

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

Wednesday 31 March 1976

Thursday 1 April 1976

Part I—Debates

Part II—Questions

Part III—Minutes

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

First Assembly

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Executive Member for Social Affairs	David Lloyd Pollock
Executive Member for Resource Development	Ian Lindsay Tuxworth
Executive Member for Transport and Secondary Industry	Roger Ryan
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PART I

THE DEBATES

Wednesday 31 March 1976

Mr Speaker MacFarlane took the Chair at 10 am.

REASON FOR CALLING ASSEMBLY TOGETHER

Mr SPEAKER: This meeting of the Assembly has been summoned in accordance with the terms of the resolution of 25 February following the failure of the Acting Administrator to declare his assent to, or to reserve for the Governor-General's pleasure, the Criminal Injuries (Compensation) Ordinance 1975. In interpreting the resolution, I accepted delays of much more than the 48 hours proposed by the honourable member who sponsored the resolution, but I cannot continue to disregard the Acting Administrator's failure to act on this ordinance which was passed by the Assembly on 4 December 1975.

FAILURE OF ACTING ADMINISTRATOR TO COMPLY WITH ACT

Dr LETTS: Mr Speaker, I ask leave to move a substantive motion without notice relative to the matter which you have just brought to the attention of the Assembly.

Leave granted.

Dr LETTS: I move that this Assembly express in the strongest possible terms its disapproval of the failure of the Acting Administrator to comply with the requirements of the Northern Territory (Administration) Act in respect of ordinances made by this Assembly and presented to him for assent.

I ask leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

ALLEGATIONS RELATING TO BY-ELECTION FOR THE ELECTORATE OF ALICE SPRINGS

Mr SPEAKER: Honourable members will recall that I sought from the Returning Officer for the Northern Territory information relating to allegations concerning the conduct of the poll at the recent Alice Springs by-election. I

have now received a statement setting out the findings of the Chief Australian Electoral Officer who believes that no further action is warranted. Copies of the letter from the Returning Officer will be distributed. I table the letter.

ADDITIONAL REASONS FOR CALLING ASSEMBLY TOGETHER

Dr LETTS (by leave): I wish to inform members that, although this is a legislative body, the purpose of this particular meeting of the Assembly is not primarily legislative. Honourable members are all aware of the reasons for the current calling together of the Assembly. They may appreciate also that events in the last few weeks have diverted attention from legislation examination and drafting to the particular problems which led to the calling of this meeting. I refer to the limited staff resources available to the Executive and also to the Office of the Legislative Draftsman who has been engaged in consideration and advice of some aspects of these current problems. As a result, there has been relatively little work done since the last sittings on the development of our legislative program. I will briefly reiterate for the benefit of honourable members who may not know, that no staff has been approved for the Executive of the Assembly. None has been approved since the original election of this Assembly in October 1974. At the moment, we have not got one permanent staff position; we have one officer on loan and the situation that this brings about has become critical and may well interfere with the operation of this Assembly in the future unless something is done.

It is not envisaged that new bills will be introduced by us during these sittings. It would not have been possible to give some of those bills full and proper consideration before introduction to ensure that they would have achieved the desired results and stand up to the test of time. The decision has been made, therefore, to make no effort to introduce bills during this sittings. As far as the majority group is concerned, this meeting will be devoted primarily to

the reason for which it was convened. Those matters on the notice paper which may be proceeded with at this sittings may be dealt with but, where further research or consideration or discussion is necessary, pressure of other events has made this impossible and some of those items will have to be deferred. I thought it desirable to make this statement at the commencement of the sittings so that all members would understand the position.

PRIME MINISTER'S STATEMENT ON ABORIGINAL LAND LEGISLATION

Dr LETTS (by leave): I table a statement released by the Prime Minister, the Right Honourable Malcolm Fraser, on Wednesday 24 March 1976.

I move that the statement be noted; that the Northern Territory Legislative Assembly reaffirm its support for the passage of appropriate Aboriginal land legislation during 1976 after adequate consultation with the people of the Territory; that in keeping with the principles and practices adopted within Australia's federal system, and in keeping with the policy of future statehood for the Northern Territory, the Assembly should play its proper part in the making of such legislation as it has done in the past, and as would be the case in the states; and that, as the 1967 referendum concerning Australian Aborigines and the subsequent amendments to the Constitution made no change in the relationships between the Federal and Territory legislatures, there is no case now to deny the Assembly its proper role in making land legislation.

I ask leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE

Mr SPEAKER: I have received from the Executive Member for Finance and Community Development a letter proposing that a matter of public importance be discussed, namely: "The effects of the

Federal Government's financial policy on the present economy and future development of the Territory". Is the proposal supported?

Proposal supported.

Mr TAMBLING: I intend to make my comments constructive and, hopefully, dispel much of the quite hysterical nonsense and irresponsible distortion that has surrounded the so-called cuts in Northern Territory capital works and civil works programs. I have been particularly appalled by the loose treatment of facts and information by independent members of this Assembly and some sectors of the media. In fact, I would go so far as to say that I believe their actions have caused unwarranted distress and, in many instances, done incalculable harm in the Territory. The independent members obviously rely on inexperienced press reporters - that is, certainly inexperienced in financial matters - and scoundrelmongers for issues to promote. I am disgusted that neither member has bothered to discuss these matters with me since the last meeting of this Assembly and I would be very doubtful that they have made any personal approaches to the Minister for the Northern Territory either. The criticism fed to the press, talk of cuts to the order of hundreds of millions, is deceitful; it is calculated by design or in ignorance by making unwarranted assumptions and showing a complete lack of an even elementary understanding of appropriation estimates and the machinery of government adopted by a new, responsible administration. What a lack of courtesy and confidence, to use figures taken out of context without even first discussing them with the appropriate minister.

Yes, Mr Speaker, there are major financial problems facing the Territory. But, first, let us get things into proper perspective. The Australian economy is in a very sad and sick state; indeed, the Premier of Queensland has been provoked to proclaim that Australia is bankrupt. This has resulted from massive, unrestrained increases in government expenditure over 2 or 3 years, from the

depression of the private sector, from the destruction of incentives, and has resulted in huge inflation and record unemployment. The ineptitude of the Labor Government created unbelievable problems and deficits. Recovery depends on getting inflation under control, getting the private sector operating, and turning our growth in gross domestic product from decline to increase.

Because of the snowball effect on transport and service charges, the Territory is more savagely hit by inflation than perhaps any other part of the nation. Because of the lack of alternative employment and the loss to the Territory of skills and expertise by unemployed leaving the Territory, we have a crucial interest in beating unemployment. The special situation in the Territory must be considered in the necessary task of getting the private sector moving nationally and getting extravagant government expenditure under control. It is realised that the private sector in the Northern Territory relies for its viability on a high level of government expenditure. If government expenditure is substantially reduced and the direction of the reduction is not carefully directed, the private sector will not only fail to receive a stimulus, it will receive a severe setback.

Let us study carefully the drama of events so far. In February, the Minister advised that there would be a deferral or slow down in some works because of the crucial economic situation. He patiently explained that the deferrals would be until the 30 June, that they would be minimal, that he was ensuring that they would be evenly spread throughout the Territory to prevent localised distress or crises. At the February session of this Assembly, details of possible expenditure cuts were sought, and the Minister subsequently advised in early March that, until reports by the various involved departments had been completed and considered by the Government, it would not be possible to announce which projects in the Civil Works Program would proceed to contract in 1975-76 or be deferred until next financial year. The Minister indicated

that a review has been in progress to ensure that tenders and planning at least can be examined to give industry an opportunity to plan for the future. Because these are Cabinet submissions and because the Minister has had to present and discuss these things in Cabinet, I am sure that even our vocal independent member for Nightcliff knows that the Minister cannot and will not release final details until he can do so with authority and certainty.

In the second and third weeks of March, I became aware that the Master Builders Association had made submissions to the Government on the effects on the construction industry of possible government expenditure restraint; they had well-reasoned arguments and the submissions were excellent. They will, I am sure, have considerable bearing on all ministerial decisions. I also made strong personal representation to the Minister for the Northern Territory about that time. It was based on my study of the issues affecting the Northern Territory and the Labor Government's budget papers for 1975-76, not on any so-called "official" information that the independent members falsely claimed in the press that I was privy to. I stressed that early decisions were necessary in order to recognise that 80 per cent of all construction activity in the Northern Territory is federal government initiated, that there is no state government contribution, and the effect of local government spending is insignificant. The other issues which I detailed were: unemployment implications, particularly in centres out of Darwin; construction industry stability; the future re-establishment costs and administrative problems of contractors; the provision of services that were well justified for community needs; design lead times and tender arrangements; associated professional and public service infrastructures; and seasonal contract and financial management due to wet season constraints which could further complicate the subsequent 1976-77 program.

In the last week, I have become aware from my discussions with Mr Adermann and other federal parliamentarians that the message is getting through about

the peculiar problems of the Territory. Mr Calder and Senator Kilgariff have also conducted wide ranging lobbies on the Territory's behalf. Intensive and extensive reviews have been carried out in the responsible government departments only this month. The priorities and decisions of the individual projects in the Civil Works Program will now be made and, I suggest, confidence restored.

Mr Speaker, I received this morning the first official information that the Minister for the Northern Territory was able to make available to me because of the requirements on him with regard to his Cabinet position. This information has been made available from the Treasurer and it is very interesting to note that, in the expenditure reductions and deferment of uncommitted works program items for the Northern Territory, the cash component, which is a very important consideration, has resulted in an increase of almost \$25m for the year in the Northern Territory. There have been a number of reductions - which I shall come to in a few moments - in a couple of departments; there have been a number of increases also, and I am sure everyone is aware of the \$12.5m increase in cash to the DRC. The net increase for the Department of the Northern Territory's administration and capital works is of the order of \$4.3m; the net increase for the DRC is \$12.1m. In the Civil Works Program, Paper No. 1, of the Federal Budget, there is a net increase of \$6.9m. Repairs and maintenance, furniture and fittings, result in the balance of \$3.7m of cash increase. It is to be noted that the savings offered have resulted in economies in existing programs rather than the termination of the programs themselves. I am sure all members are aware of the adjustments to the home finance loan scheme which was part of the figure I quoted for the Department of the Northern Territory.

In the 1975-76 Budget, there was provision for expenditure of \$53.7m on works in the Northern Territory - that is under the Civil Works Program part, not counting the DRC. The current estimate of expenditure for that section is \$60.6m. That is an increase. Notwithstanding the increase

in expenditure, the Government has found it necessary to defer commencement of new projects that have been planned for 1975-76. Let us not confuse the figures when I use them here because this has been the whole bone of contention; things have got out of hand in the public appreciation. The original program envisaged a new total project value of expenditure over a number of financial years of \$58.8m. This has been reduced to \$7.9m. The cut of \$50.9m is being spread over the departments. Again let me stress the importance that that \$50.9m is the commitment value of the contracts. It is split up as follows: Aboriginal Affairs \$8.3m, Education \$15.6m, Construction \$0.8m, Health \$2m, and the Northern Territory \$24.2m. It is not possible to determine the expenditure that would have been incurred on these deferred works but it is the belief of the officials that it would have been extremely minimal.

I have been advised by the Minister for the Northern Territory that there is currently an urgent review to see which projects can be put to tender without making further demands or difference to the cash flow in this financial year. I believe that is the news that the Master Builders Association and the contracting industry of the Northern Territory is looking for: there will be a number of contracts going out to tender in the next few months.

It is also interesting to look at the previous announcements as far as the Department of the Northern Territory is concerned. The deferral would amount at the very worst to the slowdown in cash flow of a very few million - somewhere about \$6m. What of the increased cash flow? \$12.5m has been provided this year for the DRC. And what about the increase cash provided this year of \$5.5m for the 6 per cent home loan scheme? This is extra cash. In a climate of economic restraint, the appropriation has been increased. The present Minister and the present Government had no say in the original appropriations which were totally insufficient, even over-expended. Because of their realisation of the special needs in the Territory, \$18m

was provided and yet we have had the sickening approach that money has been cut off from the Territory when in fact in the Department of the Northern Territory there has been approximately \$16m net increase in cash flow. I am not aware of any other area of responsibility that has received an increase in cash appropriation.

Let us have some fair play and some honesty for a change. Of course the Minister is concerned that there has to be some deferral and he is concerned to see that the special needs of the Territory are understood and considered. He has clearly shown that. He has come to the Territory and talked with anyone who wanted to talk to him and received any submission or point of view which anyone desired to present. The urgent and critical areas are under review and when he can give further specific figures he most certainly will. We have seen what could only be interpreted as an attempt to undermine all he is trying to do and to scuttle every endeavour to protect the interests of the Territory. Let it be clear who will be blameworthy for the rundown in confidence and retrenchments. It will be those who seek political notoriety, who peddle sensational scare stories and who do the Territory the greatest possible disservice.

Members: Hear, hear!

Mrs LAWRIE: I had expected that this debate would have been adjourned with time to study the statement made by the honourable member. Since that is not possible, Mr Speaker, I am willing to stand and speak immediately. Honourable members would be aware that the only interjection I made in listening to the speech was at one point to ask the honourable member to speak a little more slowly as I was trying to take longhand notes of what he was saying. I do not have the facility of shorthand. I expect that the majority party will show me the same courtesy.

I was waiting for what I expected to be the guts of the speech of the Executive Member for Finance and Community Development, and that was a detailed account of what works are to

be deferred and where those particular capital "works" are placed in the Northern Territory. Unfortunately that did not ensue. It may well be that other honourable members are able to give that information, although I would be surprised if they were if it has not been alluded to by the Executive Member for Finance and Community Development. It appears that he is unable to give the advice which we are all seeking even now. I shall elaborate on that in a moment.

The first part of the honourable member's speech I will ignore. The second part I will deal with. That was when the honourable member was speaking about a cash flow increase and said that the capital works programs were under review and had only been deferred. The point has been made well, and clearly and publicly, by many people in many organisations, that deferral of commitment of works is equally as important as the actual cash flow. The honourable member said that people criticising the non-information on this subject seem to be unaware of government funding and the way it works. I believe him to be wrong. Some people may be unaware but it is the old saw coming through: you can fool some of the people some of the time, but not all of the people all of the time. Contractors throughout the Territory are vitally interested in the deferrals, because deferral itself is an imprecise word. It had been hoped that the honourable member, following his consultations with members of the Federal House, could have stated clearly whether these deferrals of capital works commitments were to be taken up in the next financial year or whether, in fact, they were to be deferred, some until the next financial year, some into the following financial year. That information has not been forthcoming - I believe, for the very good reason that the honourable member does not have it, that in fact the Australian Government still has not decided on the time schedule for the deferments.

The Capital Works Program was freely debated in the Budget debate. We have now had, again from the honourable member, notification that some of those

budget proposals are deferred, but we are not told until when. Most importantly, we are not told which capital works have been deferred, and it is this statement that I was hoping the honourable member would be able to give this Assembly. I had expected, of course, that he would have had a roneoed sheet he could have tabled and circulated to members, because the people of the Northern Territory, the people of Alice Springs and Tennant Creek and Katherine, still do not know, officially, whether the capital works programs scheduled for their areas are to be committed, whether they are to be deferred and - most importantly - if they are to be deferred, at what date they will be brought on. Is it to be next year, or is it to be the following year?

I believe that Darwin will not be as affected as the out-of-town centres. The Master Builders, quite properly, raised the problems of contractors in smaller centres not being able to continue their commitments on plant and equipment, not being able to continue their workforce, if they were unable to know precisely when the scheduled capital works program will be commenced. They are aware, as we all are, that a capital works program in Katherine, for example, of \$5.4m, which may have appeared in this year's budget, does not mean that \$5.4m will be spent this year but it means, hopefully, that the tenders will be let, contracts will be called and the commitment will be entered into. I think the honourable member for Fannie Bay, in having a shot at the independent members, was playing down the intelligence of the people of the Northern Territory if he thought they believed otherwise. They are quite aware of the difference between cash flow and commitment of large scale contracts.

The honourable member referred quickly to the deferring of the commencement of new projects to a total of \$50.9m, reducing projects which had a total value of \$58.8m to \$7.9m. I think his quick glossing over of that deserves comment. This is the very part of the budget on which the independent members and certain organisations have been

seeking specific information. Of the program worth \$50.9m deferred - I know it is not \$50.9m to be spent this year - what are the works referred to? For a figure to have been reached - \$50.9m, a precise figure - someone, somewhere, must know what those capital works are. Why cannot that information be given in this House? That is what I expected of honourable executive members. If the Executive Member for Transport and Industry has the information, I hope he will make it freely available because it is that commitment that is worrying the contractors, especially out of Darwin. The honourable member also stated that an urgent review is going on to see which projects can be put to tender without increasing the cash flow. I understand that review has been going on practically since the new government took office, since the Treasurer and the Prime Minister made it clear that there would be restraint in government spending. It is most unfortunate that the honourable member has still not been able to give details of which projects can be put to tender.

Unlike the honourable member, I am not going to waste my time attacking members of this Assembly because I am fully aware that all these decisions are being taken in Canberra, but it is not right for the honourable member to talk of scaremongering, of sensationalism. I took down a few of his comments, they were lyrical: "inexperienced press reporters", "unwarranted assumptions", "unwarranted distress". It is not fair of the honourable member to speak so glibly of these things if he cannot dispel such distress as being unwarranted by stating clearly what "deferral" means, which projects are being deferred in which centres. He went quickly through figures relating to the various government departments in the Northern Territory. It was those figures I was not able to catch; he was speaking too quickly. It appears that most government departments operating here, not simply the Department of the Northern Territory, are having their expenditure reviewed. I hope Hansard print "expenditure reviewed" in inverted commas, because that is how I am alluding to it. Despite the months of pressure from people both within and

without this Assembly, all the information we can get, is "deferrals and reviews".

I am bitterly disappointed with the tenor of this debate; we have not been given the information that we deserve. It is now my intention to put a series of questions on notice, which I had hoped to avoid, asking specifically about capital works programs in each centre in the Territory. I make no apologies to members outside Darwin for doing this because all members of this Assembly in this debate are concerned with the Territory as a whole. I am going to put a series of questions on notice asking if it is a fact that "x" capital works program in "x" centre has been deferred and, if so, what is the date of deferral? This is a laborious and time-consuming way of trying to extract information.

I admire the honourable member's loyalty to his party and, as I said, I am aware that the decisions are not made locally; they are made in the Treasurer's office. It would have been more to the point if the Treasurer had seen fit to give details of the \$50.9m deferral to the Honourable Executive Members of this Assembly.

I think this debate is very poor. We have not been given the information we had hoped for. Judging from press reports written by those same inexperienced reporters, it appears that senior members of the public service have been called to Canberra to discuss the Territory's program and are there today.

Mr Kentish : Next year's program.

Mrs LAWRIE : I had understood they were also discussing deferrals and I must assume that deferrals from this year's program would be discussed in the context of next year. It may well be that, as a result of the advice being tendered by those gentlemen to the Australian Government Ministers, more precise information may be made available. It would be worth while reconvening this Assembly next week to get that information if it is not going to be made available today.

The honourable member's speech was admirable in its defence of his party. It shed a lot of heat but, most unfortunately, very little light. I hope that the Executive Member for Transport and Secondary Industries will shed more light and less heat.

Mr ROBERTSON : I had intended speaking at length on this but it would seem that the person fleeing out of the door has expressed most of the matters of concern to me. I realise it is a very difficult situation which the present Federal Government finds itself in as a result of the shambles it has inherited. On the other hand, it is also a fact that the large number of construction companies, both big and small, throughout the Territory, and particularly outside of Darwin, have had to plan over a series of years the manner in which they are going to conduct their business. They do not plan from one 6-month period to the next; they do not plan merely on the basis of one current fiscal year. They have planned their plant, equipment, staff and some have even bought light aircraft, all based upon the information which has been given to them over the last 3 years on projected expenditure. Unless a substantial part of the expenditure continues in this Territory, and particularly in places like Alice Springs, the result will be catastrophic.

I have spent quite some time in personal conversation with the Minister for the Northern Territory and I have raised the issue with the Leader of the House in Federal Parliament, the honourable Ian Sinclair. I explained the position to him while I was in Canberra on two different occasions, one as a member of a select committee of this House and another as a private delegate of my party. I lost no opportunity on either occasion to lobby as strongly as I possibly could with these ministers. I am not going to be kind to my colleagues. I found the Minister for the Northern Territory, Mr Adermann, to be very familiar with our problems and very keen to do something about them, but some other senior members, of the Liberal Party particularly, lack an understanding of what the economy of the Northern Territory is all

about. I found that they were unable mentally, initially at least - I can assure you that they got the message after a while - to distinguish between the operations of the Northern Territory and the operations of the states. There was a situation 3 weeks ago in the state of South Australia where some millions of dollars were cut from the housing and capital works programs. What the Dunstan Government did - and I am only singling this one out because it is one that readily comes to mind; I know in Victoria they did exactly the same thing - was to go to its state government insurance office commission and withdraw \$20m on loan to the Housing Trust. There is something there which soaks up the shock. We in the Territory have no treasury; we have nothing upon which we can fall back. This is the message that I went to great lengths to explain to the ministers in Canberra; I hope they understand the position now. I know that our own minister does and is doing everything he can for us.

When you talk about a cut of \$50.9m, there is no doubt in my mind at all that the major construction companies of this Territory, particularly those out of Darwin, had that figure in mind. They knew how many companies were in the field and they could very accurately predict how many tenders of that \$50.9m they would get in the year in the normal course of events. They have geared themselves up accordingly. One of the major companies in Alice Springs, Sitzler Bros, have recently bought a very expensive crane for more than single floor development. This piece of machinery was purchased on the belief that these sorts of tenders were going to flow.

I hope that people in Treasury will also read this debate and I emphasise to them as strongly as I possibly can the catastrophic result that will be inflicted upon the Territory if these tenders do not continue to run at least in substantial part. If you were to delay something in the order of \$50.9m for 18 months and put it in the 1977-78 Budget, it would be my uneducated belief that it would be too late for the majority of these firms.

The other thing that is very important to get across to federal ministers and to senior public servants, particularly in Treasury - this is another thing which I do not think they really understood although they do now - is the difference between losing staff because of stand-downs in a place like Melbourne and a place like Alice Springs. If you lose staff in St Kilda, in your manufacturing company or your construction company, the person will go on the dole 3/4 of a mile away and when the funds start to roll again you give him his job back. If you lose staff in the Northern Territory, and I refer particularly to skilled staff, they go to Melbourne to live and you have lost them for ever. We have MacMahon Constructions working on the South Road and this probably is one of the best and most experienced road construction teams in this country today. If that program is cut such that MacMahon Constructions must stand-down their staff, they are irreplaceable. This is the type of difference between the operation of the Northern Territory economy and the operation of the economy in a capital city. We do not have a state treasury on which to fall back. This debate is one of public importance. I hope that the content of the debate becomes important to those who make the decisions in relation to the Territory's financial affairs. At this stage, we cannot.

Mr WITHNALL: The speech made by the Executive Member for Finance and Community Development seems likely to be remembered more for its vituperation than its information. The honourable member has apparently picked up some bad political habits while he was in Canberra and thinks he may make his case by abusing other people rather than by giving the information the people are asking for. He talked about "inexperienced reporters" and made several denigrating remarks about the honourable member for Nightcliff and myself. I remind the young man of his own inexperience and suggest that he learns some better political habits before he carries on his career in this Legislative Assembly.

Right at the outset, I want to make

this point: since the middle of February both the honourable member for Nightcliff and I have been complaining very bitterly that there has been all this talk about cuts or deferrals - give it any name you like, it is the same game. We have been complaining about cuts and deferrals and trying to get some information because it is most vital that the information be given to the people and that the information be accurate because, upon this, the workforce of the Northern Territory has to plan its future. I suggested that the Minister's statement back in February that there would be cuts - and he did not say what the effect would be - and his delay from February until now in providing any accurate information at all, has been the chief cause of the problems which have been created with the contractors in the Northern Territory and with the workforce itself. They wanted to know what their future was going to be. You cannot keep a workforce hoping that the contract might be there, and hoping in vain after some months when it is found that it is one of these cuts that was talked about. If there has been any irresponsibility, I suggest it lies in talking about cutting your budget without saying what you are actually going to do. That irresponsibility still continues today because the information given by the honourable member is not sufficient for the workforce and the contractors of the Northern Territory to achieve any idea of what their future will be.

The word "deferral" has been bandied around in this context for the last 2 months at least and nobody seems to know exactly what it means. It is important to know exactly what is intended because, if money is cut from a budget, then it does not go back on next year's budget automatically. In Australia, we suffer from the annual budget and in the Northern Territory we suffer from that more grievously than any other part of Australia. The story of course is that the budget is passed in September-October and, because the wet season has started, most contractors cannot start work and, as a result, the money actually made available is not committed to actual expenditure until about April the

following year. By that time, that financial year is nearly over and, quite obviously, you must have some sort of a system whereby there can be some certainty as to what will happen in the next financial year and the financial year following. This has been taken care of, in an unofficial way, by having an automatic revote to the next year's budget of projects which were approved in this year's budget and which have not yet been commenced and in respect of which no contracts have been signed. But if you cut it from that budget, it does not come back into next year's budget automatically. The money cannot be committed in July; it cannot be committed in August; it cannot be committed in September; you have to wait until the budget is passed in October before you can even commit the contract again. So a cut in the budget, or a deferral if you like - use any name you wish - means that the money is lost, certainly for three months, and there is no guarantee it will not be lost for a lot longer period than that because there is no guarantee in the present circumstances that it will come in on next year's budget.

What information has the honourable member provided this morning? He has quoted some figures. I have noted some of them. The net result I can get from the honourable member's speech is that \$50.9m is not to be committed this year. Money that was contained in the budget passed last year is not to be committed this year. I ask 3 questions. I ask him, first, will that money be committed in the next financial year? Will any of it be revoted automatically? Finally, just exactly what contracts have been cut, what moneys which were going to be spent, and the expenditure of which was published in the budget, are not going to be committed? That is the sort of information that the people want, the sort of information that the honourable member for Nightcliff and I have been endeavouring to get in vain - and we still do not have it.

I am thankful that the honourable member raised this matter this morning. If he had not, I would have made some attempt to raise it myself because I

think that the people who are concerned with budget expenditure in the Northern Territory were entitled to such information as the honourable member has given a long time ago - or else the Minister should have kept quiet about it - and the people of the Northern Territory were entitled to a lot more information than the honourable member has supplied this morning.

Now, Mr Speaker, where money is actually committed on a contract, it is true that one does not have that money expended in the financial year, and so we have invented this expression "cash flow", an expression which I cannot recollect having heard in previous years. But the actual cash flow and the amount of money to be spent between now and June was not the question that the honourable member for Nightcliff and myself were raising. We were raising the question of what works would not be performed, what money would not be spent, what works would not be performed, so that if we got that information, the people who were concerned with building and other works in the Northern Territory could know what their future was. I challenge the honourable member to give us the real information, to let the people know the real story, and not to get up and simply complain in very general terms about the activities of the independent members, who at least have been trying to get something done, trying to get some information for the people, whereas the honourable member has been in his chair, knowing apparently something about it, but not prepared to say a single word until now.

Mr TUXWORTH: I have a few comments as a result of this morning's debate and I will be very brief. The present Government came into office with the promise of cutting expenditure and indeed it has done that. In the case of the Northern Territory, it has caused a very serious overkill in the cuts that it has created, to the extent that business has very quickly lost its confidence and the momentum is running down. As a result of this, the Northern Territory business communities, the Master Builders Association, the Chambers of Commerce, the Chambers of Mines, the small business men who have

vested interests throughout the community, have brought pressure to bear on the legislators of the Northern Territory and so they should. The legislators have accepted the representations because they have been in most cases quite clear assessments of the situation, and in their own way have made further representations to Federal Parliament. Many members here have done it in their own individual ways, some through quiet negotiations and some through extreme exposure in the press.

There is one point that I feel we have overlooked and that is that the Minister has conceded an overkill and that there is an air of uncertainty and possibility of financial chaos running through the community. He has accepted this and he has made submissions to Cabinet on behalf of the people of the Northern Territory, but because of the rule of Cabinet he is bound by silence until the submission has been dealt with. In our own dealings with the Minister, we found him to be a man of integrity and a man to be trusted and, although it would appear that the process that we are going through is extremely slow and painful, we have no reason to doubt his sincerity. I feel that until the Minister, who is in much the same position we are, has had a chance to prove himself we should give him a go.

Members: Hear, hear!

Mr RYAN: The Executive Member for Finance and Community Development, I think, gave us the facts as they are available to us this morning. There are some points that I would like to take up as a result of listening to both the honourable member for Nightcliff and the honourable member for Port Darwin. They are in fact today taking a much quieter approach to the whole proposition than they have done over the last two weeks or so. The comments made by the Executive Member for Finance were that people were making statements not backed by facts and there was a certain amount of hysteria created. To illustrate this, in a copy of the NT News on March 17 both the honourable members said that they had further information confirming that

government cuts in the Territory totalled \$154m. They certainly did not make them available to us today; maybe they are holding them back for a later date. But also last week, while the other members of the Assembly, my party in particular, were in Canberra, the honourable member for Port Darwin appeared on a television program called "Today '76". During the discussions there he made the comment that Mr Fraser had said that cuts had been effected in excess of \$300m and that he was upset that the Northern Territory has contributed to half of this. That is the sort of complaint that we have, that people were using figures quite unrealistically and irresponsibly. The cuts that Mr Fraser had spoken about are cuts in expenditure for this financial year; that is cash. Whether the member for Port Darwin realises it or not - I do not think he does because he said today that it is the first time he has heard cash referred to - the term "cash" is used extensively in the departments in relation to work that is being done. "Cash" is the money available to the departments in that year to pay the contractors.

Mr Fraser's cuts were cuts in cash expenditure, and yet the honourable member for Port Darwin, in his ignorance I believe, said that he was unhappy that we were contributing to half of that. That is the sort of thing I feel that does cause hysteria.

Mr Withnall: Where are you quoting me from?

Mr RYAN: It is nice to see that the honourable member has come back in. I think it is the first time I have dragged him into the House during a speech; I must be improving.

Obviously these figures have been bandied around by the newspapers, by various members, and members of the public are concerned. I have no doubt that they are concerned and I am concerned, as is every member of this House. We are all concerned because there have been steps taken that are affecting work in the Northern Territory. However, to talk merely about the amounts of money is irrelevant. My colleague this morning

did give figures to try to clear up that aspect of the argument but the matter that concerns us is that no work has been let. That is the important thing and I will get complete agreement from the honourable members from Port Darwin and Nightcliff. The complete program has been deferred whilst this Government tries to get some review after taking over from a government which over the last 3 years has spent money in various areas as if it was going out of fashion. They had set up a completely false type of economy. People are expecting that huge amounts of money are going to be spent in various areas. This has to stop. How can a government expect to carry out a review without stopping expenditure? They have to review the situation. I know that we are subject to criticism and I am prepared to take as much criticism as anybody likes to level at me under the present circumstances.

Mr Withnall: I am prepared to give it.

Mr RYAN: I am a member of the party that supported the present Government and I am prepared to accept that that Government has to take some steps to get the economy of this country back on the road. I also have closer associations, than most of the people in this Assembly with members of the contracting industry and I am sure that they do not expect the Government to be able to get things back on the rail without some sacrifice.

If the Government does come out with a statement on what cuts are to be made, and I am quite sure they will, I will be reacting quite drastically to any cuts which are going to set the Territory back, and I do not think I will be alone in that aspect. We have to wait for the Government to sort its problems out. I am quite confident in the ability of the Minister for the Northern Territory to get the best deal possible for the Northern Territory. If we cannot get work recommitted before the end of the financial year, the problem will then be quite critical. At present, I do not believe it is critical. In certain areas, problems have arisen but, when we talk about the Master Builders Association,

people seem to think that the building industry is in trouble. It is more appropriate to point out that it is the road construction companies and heavy earthmoving type organisations who are in trouble at the moment. The building industry has been supplemented quite well by an injection into the economy of insurance money which seems to be keeping a lot of builders busy in this town. I think there have been many problems raised which really do not exist right now.

Mr Robertson: That is in Darwin.

Mr RYAN: The member for Gillen said: "That is in Darwin". I was talking about Darwin, and I did say that in some areas there is difficulty being felt right at this time. The Government is aware of this and we have made it quite clear to them what priorities we want in the Northern Territory. Getting on the bandwagon now and criticising the Government would not gain us one inch. We would most likely find the independents or the newspaper would criticise us for getting stuck into our colleagues in Canberra; we are going to lose either way. We do what we think is the right thing and, as far as I am concerned, until such time as the Government makes its mind up, and I am quite sure that will be very soon, I will support the action of the Minister in not coming out with statements that are going to mislead people. We must adopt a realistic approach to the situation. Let him get his answers from Cabinet and give us the answers at his earliest convenience. We can then analyse the situation. If it is a bad deal for the Northern Territory, then we can get into them and say, "You are giving us a bad time". Until that time, I am prepared to wait and take whatever criticism is levelled at us.

REGISTRATION OF BIRTHS DEATHS AND MARRIAGES BILL

(Serial 87)

Continued from 25 February 1976.

Debate adjourned.

FAILURE OF ACTING ADMINISTRATOR TO COMPLY WITH ACT

Continued from page 113.

Dr LETTS: The terms of the motion I moved this morning were that this Assembly should express disapproval at the failure of the Acting Administrator to comply with the requirements of the Northern Territory (Administration) Act in respect of ordinances made by this Assembly and presented to him for assent. Honourable members will recall from a debate at our last sittings that section 45 of the Northern Territory (Administration) Act requires that every ordinance passed by the Legislative Assembly shall be presented to the Administrator for assent, and that, upon the presentation of an ordinance to the Administrator for assent, the Administrator shall - and I emphasise the word "shall" - declare according to his discretion, that subject to the act, that he assents to the ordinance, that he withholds assent, or that he reserves the ordinance for the Governor-General's pleasure. There is no room for any other course of action and one can expect from the Administrator that unreasonable delays will not be incurred. During the course of the debate, a fair warning was served on the Acting Administrator and the departments who provide him with advice that the situation had got beyond the level of tolerance, that the terms of the act were not being complied with, that the Assembly which makes the legislation was concerned, and the public, for whose benefit the legislation is made, was suffering in some instances because of the lack of prompt action in deciding which course the Administrator should follow. In the course of that debate, a suggestion as to what was a reasonable time was put forward. It was suggested that 48 hours would be a reasonable time for the Administrator to make any final checks or receive any final advice which might be necessary. As you said in your statement this morning, Mr Speaker, you have been much more tolerant in terms of time than we suggested in our debate at the last sittings.

You have favoured us with a copy of a

report from the Administrator as to action which he has taken in recent months in relation to various pieces of legislation presented to him according to the act or one of the forms of action which he must take. There may be other members who wish to comment on the course of action which was adopted on some of these other ordinances but I would like to direct my remarks particularly to the Criminal Injuries (Compensation) Ordinance which was also referred to in your statement this morning. The Acting Administrator says, about the Criminal Injuries (Compensation) Ordinance: "The ordinance was passed in December 1975 and was presented to me for assent on 5 March 1976". There was a considerable delay in presenting it to him for assent for which I do not believe that anybody concerned with the Assembly was responsible. "You will be aware that similar legislation was passed by the Legislative Council in 1973 and was subsequently reserved for action by the Governor-General. This ordinance does not go as far as the 1973 proposals which extended the compensation to property losses. The Attorney-General's department and the Treasury raised objections to the principle of property compensation. The new ordinance is being examined by these 2 departments." The position as I understand it from discussion with my executive colleagues - and I think it is well known to members of this House, Mr Speaker - is that the return of this legislation in a revised form, leaving out the question of property compensation, originated from the Attorney-General's Department. They took some initiatives; they discussed it with our executive members; they provided us with the drafting and, in effect, it was their bill, dropping out certain of the 1973 provisions that were unacceptable to the Government. They asked us to introduce and pass this legislation on their behalf. The Attorney-General's Department took that initiative and presumably had given full consideration before doing so - after all, they had 2 years to consider the alternative course of action which they followed and 4 more months then ensued after their bill has been considered and passed by this Assembly - and yet we are now told that the

matter is still under consideration by the Attorney-General's Department. Such an excuse is so full of holes that it makes a swiss cheese look solid by comparison and less smelly.

How the Treasury gets into the act I am not too sure but, once again, the Treasury as a continuing body of worthy public servants over a long period of time have known about the proposals of this legislation and presumably Attorneys-General and various people had some discussion with them in its formulation stages. Now, 4 months after the event, Treasury still looks at it. This is just not good enough. This Assembly is being humbugged around and prevented from fulfilling to finality its proper duty to the public by a group of public servants who are not prepared to accept the needs as expressed in our earlier motion of the last sittings seriously and do their duty. The situation is untenable. I will certainly be referring the matter to the Minister for the Northern Territory and I hope that the result of that and any other comments which honourable members make here today will be that the people concerned might get a swift kick where it will produce some action. I hope also that the Acting Administrator, or the new Administrator coming in, will take this matter and this debate to heart and, if he has not got his comments in due time, either insist upon them or take action as he is supposed to do under the act.

Mrs LAWRIE: I rise to support the remarks of the Majority Leader, particularly with regard to the Criminal Injuries (Compensation) Ordinance. Honourable members may not be aware that a bill was passed through the Legislative Council which included compensation for property losses and that the ordinance was returned from the Governor-General with suggested amendments cutting out that section. It was debated a second time, at length and with some heat, and I remember the representative of the Attorney-General, the then Crown Law Officer, spoke at great lengths on the subject. The ordinance was then passed a second time and reserved for the Governor-General's assent. Assent was not given and, for

a third time, similar legislation was passed without the clause to which the Attorney-General's Department had objected so violently - the compensation payable for property. This third legislative proposal was exactly what the department had twice recommended some years ago and yet it is now being reconsidered. Of all the legislation which has been reserved and not acted upon, that must be the most ludicrous example. It raises the question as to whether we should bother passing any legislation at all.

There are other ordinances which have awaited assent, some for over 10 years. They have not been vetoed and they have not been assented to; they are just sitting somewhere in Canberra gathering dust. Some of the ordinances had urgent passage through this Assembly. I referred to the Motor Vehicles Ordinance this morning. This was concerned with insurance companies which went broke. I read with some interest the introductory speech of the honourable member for Jingili and he mentioned urgency then. This was at a stage of this Assembly's proceedings when urgency was not lightly given. We find that it too is subject to review because the insurance companies and the Underwriters Association did not like it. I have no doubt this Assembly will continue to pass legislation which some parts of the community will not like but we have to agree that, with an elected Assembly of 19 members, reasonable consideration is given to legislation in most cases. However, it seems that, at whim, any legislation passed here can be held for review by public servants in other places. It is intolerable. I think that the particular piece of legislation referred to in this motion is the most ludicrous of all; for a third time, it has gone through a representative group in the Northern Territory in a form requested by the same department which is now reviewing it. I have no hesitation in supporting the Majority Leader.

Mr EVERINGHAM: I too take the opportunity to support the Majority Leader in this debate. At the outset, I would comment on the general situation where we have an Acting Administrator who is

also the deputy secretary of a government department which appears to have the most to do with the legislation that passes through this House, which department, as we all know, is called the Department of the Northern Territory. To me this is a situation that, whilst it is perhaps hallowed by custom, is nevertheless rather ugly. I do not believe that the same man should be in the position of being virtually boss of the department in question and then adjudicating on legislation as Administrator after that legislation has passed through this House.

Mr Robertson: He is a one-man house of review.

Mr EVERINGHAM: I would hope - with thanks to the honourable member for Gillen - that this Government, in the not too far distant future, will look at the provisions of the Northern Territory (Administration) Act with a view to making provision for Assistant or Acting Administrators coming from the ranks of the judiciary or, at least, some area independent of a government department. I consider this is fundamental to our constitutional development and I hope it is not overlooked in the rush to acquire control of statutory authorities and the like.

Passing on to the details of the Acting Administrator's letter to yourself, Mr Speaker, he first of all deals with the Motor Vehicles Ordinance 1975, serial 12. I will outline the procedures I went through when I was at that stage Executive Member for Finance and Law. Preparatory to the drafting and introduction of this legislation, I saw the draftsman after consulting with the Executive and parliamentary party here. We prepared legislation along similar lines to that of some other state - I think it was South Australia from memory - and I then sent a copy of this legislation to the Department of Northern Australia as it was called then. I was contacted by the Registrar of Motor Vehicles, in his capacity as nominal defendant, who assured me that the Government was happy with the legislation and that it could proceed. At the same time and before the legislation was even introduced, I had

the courtesy to write to every authorised insurer in the Northern Territory to acquaint them with the provisions of the legislation and, I think, in my innocence of parliamentary procedures at that stage, I may have even sent them copies of the legislation before it was introduced. I did not get one reaction from any authorised insurer. After the legislation had secured passage, they went behind my back to the Government and the matter was taken up with me by the then Assistant Secretary for Finance, Mr Col Stephens, who told me that assent was not going to be forthcoming - it was going to cost too much and all this sort of thing. This was after these insurance companies had had 3 months to get in touch with me, and after I had had an assurance from the Registrar of Motor Vehicles-cum nominal defendant, who handled that aspect of legislation for the department, that it was in order.

The whole situation stinks. I do not accept the explanation of the Acting Administrator. I consider, like the Majority Leader, that it is a piece of humbug.

I pass now to the Justices Ordinance of 1975 which I also steered through this Assembly. The bill was handed to me by Mr Claude Rochecouste, an officer of the Attorney-General's Department, and, after consultations with Mr Rochecouste, it was amended in one particular section to provide for appeals from decisions of magistrates to the Supreme Court. The amendment was drafted in line with similar English legislation and the bill went through. It was an Attorney-General's Department bill yet we now find that it has been referred back to the Attorney-General's Department for consideration in the total context of the administration of criminal justice in the Northern Territory. All I can say is that they are quite loopy. How can you deal with such a Gilbertian situation? Their left hand does not know what the right hand is doing. The whole thing is completely ridiculous and frustrating and I believe that stronger assurances will have to be obtained before governmental legislation is taken on board by this party and this Assembly.

We are not going to be humbugged around in this fashion in the future.

Mr WITHNALL: The problem about which so much has been said this afternoon is not a new one; the problem is a very old one. Ordinances of the Northern Territory always have been made by a partly-elected body and the curious situation is that the ordinances are made before they are assented to. In other words, they are laws which only need someone to say that they shall operate. In other parliaments of the Westminster pattern, the person assenting is generally regarded as part of the parliament. The laws are made in Great Britain by the Queen and the House of Commons and the House of Lords. Here they are made by this Assembly and they are laws when they are made, but somebody has to say whether or not they are going to operate. Many years ago, it was rightly said that an attempt had been made by the Department of Territories to make the Legislative Council a pale extension of itself and an instrument for parity with the department's own ideas. Over a period of years that idea was discounted to some extent at least, but it is quite clear that the same situation exists today and that the Department of the Northern Territory and the other departments of the Commonwealth simply do not regard this Assembly as anything more than an advisory body. Even though the law is made by this Assembly, because the power of assenting to it is under the control of the public service - and I say that completely unreservedly - the departments do not regard this body as a legislature at all but merely as a body with which they may not agree. The finest example of that lies in one of the local courts bills that I introduced when I was the Crown Law Officer in 1963. I think the bill was eventually assented to in 1974. It was a government bill, an Attorney-General's Department bill, drafted in accordance with instructions received from the holy of holies, the Attorney-General's Department in Canberra, presented to the Legislative Council and passed without any amendment. And it took 11 years. So honourable members can look forward to a good deal of waiting yet.

The mainspring of it all lies simply in this, that control of the assent process is monopolised by the Public Service of the Commonwealth of Australia. That is where the evil lies; that is what is white-anting this Assembly; and that is the thing against which we have to fight very fiercely. You can only fight against this amongst the ministers and the members of the Cabinet because eventually, if the public service wants to go against this Legislative Assembly, it finishes up in Cabinet where only one point of view is put, and that is the point of view expressed by the public service. No Minister for the Northern Territory is going to come to the Majority Leader and say: "The department want me to recommend to the Cabinet that assent be refused, what do you think?" Those documents are sacred; they are Cabinet papers, and even the Majority Leader himself can never get access to them. And so I say again it is the Public Service that has got the stranglehold.

Looking at the numbers of ordinances to which assent has been either reserved for many years, or not given, or where the existence of the ordinance has simply been ignored, one would think possibly, that I myself gave most of them the kiss of death because many of them were introduced by me and most of the ones about which complaints have been made bear that hallmark. It may indeed be that, as a member of the Attorney-General's Department, I was not very popular with some certain senior officers who are still there. It may even be that my name, appearing attached to a particular piece of legislation, in some way is not very well accepted. Of all the departments which are responsible for unwarranted delay, the Attorney-General's Department must be considered to be far and above the rest. I speak from something like 43 years of experience with the Attorney-General's Department and I do not think that there is any department which is so prone to delay or which is so insensible to public or private criticism of its actions. I do not know why this is so, but it is a curious fact that if you examine all the reasons which are given for the delay of assent to ordinances of this Assembly you will find that the reason

that the Attorney-General's Department is considering, or reconsidering, or hoping to consider the matter, stands way up at the top of all the reasons given.

Mr Speaker, I think that we should remind the Government of Australia that this is a parliament. It is a fully-elected parliament and it is being denied the right to operate as a parliament. Every other parliament in Australia has control of the assent process and no parliament in Australia has a bunch of unelected people standing over it telling it what it can do. This is the only parliament I would think in the world that can be completely and utterly ignored, and that at the instance of some unelected person. It only takes a junior officer in the Attorney-General's Department to set a week's work of this Assembly at naught. And I mean that literally.

We must remind the Government that this is a parliament and that this unwarrantable control of the legislative process is not to be accepted. Of course it is easy to say that and it is easy for someone to read it and say: "Rubbish, tell them to forget it; we are not going to surrender any of our powers". That probably will be done. I suppose if you come to me and ask me what you can do in that situation I cannot advise you to do anything at all.

Dr Letts: Armed insurrection.

Mr WITHNALL: In point of fact the only thing that could happen would be armed insurrection, as is suggested.

Short of some sort of positive action from this Assembly, I am sure that the situation we see now is going to be repeated. Since it does not lie with myself or the honourable member for Nightcliff to have emphatic access to the Government, I do urge the honourable members opposite that they should make the task of having this reservation of matters for the Cabinet, this non-assent to ordinances, one of their first priorities in their struggle for some sort of an autonomy for the Northern Territory.

Mr RYAN: I support the Majority Leader and other speakers. I will restrict my comments to the section of the explanatory letter dealing with the Construction Safety Ordinance and the complementary legislation to the Firearms Ordinance. There are several points that should be highlighted with regard to the reserving of this particular ordinance. It is not correct to state that assent by the Administrator to the Construction Safety Ordinance would inevitably create a legal vacuum unless new regulations are made. The ordinance has a commencing clause and assent by the Administrator would not have brought it into operation. The existing legislation would continue to operate until such time as the new ordinance was brought into operation, which would be when the regulations are ready and made. It is desirable to have such legislation assented to some time before it operates to give concerned parties and administrative authorities an opportunity to prepare for its operation. Until it is assented to, no one can be sure exactly what the law will be and obviously will not waste time or expense in preparing for the operation of a law that may never be made.

There is reference to objections by the Department of Defence. That department has not approached any members of the Assembly, executive or otherwise, and it is rather annoying that another Commonwealth department can intrude into Territory affairs and prevent assent to a Territory ordinance without any reference to or discussion with members of the Assembly.

The most interesting point I feel is that the Department of the Northern Territory has decided to refuse assent, yet the head of the branch which was responsible for the preparation of this legislation did not know that the bill had not been assented to or that it had been reserved until I told him. I heard through the grapevine that the ordinance had been reserved and I went down and asked the branch head whether he had heard that the ordinance had been reserved; he had not heard. It would appear that some people in the Department of the Northern Territory take arbitrary decisions without even

having the courtesy to advise their colleagues who have actually prepared the legislation, which in this case involved many years. There is obviously going to be some fairly tough talking between executive members and senior officers of the Department of the Northern Territory - and any other department for that matter - if more consultation is not undertaken before decisions affecting legislation are made.

Mr PERRON: I also endorse the remarks made by previous speakers on this issue. It is obviously one that we all see eye to eye on. I would like to take particular issue with the reasons given by the Acting Administrator in the letter referred to us through the Speaker for the delay in assenting to the Prices Regulation Ordinance 1975. The ordinance has actually been reserved. The bill was introduced in August 1975 and was passed through this House in October. Four months later, in February 1976, the Acting Administrator reserved the ordinance for the Governor-General's pleasure. The Acting Administrator states as reason for the delay in coming to the decision to reserve the ordinance, and I quote: "In exercising my discretion in this matter, I was guided by consideration of existing prices regulation laws and by the recommendation and advice of the Department of the Northern Territory". I would like to advise the Acting Administrator that we also considered the existing prices regulation laws when we passed the bill.

As honourable members will recall, this ordinance sets up a prices review tribunal. It is an appeals tribunal which is urgently required to allow arbitrary decisions made by the controller to be reviewed. The move to establish the tribunal is just one of the Majority Party's initiatives which, I suspect, is being delayed because of opposition within the Department of the Northern Territory. The department has had access to the content of the legislation since last August yet it takes the Acting Administrator until February this year to consider their advice and decide to reserve the ordinance. The Acting Administrator

goes on to say, and I quote again: "I am informed that the whole policy area in this regard is under review and I deem it advisable that sufficient time and opportunity to investigate all aspects of the measure should be given before a final decision is made". I contend that this unadulterated procrastination is causing direct harm in some of our industries - harm that we can well do without in the current economic climate. Through the Acting Administrator's inaction, there is still not relief in sight to the arbitrary operations of the previous Labor Government's policy of the suppression of free enterprise in the Northern Territory.

Motion agreed to.

ADJOURNMENT DEBATE

Dr LETTS: I move that the Assembly do now adjourn.

I would like to spend a couple of minutes giving a small serve to one Dr Moseley who has been mentioned in the NT News and elsewhere over the last day or two. Today I received a letter from Dr Moseley, the Director of the Australian Conservation Foundation, couched in fairly moderate and reasonable terms. Before I received this letter, I had two days ago seen in the newspaper the report of Dr Moseley's comments about our Territory parks and wildlife legislation, not couched in such favourable terms and going somewhat further than the letter which he had written to me. I would like to say that some of the comments attributed to Dr Moseley in relation to our legislation policies are perhaps typical of the arrogance and ignorance that we strike from time to time in the southern-based experts who know very little about the Territory except for occasional fleeting visits here.

Amongst the comments which Dr Moseley was reported as making was that the introduction of the bill on parks and wildlife into the Legislative Assembly posed a serious new threat to nationally important natural scenery and wildlife. He said and I will just quote one or two paragraphs here:

"There is a world of difference between the ways the Federal Government and the government of this small and not too wealthy Territory are likely to approach the making of decisions on such matters. It is not in the national interest to have the future areas of world importance decided according to the predominantly short term and materialistic criteria of a small pioneering community". That is us.

Dr Moseley does not appear to have a very good understanding of the bill that was introduced here. He criticised the lack of opportunity for public participation in the final determination of plans and management of parks. He does not appear to realise though that we have had for many years - in the case of national parks some 20 years or so - parks legislation locally administered, and very competently so, by a Northern Territory statutory body and, for the past 12 years, legislation in the wildlife field administered by a locally based office of the Department of the Northern Territory. The proposal which we are putting before this Assembly is essentially a combination of these 2 organisations with some modernisation and updating in approach, taken from the Australian Government's own legislation. It is a piece of complementary legislation designed to fit in with the national legislation and to work in the day to day operational field in conformity with the policies which the national government and the National Wildlife Service will lay down in conjunction with the states. He does not appear to realise that, if the bill is passed, the Australian Government still has the reserve powers of assent, non-assent or return with amendment if they are not satisfied with the principles and the administrative practices decided by our bill. All of this is completely overlooked by this man who has misled readers of the newspapers in the south and possibly in the Northern Territory who perhaps know less about the subject than he does - and he does not know too much about it.

He irks me to the point where I feel I should go on and make some comments

about the Australian Conservation Foundation. I see in the comments of Dr Moseley, somewhere along the line, the greedy little hands of certain members of the Australian National Parks and Wildlife Service and members, or former members, of the Department of Environment who are amongst the greatest empire builders that I have ever struck. The thought of having a big slice of the Northern Territory, 5 or 10 per cent, to play around with from their Commonwealth base in Canberra when they cannot get land anywhere else in the states, or they can only do so by negotiation or agreement, is so tempting that they want the lot in the field of national parks and wildlife. Some of these men, the greedy ones, whose hands I see in these statements of Dr Moseley, are not content with a co-ordinating role, or with having a seat on the proposed Territory Wildlife and National Parks Commission; they want the lot, right down to dingo control and pest control and every aspect of wildlife and national park management. At least one person has made that patently clear to me - a person of some considerable influence.

The Australian Conservation Foundation was originally formed as a non-political body to bring informed opinion from a wide range of sources before the federal and state governments in the field of conservation. Part of the virtue seen in its formation was that it would enable the small splinter groups, from suburban groups up to state-type groups, to have a channel through which they could focus their viewpoints at the national and state level and indeed it was hoped that many of these groups would actually join in and become part of the Australian Conservation Foundation. In the early days, it did enjoy quite a bit of success in the membership field. In fact, for 12 months I led a membership drive in the Northern Territory. I was a foundation member and a foundation councillor of the Australian Conservation Foundation and I have been a member ever since its inception. However, I am afraid that, under the influence of people like Dr Moseley, the Australian Conservation Foundation is now going off on the wrong track to the extent that it is

bringing discredit to itself in the Australian community. It appears to have lost most or any objectivity that it ever had. It has become very political, tending to be party political, and has become a happy hunting ground for extremists, the kind of people who, through their influence in publication through the spokesmen of the foundation, tend to do more harm to the conservation cause than good. It has not succeeded in channelling thinking from the wide number of organisations. In recent years, the number of small splinter organisations in the field of conservation has proliferated. Most of them, including the Australian Conservation Foundation, are looking to the taxpayer and the Commonwealth Government for more and more funds to supplement their activities so that they can indulge in quasi-political activities and beat the governments, from which they derive their funds, over the head in turn.

I do not know what the future of the Australian Conservation Foundation would be. I think that under people like this Dr Moseley it is going to have a limited future. If he feels compelled to make comment on Northern Territory matters, I can only hope that in the future he will take the trouble to inform himself a little better first; and possibly even to take the trouble to have discussions with people who are concerned in the making of this legislation and the administration of wildlife and the environment in the Northern Territory. That is what I have done. I have talked to the department; I have talked to the Reserves Board; I have talked to the Environment Council and as many people as I can in the Northern Territory about this legislation and, as far as I can see, it is pretty close to the general consensus of what people want. I do not give two knobs of petrified wood whether Dr Moseley thinks it is right or not because he simply would not know.

Miss ANDREW: I would like to spend some time this afternoon on the matter of accommodation in Darwin, and I would like to start by saying that when I returned from our sojourn in Canberra last week I heard over a local radio

station a press release which said that the Assembly had been asked to take urgent action to stop alleged abuse of the new eviction law in the Territory. There was one particular aspect of this press release which did not seem to be very right. Accredited to the Territory Council for Civil Liberties, of which I am a member, Mr Robert Wesley-Smith said: "Some landlords are using the law to evict tenants who are not squatters". He said there were widespread complaints of landlords posting an eviction notice on premises and then obtaining an eviction order in a court hearing of which the tenant was not aware. He said he had written to some members of the Assembly. I got a letter and I was asked to hand on a copy of my letter to the Executive Member for Finance and Community Development and also to yourself, sir, which I did. One phone call to the magistrate, however, soon allayed my fears that such abuse was taking place. In actual fact, there is virtually no evidence. I was assured by the magistrate that 2 applications under this ordinance had taken place, one by the Department of the Northern Territory, where the magistrate upheld the application for eviction, and one application which was not bona fide and this was referred by the magistrate back to the court where it was dealt with under the Landlord and Tenants Ordinance.

The majority party is not entirely happy with certain aspects of this legislation and has written to the Department of the Northern Territory, who sponsored the bill, asking about certain amendments and indeed asking whether it is any longer necessary. But this press release is not true. There is no abuse as evident in the courts, yet it says here that the courts are throwing people out of houses when the people are not even aware.

This press release, it seems, stems from a meeting which was called by the Community Service Planning Committee of the Northern Territory Council of Social Services. This committee felt that the city corporation must look at the possibility of getting land for the purposes of young people camping. This

meeting was chaired by a member of Regional Council of Social Development Housing Committee Task Force. There were about 150 people, mostly young and mostly transients, who attended. During the course of discussion, a number of issues relating to squatting and trespassing and the issues of legitimate tenancy were raised. Two points basically were of concern. One was that, as the Trespassers Ordinance only allows 24 hours for the people who are to be evicted to be removed, with the current conditions under which the Australian Legal Aid Office is working, there is no time to go and get help in writing a letter to the magistrate. The second complaint was that the definition of trespassers is somewhat vague and that perhaps tenancy by sufferance - that is, where people are living in a house in exchange for services, legal under common law - is being treated as trespassing. The outcome of this meeting was that a group of these transient people decided to get together and form a self-help group under the name of "Shelter". No formal press release was issued. However, it was agreed by the people who attended the meeting that they would get in touch with the southern press and Commonwealth Employment Service and ask them to stop giving the impression that there was an abundance of employment and accommodation in Darwin. I do not like to see information which is not true being bandied around amongst the public. I think there has to be recognition of the fact that Darwin is on the route to Asia and a transient population is as much a part of Darwin as the permanent residents.

Turning to another problem of accommodation, I would like to refer to the meeting of single teachers held in the Civic Centre park this morning. Whilst I cannot support strike action on any ground, my sympathies lie with the single public servant in Darwin. It would seem that some mystical grace is conferred on an individual from the moment he or she takes wedding vows - suddenly they receive the divine right to accommodation and furniture at a token nominal rate; houses are made available, or at least caravans or demountables if they are in vogue at that place at the time. For this

privilege, these married wonders pay 10 per cent of their salary, and if they are on the highest rate of public service pay they can still only pay a maximum of \$25 per week. For the honour of living in the Esplanade Hostel, the permanent public servant, whether teacher or otherwise, pays, as from Sunday, \$42 per week. Even presuming this was the highest bracket of public servant, it is still \$17 over and above the rent. I could eat very well for \$17 and still have something left over.

To assume that \$42 covers all meals, it presumes that this person will be home by 5.30 pm each evening for dinner and be within easy reach of the hostel at lunch time or else be content with what is often a most unappetising lunch. If the single person chooses, however, to enjoy the freedom of a household, he must pay through the nose on the open market - that is, probably \$70 a week for a two-bedroom flat which you can not swing a cat in. Single people are more than willing to share houses with other single people. It must be a saving to the Government to have 2 or 3 employees contributing to the work force and all accommodated under one roof. I urge the authorities to release these caravans, which the Honourable Member for Nightcliff asked about this morning, for the use of single people in Darwin in the short term. In the long term, the attitudes must change. No longer are people willing to live in dog boxes. Hostels could fill the gap and provide accommodation for children whose families live in isolation. An increasing number of people choose not to marry and why should they suffer gross discrimination?

Mrs LAWRIE: I think housing is going to be an interesting subject in the Northern Territory for some years and it is certainly a matter of contention in Darwin at the moment. Like the honourable member for Sanderson, I attended the meeting of single teachers this morning and I have some sympathy for them. Since 1960, I have been aware that single people employed in the public service get a very raw deal in accommodation. It is unfortunate, however, that they brought it to a head

at the moment in Darwin. I do not think that many people other than the Executive Member for Finance and Community Development, myself, the Housing Commission and other people who are disadvantaged - we may not be particularly - are aware of all the problems abounding in Darwin. There is a feeling abroad that the cyclone was 14 or 15 months ago and all is well. That is quite wrong and I think perhaps another person present who would be well aware of the difficulties we are facing in trying to adequately house people is the member for Arnhem.

Too many times we have had statements in the press from the relatively affluent, well-fed, middle class people of Darwin that we are back on our feet and all is well. That may refer to the people here, to members of the corporation and to people who are holding down reasonably well-paid jobs and who have small families. It seems to be forgotten at the moment that there are a large number of people who are at their wit's end trying to raise their families in deplorable conditions. Most of these people are not eligible for public service housing; they are eligible for Housing Commission accommodation, which is why I mentioned that the member for Finance and Community Development is one of the few people, besides myself and the member for Arnhem, who must be aware of their problems. I have had people coming to see me at home at around teatime, and when they have left, I cannot eat. People with 7 kids, people who were born in Darwin, who have no hope ever of owning their own home but who were happy commission tenants, now cannot even get a commission caravan. My approaches to the commission have made me realise that it is not their fault. They have done all they can to rehouse as many of their tenants as possible, but it has not been a feasible thing for them to accommodate all the people who were properly housed pre-Tracy.

It is so easy for this middle class to say: "I'm all right Jack; if you are not is must be your fault". The class of people I am referring to are, some of them, single parents struggling like hell to raise families; some of them are complete family units but on a

reasonably low income with no hope of increasing that income; some of them are people who are out of work through no fault of their own, day labourers who still have family responsibilities and who are struggling to meet them. They are the forgotten people in this community. It is no fault of their own that they are not adequately housed and it is no fault of the Housing Commission's. I think the commission is bleeding its heart out trying to help them, but the commission's money has been cut back, its resources are insufficient and, while this state continues, we know that the Department of the Northern Territory, in its infinite wisdom and glory, has a number of caravans rotting in their 2½ mile storeyard. Some members of this Assembly, myself included, are aware that the Housing Commission has run out of sites to set up caravans, even if they had access to the caravans. Yet we are also aware that there are a large number of vacant government blocks. Why in heaven's name can't the Department of the Northern Territory turn over these sites and these caravans to the Housing Commission for needy commission tenants?

We have a most unusual thing happening in the Territory. We have a dual system in public housing. We have public service housing for the Australian Public Service and Northern Territory Public Service and we have the public housing provided by the Housing Commission, and we have one bleeding the other white. In Canberra this cannot happen because they have a single housing authority. A single housing authority, when it is introduced in the Northern Territory, is going to have to watch out for all kinds of pitfalls, but if only it had been introduced 2 years ago things would have been a lot better, no matter what those particular problems could be. Why is it that people working in Darwin, born here, contributing to the place, are at their wit's end, trying to get a basic level of accommodation through the Housing Commission when that commission is totally sympathetic, and yet on the other hand public servants are refusing to move into caravans and waiting for demountables and other accommodation and are able,

through their various regulations, to get private accommodation and the department picks up the difference? Why is it that we have one advantaged group and another grossly disadvantaged group?

I am really fearful that no one, or not a significant number of people, is caring about those people waiting to become commission tenants. The staff at the commission must be getting very disillusioned and feeling that they will never catch up. I have been in the commission lately and I have seen people waiting to interview commission officers and pleading for some assistance. A lot of these people come to me and I have no doubt they come to other members. On approaching the commission, you realise, in asking for urgency for one person, that the whole blasted list has become urgent. You are going to have to put everyone in as a matter of urgency. I have approached private caravan parks and the member for Arnhem asking for special assistance for people who are literally destitute. The private caravan parks are operating at capacity and many of these people cannot afford to rent or buy a caravan. They can afford a Housing Commission caravan and the commission has done as much as it can in saying, "If you can provide a private site and if you can guarantee that that caravan will remain at that site for a period of 2 years, we will give you a caravan". Few people are able to do this. I had a lady to see me the other day. She has 10 children and a husband; she has relatives living with her, with their children, in a 3-bedroom home. These other relatives are eligible for Housing Commission accommodation and they are on the list but they have no hope of being housed in the foreseeable future. Meanwhile the Department of the Northern Territory greedily hangs on to its land and greedily hangs on to its caravans.

There is another little anomaly with the Department of the Northern Territory which I am going to raise. Where it has permanent public servants who are females with non-public servant husbands the department will not house them even though they have dependent children. In one particular case, a

poor lady has discovered that she is not eligible for housing either by the Department of the Northern Territory or from the Housing Commission simply because she has a common law relationship with her husband of some year's standing. It is stable and they have 2 children born of this union. I am not intending to mention the lady's name as it would be in Hansard for ever; I will call her Mrs X. I have the relevant documents here which are free to be perused by all members. On 14 January, I wrote to the Assistant Secretary, Public Utilities and Housing, Department of Northern Australia, in the following terms: "Dear Sir, Reference Mrs X, I understand this lady is a permanent Fourth Division officer of the Commonwealth Public Service with two dependent children and a common law husband who is a temporary employee of the Department of Construction. I further understand that the lady has applied for public service housing and the matter has not yet been satisfactorily resolved. It appears there is some difficulty regarding the dependency or otherwise of the 2 children. I would point out that under Northern Territory law, the Guardianship of Infants Ordinance, and I quote, 'The mother of an infant shall have the guardianship and custody of the infant, while an infant, jointly with the father and each parent shall have equal authority, rights and responsibilities with regard the the infant'." I went on to say that the Housing Commission feel they cannot accommodate her.

Under our law, because she has acknowledged the paternity of these children and so has her common-law husband, these children are the joint responsibility of both parents, but let us examine what happened when the family as a unit applied to the Housing Commission for accommodation. They said that, as it is not a marriage but a de facto relationship, the tenancy must be in the wife's name. That is their policy and one I applaud, because too often a dependent wife and children have been kicked out by a husband who has received accommodation because of his so-called dependent family. This is a common-law relationship. The

tenancy has to be in the mother's name, but she is a permanent public servant and the Housing Commission is prevented by the ordinance from housing her. They suggested she approach the Department of the Northern Territory which she did, and the Department of the Northern Territory said: "Oh no, we recognise that you have a common-law husband and he is responsible for housing you so we will not put you on our list either". So we have this incredible position where a family, both parents working, with two dependent children, will not be accepted for any public housing list in the Northern Territory.

In my naive way, when she first approached me, I first laughed then said, "This is incredible but don't worry, it must be easily fixed". I wrote formally to the department on 14 January and I can assure this Assembly that it is not easily fixed. The department is continuing to say that the common-law husband is responsible for housing them. The commission is continuing to say that the tenancy has to be in her name but, as she is a permanent public servant, they are prevented from housing her. This is simply incredible. The lady has freely admitted to the department of whom she is a servant that her common-law husband is assisting in the support of the family. If she was willing to swear that she was the sole support of those kids, they would admit her to the housing list. But that is not in fact true and she is totally unwilling to swear a false statement. So because of her honesty, and because of their not unusual but honest circumstances, no one is prepared to admit them to any public housing list. They are still in highly-priced private accommodation and can not afford to continue much longer. If we had a single housing authority, this peculiar position could not arise.

It is my opinion that, because of the Guardianship of Infants Ordinance, she has responsibilities for those children, that she has dependent children and therefore must be admitted, as a permanent public servant, to their housing list. I have ascertained that it is not the Public Service Board which is being

intransigent in this particular instance but the benevolent Department of the Northern Territory, that well-known benevolent department; they say it is policy not to house her and that is the end of the matter.

I have raised this in the Assembly because it appears I shall have to approach the Minister. Certainly I am aware I am not going to get very far with the department. I am hoping that other members of this Assembly will realise what an unusual and totally unacceptable position these people are in, and will support approaches I make for a change in policy. It appears that that is all that is needed, not amending legislation, not a great march on the Public Service Board, but a simple change in departmental policy so that Northern Territory families can be housed. They are able to pay the rent, quite willing to wait their turn, and yet everyone washes their hands of them.

In conclusion, may I say that I originally advised I had written to the Assistant Secretary, Public Utilities and Housing. I would like to place it on record that his dealings with me in this case, have been at all times most courteous and pleasant; but I am not getting very far, and that seems to be the essence of the matter. I would welcome any approaches by other members to peruse these documents and I do hope they will support me in trying to do away with what is a completely inequitable situation.

Mr TUXWORTH: I rise this afternoon to put straight the record on a matter over which I have been very critical for some 12 months. We had, by default, a situation develop in the Northern Territory where one of our most esteemed organisations was given the nickname of "Dad's Army". I would like to place on record this afternoon my appreciation of the fact that Dad's Army has now left us and is back on the television screen where it belongs, and make a complimentary comment on the police force and their new uniforms. They have been a long time coming but they are here; they look extremely distinguished and I think that the citizens of the Northern Territory will

be very pleased to see their police force in such an acceptable form of dress. There is a very old adage that clothes make the man and, while some sectors of the community do not go for it in a big way at all, I do believe the average citizen is glad to see his policemen dressed as policemen should be.

On a more parochial note, I would like to raise a matter of concern concerning the Department of the Northern Territory and the distribution of land within the Northern Territory. We have had a system in Tennant Creek over many years where land was released in dribs and drabs and, from auction to auction, a normal house block available to the restricted purchaser would bring between \$200 and \$2,000, depending on the type of block and the person who was after it. In a very recent auction, we got to a situation where land was auctioned for \$5 a block, and the person that paid \$5 did not really want the land at all; he just could not bear to see it tossed in the ring and not be bought.

It has been a matter of concern to me for many years that we have a system of land release controlled by the Department of the Northern Territory, who are professionals in government administration and would not know anything about land subdivision or land release, but these people still appear to be running around 12 to 18 months behind the demand. Whenever land is urgently required in any community, and Darwin is one such community, it is not available; the subdivisions have not been completed, the planning is not ready - there is always an excuse why land cannot be purchased. In any state in the Commonwealth, land release is treated as a private enterprise operation and invariably in most states you can walk up to the counter of a real estate office and buy a block. We still have not grown into the stage in the Northern Territory of being able to release land in a manner and at a rate that will attract private investment and house development. It is an absolute scandal that a block of land that costs \$2,000 to \$3,000 to be developed can be sold or given to anybody for \$5. I believe in helping

people who want to help themselves. I believe that any person who builds in a remote area most certainly needs help, and would most likely not want to pay \$2,000 to \$3,000 for a block, but I cannot see any sense in this futile exercise that we have of auctioning land 12 months after the demand has gone, getting \$5 a block for it, and then claiming at the next peak demand period that there is no demand because the last auction did not realise enough capital on the land that was put up. We are caught up in a very serious chicken and egg story that will hold the development of the Northern Territory back by at least 15 years if we do not nut it pretty shortly. I very firmly believe that no area or state can develop until people can buy land; and it does not matter whether it is farm land, house land, industrial land, mining leases or what have you. While the Government has these things tied up in the manner that it has at the moment, we will always be 20 or 30 years behind the states.

I will now move on to a matter of town planning that is also a bugbear in the lives of people who live outside the reaches of the Town Planning Board. We have a situation where our petrol station proprietors in Tennant Creek were advised as far back as 12 years ago that they would have to shift their pumps from the footpath. Most have accepted this as a fact that will emerge in time and everybody will have to shift. The petrol companies have had extensive dealings with the department behind the scenes but none of the leaseholders of the petrol stations have had any correspondence with the department other than the feedback they get from the petrol companies. In the last month, there has been an edict go out that by the end of August this year all the petrol pumps will be required to be removed from the footpaths. I think, in view of the fact that this has been going on for 12 years, the timing is most unfortunate. The traffic movement on the road is not terribly excessive; in fact, it is very poor and the gallonage going through the respective petrol outlets would be minimal. They all have price restrictions on them which do not enable them to make sufficient money to develop new

sites. That is a local problem, business problem, a profit and loss problem.

That is the first one. The second one is that one petrol station was told that it could not develop a corner site because traffic going on and off the site might possibly cut the corner and, worse still, would have to drive across the footpath. Yet directly across the road another petrol station has been given permission to develop a driveway with two accesses right across the footpath. It seems to me there is something desperately wrong with the whole system when one man cannot develop because he will be taking his customers across the footpath in a main artery, and his opposition across the road has done just that and developed a property worth \$40,000 to \$80,000. Tied up in all of this shemozzle is the fact that the Lands Branch 2 years ago approved, as a matter of urgency in light of the removal of the petrol pumps, that land should be made available for auction for a petrol station. I regret to advise you, Mr Speaker, that no land has been made available. There are great overtures going on behind the scene about how it should be done and we are now in a position that there is no land available for people to buy and develop; worse, there is little business incentive for them to develop anyway and there is now an edict on them to close their doors on 31 August.

Mr Robertson: There will be some cheap petrol pumps.

Mr TUXWORTH: That is right.

The last point I would like to raise is one that has developed again as a result of the wet and one that has been compounded this year by the enormous amount of heavy trucking on the road, trucking that was not there last year because business in Darwin was at a very low ebb and there was very little need for heavy vehicles to come through in the wet. As a result of the excessive rains we have had for 4 successive years now, we have seen the continual flooding of the Newcastle Waters, the serious undermining of all the roads in my electorate which goes

from the Queensland border to Tennant Creek and as far as Newcastle Waters on the northern boundary. Every time we have a problem, it is inevitable that a truck has gone through the bitumen and sunk in a manner that no one can get down or up and it is virtually impossible for the Works Department to get machinery in and enough dry material to fill the hole to get traffic back on the move again. It is almost a certainty that, as a result of this, other trucks following, which are not aware of this situation, get lined up behind and they too start to sink through the bitumen once they have been standing for some time. I would propose - and I have taken this up with the Executive Member for Transport and Secondary Industry - that in the next wet season we have a system of convoys for taking heavy vehicles through the Northern Territory. There is absolutely no joy at all in letting them go through the way they are at the moment, with having the road closed for 2 or 3 days while we try to pull them out of holes and fill the bitumen with gravel and get the road open again. While a delay might be inconvenient for some people having to wait to go in convoy, the police would have the advantage of knowing where they all were and having the convoy radio knowing what state the road was in at the moment. This is a luxury we most certainly do not have at the moment.

Mr TAMBLING: This morning the honourable member for Alice Springs asked me a question with regard to the transfer of funds in excess of \$100,000 to the Central Australian Aboriginal Congress, and what the funds were for. The Department of Aboriginal Affairs has supplied an answer to me that the following funds have been released to the CAAC recently from approved programs in the Aboriginal Advancement Trust Account: 26 February 1976, \$90,000 for purchase and repair of house and property for night shelter for the pickup service operated by the CAAC in Alice Springs; 23 March 1976, \$22,000, further operational costs to run the pickup service and night shelter in Alice Springs; and 15 March 1976, \$70,000 to establish an Aboriginal Health Service in Alice Springs.

Mr KENTISH: Some of the remarks heard in the adjournment debate have prompted me to add a little to subjects that have been brought forward. I noticed the remarks by the honourable member for Sanderson concerning the disadvantage of marriage in certain circumstances. There is one in Darwin that seems fairly prevalent - I suppose it is Australia-wide at the present time - that if a couple marry and have children, apart from the child endowment, I think \$2 a month per child, they pay for the rearing of their own children; but if a woman is unmarried, by a law of the Territory which we passed here, the children of an unmarried mother are very well cared for, far beyond the subsidy of the child endowment - in fact they are very well kept. Both the mother and the children are well pensioned. If you marry, you keep your own children; if you do not marry, the government keeps the children for you; so who is going to be a fool, that is what it amounts to. It is not quite as bald as that of course. We would not like - and this is why the law has been passed - to see that children in this regard are underprivileged. But there is abuse of this law which is very prevalent and widespread in that many of these unmarried mothers are in fact de facto wives and this is where the abuse of the law is being carried out. As de facto wives, they are drawing the pension and the upkeep for the children of an unmarried partnership. I would think that this is a thing that there is some policing of or something somewhere.

Regarding the matter of land auctions at Tennant Creek, it amazes me to find blocks of land have been sold at \$5. I would have thought that at these auctions there would have been a reserve and, if there is not a reserve on land, perhaps we are at fault in our legislation. However, it is a thing that should be examined. In circumstances where there is no demand, I would have thought that there would be a reserve on land and, if the reserve was not reached, the blocks would be passed in. Then perhaps we have no provision under our legislation whereby these blocks may be sold between auctions, and this would be a

serious fault because all over Australia it is possible to buy land of this sort between auctions. I remember once at Queanbeyan some years back we were asking how government land was disposed of. They said that it was simply sold over the counter at any time at all. There would appear to be no reason why the land which is in so poor demand at Tennant Creek could not have been sold in between auctions by a land agent or by the government district officer. If this is not done, it may be that we ourselves as a legislature are at fault in this.

Mr EVERINGHAM: Mr Speaker, I am indeed sorry to arouse you from your reverie, but I should like to speak on the adjournment this afternoon to add some remarks on behalf of the Law Society, of which I am president, to those remarks already made by the Executive Member for Education and Law in connection with the statement by Mr Robert Wesley-Smith of the Northern Territory Council for Civil Liberties on the Trespassers (Temporary Provisions) Ordinance. I preface these remarks by saying that the bill was introduced by the Majority Leader in 1975 at the request of the ministry then headed by Dr Patterson. Certainly, it was a Labor Minister who requested that this legislation be introduced and this House had the opportunity to examine the legislation for a couple of months. It was debated, passed through the House, assented to and came into operation. At that stage, certain people began to notice that there were one or two unfortunate aspects to it which had not been noticed on its passage through this House. The Law Society was drawn to make representations to the Majority Leader, which he accepted, in relation to the terms of the ordinance.

To satisfy myself as to the position, I asked certain questions of the Executive Member for Education and Law at the last sittings as to the number of applications being handled by the court under the ordinance, and I satisfied myself that the operations of the ordinance were far from widespread. In fact, I think 2 or 3 applications were all that had gone before the court at that stage. In any event, even with

the imperfections in the ordinance, if they are imperfections, a certain responsibility or onus is imposed on magistrates and it appears to me that our magistrates are discharging this onus with responsibility and are certainly giving any trespasser who appears to have anything in his or her favour the benefit of the doubt in remitting the action for hearing to the local court as provided in the ordinance. I therefore am not at present concerned about the provisions of this ordinance although, in view of the fact that it is being so little used, I cannot see why it should not be repealed forthwith. There is provision in the ordinance for the Administrator's Council to do this and I do not doubt that in due course, when the department replies to the Majority Leader - and he wrote to them before our last sittings - this will probably happen.

I am concerned about this wild, ridiculous, irresponsible statement issued by Mr Wesley-Smith on behalf of the Council for Civil Liberties because that is a council that I would like to see respected in the community. I would like to see responsible things coming out of the council when it says something instead of saying, "There goes Wesley-Smith again with some ratbag scheme or harebrained statement". This way the Council for Civil Liberties just will not get off the ground. He obviously has not researched his facts; he has just come out with a tangle of rubbish and I hope that the executive of the Council for Civil Liberties raps him sharply over the knuckles at its next meeting.

The other matter which I would like to speak on this afternoon is Medibank. I am becoming a little worried about the all-embracing provisions of the Medibank legislation. It is obvious that the financial system in this country as it is presently set up cannot stand the financial burden of paying for Medibank. The reason for this is that nothing is really free and if you must have completely free medical services then other areas will suffer and people will lose other services to which they have become accustomed and perhaps much longer

standing services than completely free medical and hospital attention. I believe that persons in limited economic circumstances, persons suffering under disabilities, pensioners, should certainly be entitled to free medical and hospital treatment and I do not think that anyone in this House would question that proposition. However, sooner or later, our Federal Government is going to have to face up to the fact that to continue to finance Medibank as it is presently constituted will lead to heavier taxation on the middle classes because that is where most of the taxation money comes from in Australia. There is only a very small proportion of people who are in the tremendously affluent class in Australia and they are taxed virtually to the hilt at the moment.

It will end up with the middle classes paying for the Medibank scheme and, because of the way these systems unfortunately seem to run to inefficiency as the English system has, it will become more costly than it would be to take out your own insurance through the private funds. I do not think that anyone would say that English health services have improved since the introduction of the national health system, bearing in mind the state of health services in England at the time and the worldwide improvements since. I do not believe the people of England are getting any better service and I believe that, in many ways, they are getting a much worse health service.

We must look after those who cannot look after themselves either through age, infirmity or ill circumstances, but the bulk of the population of Australia must look to assuring their own safety in the medical field by taking out their own private health insurance or carrying the risk themselves as it is often cheaper to do. Otherwise they will soon find that the taxation burden will be crippling and the cost will cripple the freedom of action of governments and the whole thing will become a national bugbear.

Turning from that, I should like to refer to the question I asked the Executive Member for Social Affairs

this morning: "Is it not a fact that he conveyed to this House an undertaking by the Director of Health, Dr Gurd, that the charges for medical services in Darwin Hospital to pensioners using their own private medical practitioner would be waived under Medibank?" I would like to refer members to the honourable member's speech reported at page 326 of the Parliamentary Record No. 4 where he is reported as saying: "All patients will be provided with free hospital care but patients who elect to be treated by a private doctor of their choice will be charged the prescribed amount for their accommodation and maintenance and will be nursed in the intermediate beds. Maternity patients are to be exempt from the provision; they will be nursed in standard beds and will be able to continue under the care of the private doctor of their choice." Further on, he stated that he had been assured by Dr Gurd that pensioners are to be treated in Northern Territory hospitals on the same basis as maternity cases even though it is not provided for in black and white. "They will be treated as standard patients and they will have the opportunity of having their own doctor attend them if they so desire". I would like to call on the Executive Member to reconsider the answer that he gave me this morning and to perhaps take the matter up with his department and ask them to honour the undertaking which he conveyed to this House.

Mr VALE: I would like to speak this afternoon on one or two points that concern me. The first matter concerns an answer which was supplied to the member for Alice Springs by the Executive Member for Finance and Community Development. By way of background information, a group of citizens from Alice Springs has formed what has been called an Alcohol Action Committee which has been set up to combat the problem of drink and related problems in Alice Springs. One of their first priorities was the establishment of an overnight shelter and, for that reason, they approached various government departments to obtain a building or an old house. Up until yesterday afternoon, it appeared that the approach through the Depart-

ment of Administrative Services was very successful and the old Department of Aboriginal Affairs building in Alice Springs was to be handed over. Yesterday, I was advised by that department that there has apparently been a duplication of applications from Alice Springs. We must remember that the Alcohol Action Committee of Central Australia is made up of both European and Aboriginal people; it is a cross-section of the community. Yesterday, the Administrative Services people advised that the Centralian Aboriginal Congress had also applied for a building in Alice Springs and that they were proposing to set up a separate overnight shelter.

The answer which the Executive Member for Finance and Community Development supplied this afternoon was that \$90,000 was to be supplied for purchase and repair of house and property. I wonder whether it is a house on that property or it is a house and a separate property. It is for a night shelter for the pickup service operated by the CAAC in Alice Springs. If in fact they are applying for another night shelter there, it would appear that Neville Perkins, Charlie Perkins and those other groups who purport to be pushing for closer race relationships in Alice Springs are in fact going their own sweet way and to hell

to the rest of the citizens. I would suggest that, if possible, we might be able to get some clarification of that sentence contained in the Director of Aboriginal Affairs' letter to the Executive Member.

The second point I would like to raise is a letter I received on my desk this afternoon from the Darwin Regional Tourist Promotion Association concerning "Back to Darwin '78". Normally, I would think that type of program is reserved for a centenary appeal but, reading through the letter signed by a "G. Hall" or "G. Ball", I would support everything that they are suggesting. It is a tremendous idea; they are proposing to bring back the armed services who helped so efficiently to clean up Darwin immediately after that disastrous cyclone. They are asking for various community reports and in the base of the letter they say: "We are approaching the Legislative Assembly and the corporation, amongst other organisations, for their support". As one member of the Assembly, I think the idea is tremendous and I would be more than prepared to offer my services wherever and whenever possible.

Motion agreed to; the Assembly adjourned.

Thursday 1 April 1976

Mr Speaker MacFarlane took the Chair at 10 am.

SELECT COMMITTEE ON LANDLORD AND
TENANT (CONTROL OF RENTS) ORDINANCE

Mr ROBERTSON (by leave): On 18 March this year, the Minister for the Northern Territory issued a statement that, pursuant to section 6 of the Landlord and Tenant (Control of Rents) Ordinance, he had suspended from the schedule of prescribed premises business, commercial and industrial properties. Your committee held a routine meeting on the morning following that announcement. Among other things, the implications of the Minister's statement were discussed in so far as it was likely to affect the operation of the select committee or influence any of its terms of reference. The committee is of the opinion that the action taken by the Minister has in no way affected its terms of reference. Your committee will proceed with its inquiries in the same manner and with the same purpose as if the decision of the Minister had not been made. It is in any event to be remembered that, whilst not limiting the scope of the inquiry, particular reference (b) of the terms of reference indicates that the committee's greatest concern lies in the field of domestic rental accommodation. The committee recognises that the Minister's actions stem from his great concern to see a resurgence of investment in the private sector. The committee is aware that his decision was based on the advice given to him by members of this Assembly and his department well before the establishment of your select committee.

The committee is studying with great interest the effects the decision will have on rental patterns of commercial premises. Indeed, the committee feels that the trends shown in this sector over the coming weeks will probably guide it to a wiser conclusion. The committee will now not only be able to assess the effects of tight rent control in all sectors of the industry but will also be able to view the sector which is not now subject to any

control. Your committee has noted critical statements made by a spokesman for a certain major political party which is not represented in this place. Those statements attempted to question the integrity and indeed the honesty of your committee. Your committee would like to assure honourable members, that person and that person's party that select committees are not in the least concerned with party political matters. They are traditionally multi-party in their representation. This committee is also of that nature. If the electorates of the Northern Territory do not wish to put a member of his party into this House, then there is nothing the Assembly can do to widen political representation on its select committees. The committee will welcome submissions and evidence from people of all persuasions. It assures the House that its findings will be based on evidence received.

Finally, your committee would like to inform the Assembly that it is now unlikely that it will be in a position to report fully on the first sitting day after 1 May.

PUBLICATIONS COMMITTEE

Mr POLLOCK (by leave): The Publications Committee has been severely restricted in its activities to date because of the limitations placed on the publication of all documents since the cyclone of 1974.

Although a well ordered (though not particularly prompt) printing service had operated in respect of all Legislative Council documents, the Assembly has strained its facilities even in the production of typewritten documents.

Action to improve the standard of document production has been initiated in co-operation with the Commonwealth Government Printer and the Attorney-General's Department.

Electronic word processing equipment compatible with equipment to be installed in the Government Printing Office has been purchased and will gradually be brought into use in the production of Assembly documents. Although a good deal of the early work will be experi-

mental, members should notice an improvement in layout and clarity of documents such as the Notice Paper. Bills are expected to be printed by the printer on instructions from the Parliamentary Draftsman using similar equipment to that of the Assembly and it should be possible to publish bulk supplies of ordinances within days of assent rather than the months it now takes.

Your committee's object is to publish the Parliamentary Record which includes the Minutes of Proceedings, Question Paper, Bills and Hansard within one month of the sittings. Whether this can be achieved depends on a number of factors, some of which are outside the control of the Assembly.

The committee is pleased to note that some of the backlog of Hansard has finally been caught up. All volumes from the Legislative Council have now been published and also the first five of the Assembly's Parliamentary Record up to August 1975.

A copy of this statement has been produced as a sample of the type of work capable of being produced by the new equipment.

BEEF INDUSTRY AND KATHERINE MEATWORKS

Dr LETTS (by leave): I move that this Assembly, recognising (a) that the effects of the general economic crisis in the Australian beef industry during the past year have been more severe in the Territory than in other Australian beef producing areas and (b) the special interest and responsibility which the Commonwealth Government has in relation to the industry here, requests the Government to take immediate steps to ensure that the Katherine meatworks remains open to producers in 1976 and give sympathetic and favourable consideration to other forms of assistance which are necessary to keep the industry viable pending a return to more normal trading conditions.

I seek leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

PRIME MINISTER'S STATEMENT

Continued from 31 March 1976.

Dr LETTS: In continuation, I indicate that I will need quite a bit of time in order to cover all the ground which is raised by the 4 points in the motion. I will have to refer to a number of reference documents during the course of my remarks so that, if I have to pause and shuffle occasionally, I hope honourable members will bear with me.

Mr Speaker, you remind us each morning at the commencement of our proceedings that our deliberations are directed towards the true welfare of the people of Australia. In accordance with that philosophy it is the duty of this Assembly to bring to the notice of the Federal Government certain aspects and effects of recent Aboriginal land policy which could only be detrimental to the future of this nation, including its Aboriginal people. Any thought of political gain should be put aside today. We cannot afford in a debate of this sort to become emotional or heated. History, which means future generations of Australians, will judge us and the Federal Government by what is done this year. Looking around this Chamber, I see, collectively, over 300 years of life and experience in the Northern Territory at an average of more than 16 years per member. Apart from the honourable member for Tiwi, the first person fully of the Aboriginal race to be elected to an Australian parliamentary body there are several other members who are related by marriage or in some way to the Aboriginal people, and there are several who have worked in close association with Aboriginal people on projects of one sort or another for their benefit. Let us now call on our experience and knowledge, taking as our theme the second of Mr Justice Woodward's aims in his report, namely, "the promotion of social harmony and stability within the wider Australian community by removing so far as possible legitimate causes of complaint of an important minority group within that community". I draw attention again to the words, "promotion of social

harmony and stability within the wider Australian community".

It has been a consistent feature of discussions I have had from time to time with Aborigines - that is to say, traditional owners - that they do seek peace and harmony between black and white. They have begun to think of Australia as one nation and, while recognising cultural, racial and colour differences, they often refer to the need for all people to learn to live together in mutual confidence and respect. They are sensitive to, with good reason, and in some cases resentful of, injustices of the past which include dispossession. Perhaps this aspect has been seen less in the Northern Territory than elsewhere. They do seek correction and justice in respect of past mistakes but they do not, to the best of my knowledge, seek to achieve this by turning the sword of discrimination against their non-Aboriginal neighbours. There is the grave danger that people who have believed that they have special responsibilities in relation to Aboriginal land legislation, but who live outside the Territory and who will not have to live with the consequences of their decisions, will make decisions through lack of knowledge and proper advice that will be entirely disruptive and detrimental to the concept of social harmony and stability.

Turning to the first point in my motion, the Prime Minister's statement made yesterday week, I will refer to events of recent weeks which have surrounded this statement. Let me go back to the visit of the Minister for Aboriginal Affairs, Mr Viner, to the Territory in late January this year. The members of the Majority Group in this Assembly were somewhat surprised to learn that a minister so new to his job had formed such firm ideas about land legislation without any prior consultation with Territory people. Undoubtedly, he had leaned very heavily on the views of his senior departmental advisers including one who is credited - or discredited - with having said that legislation would have to be made in Canberra because he did not trust the Legislative Assembly. From what was said at the time of Mr Viner's visit

and what we knew of the history of the coalition's previous policies on Aboriginal matters, including Aboriginal land, and the views of the coalition expressed by its spokesman on Aboriginal affairs when they were in opposition at the time of debate on Labor's legislation, we believed that most matters concerning the land legislation were still open to consultation and negotiation. Subsequently, in the weeks after Mr Viner had been here, there was increased public interest in the media. Spokesmen, usually European, for certain Aboriginal organisations took a hard line that legislation had to be federal and pretty much in the form that the Labor Government had introduced it previously.

The honourable member for Nightcliff asked a question about contact with the land councils of the Executive Member for Social Affairs in question time this morning. Within the past month, I have had discussions with the two chief advisers to the Northern Land Council. I have had correspondence with the present chairman of the Northern Land Council, Mr Silas Roberts. I have attempted to make contact with various office bearers of the Central Land Council. I have offered to talk to them; I am prepared either to go to Alice Springs or have them come here but I have not been able to establish satisfactory communication with that body. Following a good deal of comment in the media, a rally was organised in Alice Springs by the spokesman for Aboriginal groups in the centre and a delegation went south and saw Mr Viner and the Prime Minister in Canberra on 18 March. A press statement was issued on the same day by Mr Viner and I seek leave to have a copy of this statement included in Hansard.

Leave granted.

ABORIGINAL LAND RIGHTS LEGISLATION

Aboriginal Land Rights legislation would be considered by the Federal Parliament at the earliest possible opportunity, the Minister for Aboriginal Affairs, Mr Ian Viner, said in Canberra today.

The Minister's statement followed a meeting which he and the Prime Minister, Mr Fraser, had in Canberra with a deputation of Aborigines from Northern Territory on the land rights issue.

The Prime Minister told the group, led by Mr Neville Perkins, General Secretary of the Central Australian Aboriginal Congress, that Aboriginal Land Rights legislation would be introduced in the Federal Parliament.

Mr Viner said later that the Federal Government considered its pledge to grant Aborigines rights to their traditional lands of great importance. It had also been one of the major undertakings in the Coalition policy statement on Aboriginal Affairs. He went on:

"Land rights is an issue which arouses passionate feelings, not least among Aboriginal people. I have received a great many representations from Aboriginal groups as well as other Australians in the Northern Territory who feel their interests could be affected by government decisions on this subject.

There has also been much speculation that the legislation will be introduced in the Northern Territory Legislative Assembly. I hope this speculation will now be ended by the Prime Minister's statement.

The referendum of 1967 gave the Federal Parliament powers to legislate for Aborigines throughout Australia. The proposed legislation on land rights is perhaps the most significant legislation that any parliament will have to consider on matters affecting the Aboriginal people.

For this reason, there is no question that it is one which must be discussed in the national forum."

Mr Viner added that his expressed reservations about some aspects of the land rights legislation introduced in Parliament by the previous Government concerned safeguards for Aboriginal communities. He felt some

provisions in this respect could be more clearly expressed in the new legislation.

There was no need for Aboriginal people to fear that the new legislation would in any way limit their opportunities of gaining inalienable title to their traditional lands.

Mr Viner said he was working on the finishing touches to his submission to the Government on the proposed legislation.

Other members of the group who attended today's meeting were: Messrs Winton Rabuntja, Harry Nelson-Jagmara, Simon Enalunga, Johnny Linch and Winton Foster.

Dr LETTS: I believe that this statement has caused widespread dismay in the Territory community, I refer to the following passage: "There has also been much speculation that the legislation will be introduced in the Northern Territory Legislative Assembly. I hope this speculation will now be ended by the Prime Minister's statement." The Prime Minister's statement was, in fact, words attributed to the Prime Minister quoted by Mr Viner in the earlier part of his statement. Mr Viner said he was working on the finishing touches to his submission to the Government on the proposed legislation.

The reason that there was dismay in certain sections of the Northern Territory community was because the statement was interpreted as meaning that there was no place for Territory elected representatives - that is to say, this legislature - in making any legislation. It was also interpreted as meaning that the time for further consultation was over because there is no mention of the word "consultation" anywhere in Mr Viner's statement. He quoted the Prime Minister in support of his own attitude. The statement was made essentially without hearing any other point of view other than that of the centralian delegation, and it was followed by a telegram from Mr Viner to one of our members confirming that the statement as given to the press on the 18th reflected the Government's attitude. This gave us cause to suspect

that perhaps it was a statement based on a Cabinet decision and the view of the joint coalition parties' government members. I do not believe in fact that that kind of interpretation would be correct.

I say now that the statement made by Mr Viner was essentially political in nature, rather than based on fact, logic, practicability or the reality of the constitutional position. The reference to the attitude of the Government was very surprising to members of the Country-Liberal Party in the Northern Territory. To us it represented an entirely new dimension in Government policy - that it is now the coalition Government's policy to make Canberra legislation on land matters, other than acquisition, for the Northern Territory and possibly for the states.

Following representations I made to the Prime Minister, I was invited to discussions in Canberra in my role as Majority Leader and Executive Member for Constitutional Development. I thank the Prime Minister for extending this invitation and I acknowledge with gratitude the spontaneous support of my colleagues who, at their own expense, accompanied me to Canberra to express the depths of their concern at what seemed to be happening. The meeting with the Prime Minister came after other meetings with ministers and undoubtedly produced a better understanding and some hope for us; that is to say, the people of the Northern Territory and this legislature. In support of that better understanding, the hope of more and more meaningful consultations from here on, and the possibility of legislation being made in both the Federal Parliament and here, I refer to paragraph 4 of the Prime Minister's statement: "The Prime Minister and the Deputy Prime Minister gave a complete and unequivocal affirmation, as had the Minister for Aboriginal Affairs" - I do not know quite where he gave it but that is what it says - "that there would be full and thorough consultation on all aspects of the preparation and implementation of the proposed legislation". I underline the words "preparation and implementation". And then in the 6th paragraph, we see the sentence: "The possibility

of complementary Territory legislation is also a matter that needs to be examined".

I expect now that the principles to be adopted in forming legislation will be considered by the Federal Cabinet in the near future. The guidelines which they look at and finally adopt will then go on to draftsmen to produce a bill for introduction in the autumn session. The Prime Minister has clearly indicated that is his intention. It is at this stage that any form of complementary legislation which might be possible or proposed will need close examination and the availability of federal and complementary legislation to the public would be the signal for further extensive examination, consultation and comment. The possibility of it being referred to a federal parliamentary committee on Aboriginal affairs is still in the minds of many federal members of Parliament. You may recall, Mr Speaker, that this was actually the proposal which the coalition put forward on a motion of the then spokesman on Aboriginal affairs when the previous bill was being debated in the House of Representatives, that the bill be referred to a parliamentary committee on Aboriginal affairs. I do not believe that proposal would have been carried in the Reps but it was a declaration of the coalition's attitude. I think it would have had a fair chance at least of being carried in the Senate at that time.

It appears to me that, in keeping with the Prime Minister's statement and those particular passages which I read out, Assembly members' views should be sought and injected into the preparation of the legislation at all stages if we are to finish up with a mutually satisfactory result, and I will use my best endeavours to see that this happens.

The second part of my motion reaffirms the support of this Assembly for the passage, this year, of appropriate Aboriginal land legislation after adequate consultation. The part which has been played by this legislature over many years in relation to Aboriginal land rights legislation is

often conveniently forgotten by those who choose to attack us. It is not known, perhaps, to some other people. Let me briefly recapitulate. In August 1964, that is going on for 12 years ago, the then Northern Territory Legislative Council appointed a sessional committee on Aboriginal integration. This committee continued its work during the life of that Council and in May 1965 the committee recommended legislation for land tenure on Aboriginal reserves. In August 1966, an elected Legislative Councillor, namely the late Mr Drysdale, introduced an Aboriginal Land Titles Bill to this Chamber. In February 1967, on the initiative of the federal coalition Government, an alternative proposal, amendments to the Northern Territory Crown Lands Ordinance to achieve a similar result, was introduced to the Legislative Council. That particular bill was finally passed with amendments in August 1968. It dealt with titles to land on reserves and, on its passage and assent, over 40 applications by Aboriginal individuals and groups were approved by the Minister. This Northern Territory legislature has always done all it has been asked and more with regard to Aboriginal land rights legislation. It was one of the first legislative bodies in Australia to take initiatives of its own volition. It is certainly prepared to do all that is asked of it now.

Part 2 of the motion uses the term "appropriate land legislation". On this point, let me make some comments first about what I regard as inappropriate about the legislative proposals previously espoused by the Federal Government. We considered that the proposed bill had 3 major defects. First, it would be entirely obstructive of Aboriginal societies because it does not recognise the Aboriginal reality in the Northern Territory that only traditional owners can have title in Aboriginal land and can determine the usage of that land. Secondly, it would stultify public investment in the Northern Territory and continued involvement in land, particularly rural land, because of the open-ended approach to Aboriginal land claims. Thirdly, in a community where inter-racial relationships have shown positive signs of becoming more harmo-

nious, it would provide the biggest single divisive force between black and white and tribal and so-called urban Aboriginals yet experienced in the Northern Territory.

It is necessary for the sake of the record to give further background of what I might call demographic and geographic information before going on to suggest what kind of alternative lines we would envisage for legislation if our views are taken into account. According to the Bureau of Census and Statistics and other official sources of data, out of a total Northern Territory population at 30 June 1975 of over 86,000 people - the official figure was 101,000 before cyclone Tracy - there are some 22,250 tribal Aboriginals, about 40 per cent of the total number of tribally oriented Aboriginals in Australia. Of these, some 16,000 live on reserves with a total area of 94,130 square miles or 18 per cent of the total of the Northern Territory, or on areas such as Hermannsburg, Santa Teresa and Daly River. Some 4,200 live on pastoral properties and mining communities and the remainder, many of whom would have tribal affiliations with Aboriginals on reserves, live on the outskirts of the larger centres.

We believe that a major defect in the present bill is the definition of "Aboriginals" which is not consistent with Northern Territory reality. It is necessary to distinguish the more traditional Aboriginals whose self identity has been culturally shaped and formed and those Aboriginals whose self identity has been largely formed on the basis of colour. Aboriginals as recognised in the Northern Territory have no difficulty in making this distinction. For them an Aboriginal is one who knows and has been put through the law. Under this definition, there would not be difficulties in determining Aboriginal ownership of traditional land in the Northern Territory.

It is not sufficient for us to say what is wrong with the legislation but it is necessary also to be positive and to indicate the sort of things that we would be looking for in legislation. We believe that some of the defects of

the present bill could be cured and Northern Territory realities recognised if the amount of land to be proclaimed as Aboriginal land under a separate special title could be stated with some definite idea as to how far it extended and where it existed and if the present concept of a continuing claim basis over not only vacant crown land but any other crown land should be avoided. The traditional Aboriginal land, as we see it, would be all the land on existing reserves which would become designated as Aboriginal land to be inalienable, to be held by perpetual title by Aboriginal individuals or groups with traditional rights for their communities and with a right in turn to sublease this land to Aboriginal individuals or groups. Land off reserves would also be involved and would include areas of ritual, ceremonial or religious significance and interest, areas for living purposes for communities on pastoral leases, areas for economic and business purposes and areas which might even at this time be included in existing reserves to enable their more effective economic development. For example, the Hooker Creek community until recently was living off the reserve due to a survey mistake and it has only just been put into the corner of the reserve but there would be some advantages in adding some additional land around that area to the reserve and we would envisage doing that.

So far as these areas off present reserves are concerned, they can be protected under Territory law even in some cases if that law may need a bit of tidying up and modernising. The lands of ritual, ceremonial or religious significance could come under the Native and Historical Objects and Areas Preservation Ordinance or could be granted as special purposes leases. The land for living purposes of communities on pastoral leases could be granted, as has been suggested in the case of Lake Nash pastoral lease, as a sublease of the pastoral lease. The land for economic and business purposes could be handled under the existing provisions of the Crown Lands Ordinance and any additional areas which need to be added to Aboriginal reserves could be handled by reservation and declaration under

the Crown Lands Ordinance and then declared Aboriginal land as suggested in the first area for all land within reserves.

It should be noted that under the arrangements which I have just outlined, it would not be necessary to set up special administrative machinery, for example, land councils, as a negotiation in respect to titles for land would be made directly by the Aboriginal landholders who would have authority in turn to make any subtenure arrangements that they wanted for the areas which were granted to them. The landholding Aboriginals are aware of the respective areas which lie within their domain and, with very few exceptions, there would be little in determining for purposes of Aboriginal title the boundaries between these domains. The present concept of the land councils and the administrative arrangements under the old bill in the Federal Parliament envisaged an Aboriginal land commissioner at the level of a judge plus support staff of Commonwealth public servants and consultants engaged by that commissioner. With Aboriginal land councils, there were to be 2 in the beginning, 2 separate staffs and consultants; they would be in the nature of Commonwealth statutory authorities with each council being required to administer the land, negotiate with interested parties, recommend on Aboriginal land requirements, control and look after the expenditure of public moneys in connection with acquisition and development of land for the benefit of Aborigines and a whole series of functions which would require staff and money. That was only the first 2 of these land councils; there was more or less open-ended scope to develop as many land councils as there are separate Aboriginal communities in the Northern Territory.

Not only the cost of this operation and the number of people involved, but also the inappropriateness of setting up two completely different systems of land administration in the Northern Territory is a matter which has concerned us. I believe that, in looking at the land councils in

legislation, the Government might well have a look at their own policy on Aboriginal affairs. The joint policy published in November last year stated that a Liberal and National Party Government will demolish unnecessary bureaucratic barriers between Aborigines and the program intended to assist them towards self-management. In our mind, the development of land councils in this kind of way is an unnecessary bureaucratic development and one which is recognised not only as unnecessary but unacceptable by some of the Aboriginal people to whom we have talked. Many other Aborigines not related to them will come into the matter of determining what is their land and how it shall be used. There has been some confusion on the matter of land councils as to where we stand or other people stand and the spokesmen for the Northern Land Council and the Central Land Council have talked at times of the need to have a forum to which Aborigines can come from various parts of a region and exchange different viewpoints, establish differences, establish common grounds and speak on behalf of that region with all those representatives present. There may well be a need for this kind of body to do that kind of thing but that is surely a different concept altogether from the concept of land administration, whether it be Aboriginal land or any other land. There is a confusion between the need for this forum kind of approach and the administration of land and this is the distinction that I draw.

In my earlier remarks, I referred to the uncertainty in the Territory community which has been created by the previous legislation and policies. Honourable members will recall that, following the Woodward Report in 1974, a freeze was placed on vacant crown land for any other use for the time being. That freeze is still on and I understand it is being continued now until at least the end of this year. Aborigines were invited and even encouraged to lay claim, not only to this vacant crown land but to any other areas in which it was believed they could establish a claim on land in the Northern Territory.

I have with me 2 maps which I will

wave around for the moment and then I will ask leave of the Assembly to table them. The first one is a reduced pastoral map of the Northern Territory which shows in red shading the areas I referred to previously in this debate comprising 18 to 20 per cent of the Northern Territory, namely Aboriginal reserves. The other coloured areas throughout the Territory represent some of the claims which have been lodged. In some cases, these claims have been lodged with the commissioner and have actually been processed and granted by Government - that is mainly the purple areas which form that category - and the others are claims in the green areas which are being held by the Northern Land Council, in one case the Central Land Council, which have not yet been finally dealt with by the Interim Land Commission. In addition to the one that you can see on that map, there are over 100 areas not painted in there which represent the Northern Land Council's list of sit-down areas on pastoral leases plus a few larger areas too.

I do not know the extent of the additional claims by the Central Land Council which are not shown on this map because they have been rather closer and more guarded with the information they have on this subject. Even as that stands - very incomplete as it is; and there would be at least another 150 claims ranging from small sit-down areas of perhaps 2 or 3 square miles up to fairly substantial areas - one can see what sort of a mad mosaic it does represent. When, as I believe it is, it is the intention of the Department of Aboriginal Affairs and Minister Viner to have all that land come under the federal legislation, to have it all declared as Aboriginal land under a separate form of title, administration and complete operation in the Northern Territory, one can see what kind of an absurd proposition we have in land matters for the Territory. Put alongside that the claims which the Department of Environment will be making in turn on lands for national parks and environmental subjects under a different minister and a different federal land law, another 5,000 or 10,000 square miles, and you can see what sort of a so-called Territory we

are going to have. We are going to have 3 systems of land laws and administration: the areas coming under the Minister for Aboriginal Affairs and his authority to issue titles, freehold, leasehold or whatever they might be, the areas which the Commonwealth would look after in terms of national parks and wildlife and the remainder would be areas which, at this stage anyway, might be available to the Northern Territory administration to form the basis of what has been called "statehood" for the Northern Territory. If ever there were 2 policies in direct, head-on conflict, it is the policy that has been nominated for statehood by the present Government and the intention of the Department of Aboriginal Affairs to go ahead and produce, not a separate state of the Northern Territory for Aborigines, but almost an unlimited number of separate states.

This, of course, spills over into the urban situation and I have maps available of both Alice Springs and Darwin. This is the map of Alice Springs and it shows the claims which have been lodged with the commissioner for Aboriginal titles in and around the township of Alice Springs. Of course, there will be more time and opportunity to do this. Then we get to the field of local government and how the Alice Springs Town Council or the Darwin City Corporation - I have a similar map for Darwin - are going to administer this system when they have subordinate legislation for land administration within urban areas and then over the top of us comes this federal law, I do not know. The whole prospect is some kind of a nightmare which has been looked at by people who are looking purely and solely, with goodwill and the best intentions, at the Aboriginal need and not looking at the position in the whole community. The kind of policy shown in legislation which is being acted on even now, through the process of the Interim Land Commissioner, has, does and will create complete uncertainty in the rest of the Territory community, for businessmen in towns, anybody engaged in the rural areas, whether it be pastoral industry or any other form of enterprise, as to where they are going.

Perhaps the most unfortunate part of the policy is that it does lend itself to misuse. Indeed, I have some evidence already, which would need further investigation, that this could happen if there is somebody in one of these rural areas who has a form of title or tenure to land and who happens to get on the wrong side of an Aboriginal group or, more likely, the advisers to that Aboriginal group, perhaps through a political situation. The case I have in mind is of a man who is on a pastoral lease, who did give some open help to our party during the course of an election and, within a short time of that happening, his property became the subject of an Aboriginal land claim, even though there had been no evidence or indication of Aboriginal people living in that area, at least in recent times, and I think pretty well this century. This can happen, whether that case can be authenticated or not, and I have pretty strong grounds in referring to that case. It can happen and it is wrong that it can happen. Obviously, the effects on social harmony and stability in the Northern Territory of that possibility existing are completely destructive. I seek leave to table these two maps.

Leave granted.

Dr LETTS: The last part of the motion concerns the effect of the 1967 referendum on the position of the Commonwealth Government and its responsibilities in relation to Aboriginal matters, in particular as they affect the Northern Territory. Typical of some of the views that have been expressed on the effect of the 1967 referendum and subsequent constitutional change is the letter which I received in the last couple of days from a senator in the Federal Parliament. He says: "I am entirely of the opinion that the elected members of the Northern Territory legislature should be fully informed and consulted in connection with the Aboriginal Land Bill. However, I believe that the legislation in respect of this matter is the responsibility of the Federal Parliament confirmed overwhelmingly by the 1967 referendum and I do not believe that in any way the Federal Parliament can abdicate this responsibility." This is a

view that has been commonly stated by the previous Labor Government and it has been stated in some correspondence I have received locally from interested bodies including a couple of church bodies.

Mrs Lawrie: Who is that?

Dr LETTS: Senator Alan Missen.

It is the sort of thing which the Minister, Ian Viner, has been repeatedly saying over recent weeks. Let us have a look at just what happened in relation to that referendum. The referendum of 1967 in relation to Aborigines asked 2 questions. The second one concerned the reckoning of the numbers of people of the Commonwealth and that Aboriginal people should not be counted. In other words, it was a census matter and it was proposed to remove that section 127 provision. Naturally, I think everybody around Australia would have voted for that. Certainly, the Federal Parliament was practically unanimous on it. The first question which was passed at the referendum related to the making of special laws. It related to section 51 of the Constitution which covers the power of the parliament to make laws with respect to the people of any race and it used to say "other than the Aboriginal race in any state for whom it is deemed necessary to make special laws". The effect of the 1967 referendum being carried was the subsequent alteration to the Constitution which removed the words "other than the Aboriginal race in any state". In other words, that change to the Constitution had no effect whatever on the Northern Territory because it deliberately and clearly uses the words "Aboriginal race in any state". The Federal Government had the power before the 1967 referendum in exactly the same field and to exactly the same extent that it has in 1976. It knew that; there was no question that it did not understand that clearly because it is as clear a piece of expression of law as you could ever see. Yet knowing that, and having the result of the 1967 referendum available to it as the expression of the people of Australia as to what it should do, it still made in 1968, through the Legislative Council of the Northern Territory,

Aboriginal land laws for Northern Territory as far as reserves were concerned and put those into operation and granted titles as a result of them. As far as the present Federal Government is concerned, that referendum made no change in the relationship between the powers of the Federal Parliament and this legislature. The policies which were adopted after the referendum and after the change in the Constitution are the policies which we see in Territory law today and which we are quite prepared to pick up, modify and improve along lines agreed between us, the Federal Government and the Aboriginal people.

It is significant that in the "Yes" case that was put to the Australian public at that time, there is no mention anywhere of the question of land law; the word "land" is not mentioned. It is held that the particular mention of "Aboriginal race", when the rest only refers to the people of any race, was a discriminatory mention. The Constitution now gives provision to make special laws for people of any race within Australia without any mention of Aborigines. So the case for "Yes" starts by saying that those words are discriminatory and should be removed. It says it will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, if it considers it necessary, wherever they may live. "This would not mean that the states would automatically lose their existing powers". Listen to this now, Mr Speaker, because this is the essence of the "Yes" case. "What is intended is that the national parliament could make laws if it thought fit relating to Aborigines as it can about many other matters on which the states also have the power to legislate. The Commonwealth's object will be to co-operate with the states to ensure that we act together in the best interests of the Aboriginal people of Australia". If ever the "Yes" case in that paragraph spelt out exactly the kind of proposal we are now prepared to discuss with the Federal Government, that they have enabling legislation in respect of Aborigines which lays down the main guidelines and principles, and that the

states and the Territory, as suggested here, have joint or complementary legislation, that paragraph could be an exact expression what our proposal to the Commonwealth Government would be. Any other suggestion, that some new-found powers for the Territory were acquired in 1967, is a mis-statement of the true position. If honourable members will agree, I will seek leave to have the "Yes" case, which is fairly short, incorporated in Hansard for the record of this debate.

Leave granted.

CONSTITUTION ALTERATION (ABORIGINALS) 1967

THE CASE FOR YES

The purposes of these proposed amendments to the Commonwealth Constitution are to remove any ground for the belief that, as at present worded, the Constitution discriminates in some ways against people of the Aboriginal race and, at the same time, to make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Commonwealth Parliament considers this desirable or necessary.

To achieve this purpose, we propose that two provisions of the Constitution be altered which make explicit references to people of the Aboriginal race.

The first proposed alteration is to remove the words "other than the Aboriginal race in any State" from paragraph (xxvi.) of section 51. (xxvi.) reads:

"The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:

(xxvi.) The people of any race, other than the Aboriginal race in any State, for whom it is deemed necessary to make special laws."

The proposed alteration of this section will do two things. First it will remove words from our Constitution that many people think are discriminatory against the Aboriginal people.

Second, it will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Parliament considers it necessary.

This cannot be done at present because, as the Constitution stands, the Commonwealth Parliament has no power, except in the Territories, to make laws with respect to people of the Aboriginal race as such.

This would not mean that the States would automatically lose their existing powers. What is intended is that the National Parliament could make laws, if it thought fit, relating to Aboriginals - as it can about many other matters on which the States also have power to legislate. The Commonwealth's object will be to co-operate with the States to ensure that together we act in the best interests of the Aboriginal people of Australia.

The second proposed alteration is the repeal of section 127 of the Constitution. That section reads:

"In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, Aboriginal natives shall not be counted."

Dr LETTS: I would go further and suggest that, if in the "Yes" case in 1967, the Commonwealth had come out and said that, in some years to come as part of the removal of the discriminatory provision and our sharing of power in the states in relation to Aboriginal legislation etc, we will be making legislation on land to create a sort of situation which is shown on those maps in any state, that referendum would never have been carried and those alterations to the Constitution would not have been made. If the states had had any concept that

the Commonwealth Government had in mind that kind of operation, there is no way that the state governments would have supported at the time the referendum and proposal. I have said that to the Prime Minister and I believe that to be a true statement of the position. I will be carrying on contact with the state governments and endeavour to establish that that was the way they saw it at the time and obtain further support from them if necessary.

Finally, there have been references, particularly by Minister Viner, to the Aboriginal affairs policy of the National Country Party and the Liberal Party, the joint policy; it is all here in this document. It covers Aboriginal self-management; it has a preamble, "Aboriginal self-management, additional funds"; it has passages on education and health and Aboriginal land rights. The passage on Aboriginal land rights is exactly in conformity with the policy of the Country-Liberal Party of the Northern Territory; we have no dispute with anything that is contained in there, but nowhere in that one column and a bit of that policy which is now claimed as a justification for what the Federal Government is doing will one find any reference to the Federal Government having the sole power or any intention of making land legislation for Aborigines in the Northern Territory in the Federal Parliament. It is just not there. The attempt to use this document for justification has been very loosely used. For the sake of completion, I would ask that paragraph 2 of the present Government's policy statement on Aboriginal affairs be incorporated in Hansard.

Leave granted.

2. Aboriginal Land Rights

We recognise that fundamental to the Aborigines' sense of Aboriginality - of affinity with one another - is their affinity with the land.

The recognition of the rights of some tribal clans and reserve communities in the Northern Territory can be satisfied by granting title to their traditional areas of land. For others, alternative forms of land and

housing 'rights' need to be negotiated and the means for doing this are considered in later sections of this policy statement. Clearly, a variety of solutions are required to meet these various land demands and associated needs.

The Liberal and National Country Parties recognise the right of Aborigines to the lands located within the reserves in the Northern Territory. We will also make lands available, either by grant or through the provision of funds, to tribal Aborigines living on or near their traditional areas which are not on reserves and to detribalised Aborigines in rural or urban areas. To achieve this purpose we will make regular allocations to the Aboriginal Land Fund.

In recognising land rights we will ensure:

- (i) that the traditional Aboriginal owners gain inalienable title to their lands;*
- (ii) that they also determine how their lands are to be used and preserved;*
- (iii) that they have the same right as any other owner to determine who enters their land and whether the person is an Aborigine or non-Aborigine;*
- (iv) that sites significant according to Aboriginal tradition be preserved and protected;*
- (v) that expertise and funds are provided to assist in the development of their lands;*
- (vi) that appropriate health, housing and education services are provided to and employment opportunities encouraged for Aboriginal people living on or near their lands;*

(vii) *that mineral prospecting and mineral development should only be allowed under strict government control and in a manner which protects sacred sites and reflects the views and needs of the traditional Aboriginal owners;*

(viii) *that royalties from mining be used for the benefit of the Aboriginal people and that a fair proportion thereof be paid in trust on behalf of the traditional Aboriginal owners of the land on which mining is conducted.*

Dr LETTS: Not since the surrender of the Northern Territory by South Australia to the Commonwealth 65 years ago has anything transpired so likely to affect the future course of history here as the matter which is before us now. Nothing has transpired which is so likely to affect the course of history so adversely. The many and monumental blunders of the Federal Government in the past in relation to the Territory collectively pale into insignificance compared with the proposed course on which some members of the Government now seem set. I believe it is up to every member of this Assembly to do his best to logically make our position clear and to make clear the misunderstandings and misrepresentations which have been made in relation to our position over recent weeks to the public generally, to the media, to our political colleagues in the states and at the federal level.

Mr STEELE: I support the Majority Leader. Just referring back to the press statement issued by the Prime Minister on 23 March, the Majority Leader mentioned the statement that the possibility of complementary Territory legislation is a matter that needs to be examined. The final paragraph states: "We are committed to working with the states in a spirit of partnership and that applies equally to the Northern Territory which is destined for statehood. We will pursue that

partnership constructively." Decisions affecting land tenure have been made in this legislature for the last 28 years and the majority of Territorians see no reason why these decisions should be made elsewhere. Fourteen Country-Liberal Party members at a gross personal cost of some \$7,000 and with the full support of the Party's Central Council and the Northern Territory's numerous branches, flew to Canberra last week in support of our Majority Leader to ask why Northern Territory land legislation should be introduced into the Federal Parliament. We were alarmed to think that the coalition Government had been misled in some way and we were anxious to preserve the rights of all Territorians. Quite frankly, I was of the opinion that the Department of Aboriginal Affairs had re-iced the cake of the previous Government's bill and we were to be saddled with that divisive and destructive legislation which, over the next 20 years, would have caused complete chaos in administration and untold harm to the Aboriginal communities. We went to Canberra so that the interests of future generations of Territorians would be safeguarded.

I might mention that our delegation was very well received in Canberra; we made quite sure of that. The electorate can be assured that, in determining the form of the legislation, the views of all Territorians will be taken into account, not just the first delegation that gets to Canberra. I have said the Prime Minister mentioned that complementary legislation will be introduced through this Assembly and he is examining that. It is a well known fact that the previous Council took steps as long ago as 1964 to come to grips with the proposition that land should be returned to Aboriginal communities. Finally, in 1968, legislation was passed to enable land titles to be transferred to Aboriginals on reserves. I would accept that the legislation did not go far enough. I would accept that the legislation passed at that time was not passed quickly enough. However, on this last point, I would mention that, in my opinion, the maverick disposition of the legislators, including the

Government members, rather than a reluctance on the part of the Government, slowed the business down considerably. However, those members were fighting a battle in a very sensitive area. At least, they were fighting the battle.

Honourable members will recall our policy statement of September 1974 before the Legislative Assembly elections. The Country-Liberal Party has consistently stated that we are especially concerned to see that the true views of Territory Aborigines are heard by Government. We believe that, in the past, outside people have too often spoken on their behalf and, in the passage of future land legislation for Territory Aborigines, we maintain that view. Dr Letts mentioned earlier the establishment of a forum for Aborigines and that is also a part of our party policy.

The former member for Ludmilla, now Mr Justice Ward, in the earlier debates on the question of returning land to Aborigines said: "Before it is too late, there should be an attempt made to go round the Northern Territory to decide what land is meaningful to the Aborigines and whether we can give that land to them without causing too much distress to the people who are presently occupying it. The only reason for not giving this land to them is commercial. It is a question of deciding whether commercial interests outweigh what we might do to salvage the disasters we have caused in the past." I mention that quotation because we have just gone through 3½ years of no titles for Aborigines because of the Labor Government. Mr Ward was a Labor man whose point of view was on a decentralisation basis, not on the overcentralised form of government.

Some of the earlier considerations when producing the Aboriginal Land Titles Ordinance were to ensure that certain safeguards were written into the law; for example, that the land could not be sold without the consent of the Administrator's Council. These sorts of decisions were taken after consultation with Territory Aborigines. The government of the day

was pursuing a policy of granting land to Aborigines under NT ordinances. The legislators of the day were pursuing a policy of direct contact with Aborigines in groups and as individuals, as opposed to the land councils which formed some sort of a buffer zone. The type of legislation which the Legislative Council wanted did not allow Aborigines or other brown people from interstate to come up here and take over their land and, although the late Mr Drysdale's proposition to provide land for Aborigines was not successful, in every stage during those debates and the debates on the amendments to the Crown Lands Ordinance to achieve a similar result, it was clearly demonstrated that it was government policy to provide land for Aborigines under Territory ordinance, that it was agreed to by the legislators to provide land for Aborigines under Territory ordinance. As far as the Country-Liberal Party is concerned, we cannot see any reason for any change.

Just going back to last week, we had the pleasure, or displeasure, of seeing Senator Keefe in action in the Senate. He asked a question of Senator Withers concerning the delegation that came down. He suggested in his remarks that we were there to intimidate the Government. In part of his question, he asked: "In particular, can he assure the Parliament that the Aboriginal land legislation will stay with the Federal Government?" Well, it seems pretty strange to me. My understanding of the Senate situation is that they are states-righters sort of people and not committed to their own suicide. I just thought I would mention that.

Senator Robertson said, and he is another states advocate, presumably, that the legislation should be dealt with at federal level. Senator Robertson also stressed that the legislation should be subject to review and that any submissions on the legislation should be dealt with by a select committee as the former Labor Government had intended. Well, I doubt that.

Another objection I found to our delegation going to Canberra came from one of the local people, Gough

Whitlam's poet laureate from the north, and he said: "Trooping down to Canberra shows the CLP's shabby grab for more power". That would make you laugh.

Let us go back to the JPC Report which has been a bit of a bible of most of the members here - I have even read it myself a couple of times. "In certain areas", it says, "functions of national importance, such as rural land, mining, education, health, companies and the Supreme Court should for the time being remain the responsibility of the Australian Government, and that early discussions be held between the Government and the Territory Executive on the possibility of local involvement or even control of the administrative or operational level in respect to such functions." I just use that as a preface to the Aboriginal affairs section: "This function is not mentioned amongst those that could be transferred to a Territory Executive because, under the Constitution, the Australian Government has responsibility for social and economic development of the Aboriginal people. On the other hand, the laws of the Territory apply to all the people, including Aborigines." That is the Joint Parliamentary Committee's view.

In closing, I might just mention again Senator Keeffe, who took up 5 pages of the whole Joint Parliamentary Committee Report in dissent against some of the decisions, and nowhere in that dissent did he mention land - he was more concerned with the voting systems, and one thing and another - or that the land should be dealt with by the Federal Parliament at that time. One of the witnesses was Mr J.B. Waters. In the transcript of evidence, there is no mention of him saying that land rights should be legislated for in the Federal Parliament. I think these are all pretty new ideas for these fellows yet the Labor Government set up this tremendous "whopper-stopper" bill that has just about "whopper-stoppered" the Aboriginal Affairs Department throughout Australia. I support the Majority Leader in the motion and I conclude my remarks.

Mr WITHNALL: In rising to speak to this motion, I am very conscious of the fact that I am going to say many things that I have said before because, on the issue of Aboriginal land, I have expressed opinions in this chamber since about 1968. Indeed, if you examine the records of the Legislative Council, you will find that I was responsible for the introduction of a proposal in 1968 before a Standing Committee on Aboriginal Affairs that a bill should be introduced into the Legislative Council to grant land to the Aboriginal people. I do not claim to know more about it but at least I have been concerned with this issue far longer than any other member of this Assembly and certainly far longer than any member of either of the Federal Houses.

Before I deal with the motion in any depth, I would like to express my view as to the reason why we are faced with the situation so adequately described by the Majority Leader today as one of chaos. I think it is quite fair to say that, when you create a new department in the Commonwealth Public Service, you add a new dimension to chaos - at least in the Northern Territory. Once a department is created, it has to justify its existence and it cannot justify its existence unless it has a law to administer. The former Labor Government created the Department of Aboriginal Affairs in the Commonwealth and it was somewhat startling to me to find that this department, with all its ramifications and indeed with all its obvious socialist policies, was immediately adopted, and is apparently going to be protected, by a Government which was elected with policies so adverse and so different to those of the Labor Party. I do not think you have to go far to find the reason; you do not have to go farther than the justification of the department that owes its existence to Aboriginal affairs. That is exactly what is behind the difficulties and trouble facing us in the Northern Territory today. The department has to justify its existence. It has a minister who has very little experience and who frankly has been fooled by his department.

Let us examine the basis for the existence of the Commonwealth Department of Aboriginal Affairs. It is said to be based on the removal of certain words from placitum (xxvi) section 51 of the Constitution because somebody has come to the conclusion that the removal of the words from placitum (xxvi) gives the Commonwealth the right to make laws for any race in Australia. Because the words "not including the Aboriginal race in any state" had been removed, the Commonwealth regards that as a power to legislate throughout Australia for Aboriginal affairs and for the Aboriginal race. That may be justified as a logical proposition but it cannot be justified as a proposition supporting any decision to introduce into the Northern Territory alone some laws relating to Aboriginal land. The laws are supposed to be enacted under section 51 and that relates to the whole of Australia. The power is Australia-wide not Territory-wide and so placitum (xxvi) cannot be invoked to justify the enactment of the laws in the Northern Territory alone.

I wonder what sort of result would be created if, under placitum (xxvi) of section 51, the present Commonwealth Government decided that it would enact laws relating to Aboriginal people and Aboriginal lands in Queensland or South Australia? To state it that way is only to show the stupidity in relying on section 51, either politically or legally, as the justification for making laws in the Northern Territory. Of course, section 51 does not apply in the Northern Territory at all; it never did. Section 51 is one of the federal powers and according to the decisions of the High Court, the only power in the Commonwealth Constitution which operates to give the Commonwealth authority to make laws with respect to this parliament is under section 122.

I agree with the honourable Majority Leader in saying, "Please stop this cant about the referendum". The referendum had nothing to do with it. The referendum gave the Commonwealth power to make laws in a federal way with respect to the Aboriginal race throughout Australia but it gained them

no power to make laws in the Northern Territory for the simple reason that they already had it in section 122. The High Court indicated quite clearly in *Tau v the Commonwealth*, a decision made in 1970, that the powers contained in section 51 were not to be exercised in the Territory and that the only power that the Commonwealth could exercise in the Territory was the very paramount power conveyed by section 122.

We are in no different a position to-day than we were at any previous time since the establishment of the Northern Territory in 1910. The Commonwealth always had the power to make laws with respect to Aboriginal land rights in the Northern Territory and it always had the power to make laws with respect to the Aboriginal race itself in the Northern Territory. It redounds to the credit of former governments since 1947, both Labor and Liberal, except during the few years between 1972 and 1975, that they have always recognised the fact that, if a law was to be made on the Northern Territory, the proper place to make it was in the Northern Territory legislature.

One may understand that a centralist government like the former Labor Government, oriented as it was on its own power and authority and on the elimination of state rights and regional rights, would have attempted to take to itself the power to make laws with respect to this part of the world. That may well have been anticipated, but is not to be anticipated that the present government, oriented in a perfectly different way, federalists as they are or claim to be, should say that the Federal Parliament is the place in which laws should be made with respect to the Aboriginal people of the Northern Territory. If the Federal Parliament wishes to make laws with respect to the Aboriginal people throughout Australia, by all means let them make the law and let it apply here. Do not let us believe the cant that they are relying on placitum (xxvi) of section 51 and they cannot renege upon the authority that was given to them by that referendum.

I want to go now to an examination of the results of the bill which I can only assume will be passed in something of the same form as that which was introduced into the Parliament when the former Government was in power. If that law is made, I agree entirely with the Majority Leader, chaos is bound to ensue. And not only because, under the law and in accordance with the map which the honourable member has produced, the Northern Territory will be cut up into parts, to quote Shakespeare, "like to a piddling farm" - little bits are going to be handed over to every minister who feels himself able and willing and anxious to take over some part of administration of land - not only because of that, but because, if a bill in that form is introduced, it will mean not only that there are separate laws in relation to land in the Northern Territory, it will mean that there is a separate law in relation to the Aboriginal people.

One cannot understand how any intelligent officer of the Department of Aboriginal Affairs ever conceived that the original bill which was introduced in the Federal Parliament could possibly exist side by side with the law relating to the rest of the people of the Northern Territory. To start with, it contained a provision saying that any law whatever applying in the Northern Territory could be revoked so far as the Aboriginal people are concerned or at least could be declared not to apply. You would have had laws which the European people of the Northern Territory were to obey and which were not to be obeyed by the Aboriginal people. But it goes a lot further than that, because the whole administration of the new laws with respect to Aboriginal land would have permitted the councils which would be set up in particular districts to make their own rules and laws which would have overridden the rules and laws applying to every other person in the Northern Territory. I am shocked that a person with the intelligence and standing in the community of the present Minister for Aboriginal Affairs has seriously proposed that he will set up in the Northern Territory, not only a system of granting land in the Northern Territory, but a system of

providing for different laws to apply to the Aboriginal people than apply to the white people, a system which, if you want to describe it, is apartheid. It is exactly the same situation as is in force in South Africa today except it is being created, so to speak, for the Aboriginal people and not against them. But it does not matter whether it is created for or against them, it is still a different system of law for a different race. As far as I am concerned, I would oppose that with all my might; I would oppose that to the end; and I would think that if the honourable Minister, Mr Viner, had time to consider it away from his department, that is feverishly trying to save itself, he would come to that conclusion too.

I do not want to be thought to be and I am not saying that I am opposed to Aboriginal land rights being granted in the Northern Territory. I am very much in favour of it and I have said so. I think many of the Aboriginal people to whom I have talked over the last 9 or 10 years will bear witness to the fact that I am very much concerned that they should get their land back and that they should get their rights. I am talking about the vehicle by which this result is going to be achieved and the policy which the Commonwealth Government apparently inherits, and inherits apparently gladly, from its predecessor. The time has come to take a pretty sharp look at it and I suggest that the Ministers of the Commonwealth Government should have their attention drawn to this debate and take a pretty sharp look at it.

The Majority Leader has already said that this is a situation in which people of the Northern Territory are being ignored. I think the people of this Assembly are being ignored and the research that has been done by members of the Legislative Council is also ignored. I talked to the Director of the Department of Aboriginal Affairs and I asked him whether he had read the 1968 report from the standing committee and he said he had, but I can say that, from the look on his face, I do not think he had ever heard of it. I challenge honourable members in this Assembly to look at that report because

it contains a simple system of granting land to the Aboriginal people which can be followed. I suggest that the Minister himself might very well consider that report.

The question can be put fairly simply and it can be put in 2 parts. Do we want in the Northern Territory separate laws as to land to apply according to the race of the people who own it? The second question is: do we want laws in the Northern Territory to be abrogated so far as the Aboriginal people are concerned and created only so far as the Aboriginal people are concerned? Because that is what is going to happen. If the bill is passed in anything like its present form, you will have 2 sets of land laws but, more importantly than that, you will have 2 sets of laws governing the conduct of the Aboriginal community and the European community respectively. That must never happen.

Mr BALLANTYNE: I rise to support the motion as put by the Majority Leader. The speech that the Majority Leader made in this Chamber before lunch could not only enlighten those people who are strangers in the gallery but I am sure will have some impact on the future. To read his speech and to take notice of the way it was presented and the documentation that went with it would be enlightening for any person outside of this House.

We must spread the news of the importance to the future of Aboriginal land rights. There is no doubt that, if the Federal Government proceeds with the bill in Canberra, there will be repercussions in the future. As we are led to believe, if the government does legislate in Canberra we, the Northern Territory Legislative Assembly, have the possibility of complementary legislation. In this day and age, we must know the path we are taking. We should not have to live in anticipation; we should not have to wait anxiously for a decision by the Cabinet; we should know now. I am sure this is the story of the life of the Territory. We have been pushed around for years by the politics of the federal parliament. Not only are we affected by matters of land legislation

but by all the social and economic problems which are presented for us here in the Territory.

The visit to Canberra by members of the Assembly only last week spelt out the need for federal politicians to take a good look at their country and have a good look at the Territory because, as far as I can ascertain, many of the parliamentarians in Canberra have got to do their homework on the Territory and more particularly on the forthcoming Aboriginal Lands Bill. It will not only affect us, but have a major effect on all states as well.

I would suggest strongly to all members of this Chamber that they go back to their electorates and spread the latest news, stress the urgency for consultation and discussion on the Territory's feeling with the Minister for Aboriginal Affairs, Mr Viner, and with as many federal politicians as possible - that is, in full consultation with the Aboriginal people and the people of long standing in the Territory. I am sure, we have a right to do that, and I mean just that. We are committed as members of this Assembly to legislate for the Northern Territory and that goes too for our independent members; we have that right.

The Prime Minister, Mr Malcolm Fraser, in his press statement of 24 March 1976, said: "We are committed to working with the states in a spirit of partnership, and that applies equally to the Northern Territory, which is destined for statehood. We will pursue that partnership constructively." "That applies equally to the Northern Territory which is destined for statehood." Need I tell the Assembly what those words mean? Therefore, in the long term, for the future of the Territory, we must from now on work to reach that goal, and that is one of statehood. We are all aware that statehood will not be easy; in fact, it will be very hard on everyone. Usually, changes of administration are difficult at the beginning, but this Assembly is capable and we are ready to act now. There is a lot of experience in this Assembly that can be used during that transitional period, more

experience than you would find anywhere.

This Assembly has done a tremendous amount of work to help guide legislation in the direction of the Aboriginal people. The Aboriginal people have many times expressed their feelings on the way in which they want to live in peace and harmony, and in the way they wish to control their land and their lifestyle. As a matter of fact, I am sure that most people, having regard to Aboriginal reserves, would consider that those Aboriginal tribal people living on those reserves are in fact the traditional owners. Moreover, those of us who are in contact with the people on the reserves have a good idea that the Aboriginal people know their own boundaries of the land where in most cases they were born. They can tell you quite categorically where their land is. If you take the northeast Arnhem Land region where I live, the Uraingu and the Gumati people know where their land is now. They do not have to get surveyors to come and measure for them; they know exactly where their land is, and know where other tribal land is in that area away from the northeast end of the reserve.

There are ordinances which cover the protection of these people on reserves, the Crown Lands Ordinance and the Social Welfare Ordinance. Some streamlining in existing ordinances could be put through this legislature in accordance with the suggestions from Mr Justice Woodward. We can handle legislation quite adequately and still satisfy the needs of all the people in the Territory, both black and white.

The motion before us has a big bearing on the future of this legislature and the future of both the Aboriginal and European people in the Territory. If we work side by side to carry our case to the Federal Government, we will be taking a major step into the future. If we are not successful, we shall fall so far behind that we will never make up for that wrong.

Finally, with regard to the 1967 referendum clause which is referred to in

paragraph 4 of this motion, if the Federal Government can find a way to act on behalf of the Aboriginal people and their land bill, it will be a pity. Pity help the sovereign states in the future. The honourable member for Port Darwin said it would cause chaos and that is what it will cause. I can only assume that the state premiers will be very concerned if the Federal Government propose to pass the Aboriginal Land Bill NT 1976.

I support this motion and respectfully ask all citizens of the Territory to ask themselves whether they want the future of Territory land to be controlled by this legislature or by the Federal Government in Canberra.

Mr ROBERTSON: I rise to support the motion. My greatest concern is the long-term effect that this particular legislation will have on the Northern Territory. The issue is not, as we have been accused of in the past by our enemies, one of pride and gathering power unto ourselves. The matter has provoked quite a lot of adverse publicity from our opponents. If we are to be accused of arguing this case as a matter of pride and power collection amongst ourselves, all I can say is that the effects of this proposal will be felt long after everyone in this place and the Federal Parliament is dead and long after every single member of the initial group of Aboriginal people is dead. This type of legislation has an impact and ramification which will last for generations.

My concern on the matter devolves into 2 principal parts. The first has been well enunciated by the Majority Leader: the matter of interracial and intercommunity harmony between the people of the Territory. We would no doubt have a greater understanding of the problems in relation to the various communities here than those who legislate for us on the shores of Lake Burley Griffin. I have absolutely no doubt that, if a bill was to proceed in the Federal House along the lines proposed by Labor, and this seems to be the intention of the present minister, chaos would result in the various communities. We would have one section

of the community being subject to 2 sets of laws, federal and Territory, who are going to look across the boundary fence and see other groups of their fellow Australians and fellow Territorians living under quite a different set of rules. It is quite impossible for anyone to convince me that this is not going to have a serious impact on interracial relationships. It simply must; it is human nature. This is quite clearly being overlooked in the overall planning of this particular piece of legislation and in the very concept of dealing with it by federal bill.

The other part that really amazes me is by what weird mental gymnastics do the proposers of this idea to form this type of legislation in a place remote from the Northern Territory under a completely different set of rules, by what incredible, devious means do they balance up or marry the two philosophies, statehood for the Northern Territory and a separate system within what is supposed to become a state. Statehood means, in the long term - I do not subscribe to this occurring within the 5 year period - state-like functions within that time; that is my belief of the matter. It would be my greatest wish to see it become a state in the normal sense of the word with vice-regal representation, become a sovereign state within the federation of states of the Commonwealth of Australia. It is part and parcel of the constitution of a state that the Crown has sovereignty over the land which is delegated through the parliament. What an incredible situation we would have when we could have anything up to 40 per cent of the area within the state boundary not subject to the constitution of that state. That would be quite unique anywhere in the world within the federated structure of parliaments. As we pointed out yesterday, we have a quite unique parliament here and I will leave that one alone before I get pulled up for alluding to another debate.

This is the type of problem as I see it in the very long term, in the next 15 generations, where we have a sovereign state subject to a

constitution and land within that state is not subject to that constitution but is probably subject to one in another place. It would be so unique and so unworkable as to make me wonder by what incredible system of legal gymnastics they thought it could work.

There is a fundamental lack of understanding among those who propose to pass this legislation in Canberra of exactly where the Territory is heading in constitutional development. You cannot, in my view, divorce the two. You cannot divorce the principle of constitutional development from the issue of this type of land rights. It has been made quite clear by the members of this party that we are not opposed to meaningful land entitlements for our Aboriginal people. That has been on record for many years. All we ask is that it be done in a manner of equity between our people, not in a manner of apartheid or separatist statehood.

Mr POLLOCK: I am only going to speak briefly in support of the motion. I think a great deal has been said already in this matter and every word of it is true. I would just like to place on record, because in recent weeks where there have been certain gatherings of people concerned in this matter, I have been rather quiet in expressing a view in support of land rights and I have no hesitation in saying that I personally support meaningful land rights for Aboriginal people, particularly here in the Northern Territory.

There have been accusations, too, that in recent weeks this Assembly, in its desire to have the legislation in relation to Aboriginal land passed through this Assembly, is only doing so because of the vested interests of members of this Assembly. Perhaps of all the utterances that have been made by a certain quarter, that is perhaps the truest. This Assembly does have a vested interest in the passage of this legislation. This Assembly does have a vested interest in the good order and government of the Northern Territory. Therefore, the accusation that we do have a vested interest is perhaps the truest utterance that has come from a

certain quarter for some time. What does concern me in relation to this matter is that we are not just going as far as land. There is cognate legislation which must work in association with this legislation if it is passed, the Councils and Associations Bill, which has not been mentioned much. That legislation, of course, will go beyond the control of land in the Northern Territory; it will also relate to the local government and business aspects of what goes on in these places. We have then a continual circle of increasing numbers of matters which will be removed from the control of the Territory and a completely separate system in relation to so many matters which rightfully should be controlled by this Assembly.

I will leave my remarks at that but I would like to assure those people who have any doubts that I support the concept of meaningful land rights for Aboriginal people in the Northern Territory. At the same time, I have no hesitation in saying that the legislation should be Northern Territory controlled.

Mr TUXWORTH: I rise to support the motion by the Majority Leader. It is my firm belief that the people who are persisting in introducing this type of legislation into the Federal Houses will be the architects of racial conflicts such as we have never known in the Northern Territory or in Australia before. We are falling into a trap that has caused racial conflict and discontent all over the world - the trap of legislating minority and ethnic groups into a better position than the rest of the community and at the expense of the rest of the community. I would ask members to reflect on the situation in Ireland where we have a holy war with Catholics and Protestants carving each other up in the name of Christ, in Rhodesia where blacks and whites are at hammer and tongs day in day out and in the Middle East where the Arabs and the Jews have been in a holy war for some 40 or 50 years. We would be very foolish people if our federal colleagues could be deluding themselves to think that, because we are Australians, we do not have the

same human makeup as everyone else. If we allow this nonsense to be perpetrated through the Federal House, we are going to bear the brunt of it because this will be the only place in Australia where it actually takes effect - the states will not tolerate it.

Mr KENTISH: I rise to support the motion of the Majority Leader. We as a party have been active in Aboriginal land laws since 1968, the first time that we had party participation in this Chamber. As a council, we have been active in this field since about 1964 and a long time before that there was the activity concerned with the reservation of areas for the sole use and benefit of Aboriginal people; that goes back 30 years or more. One of the most positive expressions of our sincerity in respect to the land entitlement of Aboriginals was the fight that the Country Party indulged in in this Chamber during 1969-71 to preserve the entitlement of the reserved areas, to preserve the permit system in those areas, which guaranteed the Aboriginal people the sole use and benefit of those areas. We were fighting for their rights at that time as most of them will well remember. We were heavily supported by most of the people on the reserves.

I mention those things to establish where our sympathies lie in this matter. We respect their entitlement to land. They have always had the land and its entitlement but modern conditions seem to indicate that they should now have proper legal title to these areas. This becomes more noticeable under the pressure of civilisation creeping up on them with mining and pastoral development and even recreational development where people demand the right to enter into and invade their land. We fought in this Chamber for 3 years to preserve for the Aboriginal people the same rights that private landholders have all over Australia - the right to say who shall come onto their land. That, fortunately, is still a right that they have.

It is not often stated now, and I suppose no one likes to hear it, but

our opponents in this battle for the rights for Aborigines during 1969-71 were the full Labor representation in this Chamber and some of the independent members. Some people would like to forget that, particularly those in Canberra. These people were wanting to open the reserves to all comers except the insane and the diseased. During those years, the position seesawed back and forth to a large degree and many things were discussed and proposed at that time.

I would just like to note again the paper that I produced at that time for no particular reason except to make a record of what appeared to be the situation at that time. At the present time, our thinking would have altered a little on some of these matters. It is dated 20 May 1971 and entitled "Aboriginal Land Rights":

It would be remarkable at this time to see a week go by without dramatic headlines in the press about the subject of Aboriginal land rights. This phrase would, of necessity, have a different meaning and application in different areas and states. It also conveys a variety of interpretations to different individuals. The broad sense of the phrase is however, plain to all. Here I refer only to Aboriginal land rights in the Northern Territory.

There appears to have been much neglect in informing the public throughout Australia that since 12 December 1970 any adult aboriginal, and only an Aboriginal, can apply for a lease of land for pastoral, agricultural or miscellaneous purposes on one fifth of the Northern Territory which is the land of Aboriginal reserves in the Northern Territory. This land has for a long time been reserved for the sole use of Aboriginal as a group. They may now apply for lease or title over specific areas as individuals or groups. Only fullblooded Aborigines can own such leases, the shortest term of which is 50 years for pastoral or agricultural leases with rolling renewal clauses in the ordinance. Consideration is given to people of mixed blood who are indigenous in Aboriginal communi-

ties. Such leases issued in the reserves are inalienable from the people who have a right by birth of residence in the reserves.

It would take too long here to go into all the details of the ordinance which is designed at this time to safeguard the present rights and future stability of the people. While Aborigines only outside the reserves by normal processes and there would be numbers of people of mixed race referred to as Aborigines in southern states who do own leases and, in some cases, freehold title. One family owns a sizeable cattle station of 2,745 square miles of good cattle country.

No landholders in the Northern Territory have mineral rights. Mining leases in the Territory have priority of tenure but landholders normally receive some priority consideration in the granting of prospecting authorities. It will be seen from the foregoing that Aborigines on reserves are in the same position regarding mining leases as other people in the Territory.

Regarding other leases, the Aboriginal people have the advantage of access to the Aboriginal Benefits Trust Fund for finance. This trust fund is built up from mining royalties on reserves and will soon become an enormous pool when the Nabalco bauxite royalties are added to the Groote Eylandt manganese royalties.

Numbers of applications for lease have been filed by Aborigines and in June 1971 the first of these leases will be considered by the Aboriginal Land Board. This will be a special land board which, in addition to a selection of its normal membership, includes the Director of Social Welfare and two local Aboriginal men.

Opportunity is wide open for the Aboriginal people, and now and in the future every assistance will be given to them to realise their ambitions to have title to land. With this right also goes the onus to utilise and to develop but to a lesser degree or at a more leisurely pace than is re-

quired under similar covenants outside the reserves. This is a further advantage not enjoyed by other Northern Territory landholders. The common ground shared by all Northern Territory landholders is the necessity to mix sweat and knowledge to produce income. In all these considerations it has to be remembered that for ages past the Aboriginal people have been food gatherers and hunters, never farmers or hedsmen. There are still not too many who are in a hurry to change their traditional way of life.

That appeared to be the position in May 1971 when I made those remarks or recorded them. Things went along very quickly after 1972 when a new government was elected and during the years that followed the government of the day decided that all movement in Aboriginal land would cease until they took stock of the position and the Woodward Commission inquired into what was best to be done. There was some little confusion here at the start. The advertisements came out saying that the commission would inquire into how best leases might be issued to Aborigines in the Northern Territory and, after some weeks or months, this was changed to how best freehold titles would be issued to Aborigines in the Northern Territory. Apart from that, the business got off to a start and people gave evidence throughout the Territory but there was no movement for a long while while this happened, except perhaps the one case that I know of, the Gurindji land claim, where settlement was made during this time.

In the latter months of 1975, the new Aboriginal Land Bill and its associated bill, the Aboriginal Associations Bill, were produced and towards October it came up for processing through the Federal Parliament. All parties in the Federal Parliament at that time agreed that the bill was satisfactory and acceptable in principle; I think that we as a group and as a parliament would accept the principle of Aboriginal land rights. But in practice many of the provisions of the bill cause quite a different reaction. We heard quite a lot today about what the bill is likely to do to social and economic life in the Northern Territory, and there seems

little doubt that the bill would be very divisive of the people of the Territory and that it would be destructive economically. Already we have seen some of the effects both socially and economically in the past year of the Woodward proposals and the effect they have had on communities and the economy so far. Land is frozen; there is no movement in land. The Territory has gone dead as far as that goes but fortunately it has come at a time when it has not caused a great deal of disruption because there is also very little economic market for cattle and this has softened to some degree the impact of the Aboriginal Land Bill on the economic life of the Territory.

Most of us are fairly well convinced that the bill as it stands and as it was first presented at Canberra would spell disaster for the Northern Territory, not only for the European population but equally for the Aboriginal population. There is some evidence of this already apparent in the divisive nature and the way that the clans who once lived happily together are now split all over the country and actually going backwards in their social approach to each other in many places. This is due to many causes and the Aboriginal Land Bill is perhaps only one of the causes of this situation. It is disastrous as far as education is concerned. I do not think I have had a reply yet from the honourable member for Sanderson concerning my question about enrolments and attendances at Aboriginal schools. From what I gather in the press and elsewhere, there is almost a disaster in Aboriginal education with people spread all over the country. It is not so much that the Aborigines from these larger settlements wanted to get out and hold their land but there was a new element where suddenly the tribe that happened to own a larger settlement woke up to the fact that it was situated on their tribal land. In many cases, they became arrogant or obnoxious to some of the other tribes that were gathered there and simply said to them, "You get back to your own land; you are on our land. We have need now for all these houses and buildings; they belong to us and they are on our land. You get back to where you

belong". This is one of the facts confronting medical work, education and general communications. It is back to the old tribalism that existed 40 or 50 years ago before it was patiently and painfully broken down - a time when tribes only met together to fight.

We have seen that during the years 1973 and 1974, the Government in Canberra made so many mistakes and disasters in the Northern Territory that they had the effect at the end of 1974 of completely wiping out their colleagues in the Northern Territory - there were none left. Actually it was done at the polling booths by the people of the Northern Territory but it was generally accepted the cause of it would be in Canberra. Of all the disasters the Labor Government created in the Territory in 1973 and 1974, the daddy of them all is this land bill that they produced during the latter end of 1975. They went out of office at the end of December 1975 but they left this land bill like a Trojan horse for the opposition to take up and it amazes me that the opposition bought this Trojan horse without even looking at its teeth. I think they have probably bought a lot of trouble unless they rethink very quickly what they are about.

The obvious implication is that this final disaster left behind by the Labor Government is likely to wipe out the majority of this Assembly at another election if it is implemented as it stands at present. This would not be very serious as most of us are quite capable of earning a living at many other things than being politicians. Politicians are quite expendable but the Northern Territory is the sufferer. This is where the main trouble comes. What will happen to the Territory itself rather than the politicians who get mixed up in this sort of nonsense?

The continual remark of the Canberra politicians is that they must go ahead with this bill in Canberra because, if they did not, they would be abrogating their responsibilities under the 1967 referendum. Drawing a very wide bow here, the 1967 referendum said that they will be responsible for the peace

and good order and good government throughout Australia and would have the right to make laws for such purposes. It is drawing a long bow to say this would cover land legislation. In fact, there is no mention of land legislation in it but apparently they consider that good order or peace is wrapped up with this land legislation bill. However, it is undisputed that, as far as the Northern Territory is concerned, the Federal Government have had the right at any time to legislate on any matters for the Northern Territory. This is the first occasion where, for some emotional reason, they have decided to come into the picture of land legislation in the Northern Territory. There is a difficulty here because there are few people in Canberra, where they propose to process this legislation, who know very much about the land laws of the Northern Territory or the people of the Northern Territory or the reactions of Territorians. There are very few people who know anything about these things. They are bent on carrying out and fulfilling some fictitious responsibility which they consider they have but, at the same time as they would be doing that, they propose to do something which is completely incompatible with the promise they have made of greater autonomy and statehood for the Northern Territory. The 2 things just could not live together - the Aboriginal Land Bill as it is, and statehood. Already, even before there is any legislation, land claims have made the Northern Territory look like a marble cake and these lands would be responsible to 2 different authorities, not only for their civil law but for their land laws - a completely unworkable position.

We concede the right of Aboriginal people to have legal entitlement to their land on reserves; we concede the right to entitlement off reserves, perhaps in a manner that should be looked at carefully but definitely not on the same basis as would apply within reserved land. That is the proposition that we put forward. But we go further than the matter of where the law is processed, to the manner in which the entitlement to land is given. This is a very important thing and it could

cause, not chaos or difficulty between white and black people in the Territory, but a great deal of difficulty and a great deal of ill-feeling, animosity and tribal troubles between black people throughout the reserves and in the Territory. It would seem to me, and to others who have experience in these matters, that entitlement should be given directly to traditional land-holders and that there should be no intermediary bodies. The bill that is being brought forward seems to bring in a great deal of confusion in this matter so that the Aboriginal who has the basic entitlement, the traditional owner, would begin to wonder whether he had made any advancement at all after the bill came into operation; there would be so many between him and the Government. There seems also to be some confusion about who is the real person in authority in this position, whether the land council is in authority or the traditional owner. I think the bill tells us that the traditional owner is the person of authority but already, at this early stage, land councils are issuing directions to traditional owners so there seem to be some things going awry in that direction.

Regarding the law of the Northern Territory and the method we advocate, that all lands in the Northern Territory should be at least under Territory law, more advanced Aboriginal people in many places such as Bamyili and some other places were the people seem to have become more adapted to civilisation than others, as far as I am able to find out, back the concept of one land law and one civil law for all Territorians. These people have admittedly come a long way. There are not a lot of them perhaps but they have come a long way and we must consider that it is only a matter of time. These people are growing up very quickly and it is only a matter of time before they would mostly agree to the concept of one law for all the people of the Territory. This does not mean to say that we do not think that, at this time and perhaps for some considerable time to come, the Aboriginal people should have a good deal of concession in respect to helping them to become settled on land and to take advantage

of their legal entitlement. I prefer to use the word "entitlement" because two very learned judges throughout Australia, Judge Blackburn and another judge in Western Australia, after extensive investigations, decided that the Aboriginal people did not have any land rights. Whether they have or have not, we are all prepared to concede that they have land entitlement and a legal entitlement at that. The main thing is to see that the land reaches the right people.

I have one of these yellow terrors, a Territory magazine called "Bunjil". It has some quaint things in it: "This is our first paper since last year. Thank you for your letters and help. It has been very wet and we are living all cramped up except for good old Fred who has built himself and Violet, and others who visit, two great big houses on islands in the mangroves in Kulaluk." Who "good old Fred" is is anyone's guess but he has built himself 2 big houses and the rest are all cramped up and shivering. As far as we know, Fred is not a Territorian and, as far as the Territorians are concerned, he is not an Aboriginal. However, as far as we are concerned, he would be a brown European. However, he chose, to identify this way and, under Canberra law, he seems to be accepted as such. I do not think that Fred belongs to the Larrakeyah tribe and I do not think he pretends to be but there he is in these two big houses at Kulaluk while the others are cold and wet. We want to see that the true Aboriginal people do not remain cold and wet while the brown Territorians take over their possessions.

Mrs LAWRIE: It is a pity, when we had a campaign of "Turn on the lights", which resulted in the 17 members of the Country-Liberal Party in this Assembly and a Government of the same persuasion in Canberra, that we are having a debate of this importance in the dark. We have been debating today what may or may not happen. I am just as distressed as the Majority Leader that he has returned from Canberra unable to give us any firm assurances of what will happen one way or another concerning Aboriginal land rights. Just to recap a little on recent history, the

Australian Labor Government introduced the land rights legislation copies of which, after some nail biting, were obtained in the Territory and, quite properly, the Assembly formed a committee to study the legislation and to discuss it with the people of the Territory. As a member of that committee, I know that it had consultations with Aboriginal communities and white communities and they expressed widely differing views on the validity and the effect of the legislation. That is to be expected. There were real fears expressed amongst the white community and, when I commented upon the report, I spoke particularly of the people of Nhulunbuy.

Alongside that, there was a sincere desire of Aboriginal members of some communities to see progress of that legislation, preferably immediately. Then, before anything further could happen, we had a federal election. During the campaign for that election, both opposing groups in Canberra were busy pledging support for the idea of land rights, without going into great details. It was a good vote-winner for both parties; in fact it was mandatory in the campaign platform. Following the election, we then saw the new Minister for Aboriginal Affairs, Mr Viner, visit the Territory. I cannot remember precisely whether he gave a press release as to the future of the land rights legislation when he left Darwin but I certainly had formed the opinion that he was intending the legislation to go through the Federal House, and I believe that it was bruited abroad in the Territory. We then had rather numerous press reports that Goff Letts had the numbers and that this was to be reversed and the legislation was to go through this House. We then had another ministerial statement saying that it was definitely to go through the Federal House. We then had a delegation from the Country-Liberal Party of the Northern Territory of 14 members, some of who are members of this Assembly, who went to Canberra.

Members interjecting.

Mrs LAWRIE: You misunderstand me. I realise all 14 are members of this

Assembly but not every Country-Liberal Party member in this Assembly went to Canberra.

These people returned with the position apparently unchanged. I say "apparently" because I have to refer now to the document which was tabled and circulated, the press release of the Prime Minister. I do not like to put the Majority Leader in too far, but I think he must agree with me that this is a most curious document and I shall now state my reasons for believing it to be most curious. It starts off, as one would expect - remember it is a statement that has gone out under the Prime Minister's name - saying that the Prime Minister and the Deputy Prime Minister welcomed the fact that Goff Letts, the Majority Leader, his Deputy, Grant Tambling, and other members had come to Canberra for discussions. "They had been useful and constructive" - I am glad of that. "Amongst major matters discussed was the question of legislation concerning Aboriginal land rights" - that also was to be expected. But then we move on to the curious part of the press release and I quote: "The Prime Minister and the Deputy Prime Minister gave a complete and unequivocal affirmation, as did the Minister for Aboriginal Affairs, that there would be full and thorough consultation on all aspects of the preparation and implementation of the proposed legislation. At the moment, the Minister for Aboriginal Affairs is in the process of preparing a submission to put before the Government. Once the broad guidelines of that submission have been determined, wide ranging consultations would be necessary with all interested parties. Out of that consultation, detailed proposals for legislation would develop. It is hoped that legislation would be introduced in the Federal Parliament in this session".

I can only say that, given these assurances of wide ranging consultations etc, they are going to be the quickest consultations on record. If the proposed legislation is to be discussed fully with members of this Assembly and with Territory people, if the detailed legislation is going to be discussed fully, and it is still to be

ready for this session of Parliament, the discussions had better start. That is why I find this a curious document. It leads me to suspect, perhaps quite wrongly, that the Prime Minister was making soothing noises to the members of the Country-Liberal Party who visited Canberra. To me, it was a political gesture, and it would have had more validity had he not said that he expected the legislation to be introduced this session. There is a timetable there which I just cannot work out.

It is a pity that in this debate, besides the Majority Leader being unable to give us details of the legislation to be introduced, details of discussions he may or may not have had, we have not been able to get a statement from the Northern and Central Land Councils, which I would have expected to have come through the Executive Member for Social Affairs, as to their thoughts on the continuing press releases from Canberra. The Majority Leader did allude to discussions with those councils or at least with the Northern Land Council. He did not give much detail as to what representations they had made to him. In other words, we appear to be discussing legislation which we have not seen and we are not quite sure where it is to be introduced but my opinion is that it will be in Canberra after all, notwithstanding the soothing noises of the Prime Minister.

We are discussing it without a great deal of input from Aboriginal groups in the Territory. We have not received a statement from the Department of Aboriginal Affairs but perhaps they did not know the debate was coming on. That should have been tabled through the Executive Member for Social Affairs. In mentioning the Department of Aboriginal Affairs, I must take issue with the thought, which apparently received support, that they are the moving force behind the decision to introduce the legislation in Canberra. I do not believe that. This is a purely political decision which is going to be made completely by politicians in Canberra. It may well be obvious that we are going to have to wear it one way or the other but I do believe it is a

political decision and no other.

I was heartened by the remarks of the Majority Leader in the earlier part of his speech when he was giving some indication of the type of legislation he would wish to see go through this Assembly. Unless I misunderstood him, he did say that there would need to be a special land tenure to meet the needs of the Aboriginal community. He also said that it was obvious that there could not be a continuance of a completely open-ended system for acquiring land for Aboriginal groups. I agree with that point of view. The time has not been reached at the moment to close the system but it cannot continue for the next fifty years. I agree completely with him that the confidence in the Territory would be lost. People would not know whether they had tenure to land at all. I am talking about part-Aboriginal people and white communities. I think the Aboriginal people would agree that there will have to be a cut-off point when they say, "We have made our bid for the land we believe is rightfully ours". I would just like to reiterate that, on both those points, I support the Majority Leader and I was heartened by his assurance in both regards.

There has been discussion of the administrative arrangements for Aboriginal land. On this issue, it is clear to me that Aboriginal people must have a great deal of consultation with whoever drafts the proposals, whether it be here or Canberra. Unless they agree with the system of administration of their own land, it will not have validity in their eyes. This may be of more concern to the members of the community than is presently realised. If they cannot decide how best to administer their land, even if the European community does not necessarily agree with it, they will not believe in it at all.

There are some parts of the Prime Minister's press release which I find peculiar and I now return to it to quote the statement: "The possibility of complementary Territory legislation is also a matter that needs to be examined". That has fascinated me since I first heard it. What on earth

does he mean by complementary legislation? If the Majority Leader had any idea of what was meant, I have no doubt he would have spelt it out. Are there going to be broad guidelines laid down in the Federal House and the detail in this House? That would seem to be the most unwieldy system of all. As federal legislation takes precedence over any legislation passed here, amendments in Canberra may well nullify a lot of the local legislation. I find that particular statement unacceptable unless it can be backed up with reasoned argument. It also leads me to believe that this Prime Minister's statement is a sop to the strong feelings of the Country-Liberal Party people in the Territory and indeed to a vast majority of Territorians. By its very nature, it indicates that legislation will be going through Federal Parliament, otherwise we would not need complementary Territory legislation; it would simply be Territory legislation.

It is a great pity that, where we have had a debate on a burning issue at the moment in the Territory, we do not really know where we are going. Despite the efforts of the Majority Leader and despite the statement of the Prime Minister that he welcomed the Majority Leader and his colleagues, they have not been able to get any firm indications as to the Australian Government's policy. I am a little cynical. I think the Prime Minister welcomed the Territorians as he would a swarm of bees. I think they stung him into producing this press release, but I am not sure they have stung him into changing his mind. For what it is worth, it is my opinion that the Prime Minister will continue to make soothing noises and do whatever it is he has already decided to do. I hope, Mr Speaker, that the Majority Leader, at some future time in the Assembly - obviously it is going to have to be soon if it is to be a full consultation - will be able to give precise details of legislation proposed, even disregarding the vexed question of where it will be introduced.

Mr TUNGUTALUM: I have just a few comments on this land legislation. I think everyone must have had their say

on this legislation. All the citizens have exactly the same right to peace, that is, to a security against violent interference with their rights. It is our duty in this Assembly to defend and uphold any laws for the benefit of the citizens of the Northern Territory. The protection of these rights against unjust interference from any source is also our duty. The Government cannot abrogate an individual person's rights nor over-ride nor interfere with the functions and privileges that have been conveyed to the family by natural laws. The Government cannot violate the essential rights of individuals nor violate the sacredness of the family relation. We are the people who have been elected to the Assembly; we are the decision makers, and this land legislation should be introduced in this House. We know our problems in the Northern Territory. We can see it; it is right in front of our doors. I have here a petition signed by the citizens of Katherine, fifty-three citizens:

To the honourable Speaker and members of the Legislative Assembly for the Northern Territory. The humble petition of the undersigned residents of the Northern Territory respectfully shews that the Minister for Aboriginal Affairs in the Federal Government has announced his intention to introduce into the Federal Parliament legislation dealing with land rights for Aborigines in the Northern Territory. Your petitioners therefore, humbly pray that the members of the Legislative Assembly will exert all their influence to persuade the Commonwealth Government that the proper place for the making of legislation affecting only the people of the Northern Territory, of whatever race or creed, is in the Territory by elected representatives of those people. And your petitioners, as in duty bound will ever pray.

I have spoken on this before and I am going back like a tape recorder. This land legislation has not been fully examined by the majority of Aboriginal people and the people who are involved in the Northern Territory. Fisheries, for instance - fishing is one of our main projects in the Northern Territory

- mining, forestry, and some of this land where Aboriginal claims have been made ought to be fully examined, to find out whether this land is their land or if it is still crown land. Mr Speaker, I hope that the Prime Minister and his ministers will hear our views and take them into consideration.

Dr LETTS (in reply): There is not a great deal that I wish to say in reply. There is very little of what most members have said which has questioned any aspect of the debate today. However, perhaps one or two of the remarks of the honourable member for Nightcliff are worthy of brief comment. The honourable member for Nightcliff did not say that she was against the motion but she played the part, I suggest, of the Devil's Advocate quite reasonably and well, raising questions of interpretation of events and things that have been said and questioning whether we will, in fact, get any joy and action despite the reassurances which the Prime Minister's statement obviously set out to give.

There are some questions she raised to which I could not give her a specific answer; for example, exactly how and when certain events will happen. There are no firm guidelines for legislation which one could pick up anywhere at the moment and say that it is the present Government's policy. There is a pretty strong indication that the Minister for Aboriginal Affairs, who has the carriage of any federal legislation which would be brought in in the fullness of time, is quite determined on 2 points: that it would be improper for the Federal Government, as he describes it - I believe wrongly - to abrogate its responsibilities, after the referendum etc, not to make legislation in Federal Parliament and he has given a personal indication that he favours pretty strongly something along the main guidelines of the legislation that was in Federal Parliament last year. That, at the moment, is his point of view and, I believe, the point of view of his department. We recognised that before we went and I do not think that, in a couple of meetings that I had with him, I succeeded in making any significant change in his mind. Let me

be quite open and frank about that. But under the Cabinet system of government, and the party majority system of government, that is not the end of the story and Mr Viner, I am sure, would recognise it is not. He still has to win his case and we are trying to win ours and possibly in this sort of situation one finishes hopefully somewhere in the middle, perhaps to everybody's agreement. I do not know.

At the moment, I would say the kind of thing that is happening is that the ministries which are most closely concerned with this matter - and there are obviously some ministries which are more closely concerned than others; for example, the Minister for the Northern Territory, the Minister for Aboriginal Affairs, and the Prime Minister now has a personal interest in the matter - these kinds of people are getting together and talking and working and eventually Cabinet will have something to look at which is not going to be a piece of legislation but something to consider pointing out the main things that might go into the legislation. It is important, if possible, that any viewpoints that can be injected giving what I might call a Territory point of view are put in at this stage before it has Cabinet and full Government approval.

I believe that some of the viewpoints which have been expressed here today are already in the hands of some of the ministers whose ministries are jointly considering the matter. I do not know and cannot foreshadow what the result of that operation will be and I certainly will not be able to be told precisely what goes into the Cabinet room or comes out. But sufficient indication will be given, following the making of a Cabinet decision, to proceed to the next stage, which will be the drafting of the legislation and I would hope that, at this stage, we will be able to have a further level of participation.

As far as the public of the Territory are concerned - this Assembly, the representatives of the church bodies, the Aboriginal people, all interested parties, the existing land councils and so

on - the first time they will have something to look at is when a bill is introduced into the Federal Parliament, unless the Government, which I believe it has occasionally done, puts out in advance something in the nature of a white paper which sets out the principles of the proposed legislation. That is a possible course of action; I do not know whether there is room for that to be followed in this case. When it hits the deck in the Federal Parliament, that is the time which is very critical. All that has gone before is important, but what we do not want to see happen, and what I think we have some assurance on and what I have confidence in, is that we will not see the thing happen that happened last time, that an unknown bill hits the deck in Federal Parliament and, 3 weeks later, is in the committee stages. That was far too precipitous and, whatever degree of agreement might have been reached or injected into that bill, when it hits the deck in Federal Parliament, there will still be a lot of people, Aboriginal people and other members of the community, who have not at that stage taken a very direct part in its formulation. I want to see sufficient time - and I am talking about something like two or three months - for the various agencies, this Assembly and other agencies concerned, the Department of Aboriginal Affairs and so on, to be able to test as truly as possible the responses of the Aboriginal community and others to that new piece of legislation.

It is going to be a new piece of legislation and I think, without any doubt, we have gained room to negotiate and a firm undertaking about sufficient time to do this. That is not trying to put the thing off at all. I have said, and I am committed to it, that, whether we play a part or not, 1976 is the year for this legislation. It has to go through. Having waited 10 years from when this legislature first put its foot on the road and took a pioneering stance about Aboriginal land legislation in Australia, I am damned if I want to see it go through in 2 months without the kind of consideration, participation, communication and consultation which are necessary for a piece of legislation which is going to

serve us for evermore.

The member for Nightcliff was quite right when she talked about the kinds of important things which should go in it. As I said earlier in the day, the land in the reserves has to be inalienable and in perpetuity. That is what we would be going for if we made the legislation here; that is what we would be going for in Commonwealth legislation. I do not think there is any dispute between Federal Government and us on that. The Prime Minister talks of complementary legislation. I cannot show you the 2 pieces of the jigsaw puzzle at this stage; a lot more discussion would be necessary in which I hope that I can be involved and my views can be taken into account, together with the views of as many people as possible. This is the same sort of thing that we are angling for with the national parks and wildlife situation; we are trying to make legislation here which will be operational legislation under an authority by which the Commonwealth Government has taken to itself to do certain things even vis-a-vis the states. If the states will agree, they can declare areas in which they could provide help, finance and all sorts of things. I think you can go further than that with Aboriginal land legislation to try to spell out some of the main principles. It is done to some extent with fisheries legislation and a number of other fields. There is an Australian Fisheries Act and every state has one. In a number of agricultural fields, you get the same sort of thing in relation to wheat marketing and production of various kinds of primary products. It is possible and indeed in the "Yes" case for the referendum it was said that that was the kind of thing that they had in mind when they asked people to support that referendum.

I think we have had a fair debate today and naturally there are some questions which are yet unanswered because there are discussions which have not taken place and decisions which have not been made. The process has started, I can assure the honourable member of that, already. I would not be surprised one bit if some

of the people concerned with this legislation are sitting down somewhere in Canberra talking about it right now. At least some parties to that discussion will have a very clear view on paper of some of the points that have been talked about here today and some of the desires of the people of the Northern Territory.

Motion agreed to.

ANSWERS TO QUESTIONS

Dr LETTS (by leave): The honourable member for Port Darwin asked me who was performing the duties of Administrator during the absence of Mr Dwyer from the Territory. As far as I can ascertain, the only person on duty who is a deputy of the Administrator is Mr Martyn Finger. I understand Martyn Finger is at Gove or Groote Eylandt and will return to Darwin tomorrow. However, whilst he is in the Territory, he is able to carry out the powers, functions and duties of the Administrator as he was assigned as deputy to the Administrator under the Northern Territory (Administration) Act. That is the best information I can find on that one.

On the question which was asked me by the member for Alice Springs relating to the Alice Springs abattoir, I can only say at this stage that I have not got any information on the transaction which he referred to which I could announce publicly at this time.

BEEF INDUSTRY AND KATHERINE MEATWORKS

Continued from page 144.

Dr LETTS: The motion starts off by indicating that this Assembly recognises 2 things, the first of these being that the general economic crisis in the Australian beef industry has been more severe in the Northern Territory in its effects than in other Australian beef producing areas. This point has been canvassed in debates in this Assembly before and there is not a great deal of merit in going over that ground in detail again. The industry in the Northern Territory is essentially a monoculture. In the areas where beef is produced, beef is

the only crop and, to this extent, we are different to a large proportion of the beef industry. The majority of the beef producing areas of Australia have mixed farming or alternative farming. You have cattle and beef running in conjunction with wheat, sheep and dairy farming, veal production and baby beef production. You have cattle running in conjunction with cropping of one sort or another such as in sorghum cropping in Queensland. Here, there is no other branch of primary production to which we can place emphasis when beef is at a low price; it is beef or nothing.

To show what happens to the industry when its monoculture is affected by market situations and there is a radical drop in prices coupled with an increase in costs, various figures have been used. I am informed that the recent average annual turnoff of the beef industry in the NT has been in the order of 230,000 head per year. At 1972-73 values, the value of that average turnoff was \$32m. With the slump in price and the consequential effects of that in 1974-75, the turnoff dropped from 230,000 to 160,000 and, with the drop not only in numbers but in prices, the return to the producers in the NT dropped to \$8.5m which was almost one quarter of what the level had been 2 years before. That is the order of effect that has been seen in the industry here. I am also informed that the Bureau of Agricultural Economics estimated that, in the 1974-75 financial year, producers in the NT suffered an actual loss - that is not the difference between peak production of 1972-73 and the gross value of production - but an actual loss of \$13m. When I claim that there is a crisis and that the crisis is particularly bad in the NT, I am not joking.

Apart from being a monoculture, the market structure and situation in the NT is quite different in that, apart from a very small percentage of internal consumption, something in the order of 95 or more per cent of the industry depends on export markets and, to a very great extent, the American market, for a certain class of beef. Even beef which goes out interstate to Queensland and South Australia, a good

deal of that goes to the American market and all the exports from the former Darwin abattoirs and the Katherine abattoirs finds its way eventually to America.

There is one particular aspect to which I must refer because it will become of greater importance in the future: the problem of overstocking in the NT. This has been largely camouflaged because of unusually good seasons throughout the Territory. It is estimated again, according to the official departmental advice, that something in the order of 200,000 marketable cattle last year were held back and not sent to market and presumably are on properties. The effects of a couple of years of this kind of situation, of people not being able to afford to send cattle to market because they have to send money after them, has been that stocking levels in all districts have exceeded a safe level. They are far in excess of the safe level in those districts which are most susceptible to droughts such as the Alice Springs pastoral district. If there were extensive bush fires or a dry summer there this year, the position would be catastrophic, not only in terms of the pastoralists themselves but the number of cattle which would die. Amongst the other information I have, is that the railway line and the capacity of trucking going out of Alice Springs into South Australia simply would not be able to handle in the course of this year the excess turnoff which would be necessary to bring stocking back to a reasonable level.

We are in serious trouble and considerably worse off than other beef areas in Australia. The Commonwealth Government has a special interest and responsibility here in that it is the landlord for the beef industry in the NT. To some extent, this prevails in Queensland but it prevails almost entirely here. If one looks at NSW and Victoria and most of the other states, one will find that cattlemen are their own landlords by and large but here the cattlemen are tenant farmers on behalf of the Commonwealth Government who is the owner and the landlord and on whose behalf they look after this property.

The Commonwealth Government was a pretty tough landlord until recent years and did very little to foster the industry for which it was letting out land until the last 20 years or so. From about the mid-1950s onward, it started to see the light and realised that, in order to achieve efficiency of production and enable the Territory to take its place as a significant producer of beef, it had to do some of the things which had to be done largely with public money in other states. The Commonwealth set about developing a sort of basic infrastructure of capital investment which was required to build up the capacity and the value of the beef industry here. Things like the beef road system were put in at public expense at a cost of probably some \$70m or \$80m over a planned period of years. There was also the building of the Katherine meatworks in the first place the Government provided quite a bit of financial assistance on a loan basis. Their investment in research into pastures, new breeds of cattle and the correct use of land runs into many tens of millions of dollars over the last 20 years or so. All this money is at risk if the industry folds up. The justification for having it there disappears if the industry becomes non-viable throughout the Territory. I do not believe that that will happen because I believe the Commonwealth will do something before we get to that stage.

I would now like to refer to the particular problem that we are faced with at Katherine. I answered a question yesterday morning. I must have been a bit prophetic because later in the day there was a statement from the chairman of the board of the Katherine meatworks to the effect that there was some considerable doubt whether the works would open this year. Supplementary news has come through that the staff have been given a month's notice; the indications are pretty grim. We have known that things have not been terribly happy financially with the Katherine meatworks for the last couple of years, particularly since the general crisis in the beef meat industry. It was announced by Dr Patterson last year that the Katherine meatworks had finally been granted loan

money to enable them to carry on. With a losing year again last year, they are now in debt to agencies of the Commonwealth Government and also to people outside the Government.

With all the calculations that have been done in relation to the 1976 financial year, the position is that the Katherine meatworks cannot see its way clear to operate without going more deeply into debt. If it has to meet certain financial obligations which it has now incurred over the last couple of years, it cannot go on operating. It can break even or have a small profit or a loss situation and still meet those commitments which fall due in the course of this year. That being so, I understand that the principals and the board of the works have been trying to negotiate in order to get more breathing space as being the only way in which they can operate the works. In particular, they started off by making submissions to Government as to some sort of deferrals in relation to the repayments they owed the Government. Before those negotiations were completed, the job went off on a different line and the question of some kind of an arrangement between the Katherine meatworks and the Wyndham meatworks was raised.

There were various options open here. One of the options was a straight sale. In the course of that sale, the purchaser would be taking over the financial obligations of the seller. Once again, because of the nature of those obligations and the need to meet them during the course of this year, there would be some difficulties in the way of any purchaser looking at that proposition. The other option would be to enter into some kind of joint venture arrangement with the other meatworks whereby they still preserve, to some extent, their identity. This is what Mr Halstead in his press release was referring to as rationalisation whereby the two works would operate together; knowing the various range of prices operating for various classes of cattle and the total pool of cattle within a certain area would ensure that they did not cut each other's throats in a situation where the whole district and the meatworks' operation is on its

knees anyway. If there is a break-even point of 35,000 head of cattle, say, for a meatworks in the present situation, we would not want to see the situation where one meatworks finished up with 60,000 and the other one finished up with 15,000 and went out of business. Once again, this would still leave the problem of the debts of the Katherine meatworks.

In any solution to that problem, the Government has a part to play. The request has gone forward for the Government to examine the possibility of restructuring the debt. I imagine there would be some components of repayment which the Government would not be willing to waive. These are guarantees which have been given by the people outside the Northmeat Company that they would guarantee, in the event of certain circumstances, that money would be paid to the Government. It would not be reasonable for the Government to waive those. The whole question of the debt and a large repayment of capital interest which might fall due this year being spread over a longer period of time - this is the sort of thing which it would be reasonable to ask the Government to re-examine.

In talking to the latter part of this motion, that we request the Government to take immediate steps to ensure the meatworks remains open, that is specifically the sort of thing that I am trying to get at, that this Assembly lends its support to any re-examination of the debt structure which would be reasonable and which would enable the meatworks to remain open. I remember back to the days when there was no Katherine meatworks and no Darwin meatworks. The Darwin meatworks has gone now and nobody knows what will ever happen again in relation to Darwin. Katherine is still there and it has opened every year since 1963 when it first opened. We remember the situation before that, Mr Speaker, when you had the choice of walking cattle from the Katherine area into Queensland or down to central Australia or across to Wyndham or up to Darwin to put on a cattle boat to go out of here at not even bread-and-butter prices in most cases. We remember the difficulties and problems and the low level of

subsistence of the beef industry and the people who were working in it. Our minds can go back very clearly to those days. We know what a tremendous benefit the meatworks has been at Katherine over the past 13 years. We know what an encouragement it has been to create an atmosphere within the whole industry and in would-be investors, both Australian and overseas. The failure of the Katherine meatworks to open this year would be a crushing blow.

As I said to some of the media, there is no doubt in my mind that there will be people who will be put out of business during the course of this year if the Katherine meatworks does not open. Those living close to Wyndham who can ship cattle there at low freight costs are lucky but the people who are living on the east side of Katherine and down towards the Tablelands area and down towards Newcastle Waters and over to the eastern side of the Victoria River District are not so lucky. It is going to cost them plenty to get cattle to Wyndham and they will have to wait in a queue and Wyndham may almost certainly not be able to kill the full range and volume of cattle that would be available to them. Some people are going to suffer; some people are going to go bankrupt.

The Federal Government would be in a position where, some time later on, they will have to try to pick the industry up again and this will cost money, so they might as well take a sympathetic stance now. I have had telegrams in the last 2 days from both the president and vice-president of the Cattlemen's Association of North Australia. These telegrams are from Mr Vandeleur and Mr Tapp. They have covered some of the points which I mentioned here today about overstocking, the need for carry-on finance and so on.

The first thing is to keep the Katherine meatworks open. One of the ways to do it is to re-examine the debt structure of Northmeat. Another suggestion is that somebody needs to be given the special task of trying to bring the various parties together - the Government, the Australian Industry Development Corporation and the meatworks companies. I understand that

at the moment the Government, in considering the possible restructuring of Katherine's debt, has asked a number of questions of the company and there is some delay in getting the answers back. All this is holding up the progress of the negotiations but the people who are really going to suffer are the producers who cannot sell their cattle. I will draw a rough parallel with the Frances Creek iron ore mining operation. When that got into trouble, they went as far as appointing a provisional receiver, a man who had acute business sense and was a good operator. He was able to bring that operation into a profitable trading situation and it would have traded its way back out of debt if the cyclone and Charlie Jones had not intervened. I do not say we need to go as far as a provisional receivership at this stage but there must be somebody who could be given a commission to deal with the two companies who appear to be involved, Northmeat and Norwest Meat, to deal with the Government and find out what is necessary to be done so that the meatworks can operate in May. The first thing to do is to get that meatworks open and keep it open. Having done that, I would exhort the Government to have a look at some other requests which have been made by the cattle producers of the Northern Territory over the past few months in relation to the extent of carry-on finance and financial schemes that apply up here as far as ceilings in terms of lending are concerned. Debt reconstruction moneys and rural reconstruction moneys can be of great assistance in the Northern Territory to counter the extra disadvantages in which we find ourselves here.

All of those things should be looked at but the important and most critical matter is to get that meatworks open. It is a decision which has to be made known within the next month. People are on one month's notice. If the thing is not resolved and made known by then, they will be gone; they will be out of a job and they will be gone. To try to restart the meatworks after that, to bring in expert management, expert technicians, would be difficult. The prospects of getting it open this year would be far worse. Action is needed

immediately. This call to the Government is made in those terms and should go forward immediately. I have no doubt some other speakers will talk about other districts of the Territory and bring further suggestions to bear on what might be done in this regard but, for the moment, I commend the motion.

Mr VALE: I rise to speak in support of the motion and I will be a bit more parochial than the Majority Leader - my knowledge is nowhere near as great as his. I am speaking in relation to central Australia only and will point out some of the problems and some of the possible solutions which should be considered by the Federal Government. It should be placed on record that the pastoral industry in the Northern Territory was once the largest employer in the Territory of Aboriginal people. In the 1973-74 financial year, it earned for Australia \$636m in export earnings. If you turn the clock back far enough, of course, it opened up and settled the once-hostile country in the centre of Australia. We have a number of problems and amongst these, of course, is overstocking. In the figures I have here from the Alice Springs district, in August 1975 we had on hand 376,000 head of cattle - the safe number is regarded as being 280,000 and by June of this year it is estimated in fact there will probably be close to 450,000 - far in excess of what we should have, and what the country could carry in normal seasons. If you compare these numbers of stock holdings with what has been turned off in the past 12 months, it would emphasise exactly what the opposition is of pastoralists in Central Australia, and why they are travelling express to bankruptcy.

In the financial year 1974-75, of the cattle turned off from central Australia, 46,000 went by rail to Adelaide and 600 by road to Darwin. It is a pity Mr Speaker is not here because he and other residents of Katherine received choice centralian beef from Alice Springs during this period; 2,500 head were roadfreighted to Katherine and 2,000 head were roadfreighted to Cloncurry. It should be noted, of course, that of those cattle shipped to Adelaide, 21,000 were store cattle and

the rest were fats and, of course, store cattle do not bring anywhere near the same prices as fat cattle.

There are a number of problems in central Australia which concern us in addition to the overstocking which I have just indicated: market prices, lack of export markets, and I think we should probably go back to late 1972 through to late 1975. Two major export markets were destroyed by certain ministers of the Federal Labor Government - Japan and America. If these markets could be reopened or enlarged, then maybe prices would improve and the grim picture in central Australia would be different.

Increased costs during this period have not helped either. Rises in fuel, freight, wages and rail disruptions continue to add to the pastoral industry's depression. The Executive Member for Transport indicated today that on the 4th of this month the rail line to Adelaide will be reopened after being closed for two months. Having recently flown to Adelaide from Alice Springs and scouted the rail line in this area along Lake Eyre, it is obvious that the headwaters of the rivers coming down into Lake Eyre will cause that lake to flood into Lake Eyre South and possibly, if Lake Eyre South breaks its bank, then it will tear out miles of rail line along its southern bank.

Some of the solutions which I would suggest should be considered are a freight stabilisation scheme to enable pastoralists in remote areas to present their product at market at a freight cost equivalent to that of people living close to those major markets, together with temporary removal of all excise charges on petroleum products for the pastoral and associated industries. The cost of excise duty is 22.3 cents per gallon on almost all of these products. This would require a payout from government coffers, in fact it would be a loss of revenue. The figures for fuel consumption for the Northern Territory during the last 12 months were 16.5 million gallons of motor spirit and 33 million gallons of automotive distillate, and only a small portion of these two consumption

figures would have been consumed directly by the pastoral and associated industries. Hence we are not talking about large amounts of money but a small reduction in operating prices for this valuable industry. Also a moratorium on all debts and interest payments should be considered until such time as meat prices reach a predetermined and economic level.

Most producers have reduced their property operating expenses to the barest minimum and many have availed themselves of the carry-on finance scheme. However, the major concern is in the rural reconstruction scheme where long term delays resulting from lack of loan funds are adding to the indebtedness of the producers. Only a handful of producers have received any reconstruction assistance. The scheme has apparently received no special recognition, unlike the states. No special budget allocation has been made, and the limited funds have come from a one-line vote from the Primary Producers Board. These producers in the past have paid extensive taxation and have provided sizeable export earnings, but are denied access to long-term expenditure loans because they live across the border from the states. The total commitment to funds for reconstruction in the Northern Territory was \$130,000 and stock firms indicate that at least 50 per cent of the producers would require access to reconstruction finance. I think that the Primary Producers Board should be given every facility to carry out a function which is so urgent and vital for the very existence of beef producers in the Territory. This Assembly should see that the Primary Producers Board receives immediate autonomy.

The last recommendation I have if all those others fail - and, indeed, it should be studied in relationship to those comments - is the subsidised shooting of cattle on properties. The old argument is that if you pay this money out of government coffers to assist producers in remote areas in getting their product to a market in the coastal areas, then they go to glut an already depressed market. Thus, in these remote areas the possibility of

utilising government funds and AIB officials to assist in the supervised and compensated shooting of cattle should be studied closely.

Mr MacFARLANE: Last year a Katherine resident proposed a question to me. He asked: "Does the beef industry want the doctor or the undertaker?" This is what it is all about now. Are we going to let the industry die and bury it or are we going to revive it? I suggest very strongly that, if we close Katherine, we are burying the beef industry in the Northern Territory. As you know, the Northern Territory coffin has a lot of nails in it already. The nails in the Northern Territory coffin are coming from Canberra all the time. What the Northern Territory beef industry wants is a means of survival. You hear bright predictions about the future of the beef industry in the long term. What we are looking for now is survival for this year. We did survive last year and now the price of beef to the producer in Katherine is approximately double what it was last year. The outlook for beef is improving but not as much as we would like. If Katherine does improve, the producer will still be down the drain. It costs him approximately 25¢ a pound to produce and the most that he can expect at the present time is 15¢. You are not really doing the producer any great turn; you are merely giving him a chance to get out. It is as simple as that.

If the producer is not getting much money out of it, who is? The cost of processing beef in Katherine and in most other places is far above what the producer gets. It costs about \$60 a head to process a beast in Katherine and I do not think the producer would get that. We must do something about producing it more cheaply. Automation of the meatworks would do this. A proposal has already been put forward by Northmeat which would require about \$1.5m. This is something you really have to do. Are you going to bury the beef industry or revive it? If you automated Katherine, you would be able to process at least 60,000 head. The cattle are available. That would mean that you could kill twice the record number - I think the record number was

38,000 - at not very much more than it would now cost to kill half that number. These are economics and, although the Acting Administrator refused to consider them, I think they are right. I do not think that Mr Dwyer is an expert on everything. People ask why they did not automate the meatworks when it burnt down a few years ago. The fact of the matter was that the meatworks was back on operation within 14 weeks. The material for rebuilding was ordered before the ashes of the fire were cold.

We have had a firm commitment from two ministers that Katherine will open this year. The ministers are Mr Ian Sinclair, speaking a few days before the election, and Mr Adermann, the Minister for the Northern Territory. We have been given a firm commitment. In fact, I cannot see any reasonable man saying that the cattle north, east and south of Katherine should drive right past an idle meatworks out 300 miles to another one. This is ludicrous. People suggest rationalisation. For God's sake! the rationalisation comes in cutting the processing costs.

The main thing to do is to get Katherine opened. This is in the short term. We have got to automate Katherine and then possibly look at the whole beef industry in the Northern Territory. The chairman of the Primary Producers Board suggested an industry conference last year. It was held but it was interrupted with political events and it has not achieved what it should have. We must know why it is more economical to take cattle from, say, Eva Downs or Brunette Downs across to Bowen and Townsville and kill them there. Why is it more economical to do that than take them 300 or 400 miles up the bitumen and kill them at Katherine? I cannot work this out and yet Vesteys and others take their cattle pretty well from the Western Australian border right across the Northern Territory into Queensland and kill them at their own meatworks on the eastern coast. This is a free enterprise country and they are entitled to do what they like but I cannot work out how they do this except that it is cheaper to process them there. It is a long way from the Western Australian border to

Townsville.

Most of the details have been mentioned by the Majority Leader and the situation that would obtain in Alice Springs has been mentioned by the honourable member for Stuart. One thing we must look at in the future is the shifting of the meatworks from Katherine to Elliott or Dunmarra for no reason other than getting closer to the cattle population. Dunmarra is geographically in a pretty good situation. You have the road from Top Springs which taps the Victoria River district coming in just north of Dunmarra. You have the road tapping the tablelands and the Carpentaria Highway coming in just south of Daly Waters and then you have all the tablelands and all the centre on a bitumen road further down. If rail freights go up 40 per cent between Adelaide and Alice Springs, I suggest it would be a lot cheaper to road train cattle from the centre to an abattoir centrally situated somewhere near Elliott or Dunmarra.

This is in the future but we are not in the future. We are living in the present; it is a matter of survival. In the future again, I think a cannery could help. On the one hand, we have got a glut of beef going for a song at 15¢ a pound. This is what the producer can only hope for and yet we have starving millions to north, south, east and west of us. Why don't we devise some means of feeding our surplus beef to them? Canning seems to be the only prospect. I have been chasing up and researching methods of drying and curing beef but they seem to be too expensive. Canning seems to be the only one.

In a way you get a bit sick of promoting the beef industry after about 10 years and having to overcome government inertia time and time again. You heard this morning in an answer from the Majority Leader about debt reconstruction, rural reconstruction, carry-on finance and how the federal responsibility was discriminated against. You would think that because you are a federal responsibility, you would get the same treatment as other federal responsibilities like Canberra where the roads are good. You find that

the roads in the Northern Territory are falling to bits and nobody cares. We have no money; we cannot do anything about it except protest. You find that the special interest and responsibility which a Commonwealth Government has in relation to the industry here is a figment of somebody's imagination. You will find that, if the Government gives sympathetic and favourable consideration to other forms of assistance which are necessary to keep the industry viable pending a return to more normal conditions, the states will do twice as well. They will get one issue from the Federal Government and another issue from their own state treasury.

The effects of the general economic crisis in the Australian beef industry have been felt far worse here than anywhere else because we are a monoculture. The facts are known; we have been saying it for years. Having said them again, I hope to God somebody takes some notice because otherwise we will be calling for the undertaker to bury us and not the doctor to revive us.

Mr MANUELL: I welcome the opportunity to lend my remarks to this House in this particular subject. I would concur with the comments that have been made by the previous speakers. The Majority Leader has outlined in general terms the background of the basic argument and I would like to illustrate some facts which are probably more closely associated with the central Australian beef industry. In doing so, I would like to make reference to a number of documents and some statements contained therein. Listening to the words of the member for Elsey and relating some of those words to some of these documents, I wonder whether or not perhaps the question of carry-on finance or reconstruction finance should not be looked at as survival finance.

Whilst I am not closely associated with the pastoral industry, it is very easy to observe the stresses and strains being felt by the industry in the central Australian region. There have been a number of problems at a local level and my colleague, the member for Stuart, illustrated a number, including the breakdown in

transport systems available to Alice Springs. There are some rather unique situations applying to that area. In particular, if the rail goes out as it does periodically and regularly - and in recent years annually - there is only one way to move the cattle and that is north if the Newcastle Waters causeway or the Barkly Highway is not flooded. I suppose the cattle producer has the alternative of transshipping by road to Adelaide if the South road is open. If it is assumed open, we have to consider that the closest market is a thousand miles away, 800 of those miles being an unsealed road. By the time they arrive there, the cattle's hooves are of very little value for anything else but the rubbish tin.

I suggest that the situation in the central Australian region is quite serious and I believe it is serious because we have an unreliable rail system and limited markets in terms of abattoirs. For this reason, the producer is in a cleft stick. I acknowledge the point that the possible non-opening of the Katherine meatworks this year would present its share to the problems of the region but nevertheless I reiterate that there are problems in getting central Australian meat to market.

Before I continue, I would like to refer to some of the statements made in an advice to applicants for carry-on finance distributed by the Primary Producers Board. I would also like to refer to the IAC report on the beef industry. I read to you the first paragraph in the advice for carry-on finance applications: "The purpose of the loan is to enable properties where the usual sources of credit are exhausted but where the debt structure is still believed to be sound in terms of more normal trading conditions to continue to operate in the present situation of weak demand for cattle and low returns...". I suggest that that paragraph relates to the prospect of the market improving in the foreseeable future. In relation to the producers in the central Australian area, there is no prospect of the market improving in the near future. The IAC report says: "The collapse in beef cattle prices has been caused by high beef production in importing and exporting countries and

the slowdown of world economic activity. No marked recovery in world beef prices is anticipated for at least two years." That report was published on 30 September 1975. The IAC do not see an improved market situation applying before September 1977.

Also in the summary there is a comment: "There has been a significant decline in returns to beef cattle producers as a result of a fall in beef cattle prices. Producers unable to overcome their income problem face the problem of adjusting out of beef cattle either into other forms of rural production or into non-rural employment." That comment substantiated the earlier statement by the Majority Leader in terms of the monoculture that applies in the beef cattle industry particularly in the central Australian region.

Whilst I am supporting the argument that the beef industry does need immediate assistance, I would like to indicate that, in the Alice Springs region, there are ramifications in the lack of success in the industry at present. It is quite obvious that the central Australian region, and Alice Springs in particular, depends heavily at a commercial level on the beef industry. There is probably only one other substantial industry in the area and that is tourism. I would suggest to members of this House that in the last 2 years the drop-off in cash-flow in the Alice Springs area is of such significance that it has had an effect on the growth factor available to the private and commercial sector previously experienced under the relatively buoyant period enjoyed by the beef industry. Whilst I do not have clear facts in front of me, an estimate from reliable sources in the Alice Springs region would indicate that the motor vehicle retailing industry in the last two years has lost in excess of \$2m worth of turnover to the pastoral industry alone. That is the turnover that it would normally enjoy in the supply of vehicles of a commercial and private nature of the beef industry.

I am not only talking in terms of the carry-on finance proposals in their up to \$15,000 grants; I believe that there is every indication that there are some

larger grants justified under some circumstances. There is no doubt that there are some circumstances that may not even justify the present \$15,000 upper limit for carry-on finance. In fact I have it on good authority that there are some applicants for carry-on finance who have been rejected on the basis that they are beyond assistance. I would like to draw members' attention to the fact that at present in the Alice Springs region there are approximately 90 potential applicants for carry-on finance. There have been something like one-third of those potential applicants serviced for carry-on finance. I would also suggest that my authority indicates that one-half of the remaining two-thirds of those leaseholders in the Alice Springs region will need carry-on assistance before the end of this calendar year. The remaining half will all need carry-on finance in the next calendar year on the assumption that the market situation does not improve. The more interesting fact is that, whilst those remaining two-thirds will require carry-on finance in 1977, there is every indication that a good 50 per cent of those 90 potential applicants will have had to relinquish their ownership of their pastoral leases because they will not be in a position to carry on. I believe this clearly illustrates the seriousness of the situation in the Alice Springs region.

I might just refer to a summary of costs of one sale from one pastoral lease in the Alice Springs region. It refers to a sale made on 9 January 1976 of 8 rail vans comprising 86 head of cattle in the Adelaide market. The gross proceeds from this sale was \$3,515, an average per head of \$40.80. The charges relating to the delivery of those stock to the market were as follows: cartage from the station, 103 miles from Alice Springs, \$453.12; feeding in Alice Springs, \$53.70; charges at Marree for transhipment, \$109.44; paddock and driving to the Adelaide market, \$101.76; trucking charges in Adelaide, \$16.76; yard fees in Adelaide, \$60.20; cattle duty, \$10.45; a slaughter levy of \$38.25; a commission of \$175.75; and a railway cartage charge of \$1,440.96. The total charges amount to \$2,460.39. If you

remove from the revenue generated by the sale the costs, the net proceeds of the sale amounted to \$1,054.61 or an average net return per head of \$12.26. I suppose there is a positive result here, but let me remind this House that they are the costs in getting the cattle to market. It does not include the cost of capital of the pastoral lease; it does not include the cost of interest; it does not include normal operational costs of employment and running costs in order to muster. That is simply the direct operating costs in getting those cattle to the market for sale. I strongly suggest to members of this House that the net result of that sale is very much below zero. I would also hasten to add, whilst I have not got clear facts, that I seem to recall that in January there was even a slight lifting in the retail market in Adelaide.

We see that there is absolutely no possibility under present market circumstances of leaseholders in the Alice Springs region getting their cattle to market in a viable situation with a prospect of making a profit. The obvious question to ask ourselves then is, what of the future for these people in this area? Personally, I am frightfully concerned at a number of prospects in the central Australian region. I am concerned that a good deal of lifelong investment is going to go to waste, a good deal of lifelong investment in money, time, effort and expertise. There is no doubt that in the central Australian region there are any number of beef producers who have carried out stock improvement systems, systems of management in culling herds, in improving and upgrading their stock no matter what type of stock they hold. Many of the pastoral leaseholders have undertaken extensive purchases of stud stock in order to increase the value of their bloodline. Is this all to go to the wall? Are we simply to stand by and watch it go to waste? I think that the matter is very serious in the Alice Springs region.

I also notice in this IAC report that in the commencing pages of the report it says that it would be a good idea for those people who found themselves displaced in the industry to seek other

employment. I ask this House if they could contemplate where they would seek alternative employment in the Alice Springs region. At the moment, there is a surplus of labour in the Alice Springs region simply as a result of normal course of the economy. I am certain that there would be many people in the Alice Springs region who, if they were to leave their pastoral leases, would never return. Therein lies a distinct loss, not only to the Northern Territory but to the Australian nation as a whole. I do not think that we as a community can afford to see this happen; therefore, I suggest very strongly that, in the motion that our Majority Leader has put to this House, we should suggest in the strongest terms to our federal colleagues that the beef industry in the Northern Territory needs assistance right now, not in two months time. There should be further studies.

There were great hopes held by the beef industry when the IAC committee was established. We know the report was delayed and many people sat back, hoping that the report would give them the sort of assistance they needed. I believe it made a start but we are now in a position where we need survival finance not carry-on or reconstruction finance. Bearing in mind that the report suggests there may be no increase in prospects in the beef cattle industry within two years, I look at the figures for the average price of beef sold to the American market in 1973. The price peaked over there at 145.3¢ per kilogram in August 1973. The last record we have of sales to America in 1975 is in June at 65.6¢ per kilogram. There is obviously improvement in the situation at the moment. If that is their lot, how are we going to get the beef industry out of its problem, because there is just no foreseeable market situation indicating that.

In closing my remarks, I would like to refer to an article which is in some ways serious but in others lighthearted. It is an article in the Bulletin of 27 March 1976. The article itself is a report by a Jacqueline Reese talking to Mr Ian Viner, the Minister for Aboriginal Affairs. The interesting part

about this report is one paragraph in which the Minister for Aboriginal Affairs says this: "One thing I would like to say is that I will be supporting the further purchases of cattle stations in areas that Aborigines are familiar with. It is another means of giving them an identity through their own community activity as well as being an economic prospect, and it is another important aspect of their affinity with the land". I strongly suggest that there will be no need for the Minister for Aboriginal Affairs contemplating having to purchase pastoral leases in the central Australian region; he will simply be able to walk in and take them over.

Mr EVERINGHAM: I rise to support the motion. I feel that I am adding perhaps exhaustively to this already lopsided debate and perhaps my small contribution will only tilt the canoe closer to the waterline. I have the greatest sympathy for the beef producers of the Northern Territory. I believe that the whole community should prosper if at all possible. Of course, if the beef producers of the Northern Territory do not prosper then obviously many of the ancillary industries which depend on them, such as road transport, will not prosper either.

The effects in the Northern Territory, I would agree, have certainly been more severe than elsewhere. There are no large markets readily available to the Territory, but I do believe that our beef industry organisation should be looking to the establishment of new markets away from the traditional markets and should be looking at this aggressively. I do make this small criticism of these organisations, that always in time of crisis - and one can well understand why - they look to the Government for more assistance. I do think that they should also be looking outwards rather than inwards.

We have seen the attempts of various entrepreneurs to develop or redevelop the live cattle market exporting from Darwin in the last couple of years, and these efforts have been to some extent successful although hampered at times

by the possibly well-intentioned but misguided efforts of unionists to protect fellow unionists' jobs. I do not think that there has been any great support for these efforts from beef producers' organisations and I think that they certainly warrant more investigation and more help from the producer to the entrepreneur, rather than just sitting around and waiting for someone to ask you if he can buy your cattle. Certainly, I am in favour of opening the Katherine meatworks this year if restructuring its debts will ensure that the opening takes place. I do not know whether the expenditure of further public moneys could really be justified because I believe that a great deal has already been expended. I would hope that, by extending the terms of repayment, the meatworks could be re-opened. I believe that the meatworks is unlikely to receive further financial assistance from this Federal Government and I therefore can see this as the only feasible way of seeing that the works is opened unless it is taken over by some other organisation.

The industry itself is unlikely to receive direct financial aid and I think that they should face this fact squarely. I think the only possibility of any aid coming to the industry is by asking the Government to perhaps declare a limited moratorium for those producers who can satisfy certain requirements to establish their being indebted beyond their capacity to repay. The banks are certainly prospering at the present time; I do not think any bank has turned in anything but a record return over the last couple of years. I would think that, as the interest would run during the term of a moratorium, banks, stock and station agents and the Commonwealth Development Bank could well stand at least a 12 months moratorium on debts owing to them over mortgages under land, bills of sale, stock mortgages and the like. I would think that this would provide a test to the producers themselves. Do they want to continue in the industry? Are they prepared to go and ask for a moratorium in each individual case? Obviously, they would then have to decide whether, if the moratorium were granted to them, they would come out of it anyway if the

industry prospered again in 2 or 3 years. They would have to look at this and examine their own individual situation. I believe that the industry itself has to take this initiative and put a firm proposal up to the Government. I believe that the initiative must come from the producers themselves.

Mr KENTISH: I support the motion brought forward by the Majority Leader. The closure of the Katherine meatworks would appear to be unthinkable although it is a sad fact which we may have to face. The repercussions from closing this meatworks would be felt all over the northern part of the Territory and as far south as Alice Springs. I also feel that Alice Springs is in an unenviable position with regard to the meat market. As there is no abattoir in Darwin, that will be the finish of organised meat marketing in the Northern Territory except for some local consumption. The effect of this would be a catastrophe for the Territory, particularly coming at a time when there appears to be some improvement in the economic situation of meat marketing. It would be a great shame that the industry lived through a couple of years and then fell flat at the winning post.

A number of suggestions have been brought forward to relieve the industry in this time of distress. I am reminded of something that happened in southern Australia when the motor industry was in distress about 18 months ago. When the major manufacturers were jammed up with motor vehicles, a statesman at that time, Dr Jim Cairns, cancelled the sales tax on motor cars. Very quickly, everyone bought motor cars and the industry was back on its feet again. It was very sensible and unorthodox but a breath of fresh air in the present day when people tend to keep to stereotyped methods. It was something a bit different and it worked, much to the credit of Dr Jim Cairns.

I do not know what the wages bill is for the abattoir at Katherine. I hear of weekly salaries of \$600 or \$700 a week by certain contract workers. It is quite possible that the wages bill is up around \$50,000 to \$60,000 per week.

The tax component would be nearly 50 per cent. The Federal Government would be most distressed at the idea of relinquishing this tax. Just letting the abattoir retain that tax component and cutting their wages bill in half may cost the Federal Treasury \$30,000 a week in taxation money. However, there is an alternative Treasury must face. If the abattoir closes, they will lose all that. Worse than this, they will be paying unemployment benefits and may be stuck with the relief fund money for station owners. That is a much more severe proposition than relinquishing tax during the killing season at the abattoir. That is unorthodox and everything unusual is generally unacceptable but it may just provide the necessary amount of leeway that might allow the abattoir to continue its operations economically. We may not fiddle with wages or do anything about them but the payroll tax and the group certificate tax may allow this business to carry on if it was withdrawn for a specified time.

Mr WITHNALL: I do not think any Commonwealth Government can afford to let this community in the Northern Territory die. I think it is in the interests of every Commonwealth Government to keep a strong and flourishing community in existence in this part of Australia. Consequently, I think the Commonwealth Government ought to examine the ways in which it might best maintain a flourishing community here. Indeed, under both sorts of government that we had for many years, this community has been maintained by the extension of the public service and we have been in effect just living or mushrooming upon what we are fed on. There is another way to ensure that there is a viable community here and it does not involve the payment of enormous sums of money to create public service jobs. That way is to assist industry and, if you assist industry to the extent to which it can become viable, then the cost of keeping a vigorous population in this part of the world would be much less.

I think it is about time this Commonwealth Government woke up to the fact that the way to keep people in the Northern Territory is to assist industry.

I do not care if you call it primary industry or secondary industry but, certainly in the situation in which the Northern Territory finds itself, you must assist primary industry as a first move. If you do not assist primary industry, then you lose the whole substratum upon which the whole of industry in the Northern Territory subsists. I do not claim to be an expert in any field of primary industry and indeed many people would be able to demonstrate that I am not. I do claim to understand that, unless primary industry is encouraged in the Northern Territory, the whole substratum of the community is gone.

There are many people in government who do not quite understand that. Many people in the Government believe that the whole of the Northern Territory is public servants. Indeed, when one examines the state of the public service in the Northern Territory and the number of public servants for the work that is done, one might be inclined to agree. I suggest that it is time for the Commonwealth Government to say: "We are going to treat the Northern Territory in the future as a state; let us start preparing it for that task. If industry is of the very bones of a state, let us try to encourage industry". If they do not encourage industry, there will be really nothing upon which we can base a new state.

The first task of the Commonwealth Government in the Northern Territory ought to be to encourage the development of industry. If they encourage that, it would probably cost them half as much to keep the people here and the production would more than justify the results obtained. I am no expert in pastoral affairs but I do want to put this forward: I think that it may be very valuable for the Northern Territory to establish, even if it may need to have some sort of subsidy, a canning industry. Canning industries can take over where your fresh beef market has gone. The virtue of canned foods is that it does not only last while you can keep it in refrigeration; it lasts without refrigeration or without cost at all. I do urge the Commonwealth Government

to take notice of that fact and, if it is found, upon examination, that the fresh beef industry or the frozen beef industry is not viable, at least we can establish a canning industry here which may, next year or the year after, take advantage of higher prices for beef.

Dr LETTS (in reply): Speaking in reply and closing the debate on this motion, I emphasise that all the wide-ranging and important points that have been raised this afternoon have gone into the record and I am sure will be directed to the appropriate place. From my knowledge of the beef industry throughout the Northern Territory over many years, I say that the most important goal before us today is getting the Katherine meatworks open this year and keeping it open. It is the sole surviving export meatworks in the Northern Territory and it is one of two in the Kimberly-Northern Territory area.

If the Government can play a part in debt reconstruction, as has been suggested, it is essential that it plays that part; it is essential that it expedite the move and that somebody, whether it be government-initiated or whatever, gets the information required from the company and completes the negotiation. If the Government will only give a breath of life to this Katherine meatworks for this killing season and look at it in that light, we will have time and room in which to negotiate a more permanent solution, whether it be the sale of the meatworks or some other solution, if the present company is not able to keep going. We need time; we need this season; we need carry-on help and administrative decisions in relation to that works this season so that it can see the year out. During that year, some special envoy can look at its long-term future. If we do not do that, we will be back in the monopolistic situation where the industry in the Northern Territory, including effects in central Australia, will be screwed down to a position of minimum return to producers who are at the end of the line and any benefit at all will go to the remaining single works in the region, works which cannot service the areas which at present are serviced by the Katherine works. This

Government supposedly recognises the virtues of competition and, in this industry, the only way to keep competition alive is to get the Katherine meatworks open and keep it open this year.

Motion agreed to.

ADJOURNMENT DEBATE

Mr POLLOCK: I move that the Assembly do now adjourn

I would like to speak very briefly on two matters. The one which was raised yesterday by the Executive Member for Education and Law was in relation to single accommodation and the matter of the schoolteachers protesting about the standard of their accommodation. I would just like to say at this stage that schoolteachers perhaps should not think themselves the holy cow in this situation and that there are many single people in all sections of the public service, and in the private sector in the Northern Territory, who are discriminated against in relation to accommodation. We heard yesterday how married members of the public service can pay a maximum of \$25 per week for housing. I think the very least that a single person can get government accommodation here in town for, for a room only, is about \$27.50.

Miss Andrew: It is going up.

Mr POLLOCK: And it is going up. This spiralling effect against the single person working in the Territory, whether he is in the public service or out of it, is just appalling. If he goes to the Home Finance Trustee, he will be treated very well until the matter of being single arises, and then of course he is down the drain. It was very pleasing to see in the Senator's statement last night on the Commonwealth Government's attitude to assistance in relation to housing that single persons will be eligible.

The other matter which I would like to raise concerns the Darwin airport and air services. The Executive Member for Transport and Secondary Industry mentioned this morning the bar facilities.

Mr Ryan: Don't you knock the bar.

Mr POLLOCK: I am not going to knock the bar because, with the delays that are occurring at the airport, it will be very good that one will be able to get some refreshment and some sustenance while waiting.

I am qualified to speak about the Darwin airport because I am a regular commuter through that establishment. The thing about that place is that there does not seem to be all that much being done about getting the place into a reasonably safe condition. I am told in recent days that some moves are now afoot but there is a great hassle going on between all the departments - between the air transport group, the AttorneyGeneral's Department, the Reconstruction Commission and everybody else - as to who is to pay. Somebody has it in his head that the costs that are to be incurred in doing any renovations must be charged against the system of cost recovery under the two airline system. It is an absolutely ridiculous situation that that should be a matter to be argued over. The conditions at the Darwin airport for the travelling public are appalling, and to be worrying about getting the bar going and getting the ceiling in the bar is absolute trivia compared to other aspects of concern which people should be worrying themselves about at the Darwin airport. While waiting out there for flights, you still have to hang around in that place where only 2 or 3 of the original 40 or 50 fans still work and you have to watch where you stand because some of the ceiling is likely to fall at any moment.

The other matter is that you have to go out there in the middle of the night because the airlines in their wisdom or otherwise - and I think it is particularly otherwise - decided that that is when people in the Territory will travel. Easter is now approaching and normally there are services throughout from Darwin south and from Alice Springs south at midday and late afternoon. However, it will be Thursday 15 April or Good Friday eve and the airlines, in their wisdom or otherwise, and particularly otherwise in my consideration, decide that our money is

not good enough and that during the daylight hours the money of people in other parts of Australia on the eastern seaboard is better. The Territory people can travel in the middle of the night at 2.45 am. They can take it or leave it. I feel that this is showing a complete lack of consideration for people in the Territory. The cancellation of daylight services through Alice Springs on that particular day will result in Alice Springs being without an air mail service to the south for some 6 days. Apart from the fact that the air mail will not come on certain days, you have the lack of desire to work by the Postal Commission employees for another 4 days. It will result in not having any air mail for 6 days. Normally, you would be able to send surface mails quickly from Alice Springs but, at the moment, it is taking some 19 to 23 days from southern capitals. The Ghan is true to name in that at the moment we would be better off with camels.

I have taken the matter of the airline schedules up with one particular airline. All they can talk about is how many people they carry at Easter time on the eastern coast. It is just something that has been going on for years. It is about time that they had a review of their system and gave Territory people a bit of a go and some consideration. We too are a part of Australia.

Mr KENTISH: I just rise today to reply to some personal things that have been brought forward against me. I regret to see that the press have vacated the bird trap up there; I hope they print in full my refutation of some of their accusations. I have received warning for several weeks on the grapevine that someone in the Health Department, in the inspector's set-up, was going to get me; they were going to get Rupert Kentish. This is political of course - political stuff. We have a report headed: "MLA Mr Rupert Kentish". They had that written already; it is a political attack and it is not the first time that I have had this sort of an attack. This time I have had warning through the grapevine that someone was going to get me and this is the method of his doing things.

This report is not only inaccurate but it is vindictive and slanderous to some degree. It would appear that we have some bad losers politically in the Northern Territory as we have in Canberra, people who remain with an obsession politically. To deal with the article itself, it says that there have been daily complaints all through the wet season. You never inquire of course from whom the complaints come. That is not done. It may be in order to inquire to whom the complaints were made. I have never received them and my manager has not received them. Who then would receive the complaints, the NT News or the health inspectors' department? We can only guess; it does not tell us here who has received the complaints but it says there have been daily complaints all through the wet season. I am not the single proprietor; it is owned by the company. However, complaints have not come through to the right source if any corrective measures were to be taken.

We have an almost regular weekly inspection by health inspectors in parks; I think it happens in all parks throughout the Darwin area. They catch up with the lot of them about once a week. It is not uncommon for an inspector to find something that offends his senses. It may be something that was not there yesterday but it is there today and, to the best of my knowledge, we have regularly attended to these small things that occur from time to time. It would not be my intention to do otherwise.

In this particular case, we have this long-drawn-out tirade about what has been happening all through the wet. I have to remark that my first official notice from the Health Department is dated 29 March 1976. After "weeks and weeks and weeks of complaints"? I refute the truth of that statement. I do not believe that there have been weeks and weeks of complaints. If so, the person to whom these complaints have been made is very much at fault in not pointing the complaints to the right source. I have the list of things that the health inspector would like us to attend to. Some of the jobs would take no more than 5 minutes: a strip of cement on a joint in the concrete over

a septic pit and little things like that. The time required to fix most of those things is very small.

The report is signed over the signature of Dr Gurd; it is more than a report but rather a notice in fact to seal all leaks, drains, taps, septic tank lids and collapsed drain walls. That sounds terrific but when you consider that there are only 3 or 4 particular items involved, it does not take much time to do. "Remove or cut excessive vegetation": well that has got ahead of the manager apparently during the wet season but already more than a week ago action was taken on that and, with the expected tapering off of the wet, some of the heavier growths were attacked and caught up with.

"Provide surface sullage pits 6 feet by 3 feet by 3 feet" - that is like digging a grave - "for the reception of all wastes from all vans currently discharging on to the ground surface". Apparently, some vans in the wet season have caught up with their normal sullage pits that are beside them. This prospect of digging a grave beside each van fills me with some sort of consternation but nevertheless there we have it. A couple of years ago, a health inspector had a grand idea of cleaning out the centre of a park and building a big dam into which all the sullage from the park would run and a fleet of trucks would operate every day taking the sullage away from the centre sullage pit. Every now and again we get some of these fantastic ideas that are dreamt up. Unfortunately, we are just simply subject to opinions and ideas and they change from time to time.

"Remove such extraneous material as insulation walls, tins, drums, metal which seem to be littered around the park and grade internal roads." Well, it is fatal to touch a grader on the road in the wet season when the road is loaded with a lot of traffic. For that particular item, we simply have to wait till the potholes have dried up. It is our practice every year to put a grader through as soon as the wet season is over. This has been done for the last 3 years and it would be our normal practice. To do it while holes are full of

water is disastrous and would create a terrible mess. That is the sort of thing. There is nothing there about keeping elephants out of the park or cleaning up their droppings or anything like this. Nevertheless, it is our intention as far as possible to comply with all these sorts of things. The main point is that this is the first notice of this sort I have had. It reached me on 29 March. If there have been complaints they have gone somewhere else - I am not quite sure where but we have not had a complaint. But if people or if the NT News have been complaining to the health inspectors, they have been very much lax in not communicating these things to me.

We have some faults mentioned in the paper. It said: "Conditions at Shady Glen and Bindaree" so I never quite know which park they are talking about. I do know that Bindaree is built in the swamp and that in a severe wet you get about there in a flat bottomed dinghy - and we have had a severe wet - and you row between the vans which makes on the spot sewerage very difficult of course. I say this report is mixed up about two parks and sometimes it is difficult to know which one they are talking about.

It said: "The conditions at Shady Glen and Bindaree have been appalling this wet season. Residents have continually complained about blocked lavatories, sewage seeping up through shower outlets, polluted drains" - I am not quite sure what sort of polluted drains that would be - "and the incredible stench". We have not heard about this. We live there of course. I do not live there but a manager lives there, but we have not heard about these things until we read it in the paper. It is quite a surprise to read it in the paper and to find out all these things, and the health inspector has never informed us about it, despite his weekly visits. I would think that they might be talking about some other caravan park in that respect.

It says that almost every day for weeks residents at Shady Glen have complained about the intolerable conditions; women were driven away from the showers and laundry by the oozing

sewage and were unable to bath their children or do the washing. I have not heard about this; most certainly, I think, it would be brought to our notice. As far as sewage is concerned, sewage coming into laundries is a physical impossibility; they are on a separate line altogether to the toilets and in 8 years such a thing has never happened. This is almost a deliberate lie about the conditions in the laundries; it is a physical impossibility. I would donate \$20 to the Red Cross if anyone could point out to me how sewage could get back into the laundries; it is an impossible thing. But there we have it. The only way that I can think of that the sewage may get into the laundries is a tenant emptying a baby's pot into the grating that takes the laundry outflow and that is not an impossibility. People are all made differently and we have had to learn to live with different sorts of people at times - until they are caught up with anyway. It is a possibility that someone has emptied a child's potty into the laundry outlet; there is no other possibility really.

"At least one case of hepatitis was reported". It does not say when, but that is a remarkable record I would think for 8 years, considering that we have people coming in from all over the place all the time. It is quite a remarkable record with the dozens of cases that are reported in Darwin that one has been found in this caravan park after 8 years; it is quite remarkable I would think. We have been told about the sewage and the laundry and showers - it is almost an impossible thing in this particular park and I think someone has got mixed up badly here.

Then we have this wonderful pipe sticking up in the road. Quite a physical effort was made by a man who does not live in the park to lift the pipe. He has lifted it and propped it up with a stick. This particular man who is a fully mature man but must have the mentality of a child is boasting now about how he got even with Kentish. I am subject to these sorts of people at all times and this man is openly boasting now how he got even with me for some imagined insult or something that he suffered some years in the

past; I do not know how long ago. As I say, this a mature man with a child's intellect; they do happen.

Getting away from the particulars, we get to the general observations. It says that unfortunately the majority of caravan parks in Darwin are of an appallingly low standard with very poor facilities. I refute that. They are just ordinary parks, very ordinary most of them, but to say appallingly low standard is not quite correct. In fact, through the years, not particularly in the middle of the wet season perhaps, we have a continual flow of tourists through the parks who have come up through the eastern states and western states. We have a constant flow of people in caravans and it is not unusual at all for them to congratulate us on the standard of the park. Amazingly enough, to offer the tourists even the best we have in caravan parks would be a price insult. Again, we find that people coming up from the south are amazed when they find out what our fees are. They say, "What, only twelve dollars a week or two dollars a day". They say that we are cheaper than southern parks and this is quite a common thing, yet we are told that our parks are a price insult. It really does not fit in with what we are continually being told by our customers.

It says that Mindil Beach park hardly inspires the weary traveller who has already experienced the superior caravan parks along the way. It would be interesting to know where these superior caravan parks are along the way. I have park manager friends who travel up and down the road and they look very critically at caravan parks and they are unable to tell me where these superior parks are out of the Darwin area.

It says that the sooner we have more high standard caravan parks with adequate facilities the better and that hundred of Darwin people are doomed to caravan life for some time yet. Quite a lot of them are enjoying it. I have had people for 3 or 4 years in caravan parks and when you try to put them out for some reason you would think that you were turning them out of the garden

of Eden. That happened about 2 years ago when we tried to eject a tenant who, after 4 years, thought that he owned the park. He began to park a fleet of cars and blocked the roadways and added to that a motor boat which blocked the roadway. We found that, although they may criticise, the people greatly appreciate the facilities that are offered to them.

Miss ANDREW: I would like to draw the attention of members to a report which is put out by the Department of Education. It is an annual report which has been printed in Darwin under emergency

printing because the 1974 report still is not out as a result of the disruption of cyclone Tracy. The report is a comprehensive account of education in the Territory. Each branch has put in a small piece which will explain to some members who seem to misunderstand the functions of the Education Department exactly what each of these services provides. I recommend that every member reads it and I hope that it will give a greater understanding of the education program in the Territory.

Motion agreed to; the Assembly adjourned.

INDEX TO MEMBERS' SPEECHES

March-April 1976

ANDREW E.J.

ADJOURNMENT DEBATES

Accommodation in Darwin 131
Accommodation for single teachers
132
Council for Civil Liberties 131
Department of Education, Annual
Report 190
Trespassers (Temporary Provision)
Ordinance 131

BALLANTYNE M.J.

MOTIONS

Prime Minister's statement on Abor-
iginal land legislation 160

EVERINGHAM P.A.E.

ADJOURNMENT DEBATES

Council for Civil Liberties 139
Medibank 139
Pensioners and hospital charges 140
Trespassers (Temporary Provision)
Ordinance 139

MOTIONS

Beef industry and Katherine meat-
works 183
Failure of Acting Administrator to
comply with act 126

KENTISH R.J.

ADJOURNMENT DEBATES

Shady Glen caravan park 187
Tennant Creek, land sales 138
Unmarried mothers, pensions 138

MOTIONS

Beef industry and Katherine meat-
works 184
Prime Minister's statement on Abor-
iginal land legislation 163

LAWRIE A.D.

ADJOURNMENT DEBATES

Accommodation in Darwin 133
Accommodation for female public ser-
vants 134
Accommodation for single teachers
133
Caravans held by Department of NT
134

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's fin-
ancial policy on economy and de-
velopment of the Territory 117

MOTIONS

Failure of Acting Administrator to
comply with act 125
Prime Minister's statement on Abor-
iginal land legislation 167

LETTS G.A.

ADJOURNMENT DEBATES

Australian Conservation Foundation
130

ANSWERS TO QUESTIONS

Alice Springs abattoir 173
Deputy of Administrator 173

MOTIONS

Beef industry and Katherine meat-
works 144, 173, 185
Failure of Acting Administrator to
comply with act 113, 124
Prime Minister's statement on Abor-
iginal land legislation 114, 144,
171

STATEMENTS

Additional reasons for calling Ass-
embly together 113

INDEX TO MEMBERS' SPEECHES

MacFARLANE J.L.S.

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 114

MOTIONS

Beef industry and Katherine meat-works 178

STATEMENTS

Additional reasons for calling Assembly together 113
Allegations in relation to by-election for the electorate of Alice Springs 113
Reason for calling Assembly together 113

MANUELL G.E.

MOTIONS

Beef industry and Katherine meat-works 180

PERRON M.B.

MOTIONS

Failure of Acting Administrator to comply with act 129

POLLOCK D.L.

ADJOURNMENT DEBATES

Accommodation for single teachers 186
Air services 186
Alice Springs, mail service 187
Darwin airport 186

MOTIONS

Prime Minister's statement on Aboriginal land legislation 162

STATEMENTS

Publications Committee 143

ROBERTSON J.M.

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 119

ancial policy on economy and development of the Territory 119

MOTIONS

Prime Minister's statement on Aboriginal land legislation 161

STATEMENTS

Select Committee on Landlord and Tenant (Control of Rents) Ordinance 143

RYAN R.

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 122

MOTIONS

Failure of Acting Administrator to comply with act 129

STEELE R.M.

MOTIONS

Prime Minister's statement on Aboriginal land legislation 155

TAMBLING G.E.

ADJOURNMENT DEBATES

Central Australian Aboriginal Congress, funds 138

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 114

TUNGUTALUM H.

MOTIONS

Prime Minister's statement on Aboriginal land legislation 170

TUXWORTH I.L.

ADJOURNMENT DEBATES

Convoy system in wet season 138
Land release 136
Police uniforms 136

INDEX TO MEMBERS' SPEECHES

Road transport in wet season 137
Tennant Creek -
land sales 136
petrol stations 137

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 122

MOTIONS

Prime Minister's statement on Aboriginal land legislation 163

VALE R.W.S.

ADJOURNMENT DEBATES

Alice Springs, Alcohol Action Committee 140
"Back to Darwin '78" 141

Central Australian Aboriginal Congress 141

MOTIONS

Beef industry and Katherine meatworks 177

WITHNALL R.J.

MATTER OF PUBLIC IMPORTANCE

Effect of Federal Government's financial policy on economy and development of the Territory 120

MOTIONS

Beef industry and Katherine meatworks 184
Failure of Acting Administrator to comply with act 127
Prime Minister's statement on Aboriginal land legislation 157