

PART III

THE MINUTES OF PROCEEDINGS

Minutes of Proceedings
OF THE
LEGISLATIVE ASSEMBLY

No. 42

Tuesday 17 August 1982

1. The Assembly met at 10.00 a.m., pursuant to resolution. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. MESSAGE FROM THE ADMINISTRATOR:
Mr Speaker read the following message from His Honour the Administrator:
Message No. 12
I, ERIC EUGENE JOHNSTON, 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 for an Act to appropriate certain sums out of the Consolidated Fund for the service of the year ending on 30 June 1983.
Dated this thirteenth day of August 1982.
(Sgd) E.E. JOHNSTON
Administrator.
3. PETITIONS:
Mr Everingham (Jingili) presented a petition from 910 citizens of and visitors to the Northern Territory relating to protection of rainforests and an effective fire control policy.
Petition received and read.
Mrs Padgham-Purich (Tiwi) presented a petition from 898 persons relating to St John Ambulance service to Jabiru and outlying areas.
Petition received and read.
Mrs Padgham-Purich (Tiwi) presented a petition from 586 citizens of the Northern Territory relating to the health clinic at Jabiru.
Petition received and read.
4. NOTICE:
The following notice was given:
Mr Everingham: To present the Workmen's Compensation Amendment Bill 1982 (Serial 219).
5. QUESTIONS:
Questions without notice were asked.
Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.
6. DIRECTION OF TREASURER:
Mr Perron (Treasurer) laid on the Table a direction of the Treasurer under section 13(1)(b) of the *Financial Administration and Audit Act* dated 26 May 1982.
7. DIRECTION OF ADMINISTRATOR:
Mr Perron (Treasurer) laid on the Table a direction of the Administrator under section 13(1)(a) of the *Financial Administration and Audit Act* dated 3 June 1982.

12. DRAFT CRIMINAL CODE - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The order of the day having been read for the resumption of the debate on the motion of Mr Everingham (3 June 1982) - That the Assembly take note of the statement -
Debate resumed.
Extension of time: On the motion of Mrs O'Neil, an extension of time was granted to Mr B. Collins.
Debate adjourned (Mr Vale) and the resumption of the debate made an order of the day for a later hour.
13. ADJOURNMENT:
Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
An then the Assembly at 6.46 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 17 August 1982:

Annual Reports:

Museums and Art Galleries Board, 1980-81
Northern Territory Parole Board, 1981

Financial Statement:

Legislative Assembly Members' Superannuation Trust, 1980-81

Regulations 1982:

No. 34 Weights and Measures (Date-marking of Pre-packaged Foods) Regulations
No. 35 Amendments of the Stamp Duty (Exemption) Regulations
No. 36 Liquor (Amendment) Regulations
No. 37 Amendments of the Rules of the Supreme Court of the Northern Territory of Australia
No. 38 Mining Regulations
No. 39 Amendment of the Sewerage Regulations
No. 40 Regulations under the Supply of Services Act
No. 41 Amendment of the Abattoirs and Slaughtering Regulations
No. 42 Fish and Fisheries (Surrender of Gill-netting) Regulations
No. 43 Amendment of the Motor Vehicle (Hire Car) Regulations
No. 44 Amendments of the Treasury Regulations
No. 45 Social Welfare Repeal Regulations
No. 46 Weights and Measures (Packaged Goods) Regulations
No. 47 Amendments of the Traffic Regulations
No. 48 Amendments of the Fish and Fisheries Regulations
No. 49 Energy Pipelines Regulations
No. 50 Small Claims Regulations

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 43

Wednesday 18 August 1982

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. PETITIONS:
Mrs Lawrie (Nightcliff) presented a petition from 1543 citizens of the Northern Territory relating to the proposed 2 kilometre drinking law.
Petition received and read.
Mr Perron (Stuart Park) and Mr B. Collins (Arnhem) presented petitions from 1482 and 1488 citizens of the Northern Territory, respectively, in the same terms as the petition presented by Mrs Lawrie.
Petitions received.
3. NOTICES:
The following notices were given:
Mr B. Collins: To move - That this Assembly expresses its concern at the lack of return to the Territory's economy from its own fishing grounds.
Mr Everingham: To present the Real Property Amendment Bill (No. 2) 1982 (Serial 237), the Fish and Fisheries Amendment Bill (No. 2) 1982 (Serial 230), and the Compensation (Fatal Injuries) Amendment Bill 1982 (Serial 233).
4. QUESTIONS:
Questions without notice were asked.
Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.
5. MEAT INSPECTION SERVICES - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
Mr Steele (Minister for Primary Production), by leave, made a statement on meat inspection services in the Northern Territory.
Mr Steele, by leave, moved - That the Assembly take note of the statement.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
6. WORKMEN'S COMPENSATION AMENDMENT BILL 1982 (Serial 219):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Workmen's Compensation Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
7. LANDS ACQUISITION (PASTORAL LEASES) BILL 1982 (Serial 231):
Mr Perron (Minister for Lands and Housing), by leave, presented a Bill for an Act relating to the acquisition by the Territory of certain interests in land.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
8. CREDIT UNIONS BILL 1982 (Serial 220):
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.

Extension of time: On the motion of Mrs O'Neil, an extension of time was granted to Miss D'Rozario.

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

Debate resumed.

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

Mr Everingham (Chief Minister) moved - That the committee stages be later taken.

Question - put and passed.

9. JURIES AMENDMENT BILL 1982 (Serial 224):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

Mr Everingham (Chief Minister) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

10. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 5.32 p.m. adjourned until tomorrow at 10.00 a.m.

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 44

Thursday 19 August 1982

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. QUESTIONS:
Questions without notice were asked.
Business of the day called on: On the motion of Mr Robertson (Minister for Education), business of the day was called on.
3. URANIUM INDUSTRY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
Mr Tuxworth (Minister for Mines and Energy), by leave, made a statement on the future of the uranium industry.
Mr Tuxworth, by leave, moved - That the Assembly take note of the statement.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
4. FISHING IN NORTHERN TERRITORY:
Mr B. Collins (Leader of the Opposition), pursuant to notice, moved - That this Assembly expresses its concern at the lack of return to the Territory's economy from its own fishing grounds.

Suspension of sitting: The sitting was suspended between 11.59 a.m. and 2.00 p.m.

Speaker's ruling: Honourable members, relating to a remark made by the Leader of the Opposition this morning, I would refer to our standing order 107 which reads:

"When a motion has been moved, a question thereupon shall be proposed to the Assembly by the Speaker and the motion shall be deemed to be in the possession of the Assembly..."

House of Representatives standing orders 161 and 162 are in similar terms.
I refer honourable members to page 443 of *House of Representatives Practice*, which reads in part as follows:

WHEN MEMBERS MAY SPEAK
The standing orders provide that a member may speak to any question before the Chair which is open to debate, when moving a motion which will be open to debate, when moving an amendment, when he rises to order, upon a matter of privilege or upon a matter of public importance, but not otherwise.

Debate resumed.
Question - put and passed.
5. JURIES AMENDMENT BILL 1981 (Serial 138):
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 -
Bill, by leave, withdrawn.
6. MOTOR VEHICLES AMENDMENT BILL (No. 4) 1981 (Serial 156):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put.

The Assembly divided (the Speaker, Hon. J.L.S. MacFarlane, in the Chair) -

| | |
|----------------|--------------------|
| AYES, 8 | NOES, 11 |
| Mr Bell | Mr D.W. Collins |
| Mr B. Collins | Mr Dondas |
| Mr Doolan | Mr Everingham |
| Miss D'Rozario | Mr Harris |
| Mrs Lawrie | Mr MacFarlane |
| Mr Leo | Mrs Padgham-Purich |
| Mrs O'Neil | Mr Perron |
| Mr Smith | Mr Robertson |
| | Mr Steele |
| | Mr Tuxworth |
| | Mr Vale |

And so it was negatived.

7. JABIRU TOWN DEVELOPMENT AMENDMENT BILL 1982 (Serial 177):
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 -
Bill, by leave, withdrawn.
8. ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL 1982 (Serial 175):
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 negatived.
9. SPECIAL ADJOURNMENT:
Mr Robertson (Minister for Education) moved - That the Assembly, at its rising, adjourn until Tuesday 31 August 1982 or such other time and date as set by Mr Speaker under Sessional Order.
Question - put and passed.
10. REAL PROPERTY AMENDMENT BILL (No. 2) 1982 (Serial 237):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Real Property Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
11. FISH AND FISHERIES AMENDMENT BILL (No. 2) 1982 (Serial 230):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Fish and Fisheries Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
12. COMPENSATION (FATAL INJURIES) AMENDMENT BILL 1982 (Serial 233):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Compensation (Fatal Injuries) Act*.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
13. ADJOURNMENT:
Mr Everingham (Chief Minister) moved - That the Assembly do now adjourn.
Debate ensued.

Question - put and passed.

And then the Assembly at 4.14 p.m. adjourned until Tuesday 31 August 1982 or such other time and date as set by Mr Speaker under Sessional Order.

PAPERS:

The following papers were deemed to have been presented on 19 August 1982:

Recommendations under S.103 of the Crown Lands Act:

Proposed revocation of Part of Reserve No. 1652

Proposed revocation of Reserves Nos 1594 and 1640

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 45

Tuesday 31 August 1982

1. The Assembly met at 10.00 a.m., pursuant to resolution. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. MESSAGE FROM THE ADMINISTRATOR:
Mr Speaker read the following message from His Honour the Administrator:
Message No. 13
I, ERIC EUGENE JOHNSTON, 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 for an Act to make provision for and in relation to an occupational super-annuation scheme for persons employed by the Territory, and for certain other persons.
Dated this thirtieth day of August, 1982.
(sgd) E.E. JOHNSTON
Administrator
3. PETITION:
Mrs Padgham-Purich (Tiwi) presented a petition from 62 citizens of the Northern Territory relating to the upgrading of roads into and through the Lambell's Lagoon area.
Petition received and read.
4. PERSONAL EXPLANATION:
Mrs Padgham-Purich (Tiwi) made a personal explanation claiming to have been misrepresented in remarks made by the Leader of the Opposition quoted in the N.T. News regarding closure of land and billabongs to the public by Aboriginal owners at Jabiru.
5. NOTICES:
The following notices were given:
Mr Perron: To present the Stamp Duty Amendment Bill 1982 (Serial 241), the Taxation (Administration) Amendment Bill 1982 (Serial 242), and the Housing Bill 1982 (Serial 240).
Mr Tuxworth: To present the Medical Services Bill 1982 (Serial 238).
Mr Everingham: To present the Land and Business Agents Amendment Bill 1982 (Serial 232).
6. DISTINGUISHED VISITORS - PORTUGUESE PARLIAMENTARY MISSION:
Mr Speaker informed the Assembly that a Portuguese Parliamentary Mission, comprising Dr Manuel Tilman, Dr Jose Lemos Damiao and Dr Alberto Aarons de Carvalho, was present in the gallery. Mr Speaker extended a warm welcome to the distinguished visitors.
7. QUESTIONS:
Questions without notice were asked.
8. APPROPRIATION BILL 1982-83 (Serial 235) - BUDGET SPEECH:
Mr Perron (Treasurer) presented a Bill for an Act to appropriate certain sums out of the Consolidated Fund for the service of the year ending 30 June 1983, the subject of His Honour the Administrator's Message No. 12.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time - and delivered the budget speech.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

9. ENVIRONMENTAL ASSESSMENT BILL 1982 (Serial 225):

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 5, by leave, taken together and agreed to.

Clause 6 agreed to.

New clause -

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

"6A. In respect of a particular matter of a kind referred to in paragraphs (a), (b), (c), (d) and (e) of section 4, any person may, by notice in writing, require the Minister to inform him in writing as to what action, if any, has been taken, or is proposed, for ensuring consideration of the environmental aspects of the matter, and the Minister shall promptly inform the person in writing accordingly."

Debate ensued.

Question - put and negatived.

Clauses 7 to 10, by leave, taken together and agreed to.

New clause -

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

"10A. DELEGATION

"(1) The Minister may, by instrument in writing, delegate to a person any of his powers and functions under this Act, including powers and functions conferred or imposed upon him under a determination under section 7, other than this power of delegation.

"(2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purpose of this Act, be deemed to have been exercised or performed by the Minister.

"(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Minister."

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

Bill to be reported with an amendment.

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

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

Suspension of sitting: The sitting was suspended between 12.05 and 2.00 p.m.

10. FURTHER NOTICE:

The following further notice was given, by leave:

Mr Everingham: To present the Superannuation Bill 1982 (Serial 246).

11. FISH AND FISHERIES AMENDMENT BILL 1982 (Serial 227):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

Mr Steele (Minister for Primary Production) moved - That the Bill be now read a third time.

Debate ensued.

Question - put and passed.

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

12. LEGAL PRACTITIONERS AMENDMENT BILL 1982 (Serial 228):

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 3, by leave, taken together and agreed to.

Clause 4 -

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

Omit the proposed definition of "Chairman" in paragraph (b) and substitute the following:

"'Chairman' means the person appointed under section 48(5)(a) as the Chairman of the Legal Practitioners Complaints Committee and includes the Deputy Chairman when acting as Chairman;".

Insert before paragraph (c) the following:

"(ba) by inserting after the definition of 'Court' the following:

"'Deputy Chairman' means the person appointed under section 48(5)(a) as the Deputy Chairman of the Legal Practitioners Complaints Committee;";".

Insert in the proposed definition of "legal practitioner" in paragraph (d), after "but", the words "in those Parts".

Clause, as amended, agreed to.

Clause 5 -

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

Omit proposed section 14A and substitute the following:

"14A. ADMISSION FEES

"(1) The Regulations may prescribe -

(a) classes of applicants for admission; and

(b) an admission fee in respect of a class of applicants for admission.

"(2) An applicant for admission under section 11, 12 or 13 shall pay to the Law Society the prescribed admission fee under sub-section (1) in respect of the class of applicants to which he belongs."

Clause, as amended, agreed to.

Clause 6 -

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

Omit from paragraph (c) proposed sub-section (2)(a) and (b) and substitute the following:

"(a) is a resident of the Territory; and".

Omit from paragraph (c) proposed sub-section (3)(b) and (c) and substitute the following:

"(b) his principal place of business is outside the Territory; and".

Clause, as amended, agreed to.

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

Clause 14 -

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

Omit proposed section 35A(1) and substitute the following:

"(1) In this Part, unless the contrary intention appears -

'authorized insurer' means a person who carries on insurance business and is for the time being approved by the Law Society for the purposes of this Part;

'professional indemnity insurance' means insurance against loss arising from claims in respect of any description of civil liability (other than a prescribed description of civil liability) incurred by a legal practitioner or former legal practitioner in connection with -

(a) his practice;

(b) the practice of a firm of legal practitioners of which he is or formerly was a member;

(c) a practising company of which he is or formerly was a director; or

(d) a trust of which he is or formerly was a trustee,

or by an employee or former employee of that legal practitioner, firm, company or trust."

Insert in proposed section 35B(4)(e), after "legal practitioners", the words "or former legal practitioners" and after "legal practitioner" the words "or former legal practitioner".

Clause, as amended, agreed to.

Clause 15 -

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

Omit proposed section 48(5) and substitute the following:

"(5) The Attorney-General shall appoint -

(a) one member of the Complaints Committee who is a legal practitioner of not less than 7 years standing to be the Chairman; and

(b) another member of the Complaints Committee who is a legal practitioner to be the Deputy-Chairman,

of the Legal Practitioners Complaints Committee, for such terms as is specified in the instrument of appointment.

"(6) Where the Chairman is absent from duty or from the Territory or unable to perform his duties, the Deputy Chairman shall act as Chairman.

"(7) An act done by the Deputy Chairman in pursuance of sub-section (6) shall not be called in question on the ground that the occasion for the Deputy Chairman so acting had not arisen or had ceased."

Insert in proposed section 48B(2) after "Chairman" (second occurring) "and the Deputy Chairman".

Insert in proposed section 50A(3) after "Part" the words ", or upon whose application an inquiry is to be held,".

Insert after proposed section 52 the following:

"52A. PRACTISING WHILST DISQUALIFIED

"A legal practitioner shall not -

- (a) practise the profession of the law while his right to do so is suspended under section 50(4)(a)(iii) or 52(2)(b); or
- (b) contravene or fail to comply with an order under section 50(4)(a)(iv) or 52(2)(c) made in respect of him.

Penalty: \$500."

Clause, as amended, agreed to.

Clauses 16 to 21, by leave, taken together and agreed to.

Clause 22 -

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

Omit "Section 84A" and substitute "Section 84A(1)".

Clause, as amended, agreed to.

Clause 23 negatived.

New clause -

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

"23. ANNUAL CONTRIBUTIONS TO FUND

"Section 90 of the Principal Act is amended by omitting subsection (1) and substituting the following:

'(1) Subject to this Act, a legal practitioner shall, not later than each 30 September, pay to the Committee such contribution to the Fidelity Fund as is fixed by the Committee in respect of the period of 12 months commencing on the following 1 October.'."

Clauses 24 to 27, by leave, taken together and agreed to.

New clause -

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

"28. SAVINGS AND TRANSITIONAL

"(1) A person may make a complaint under section 46 of the Principal Act as amended by this Act notwithstanding that the act or omission the subject of the complaint occurred before the commencement of section 15 of this Act.

"(2) Where a person has made a complaint under section 45 of the Principal Act as in force immediately before the commencement of section 15 of this Act, the complaint shall continue to be dealt with under the Principal Act as then in force as if section 15 of this Act had never come into operation."

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

Bill to be reported with amendments.

The Assembly resumed - the Chairman (Mr Harris) reported accordingly 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.

13. BAIL BILLS - BAIL BILL 1982 (Serial 207), CHILD WELFARE AMENDMENT BILL (No. 2) 1982 (Serial 208), CLAIMS BY AND AGAINST THE GOVERNMENT AMENDMENT BILL 1982 (Serial 209), CORONERS AMENDMENT BILL 1982 (Serial 210), CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL 1982 (Serial 211), JUSTICES AMENDMENT BILL 1982 (Serial 212), PAROLE OF PRISONERS AMENDMENT BILL (No. 2) 1982 (Serial 213) and POLICE ADMINISTRATION AMENDMENT BILL 1982 (Serial 214):

The order of the day having been read for the consideration of the Bills in the committee of the whole Assembly - The Assembly resolved itself into a committee of the whole.

In the committee

Bail Bill 1982 (Serial 207)

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

Clause 6 -

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

Omit paragraph (c) and substitute the following:

"(c) the period of any adjournment or adjournments, including -

(i) any adjournment or adjournments during the course of a trial;

(ii) any adjournment or adjournments after the accused pleads, or is found, guilty but before he is sentenced; and

(iii) any period deemed under section 15 to be the period of an adjournment;"

Clause, as amended, agreed to.

Clauses 7 to 25, by leave, taken together and agreed to.

Clause 26 -

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

Omit paragraphs (c) and (d) and substitute the following:

"(c) a clerk of the Court of Summary Jurisdiction;

(d) the sheriff or a deputy sheriff; or

(e) the officer in charge of a prison within the meaning of the *Prisons (Correctional Services) Act*."

Clause, as amended, agreed to.

Clauses 27 to 31, by leave, taken together and agreed to.

Clause 32 -

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

Omit "accordingly" and substitute ", as it thinks fit,"

PROPOSED PART HEADING

Omit from the proposed heading for PART VI "CONDITIONS" and substitute "DECISIONS".

Clause, as amended, agreed to.

Clause 33 -

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

Omit sub-clause (5).

Omit from sub-clause (6) "in his discretion," and substitute ", in his discretion".

Clause, as amended, agreed to.

Clause 34, negatived.

New clause -

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

"34. REVIEW OF BAIL DECISION

"Except as prescribed by the Regulations -

(a) a justice shall not review a decision in relation to bail except a decision made by himself; and

(b) a magistrate shall not review a decision in relation to bail except a decision made by a justice or himself."

Clauses 35 to 39, by leave, taken together and agreed to.

Clause 40 -

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

Add at the end the following:

"(4) Where an order is made under sub-section (1), it may be enforced under Division 6 of Part IV of the *Justices Act* or under the *Criminal Law Consolidation Act*."

Clause, as amended, agreed to.

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

Child Welfare Amendment Bill (Serial 208)

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

Claims by and against the Government Amendment Bill (Serial 209)

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

Coroners Amendment Bill (Serial 210)

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

Criminal Law (Conditional Release of Offenders) Amendment Bill (Serial 211)

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

Justices Amendment Bill (Serial 212)

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

Parole of Prisoners Amendment Bill (No. 2) (Serial 213)

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

Police Administration Amendment Bill (Serial 214)

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

Bills to be reported with amendments.

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

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

14. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), order of the day, Government Business, No. 16 was called on.

15. RADIOGRAPHERS AMENDMENT BILL 1982 (Serial 222):

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

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

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

16. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Debate ensued.

And then the Assembly at 4.27 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS:

The following papers were deemed to have been presented on 31 August 1982:

Annual Reports:

Araluen Arts and Cultural Trust, 1980-81

Commissioner of Motor Vehicle Dealers, 31 December 1981

Post-school Advisory Council (Northern Territory), 1981

Uranium Mining (Environmental Control) Act 1981

Community Government Scheme:

Angurugu Community Government Scheme

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 46

Wednesday 1 September 1982

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.
2. PETITION:
Mrs Lawrie (Nightcliff) presented a petition from 35 citizens of the Northern Territory relating to the proposed 2 kilometre drinking law.
Petition received and read.
3. NOTICES:
The following notices were given:
Mr Everingham: To present the Summary Offences Amendment Act 1982 Amendment Bill 1982 (Serial 243), and the Electoral Amendment Bill 1982 (Serial 244).
Mr Robertson: To present the Education Amendment Bill 1982 (Serial 236), and the Places of Public Entertainment Amendment Bill (No. 2) 1982 (Serial 245).
Mr Dondas: To present the Traffic Amendment Bill 1982 (Serial 239).
4. QUESTIONS:
Questions without notice were asked.
5. STORM SURGE AT DARWIN - PAPER TABLED - MOTION TO NOTE PAPER:
Mr Perron (Minister for Lands and Housing) tabled a report on the storm surge at Darwin.
Mr Perron moved - That the Assembly take note of the paper.
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
6. AUSTRALIAN BUREAU OF CRIMINAL INTELLIGENCE - MINISTERIAL STATEMENT - PAPER TABLED - MOTION TO NOTE STATEMENT:
Mr Everingham (Chief Minister), by leave, made a statement on the establishment of the Australian Bureau of Criminal Intelligence.
Paper tabled: Mr Everingham laid on the Table the agreement signed by the Commonwealth, the States and the Northern Territory relating to the establishment of the Bureau.
Mr Everingham, by leave, moved - That the Assembly take note of the statement.
Debate adjourned (Mr B. Collins) and the resumption of the debate made an order of the day for a later hour.
7. FORESHORE PROTECTION POLICY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
Mr Perron (Minister for Lands and Housing), by leave, made a statement on the government's foreshore protection policy.
Mr Perron, by leave, moved - That the Assembly take note of the statement.
Debate adjourned (Mr Smith) and the resumption of the debate made an order of the day for a later hour.
8. HISTORY AWARDS - MINISTERIAL STATEMENT:
Mr Everingham (Chief Minister), by leave, made a statement on the operation of the history awards in the Northern Territory.
9. ANSWERS TO QUESTIONS:
Mr Everingham (Chief Minister), by leave, provided additional information in answer to questions asked earlier this sittings.

10. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE - BEEF INDUSTRY ASSISTANCE:
Mr Speaker informed the Assembly that Mr B. Collins (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the Assembly for discussion, namely "The failure of the Federal Government to provide sufficient assistance to the Territory beef industry".
The proposed discussion having received the necessary support - Mr B. Collins addressed the Assembly.
Discussion ensued.
Discussion concluded.
-
- Suspension of sitting:* The sitting was suspended between 11.52 a.m. and 2.00 p.m.
-
11. NURSING IN NORTHERN TERRITORY - MINISTERIAL STATEMENT - STATEMENT NOTED:
Mr Tuxworth (Minister for Health), by leave, made a statement on nursing in the Northern Territory.
Mr Tuxworth, by leave, moved - That the Assembly take note of the statement.
Question - put and passed.
12. STAMP DUTY AMENDMENT BILL 1982 (Serial 241):
Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Stamp Duty Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
13. TAXATION (ADMINISTRATION) AMENDMENT BILL 1982 (Serial 242):
Mr Perron (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Taxation (Administration) Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
14. SUPERANNUATION BILL 1982 (Serial 246):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to make provision for and in relation to an occupational superannuation scheme for persons employed by the Territory, and for certain other persons.
Bill read a first time.
Mr Everingham moved - That the Bill be now read a second time.
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
15. MEDICAL SERVICES BILL 1982 (Serial 238):
Mr Tuxworth (Minister for Health), pursuant to notice, presented a Bill for an Act relating to the provision and administration of medical services and for other purposes.
Bill read a first time.
Mr Tuxworth moved - That the Bill be now read a second time.
Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.
16. LAND AND BUSINESS AGENTS AMENDMENT BILL 1982 (Serial 232):
Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Land and Business Agents Act*.

Bill read a first time.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

17. HOUSING BILL 1982 (Serial 240):

Mr Perron (Minister for Lands and Housing), pursuant to notice, presented a Bill for an Act to provide for the establishment of a Northern Territory Housing Commission and for the provision of the Commission of dwellings for letting or sale, and for related purposes.

Bill read a first time.

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

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

18. PROPERTY BILLS - ENCROACHMENT OF BUILDINGS BILL 1982 (Serial 205) and REAL PROPERTY AMENDMENT BILL 1982 (Serial 206):

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

Debate resumed.

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

Leave granted for third readings to be moved forthwith.

On the motion of Mr Everingham (Chief Minister) the Bills were read a third time and passed to be proposed laws.

19. URANIUM INDUSTRY - MINISTERIAL STATEMENT - STATEMENT NOTED:

The order of the day having been read for the resumption of the debate on the motion of Mr Tuxworth (19 August 1982) - That the Assembly take note of the statement -

Debate resumed.

Question - put and passed.

20. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), order of the day, Government Business, No. 5 was called on.

21. CREDIT UNIONS BILL 1982 (Serial 220):

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 4, by leave, taken together and agreed to.

Clause 5 -

Miss D'Rozario moved, as an amendment -

Insert after the definition of "foreign credit union" the following:

"'loan' includes any form of credit extended to a member including a line of credit facility and overdraft."

Debate ensued.

Question - put and negatived.

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

Omit the definition of "member" and substitute the following:

"'member', in relation to a credit union, means a shareholder of the credit union;"

Omit the definition of "surplus" and substitute the following:

"'surplus', in relation to a credit union, means a surplus after making proper allowance or provision -

- (a) for depreciation in the value of property;
- (b) for contingent liability for loss;
- (c) for income tax;
- (d) in accordance with the rules of the credit union, or rules made by the Minister and published in the *Gazette*, for future losses in respect of loans made by it; and
- (e) for such other matters as are prescribed."

Clause, as amended, agreed to.

Clauses 6 to 13, by leave, taken together and agreed to.

Clause 14 -

Miss D'Rozario moved, as an amendment -

Omit paragraph (b) and substitute the following:

"(b) to receive money on deposit;"

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 15 agreed to.

Clause 16 -

Miss D'Rozario moved, as an amendment -

Add at the end of sub-clause (5) the words "and other persons."

Debate ensued.

Question - put and negatived.

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

Omit sub-clause (6).

Clause, as amended, agreed to.

Clauses 17 and 18, by leave, taken together and agreed to.

Clause 19 -

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

Omit all words after "and for their dependants".

Clause, as amended, agreed to.

Clauses 20 to 22, by leave, taken together and agreed to.

Clause 23 -

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

Omit from sub-clause (1) the words "of credit unions".

On the motion of Miss D'Rozario the following further amendments were made -

Omit sub-clause (2).

Omit sub-clause (3).

Clause, as amended, agreed to.

Clauses 24 and 25, by leave, taken together and agreed to.

Clause 26 -

Miss D'Rozario, moved as an amendment -

Omit from sub-clause (1) "If the Registrar is satisfied -" and substitute "If the Registrar, on the advice of the Advisory Committee, is satisfied -".

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 27 to 30, by leave, taken together and agreed to.

Clause 31 -

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

Add at the end the following:

"(2) The Minister may, by notice in the *Gazette*, approve a set of model rules for a credit union which shall include rules not inconsistent with this Act."

Clause, as amended, agreed to.

Clauses 32 to 42, by leave, taken together and agreed to.

Clause 43 -

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

Add at the end the following:

"(4) Where a credit union has transferred its engagements in compliance with a direction given, or a requirement made, under sub-section (1), the Registrar shall, in relation to the credit union -

(a) cancel its Certificate of Incorporation;

(b) remove its name from the Register; and

(c) advise, by notice in the *Gazette*, that that credit union has been dissolved."

Clause, as amended, agreed to.

Clauses 44 to 48, by leave, taken together and agreed to.

Clause 49 -

Miss D'Rozario moved, as an amendment -

Omit sub-clause (3).

Debate ensued.

Question - put and negatived.

Miss D'Rozario moved, as an amendment -

Omit sub-clause (8).

Debate ensued.

Question - put and negatived.

Clause 49, as printed, agreed to.

Clauses 50 to 53, by leave, taken together and agreed to.

Clause 54 -

Miss D'Rozario moved, as an amendment -

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

"(j) in such other manner as is approved by the board for the purposes of this section."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 55, agreed to.

Clause 56 -

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

Omit from sub-clause (5) "to" (first occurring).

Clause, as amended, agreed to.

Clause 57 -

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

Omit sub-clause (5) and substitute the following:

"(5) Where a loan to a member is approved under this section, a credit union shall at the time of approval of the loan, or as soon as practicable thereafter, give to the member a statement of the interest payable on the loan which shall -

- (a) where the rate of interest for the term of the loan is a fixed rate - specify the total amount computed at that rate; or
- (b) where, under the rules of the credit union, the rate of interest may be varied - include a copy of the relevant rule and specify an amount of interest computed at the rate current at the time of approval."

Clause, as amended, agreed to.

Clause 58 negatived, after debate.

New clauses -

On the motion of Mr Everingham the following new clauses were inserted in the Bill, after debate -

"58. LOAN LIMITS

"The Regulations may make provision for and in relation to -

- (a) the maximum amount that may be lent by a credit union to any of its members by way of unsecured loan;
- (b) the maximum amount that may be lent by a credit union to any of its members by way of secured loan;
- (c) the maximum term for which an unsecured loan may be made by a credit union to any of its members;
- (d) the maximum term for which a secured loan may be made by a credit union to any of its members; and
- (e) the maximum amount that may, in the aggregate, be lent by a credit union to its members during the period specified in the notice.

"58A. LOANS TO MINORS

"A credit union shall not lend money to a member who has not attained the age of 18 years unless -

- (a) the loan is made jointly to the member and his parent or guardian; and
- (b) a condition of the loan agreement is that the member and that parent or guardian are jointly and severally liable."

Clause 59 agreed to.

Clause 60 -

Miss D'Rozario moved, as an amendment -

Omit from sub-clause (1) the word "rules." and substitute "loan contract."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 61 agreed to.

Clause 62 -

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

Omit from sub-clause (2)(a)(v) "57" and substitute "54".

Omit from sub-clause (2)(b) "7%" and substitute "10%".

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

Omit from sub-clause (3) "cost or market value, whichever is the lesser." and substitute "current market value."

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

Omit from sub-clause (4) ", in any month," and "as at the last day of the next preceding month,".

Clause, as amended, agreed to.

Clause 63 -

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

Omit from sub-clause (10)(b) "0.25%" and substitute "0.5%".

Omit from sub-clause (10)(c) "2.5%" and substitute "7.5%".

Clause, as amended, agreed to.

Clause 64, agreed to.

Clause 65 -

Miss D'Rozario moved, as amendments -

Omit sub-clause (4).

Omit sub-clause (5).

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clause 66 -

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

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

"(a) he is a member of a credit union and a resident of the Territory;"

Clause, as amended, agreed to.

Clause 67 -

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

Insert in sub-clause (1)(f) after "director" (second occurring) "or he ceases to reside in the Territory".

Clause, as amended, agreed to.

Clause 68 negatived, after debate.

Clauses 69 to 77, by leave, taken together and agreed to.

Clause 78 -

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

Omit sub-clause (4) and substitute the following:

"(4) Notice of a meeting of a credit union shall be given by individual notice to each member or by advertisement in a newspaper circulating generally throughout the Territory or such other methods as determined by its board."

Clause, as amended, agreed to.

Clauses 79 to 82, by leave, taken together and agreed to.

Clause 83 -

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

Insert in sub-clause (3) after "places" the words "within the Territory".

Omit sub-clause (5).

Clause, as amended, agreed to.

Clauses 84 and 85, by leave, taken together and agreed to.

Clause 86 -

Miss D'Rozario moved, as amendments -

Omit from sub-clause (1) "send" and substitute "make available".

Omit from sub-clause (1) "to all persons entitled to receive notice of general meetings of the credit union."

Debate ensued.

Question - put and negatived.

Clause, as printed, agreed to.

Clauses 87 to 90, by leave, taken together and agreed to.

New clause -

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

"90A. RETIREMENT OF AUDITOR

"(1) An auditor of a credit union may not retire or resign from his position as auditor of the credit union unless he obtains the Registrar's consent to the retirement or resignation.

"(2) An auditor of a credit union may, by notice in writing to the Registrar, apply to the Registrar for the Registrar's consent to the auditor's retirement or resignation from his position as auditor of that credit union.

"(3) An auditor of a credit union who applies under sub-section (2) shall send a copy of the notice to the credit union.

"(4) The Registrar shall as soon as practicable after receiving a notice from an auditor under sub-section (2) notify the auditor and the credit union whether he consents to the retirement or resignation.

"(5) A statement made by an auditor in an application to the Registrar under sub-section (2) or in answer to an inquiry by the Registrar relating to the reasons for the application -

(a) is not admissible in evidence in civil or criminal proceedings against the auditor; and

(b) may not be made the grounds of a prosecution, action or suit against the auditor,

and a certificate signed by the Registrar that the statement was made in the application or in answer to the inquiry by the Registrar shall be conclusive evidence that the statement was so made.

"(6) A person aggrieved by a decision of the Registrar in relation to the retirement or resignation of an auditor of a credit union may, within one month after the date of the decision, appeal to a magistrate from the refusal and the magistrate, after hearing the parties, may confirm or reverse the decision and may make such further order in the matter as he thinks fit.

"(7) Subject to an order of a magistrate under sub-section (6), the retirement or resignation of an auditor takes effect -

- (a) on the date (if any) specified for the purpose in his notice of resignation;
- (b) on the date on which the Registrar gives his consent to the resignation; or
- (c) on the date (if any) fixed by the Registrar for the purpose, whichever last occurs."

Clause 91 agreed to.

Clause 92 -

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

Insert in sub-clause (1)(b) after "members" the words "and their respective shareholdings".

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

"and

(f) a register of investments made by the credit union."

Clause, as amended, agreed to.

Clauses 93 to 96, by leave, taken together and agreed to.

Clause 97 -

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

Insert before sub-clause (1) the following:

"(1A) A foreign credit union which intends to establish a place of business or commence to carry on business within the Territory, shall notify the Registrar of its intention at least 30 days before the proposed establishment or proposed commencement.

"(1B) Where a foreign credit union notifies the Registrar under sub-section (1A), it shall seek the approval of the Registrar on the availability of its name and reserve that name."

Clause, as amended, agreed to.

Clauses 98 to 105, by leave, taken together and agreed to.

Clause 106 -

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

Insert after "administrator" the words "and appoint a person to be the administrator of the credit union".

Add at the end the following:

"(2) Where the Registrar appoints a person to be an administrator of a credit union under sub-section (1), he shall appoint a person who is -

(a) a registered company auditor; or

(b) a registered liquidator,

within the meaning of the *Companies Act*."

Clause, as amended, agreed to.

Clause 107 -

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

Omit from paragraph (c) "administrator" and substitute "Registrar".

Clause, as amended, agreed to.

Clause 108 -

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

Omit from sub-clause (1) "administrator" (wherever occurring) and substitute "Registrar".

Clause, as amended, agreed to.

Clauses 109 to 122, by leave, taken together and agreed to.

Clause 123 -

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

Add at the end the following:

"(10) The Registrar may direct -

(a) an officer; or

(b) such other person as he thinks fit,

to attend a meeting or inquiry."

Clause, as amended, agreed to.

Clause 124 agreed to.

Clause 125 -

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

Omit from sub-clause (1) "30 September" and substitute
"31 December".

Clause, as amended, agreed to.

Clause 126 -

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

Omit paragraph (d) from sub-clause (2).

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

22. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Question - put and passed.

And then the Assembly at 6.05 p.m. adjourned until tomorrow at 10.00 a.m.

PAPER:

The following paper was deemed to have been presented on 1 September 1982:

Annual Report:

Department of Mines and Energy, 1981-2

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 47

Thursday 2 September 1982

1. The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Honourable J.L.S. MacFarlane) took the Chair, and read prayers.

2. NOTICE:

The following notice was given:

Miss D'Rozario: To move - That this Assembly, pursuant to section 4A of the *Inquiries Act*, resolve that a Board of Inquiry be appointed to inquire into, report on and make recommendations concerning all aspects of the operations of the Northern Territory Development Corporation and in particular matters relating to -

1. the methods of assessment used by the Corporation to investigate the financial viability of a potential recipient of development funds before those funds are made available;

2. the requirements of the Corporation in terms of asset backing for security against loan funds or guarantees provided to clients under the Development Assistance Programme;

3. the criteria applied by the board of the Corporation in deciding which applicants for a loan have been successful;

4. the methods of monitoring the performance of recipients of development assistance from the Corporation;

5. the criteria applied by the board of the Corporation in deciding which applicants for cash incentives under the Corporation's Industrial Research and Development and Invention Assistance Grants Scheme;

6. the extent and appropriateness of the Corporation's relations with other government departments and authorities, including the Agricultural Development and Marketing Authority;

7. the rate of return on capital employed by the Corporation in each year since its inception; and

8. methods of increasing the accountability of the Corporation to parliament.

Because of the need for confidentiality in relation to loans and guarantees of the NTDC the Board of Inquiry should undertake the whole of the proceedings of an inquiry in private in accordance with section 16 of the *Inquiries Act*.

3. QUESTIONS:

Questions without notice were asked.

4. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, FOURTH REPORT - PAPER TABLED - PAPER NOTED:

Mr Harris (Port Darwin) laid on the Table the fourth report of the Subordinate Legislation and Tabled Papers Committee.

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

Question - put and passed.

5. STUDENT PERFORMANCE IN THE NORTHERN TERRITORY - MINISTERIAL STATEMENT - MOTION TO NOTE:

Mr Robertson (Minister for Education), by leave, made a statement on student literacy and numeracy in 1980.

Mr Robertson, by leave, moved - That the Assembly take note of the statement.

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

6. ALCOHOL ABUSE - MINISTERIAL STATEMENT - STATEMENT NOTED:

Mr Tuxworth (Minister for Health), by leave, made a statement on alcohol abuse in the Northern Territory.

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

Question - put and passed.

7. RETIREMENT VILLAGE, FRED'S PASS - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Tuxworth (Minister for Health), by leave, made a statement on the Rural Old Timers and Friends Association retirement village at Fred's Pass.

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

Debate adjourned (Mrs O'Neil) and the resumption of the debate made an order of the day for a later hour.

8. OIL EXPLORATION - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

Mr Tuxworth (Minister for Mines and Energy), by leave, made a statement on the development of the oil and gas resources in the Northern Territory.

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

Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.

9. SUMMARY OFFENCES AMENDMENT ACT 1982 AMENDMENT BILL 1982 (Serial 243):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Summary Offences Amendment Act*.

Bill read a first time.

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

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

10. ELECTORAL AMENDMENT BILL 1982 (Serial 244):

Mr Everingham (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Electoral Act*.

Bill read a first time.

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

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

11. EDUCATION AMENDMENT BILL 1982 (Serial 236):

Mr Robertson (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Education Act*.

Bill read a first time.

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

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

Suspension of sitting: The sitting was suspended between 12 noon and 2.00 p.m.

12. PLACES OF PUBLIC ENTERTAINMENT AMENDMENT BILL (No. 2) 1982 (Serial 245):

Mr Robertson (Minister for Community Development), pursuant to notice, presented a Bill for an Act to amend the *Places of Public Entertainment Act*.

Bill read a first time.

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

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

13. TRAFFIC AMENDMENT BILL 1982 (Serial 239):
Mr Dondas (Minister for Transport and Works), pursuant to notice, presented a Bill for an Act to amend the *Traffic Act*.
Bill read a first time.
Mr Dondas moved - That the Bill be now read a second time.
Debate adjourned (Mr Leo) and the resumption of the debate made an order of the day for a later hour.
14. SUPERANNUATION BILL 1982 (Serial 164):
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 -
Bill, by leave, withdrawn.
15. COMMERCIAL VEHICLES BILLS - CONTROL OF ROADS AMENDMENT BILL 1982 (Serial 217), and MOTOR VEHICLES AMENDMENT BILL 1982 (Serial 218):
The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -
Debate resumed.
Question - put and passed - Bills read a second time.
The Assembly resolved itself into a committee of the whole.

In the committee

Control of Roads Amendment Bill (Serial 217)

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

Clause 6 -

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

Omit from sub-clause (4) "section 61" and substitute "section 59".

Clause, as amended, agreed to.

Title agreed to.

Motor Vehicles Amendment Bill (Serial 218)

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

Clause 4 -

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

Omit from the proposed definition of "'drive'" in paragraph (b) "motor vehicle, means to drive" and substitute "vehicle, means to drive, or be in control of,".

Omit from the proposed definition of "'driver'" in paragraph (b) "motor".

Omit from the proposed definition of "'length'" in paragraph (c) "motor" (first occurring).

Omit from paragraph (b) of the proposed definition of "'length'" in paragraph (c) "motor" (wherever occurring).

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6 -

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

Insert in paragraph (a) of the proposed definition of "'non-conforming vehicle'" in proposed section 51(1), after "registered", the words "in the Territory".

Omit from proposed section 53(1) "section 59" and substitute "section 57".

Omit from proposed section 53(1)(e)(i), (ii) and (iii) "centre" and substitute "centres".

THIRD LEGISLATIVE ASSEMBLY

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| 208 | Child Welfare Amendment (No. 2) 1982 | 298,312,313P |
| 209 | Claims by and against the Government Amendment 1982 | 298,312,313P |
| 233 | Compensation (Fatal Injuries) Amendment 1982 | 301,304 |
| 217 | Control of Roads Amendment 1982 | 327-8P |
| 210 | Coroners Amendment 1982 | 298,312,313P |
| 220 | Credit Unions 1982 | 301-302,317-24P |
| 167 | Criminal Code 1981 | 298W |
| 211 | Criminal Law (Conditional Release of Offenders) Amendment 1982 | 298,312,313P |
| 236 | Education Amendment 1982 | 315,326 |
| 244 | Electoral Amendment 1982 | 315,326 |
| 175 | Electrical Workers and Contractors Amendment 1982 | 304N |
| 205 | Encroachment of Buildings 1982 | 317P |
| 225 | Environmental Assessment 1982 | 308P |
| 227 | Fish and Fisheries Amendment 1982 | 308-9P |
| 230 | Fish and Fisheries Amendment (No. 2) 1982 | 301,304 |
| 240 | Housing 1982 | 307,317 |
| 177 | Jabiru Town Development Amendment 1982 | 304W |
| 138 | Juries Amendment 1982 | 303W |
| 224 | Juries Amendment 1982 | 302P |
| 212 | Justices Amendment 1982 | 298,312,313P |
| 232 | Land and Business Agents Amendment 1982 | 307,316-7 |
| 231 | Lands Acquisition (Pastoral Leases) 1982 | 301,328P |
| 228 | Legal Practitioners Amendment 1982 | 309-11P |
| 215 | Local Government Amendment (No. 3) 1982 | 328,328-9P |
| 238 | Medical Services 1982 | 307,316 |
| 156 | Motor Vehicles Amendment (No. 4) 1981 | 303-304N |
| 218 | Motor Vehicles Amendment 1982 | 327-8P |
| 213 | Parole of Prisoners Amendment (No. 2) 1982 | 298,312,313P |
| 245 | Places of Public Entertainment Amendment (No. 2) 1982 | 315,326 |
| 214 | Police Administration Amendment 1982 | 298,312,313P |
| 222 | Radiographers Amendment 1982 | 313P |
| 206 | Real Property Amendment 1982 | 317P |
| 237 | Real Property Amendment (No. 2) 1982 | 301,304 |
| 241 | Stamp Duty Amendment 1982 | 307,316 |
| 186 | Statute Law Revision 1982 | 298P |
| 243 | Summary Offences Amendment Act 1982 Amendment 1982 | 315,326 |
| 164 | Superannuation 1981 | 327W |
| 246 | Superannuation 1982 | 308,316 |
| 242 | Taxation (Administration) Amendment 1982 | 307,316 |
| 239 | Traffic Amendment 1982 | 315,327 |
| 219 | Workmen's Compensation Amendment 1982 | 297,301 |

N - Negatived
P - Passed
W - Withdrawn

Insert in proposed section 53(1)(e)(iv) and (v), after "between", the words "the centres of".

Omit from proposed section 57(1) all words after and including "Where no" to and including "of trailers" and substitute "The Minister may, by notice in the *Gazette*, specify maximum mass, maximum axle, wheel or tyre loads, maximum tyre pressures, maximum speeds or maximum numbers of trailers, in place of those fixed under Part VA or the Standards".

Clause, as amended, agreed to.

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

Bills to be reported with amendments.

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

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

16. LOCAL GOVERNMENT AMENDMENT BILL (No. 3) 1982 (Serial 215):

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 Community Development) moved - That the committee stages be later taken.

Question - put and passed.

17. LANDS ACQUISITION (PASTORAL LEASES) BILL 1982 (Serial 231):

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

Debate resumed.

Suspension of Standing Orders: Mr Perron (Minister for Lands and Housing) moved - That so much of standing orders be suspended as would prevent the Lands Acquisition (Pastoral Leases) Bill 1982 (Serial 231) passing through all stages at this sittings.

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

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

Leave granted for third reading to be moved forthwith.

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

18. ALTERATION OF ORDER OF BUSINESS:

On the motion of Mr Robertson (Minister for Education), the order of the day relating to the Local Government Amendment Bill (No. 3) 1982 was called on.

19. LOCAL GOVERNMENT AMENDMENT BILL (No. 3) 1982 (Serial 215):

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, after debate.

Clause 7 negatived.

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

"6A. CLERK TO COMPLETE ELECTORS ROLL

"Section 59(1) of the Principal Act is amended by omitting 'House of Representatives for the Northern Territory' and substituting 'Legislative Assembly'.

"7. CONDUCT OF POLLING

"Section 97 of the Principal Act is amended by omitting '8 o'clock in the afternoon' (twice occurring) and substituting '6 o'clock in the afternoon'."

Clauses 8 to 10, by leave, taken together and agreed to.

Clause 11 negatived.

New clauses -

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

"11. LOCAL RATES

"Section 160 of the Principal Act is amended -

(a) by omitting from sub-section (3) all words after 'assessed and levied' and substituting 'as prescribed in the Regulations made for the purposes of this section.';

(b) by omitting from sub-section (4) 'made under' and substituting 'referred to in'; and

(c) by inserting after sub-section (4) the following:

'(4A) Notwithstanding section 156(1)(a), the Regulations referred to in sub-section (3) may provide for the payment, by a person upon whom a local rate may be levied, of an amount in advance, determined as prescribed, which shall be accepted in full discharge and satisfaction of his liability to pay the local rate for the period determined in accordance with the Regulations, and a payment so made shall relieve the person of his liability to pay the local rate in respect of the period so determined.'

"11A. PENALTY FOR NOT VOTING

"Section 362(2)(a) of the Principal Act is amended by omitting '8 in the afternoon' and substituting '6 in the afternoon'.

"11B. SCHEDULE 4

"Form 3 in Schedule 4 to the Principal Act is amended by omitting 'House of Representatives for the Northern Territory' and substituting 'Legislative Assembly'."

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

"11A. REPEAL

"Section 371 of the Principal Act is repealed."

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

Bill to be reported with amendments.

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

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

20. SPECIAL ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly, at its rising, adjourn until 10.00 a.m. on Tuesday 12 October 1982 or such other time and date as set by Mr Speaker under Sessional Order.

Question - put and passed.

21. ADJOURNMENT:

Mr Robertson (Minister for Education) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly at 5.33 p.m. adjourned until 10.00 a.m. on Tuesday 12 October 1982 or such other time and date as set by Mr Speaker under Sessional Order.

PAPER:

The following paper was deemed to have been presented on 2 September 1982:

Financial Statement:

Darwin City Council 1978-9 and 1979-80

ATTENDANCE:

All Members attended the sitting.

R. CHIN

Acting Clerk of the Legislative Assembly

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