
NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

of the

LEGISLATIVE ASSEMBLY

No. 75

Tuesday 25 November 2014

1. MEETING

The Assembly met at 10am. The Speaker, the Honourable Kezia Purick took the Chair.

2. PRAYERS

3. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Year 10 students from Palmerston Senior College.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

4. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of receipt of the following Message from His Honour the Administrator (Paper 1130):

Message No. 21 - Assent to Proposed Laws

I, JOHN HARDY OAM, the Administrator of the Northern Territory of Australia, advise the Legislative Assembly of, pursuant to section 7 of the *Northern Territory (Self-Government Act) 1978* of the Commonwealth, the assent to the following proposed laws:

13 November 2014

Criminal Property Forfeiture Amendment Act 2014 (**Act No 31 of 2014**)

Firearms Amendment Act 2014 (**Act No 32 of 2014**)

Land Development Corporation Amendment Act 2014 (**Act No 33 of 2014**)

Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) Act 2014 (**Act No 34 of 2014**)

Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) (No. 2) Act 2014 (**Act No 35 of 2014**)

Northern Territory Civil Administrative Tribunal (Conferral of Jurisdiction for Native Title Matters) Act 2014 (**Act No 36 of 2014**)

Parole Amendment Act 2014 (**Act No 37 of 2014**)

Statute Law Revision Act 2014 (**Act No 38 of 2014**)

Superannuation Legislation Amendment and Repeal Act 2014 (**Act No 39 of 2014**)

Tobacco Control Legislation Amendment Act 2014 (**Act No 40 of 2014**)

Dated 20 November 2014.

5. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of receipt of the following Message from His Honour the Administrator (Paper 1131):

Message No. 22 - Motor Accidents (Compensation) Commission Bill 2014

I, John Laurence Hardy OAM, Administrator of the Northern Territory of Australia, under section 11 of the *Northern Territory (Self-Government) Act 1978* (Cth), recommend to the Legislative Assembly a Bill for an Act that will create statutory guarantees of certain liabilities of the Motor Accidents (Compensation) Commission and to authorise amounts to be paid from the Central Holding Authority in the event of amounts becoming payable under those guarantees.

Dated 24 November 2014.

6. RETURN OF THE DARWIN RATES AMENDMENT BILL 2014

The Speaker advised Members of receipt by the Clerk of a letter from the Official Secretary to the Administrator containing an instrument signed by His Honour on 11 November 2014 which returns the *Darwin Rates Amendment Bill 2014* as passed by the Assembly on 20 August 2014 requesting consideration be given to a recommended amendment to the Bill (Paper 1133).

Mr Giles (Chief Minister) moved – That pursuant to Standing Order 205 the recommended amendment to the *Darwin Rates Amendment Bill 2014*, being a proposed law returned by His Honour the Administrator be considered in a Committee of the Whole on Wednesday, 26th November at 2.00 pm.

Question – put and passed.

7. SPEAKER'S STATEMENT

The Speaker made a statement regarding Mitochondrial Disease Awareness Week, Pancreatic Cancer Awareness Month and the White Ribbon Solidarity March.

8. COMMITTEE MEMBERSHIP

The Speaker advised Members of receipt of a letter from the Leader of the Opposition regarding the Membership of Committees.

Ms Lawrie (Leader of the Opposition) moved – That the following membership changes, as nominated on 10 November 2014, be adopted:

The Members for Nightcliff and Nhulunbuy are discharged, and the Members for Casuarina and Johnston be appointed to the House Committee, and

The Member for Wanguri is discharged, and the Member for Nhulunbuy be appointed to the Legal and Constitutional Affairs Committee, and

The Member for Johnston is discharged, and the Member for Casuarina be appointed to the Standing Orders Committee.

Question – put and passed.

9. QUESTIONS

10.05 Ms Lawrie to Chief Minister
10.09 Mr Barrett to Chief Minister
10.12 Ms Lawrie to Chief Minister
10.17 Mr Barrett to Chief Minister

Paper Tabled: Mr Giles (Chief Minister) laid upon the Table – Media Release, People's Choice Credit Union, TIO Bank customers to benefit from People's Choice Credit Union's acquisition, dated 25 November 2014 (Paper 1132).

10.20 Mr McCarthy to Chief Minister

Visitors: The Speaker advised Honourable Members of the presence in the gallery of Year 10 students from Palmerston Senior College.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

10.24 Mr Tollner to Chief Minister
10.28 Ms Fyles to Chief Minister
10.32 Mrs Finocchiaro to Minister for Health
10.37 Mr Wood to Chief Minister
10.40 Mr Kurrupuwu to Chief Minister

Suspension of Standing Orders

Ms Lawrie (Member for Karama) moved — That so much of Standing Orders be suspended as would prevent this house from censuring the Government.

Mr Elferink (Leader of Government Business) informed the Assembly that the Government would not accept the censure motion, pursuant to Standing Order 95.

Mr Elferink moved – That the question now be put.

Question – put

The Assembly divided:

Ayes - 13	Noes - 10
Mr Barrett	Ms Anderson
Mr Chandler	Ms Fyles
Mr Conlan	Mr Gunner
Mr Elferink	Ms Lawrie
Mrs Finocchiaro	Ms Lee
Mr Giles	Mr McCarthy
Mr Higgins	Ms Manison
Mr Kurrupuwu	Ms Moss
Mrs Lambley	Mr Vowles
Mrs Price	Ms Walker
Mr Styles	
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

Question – That so much of Standing Orders be suspended as would prevent this house from censuring the Government - put

The Assembly divided:

Ayes - 11	Noes - 13
Ms Anderson	Mr Barrett
Ms Fyles	Mr Chandler
Mr Gunner	Mr Conlan
Ms Lawrie	Mr Elferink
Ms Lee	Mrs Finocchiaro
Mr McCarthy	Mr Giles
Ms Manison	Mr Higgins
Ms Moss	Mr Kurrupuwu
Mr Vowles	Mrs Lambley
Ms Walker	Mrs Price
Mr Wood	Mr Styles
	Mr Tollner
	Mr Westra van Holthe

Motion not agreed to.

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- 10.52 Mr Higgins to Minister for Primary Industry and Fisheries
10.56 Ms Lee to Chief Minister
10.59 Mr Kurrupuwu to Minister for Infrastructure

Mr Elferink (Leader of Government Business) asked that further questions be placed on the Written Question Paper.

10. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of:

1. The Mayor of Litchfield Council, Mr Allan McKay, and
2. Electorate Officers of Members of the Legislative Assembly.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

11. SUSPENSION OF STANDING ORDERS – MOTION AGREED TO

Mr Elferink (Leader of Government Business) moved – That pursuant to Standing Order 306, suspension of so much of Standing Orders which would prevent the Chief Minister from:

Immediately introducing the following bills:

1. Motor Accidents (Compensation) Commission Bill (Serial 108)
2. Territory Insurance Office (Sale) Bill 2014 (Serial 109)

And, that the bills be considered together as cognate bills with one second reading debate, be considered separately in a Committee of the Whole, if required by the Assembly;

And, that the bills pass through all stages today.

Debate ensued.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of the Intensive English Unit students from Sanderson Middle School.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

Debate resumed.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of the Remote Area Students from Saint John's College.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

Debate resumed.

Question – put

The Assembly divided:

Ayes - 13
Mr Barrett

Noes - 8
Ms Fyles

Mr Chandler	Mr Gunner
Mr Conlan	Ms Lawrie
Mr Elferink	Mr McCarthy
Mrs Finocchiaro	Ms Manison
Mr Giles	Ms Moss
Mr Higgins	Mr Vowles
Mr Kurrupuwu	Ms Walker
Mrs Lambley	
Mrs Price	
Mr Styles	
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

Suspension of sittings: The sitting of the Assembly was suspended between 12.15pm and 2.15pm.

12. NOTICES

The following notices were given:

1. Mrs Lambley (Minister for Health) will present on the next sitting day a bill entitled – Alcohol Mandatory Treatment Amendment Bill 2014 (Serial 107).
2. Mrs Lambley (Minister for Alcohol Rehabilitation) will move on the next sitting day – That so much of Standing Orders be suspended as would prevent the Alcohol Mandatory Treatment Amendment Bill 2014 (Serial 107) passing through all stages this sitting.
3. Mr Wood (Member for Nelson) will move on the next General Business day - That this Legislative Assembly condemns the Chief Minister and the Government for their actions to rush through a sale of TIO:
 - without a mandate;
 - without a proper two way consultation process with Territorians;
 - without going to the Public Accounts Committee;
 - has been deceptive in the amount it will get from the sale of TIO;
 - before public hearings are held in the Territory early next year by the Senate Inquiry into Asset Sales; and
 - on the Basis of securing reward payments from the Federal Governments Asset Recycling Program, and that is yet to be enacted.

and that the Legislative Assembly asserts that future insurance protections for Territorians are at risk.

13. PETITIONS

The following Petitions were presented:

1. Ms Purick (Member for Goyder), presented Petition No. 40 from 746 petitioners, conforming with Standing Orders praying that the Northern Territory government continues to support the retention of TIO in its current legal status (Paper 1144).

Petition read.

2. Mr Wood (Member for Nelson), presented Petition No. 39 from 1069 petitioners, conforming with Standing Orders praying that the Northern Territory government does not sell any part of TIO (Paper 1145).

Petition read.

14. RESPONSE TO PETITION

The Clerk, pursuant to Standing Order 100A, laid upon the Table Response to Petition Number 38 (Paper 1146).

15. MOTOR ACCIDENTS (COMPENSATION) COMMISSION BILL 2014 (SERIAL 108) AND TERRITORY INSURANCE OFFICE (SALE) BILL 2014 (SERIAL 109) – BILLS AGREED TO

Mr Giles (Chief Minister), presented a Bill for an Act to provide for the Motor Accidents (Compensation) Commission and Motor Accidents (Compensation) Fund, and for related purposes and a Bill for an Act to facilitate the sale of part of the business of the Territory Insurance Office, and for related purposes.

Bills read a first time.

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

Debate ensued.

Paper Tabled: Mr Giles laid upon the Table:

1. Explanatory Statement, Motor Accidents (Compensation) Commission Bill 2014 (Serial 108) (Paper 1147), and
2. Explanatory Statement, Territory Insurance Office (Sale) Bill 2014 (Serial 109) (Paper 1148).

Debate ensued.

Extension of Time: On the motion of Mr McCarthy (Member for Barkly), Ms Lawrie (Member for Karama) was granted an extension of time.

Debate continued.

Extension of Time: On the motion of Mr McCarthy, Mr Vowles (Member for Johnston) was granted an extension of time.

Debate continued.

Question - put and passed.

Bills read a second time.

The Assembly resolved itself into Committee of the Whole for consideration of the Bills in detail.

In Committee

Mr Higgins (Chair of Committees) took the Chair.

The Committee considered the Motor Accidents (Compensation) Commission Bill 2014 (Serial 108).

Bill taken as a whole and agreed to.

Bill to be reported without amendment.

The Committee considered the Territory Insurance Office (Sale) Bill 2014 (Serial 109).

Bill taken as a whole and agreed to.

Bill to be reported without amendment.

The Assembly resumed; the Speaker took the Chair; Mr Higgins reported that the Committee had agreed to the Bills without amendment.

The Speaker put the question - That the Report be adopted.

Motion agreed to.

Mr Giles moved – That the Bills be read a third time.

Question – put

The Assembly divided:

Ayes - 13	Noes - 11
Mr Barrett	Ms Anderson
Mr Chandler	Ms Fyles
Mr Conlan	Mr Gunner
Mr Elferink	Ms Lawrie
Mrs Finocchiaro	Ms Lee
Mr Giles	Mr McCarthy
Mr Higgins	Ms Manison
Mr Kurrupuwu	Ms Moss
Mrs Lambley	Mr Vowles
Mrs Price	Ms Walker
Mr Styles	Mr Wood
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

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

16. PAPERS

The following papers were Tabled:

1. Mr Giles (Chief Minister) made a statement and laid on the Table – Annual Report 2013/2014, Darwin Port Corporation, A Year of Milestone Achievements – Australia's Northern Gateway of Choice (Paper 1135).
2. Mr Barrett (Chair of the Legal and Constitutional Affairs Committee) made a statement and laid on the Table – Legal and Constitutional Affairs Committee performing the functions of the Subordinate Legislation and Publications Committee, Report on the Motor Accidents (Compensation) Amendment Regulations 2014, Subordinate Legislation No. 19 of 2014, November 2014 (Paper 1149).

Mr Barrett moved – That the paper be printed.

Question – put and passed.

Mr Barrett moved – That the Assembly take note of the report.

Leave was granted for Mr Barrett to continue his remarks at a later time.

3. The Speaker Tabled the following Papers:
 1. Remuneration Tribunal Report, Travel Report, Member for Stuart, Mrs Bess Price, to travel to Sydney to attend the state funeral of David McEvoy on 18th August 2014, pursuant to clause 4.12, received 5 November 2014 (Paper 1151).
 2. Remuneration Tribunal Report, Travel Report, Member for Daly, Mr Gary Higgins, to travel to Brisbane to attend an Energy Exchange Series Presentation sponsored by Rio Tinto on 24th -27th October 2014, pursuant to clause 4.12, received 3 November 2014 (Paper 1152).
 3. Remuneration Tribunal Report, Travel Report, Member for Arnhem, Ms Larisa Lee, to travel to Darwin to attend the new Darwin Correctional Precinct on 14th - 15th July 2014, pursuant to clause 4.12, received 24 November 2014 (Paper 1153).).
 4. Remuneration Tribunal Report, Travel Report, Member for Arnhem, Ms Larisa Lee to attend opening of Darwin Show President Luncheon on 17th – 24th July 2014, pursuant to clause 4.12, received 24 November 2014 (Paper 1154).).
 5. Annual Report 2013/2014, Northern Territory Electoral Commission (Paper 1150).

17. ADJOURNMENT

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

The Assembly adjourned at 11.10 pm until Wednesday 26 November 2014 at 10.00 am.

PAPERS

The following papers were deemed to have been Tabled 25 November 2014-

Annual Reports 2013/2014:

Aboriginal Areas Protection Authority, 2013/2014 (Paper 1134)

The Commissioner of Consumer Affairs, Northern Territory Consumer Affairs, 2013/2014 (Paper 1136)

Education and Care Services Ombudsman, National Education & Care Services FOI & Privacy Commissioners, 2013/2014 (Paper 1137)

Darwin Waterfront Corporation, 2013/2014 (Paper 1138)

Subordinate Legislation 2014:

No. 34, Court Security Amendment Regulations 2014 (Paper 1139)

No. 35, Barramundi Fishery Management Plan Amendment 2014 (Paper 1140)

No. 36, Plant Health Amendment Regulations 2014 (Paper 1141)

No. 37, Northern Territory Civil and Administrative Tribunal Regulations (Paper 1142)

No. 38, Livestock Amendment Regulations (Paper 1143)

ATTENDANCE

All Members attended the sittings.

MICHAEL TATHAM
Clerk of the Legislative Assembly