve."

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

Omit proposed section 119(2C) and insert in its stead the following:

"(2C) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (2B) such directions in relation to the protection of the environment of the park or reserve referred to in that subsection as the minister thinks fit, and the Minister shall give those directions accordingly.

"(2D) Subject to subsection (2E), a lease in respect of which a condition referred to in subsection (2A) is specified is, in addition to the conditions prescribed for the purposes of section 46(2)(b) of the repealed Act, subject to that condition so specified.

"(2E) Where a condition prescribed for the purposes of section 46(2)(b) of the repealed Act is inconsistent with a condition specified under subsection (2A), the first-mentioned condition, to the extent of that inconsistency, has no force or effect.

"(2F) The Minister has power to give a direction referred to in subsection (2B).".

Clause, as amended, agreed to.

Clause 9 and Schedule, by leave, taken together and negatived.

Title agreed to.

Bill to be reported with amendments.

**Coal Amendment Bill 1985 (Serial 92):**

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

Clause 4 -

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

Omit all words after "the Principal Act" and insert in their stead the following:

"is amended -

- (a) by inserting after the definition of 'Land Council' the following:

'park or reserve' means a park or reserve within the meaning of the *Territory Parks and Wildlife Conservation Act* or land declared under section 9(4) of that Act to be a park or reserve for the purposes of this Act;'; and

- (b) by inserting after the definition of 'Warden' the following:

'wilderness zone' means a wilderness zone declared under section 12 of the *Territory Parks and Wildlife Conservation Act*."

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6 -

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

Omit proposed section 5(3A) and insert in its stead the following:

"(3A) Where the Minister grants a licence in respect of land comprising the whole or a part of a park or reserve that is not a wilderness zone, he may grant the licence subject to such conditions, if any, as he thinks fit and endorses on the licence document, after having considered the opinion, if any, of the minister

administering the *Territory Parks and Wildlife Conservation Act* in relation to the proposed grant.

"(3B) The Minister shall not grant a licence in respect of land comprising the whole or part of a wilderness zone except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*."

Clause, as amended, agreed to.

Clause 7 -

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

Omit proposed section 13A(1).

Omit proposed section 13A(2) and insert in its stead the following:

"(2) The holder of a licence shall not carry out exploration, or any other activity, which may cause significant disturbance to the surface of land comprising the whole or a part of a park or reserve unless he has advised the Minister, in writing, of the proposed exploration or activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (2A) to be given, to protect the environment in or in the vicinity of the park or reserve."

Insert after proposed section 13A(2) the following:

"(2A) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (2) such directions in relation to the protection of the environment in the park or reserve as the minister thinks fit, and the Minister shall give those directions accordingly."

Clause, as amended, agreed to.

Clause 8 -

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

Omit from proposed section 19(1A) all words after "park or reserve" and insert in their stead "except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*."

Clause, as amended, agreed to.

Clause 9 -

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

Omit "section 5(3A)" and insert in its stead "section 5(3A) or 19(1A)".

Omit "section 13A(3)" and insert in its stead "section 13A(2)".

Clause, as amended, agreed to.

New clause -

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

"10. LEASE COVENANTS

"Section 29 of the Principal Act is amended by omitting "as the Minister thinks fit." and substituting "as the Minister thinks fit or which are required, pursuant to section 19(1A), to be contained.".

Title agreed to.

Bill to be reported with amendments, after debate.

**Mining Amendment Bill 1985 (Serial 91):**

Bill, by leave, taken as a whole.

Clause 5 -

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

Omit proposed section 176A and insert in its stead the following:

"176A. ENVIRONMENTAL CONSIDERATION RELATING TO CERTAIN PARKS AND RESERVES

"(1) In this section -

'park or reserve' means a park or reserve within the meaning of the *Territory Parks and Wildlife Conservation Act* or land declared under section 9(4) of that Act to be a park or reserve for the purposes of this section;

'wilderness zone' means a wilderness zone declared under section 12 of the *Territory Parks and Wildlife Conservation Act*.

"(2) In respect of land comprising the whole or a part of a park or reserve, the Minister shall not grant -

(a) subject to subsection (3), an exploration licence or an exploration retention lease, unless he has considered the opinion of the minister administering the *Territory Parks and Wildlife Conservation Act* in relation to the proposed grant; or

(b) a mineral lease or an extractive mineral lease, except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(3) Notwithstanding subsection (2)(a), the Minister shall not grant an exploration licence or exploration retention lease in respect of land comprising the whole or part of a wilderness zone except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(4) The mining registrar shall not grant an extractive mineral permit in respect of land comprising the whole or a part of a park or reserve except in accordance with the conditions, if any, specified by the Director within the meaning of the *Conservation Commission Act*.

"(5) The holder of an exploration licence or exploration retention lease shall not carry out exploration, or any other activity, which may cause significant disturbance to the surface of land comprising the whole or a part of a park or reserve, unless he has advised the Minister, in writing, of the proposed exploration or activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (7) to be given, to protect the environment in or in the vicinity of the park or reserve.

"(6) Subject to subsection (8), an exploration licence, exploration retention lease, mineral lease, extractive mineral lease or extractive mineral permit in respect of which a condition referred to in subsection (2)(b), (3) or (4) is specified is, in addition to the conditions imposed in pursuance of a power contained elsewhere in this Act, subject to that condition so specified, notwithstanding that the Minister or mining registrar, as the case may be, would not have the power, otherwise than under this section, to impose that condition.

"(7) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (5) such directions in relation to the protection of the environment in the park or reserve as the minister thinks fit, and the Minister shall give those directions accordingly.

"(8) Where a condition imposed by or under this Act is inconsistent with a condition referred to in subsection (2)(b), (3) or (4) or a direction given under subsection (7), the first-mentioned condition, to the extent of that inconsistency, has no force or effect."

Bill, as amended, agreed to after further debate.  
Bill to be reported with an amendment.

The Assembly resumed - the Deputy Chairman (Mr Finch) reported accordingly and the reports were adopted.

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

Debate ensued.

Question - put.

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

AYES, 15	NOES, 5
Mr D.W. Collins	Mr Bell
Mr Coulter	Mr Ede
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	
Mr Hanrahan	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Robertson	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.

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

19. SPECIAL ADJOURNMENTS:

Mr Robertson (Leader of Government Business), by leave, moved - That the Assembly at its rising -

(a) adjourn until tomorrow, Friday 22 November 1985 at 8.30 a.m., and

(b) on Friday 22 November 1985, adjourn until Tuesday 18 March 1986 at 10.00 a.m. or such other time and date as may be set by Mr Speaker pursuant to sessional order.

20. ADJOURNMENT:

Mr Perron (Minister for Mines and Energy) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 6.55 p.m. adjourned until tomorrow at 8.30 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 21 November 1985:

**Annual Reports:**

Department of Mines and Energy 1984-5

Department of Primary Production 1984-5

Museum and Art Galleries Board 1983-4

Northern Territory Development Corporation 1984-5

**Direction Under the Financial Administration and Audit Act:**

Administrator, 16 October 1985

**Financial Statement:**

Northern Territory Development Corporation, 1984-5

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**ATTENDANCE**

All members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

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No. 27

Friday 22 November 1985

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1. The Assembly met at 8.30 a.m., pursuant to adjournment. Mr Speaker (the Honourable R.M. Steele) took the Chair, and read prayers.
2. ATTENDANCE OF ADMINISTRATOR  
Mr Speaker invited His Honour the Administrator to take the Distinguished Visitor's Chair on the floor of the Assembly Chamber.
3. CONDOLENCE - THE MOST REV. BISHOP J.P. O'LOUGHLIN M.S.C., D.D., C.M.G.:  
Mr Tuxworth (Chief Minister), by leave, moved - That this Assembly express its deep regret at the death on Thursday, 14 November 1985, of the Most Reverend John Patrick O'Loughlin, M.S.C., D.D., C.M.G., Bishop of Darwin and place on record its appreciation of his long and distinguished service to the people of the Northern Territory, and tender its profound sympathy to the Catholic Church and members of his family.  
Debate ensued.  
And Members present having stood in their places in silence -  
Question - passed.  
His Honour the Administrator then withdrew from the Chamber.
4. ADJOURNMENT:  
Mr Tuxworth (Chief Minister) moved - That the Assembly do now adjourn.  
Question - put and passed.  
And then the Assembly at 9.28 a.m. adjourned until Tuesday 18 March 1986 at 10.00 a.m. or such other time and date as may be set by Mr Speaker pursuant to sessional order.

=====

ATTENDANCE:

All members attended the sitting.

H.G. SMITH

Clerk of the Legislative Assembly.

FOURTH LEGISLATIVE ASSEMBLY

SECOND SESSION

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