

PART III

THE MINUTES OF PROCEEDINGS

*Minutes of Proceedings*  
OF THE  
**LEGISLATIVE ASSEMBLY**

No. 42

Tuesday 12 February 1980

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.

2. NOTICES: The following notices were given:

Mr Everingham: To present the following Bills -

Powers of Attorney Bill 1980 (Serial 395); and  
Interpretation Bill 1980 (Serial 399).

Mr Perron: To present the Housing Bill 1980 (Serial 398).

Mr Tuxworth: To present the Medical Practitioners Registration Bill 1980 (Serial 388).

3. QUESTIONS: Questions without notice were asked.

4. KATHERINE HOSPITAL ADVISORY BOARD - ANNUAL REPORT 1978-9: Mr Tuxworth (Minister for Health) laid on the Table the Board's annual report for the year ended 30 June 1979.

5. DARWIN RECONSTRUCTION COMMISSION - FINAL REPORT 1977-8: Mr Everingham (Chief Minister) laid on the Table the Final Report of the Commission.

6. COMMONWEALTH OMBUDSMAN - REPORT: Mr Everingham (Chief Minister) laid on the Table the Report of the Commonwealth Ombudsman in relation to enactments of the Northern Territory for the year ended 30 June 1978.

7. PERSONAL EXPLANATION: Mr Everingham (Chief Minister), by leave, made a personal explanation relating to misleading statements printed in the *Northern Territory News* on 9 February 1980.

8. LAND TENURE REFORM - MINISTERIAL STATEMENT: Mr Perron (Minister for Lands and Housing), by leave, made a statement on land tenure reform.

Mr Perron moved -

That the Statement be noted.

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

9. SUSPENSION OF STANDING ORDERS - INTRODUCE BILL WITHOUT NOTICE AND PASS THROUGH ALL STAGES: Mr Everingham (Chief Minister) moved -

That so much of standing orders be suspended as would prevent the introduction of the Juries Bill 1980 (Serial 403) without notice and the Bill passing through all stages at this sittings.

The motion having been supported by an absolute majority, Mr Speaker declared the question resolved in the affirmative.

10. JURIES BILL 1980 (Serial 403): Mr Everingham (Chief Minister), presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

Debate ensued.

Question put and passed - Bill read a second time.

Mr Everingham, by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

11. CONSERVATION COMMISSION BILLS - CONSERVATION COMMISSION BILL 1979 (Serial 369), TERRITORY PARKS AND WILDLIFE CONSERVATION BILL (No.4) 1979 (Serial 370), FORESTRY BILL 1979 (Serial 371) and SOIL CONSERVATION AND LAND UTILIZATION BILL 1979 (Serial 372): The order of the day having been read for the resumption of the debate on the question

That the Bills be now read a second time -

Debate resumed.

Question put and passed - Bills read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bills be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bills be now read a third time - put and passed.

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

12. NURSING BILL 1979 (Serial 362): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Robertson (Minister for Education) moved -

That the committee stages be later taken.

Question put and passed.

• SUSPENSION OF SITTING: The sitting was suspended between 1156 and 1400 hours.

13. SUPREME COURT BILL 1980 (Serial 377): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

14. PLANNING BILL 1980 (Serial 379): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Perron (Minister for Lands and Housing), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

15. HOSPITAL MANAGEMENT BOARDS BILL 1980 (Serial 382): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Robertson (Minister for Education) moved -

That the committee stages be later taken.

Question put and passed.

16. BUILDING SOCIETIES BILL 1980 (Serial 380): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

17. POISONS BILL 1979 (Serial 376): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

18. DRUGS BILLS - DANGEROUS DRUGS BILL 1979 (Serial 378) and PROHIBITED DRUGS BILL 1979 (Serial 385): The order of the day having been read for the resumption of the debate on the question

That the Bills be now read a second time -

Debate resumed.

Question put and passed - Bills read a second time.

Mr Tuxworth (Minister for Health), by leave, moved -

That the motion, that the Bills be now read a third time, be moved forthwith

Question put and passed.

Question -

That the Bills be now read a third time, put and passed.

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

19. STOCK ROUTES AND TRAVELLING STOCK BILL 1980 (Serial 391): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to.  
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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

20. ADJOURNMENT: Mr Steele (Minister for Transport and Works) moved -

That the Assembly do now adjourn.

Debate ensued.

And then the Assembly at 1636 hours adjourned until tomorrow at 1000 hours.  
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PAPERS: The following papers were deemed to have been presented on 12 February 1980, pursuant to statute:

*Public Service By-laws 1980:*

No. 1 Public Service (Salaries and Designations) By-laws

Recommendations under S.103 of Crown Lands Act:

- Proposed revocation of part of Reserve No. 913
- Proposed revocation of Reserve No. 1613, Katherine
- Proposed revocation of Reserve No. 1421, Tennant Creek
- Proposed revocation of part of Reserve No. 1306

Regulations 1979:

- No. 35 Amendments of the Traffic Regulations
- No. 36 Amendments of the Electricity (Fees and Charges) Regulations

Regulations 1980:

- No. 1 Amendments to the Police Administration Regulations
- No. 2 Commercial and Private Agents Licensing Regulations
- No. 3 Radiation (Safety Control) Regulations
- No. 4 Amendments to the Nursing Aides Regulations
- No. 5 Fish and Fisheries Regulations
- No. 6 Classification of Publications Regulations
- No. 7 Repeal of Parole of Prisoners (Fees and Allowances) Regulations
- No. 8 Amendment of the Sewerage Regulations
- No. 9 Amendment of the Companies Auditors Board Regulations
- No.10 Repeal of the Hospital Advisory Boards (Fees and Allowances) Regulations
- No.11 Amendment of the Medical Practitioners Regulations
- No.12 Amendment of the Fish and Fisheries Regulations
- No.13 Amendment of the Stock Diseases Regulations

Reports:

- Administration and Staffing, Darwin Hospitals Group, 1979
- Katherine Hospital Advisory Board, February 1979

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ATTENDANCE: All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 43

Wednesday 13 February 1980

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. SMALL SHIPS FACILITY, DARWIN - STATEMENT: Mr Isaacs (Leader of the Opposition), by leave, made a statement relating to documents tabled by him during debate on this subject on 18 September 1979.

Mr Robertson (Minister for Education), by leave, made a statement on the same subject.

Mr Isaacs (Leader of the Opposition), by leave, made a further statement claiming to have been misrepresented in the statement of the Minister for Education and laid on the Table a paper relating to Australian Federal Police investigations into the above-mentioned documents.

3. PETITION: Mrs O'Neil (Fannie Bay) presented a petition from 63 residents of Darwin relating to accommodation provided for invalid pensioners in Northern Territory Housing Commission complexes.

*Petition received and read.*

4. NOTICES: The following notices were given:

Mr Everingham: To present the following Bills -

Firearms Bill 1980 (Serial 396); and  
Electoral Bill 1980 (Serial 397).

Mr Dondas: To present the Criminal Law (Conditional Release of Offenders) Bill 1980 (Serial 400).

5. QUESTIONS: Questions without notice were asked.
6. ANSWER TO QUESTION: Mr Steele (Minister for Transport and Works), by leave, corrected information in relation to motor vehicle registration provided in answer to a question without notice on 12 February 1980.
7. STUDY OF UNDER-AGE DRINKING, SEPTEMBER - NOVEMBER 1979: Mr Tuxworth (Minister for Health) laid on the Table a study of under-age drinking conducted by the Northern Territory Liquor Commission.

Mr Tuxworth moved -

That the Paper be noted.

and was granted leave to continue his remarks at a later hour.

8. LAND RELEASE - MINISTERIAL STATEMENT: Mr Perron (Minister for Lands and Housing), by leave, made a statement relating to the government's land release programme.



9. INTERPRETATION BILL 1980 (Serial 399): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

10. HOUSING BILL 1980 (Serial 398): Mr Perron (Treasurer), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Perron moved -

That the Bill be now read a second time.

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

11. MEDICAL PRACTITIONERS REGISTRATION BILL 1980 (Serial 388): Mr Tuxworth (Minister for Health), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Tuxworth moved -

That the Bill be now read a second time.

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

12. POWERS OF ATTORNEY BILL 1980 (Serial 395): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

13. PRISONS (CORRECTIONAL SERVICES) BILL 1980 (Serial 365): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time-

Debate resumed.

• SUSPENSION OF SITTING: The sitting was suspended between 1207 and 1400 hours.

Debate resumed.

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

14. CROWN LANDS BILL 1980 (Serial 389): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Robertson (Minister for Education) moved -

That the committee stages be later taken.

Question put and passed.

15. PAWNBROKERS BILL 1980 (Serial 381): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Robertson (Minister for Education) moved -

That the committee stages be later taken.

Question put and passed.

16. LIQUOR BILL (No.2) 1979 (Serial 374): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Perron (Treasurer) moved -

That the committee stages be later taken.

Question put and passed.

17. BUSHFIRES BILL 1980 (Serial 373): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Clauses 1 to 7, by leave, taken together and agreed to.

Clause 8 -

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

Omit sub-clause (2).

Clause, as amended, agreed to

Clauses 9 to 19, by leave, taken together and agreed to.

Clause 20 -

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

Omit from paragraph (b) "4 years" and substitute "3 years".

Clause, as amended, agreed to.

Clauses 21 to 23, by leave, taken together and agreed to.

Clause 24 -

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

Omit sub-clause (2) and substitute the following sub-clause:

"(2) A statutory body may direct a member who has disclosed an interest in a matter under sub-section (1) to refrain from taking part in the deliberations of the body in relation to that matter, and the member shall comply with the direction.

Penalty: \$1,000."

Clause, as amended, agreed to.

Clause 25 -

Insert after "direct or indirect" (wherever occurring) "pecuniary".

Clause, as amended, agreed to.

Clauses 26 to 30, by leave, taken together and agreed to.

Clause 31 -

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

Omit from sub-clause (1) "regions" and substitute "fire control regions".

Clause, as amended, agreed to.

Clauses 32 to 37, by leave, taken together and agreed to.

Clause 38 -

On the motion of Mrs Padgham-Purich the following amendment was made, after debate -

Insert after "fire" (first occurring) "in the open".

Clause, as amended, agreed to.

Clause 39 agreed to.

Clause 40 -

On the motion of Mrs Padgham-Purich the following amendment was made -

Insert in sub-clause (1) after "fire" the words "in the open".

Clause, as amended, agreed to.

Clauses 41 to 47, by leave, taken together and agreed to.

Clause 48 -

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

Omit "A person" and substitute "Subject to this Act, a person".

Clause, as amended, agreed to.

Clause 49 -

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

Insert in sub-clause (1)(a) after "officer;" the word "and".

Omit sub-clause (1)(b).

Omit from sub-clause (2) "to other land".

Clause, as amended, agreed to.

Clause 50 agreed to.

Clause 51 -

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

Omit "A fire warden" and substitute "A fire control officer and a fire warden".

Clause, as amended, agreed to.

Clauses 52 to 55, by leave, taken together and agreed to.

Clause 56 -

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

Omit from sub-clause (2)(b) "chief officer" and substitute "captain".

Clause, as amended, agreed to.

Clause 57 -

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

Insert after sub-clause (1) the following new sub-clause:

"(1A) A fire control officer or fire warden to whom an application under sub-section (1) is made shall determine the application by -

- (a) issuing, either conditionally or unconditionally, a permit; or
- (b) refusing to issue a permit."

Clause, as amended, agreed to.

Clauses 58 to 61, by leave, taken together and agreed to.

Schedule agreed to.

Title agreed to.

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

18. LAND AND BUSINESS AGENTS BILL 1979 (Serial 386): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

19. ADJOURNMENT: Mr Tuxworth (Minister for Mines and Energy) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1952 hours adjourned until tomorrow at 1000 hours.

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ATTENDANCE: All members attended the sitting.

Thursday 14 February 1980

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. MESSAGE FROM ADMINISTRATOR: Mr Speaker advised the Assembly that he had received the following message from His Honour the Administrator:

*Message No. 13*

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a Bill entitled the Appropriation Act (No. 2) 1979-80 to appropriate a sum out of the Consolidated Fund, additional to the sums appropriated by the Appropriation Act (No.1) 1979-80, for the services of the year ending on 30 June 1980, and to apply certain moneys in aid of the services for that year out of savings effected in expenditure on other services.

Dated this thirteenth day of February, 1980.

(Sgd) J.A. ENGLAND  
Administrator.

3. NOTICES: The following notices were given:

Mr Everingham: To present the following Bills -

Public Trustee Bill 1980 (Serial 405); and  
Legal Practitioners Bill 1980 (Serial 406).

Mr Tuxworth: To present the Radiographers Bill 1980 (Serial 401).

4. QUESTIONS: Questions without notice were asked.
5. VISIT TO UNITED STATES AND CANADA - MINISTER FOR MINES AND ENERGY, 1979: Mr Tuxworth (Minister for Mines and Energy) laid on the Table a report on his visit to the USA and Canada from 23 November to 12 December 1979.
6. ASSISTANCE TO LOCAL GOVERNMENT - MINISTERIAL STATEMENT: Mr Dondas (Minister for Community Development), by leave, made a statement on financial assistance provided to local government councils in the NT for the year 1979-80.
7. APPROPRIATION BILL (No.2) 1979-80 (Serial 402): Mr Perron (Treasurer) presented the Bill the subject of His Honour the Administrator's message No. 13, and the Bill was thereupon read a first time.

Mr Perron moved -

That the Bill be now read a second time.

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

8. FIREARMS BILL 1980 (Serial 396): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

9. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) BILL 1980 (Serial 400): Mr Dondas (Minister for Community Development), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Dondas moved -

That the Bill be now read a second time.

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

10. ELECTORAL BILL 1980 (Serial 397): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

11. WELFARE NEEDS OF THE NORTHERN TERRITORY - REPORT: The order of the day having been read for the resumption of the debate on the motion of Mr Dondas

That the Report be noted -

Debate resumed.

Question put and passed.

. . SUSPENSION OF SITTING: The sitting was suspended between 1202 and 1400 hours.

12. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) the Order of the Day relating to the Criminal Law (Conditional Release of Offenders) Bill 1980 (Serial 400) was called on.

13. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) BILL 1980 (Serial 400): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

REQUEST FOR URGENCY: Mr Speaker, having considered a request from the Chief Minister submitted pursuant to standing order 153, declared the Bill to be an urgent Bill.

Debate resumed.

Question put and passed - Bill read a second time.

Mr Dondas (Minister for Community Development), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

14. RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL 1980 (Serial 387): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

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

15. AUDITOR-GENERAL'S REPORT: The order of the day having been read for the resumption of the debate on the motion of Mr Everingham

That the Report be noted -

Debate resumed.

Question put and passed.

16. SPECIAL ADJOURNMENT: Mr Robertson (Minister for Education) moved -

That the Assembly, at its rising, adjourn until Tuesday 19 February 1980 at 1400 hours.

Question put and passed.

17. ADJOURNMENT: Mr Tuxworth (Minister for Mines and Energy) moved -

The the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1614 hours adjourned until Tuesday 19 February 1980 at 1400 hours.

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ATTENDANCE: All members attended the sitting.





MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 45

Tuesday 19 February 1980

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1. The Assembly met at 1400 hours, pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. NOTICES: The following notices were given -  
  
Mr Everingham: To present the following Bills -  
  
Public Service Bill 1980 (Serial 394); and  
Workmen's Compensation Bill 1980 (Serial 408).  
  
Mr Steele: To present the following Bills -  
  
Aviation Amendment Bill 1980 (Serial 415); and  
Agricultural Development and Marketing Bill 1980 (Serial 414).
3. QUESTIONS: Questions without notice were asked.
4. LAPSE OF NOTICE: Mr Everingham (Chief Minister) not rising to present the Public Trustee Bill 1980 (Serial 405), Notice No. 1 lapsed.
5. RADIOGRAPHERS BILL 1980 (Serial 401): Mr Tuxworth (Minister for Health), pursuant to notice, presented the Bill which was thereupon read a first time.  
  
Mr Tuxworth moved -  
  
That the Bill be now read a second time.  
  
Debate adjourned and the resumption of the debate made an order of the day for a later hour.
6. LAPSE OF NOTICE: Mr Everingham (Chief Minister) not rising to present the Legal Practitioners Bill 1980 (Serial 406), Notice No. 3 lapsed.
7. MINING BILL 1979 (Serial 351): The order of the day having been read for the resumption of the debate on the question  
  
That the Bill be now read a second time -  
  
Debate resumed.  
  
Question put and passed - Bill read a second time.  
  
Mr Robertson moved -  
  
That the committee stages be later taken.  
  
Question put and passed.

8. NURSING BILL 1979 (Serial 362): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

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

New clauses -

On the motion of Mr Tuxworth the following new clauses were inserted in the Bill -

"2A. Section 4(1) of the Principal Act is amended by omitting the definition of 'Medical Superintendent'.

"2B. CONSTITUTION OF NURSES BOARD

"Section 5 of the Principal Act is amended by omitting paragraphs (b) and (c) and substituting:

'(b) the person appointed under section 15(2) of the Hospitals and Medical Services Act to be, for the time being, in charge of the Casuarina Hospital;

(c) the registered nurse responsible for nursing to the Chief Medical Officer; and'.

"2C. MEETINGS OF BOARD

"Section 6(2) of the Principal Act is amended by omitting 'the Medical Superintendent shall preside' and substituting 'the Board shall elect a member to preside'.

"2D. APPOINTMENT OF REGISTRAR

"Section 7(2) of the Principal Act is amended by omitting 'the Minister' and substituting 'the Board'."

Clause 3 agreed to.

Clause 4 -

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

Omit "before section 16" and substitute "in Part IV after section 15".

Insert in proposed section 16A(1) after "by the Board" the words "by notice in the Gazette".

Omit in proposed section 16A(2) "a practising certificate" and substitute "an annual practising certificate".

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

9. HOSPITAL MANAGEMENT BOARDS BILL 1980 (Serial 382): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 6, by leave, taken together and agreed to.

Clause 7 -

Mr Oliver moved as an amendment -

Omit sub-clause (2) and substitute "One member of a Board shall be the person for the time being performing the duties of the Chief Executive Officer of the hospital in respect of which the Board is established."

Debate ensued.

Question put and negatived.

Clause 7 agreed to, after further debate.

Clauses 8 to 11, by leave, taken together and agreed to.

Clause 12 -

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

Omit from sub-clause (2)(c) the figure "2" and insert "3".

Clause, as amended, agreed to.

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

Clause 16 -

Mr Oliver moved as an amendment -

Omit from sub-clause (1) "by instrument in writing" and substitute "by notification in the Gazette".

Debate ensued.

Question put and negatived.

Clause 16 agreed to.

Clause 17 -

Mr Oliver moved as an amendment -

Omit from sub-clause (1) the figure "5" and insert "6"

Debate ensued.

Question put and negatived.

Clause 17 agreed to.

Clause 18 -

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

Omit from sub-clause (1)(a) "and place".

Omit from sub-clause (1)(b) "and places".

Omit sub-clause (2) and substitute "A Chairman shall, within 7 days after receiving a written notice signed by not less than 3 members requiring a meeting to be held of the Board of which they are members, call a meeting of that Board".

Clause, as amended, agreed to.

Clauses 19 and 20, by leave, taken together and agreed to.

Clause 21 -

Mr Oliver moved as an amendment -

Omit sub-clause (2) and substitute "Each Board shall, not later than 21 days after a meeting but in any event before the next subsequent meeting, submit a copy of the minutes of that meeting to the Minister".

Debate ensued.

Question put and negatived.

Clause 21 agreed to.

Clause 22 -

Mr Oliver moved as an amendment -

Omit sub-clause (3) and substitute "The Chief Executive Officer of a hospital shall comply with any directions and consider any advice given to him under sub-section (1)".

Debate ensued.

Question put and negatived.

Clause 22 agreed to..

New clause -

Mr Oliver moved that the following new clause be inserted in the Bill -

"2(A) A Board may, through the Chief Executive Officer, call for reports from any Department within the hospital in respect of which it is established but not at a lesser interval than every 3 months".

Debate ensued.

Question put and negatived.

Clause 23 -

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

After the words "made to it" insert "in writing".

Clause, as amended, agreed to.

Clause 24 agreed to.

Clause 25 -

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

Omit from sub-clause (2) "7" and substitute "6".

Clause, as amended, agreed to.

Schedule agreed to.

Title agreed to.

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

10. LEAVE OF ABSENCE - MR B. COLLINS: Mrs O'Neil (Fannie Bay) moved -

That leave of absence for this sitting day be granted to the Member for Anhem Mr B. Collins, for medical reasons.

Question put and passed.

11. PRISONS (CORRECTIONAL SERVICES) BILL 1980 (Serial 365): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time-

Debate resumed.

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

12. CROWN LANDS BILL 1980 (Serial 389): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Clause 1 -

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

Omit "Crown Lands Act 1980" and substitute "Crown Lands (Amendment) Act 1980".

Clause, as amended, agreed to.

Clauses 2 and 3, by leave, taken together and agreed to.

Clause 4 -

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

Omit from proposed section 19(2A) "that is to be the subject of a miscellaneous lease and which is not situated in the Darwin Town Area or in a municipality" and substitute "referred to in sub-section (2)(a)".

Clause, as amended, agreed to.

Clause 5 -

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

Omit proposed new section 19A(1) and substitute the following:

"19A. LEASE GRANT CHARGES

"(1) Subject to sub-section (2), a person who has a right, obtained under this Act, to a lease shall -

(a) if the land the subject of the lease is land that is not situated in the Darwin Town Area or a municipality - pay to the Minister as lease grant charges, before the lease is granted -

(i) the first year's rent, if any, under the lease;

(ii) the amount, if any, or the first instalment of the amount, as the case may be, that the Minister determines to be the proposed lessee's share of the cost of surveying the land proposed to be leased; and

(iii) the fee, if any, prescribed for the preparation and registration of the lease; and

(b) in any case, as a charge for the right to the lease, where by agreement under section 19(2A) the reserve price and any additional amount in order to obtain the right to a lease may be paid in instalments, pay the amount of the first instalment under that sub-section of -

(i) the reserve price; and

(ii) the amount, if any, in addition to the reserve price."

Clause, as amended, agreed to.

Clauses 6 and 7, by leave, taken together and agreed to.

New clause -

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

"7A. The Principal Act is amended by inserting after section 27 the following new section:

'27A. CONSENT NOT TO BE GIVEN IN CERTAIN CASES

"Notwithstanding anything contained in section 26, 26A and 27, the Minister shall not consent to the transfer of a lease until all instalments under an agreement referred to in section 19(2A) in relation to the lease have been paid.'."

Clause 8 agreed to.

Clause 9 agreed to.

New clause -

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

"9A. SURRENDER IN EXCHANGE FOR NEW LEASE

Section 48(8) of the Principal Act is amended by adding at the end 'which shall commence immediately on the surrender of the existing lease'."

Remaining clauses, by leave, taken together and agreed to.

Title agreed to.

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

13. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day -Government Business No. 7 was called on.
14. LIQUOR BILL (No.2) 1979 (Serial 374): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Mr Robertson moved -

That the committee report progress.

Question put and passed.

Progress to be reported and leave asked to sit again.

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The Assembly resumed - The Chairman reported accordingly and the report was adopted.

15. ADJOURNMENT: Mr Steele (Minister for Transport and Works) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1703 hours adjourned until tomorrow at 1000 hours.

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PAPER: The following paper was deemed to have been presented on 19 February 1980, pursuant to statute:

*Public Service By-laws 1980:*

No. 2 Amendments of the Public Service (Terms and Conditions of Service) By-laws.

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ATTENDANCE: All members attended the meeting except Mr Collins who had been granted leave of absence.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 46

Wednesday 20 February 1980

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. NOTICES: The following notices were given -  
Mr Everingham: To present the following Bills -  
    Supreme Court (Judges Pensions) Bill 1980 (Serial 383); and  
    Supreme Court (Judges Long Leave Payments) Bill 1980 (Serial 384).  
Mr Perron: To present the Lottery and Gaming Bill 1980 (Serial 409).  
Mr Robertson: To present the following Bills -  
    Teaching Service Bill 1980 (Serial 412); and  
    Education Bill 1980 (Serial 413).  
Mr Isaacs: To present the following Bills -  
    Crimes Compensation Bill 1980 (Serial 418); and  
    Electoral Bill (No.2) 1980 (Serial 419).  
Mrs O'Neil: To present the Consumer Protection Bill 1980 (Serial 407).  
Mr Oliver: To present the Criminal Injuries Compensation Bill 1980 (Serial 411)
3. QUESTIONS: Questions without notice were asked.
4. HORTICULTURAL AND AGRICULTURAL PRODUCE - INTERIM REPORT, SEPTEMBER 1979: Mr Steele (Minister for Industrial Development) laid on the Table the interim report of the Queensland Department of Primary Industries' investigation into production, handling and marketing of horticultural and agricultural produce in the Northern Territory.
5. VALUER-GENERAL'S OFFICE - ANNUAL REPORT: Mr Perron (Treasurer) laid on the Table the 1978-9 Annual Report of the Northern Territory Valuer-General's Office.
6. PALMDALE INSURANCE LTD - MINISTERIAL STATEMENT: Mr Everingham (Chief Minister), by leave, made a statement on the current position in relation to workmen's compensation insurance cover provided through the defaulting company and moved -

That the Statement be noted.

Debate ensued.

Question put and passed.

7. INDUSTRIAL RELATIONS CONSULTATIVE COUNCIL, NT - MINISTERIAL STATEMENT: Mr Everingham (Chief Minister), by leave, made a statement relating to the formation of the Northern Territory Industrial Relations Consultative Council and moved -

That the Statement be noted.

Debate ensued.

Question put and passed.

8. NORTHERN AIRLINES - MINISTERIAL STATEMENT: Mr Steele (Minister for Transport and Works), by leave, made a statement on the establishment of Northern Airlines as a regional airline in the NT.
9. PUBLIC SERVICE BILL 1980 (Serial 394): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

10. AVIATION AMENDMENT BILL 1980 (Serial 415): Mr Steele (Minister for Transport and Works), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Steele moved -

That the Bill be now read a second time.

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

11. WORKMEN'S COMPENSATION BILL 1980 (Serial 408): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

12. AGRICULTURAL DEVELOPMENT AND MARKETING BILL 1980 (Serial 414): Mr Steele (Minister for Industrial Development), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Steele moved -

That the Bill be now read a second time.

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

- SUSPENSION OF SITTING: The sitting was suspended between 1155 and 1400 hours.

13. LIQUOR BILL (No.2) 1979 (Serial 374): The order of the day having been read for further consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee )

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

New clause -

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

"3A. COMPOSITION OF COMMISSION

"Section 7(1) of the Principal Act is amended by omitting paragraph (c) and substituting:

'(c) 2 other members.'."

Clause 4 agreed to.

New clause -

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

"4A. MEETINGS OF COMMISSION

"Section 21 of the Principal Act is amended -

(a) by inserting in sub-section (2) after 'including' the words ', subject to section 51(2A),';

(b) by omitting from sub-section (2)(b) 'one other member' and substituting '2 other members'; and

(c) by omitting sub-section (2)(c) and substituting:

'(c) all questions shall be decided by a majority of votes of the members present and voting and in the event of an equality of votes, the Chairman shall have a casting vote;'.

New clause -

Mr Perkins moved as an amendment that the following new clause be inserted in the Bill -

"4A. MEETINGS OF COMMISSION

Section 21(2)(a) of the Principal Act is amended by omitting 'the Chairman' and substituting 'subject to section 51(2A), the Chairman'."

Debate ensued.

Question put and negatived.

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7 -

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

Insert in proposed section 46A(1) after "a licence" the words "held by the licensee."

Omit from proposed section 46A(2) the words after and including "The Commission" to and including "in the licence where" and substitute "The Commission may approve an application made under sub-section (1) and substitute other premises for the premises specified in a licence held by an applicant where".

Clause, as amended, agreed to.

New clauses -

Mr Perkins moved as an amendment that the following new clauses be inserted in the Bill -

"7A. PROCEDURE AT HEARING

"Section 51 of the Principal Act is amended by inserting after sub-section (2) the following sub-section:

'(2A) With the consent of each party at a hearing to be conducted under this Act, the Commission shall, if the Chairman directs, be constituted by the Chairman.'

"7B. DECISION OF COMMISSION TO BE FINAL

"Section 56 of the Principal Act is repealed and the following sections substituted:

'56. APPEALS

'Where a hearing has been conducted by the Commission under this Act, a party to the hearing may appeal to the Supreme Court against the decision.

'56A. NOTICE OF APPEAL

An appeal may be instituted by lodging a notice of appeal in the Supreme Court -

- (a) in the form; and
- (b) accompanied by the fee,

prescribed by the Rules of Court.

'56B. POWERS OF SUPREME COURT

'(1) The Supreme Court has jurisdiction to hear and determine appeals under section 56 and may -

- (a) confirm the decision of the Commission;
- (b) vary that decision;
- (c) substitute its own decision for that decision; or
- (d) dismiss the appeal.

'(2) A determination under this section has effect as if it were a determination of the Tribunal.

'56C. COSTS

'The costs of any appeal pursuant to section 56 are in the discretion of the Supreme Court.'."

Debate ensued.

Question put and negatived.

New clauses -

On the motion of Mr Tuxworth the following new clauses were inserted in the Bill -

"7A. PROCEDURE AT HEARING

"Section 51 of the Principal Act is amended -

(a) by inserting after sub-section (2) the following sub-section:

'(2A) At a hearing under this Act the Commission shall, if the Chairman directs, be constituted by one member.'; and

(b) by adding at the end the following sub-sections:

'(10A) Where the Commission is constituted by one member, a party who is not satisfied with the decision of the Commission may apply, within 14 days after the decision, in writing to the Chairman for a new hearing.

'(10B) Where a party applies, under sub-section (10A), for a new hearing the Chairman may, if he thinks fit, cause a new hearing to be held.

'(10C) Where a new hearing is held, under sub-section (10B), the Commission -

(a) shall be constituted by not less than 3 members; and

(b) may make any decision that it could have made if a hearing had not previously been held.

'(10D) A decision by the Commission under sub-section (10C) shall be in substitution for the decision made at the hearing by a single member in respect of which the new hearing is being held.'.

"7B. DECISION OF COMMISSION TO BE FINAL

"Section 56 of the Principal Act is amended by omitting 'Where a hearing' and substituting 'Subject to section 51, where a hearing'."

Clause 8 agreed to.

New clauses -

On the motion of Mr Tuxworth the following new clauses were inserted in the Bill -

"8A. INTERPRETATION

"Section 73 of the Principal Act is amended by adding at the end the following sub-section:

'(2) Where the Commission declares, under section 74(2), that a restricted area is restricted in respect of liquor other than a type of liquor, in this Part, "liquor" does not, in respect of that restricted area, include that type of liquor.'

"8B. Section 74 of the Principal Act is amended by adding at the end the following sub-section:

'(2) The Commission may upon the declaration of a restricted area, declare that the restricted area is restricted in respect of liquor other than a specified type of liquor'."

Clause 9 agreed to.

New clauses -

On the motion of Mr Tuxworth the following new clauses were inserted in the Bill -

"9A. APPLICATION FOR DECLARATION

"Section 76 of the Principal Act is amended:

(a) by omitting from paragraph (d) 'and'; and

(b) by inserting after paragraph (e) the following new paragraph:

'; and

(f) if the applicant desires the relevant area to be declared a restricted area in respect of liquor other than a type of liquor - state the type of liquor.'

"9B. DECISION AFTER HEARING

"Section 81 of the Principal Act is amended -

(a) by omitting from sub-section 1(a) 'or'; and

(b) by adding after sub-section 1(b);

'; or

(c) declare an area of land to be a restricted area in respect of liquor other than a type of liquor.'; and

(d) by omitting from sub-section (2) 'sub-section (1)(b)' and substituting 'sub-section (1)(b) or (1)(c)'.

"9C.(1) Section 82(2)(a) of the Principal Act is amended by inserting after paragraph (a) the following new paragraph:

'(aa) if the restricted area is restricted in respect of liquor other than a type of liquor - a statement to that effect identifying the type of liquor;'."

Clauses 10 to 13, by leave, taken together and agreed to.

Clause 14 -

On the motion of Mr Tuxworth the following amendments were made

Omit from paragraph (a) "and" (last occurring).

Insert after paragraph (a) the following:

"(aa) by inserting in sub-section (3) after 'A licensee' the words 'or a person employed by a licensee'."

Clause, as amended, agreed to.

New clause -

On the motion of Mr Tuxworth the following new clause was inserted in the Bill, after debate -

"14A. POWER TO EXCLUDE OR REMOVE PERSON FROM LICENSED PREMISES

"Section 121 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-sections:

'(1) A licensee shall exclude or remove a person, not being a bona fide resident of his licensed premises, from his licensed premises if the person is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour.

'(1A) A licensee may exclude or remove a person -

(a) from his licensed premises if the presence or continued presence of the person on or at the premises would or might render the licensee liable to a penalty under this Act or any other law of the Territory; and

(b) who is a bona fide resident of his licensed premises, from his licensed premises if the person is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour!."

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

Clause 17 -

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

Omit proposed section 124A and substitute the following sub-section:

"124A. AVERMENT IN COMPLAINTS

"In any proceedings for an offence against this Act or the regulations an averment by the prosecutor in a complaint or information that -

(a) a specified person was or was not, at a specified time, the holder of a licence;

(b) specified premises were or were not, at a specified time, licensed premises; or



(c) a specified liquid is or is not liquor, or is or is not a type of liquor,

is evidence of the facts averred."

Clause, as amended, agreed to.

New Clause -

Mr Perkins moved as an amendment that the following new clause be added to the Bill -

"18. NEW SECTION

The Principal Act is amended by inserting after section 127 the following section:

'127A. ANNUAL REPORTS

'(1) The Commission shall forward to the Minister an annual report on the operations of the Act.

'(2) The Minister shall table in the Legislative Assembly the report forwarded to him under sub-section (1) within 4 months after the expiration of the period in respect of which the report is made.'."

Debate ensued.

Question put and negatived.

Title agreed to.

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

Question -

That the Bill be now read a third time.

Debate ensued.

Question put and passed.

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

14. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day - Government Business No. 3 was called on.

15. RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL 1980 (Serial 387): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time-

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the Committee)

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

Clause 4 -

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

Insert after sub-section (1) the following new sub-section:

"(1A) This Act does not apply to the packaging, storage or transport of radioactive material with a total measured dose rate at a distance of one metre of less than 0.75 millirem per hour and a parent radionuclide activity of less than  $2.4 \times 10^{-4}$  curie."

Clause, as amended, agreed to.

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7 -

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

Omit from sub-clause (2)(g)(i) "paper or record" and substitute "paper, record or other thing".

Omit from sub-clause (2)(g)(ii) "as the inspector requires" and substitute "as the inspector thinks fit".

Clause, as amended, agreed to.

Clauses 8 and 9, by leave, taken together and agreed to.

Clause 10 -

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

Omit from sub-clause (2)(a) "and".

Insert at the end of sub-clause (b) -

"and;

(c) the period for which the agent is likely to be absent from his employment or the Territory",

Clause, as amended, agreed to.

Clause 11 -

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

Omit "owner's agent" and substitute "agent of the owner".

Clause, as amended, agreed to.

Clauses 12 and 13, by leave, taken together and agreed to.

Clause 14 -

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

Omit from sub-clause (1) "granted under section 13".

Clause, as amended, agreed to.

Clause 15 -

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

Omit "granted under section 13".

Omit paragraph (c) and substitute -

"(c) where the Chief Inspector is of the opinion that, in the interests of safety of any person or for the purpose of preventing damage to the environment, the licence should be cancelled".

Clause, as amended, agreed to.

Clause 16 -

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

Omit "Penalty: \$5,000" and substitute "Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues.".

Clause, as amended, agreed to.

Clause 17 -

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

Omit "Penalty: \$5,000" and substitute "Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues.".

Clause, as amended, agreed to.

Clause 18 -

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

Insert at the end "Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues."

Clause, as amended, agreed to.

Clause 19 agreed to.

Clause 20 -

Mr Tuxworth moved as an amendment -

Omit "Penalty: \$1,000," and substitute "Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues."

Debate ensued.

Further consideration of clause 20 was postponed.

Clause 21 negatived, after debate.

New clause -

On the motion of Mr Tuxworth the following new clause was inserted in the Bill, after debate -

"21. DAMAGE TO PACKAGES, &c.

"Where, on licensed premises, the licensee becomes aware that damage has occurred to a package or container containing radioactive material, he shall -

- (a) forthwith notify an inspector of that fact;
- (b) obey such instructions as an inspector may give; and
- (c) take all reasonable steps to prevent access to the package, container and material or the vicinity of the package, container and material by any person unless that person is authorized by an inspector to have such access.

Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues."

Clause 21 agreed to.

Clause 22 -

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

Omit from sub-clause (4) "requires" and substitute "directs".

Clause, as amended, agreed to.

Clause 23 agreed to.

Clause 24 -

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

Insert after "requirement" the words ", direction, instruction".

Clause, as amended, agreed to.

Clause 25 -

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

Add at the end the following new sub-clause:

"(3) Where the Minister has adopted a code, rule, specification or regulation, or part thereof, under sub-section (1), the Chief Inspector shall sell to a person a copy of such code, rule, specification, or part thereof, upon payment of the prescribed amount by the person."

Clause, as amended, agreed to.

Clause 26 agreed to.

New clause -

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

"26A. AVERMENT

"In any proceedings for an offence against this Act, an averment by the prosecutor in a complaint or information that a specified person -

(a) was or was not, at a specified time, the holder of a licence; or

(b) was, at a specified time, the owner of a radioactive material,

is evidence of the fact so averred."

Progress to be reported and leave asked to sit again.

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The Assembly resumed - The Chairman reported accordingly and the report was adopted.

16. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day - Government Business No. 4 was called on.
17. DOG BILL 1979 (Serial 348): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

Clause 5 -

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

Omit from sub-clause (1) the definition of "dog breeder".

On the motion of Mr Dondas the following further amendments were made -

Insert in sub-clause (1) before the definition of "dog-tag" the following definition:

"'dog' means an animal which is of the genus Canis;"

Omit from sub-clause (1) the definition of "kennel owner".

Omit from sub-clause (1) the definition of "licence" and substitute the following definition:

"'licence' means a licence issued under Division 2 of Part III;"

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

Insert in sub-clause (1) in the definition of "pound" after "Act" the words "and includes premises arrangements for the use of which have been made by a local authority under this Act".

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

Insert in sub-clause (1) after the definition of "repealed Ordinance" the following definition:

"'veterinary surgeon' means a veterinary surgeon registered under the Veterinary Surgeons Act;"

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

Omit from sub-clause (2) (a) "effective".

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

Omit sub-clause (3).

Clause, as amended, agreed to, after debate.

Clause 6 -

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

Insert after paragraph.(a) the following new paragraph:

"(aa) a dog used by an officer within the meaning of the Customs Act 1901 of the Commonwealth in the course of the administration of that Act;"

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

Insert at the end the following new sub-clause:

"(2) This Act applies subject to the Territory Parks and Wildlife Act and the Regulations made under that Act."

Consideration of clause 6 as amended was postponed.

Clause 7 -

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

Insert in sub-clause (3) after "establishes" the words "or makes arrangements for the establishment and maintenance of".

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9 -

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

Omit ", dog trader or dog breeder" and substitute "which is or the holder of a licence who is".

Clause, as amended, agreed to.

Clause 10 -

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

Omit ", dog trader or dog breeder" and substitute "which is or the holder of a licence who is".

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12 agreed to , after debate.

Clause 13 agreed to.

Clause 14 -

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

Insert after sub-clause (1) the following new sub-clause:

"(1A) The power of a local authority to fix a fee under sub-section (1)(a) includes the power to make provision for the granting of rebates of fees in such circumstances as are specified in the resolution fixing the fee."

Omit from sub-clause (2) all words from and including "may be fixed" and substitute "shall be fixed by reference to the cost of collecting the dog and maintaining it in the pound."

Clause, as amended, agreed to.

Clause 15 agreed to.

Clause 16 -

Mr Dondas moved as an amendment -

Omit paragraphs (a) and (b).

Debate ensued.

Question put and negatived.

Clause negatived.

Clause 17 -

Consideration of clause 17 was postponed, after debate.

Clause 18 agreed to.

Clause 19 negatived.

New clause -

On the motion of Mr Dondas the following new clause was inserted in the Bill, after debate -

"19. Subject to this Act, the registration of a dog remains in force for the period, not exceeding 12 months, specified on the dog-tag issued in respect of the dog when the dog was registered."

Clause 20 -

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

Omit from sub-clause (1) "dog breeder's licence or a dog trader's".

Clause, as amended, agreed to.

Clause 21 -

Debate ensued.

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

Omit paragraph (a).

Clause, as amended, agreed to.



Clause 22 -

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

Omit from sub-clause (1) "shall determine an application by -" and substitute "shall, within 7 days of receiving an application for a licence, determine the application by -".

Clause, as amended, agreed to, after debate.

Clause 23 agreed to.

Clause 24 negatived.

New clause -

On the motion of Mr Dondas the following new clause was inserted in the Bill, after debate -

"24. Subject to this Act, a licence remains in force for the period, not exceeding 12 months, specified in the licence."

Clause 25 agreed to.

Clause 26 -

Consideration of clause 26 was postponed, after debate.

Clause 27 -

On the motion of Miss D'Rozario the following amendment was made, after debate -

Omit sub-clause (1) and substitute the following sub-clause:

"(1) A Registrar shall, upon receiving an application for the renewal of the registration of a dog, determine the application by renewing the registration of the dog, either conditionally or unconditionally."

Miss D'Rozario moved as a further amendment -

Omit from sub-clause (2) "refusing it or".

Debate ensued.

Question put and negatived.

Miss D'Rozario moved as a further amendment -

Omit sub-clause (3).

Debate ensued.

Question put and negatived.

Clause, as amended, negatived, after debate.

Clause 28 agreed to.

Clause 29 -

Debate ensued.

Further consideration of clause 29 was postponed.

Clause 30 -

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

Omit from sub-clause (1) "shall determine an application for the renewal of a licence by -" and substitute "shall, within 7 days of receiving an application for the renewal of a licence, determine the application by -".

Clause, as amended, agreed to.

Clauses 31 to 34, by leave, taken together and agreed to.

Clause 35 -

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

Omit from sub-clause (2) "A dog trader or breeder or a kennel owner" and substitute "The holder of a licence".

Insert after sub-clause (3) the following new sub-clause :

"(4) A veterinary surgeon is not liable in respect of an offence against sub-section (1) in respect of a dog kept by him for the purpose of treatment."

Clause, as amended, agreed to.

Clause 36 agreed to.

New clause -

On the motion of Mr Dondas the following new clause was inserted in the Bill, after debate -

"36A.(1) The occupier of any premises where more than 2 dogs are ordinarily kept is, unless he is the holder of a licence issued under Division 2 of Part III, guilty of an offence.

Penalty: \$200.

"(2) It is a defence to a prosecution for an offence against sub-section (1) that the dog in respect of which the alleged offence occurred had, at the time of the alleged offence, been ordinarily kept at the premises for less than 3 months."

Clauses 37 and 38, by leave, taken together and agreed to, after debate.

Clause 39 -

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

Insert in sub-clause (1) after "public road" the words "or for a like event or purpose".

Clause, as amended, agreed to.

Clause 40 -

Debate ensued.

Further consideration of clause 40 was postponed.

Clauses 41 and 42, by leave, taken together and agreed to.

Clause 43 -

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

Insert in sub-clause (1) after "which" the words "is in a public place and".

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

Omit from sub-clause (1)(a) "threatens" and substitute "menaces".

Clause, as amended, agreed to, after further debate.

Clause 44 -

Debate ensued.

Further consideration of clause 44 was postponed.

Clause 45 -

On the motion of Mrs Lawrie the following amendment was made, after debate -

Omit "Penalty: \$200" and substitute "Penalty: \$500".

Clause, as amended, agreed to.

Clause 46 -

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

Omit from sub-clause (1) "kill" and substitute "kill or injure".

Insert in sub-clause (1) after "Act" the words "or unless the dog is so diseased or injured that it is humane to do so".

Insert in sub-clause (2)(b) after "alleged offence" the words "about to be or was".

Clause, as amended, agreed to.

Clause 47 agreed to.

Clause 48 -

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

Insert after "section 13(1)(c)" the words "or the Regulations".

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

Omit all words after "Regulations" and substitute "and which would be applicable to the dog were it to be sterilized."

Clause, as amended, agreed to.

Clause 49 negatived.

Clause 50 -

On the motion of Mr Harris the following amendment was made, after debate.

Insert in sub-clause (1) after "shall", the word "knowingly".

Clause, as amended, agreed to.

Clause 51 -

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

Insert after "inspector" the words "or a Registrar".

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

Insert in paragraph (b) after "which is" the words ", in his opinion,".

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

Add at the end the following new sub-clause:

"(2) An inspector or Registrar may destroy any dog which-

(a) is a dog referred to in sub-section (1); and

(b) is so savage or uncontrollable that it cannot be seized pursuant to that section with safety."

Clause, as amended, agreed to.

Clause 52 negatived, after debate.

New clause -

On the motion of Miss D'Rozario the following new clause was inserted in the Bill -

"52. A person who seizes a dog in pursuance of this Act shall, as soon as practicable after seizing the dog -

(a) cause the dog to be returned to its owner; or

(b) deliver the dog to a pound or prescribed refuge."

Clauses 53 and 54, by leave, taken together and agreed to.

Clause 55 -

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

Add after "a pound" the words "or may make such arrangement as it thinks fit for the use of any premises for the impounding of dogs seized under this Act".

Clause, as amended, agreed to.

Clause 56 -

Mr Dondas moved as an amendment -

Add at the end the following new sub-clause:

"(2) A local authority which makes arrangements pursuant to section 55(1) for the use of premises for the impounding of dogs seized under this Act shall ensure that the manager of those premises has qualifications and experience satisfactory to it in the handling and control of dogs."

Debate ensued.

Further consideration of clause 56 and the amendment was postponed.

Clause 57 agreed to.

Clause 58 -

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

Omit paragraphs (b)(ii) and (iii) and substitute the following sub-paragraphs:

"(ii) if the office of a Registrar is within a reasonable distance of the pound - that office; and

(iii) if a police station is within a reasonable distance of the pound - that police station."

Clause, as amended, agreed to

Clauses 59 to 62, by leave, taken together and agreed to.

Clause 63 -

Mr Dondas moved as an amendment -

Omit "An applicant" and substitute "A dog owner or the holder a licence".

Debate ensued.

Further consideration of clause 63 and the amendment was postponed.

Clauses 64 and 65, by leave, taken together and agreed to.

Clause 66 -

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

Insert after sub-clause (1) "Penalty: \$50.".

Insert after sub-clause (2) "Penalty: \$50.".

Clause, as amended, agreed to.

Clauses 67 and 68, by leave, taken together and agreed to.

Clause 69 -

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

Insert after sub-clause (2) "Penalty: \$200.".

Clause, as amended, agreed to.

Clause 70 agreed to.

Clause 71 -

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

Insert in sub-clause (1) after "this Act" the words "or if the dog is so diseased or injured that it is humane to do so".

Clause, as amended, agreed to.

Clause 72 agreed to.

Clause 73 -

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

Omit from sub-clause (2)(a) "the breed,".

Insert after sub-clause (2)(a) the following paragraph:

"(aa) for or with respect to the granting or rebates in relation to fees;".

Omit from sub-clause (2)(b) all words from and including "by reference to" and substitute -

"by reference to the cost of collecting the dog and maintaining it in the pound;

(ba) for or with respect to the granting of rebates of fees; and".

Clause, as amended, agreed to.

Schedule agreed to.

Progress to be reported and leave asked to sit again.

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The Assembly resumed - The Chairman reported accordingly and the report was adopted.

18. ADJOURNMENT: Mr Steele (Minister for Transport and Works) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1955 hours adjourned until tomorrow at 1000 hours.

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ATTENDANCE: All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 47

Thursday 21 February 1980

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1. The Assembly met at 1000 hours, pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. MESSAGES: Mr Speaker advised the Assembly that he had received the following messages from His Honour the Administrator:

Message No. 14

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a Bill to provide for pensions to Judges.

Dated this twentieth day of February, 1980.

(SGD) J.A. ENGLAND  
Administrator

Message No. 15

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a Bill to provide for long leave payments to Judges.

Dated this twentieth day of February, 1980.

(SGD) J.A. ENGLAND  
Administrator

3. PETITION- PROPOSED HOTEL DEVELOPMENT: Mrs O'Neil (Fannie Bay) presented a Petition from 171 residents of Fannie Bay and other areas of Darwin relating to proposed hotel development in a residential area.

*Petition received and read.*

4. QUESTIONS: Questions without notice were asked.
5. FUTURE USE OF CARPENTARIA COLLEGE - PAPER: Mr Dondas (Minister for Community Development) laid on the Table a paper on the future use of part of Lot 554 Town of Darwin, known as Carpentaria College.
6. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE- FIFTEENTH REPORT: Mr Oliver (Alice Springs) laid on the Table the fifteenth report of the Standing Committee.
7. LAND AND HOUSING DEVELOPMENT - MINISTERIAL STATEMENT: Mr Perron (Minister for Lands and Housing), by leave, made a statement on private land and housing development in Darwin.

Miss D'Rozario (Sanderson), by leave, moved -

That the Statement be noted.



Debate ensued.

Question put and passed.

8. MINING INDUSTRY - MINISTERIAL STATEMENT: Mr Tuxworth (Minister for Mines and Energy), by leave, made a statement on the present state of the mining industry in the Northern Territory and moved -

That the Statement be noted.

Question put and passed.

9. CRIMES COMPENSATION BILL 1980 (Serial 418): Mr Isaacs (Leader of the Opposition), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Isaacs moved -

That the Bill be now read a second time.

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

10. CONSUMER PROTECTION BILL 1980 (Serial 407): Mrs O'Neil (Fannie Bay), pursuant to notice, presented the Bill which was thereupon read a first time.

Mrs O'Neil moved -

That the Bill be now read a second time.

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

11. CRIMINAL INJURIES (COMPENSATION) BILL 1980 (Serial 411): Mr Oliver (Alice Springs), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Oliver moved -

That the Bill be now read a second time.

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

12. ELECTORAL ACT (No.2) 1980 (Serial 419): Mr Isaacs (Leader of the Opposition), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Isaacs moved -

That the Bill be now read a second time.

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

13. WORKMEN'S COMPENSATION BILL (No.5) 1979 (Serial 354): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time-

Debate ensued.

Bill, by leave, withdrawn.

. SUSPENSION OF SITTING: The sitting was suspended between 1157 and 1400

14. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Notices - Government Business were called on.

15. SUPREME COURT (JUDGES PENSIONS) BILL 1980 (Serial 383): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill the subject of the Administrator's message No. 14 and the Bill was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

16. LOTTERY AND GAMING BILL 1980 (Serial 409): Mr Perron (Treasurer), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Perron moved -

That the Bill be now read a second time.

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

17. TEACHING SERVICE BILL 1980 (Serial 412): Mr Robertson (Minister for Education), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Robertson moved -

That the Bill be now read a second time.

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

18. SUPREME COURT (JUDGES LONG LEAVE PAYMENTS) BILL 1980 (Serial 384): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill the subject of the Administrator's message No. 15 and the Bill was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

19. EDUCATION BILL 1980 (Serial 413): Mr Robertson (Minister for Education), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Robertson moved -

That the Bill be now read a second time.

Debate adjourned and the resumption of the debate made an order of the date for a later hour.

20. DOG BILL 1979 (Serial 348): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Progress to be reported and leave asked to sit again.

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The Assembly resumed - The Chairman reported accordingly and the report was adopted.

21. SUSPENSION OF STANDING ORDERS - PASS FOUR BILLS THROUGH ALL STAGES: Mr Robertson (Minister for Education), by leave, moved -

That so much of standing orders be suspended as would prevent the Interpretation Bill 1980 (Serial 399), the Powers of Attorney Bill 1980 (Serial 395), the Appropriation Bill (No.2) 1979-80 (Serial 402) and the Electoral Bill 1980 (Serial 397) passing through all stages at this sittings of the Assembly.

Debate ensued.

The motion having been supported by an absolute majority of the Assembly the Speaker declared the question resolved in the affirmative.

22. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Orders of the Day - Government Business were to be taken in sequence commencing with Order No. 3.

23. PAWNBROKERS BILL 1980 (Serial 381): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

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

Clause 4 -

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

Insert in sub-clause (1) after "of which that Act applied" the words "immediately after the commencement of this Act".

Clause, as amended, agreed to.

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7 -

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

Omit from sub-clause (1)(b) "upon its expiration".

Clause, as amended, agreed to.

Clause 8 agreed to, after debate.

Clause 9 -

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

Omit from sub-clause (1)(a)(i) and (b)(iii) "another licence" and substitute "a licence or the renewal of a licence".

Clause, as amended, agreed to.

Clause 10 -

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

Omit from sub-clause (1) "or the Commissioner".

Insert in sub-clause (1) after "section 8" the words "or the Commissioner".

Omit from sub-clause (1) "issue a licence to" and substitute "grant a licence to-or renew the licence of".

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12 -

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

Omit paragraph (b) and substitute the following paragraph:

"(b) specify -

- (i) the address of the premises in respect of which it is granted;
- and
- (j) the conditions to which it is subject."

Clause, as amended, agreed to.

Clause 13 -

Mr Everingham moved as an amendment -

Omit from sub-clause (2) "Subject to sub-section (1)(b) and section 17," and substitute "Subject to this Division (sub-section (1)(a) excepted),".

Debate ensued.

Further consideration of clause 13 was postponed.

Clause 14 agreed to.

Clause 15 -

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

Omit from sub-clause (1) "the clerk of the court which issued" and substitute "the clerk of the court who or the clerk of the court which granted".

Clause, as amended, agreed to.

Clause 16 -

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

Omit -

- (a) "forthwith" and substitute "as soon as practicable"; and
- (b) from paragraph (b) "on the licensed pawnbroker." and substitute:

"on -

- (i) the licensed pawnbroker; and
- (i) the Commissioner of Police."

Clause, as amended, agreed to.

Clause 17 -

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

Omit from sub-clause (3)(b)(i) "or".

Insert after sub-clause (3)(b)(i) the following new sub-paragraph:

"(ia) vary, in such manner as is specified by the court, the licence of the licensed pawnbroker; or".

Clause, as amended, agreed to.

Clauses 18 to 20, by leave, taken together and agreed to.

Clause 21 -

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

Omit -

(i) "person" (first occurring) and substitute "pawnbroker"; and

(ii) from paragraph (a) "15" and substitute "17".

Clause, as amended, agreed to.

New clause -

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

"21A. INTEREST

"A pawnbroker shall not charge interest on money advanced by him on the security of a pawn at a rate in excess of the prescribed rate.

Penalty: \$200.".

Clauses 22 to 34, by leave, taken together and agreed to.

Clause 35 -

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

Insert after "pawnbroker" the words "in the prescribed form".

Clause, as amended, agreed to.

Clause 36 -

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

Omit "each of".

Clause, as amended, agreed to.

Clauses 37 to 40, by leave, taken together and agreed to.

Clause 41 -

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

Insert in paragraph (c) after "Police Station" the words "or the Commissioner".

Clause, as amended, agreed to.

Clause 42 agreed to.

Postponed clause 13 and the amendment proposed by Mr Everingham -

Amendment agreed to.

Clause, as amended agreed to.

Title agreed to.

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

24. INTERPRETATION BILL 1980 (Serial 399): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

25. POWERS OF ATTORNEY BILL 1980 (Serial 395): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

26. RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL 1980 (Serial 387): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Postponed clause 20 and the amendment proposed by Mr Tuxworth -

Omit "Penalty: \$1,000," and substitute "Penalty: \$5,000 and, in addition, \$500 for each day during which the offence continues."

Amendment agreed to.

Clause, as amended, agreed to.

Title agreed to.

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The Assembly resumed and the Chairman reported the Bill.

Mr Tuxworth (Minister for Mines and Energy) moved -

That the Bill be recommitted to the committee of the whole for further consideration of clause 21 and a proposed new clause.

Question put and passed.

The Assembly again resolved itself into a committee of the whole.

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(In the committee)

On recommittal -

Clause 21 negatived, after debate.

New clause -

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

"21. DAMAGE TO PACKAGES, &c.

"Where a licensee becomes aware that damage has occurred to a package or container containing radioactive material on his licensed premises he shall -

- (a) forthwith notify an inspector of that fact;
- (b) obey such instructions as an inspector may give and
- (c) take all reasonable steps to prevent access to the package, container and material or the vicinity of the package, container and material by any person unless that person is authorized by an inspector to have such access.



Penalty: \$5,000 and in addition, \$500 for each day during which the offence continues."

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

27. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day - Government Business No. 1 was called on.

28. DOG BILL 1979 (Serial 348): The order of the day having been read for the further consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Postponed clause 6, as amended -

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

Insert in paragraph (b) after "Service" the words "while it is being so used".

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

Insert in paragraph (c) after "Act" the words "while it is being so used"

Clause, as amended, agreed to.

Postponed clause 17 -

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

Omit from sub-clause (1) "shall determine an application for the registration of a dog -" and substitute "shall, upon receiving an application for the registration of a dog, determine the application -".

Insert after sub-clause (1) the following new clauses:

"(1A) A Registrar shall not impose a condition on the registration of a dog unless that condition is a condition for or with respect to the health of a dog.

"(1B) A Registrar shall not refuse to register a dog if the number of dogs ordinarily kept at the premises at which the dog is ordinarily kept does not exceed 2."

Clause, as amended, agreed to.

Postponed clause 26 negatived, after debate.

New clause -

On the motion of Mr Dondas the following new clause was inserted in the Bill, after debate -

"26. DETERMINATION OF APPLICATION

"(1) A Registrar shall, upon receiving an application for the renewal of the registration of a dog, determine the application by -

(a) renewing the registration of the dog, either conditionally or unconditionally; or

(b) refusing to renew the registration of the dog.

"(2) A Registrar who determines an application for the renewal of the registration of a dog by refusing it or renewing the registration of the dog conditionally shall deliver to the applicant a statement in writing of the reasons for the determination.

"(3) A Registrar may refuse to renew the registration of a dog if -

(a) the owner of the dog has been convicted of an offence against this Act or the repealed Ordinance on 2 or more occasions within the period of 2 years before the application for the renewal of the registration of the dog;

(b) the dog is shown, to the satisfaction of the Registrar, to be destructive, dangerous, vicious or consistently causing a nuisance; or

(c) the dog is clearly suffering from, or the Registrar is satisfied on the advice of a veterinary surgeon that the dog is suffering from, a contagious or infectious disease."

Postponed clause 29 -

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

Insert before "complaints" the word "written".

Clause, as amended, agreed to.

Postponed clause 40 -

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

Omit "and being controlled by a chain, cord or leash".

Add at the end the following new sub-clause:

"(2) Sub-section (1) does not apply to or in relation to a dog which is -

(a) being taken to -

(i) a veterinary surgeon for treatment;

(ii) a kennel for boarding;

(iii) a stud dog for breeding purposes; or

(iv) a conformation show; and

(b) under effective control by means of a short chain, cord or leash or in a motor car or other vehicle,

where it is reasonable to so control the dog."

Clause, as amended, agreed to.

Postponed clause 44 -

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

Omit from sub-clause (1)(a) "any person" and substitute "the community".

Clause, as amended, agreed to.

Proposed clause 56 and the amendment proposed by Mr Dondas -

Add at the end the following new sub-clause:

"(2) A local authority which makes the arrangements pursuant to section 55(1) for the use of premises for the impounding of dogs seized under this Act shall ensure that the manager of those premises has qualifications and experience satisfactory to it in the handling and control of dogs."

Proposed amendment, by leave, withdrawn.

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

Add at the end the following new sub-clause:

"(2) A local authority which establishes a pound or makes arrangements pursuant to section 55(1) for the use of premises for the impounding of dogs seized under this Act shall ensure that the manager of those premises has qualifications and experience satisfactory to it in the handling and control of dogs."

Clause, as amended, agreed to.

Postponed clause 63 and the amendment proposed by Mr Dondas -

Omit "An applicant" and substitute "A dog owner or the holder of a licence".

Proposed amendment, by leave, withdrawn.

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

Omit "An applicant" and substitute "A dog owner, the holder of a licence or an applicant for the registration or renewal of a registration or a licence or renewal of a licence".

Omit "21" and substitute "28".

Insert after "service" the words "on him".

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed and the Chairman reported the Bill.

Mr Dondas moved -

That the Bill be recommitted to the committee of the whole Assembly for further consideration of clauses 5, 13, 35, 48 and 55.

Question put and passed.

The Assembly again resolved itself into a committee of the whole.

(In the committee)

On recommitment -

Clause 5 -

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

Omit from sub-clause (1) the definition of "prescribed association".

Clause, as amended, agreed to.

Clause 13 -

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

Omit from sub-clause (1)(c) "manner specified in the by-laws" and substitute "prescribed manner".

Clause, as amended, agreed to.

Clause 35 -

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

Insert in sub-clause (1) after "pound" the words "or prescribed refuge"

Clause, as amended, agreed to.

Clause 48 -

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

Omit all words after and including "mark" (second occurring) and substitute "prescribed mark".

Penalty: \$200."

Clause, as amended, agreed to.

Clause 55 negatived.

New clause -

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

"55. ESTABLISHMENT OF POUNDS

"(1) A local authority may establish a pound or make such arrangements as it thinks fit for the use of any premises for the impounding of dogs seized under this Act.

"(2) Notice of the establishment of a pound or the making of arrangements pursuant to sub-section (1) shall be published in the Gazette."

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

Question -

That the Bill be now read a third time.

Debate ensued.

Question put and passed.

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

29. LOCAL GOVERNMENT BILL (No.6) 1979 (Serial 347): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Question put and passed - Bill read a second time.

Mr Dondas, by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time, put and passed.

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

30. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day -Government Business No. 11 was called on.

31. APPROPRIATION BILL (No.2) 1979-80 (Serial 402): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Perron (Treasurer), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time.

Debate ensued.

Question put and passed.

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

32. SPECIAL ADJOURNMENT: Mr Robertson (Minister for Education) moved -

That the Assembly, at its rising, adjourn until Tuesday 22 April 1980 at 1000 hours or such other date advised by Mr Speaker to members by letter or telegram.

Question put and passed.

33. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day - Government Business No. 15 was called on.

34. ELECTORAL BILL 1980 (Serial 397): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

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

New clause -

On the motion of Mr Everingham the following new clause was inserted in the Bill, after debate -

"4A. DISTRIBUTION COMMITTEE

Section 9 of the Principal Act is amended by omitting paragraph (2)(a) and substituting the following:

'(a) the Chief Electoral Officer or his nominee;'. "

Clauses 5 to 7, by leave, taken together and agreed to.

Clause 8 -

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

Omit from proposed sub-section (12) in paragraph (b) paragraph (a) and (b) and substitute the following:

- "(a) make and sign a record of the name of the elector and the name of the division appearing on the postal vote certificate;
- (b) deposit the envelope in a ballot-box in the polling place to which he is appointed; and
- (c) forward the record referred to in paragraph (a) to the Divisional Returning Officer for the division in which the polling place to which the presiding officer is appointed is situated."

Clause, as amended, agreed to.

Clauses 9 to 11, by leave, taken together and agreed to.

Clause 12 -

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

Omit proposed sub-section (4) and substitute the following:

"(4) A presiding officer who issues a ballot-paper under this section shall -

- (a) make and sign a record of -
  - (i) the name of the person to whom it is issued; and
  - (ii) the division for which the person declares under sub-section (3) he is enrolled; and
- (b) forward the record to the Divisional Returning Officer for the division in which the polling place to which the presiding officer is appointed is situated."

Clause, as amended, agreed to.

Clauses 13 and 14, by leave, taken together and agreed to.

New clause -

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

"15. REPEAL AND REPLACEMENT OF SECTION 111

Section 111 of the Principal Act is repealed and the following section substituted:

'111. UNTRUE STATEMENTS

No person shall make an untrue statement or supply false information-

- (a) to an officer for the purposes of or in connection with -
  - (i) the preparation, maintenance and revision of the rolls; or
  - (ii) obtaining a ballot-paper; or
- (b) in any document required by or under this Act to be signed by the person.

Penalty: \$2,000 or imprisonment for 2 years.'."

Title agreed to.

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The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

35. ADJOURNMENT: Mr Tuxworth (Minister for Mines and Energy) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1918 hours adjourned until Tuesday 22 April 1980 at 1000 hours or such other date advised by Mr Speaker to members by letter or telegram.

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ATTENDANCE: All members attended the sitting.

F.K.M. THOMPSON

Clerk of the Legislative Assembly.



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