

PART III

THE MINUTES OF PROCEEDINGS

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

No. 7

Tuesday 2 June 1987

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly dated 7 May 1987. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. QUESTIONS:

Questions were asked of Ministers.

Distinguished visitors: Mr Speaker drew attention to the presence in the gallery of Mr Roger Steele, former Speaker of the Northern Territory Legislative Assembly, and Mr Jack Doolan, former Member for Victoria River. On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitors.

Further questions were asked of Ministers.

4. LEAVE OF ABSENCE:

The Leader of Government Business (Mr Hanrahan) moved - That leave of absence for this period of sittings be granted to the Minister for Transport and Works, Mr Finch, on account of ill health.

Question - put and passed.

5. CHAMBERLAIN CONVICTIONS - ROYAL COMMISSION OF INQUIRY - PAPER TABLED - ORDER TO PRINT - MOTION TO NOTE PAPER:

The Attorney-General (Mr Manzie) laid on the Table the report by the Honourable Mr Justice T.R. Morling of the Commission of Inquiry established pursuant to the *Commission of Inquiry (Chamberlain Convictions) Act 1986*.

Mr Manzie moved - That the report be printed.

Question - put and passed.

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

Ordered - That Mr Manzie have leave to continue his remarks at a later hour.

Suspension of sitting: The sitting was suspended between 11.39 a.m. and 2.00 p.m.

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

Mr Setter (Jingili) laid on the Table the First Report of the Northern Territory Legislative Assembly Subordinate Legislation and Tabled Papers Committee.

7. LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) AMENDMENT BILL 1987 (Serial 1):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

The Chief Minister (Mr Hatton) 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.

8. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 3.04 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS TABLED:

The following papers were deemed to have been presented on 2 June 1987:

Annual Reports:

Darwin Institute of Technology, 1985-86

Department of Education, 1986

Uranium Mining (Environment Control) Act, 1986 (Eighth)

Regulations 1987:

No.15, Angurugu Community Government Council (Water Pollution)

By-laws

No.16, Amendments to the By-laws of the Municipality of Darwin

No.17, Amendments of the Rules of the Supreme Court of the Northern

Territory of Australia

No.18, Work Health Court Rules

No.19, Nguiu Community Government Council (Common Seal) By-laws

No.20, Repeal of the Alice Springs (Rates and Charges) By-laws

No.22, Criminal Investigation (Extra-territorial Offences) Regulations

No.23, Amendment of Treasury Regulations

No.24, Amendments of the Pay-roll Tax Regulations

=====

ATTENDANCE:

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

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 8

Wednesday 3 June 1987

1. MEETING

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

2. PRAYERS.

3. MESSAGE FROM THE ADMINISTRATOR:

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

Message No.1

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 make interim provision for the appropriation of money out of the Consolidated Fund for the service of the year ending 30 June 1988.

Dated this second day of June, 1987

(Sgd) E.E. JOHNSTON
Administrator.

4. PETITION:

Mr Harris presented a petition from 48 citizens of the Northern Territory requesting provision of funds to the University College of the Northern Territory to institute a full Bachelor of Law Course in 1988.

Petition read.

5. NOTICES:

The following notices were given:

Mr Bell: To move - That this Assembly resolves to work towards development of an appropriate relationship between Aboriginal customary law and the current justice system in the Northern Territory.

Mr Smith: To move - That -

(1) The Chief Minister be censured by this Assembly for:

(a) deliberately misleading the Assembly in that he stated to the Assembly on 29 April 1987 that a Japan Australia Transport Study Group had been formed comprising, from the Japanese side, representatives from Japan Railway Technical Services, Japan Railway and Freight Company and the Long-term Credit Bank of Japan knowing, as later public statements have shown, that this statement was false; and

(b) placing future negotiations with these Japanese companies at risk; and

(2) this Assembly calls upon the Chief Minister to resign forthwith.

6. CENSURE OF CHIEF MINISTER - MOTION NEGATIVED:

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

The Leader of the Opposition (Mr Smith) thereupon moved - That -

(1) The Chief Minister be censured by this Assembly for:

- (a) deliberately misleading the Assembly in that he stated to the Assembly on 29 April 1987 that a Japan Australia Transport Study Group had been formed comprising, from the Japanese side, representatives from Japan Railway Technical Services, Japan Railway and Freight Company and the Long-term Credit Bank of Japan knowing, as later public statements have shown, that this statement was false; and
- (b) placing future negotiations with these Japanese companies at risk; and

(2) this Assembly calls upon the Chief Minister to resign forthwith.

Debate ensued.

Personal explanation: The Chief Minister (Mr Hatton) made a personal explanation relating to remarks he made earlier in this debate.

Debate continued.

The Treasurer (Mr Coulter) moved the following amendment -

Omit all words after "That", insert

"This Assembly applauds the efforts of the Chief Minister and the Government to promote the construction of a Darwin to Alice Springs Railway and his continuing efforts to keep this Assembly informed of progress which has been made".

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

Debate continued.

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

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

AYES, 16

NOES, 8

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

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

And so it was resolved in the affirmative.

Suspension of sitting: The sitting was suspended between 12.43 p.m. and 2.45 p.m.

7. PUBLICATIONS COMMITTEE, FIRST AND SECOND REPORTS - PAPERS TABLED - REPORTS ADOPTED:

The Member for Jingili (Mr Setter) laid on the Table the First and Second Reports of the Northern Territory Legislative Assembly Publications Committee.

Mr Setter moved - That the reports be adopted.

Question - put and passed.

8. HOUSING AMENDMENT BILL 1987 (Serial 14):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Bill, by leave, taken as a whole.

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

Insert after clause 7 the following:

"7A. REPEAL OF PART VI

"Part VI of the Principal Act is repealed."

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

9. SALE OF GOODS (VIENNA CONVENTION) BILL 1987 (Serial 9):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

The Attorney-General (Mr Manzie) 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.

10. WILLS AMENDMENT BILL 1987 (Serial 10); and PUBLIC TRUSTEE AMENDMENT BILL 1987 (Serial 11):

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 a motion for the third reading of the Bills to be moved forthwith.

On the motion of the Attorney-General (Mr Manzie) the Bills were read a third time and passed to be proposed laws.

11. VALUATION OF LAND AMENDMENT BILL 1987 (Serial 17):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

12. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 5.25 p.m. until tomorrow at 10.00 a.m.

=====

PAPER TABLED:

The following paper was deemed to have been presented on 3 June 1987:

Annual Report:

Department of Industry and Small Business -

21 December 1984 - 30 June 1985.

=====

ATTENDANCE:

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

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 9

Thursday 4 June 1987

1. MEETING:

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

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Ede: To present the Electoral Amendment Bill 1987 (Serial 37).

Mr Smith: To present the Adoption of Children Amendment Bill 1987 (Serial 39).

4. QUESTIONS:

Questions were asked of Ministers.

Distinguished visitor: Mr Speaker drew attention to the presence in the gallery of Mr Rod Oliver, former Member for Alice Springs. On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitor.

Further questions were asked of Ministers.

5. SUPPLY BILL 1987-88 (Serial 29):

The Treasurer (Mr Coulter), presented a Bill for an Act to make interim provision for the appropriation of money out of the Consolidated Fund for the service of the year ending 30 June 1988.

Bill read a first time.

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

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

6. CHAMBERLAIN CONVICTIONS - COMMISSION OF INQUIRY - REPORT - PAPER:

The order of the day having been read for the resumption of the debate on the motion of the Attorney-General (Mr Manzie) (2 June 1987) - That the Assembly take note of the Paper -

Debate resumed.

Papers Tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table an Opinion from M.L. Abbott, Q.C. and Colin McDonald regarding the pardon extended to Alice Lynne Chamberlain and Michael Leigh Chamberlain, and Appendix A from the Court of Criminal Appeal.

Debate resumed.

On the motion of the Member for Koolpinyah (Mrs Padgham-Purich) debate was adjourned.

7. TRAFFIC AMENDMENT BILL 1987 (Serial 5):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

The Attorney-General (Mr Manzie) 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.

8. ADJOURNMENT:

The Minister for Industries and Development (Mr Perron) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 1.38 p.m. until 10.00 a.m. Tuesday 9 June 1987.

=====

PAPERS TABLED:

The following papers were deemed to have been presented on 4 June 1987:

Annual Reports:

Registrar of Building Societies, 1983-84

Registrar of Building Societies, 1984-85

Registrar of Building Societies, 1985-86

Registrar of Credit Unions, 1983-84

Registrar of Credit Unions, 1984-85

Registrar of Credit Unions, 1985-86

Financial Statement:

Araluen Arts and Cultural Trust, 1986

=====

ATTENDANCE:

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

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 10

Tuesday 9 June 1987

1. MEETING:

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

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Lanhupuy: To move the Northern Territory Heritage Bill 1987 (Serial 38).

Mr Smith: To move - That this Assembly is of the opinion that the Government, as a matter of priority, should examine the Public Service for areas where significant savings can be made without affecting the quality of services delivered to the public or the working conditions or entitlements of public servants.

Mr Smith: To further move - That this Assembly notes with concern the impact that the policies of the Liberal and National Parties would have on the Northern Territory.

4. DISTINGUISHED VISITORS:

Mr Speaker drew attention to the presence in the gallery of Miss Dorothy Ross, National President of the Country Women's Association and Dame Raigh Roe, a previous National President of the Country Women's Association. On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitors.

5. QUESTIONS:

Questions were asked of Ministers.

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

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

7. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE:

Mr Speaker informed the Assembly that the Member for Arnhem (Mr Lanhupuy) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion, namely "the failure of the Government to adequately plan for and provide sufficient and appropriate prison accommodation".

The proposed discussion having received the necessary support -

Mr Lanhupuy addressed the Assembly.

Discussion ensued.

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

Discussion resumed.

Discussion concluded.

8. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
The Treasurer (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Supply Bill 1987-88 (Serial 29) passing through all stages at these sittings.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
9. SUPPLY BILL 1987-88 (Serial 29):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Treasurer (Mr Coulter) the Bill was read a third time and passed to be a proposed law.
10. MINERAL ROYALTY AMENDMENT BILL 1987 (Serial 18):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
The Treasurer (Mr Coulter) 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.
11. FURTHER NOTICE:
The following further notice was given, by leave:
Mr Bell: To present the Liquor Amendment Bill 1987 (Serial 41).
12. POSTPONEMENT OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day No.3, Supreme Court (Rules and Procedure) Bill 1987 (Serial 22) be postponed until a later hour.
Question - put and passed.
13. PLANNING AMENDMENT BILL 1987 (Serial 20):
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 not granted: The Minister for Lands and Housing (Mr Hanrahan) sought leave to move a motion for the third reading of the Bill forthwith. Objection being raised, leave not granted.
Suspension of Standing Orders: Mr Hanrahan moved - That so much of Standing Orders be suspended as would prevent Mr Hanrahan moving a motion for the third reading of the Bill forthwith.
Question - put.
The Assembly divided (the Speaker, the Honourable R.W.S. Vale, in the Chair) -

AYES, 13

NOES, 4

Mr Collins
Mr Coulter
Mr Dale
Mr Firmin
Mr Hanrahan
Mr Harris
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale

Mr Bell
Mr Ede
Mr Lanhupuy
Mrs Padgham-Purich

And so it was resolved in the affirmative.
Mr Hanrahan 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.

14. ADJOURNMENT:

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

Debate ensued.

Paper Tabled: The member for Millner (Mr Smith), by leave, laid on the Table the following Papers: National Companies and Securities Commission Form 47, Notice of Particulars of Charge, Hungerford Refrigeration Pty Ltd (two papers).

Question - put and passed.

The Assembly adjourned at 6.29 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS TABLED:

The following papers were deemed to have been presented on 9 June 1987:

Annual Report:

Department of Health, 1985-86

Financial Statement:

Legislative Assembly Members' Superannuation Fund, 1985-86

Regulations 1987:

No.25, University College of the Northern Territory - By-law governing examinations

=====

ATTENDANCE:

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

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 11

Wednesday 10 June 1987

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mr Poole presented a petition from 2216 citizens of Alice Springs relating to efforts to be made to counter the growing social problems in Alice Springs.

Petition read.

Mr Perron, by leave, presented a petition, not conforming with Standing Orders, from 421 citizens of the Northern Territory requesting the non-irradiation of food in the Northern Territory.

Petition read.

Mr Leo presented a petition from 511 citizens of the Northern Territory requesting the maintenance of health and community services to the residents of East Arnhem.

Petition read.

4. SUSPENSION OF STANDING ORDERS - CENSURE OF THE LEADER OF THE OPPOSITION:

The Chief Minister (Mr Hatton) moved - That so much of Standing Orders be suspended as would prevent the Chief Minister from moving a motion forthwith to censure the Leader of the Opposition.

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

5. CENSURE OF THE LEADER OF THE OPPOSITION - MOTION:

The Chief Minister (Mr Hatton) moved - That -

- (1) this Assembly censures the Leader of the Opposition for his consistent and misleading promotion of matters which seek to damage the process of proper and orderly development of the Northern Territory, with particular relation to:
 - (a) his support of a Federal Government which has maliciously reneged on its obligations to provide adequate funding levels to the Northern Territory;
 - (b) his attempts to disrupt commercial discussions with companies in Australia and overseas which could lead to construction of a Territory railway service;
 - (c) his efforts to denigrate a company and its principals in the process of establishing in the Trade Development Zone, and his lack of support for the orderly establishment of the Trade Development Zone itself;
 - (d) his continuing campaign to weaken investment confidence in the Northern Territory through misleading and false public statements about tourism infrastructure in the Territory; and

(e) his total lack of support for the establishment of a Northern Territory University College, and his endorsement of Federal Government moves to hinder the orderly development of the University College; and

(2) this Assembly calls upon the Leader of the Opposition to resign from his office forthwith.

Debate ensued.

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

Debate resumed.

The Member for Nhulunbuy (Mr Leo) moved the following amendment -

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

"(a) supports the Leader of the Opposition in his consistent efforts to promote the wellbeing of Territorians and the future of the Northern Territory;

(b) supports the approach taken by the Opposition to the scrutiny of the expenditure of taxpayers' money by the Northern Territory Government; and

(c) rejects the Northern Territory Government's attempts to stifle debate on financial matters which affect the Territory".

The Chief Minister (Mr Hatton) moved - That the question - That the amendment be agreed to - be put.

Question - put and passed.

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

Debate resumed.

Question - put.

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

AYES, 14

NOES, 5

Mr Coulter

Mr Dale

Mr Dondas

Mr Firmin

Mr Hanrahan

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mr Palmer

Mr Perron

Mr Poole

Mr Reed

Mr Setter

Mr Bell

Mr Ede

Mr Leo

Mr Smith

Mr Tipiloura

And so it was resolved in the affirmative.

6. NOTICES:

The following notices were given:

Mr Manzie: To present the Jurisdiction of Courts (Cross-vesting) Bill 1987 (Serial 32); the Traffic Bill 1987 (Serial 42); the Companies (Application of Laws) Amendment Bill 1987 (Serial 31); and the National Companies and Securities Commission (Northern Territory Provisions) Amendment Bill 1987 (Serial 30).

7. NORTHERN TERRITORY PASTORAL INDUSTRY STUDY - PAPER TABLED - MOTION TO NOTE:

The Minister for Industries and Development (Mr Perron) laid on the Table the following Paper: Report of the Northern Territory Pastoral Industry Study.

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

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

8. HORTICULTURAL INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT: The Minister for Industries and Development (Mr Perron) made a statement relating to the horticultural industry in the Northern Territory.

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

Debate ensued.

On the motion of the Member for Katherine (Mr Reed) debate was adjourned.

9. PERSONAL EXPLANATION:

The Member for Casuarina (Mr Dondas), by leave, made a personal explanation relating to comments made earlier in these sittings by the Member for Macdonnell (Mr Bell) regarding Finnis Station.

10. PERSONAL EXPLANATION - LEAVE DENIED:

The Member for Macdonnell (Mr Bell) sought leave to make a personal explanation.

Objection being made, leave not granted.

Suspension of Standing Orders - negatived:

Mr Bell moved - That so much of Standing Orders be suspended as would prevent him from making a personal explanation forthwith.

Question - put.

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

AYES, 7

NOES, 14

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

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

And so it was resolved in the negative.

11. PERSONAL EXPLANATION:
The Member for Nhulunbuy (Mr Leo), by leave, made a personal explanation relating to Crab Claw Island.
12. PERSONAL EXPLANATION:
The Member for Macdonnell (Mr Bell), by leave, made a personal explanation in relation to comments made by the Member for Casuarina (Mr Dondas) in a personal explanation made earlier this day.
13. ABORIGINAL CUSTOMARY LAW - MOTION:
The Member for Macdonnell (Mr Bell) moved - That this Assembly resolves to work towards development of an appropriate relationship between Aboriginal customary law and the current justice system in the Northern Territory.
Debate ensued.
The Member for Karama (Mr Palmer) moved the following amendment -

After the words "Assembly resolves", insert "to continue".

Amendment agreed to.
Debate resumed.
Question - That the motion as amended be agreed to - put and passed.
14. ELECTORAL AMENDMENT BILL 1987 (Serial 37):
The Deputy Leader of the Opposition (Mr Ede), pursuant to notice, presented a Bill for an Act to amend the *Electoral Act*.
Bill read a first time.
Mr Ede moved - That the Bill be now read a second time.
On the motion of the Chief Minister (Mr Hatton) debate was adjourned.
15. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
The Leader of the Opposition (Mr Smith) moved - That so much of Standing Orders be suspended as would prevent the Adoption of Children Amendment Bill 1987 (Serial 39) passing through all stages at these sittings.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
16. ADOPTION OF CHILDREN AMENDMENT BILL 1987 (Serial 39):
The Leader of the Opposition (Mr Smith), pursuant to notice, presented a Bill for an Act to amend the *Adoption of Children Act*.
Bill read a first time.
Mr Smith moved - That the Bill be now read a second time.
Debate ensued.
Question put and negatived.
17. NORTHERN TERRITORY HERITAGE BILL 1987 (Serial 38):
The Deputy Leader of the Opposition (Mr Ede), pursuant to notice and at the request of the Member for Arnhem (Mr Lanhupuy), presented a Bill for an Act to establish the Northern Territory Heritage Council, and for related purposes.
Bill read a first time.
Mr Ede moved - That the Bill be now read a second time.
On the motion of the Leader of Government Business (Mr Hanrahan) debate was adjourned.

18. LEAVE OF ABSENCE:

The Leader of the Opposition (Mr Smith) moved - That leave of absence for the remainder of this sitting be granted to the Member for Arnhem, Mr Lanhupuy, on account of pressing electorate business.

Question - put and passed.

19. PUBLIC SERVICE SAVINGS - MOTION:

The Leader of the Opposition (Mr Smith) moved - That this Assembly is of the opinion that the Government, as a matter of priority, should examine the Public Service for areas where significant savings can be made without affecting the quality of services delivered to the public or the working conditions or entitlements of public servants.

Debate ensued.

The Chief Minister (Mr Hatton) moved the following amendment -

Omit all words after "this Assembly", and insert in their stead -

"(1) is of the opinion that the Government should continue to investigate and identify areas of savings within the Northern Territory Public Service with a view to improving the efficiency of delivery of services in a cost effective manner;

(2) recognises that, in the present economic climate, a comprehensive review of the terms and conditions of employment of Public Servants is a responsible course of action."

Debate ensued.

Amendment agreed to.

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

20. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.15 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS:

The following paper was deemed to have been presented on 10 June 1987:

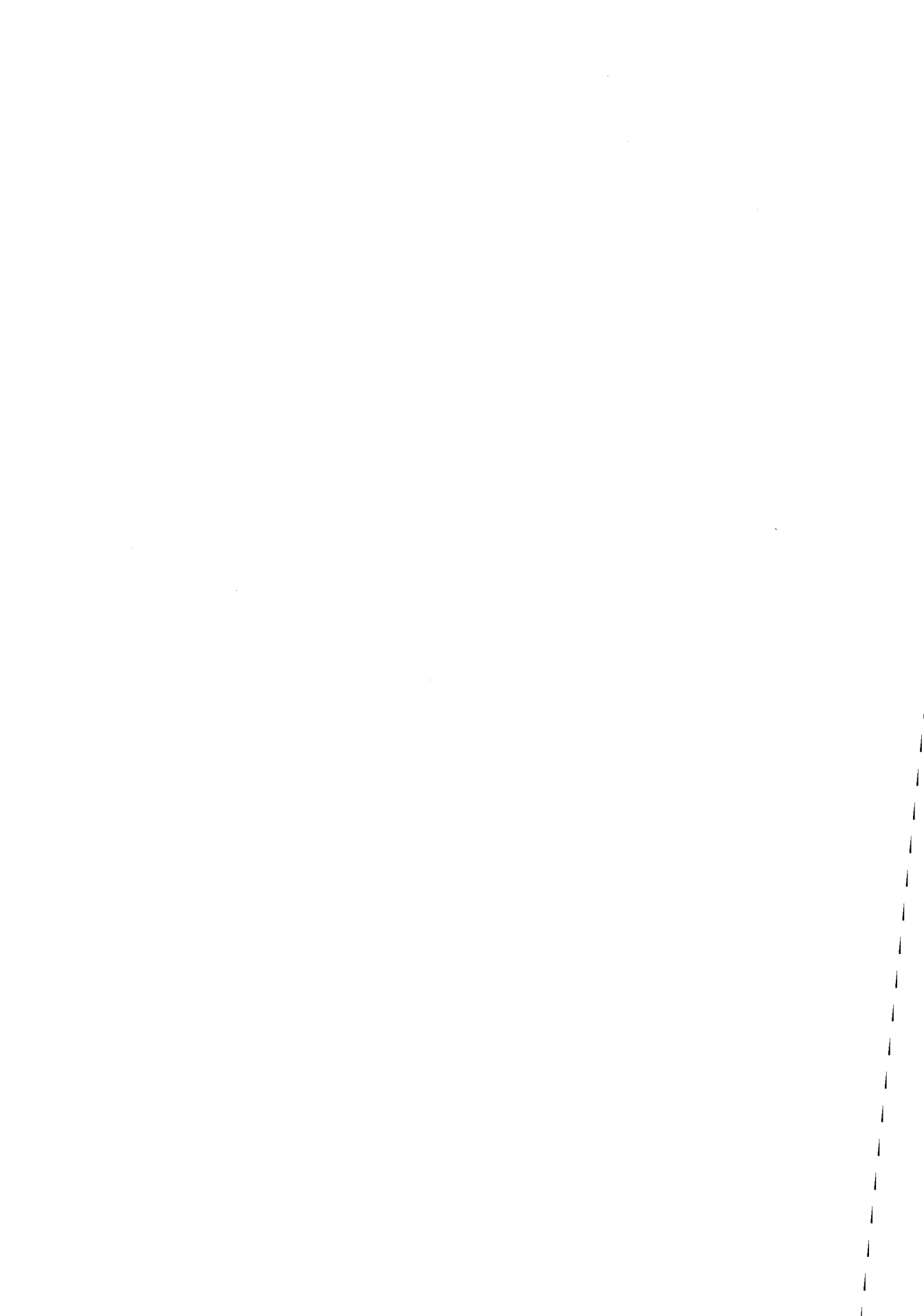
Community Government Scheme:

Pine Creek

=====

ATTENDANCE:

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



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 12

Thursday 11 June 1987

1. MEETING:

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

2. PRAYERS.

3. QUESTIONS:

Questions were asked of Ministers.

4. ECONOMIC STATEMENT - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Treasurer (Mr Coulter), made a statement relating to the economy of the Northern Territory.

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

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

5. BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL 1987 (Serial 40):

The Treasurer (Mr Coulter), by leave, presented a Bill for an Act to amend the *Business Franchise (Tobacco) Act* by broadening the scope of that Act to include petroleum products and wholesalers of petroleum products.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

6. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:

The Treasurer (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills namely: the Stamp Duties Amendment (No.2) Bill 1987 (Serial 44) and the Taxation (Administration) Amendment Bill 1987 (Serial 45),

(a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and

(b) the consideration of the Bills separately in Committee of the Whole.

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

7. STAMP DUTY AMENDMENT BILL (No.2) 1987 (Serial 44); and TAXATION (ADMINISTRATION) AMENDMENT BILL 1987 (Serial 45):

The Treasurer (Mr Coulter), by leave and pursuant to resolution, presented Bills for Acts to amend the *Stamp Duty Act* and the *Taxation (Administration) Act*.

Bills read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

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

8. ALTERATION OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That the Order of the Day, Government Business, relating to the Economic Statement made by the Treasurer this day be called on forthwith.
Question - put and passed.
9. DISTINGUISHED VISITOR:
Mr Speaker drew attention to the presence in the gallery of the Honourable W.C. Wentworth, a former Federal Minister. On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitor.
10. ECONOMIC STATEMENT - MOTION TO NOTE STATEMENT:
The order of the day having been read for the resumption of the debate on the motion of Mr Coulter - That the Assembly take note of the statement -
Debate resumed.
On the motion of the Leader of Government Business (Mr Hanrahan) debate was adjourned.
11. SPECIAL ADJOURNMENT:
The Leader of Government Business (Mr Hanrahan) moved - That this Assembly at its rising adjourn until Thursday 25 June 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to sessional order.
12. PUBLICATIONS COMMITTEE - THIRD REPORT - REPORT ADOPTED:
The Member for Jingili (Mr Setter) laid on the Table the Third Report of the Publications Committee.
Mr Setter moved - That the report be adopted.
Question - put and passed.
13. NORTHERN TERRITORY ELECTRICITY COMMISSION INQUIRY - PAPER TABLED - STATEMENT - MOTION TO NOTE STATEMENT:
The Treasurer (Mr Coulter) laid on the Table a report entitled "Inquiry into Collapse of the Northern Territory Electricity Commission System on Thursday, 9 April and on Sunday, 26 April 1987" by David M. Cole, B.E. MIE (Aust.), Manager Operations, Queensland Electricity Commission, May 1987.
Mr Coulter, by leave, made a statement relating thereto.
Mr Coulter moved - That the Assembly take note of the statement.
Debate ensued.
On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.
14. POSTPONEMENT OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That intervening business be postponed until after consideration of General Business, Notices Nos. 1 and 2.
Question - put and passed.
15. LIBERAL AND NATIONAL PARTIES' POLICIES - MOTION:
The Leader of the Opposition (Mr Smith) moved - That this Assembly notes with concern the impact that the policies of the Liberal and National Parties would have on the Northern Territory.
Debate ensued.
The Chief Minister (Mr Hatton) moved the following amendment -

Omit "concern", and insert in its stead "joy".

Debate ensued.

Distinguished visitor: Mr Speaker drew attention to the presence in the gallery of Mr B.F. Kilgariff, the first Speaker of the Northern Territory Legislative Assembly, a former Member of the Northern Territory Legislative Council and former Senator for the Northern Territory.

Debate continued.

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

Debate continued.

Question - That the motion, as amended, be agreed to -

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

AYES, 15

NOES, 5

Mr Coulter

Mr Dondas

Mr Firmin

Mr Hanrahan

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

Mr Perron

Mr Poole

Mr Reed

Mr Setter

Mr Vale

Mr Bell

Mr Ede

Mr Leo

Mr Smith

Mr Tipiloura

And so it was resolved in the affirmative.

16. LIQUOR AMENDMENT BILL 1987 (Serial 41):

The Member for Macdonnell (Mr Bell), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act*.

Bill read a first time.

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

On the motion of the Treasurer (Mr Coulter) debate was adjourned.

17. ALTERATION OF ORDER OF BUSINESS:

The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day No.1, Power and Water Authority Bill 1987 (Serial 25), Electricity Commission Amendment Bill 1987 (Serial 26), Water Supply and Sewerage Amendment Bill 1987 (Serial 27) and Public Service Amendment Bill 1987 (Serial 28), be called on forthwith.

Question - put and passed.

18. POWER AND WATER AUTHORITY BILL 1987 (Serial 25); ELECTRICITY COMMISSION AMENDMENT BILL 1987 (Serial 26); WATER SUPPLY AND SEWERAGE AMENDMENT BILL 1987 (Serial 27); and PUBLIC SERVICE AMENDMENT BILL 1987 (Serial 28):

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

Debate resumed.

Question - put and passed.

Bills read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Power and Water Authority Bill 1987 (Serial 25) -

Bill, by leave, taken as a whole.

On the motion of Mr Perron, the following amendments, by leave, were taken together and agreed to -

Clause 4 -

Insert after "Commission." at the end of subclause (2)(d) the following:

"and -

- (i) all property of whatever nature and however described and whether real or personal, vested or contingent or corporeal or incorporeal;
- (ii) all debts, obligations and liabilities whether actual, contingent or accrued; and
- (iii) all contracts and arrangements,

of the Commission as at the commencement of this Act shall continue to be the property, debts, obligations and liabilities and contracts and arrangements of that body corporate."

Omit from subclause (4) the word "authority" and insert in its stead "corporation".

Clause 14 -

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

"(3) The functions of the Authority are, in relation to gas -

- (a) to buy, sell, process, store or transport -
 - (i) gas or products derived from gas; or
 - (ii) products associated with gas or the products derived from it; and
- (b) to carry out such specific functions in respect of the items specified in paragraph (a) as the Minister may, in writing, direct."

Clause 15 -

Omit from subclause (2)(w) the words "for the generation of electricity" and insert in their stead "in the carrying out of its functions".

Omit from subclause (2)(x) the words "for the generation of electricity" and insert in their stead "in the carrying out of its functions".

Clause 31 -

Omit from sub-clause (2) ", or whatever" and insert in its stead "or instrument (including a contract, arrangement, Act, regulation, by-law or rule or court document relating to an action, prosecution or proceeding)".

Insert at the end the following:

"(3) By-laws made by the Commission under the *Electricity Commission Act* and in force as at the commencement of this Act, being by-laws which, after the commencement, could be made by the Authority under this Act shall not expire but continue in force as if they were made by the Authority, and may be amended by the Authority accordingly."

Bill, as amended, agreed to.

Bill to be reported with amendments.

Electricity Commission Amendment Bill 1987 (Serial 26) -

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

Bill to be reported without amendment.

Water Supply and Sewerage Amendment Bill 1987 (Serial 27) -

Bill, by leave, taken as a whole.

On the motion of Mr Perron the following amendments, by leave, were taken together and agreed to -

SCHEDULE -

Insert after the item relating to section 27(5)(c) the following:

"28 'Minister' 'Authority'".

Omit from "30(2)(d)" in the first column the expression "d" and insert in its stead "e".

Insert in the first column in the item relating to section 32(1) opposite "Minister" where it secondly appears the expression "32(2)".

Insert after the item relating to section 47(b) the following:

"48 'Minister' 'Authority'".

Bill, as amended, agreed to.

Bill to be reported with amendments.

Public Service Amendment Bill 1987 (Serial 28) -

Bill, by leave, taken as a whole.

On the motion of Mr Perron, the following amendments, by leave, were taken together and agreed to -

Clause 3 -

Insert in proposed section 44S(5) after "terms" the words
", subject to sections 44W and 44X,".

Omit proposed section 44W where it secondly appears and
insert in its stead the following:

"44X. EMPLOYEES WHO ELECT NOT TO RETURN TO PUBLIC SERVICE

"(1) A transferable employee who does not elect under
section 44W to return to duties in the Public Service shall be
deemed, on the expiration of a period of 2 years after the
commencement of the *Power and Water Authority Act*, to have
resigned from the Public Service and to have become a
transferred employee, and the provisions of section 44R shall
apply accordingly.

"(2) Notwithstanding the provisions of subsection (1) or
section 44R, where a transferred employee was an officer of the
Australian Public Service to whom section 39 applies, that
employee shall, for the purpose only of retaining any rights
still existing in respect of the Australian Public Service, be
deemed not to have resigned pursuant to those provisions."

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

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

On the motion of the Minister for Industries and Development (Mr Perron)
the Bills were read a third time and passed to be proposed laws.

19. STAMP DUTY AMENDMENT BILL 1987 (Serial 16):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

On the motion of the Leader of Government Business (Mr Hanrahan) the
Bill was read a third time and passed to be a proposed law.

20. JURISDICTION OF COURTS (CROSS-VESTING) BILL 1987 (Serial 32):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for
an Act to make provision for the cross-vesting of certain jurisdiction.

Bill read a first time.

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

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

21. TRAFFIC BILL 1987 (Serial 42):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for
an Act to regulate traffic.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

22. COMPANIES (APPLICATION OF LAWS) AMENDMENT BILL 1987 (Serial 31):

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

Bill read a first time.

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

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

23. NATIONAL COMPANIES AND SECURITIES COMMISSION (NORTHERN TERRITORY PROVISIONS) AMENDMENT BILL 1987 (Serial 30):

The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *National Companies and Securities Commission (Northern Territory Provisions) Act*.

Bill read a first time.

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

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

24. ADJOURNMENT:

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

Debate ensued.

Paper Tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table the following paper: A photocopy of a Westpac Banking Corporation Cheque and National Australia Bank Notice of stop payment on that cheque.

Debate continued.

Papers Tabled: The Leader of the Opposition (Mr Smith), by leave, laid on the Table the following papers: A letter dated 10 June 1987 from Ward Keller, Barristers, Solicitors and Notaries regarding comments made by Mr Smith in relation to Hungerford Refrigeration Pty Ltd together with Mr Smith's reply dated 11 June 1987.

Debate continued.

Question - put and passed.

The Assembly adjourned at 9.15 p.m. until 10.00 a.m. on Thursday 25 June 1987.

=====

PAPERS TABLED:

The following papers were deemed to have been presented on 11 June 1987:

Annual Report:

National Companies and Securities Commission, 1985-86

Regulations 1987:

No.21 - Katherine (Parking) By-law

=====

ATTENDANCE:

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

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 13

Thursday 25 June 1987

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly dated 11 June 1987. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. DISTINGUISHED VISITOR:

Mr Speaker drew attention to the presence in the gallery of Mr Tom Bell, a former Member of the Northern Territory Legislative Council (McMillan). On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitor.

4. LEAVE OF ABSENCE:

The Member for Ludmilla (Mr Firmin) moved - That leave of absence for this sittings be granted to the Minister for Transport and Works, Mr Finch, on account of ill health.

Question - put and passed.

5. QUESTIONS:

Questions were asked of Ministers.

And the Member for Macdonnell (Mr Bell) continuing to interrupt after having been cautioned by Mr Speaker -

Member named and suspended: Mr Speaker named Mr Bell.

The Leader of Government Business (Mr Hanrahan) moved - That the Member for Macdonnell be suspended from the service of this Assembly.

Question - put.

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

AYES, 14

NOES, 9

Mr Coulter

Mr Dale

Mr Dondas

Mr Firmin

Mr Hanrahan

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mr Palmer

Mr Perron

Mr Poole

Mr Reed

Mr Setter

Mr Bell

Mr Collins

Mr Ede

Mr Lanhupuy

Mr Leo

Mrs Padgham-Purich

Mr Smith

Mr Tipiloura

Mr Tuxworth

And so it was resolved in the affirmative.

Mr Bell was, therefore, suspended at 10.27 a.m. for 24 hours, pursuant to Standing Order 241, and he accordingly withdrew from the Chamber.

Further questions were asked of Ministers.

6. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly at its rising adjourn until Tuesday 18 August 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

Question - put and passed.

7. LEGISLATIVE ASSEMBLY MEMBERS' REMUNERATION BILL 1987 (Serial 46):

The Chief Minister (Mr Hatton), by leave, presented a Bill for an Act to reduce the additional salaries payable to certain members of the Legislative Assembly.

Bill read a first time.

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

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

8. VALIDATION (MINING TENEMENTS) BILL 1987 (Serial 47):

The Minister for Mines and Energy (Mr Coulter), by leave, presented a Bill for an Act to ensure the validity of certain mining tenements granted under the *Mining Act*.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

9. POISONS AND DANGEROUS DRUGS AMENDMENT BILL 1987 (Serial 36):

The Minister for Health and Community Services (Mr Dale), by leave, presented a Bill for an Act to amend the *Poisons and Dangerous Drugs Act*.

Bill read a first time.

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

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

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

The Minister for Mines and Energy (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Validation (Mining Tenements) Bill 1987 (Serial 47) passing through all stages at these sittings.

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

11. ALTERATION OF ORDER OF BUSINESS:

The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day, relating to the Validation (Mining Tenements) Bill 1987 (Serial 47), be called on forthwith.

Question - put and passed.

12. VALIDATION (MINING TENEMENTS) BILL 1987 (Serial 47):

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

Debate resumed.

Question - put and passed.

Bill read a second time.

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

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

13. STAMP DUTY AMENDMENT BILL (No.2) 1987 (Serial 44) and TAXATION (ADMINISTRATION) AMENDMENT BILL 1987 (Serial 45):

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.

Suspension of sitting: The sitting was suspended between 12.02 p.m. and 2.00 p.m.

And the bells having been rung at 2.00 p.m. the Assembly resumed at 2.13 p.m.
Debate continued.

Suspension of sitting: Disorder arising in the Public Gallery the sitting was suspended between 3.13 p.m. and 3.27 p.m.

Debate continued.

Suspension of Standing Orders: The Treasurer and Minister for Local Government (Mr Coulter), by leave, moved - That so much of Standing Orders be suspended as would prevent the Stamp Duty Amendment Bill (No.2) 1987 (Serial 44) and the Taxation (Administration) Amendment Bill 1987 (Serial 45) passing through all stages at these sittings.

Question - put and passed.

Bills read a second time.

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

In the Committee
(Chairman - Mr Dondas)

Stamp Duty Amendment Bill (No.2) 1987 (Serial 44) -

Clause 1 agreed to.

Clause 2 read -

Mr Coulter moved the following amendment -

Omit "July" and insert in its stead "August".

Debate ensued.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 3 to 7, by leave, taken together and agreed to.

Clause 8 read -

Mr Coulter moved the following amendment -

Omit from paragraph (b) "situated" and insert in its stead "or a Crown lease for a term exceeding 5 years of land".

Amendment agreed to.

Clause, as amended, agreed to.

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

Bill reported with amendments.

Taxation (Administration) Amendment Bill 1987 (Serial 45) -

Clause 1 agreed to.

Clause 2 read -

Mr Coulter moved the following amendment -

Omit "July" and insert in its stead "August".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 3 to 11, by leave, taken together and agreed to.

Clause 12 read -

Mr Coulter moved the following amendment -

Insert after proposed section 80E the following:

"80EA. PAYMENT MAY BE MADE IN ARREARS

"(1) Notwithstanding anything to the contrary in this or any other Act but subject to this section, a person may, in respect of an accommodation house, on a form provided by the Commissioner for the purpose -

- (a) apply to the Commissioner for a supply of adhesive stamps to be used for the purposes of this Division, being a supply which is estimated would be used on tourism marketing duty invoices made out in the accommodation house during the period (not exceeding one month) specified in the application; and
- (b) undertake to pay for such adhesive stamps as are used on tourism marketing duty invoices during the period for which they were supplied in accordance with the conditions specified on the form.

"(2) The Commissioner may, on receipt of an application form pursuant to subsection (1) and after being satisfied of the status and authority of the applicant to give the undertaking mentioned in paragraph (b) of that subsection, provide the applicant, without requiring immediate payment, with a supply of adhesive stamps to be used in accordance with this Division.

"(3) A person who fails to comply with an undertaking given pursuant to subsection (1) and accepted by the Commissioner under subsection (2) is guilty of an offence.

Penalty: \$500."

Amendment agreed to.

Clause, as amended, agreed to after debate.

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

Clause 16 read -

Mr Coulter moved the following amendment -

Omit "July" from subclause (2)(a) and insert in its stead "August".

Amendment agreed to.

Mr Smith moved the following amendment -

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

"(b) was made to give effect to a contract entered into on or before that day."

Debate ensued.

Question - That the amendment be agreed to - put.

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

AYES, 7

NOES, 12

Mr Collins
Mr Ede
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tuxworth

Mr Coulter
Mr Dondas
Mr Firmin
Mr Hanrahan
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Perron
Mr Poole
Mr Reed
Mr Setter

And so it was resolved in the negative.

Mr Coulter moved the following further amendment -

Omit "August" (twice appearing) from subclause (3) and insert in its stead in each case "September".

Amendment agreed to.

Mrs Padgham-Purich moved the following amendment -

Add at the end the following:

"(4) Division 13A of the Principal Act (as inserted by section 12 of this Act) shall expire with 31 July 1990, and the provisions of that Division shall cease to apply to the let of an accommodation unit (within the meaning of section 80A of the Principal Act) after that day notwithstanding that the let commenced before that day but was not completed until afterwards."

Debate ensued.

Question - That the words proposed to be added, be added - put and negatived.

Clause, as amended, agreed to.

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

Bills to be reported with amendments.

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

The Treasurer and Minister for Local Government (Mr Coulter) 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.

14. BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL 1987 (Serial 40):

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

Debate resumed.

Suspension of Standing Orders: The Treasurer and Minister for Local Government (Mr Coulter), by leave, moved - That so much of Standing Orders be suspended as would prevent the Business Franchise (Tobacco) Amendment Bill 1987 (Serial 40) passing through all stages at these sittings.

Question - put and passed.

Bill read a second time.

Message from the Administrator:

Mr Speaker read the following message from His Honour the Administrator.

Message No.2

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 Amendment Schedule No.8 which amends the Business Franchise (Tobacco) Amendment Bill 1987 (Serial 40) at present before the Legislative Assembly.

Dated this twenty-third day of June, 1987.

(Sgd) E.E. JOHNSTON
Administrator.

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

In the Committee
(Chairman - Mr Dondas)

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

Clause 5 read -

Mr Coulter moved the following amendment -

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

"(f) by inserting in subsection (1), after the definition of 'voting share', the following:

"'wholesaling of petroleum products' means selling petroleum products when those petroleum products have not previously been sold in the Territory.'; and".

Amendment agreed to.

Clause, as amended, agreed to.

Clause 6 read -
Mr Coulter moved the following amendment -

Omit from proposed section 5(1)(a) "how constitutes" and insert in its stead "who constitutes".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 7 to 12, by leave, taken together and agreed to.

New clause -

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

"12A. NEW SECTION

"The Principal Act is amended by inserting in Part V, after section 26, the following:

'26A. APPROPRIATION OF AMOUNT OF REBATE

'Where a fee for a licence in respect of petroleum products is rebated under the Regulations, the Consolidated Fund is, by force of this section, appropriated to the extent necessary to satisfy that rebate.'".

Clause 13 agreed to.

Clause 14 read -

Mr Coulter moved the following amendment -

Omit from proposed section 38(2)(a) "remission of a fee" and insert in its stead "remission or rebating of a fee".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 15 and 16, by leave, taken together and agreed to.

Clause 17 read -

Mr Coulter moved the following amendment -

Omit from subclause (1) "the month of July 1987" and insert in its stead "each of the months of July and August 1987".

Amendment agreed to.

Mr Coulter moved the following further amendment -

Omit subclause (2).

Amendment agreed to.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

On the motion of the Treasurer and Minister for Local Government (Mr Coulter) the Bill was read a third time and passed to be a proposed law.

15. PUBLIC EMPLOYMENT (MODIFICATION OF TERMS AND CONDITIONS OF EMPLOYMENT) BILL 1987 (Serial 48):
The Minister for Labour and Administrative Services (Mr McCarthy), by leave, presented a Bill for an Act relating to terms and conditions of employment of certain persons employed in the Northern Territory Public Service or in the service of certain public authorities, institutions or bodies, to remove certain provisions from the *Public Service Act* and the *Teaching Service Act*, to provide for the payment of just compensation in certain circumstances, and for related purposes.
Bill read a first time.
Mr McCarthy moved - That the Bill be now read a second time.
On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.
16. ORDER OF BUSINESS POSTPONED:
The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day No.3, relating to debate on the Economic Statement made by the Treasurer on 11 June 1987, be postponed until a later hour.
Question - put and passed.
17. SUSPENSION OF STANDING ORDERS - PASS BILLS THROUGH ALL STAGES:
The Attorney-General (Mr Manzie) moved - That so much of Standing Orders be suspended as would prevent the Companies (Application of Laws) Amendment Bill 1987 (Serial 31) and the National Companies and Securities Commission (Northern Territory Provisions) Amendment Bill 1987 (Serial 30) passing through all stages at this sitting.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
18. COMPANIES (APPLICATION OF LAWS) AMENDMENT BILL 1987 (Serial 31):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.
19. NATIONAL COMPANIES AND SECURITIES COMMISSION (NORTHERN TERRITORY PROVISIONS) AMENDMENT BILL 1987 (Serial 30):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.
20. ALTERATION OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Orders of the Day relating to the Poisons and Dangerous Drugs Amendment Bill 1987 (Serial 36) and the Legislative Assembly Members' Remuneration Bill 1987 (Serial 46) be called on immediately in that order, forthwith.
Question - put and passed.

21. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
The Minister for Health and Community Services (Mr Dale) moved - That so much of Standing Orders be suspended as would prevent the Poisons and Dangerous Drugs Amendment Bill 1987 (Serial 36) passing through all stages at this sitting.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
22. POISONS AND DANGEROUS DRUGS AMENDMENT BILL 1987 (Serial 36):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Health and Community Services (Mr Dale) the Bill was read a third time and passed to be a proposed law.
23. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:
Mr Hatton (Chief Minister) moved - That so much of Standing Orders be suspended as would prevent the Legislative Assembly Members' Remuneration Bill 1987 (Serial 46) passing through all stages at this sitting.
Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
24. LEGISLATIVE ASSEMBLY MEMBERS' REMUNERATION BILL 1987 (Serial 46):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Dondas)

Bill, by leave, taken as a whole.

Mr Smith moved the following amendments together, by leave -

Omit from paragraph (a) "\$5,000" and insert in its stead "\$11,000".

Insert after paragraph (a) the following:

"(aa) in the case of the Deputy Chief Minister - \$9,000 per annum; and".

Omit from paragraph (b) "\$3,000" and insert in its stead "\$8,000".

Debate ensued.

Question - That the amendment be agreed to - put.

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

AYES, 6

Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura
Mr Tuxworth

NOES, 16

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

And so it was resolved in the negative.
Bill, as printed, agreed to.
Bill to be reported without amendment.

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

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

25. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.15 p.m. until Tuesday 18 August 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to sessional order.

=====

ATTENDANCE:

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

H.G. SMITH
Clerk of the Legislative Assembly.

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

INDEX TO MINUTES

SITTING DAY Nos. 7 to 13

From	to	Pages
2 June 1987	25 June 1987	45-80
BILLS		D = Discharged P = Passed N = Negatived
Serial 39	Adoption of Children Amendment 1987	51,60N
40	Business Franchise (Tobacco) Amendment 1987	63,76-79P
31	Companies (Application of Laws) Amendment 1987	59,69,79P
37	Electoral Amendment 1987	51,60
26	Electricity Commission Amendment 1987	65-68P
14	Housing Amendment 1987	49P
32	Jurisdiction of Courts (Cross-vesting) 1987	59,68
46	Legislative Assembly Members' Remuneration 1987	72,80-81P
1	Legislative Assembly (Register of Members' Interests) Amendment 1987	46P
41	Liquor Amendment 1987	54,65
18	Mineral Royalty Amendment 1987	54P
30	National Companies and Securities Commission (Northern Territory Provisions) Amendment 1987	59,69,79P
38	Northern Territory Heritage 1987	53,60
20	Planning Amendment 1987	54,55P
25	Power and Water Authority 1987	65-68P
36	Poisons and Dangerous Drugs Amendment 1987	72,80P
48	Public Employment (Modification of Terms and Conditions of Employment) 1987	78
28	Public Service Amendment 1987	65-68P
11	Public Trustee Amendment 1987	50
9	Sale of Goods (Vienna Convention) 1987	49P
16	Stamp Duty Amendment 1987	63,68P
44	Stamp Duty Amendment (No.2) 1987	63,73-76P
29	Supply 1987-88	51,54P
45	Taxation (Administration) Amendment 1987	63,73-76P
42	Traffic 1987	59,68
5	Traffic Amendment 1987	51,52P
47	Validation (Mining Tenements) 1987	72,73P
17	Valuation of Land Amendment 1987	50P
27	Water Supply and Sewerage Amendment 1987	65-68P
10	Wills Amendment 1987	50P
BILL NEGATIVED		
Serial 39	Adoption of Children Amendment 1987	60
CENSURE		
Chief Minister, Japan Railway Study Group - amended by Leader of the Opposition		47,48
Leader of the Opposition		57,58

DISCUSSION - MATTERS OF PUBLIC IMPORTANCE	
Prison accommodation	53
DISTINGUISHED VISITORS	
Mr Tom Bell, former Member of the Legislative Council	71
Mr Jack Doolan, former Member for Victoria River, Northern Territory Legislative Assembly	45
Mr B.F. Kilgariff, first Speaker of the Northern Territory Legislative Assembly and former Senator for the Northern Territory	65
Mr Rod Oliver, former Member for Alice Springs, Northern Territory Legislative Assembly	51
Dame Raigh Roe, former National President, Country Women's Association	53
Miss Dorothy Ross, National President, Country Women's Association	53
Mr Roger Steele, former Speaker, Northern Territory Legislative Assembly	45
Honourable W.C. Wentworth, former Federal Minister	64
LEAVE DENIED	
Mr Bell to make personal explanation	59
Mr Hanrahan to move motion for third reading of a Bill forthwith	54
LEAVE OF ABSENCE	
Mr Finch	45,71
Mr Lanhupuy	61
MEMBER NAMED	
Mr Bell	71
MESSAGE FROM THE ADMINISTRATOR	
No.1 - Supply Bill 1987-88 (Serial 29)	47,48
No.2 - Business Franchise (Tobacco) Amendment 1987 (Serial 40)	76,77
MOTIONS NEGATIVED	
Censure of Chief Minister, Japan Railway Study Group	47
Censure of Leader of the Opposition - amendment (Mr Leo)	58
Suspension of Standing Orders - Personal Explanation (Mr Bell)	59
MOTIONS (Procedural)	
Suspend standing orders -	
Censure, Leader of the Opposition	57
Pass Bills through all stages -	
Adoption of Children Amendment Bill 1987 (Serial 39)	60
Business Franchise (Tobacco) Amendment Bill 1987 (Serial 40)	76
Companies (Application of Laws) Amendment Bill 1987 (Serial 31)	79
Legislative Assembly Members' Remuneration Bill 1987 (Serial 46)	80

National Companies and Securities Commission (Northern Territory Provisions) Amendment Bill 1987 (Serial 30)	79
Poisons and Dangerous Drugs Amendment Bill 1987 (Serial 36)	80
Supply Bill 1987-88 (Serial 29)	54
Validation (Mining Tenements) Bill 1987 (Serial 47)	72
Personal Explanation - Mr Bell	59
Take two Bills together - Stamp Duty Amendment (No.2) Bill 1987 (Serial 44) and Taxation (Administration) Amendment Bill 1987 (Serial 45)	63
Third reading forthwith - Planning Amendment Bill 1987 (Serial 20)	54
MOTIONS (Substantive)	
Aboriginal Customary Law	47,60
Adopt -	
Publications Committee, First Report	49
Publications Committee, Second Report	49
Publications Committee, Third Report	64
Censure of Chief Minister, Japan Railway Study Group	47,48
Censure of Leader of Opposition	47,48
Chamberlain Convictions Inquiry, Justice Morling	45,51
Economic Statement	63,64
Horticultural Industry	59
Liberal and National Parties' policies	53,64
Northern Territory Electricity Commission Inquiry	64
Northern Territory Pastoral Industry Study	59
Note paper -	
Chamberlain Convictions Inquiry, Justice Morling	45,51
Northern Territory Pastoral Industry Study	59
Note statement -	
Economic Statement	63,64
Horticultural Industry	59
Northern Territory Electricity Commission Inquiry	64
Print -	
Chamberlain Convictions Inquiry, Royal Commission Inquiry, Justice T.R. Morling	45
Public Service savings/working conditions	53,61
Publications Committee -	
Adopt First, Second and Third Reports	49 64
PAPERS AND REPORTS TABLED	
Annual Reports -	
Darwin Institute of Technology, 1985-86	46
Department of Education, 1986	46
Department of Health, 1985-86	55
Department of Industry and Small Business, 21 December 1984 - 30 June 1985	50
National Companies and Securities Commission, 1985-86	69
Registrar of Building Societies, 1983-84	52
Registrar of Building Societies, 1984-85	52
Registrar of Building Societies, 1985-86	52
Registrar of Credit Unions, 1983-84	52
Registrar of Credit Unions, 1984-85	52
Registrar of Credit Unions, 1985-86	52
Uranium Mining (Environment Control) Act, 1986 (Eighth)	46

Chamberlain Convictions -	
Appendix A, Court of Criminal Appeal	51
Opinion from Mr M.L. Abbott, Q.C. and Colin McDonald	51
Royal Commission of Inquiry, Justice Morling	45
Community Government Scheme -	
Pine Creek	61
Financial Statements -	
Araluen Arts and Cultural Trust, 1986	52
Legislative Assembly Members' Superannuation Fund, 1985-86	55
Letter - Ward Keller, Barristers, Solicitors and Notaries, to Mr Smith relating to Hungerford Refrigeration Pty Ltd, dated 10 June 1987	69
Letter - Mr Smith to Ward Keller, Barristers, Solicitors and Notaries relating to Hungerford Refrigeration Pty Ltd, dated 11 June 1987	69
National Companies and Securities Commission, Form 47, Notice of Particulars of Charge, Hungerford Refrigeration Pty Ltd (two papers)	55
Northern Territory Electricity Commission Inquiry, D.M. Cole	64
Northern Territory Pastoral Industry Study	59
Photocopy of a Westpac Banking Corporation cheque and National Australia Bank Notice of Stop Payment on that cheque	69
Publications Committee, First and Second Reports	49
Regulations 1987 -	
No.15 - Angurugu Community Government Council (Water Pollution) By-laws	46
No.16 - Amendments to the By-laws of the Municipality of Darwin	46
No.17 - Amendments of the Rules of the Supreme Court of the Northern Territory of Australia	46
No.18 - Work Health Court Rules	46
No.19 - Nguju Community Government Council (Common Seal) By-laws	46
No.20 - Repeal of the Alice Springs (Rates and Charges) By-laws	46
No.21 - Katherine (Parking) By-laws	69
No.22 - Criminal Investigation (Extra-territorial Offences) Regulations	46
No.23 - Amendment of Treasury Regulations	46
No.24 - Amendments of the Pay-roll Tax Regulations	46
No.25 - University College of the Northern Territory - By-law governing examinations	55
Subordinate Legislation and Tabled Papers Committee, First Report	45
Subordinate Legislation and Tabled Papers Committee, Second Report	53
PERSONAL EXPLANATION	
Mr Bell	59,60
Mr Dondas	59
Mr Hatton	48
Mr Leo	60

PETITIONS

Alice Springs, social problems	57
Health and community services in East Arnhem	57
Non-irradiation of food in the Northern Territory (Not conforming with Standing Orders)	57
University College of the Northern Territory, Funding Bachelor of Law Course 1988	47

STATEMENTS

Economic Statement	63,64
Horticultural Industry	59
Northern Territory Electricity Commission Inquiry	64