NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

Tuesday 10 August 1976
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Thursday 12 August 1976

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

First Assembly

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Executive Member for Social Affairs	David Lloyd Pollock
Executive Member for Resource Development	Ian Lindsay Tuxworth
Executive Member for Transport and Secondary Industry	Roger Ryan
Executive Member for Consumer Affairs	Marshall Bruce Perron

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PART I

THE DEBATES

Tuesday 10 August 1976

Mr Speaker MacFarlane took the Chair at 10 am.

ROYAL COMMISSION INTO TRANSPORT

Mr SPEAKER: Honourable members, I have received the following letter from the Minister for the Northern Territory in reply to a resolution of this Assembly:

I refer to a letter dated 11 June 1976 from the Clerk of the Legislative Assembly forwarding on your behalf the text of a resolution by the Legislative Assembly seeking the establishment of a Royal Commission to inquire into Northern Territory transport and the deferral of the closure of the North Australia railway until the Royal Commission has completed its inquiry.

Associated with the Government's decision on the North Australia railway, and at my request, the Minister for Transport has directed the Bureau of Transport Economics to undertake a study into Darwin's and the Northern Territory's freight needs. The bureau's report which should be available by the end of 1976 will provide a firm basis for decisions by the Government on the future transport policy for the Northern Territory.

On the evidence available to me, I am not convinced that the Government would be justified in incurring expenditure of the magnitude required for the establishment of a Royal Commission as proposed by the Legislative Assembly. It is improbable that a Royal Commission could provide relevant information additional to that already available or that resulting from the study by the Bureau of Transport Economics. Indeed, because of the highly technical nature of many of the issues to be examined, the Bureau of Transport Economics would be better equipped professionally than a Royal Commission to undertake the studies now required and complete them expeditiously.

The Legislative Assembly may be assured that the Government is fully cognizant of the importance to the Northern Territory of efficient and reliable transport links with the rest of Australia, and our policies will continue to be directed towards the development and maintenance of such links. The Government does not believe, however, that in the long term the best interests of the Northern Territory or of the nation are served by continuing to subsidise, at the expense of the general taxpayer, modes of transport which are clearly uneconomic and which, through the process of subsidisation, attract custom from more efficient transport operations.

In the circumstances, I would ask you to inform the Legislative Assembly that I regret that I cannot accede to the requests contained in its resolution of 3 June 1976.

Yours sincerely,
Evan Adermann

HIS HONOUR THE ADMINISTRATOR

Honourable members, I wish to draw your attention to the presence in the Gallery of His Honour the Administrator, Mr John England. On your behalf, I extend to His Honour a very cordial welcome.

Members: Hear, hear!

COOMBS REPORT

Dr LETTS: I table the report of the Royal Commission on Australian Government Administration, more commonly known as the "Coombs Report", for the information of members of this House. I foreshadow that at some future time, when they have had an opportunity to examine the report, I will initiate a discussion on the matter.

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

Mr ROBERTSON: I present the report from the select committee appointed to inquire into the Landlord and Tenant

(Control of Rents) Ordinance and move that the report be noted.

Debate adjourned.

BUSH FIRES CONTROL BILL

(Serial 114)

Continued from 26 May 1976.

Mr POLLOCK: I rise to support the bill. As has been outlines by the proposer of the bill, the Executive Member for Resource Development, it is principally designed to ensure adequate representation of various organisations who might be involved in relation to bushfire control and gives greater scope in the appointment of persons to the Bushfire Control Council. I would like to speak about the serious situation which has developed and is developing in areas of the Northern Territory, in particular in central Australia and, I am sure, in many other parts of the Territory following the outstanding seasons of the last 3 or 4 years. A terrific bushfire danger is fronting people, in particular the pastoralists and anybody living in central Australia or even up to the Barklys and other northern areas. In the Top End here, they are more accustomed to bushfires burning fairly indiscriminately during the dry season, and it is only at times, when some particular areas of improved pasture are in danger, that there seems to be a concerted effort to control the fires. But in central Australia all the areas are really to be preserved against bushfires and, if there is from time to time any outbreak, there must be an all-out effort to stop those fires.

Driving around and flying around central Australia in the last couple of weeks, particularly through my electorate and into the Stuart electorate, I have noticed the terrific drying off of the growth that has been generated by the very good seasons of the last couple of years. The very dry and cold conditions of the last couple of months in central Australia have dried this foliage right off, particularly the tall grasses and so forth. In many areas the grass is 3 feet tall, right up to the fences, and if this is got going, if somebody is indiscriminate with a camp fire or a cigarette butt or other causes from man, or later in the year when the dry storms come and we have lightning strikes and so forth, the bushfire danger in the centre is going to be astronomical, if it is not already. There have already been areas around the town which have been burnt under control by bushfire officers. I do hope that they use a little care in those operations because if they get out of control we will be in a lot of trouble.

The Bushfire Council and its officers must be fully prepared for this danger. However, they cannot go into the problem too seriously because the dangers are really there. They must be in a position to be mobilised quickly and to utilise all equipment that might be available for the control of fires in various parts of the centre. At the same time, I emphasise the necessity for people to use great care in relation to fire. Those measures can be taken by a Bushfire Control Council comprised of people who know the problems and the situations that can arise. This bill will amend the composition of the council to allow that to happen to a greater degree.

Mr VALE: I rise to support the bill. The bill is only a mechanical one and I think that any provisions that can be taken to streamline and increase the efficiency of any of the bushfire control authorities are welcome. Central Australia, and particularly the MacDonnell and the Stuart electorates, will be in tremendous danger this summer. Any outbreak of fire in that area will make "Towering Inferno" look like a boy scouts' barbecue. The loss of pastures in central Australia which we have suffered already this winter because of the southeast winds and the lack of public finance and equipment to control fires, will be further highlighted this summer if further government funds are not available and if we do not get follow-up rains to bring on green growth behind the browned-off winter grasses. Any provision which will eliminate this potential danger to both income and people's lives is a welcome one.

Our roads in central Australia may well have dried out after the heavy rains of early last year, but the lack of finance has meant that in many cases they have not been repaired and they are not easily traversed by any type of vehicle, especially those trying to control bushfires. I suggest to the Government that, if and when they get graders in these areas, as well as grading the roads they actually enlarge the width of the roads so that we will have adequate provision for fire breaks.

In recent years in central Australia, areas damaged by fires have quickly regained that growth with heavy and continued rain. However, in an area immediately south of Aileron, an area known as Native Gap, there are hundreds of square miles which were burnt off quite early in the year and still show little or no sign of revegetation, purely because of the lack of rain. The fact that in central Australia we are carrying close to 500,000 head of cattle when the number regarded as safe by the departmental officials is somewhere near 280,000 would indicate that any action taken by this Assembly to streamline the bushfire control people would be most welcomed by my electorate.

Mr KENTISH: I support this bill which is mainly a matter of adjusting the method of selecting personnel for the Bushfire Council. In the Northern Territory, a different approach is necessary, and has been made on fire control, to what may be found in some of the southern states. Things may have altered since I left the south a good many years ago, but the approach down south was never to have a fire until they could have a really good one with a good hot summer and a drought and a roaring wind. They would then have a magnificent display of fireworks which would wipe out towns, farms, forests and everything.

In the Territory, we have adopted a different approach and we are more inclined to fight fire with fire rather than save up roughage and rubbish year after year to have a magnificent blaze. Planned burning is often done; I have seen station owners burn off strips of spinifix resulting in excellent areas of fresh fodder for cattle and also excellent areas for providing fire breaks. Strip burning is one of the methods used in the Territory.

In the Territory we need to select personnel for top positions in the Bushfire Council - people who are experienced in the Territory. This bill deals with a slightly different method of selecting these people and there is no doubt that they need to be carefully selected. The calibre of the people at the top will have everything to do with the success of the Bushfire Council and the efficiency of its operations. I commend the bill.

Mr TUXWORTH: I would like to commend the honourable members for the comments they have made. As I mentioned in my second-reading speech, the amendments are purely mechanical ones but they are most important in the sense that they will enable the Administrator in Council to provide the Northern Territory with a Bushfire Control Council that will be much more effective by virtue of the people that are placed on it for the period of time which they serve on that board.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

LOTTERY AND GAMING BILL

(Serial 109)

Continued from 26 May 1976.

Mr MANUELL: I rise to support the bill. In lending my support to the proposal contained in the bill, I would like to say that the existing ordinance limits the activity of dog racing in the Northern Territory to a twenty-mile radius from the post office at Darwin; the proposals contained in the amendment would then offer the opportunity to residents throughout the balance of the Northern Territory to enjoy dog racing. In other areas of the Territory, particularly in Alice Springs Tennant Creek and Katherine, greyhound racing could be incorporated in exist-

ing facilities used for either horse racing or other activities. I believe that at this particular time there is a decline in the amount of activity enjoyed by bookmakers because of a slackening in cash flow as a result of the general economy. With an increase in activity provided by greyhound racing, the bookmakers may be able to restore a little of their cash flow.

If greyhound racing were permitted in areas outside Darwin, it would increase the competitive spirit between centres and we would see an increase in the interchange of sporting activity. I do not think that there is much more that can be said about the bill; it is a simple bill and I commend it.

Mr EVERINGHAM: I also rise to support this bill. It is fortunate for me that the honourable member for Port Darwin is not in the House at the present time because I consider that the mentality of the people who passed the original section was rather strange in that they limited persons who wished to hold dog races to an area within 20 miles of the post office in Darwin. I just cannot conceive why, at any stage, there was any particular reason for the privilege of racing dogs to be restricted to an area within 20 miles of the post office in Darwin, and it certainly is a piece of legislation that amazes me. In Alice Springs, there is potential for the establishment of a dog racing track and these pastimes give people in places which have fewer amenities readily available to them than people in Darwin something to do with their spare time. It also enhances the tourist appeal of the centre. If it has a dog racing track, visitors can go there at night. We are hampered, through our antiquated legislation in licensing and lottery and gaming, in attracting as many tourists to this Territory as we can and building up the revenues that come into the Territory from that very important industry. I see this as a step forward. I hope that something can be done in Alice Springs, not only for the residents there but for the visitors. Perhaps people in Tennant Creek and Katherine, who have fewer amenities available to them than persons living on the sea coast, may also like to avail themselves of this amendment. I certainly support the proposal.

Mr TUXWORTH: I would like to commend the bill on the grounds that people in isolated areas are generally regarded as living outside the Northern Territory because they live outside the 40-kilometre mark or in this case the 20-mile mark. It has generally been believed by people who made laws in the past that we have not had an interest in such things as owning alsatians and racing greyhounds and having betting shops because we lived outside this area. I know of many people in Tennant Creek who are owners or part-owners of dogs racing in Darwin and who would very much like to see dog racing begin in Tennant Creek. This legislation will enable this to happen in the future. I do believe that it will take 18 months to 2 years to get the interest established on the local scene but I believe it will come.

Mr POLLOCK: In reply, I would mention that the reasons for the origininal limitation was the fear that greyhounds might breed with other dogs and attack cattle and sheep. We have remarked on previous occasions that that is a lot of hogwash. I know that there is an interest in Alice Springs to get on with the job of establishing greyhound racing. It was because of that interest that this matter was really brought to my attention and this legislation was initiated. That interest will have many side effects which could be said by some to be detrimental to the community but overall, I think that those who want to participate in the sport should be allowed to.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

REGISTRATION BILL

(Serial 99)

Continued from 26 May 1976.

Mr ROBERTSON: With bills such as this, which on the face of them are

quite short, I often think it is probably worth while some members speaking during the second session dealing with the bill to bring to members' attention the exact content of the bill once again, and that is basically why I rise in support of the bill.

I note that the bill merely seeks to empower the Administrator in Council to appoint Registrars-General from time to time and Deputy Registrars-General, instead of the Governor-General having the power as is currently the position. This of course is in line with the desire of nearly all Territorians to have decisions of local import made locally. The bill of course has saving provisions in it to facilitate the decisions of previous Registrars-General to continue in effect notwithstanding the change of the system. It also contains, I note, provisions to bring all judges of the Supreme Court of the Northern Territory within the functions under Section 58 of the ordinance, rather than a single judge, which previously implied the senior judge, there now being 3 judges. I note from the second-reading speech of the honourable Executive Member that it is quite possible we could have up to half a dozen in the future as we develop.

I would not let the opportunity of speaking on registrations generally pass without making mention of the situation that currenly exists in Alice Springs in the lower level of registrations. The District Registrar's position has traditionally been occupied by one of the Attorney-General's officers. The position of District Registrar is now being taken out of the Attorney-General's Department and placed, quite rightly, within the Department of the Northern Territory. It is nothing to do with the Canberra-based department at all; it is rightfully a matter which should be handled by the local public service. I note that the position has now gone across to an officer of the Department of the Northern Territory in Darwin, and I note also that it has not in Alice Springs, so we have the situation where the Attorney-General's staff is issuing receipts and collecting money from the public and is then transferring these funds across to the Department of the Northern Territory.

I have repeatedly made mention in this House, and in the party room and elsewhere, of the absurdity of very low fees being collected, the actual absurdity of that by itself - $2 and $3 for the issue of certificates and matters, particularly under pieces of legislation like the Registration Ordinance. To look at a $2 or $3 fee, of course, you are going to an administrative cost and at least spend that amount nearly in the documentation and paper work involved. But when you take that same sum of money and transfer it to a completely separate department and have trust accounts floating backwards and forwards between the 2, and receipts issuing between the 2, and separate banking something like a 500 per cent loss occurs in actual time consumed. I bring this to the Executive Member's attention and hope that she will urge the Government, or the Department of the Northern Territory in particular, to rectify the situation where the Attorney-General's Department officer as District Registrar remains within that department and in fact is not statutorily answerable any more to that department. It is, I know, on the face of it a rather small matter, but I do know that it causes the departments and the branches in Alice Springs considerable inconvenience. There are certain sets of circumstances, which I will not go into in detail where it can also inconvenience the public. I commend the bill in other respects.

Mr EVERINGHAM: I also rise to support this bill. I see it as perhaps a step in the devolution of powers to the Northern Territory. Apparently heretofore the office of Registrar-General had apparently been considered so important that the functionary who filled the office had to be appointed by His Excellency the Governor-General. I notice that the appointment is now to be made by the Administrator and I certainly support this proposal. I also noted the remarks of the honourable member for Gillen and I support them.

Motion agreed to; bill read a second time.

(See Minutes for new clause 4A agreed to in committee without debate.)

Bill passed the remaining stages without debate.

MOTOR VEHICLES BILL

(Serial 106)

Continued from 26 May 1976.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

ADOPTION OF CHILDREN BILL

(Serial 101)

Continued from 26 May 1976.

Mr POLLOCK: I support the bill. Most of the bill deals with machinery matters in relation to the Registrar's duties and the keeping of the Registrar's files. The whole matter of adoption of children has aroused considerable comment in the community in recent times and in particular in the last couple of weeks in other states in relation to the adoption of children from overseas countries. The procedures that have been adopted by some people have drawn considerable comment.

The whole matter of adoption of children has been under review in the states and I do note that in NSW they have recently had a committee which has compiled quite an extensive report on the subject. It has some 80 or 90 pages of comments and recommendations in relation to adoption in that state. In view of reports such as that and other considerations, the Northern Territory legislation has come under review by the department.

I hope that, in the near future, legislation can be brought into this House which will streamline the matter and provide adequate protection for all the children who are to be adopted, because after all that is what the adoption of children is about - the welfare of the children. We are finding parents for the children and not children for parents. That particular consideration has been lost in recent attempts to bring children into this country for adoption. If people are thinking along the lines of going away to find children to adopt I would suggest that they take deep consideration of their action because the policy of the department will be one of consideration for the child and its life and not necessarily finding children for parents.

Mrs LAWRIE: In rising to support this legislation, I note that the Executive Member for Social Affairs has used the opportunity to voice his disquiet about some adoption procedures in Australia and to express the wish that there will be a review of the adoption procedures in the Northern Territory. As he has been allowed that latitude by the Chair, I would like to support his general comments. The legislation received my most earnest attention because I am well aware of some of the disadvantages of the adoption procedures as presently enforced, not only in the Northern Territory but in the various states. I have a copy of the Maria Caldwell report from the United Kingdom which must be the most horrific document ever tabled in any parliamentary body anywhere in the world. I could commend that to the honourable Executive Member for Social Affairs as required reading when considering adoptions and the state of children, too often considered the property of parents or the property of adults, when of course they must not be

I support the present legislation. It is no more than a tidying up of a few loopholes which have existed unfortunately for too long, but I express the hope that the department and the Executive Member with responsibility in that area will undertake a complete review of our adoption procedures, of the rights of adopted children to know their natural parents, which has been discussed at adoption seminars around Australia and met with tremendous opposition initially but ended up being adopted unanimously by all the people who attended that symposium. Having had your latitude in ranging far from the bill, Mr Speaker, I am quite happy to indicate my support for this legislation.

Mr EVERINGHAM: Mr Speaker, I also will request some latitude if I may since it has been apparently granted by implication to the honourable member for Nightcliff and the Executive Member for Social Affairs. I would draw to the honourable member's attention to paragraph 10 of the ordinance which states that the welfare and interests of the child concerned shall be regarded by the court as the paramount consideration. I hope that this would ease to some extent the fears of the honourable member for Nightcliff. I certainly appreciate that in some adoption cases, fortunately a very small percentage of them, there are traumas between parties contesting for the permanent and final custody which is an adoption order of a child or children. Unfortunately this has always happened and I think will always continue to happen in our society where various people consider that they have some claim to the person of a child with whom they have some blood or other ties; there will always be the traumatic cases in connection with adoption.

This particular bill before the House, getting back to the point, is one that I do support because I can see that it will be ironing out machinery which in the past has been vague and ill-defined and where quite often people have had difficulties in obtaining certificates and have been caused worry in this regard. I do support the bill.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

NATIVE AND HISTORICAL OBJECTS AND AREAS PRESERVATION BILL

(Serial 107)

Continued from 26 May 1976.

Mr VALE: I rise to speak in support of this bill. I suppose, reading through the Executive Member's second-reading speech, it could be said that the main purpose of this bill is to do away with the old idea of "finders-keepers". I support that; I support the fact that these items which are or may be found will be retained in the Territory, in an area in which they have ended up. Probably if they look around in central Australia, because of the condition of our roads, they would find a lot of wrecked cars that could be classified as historical objects.

The Executive Member referred to the Kookaburra aircraft. She said: "Yet no one found it because of the difficult country in which it lies". There is a chap in Alice Springs who claims that he does know the present whereabouts. He was one of those persons who was requested by the Government to go out and bring back the bodies of the crew members who perished out there. I would like the Executive Member to take particular note of that.

What I would hope will be done when these objects are found is that they will be retained in the area or in the town closest to the area in which they are found, and that they are not all transported north to the Tropic of Capricorn, to Darwin or areas like that, but that they be spread through the Territory and become of local benefit to the tourist industry and residents of the areas.

Mr Everingham interjected.

Mr VALE: What is that word when you wave your hands around? I used it once before in here; I will refrain from using it again.

Mr SPEAKER: I cannot allow you too much more latitude, honourable member.

Mr VALE: Mr Speaker, there are really no other points to speak of on the bill. I support the main purposes of the bill.

Mr BALLANTYNE: I too rise to support the amendment to this ordinance. The original clause in the bill which is to provide for a preservation of certain objects and areas of ethnological, anthropological, archaeological and historical interest and value in the Territory, states that the Administrator may, for the purpose of preserving a prescribed object, pur-

chase or otherwise acquire the oject on behalf of the Commonwealth. Now he may prescribe it. If he does not, there is no reason in the world why a person cannot say, as the honourable member for Stuart just remarked, "It is mine, finding is keeping", and if the Administrator has not prescribed the object there is no way in the world anyone can perhaps take that object away from the person. There have been a lot of objects in various areas in the Territory which have been taken by people who have no right to do this and ...

Dr Letts: Cannon balls.

Mr BALLANTYNE: I do not know whether they have taken cannon balls but they have probably taken all sorts of other objects which are of great value to those particular areas. The new amendment to this ordinance is in clause 6A and it says that the Administrator may for the purpose of preserving an object declare it by notice in the Gazette to be a prescribed object. And then it goes on to say in subclause (2) that the Administrator, in declaring, may forbid the acquisition by purchase or otherwise. And there is the protection clause so that we will not have these unscrupulous people coming into various areas and taking away objects of importance to the historical background of the Territory. I would like to see this enforced immediately. The honourable member for Stuart said that the Kookaburra aircraft is under the regulations. I will challenge him to find it and we perhaps will let it remain there as an historical object.

I support this bill, and only hope that there are people in this Territory who will give consideration to leaving things in their natural environment when they have been prescribed by the Administrator.

Dr LETTS: I support the bill. I am aware that, over the years I have been here, there has been a good deal of pilfering and removal of objects which were of great value to the Territory. By way of interjection a few minutes ago, I used the expression "cannon balls", and in doing so I hark back to my first visit to the Cobourg Peninsula, to Victoria Settlement at Port Essington, which was the site of the second settlement on the mainland of northern Australia. When I first visited there in 1960, there were still lying on the ground, amongst other relics, actual cannon balls which had been used by the warship that stood in the port and fired at what was left of the settlement for the destruction of the settlement when that settlement was abandoned in 1849. When I have been back there on subsequent occasions in other years, those and many other relics have just disappeared. Where they would be I do not know; they could be scattered anywhere around Australia; they could even be overseas. For that reason it is important to have a piece of legislation which enables such objects to be given a classification, to be given a legal status and to be given protection. But that in itself is not going far enough. This ordinance will only achieve a limited amount of what we really want, and I take this opportunity of making a suggestion that these and many other items which occur throughout the Northern Territory are the property of our history and traditions; they belong to the Territory and the Australian people and they will serve a very useful purpose: they will remind us of our history and also they can be used beneficially for the promotion of tourism in the Northern Territory where it is appropriate to do so.

I would make the suggestion that perhaps the people concerned with toursim - and this has been a feeling that I have been developing for some time - have been perhaps giving a little bit too much emphasis to promoting the Northern Territory in the cities throughout Australia, and not quite enough emphasis has been given to looking after the resources required for tourism in the Northern Territory once people get here. I am aware that around places like Pine Creek there are a number of interesting historical relics, pieces of mining machinery and so on, which are probably going off in the same way. A place like that is an ideal place for the establishment of a mining museum and the Museums Board, the Tourist Bureau, and all those who are connected and interested in this area should have a more positive role in securing this material, bringing it

together where it is appropriate and making it available for the whole of Australia and any visitors from overseas to have a look at. It will serve in that way a number of purposes. So, having given this power to the Territory, I think that we should then perhaps talk some more to the interested parties with a view to putting these relics to the best possible use.

Miss ANDREW: In speaking to close the debate, I do owe yourself and members of this House an apology. Native and historical objects is a subject I can get very excited about, especially as when I hear of tourists from all over Australia, and indeed overseas, coming and filching what little we do have in the nature of historical objects. I would draw your attention to the Hansard where, in my excitement, I said "This legislation enables the Administrator to make a declaration providing immediate protection for an object or an area". Quite obviously, an area is not included in the legislation and I was misleading the House.

I welcome the remarks made by everyone who spoke in support of this bill and I do urge the authorities to speedily assent to this legislation so that it can be put into action and we can get some safekeeping over these objects that are rapidly leaving the Territory. I have been making some inquiries to find a suitable place to put these objects and I hope that in the next week or so I will be able to announce that I have been successful.

Motion agreed to; bill read a second time.

(Clause 5 negatived in committee without debate.)

Bill passed the remaining stages without debate.

CO-OPERATIVE SOCIETIES BILL

(Serial 103)

Continued from 26 May 1976.

Mr TAMBLING: I am pleased to support this bill. I believe that its object of raising the limits of the maximum amounts which may be lent by credit societies is very necessary. The credit societies have a very meaningful role to play as part of the credit function in our community and I believe these are developing very satisfactorily in the Northern Territory and servicing the needs of many members of particular credit societies. If we were to limit these societies to their previous limits of $3,000 in the case of secured loans and $1,500 in respect of unsecured loans, this would not meet the reality of the needs of people who are calling on that particular money.

If we look at the reasons for which a credit society may be formed, it is very interesting to note that those listed in the legislation are: to assist its members to purchase material for the erection of homes; to pay the cost of painting, adding to or repairing their homes; to purchase furniture for their homes; to pay the cost of removing household furniture and effects from or to their homes; to commence, acquire or carry on a business or trade; to purchase or lease a home or place for business or trade; to acquire tools, implements, machinery, materials or stock-in-trade for business or trade; and to discharge financial liabilities. So basically the intent of using credit societies is either to assist a person in his home costs or in the establishment of a small trade or business. This is very vital to our community at the moment and I am sure that the members of the credit societies throughout the Northern Territory welcome this particular move. The new limits are broadly the same as those envisaged in New South Wales and other states and therefore we have lifted the requirements to match up with what the responsibilities are in each of those states for credit societies. Mr Speaker, particularly in the Darwin situation and my own electorate, I am very happy that this move has been taken and I support the legislation.

Mr BALLANTYNE: I would like to briefly speak on the amendments to the principal ordinance by this bill. The present provisions contained in the ordinance under section 14D limit the society, the co-operative, to a certain

degree of lending power and the foresight of bringing this bill in to raise the limits will help the co-operatives in many ways. The society at the moment will probably find a problem because of inflation and other demands from the public. They are restricted in the number of clients they can have and these co-operative societies, as the Executive Member for Finance and Community Development said, can offset a lot of other lending organisations, and they have a great facility there for people to purchase motor cars or anything you can practically name, Mr Speaker. These societies pay the money back into the organisation which is generally run in an honorary capacity; it is not like a bigger organisation where you are paying big wages and high rentals and all that sort of thing. These organisations are run virtually on the smell of an oil rag as you might say.

The new bill will give greater lending power to the co-operatives and, as the honourable member for Fannie Bay said, it will bring the legislation into line with the southern states. The existing limit for an unsecured loan is $1,000 maximum, and for specially approved societies who may wish to borrow money, $1,500. For the secured loan, the limit is $3,000. Under this new bill the limits are now raised to $2,000 and $3,000 respectively, and for specially approved societies, the limit will be raised to $4,000 on all the secured loans.

Clause 14D gives more flexibility to the ordinance. I will read it out:

"14D.(1) A registered credit society shall not make a loan to a member of the society or guarantee the repayment by a member of a loan or of a part of a loan if the effect of doing so would be that the sum of -

(a) the loan made by the society, or the amount the repayment of which by the member is guaranteed by the society;

(b) the total amount owing under any other loan or loans which has or have been made to him by the society; and

(c) the amount or amounts the repayment of which has been guaranteed by the society on behalf of the member,

exceeds -

(d) an amount equal to one per cent of the sum of the total assets of the society as shown in the last statement of assets and liabilities transmitted to the Registrar before the date of the making of the loan or guarantee; or

(e) 4,000 dollars,

whichever is the greater."

Paragraph (d) is the whole crux of this bill. It has more flexibility and it will give the societies the opportunity now to continue in a higher lending capacity than they have with the present limit of $3,000. There will be no need in one sense to seek further amendments to the ordinance. This facility is something that the societies have been looking for and it also keeps restrictions too on their lending power. I commend the honourable member for Education and Law for bringing in this amendment.

Mr EVERINGHAM: In supporting the bill, I should like to commend the Executive Member for introducing it. The bill proposes to increase the minimum amount which can be made available on loan by these societies which have been becoming more and more important. I hope that this piece of legislation may make them more effective and workable bodies which may now appeal more to people in the Northern Territory who want to pool their resources for their own and the community's betterment.

However, it is always important to watch the operations of these bodies because we have seen building societies, particularly in New South Wales and Queensland, where directors have voted and approved in favour of themselves, family, companies and friends, large loans which have on a couple of occasions led to the loss of liquidity by these building societies. We must always remember that the boards of these societies and unions consist of

members and that they are eligible for the loans and benefits as well, so they obviously have to be strictly policed. I certainly consider the provision whereby a loan of not more than one per cent of the total funds of the society can be made to any one member to be a very worthwhile safeguard. Unfortunately, in the Northern Territory the total assets of these credit unions will be small and in all probability the amount of $4,000 will be the greater amount for the time being. Once these societies build up in strength, it is certain that no particular person should be able to put his hands on one per cent of the total funds. For those reasons, I support this bill.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

SEEDS BILL

(Serial 123)

Continued from 3 June 1976.

Mr KENTISH: I support this bill which is a very timely piece of legislation for the Northern Territory. Over the last several hundred years, I suppose one might say, there has been a worldwide escalation in the use and the value of seed harvesting, and the thing has increased tremendously perhaps in the last few decades. I do not know how far back we might go in history to find first mention of cultivation and seeds. The area of the Euphrates River was one of the earliest regions that nurtured cropping, cultivation and harvesting. That was a long time ago. We find that the Egyptians on the Nile followed on or were operating perhaps at the same time as the people on the Euphrates River, and we read that they watered their crops with their big toes or their feet, which means perhaps that they had some sort of channel irrigation; that is mentioned in early records. And we read of a chap called Joseph in Egypt who grew corn for 7 years on a pretty massive scale, much bigger than the Tipperary or Scotts River turnout I would think, because he apparently fed most of the world in that area for the subsequent 7 years. I am not quite sure what variety of corn he had; it is not mentioned in the records, but it must have been a good goer and he grew it without disease apparently for 7 years. It may have been something like the corn we have today, or maize, red white or yellow varieties, or it may have been similar to some of the sorghums we have inherited from Egypt. Anyway, whatever it was, it was a lifesaver in those times and it is in some of the earliest records we have of fairly massive cultivation and cropping.

Coming into modern times, but still a little before my time, we read about Sir Walter Raleigh, who brought home seed from South America, tobacco seeds, or perhaps it was plants, but I think it was seed. We probably would have hanged him before he landed or before he came ashore with it today, but he got ashore with this tobacco seed and started growing it, propagating it, in England or elsewhere, and introduced a new habit. That is one of the early seed introductions that we hear about; they still call it "the weed" of course. Some time after this we read about the introduction of the potato. I think that came from South America also. I have read at times past the exact derivation of some of these species but time has dimmed my memory concerning them. The potato came in, and it came into England I understand at about the time of the Industrial Revolution and between the Industrial Revolution and the potato they had a population explosion because it made such a vast difference to their food potential in that little island. It drifted over to Ireland apparently and became familiar in Ireland, and so we have it called the "spud murphy" today. I do not know whether that is derived from the Irish content that it got. But anyone who is familiar with Irish history would know how they mixed their potatoes with their bogs and produced the Mountains of Mourne.

We are reminded of some of these things when we come on to the question of seeds, seed introduction and seed sales and so on. It is not a new thing in the world at all; it is something

that has been with us for a long time. But it is something that is increasingly demanding our attention and something that we should increasingly give serious thought to in legislation.

The core of this bill is - I take it out of the second-reading speech here - the second main principle that is espoused by the bill is that all seeds produced or imported into the Northern Territory must be tested and the result of that examination labelled on the seed or its container. I might add to that a sentence which has been left out of that particular second-reading speech: "All seeds produced or imported and offered for sale". I understand that this bill does not apply to a farmer who produces his own seed and likes to take the risk of planting what he gathers off his own land. However, all seeds that are imported or produced and offered for sale must be tested and labelled, and this is very necessary. In the years that I have been involved in seed production and farming in the Northern Territory, I have known some people to be unbelieveably careless and callous in respect to the quality of seed and weeds that they have sold to other people. Their main criteria has appeared to be the weight in the bag and the amount of money per pound - not much else has worried them. This attitude can cause endless trouble and it also mortgages the future of arable land in the Northern Territory. I have known many other people who have been very conscientious in regard to the quality of seed which they have offered for sale. In this bill, we have a reasonable degree of compulsion to sell only seed that is reliable or seed that has a content known to the purchaser. I support the bill.

Mr VALE: I support the bill. The Majority Leader has more than competently covered the entire bill in his second-reading speech. However, I would like to bring certain points to his attention. In my reading, I could not see any area where the bill would enable the prohibition of the sale of certain seeds, and I am referring particularly to couch grass which is a menace in central Australia. I would like to see that incorporated in the bill. Couch grass, which is a natural lawn or lawn seed in South Australia, is regarded as a weed in central Australia. People arriving from South Australia are unaware of that fact and they have planted it It is particularly damaging to pipes and other systems in the area. It may well be a native to the Northern Territory but it is a hard dry weed that ruins gardens and agricultural implements.

The fact that the quality and quantity of the seed sales would be controlled by the bill is to be welcomed because in recent years in central Australia we have had a number of projects which have previously been regarded as failures but these ventures are now meeting with exciting success. I am talking about large areas of lucerne irrigation and various market garden ventures. In fact, there is one area in the centre where a market gardener proposes putting fresh vegetables on the tables in Darwin 24 hours after they have been picked in Alice Springs. The fact that we live in a low rainfall area probably in central Australia is not necessarily that important in view of the fact of our good growing seasons, given good access to large underground reserves of water. I support the bill.

Mr WITHNALL: I am very glad to see that there has been introduced into this Assembly a bill relating to the control of the sale of seeds and to the standards which are to be observed with respect to seeds. However, I find that the arrangements which are to be made by the bill are extraordinarily complex and would require an administrative machine which I do not think would be justified, having regard to the amount of the sale of seeds in the Northern Territory at the present time. I have no information as to where the form of the bill was taken from but I assume it was taken from some state of Australia which deals with seed production in a much greater volume than the Northern Territory. While I accept the need and I applaud the attempt to control the distribution of seeds and to control the quality of seeds which will be available to the public, my first comment is that the form which the bill takes is unnecessarily complex having

regard to the situation in which the Northern Territory finds itself at the present time.

From that general comment, I would like to come to some particular consideration of the bill itself. My first comment is directed to the definition of seeds. While it is an inclusive definition, it seems clearly to refer to seeds as understood in ordinary language, and I would ask the sponsor whether in his view the definition of seeds is such as to include tubers and bulbs. There are a number of tubers and bulbs which will actually produce seed which is not generally accepted as being viable and which are ordinarily propagated by means of bulbs or tubers or in some other vegetative fashion. I do not suggest that banana suckers or things like that should come within the scope of this ordinance but seed potatoes and bulbs such as shallots, onions and spring onions might not be included by the definition which the honourable member has in the bill. I do not think that that is a very serious criticism but nevertheless I direct the honourable member's attention to it.

Coming to what I regard as the major provision of the bill, clause 7, I wonder whether the honourable member, dedicated as he is to the freedom of the people in commercial ventures, ought to require every person who is selling seeds to comply with all the multifarious conditions which are set out there. Clause 7 provides for a number of conditions which must be present if a person sells seeds. I do not mind the provision of any sorts of conditions that must be observed by a vendor if those conditions are within the control of the vendor or within his knowledge. However, I might point out to the honourable member that this provision is a prohibition upon sale unless seeds are contained in a parcel bearing on it or on a label a written statement setting out the particulars required by subsection (2). I will come to subsection (2) later but, of course, this can be easily complied with by anybody because it is a statement which is able to be affirmed or denied by what is on the packet of seeds or the parcel of seeds. But it says: "unless the seeds are of the kind or kinds stated on the parcel or label". Even in the case of wholesale seeds imported from some other part of Australia, nobody can be satisfied because you cannot open a parcel of seeds. In many cases this would destroy the seeds themselves. This would result, particularly in the wet season, in moisture getting in and possibly affecting the seeds either by fungus infection or in some other way. But a person is to be guilty of an offence if he is not sure that the seeds are of the kind stated on the label. He may not open them but he must be sure. Surely this is a little onerous.

Coming to the next paragraph in the subsection: "in the case where the seeds are harvested or treated in the Territory, the seeds have been sampled by the method referred to in section 19, the sample has been marked, has been submitted for examination by a seed testing laboratory and a statement of the results has been received from that laboratory" - but not by the fellow who is seeing them; there is no provision here that requires a person testing seeds or a person who has seeds tested to forward a certificate that the seeds have been tested and that they do comply with the testing formulas contained in section 19. But it does not matter whether the certificate is there available or not. The seeds must have been sampled and the sample must have been marked and the sample must have been submitted to the seed testing laboratory. In all of these cases, if these things have not happened in accordance with the ordinance, the vendor may be perfectly unaware that some mistake has been made; nevertheless, because he does not know and because the procedures prescribed by the ordinance have not been followed, he is guilty of an offence.

In the case of seeds harvested, cleaned or treated outside the Territory, it is a necessary condition that there is a certificate in the possession of the person who imported the seeds into the Territory which complies with subsection (4), but the vendor does not know. The fellow down at Dalgetys or Delaneys, or somewhere

else, who is selling the seeds is not aware whether there is a certificate in existence and has no means of finding out, no certain means of finding out. "Or the seeds have been sampled in the Northern Territory and the sample has been marked and submitted in the manner required by paragraph (c) for seeds harvested, treated in the Northern Territory and a statement of results has been received from the seed testing laboratory." Again this is something done by somebody else but the vendor does not know and the vendor is not given any authority to find out.

And then there is a provision: "That seeds shall contain no greater number of injurious weed seeds than the number prescribed and no greater number of seeds affected by a prescribed disease than the number prescribed in respect of that disease". This again is an absolute condition. He cannot open the packet of seeds or the parcel of seeds or the bag of seeds because to do that would expose the seeds themselves to some possibility of infection. And he cannot find out, if he does open them, the number of injurious weed seeds in a parcel or a bag. He cannot find out by opening the bag the number of seeds affected by a prescribed disease because it is impossible to detect prescribed diseases, generally speaking, until you plant the seeds. Nevertheless, he is guilty of an offence if this is a fact - not if he knows it is a fact, but if it is a fact.

This section goes on to say that it is an absolute condition that the seeds have a germination percentage not less than that stated on the parcel or label. Again the vendor is the fellow liable, not the fellow who put the statement of the germination percentage on the label. It provides, in the case of a seed mixture, that the percentage of each kind of seed must be as stated. He would not know that, he could not count them. And the seeds must comply with such other standards as are prescribed. So now also he has got to go to the regulations and find out what conditions have been prescribed.

And then, the final crowning insult is in the last provision, that a person shall not sell seeds unless they are sold in parcels the mass of which is less than the prescribed mass, which means that all this section applies to in the whole is seeds which are sold over the counter as in Woolworths. There is no provision, so far as section 7 is concerned, for the sale of seeds in a quantity more than the prescribed mass. I do suggest to the honourable member that he should give some very careful consideration to clause 7.

Dr Letts: "He shall not sell seeds unless the seeds are less than the prescribed mass".

Mr WITHNALL: That is right.

Dr Letts: That is the little packet.

Mr WITHNALL: That is right, which means that there are no conditions applicable if you sell them by the bag.

Dr Letts: No, no; it works the other way.

Mr WITHNALL: I beg your pardon. You do not understand the English language the way I do.

The proposal, if the honourable member will have a look at it carefully, is that a person shall not sell seeds unless a number of provisions are complied with, and unless they are sold in parcels the mass of which is less than the prescribed mass; and if the prescribed mass is packet-size, none of these conditions apply to a bag and none of these conditions apply to a parcel - they only apply to a little packet. I suggest the honourable member reconsiders his understanding of the English language. It would be indeed a great disaster if the section came into operation in the form in which it is at the present time. I could understand it perhaps if the word "and" after paragraph (h) was "or" but then there would need to be some further amendment of section 7 so that all the provisions contained in paragraphs (a) to (h) of subsection (1) formed one sort of parcel of conditions and the alternative (i) was carefully distinguished from all the other alternatives contained in the section.

Subsection (2) of section 7 refers back to paragraph (a) of subsection

(1). It provides that on every parcel of seeds or label attached to it there shall be set out the name of each kind of seed, reference, brand, code mark, relating to the source of the seeds. May I say that subclause (2) applies to all sales and even to exempted sales. Subclause (3) specifically refers to exempted sales but subclause (2) does not refer to exempted sales at all and nor does subclause (1). Thus, on every parcel of seed, even the packets you get over the counter at Woolworths, there shall be set out the name of each kind of seed contained in the parcel, the reference, brand code or mark relating to the source of the seeds and, in the case of hybrid varieties, certain other things; in the case of mixtures, certain other things; in the case where seeds are sold in parcels the contents of which are less than that prescribed, the month and the year in which germination of seeds is due; and, in the case where seeds described as horticultural seeds are sold in parcels the contents of which are greater than the prescribed mass, the pure seed contents of the seeds, the month and the year of the last germination seed. All these things have to go onto a packet of seeds sold over the counter at Woolworths. Such conditions are not so prescribed in any other part of Australia to my knowledge, but this clause quite clearly requires that they will be prescribed here.

There is reference in the bill to exempted sales, and I have searched for some provision relating to exempted sales but, apart from the definition, I find no provision at all except the possible provision that may be contained in regulations. The definition clause contains the definition of "exempted sales", being a sale of seeds where the mass or value of the seeds does not exceed the mass or value, whichever is applicable, which is prescribed. The general provisions of clause 38 will give the Administrator in Council sufficient authority to prescribe the mass or value. While the original concept may have been that exempted sales and sales of seeds contained in parcels which were exempted by reasons of mass or value would not be subject to the control of the bill, in point of fact the provisions in the bill do apply in many instances to those sales. I think that the bill needs more careful examination in order to be sure that clause 7 does apply to sales in mass and that the other provisions do not apply to sales which are proposed to be exempted sales.

I am in favour of the provisions of the ordinance but I find the provisions of this bill both unnecessarily complex and unnecessarily misleading. I think that the honourable member will do well to reconsider the terms of the bill while the policy which is expressed in it should remain generally as it is.

Debate adjourned.

BYLAW PROCEDURE BILLS

NATIONAL PARKS AND GARDENS BILL

(Serial 110)

PORTS BILL

(Serial 111)

LOCAL GOVERNMENT BILL

(Serial 112)

Continued from 3 June 1976.

Motion agreed to; bills read a second time.

Bills passed the remaining stages without debate.

MINES SAFETY CONTROL BILL

(Serial 120)

Continued from 3 June 1976.

Mr BALLANTYNE: I rise to speak about the Mines Safety Control Bill presented by the Executive Member for Resource Development. I feel this is a major step forward in the mining industry and, as we were told, this was brought about by a report tabled from Mr Morley who is a Queensland mining consultant, a very experienced man in that field; from that we have the basis of this ordinance.

The regulation of mine safety

throughout Australia has been based on 2 main principles. These are the reinforcement of the natural authority of the management and making it responsible for ensuring a safe working environment together with an onus on the individual miner to work safely. This system has worked very well and exists as the basis of all state mine regulation acts and is indeed the principle upon which the existing Mines Regulation Ordinance operates.

The Mines Regulation Ordinance was, however, framed in the days when the typical mine was a small underground operation. The latest trend is to large open-cut mines or complexes such as exist at Gove Peninsula, at Groote Eylandt, and the proposed uranium mine in the Jabiru region which would be a large open-cut complex.

A member: A small one.

Mr BALLANTYNE: Well it will be smaller in size. Perhaps area-wise it will not be as great as the areas say at Groote Eylandt and Gove because they are at very small depths under the base soil.

Those areas at Jabiru and other proposed operations in the uranium field are virtually waiting on the wings now to get approval and this approval will be dependent upon an environmental inquiry.

As well as the great developments in technology that have occurred since the Mines Regulation Ordinance was drafted, management and safety have emerged as specialist developments. All of these reasons have necessitated the complete redrafting of the Mines Regulation Ordinance which is here presented as the Mines Safety Control Bill. The bill has retained the tried and tested system of managerial responsibility for overall safety, combined with individual worker safety on each particular job. The bill has also provided for the large size of current mining operations by allowing managers to be responsible for a part of the mine and also allowing for the appointment of assistant managers. This will enable the managers' legal responsibility to be more compatible with modern company organisation. The new system also has a flexibility which will enable it to be adaptable should management organisation change in the future.

Flexibility is also the key point in the matter of regulations and rules. The regulations which I hope will accompany the bill when made law will be based on the basic code of safe operation of metalliferous mines and quarries which is the basis of the standardising of all mines regulations throughout Australia, and is continuously under review by various chief inspectors of mines. In this, the Territory will have the most modern legislation.

I would like to say one word on the regulations. The regulations that we have today date back to about 1911 and I would like to see the work on these regulations put through the Administrator's Council so that we can be in step with the technological improvements and so that the standards are adhered to, both the Australian standards and the British standards. The introduction of standards is a new concept in this type of legislation and it will mean that when a mine starts to use techniques which have not been previously used in the mining industry, the relevant Australian or other standards can be applied immediately and afford the quickest protection for the safety of mine workers.

The third and last type of rules set out in clause 56 are new to the Territory but not unknown in the states. It provides for the situation where a completely new development occurs or a hitherto unknown danger arises. In such a case, the manager himself will draw up special rules to eliminate or reduce the new danger. The manager's new rule under this clause will be subject to the Administrator's approval and would then have full legal backing. It is not expected that this device of the special rule will be over-used if practice in the southern states is any guide. However, it is a valuable device which allows the unforseen safety hazards to be catered for.

The provision of special inspectors will allow for the increasing technical

complexity of the mining industry by allowing specialist inspectors to be used with legal powers only within their own expertise. The appointment of district inspectors is another means of ensuring the flexibility of the legislation. It will allow the person with lower or different qualifications from that of a government mining engineer to have the powers of an inspector in certain specified districts where a fully qualified mining engineer is not essential to the inspection work. There is, however, one point in relation to the structure of the inspectorate on which I have doubts. The bill in its present wording ensures that a centralised policy will be maintained on the inspection of mines. This has been achieved by taking certain functions from the inspectors and making them solely applicable to the Chief Government Mining Inspector. For instance, the prosecution for offences becomes the prerogative of the chief instead of the right of all inspectors, and in clause 11(2) the notification of the appointment of a mine manager will now go only to the Chief Government Mining Engineer and not the local inspector in whose district the appointment occurs. Clause 21(4) is that part of the bill. While this method of work will cause no problems, whilst inspectors are heavily centralised in Darwin, I think that there should be some provision for decentralisation of the inspectorate because you cannot operate a centralised system when you are about 500 to 1,000 miles away from an area where you need a man on the job in case of accident. Immediate inspection and action has got to be taken because it could mean the life or the death of the person at that time and delays are the biggest problem today - delays due to shortcomings in communication.

With regard to the establishment of the Mining Board, this will allow the Territory to catch up with the states in awarding certificates of competency to mine managers and others. We are at present the only region in Australia which regulates safety on mines but does not issue such certificates. Provision for these qualifications is made in the Mines Regulation Ordinance but a deficiency prevents certificates being used. That provision in this bill is a very timely step.

Part VIII of the bill relates to the qualifications of winding engine drivers which was an omission in the Mines Regulation Ordinance. This is incorporated in state legislation and this inclusion in the bill will also bring it up to southern standards.

The rest of the bill is basically similar to the existing Mines Regulation Ordinance though the wording may be changed to suit modern conditions such as in the section relating to the reporting of accidents and injuries which has been considerably updated.

Finally, I would like to say that there probably will be some debate on this bill. It is quite a comprehensive piece of drafting and no doubt there will be quite a few changes or amendments required, but I compliment the Executive Member on the work that has been done on it and I commend the bill to honourable members.

Debate adjourned.

DISPOSAL OF UNCOLLECTED GOODS BILL

(Serial 121)

Continued from 3 June 1976.

Mr WITHNALL: This bill does fill a need in the Northern Territory for legislation, and I would agree with the honourable member that it is a need which is fairly urgent. But again, as I have said in respect to former bills debated today, I do not think that the terms of this bill are such as achieve its object in the best way. The bill is, to say the least of it prolix; it is wordy and, in many respects, it is to my way of thinking rather incomprehensible.

I do not propose to deal with the general policy of the bill except in one respect, that is that I think the reference of disputes and actions under this proposed ordinance to the local court is not an adequate reference. The local court is the court which is burdened by fairly elaborate procedures and, ordinarily speaking, it takes a

much longer time to have an issue disposed of before the local court than it does by the court of summary jurisdiction. I suggest to the honourable member in charge of the bill that the bill may well be reconsidered in the light of letting the court of summary jurisdiction take over the functions of the local court which are proposed in the bill. The court of summary jurisdiction is unhampered by forms and procedures; the court of summary jurisdiction can sit much more frequently and with much greater expedition and pay much stricter attention to the problems than the local court which, as I said, by reason of the procedures set out in the Local Courts Ordinance is unnecessarily hampered.

Coming to the bill itself, may I say that I have this afternoon been supplied with a list of amendments and if perhaps some of the comments I make are covered by amendments, then honourable members will understand that I have not had sufficient time to fit the amendments received so recently into my consideration of the bill. I have, however, considered one of the amendments proposed; it is an amendment to clause 14, which clearly was necessary, but I doubt very much whether the amendment proposed is the best amendment that could be made to the clause. I do not doubt that the amendment proposed will get by, but clause 14 deals with an application for the court to make an order authorising the sale or disposal of goods and the clause as it is printed talks of an application being made under section 10. Section 10 is in part II which deals generally speaking with uncollected goods with a value not exceeding $200, and part III deals with disposal of goods under an order of the court. I found the distinction somewhat difficult to understand because clause 14 talks about applications made for an order authorising the disposal of goods and the amendment proposed now is to refer back to section 10 as well as to section 12, and these 2 sections are in different parts of the bill. Clause 10, however, even under the amendments, contains its own provisions for resolution of disputes and making of orders, and I would have thought that clause 14 could have been confined to orders made under Part III and not to include orders made under Part II, because subclause (4) of clause 10 provides that, where there is a dispute in effect and an application is made to the court, the court shall determine the dispute, order payment of the amount determined and may make such further orders as it thinks fit. A simple order for the sale of the goods there would have rendered the extra complication of the reference in clause 14 unnecessary.

One minor point - I do not know whether the amendments cover this, but subclause (3) of clause 16 provides: "if an appliation referred to in subclause (2) is made before the goods are disposed of in accordance with an order made under section 14 (1) etc". Well, since the dispute referred to is only with respect to a person claiming possession and the goods are sold by an order of the court, the words "before the goods are disposed of" are completely unnecessary.

Right throughout the bill we find references to selling or disposing of goods, and there is no clear indication as to what "disposing of" may mean, except that there is a suggestion in 19(1)(c) that goods may be disposed of by gift, that the court may authorise the disposal of goods by gift. That seems to be a strange expression where it is applied to an order of the court. Giving implies an act of will, and if there is an order of the court then surely there is no act of will. But in any event I find it difficult to understand any sort of disposal other than sale. In some cases, I think under section 17, where goods are sold or otherwise disposed of under an order for sale or disposal, then the person under the order may recover from the proceeds of sale. If they are disposed of by gift, you cannot recover anything from the proceeds of sale. If they are disposed of, and the only other way I can think of disposing is by burning or dumping, then he cannot recover anything from the proceeds of the sale.

Going to clause 19, I ask the honourable member why in subclause (5) there are no offences created with respect to a refusal or a failure to comply with the provisions of subclause

(3) of section 19. Subclause (5) makes it an offence to fail to comply with subclauses (1) and (2) but subclause (3) requires the lodgement of a record in the court and, if that lodgement is not made, apparently there is no offence provided.

Mr Robertson: It's in clause 25.

Mr WITHNALL: I am prepared to look at clause 25. The proposed section 25 relates to the contravention or failure to comply with the provisions of this ordinance. Might I point out to the honourable member that there is a special provision in clause 19(5); the person who fails to comply with any of the provisions of subclauses (1) or (2) or who lodges a document for the purpose of that subclause which to his knowledge is false in material particulars is guilty of an offence. I suggest to the honourable member that the expression of an offence in a particular section excludes the expression of an offence in a general section at the end of any ordinance. I think the honourable member may very well understand that that is a tenet of law which is universally applied.

Mr SPEAKER: I suggest that the honourable member bring it up in the committee stage.

Mr WITHNALL: I direct the honourable member's attention to clause 20(4). Clause 20 provides that the moneys obtained from the disposal of goods or the sale of goods shall be deposited with the Administrator. Subclause (4) provides that if no person has claimed the moneys after the expiration of a period of 6 years, the Administrator may pay the money into a consolidated revenue trust fund. All over Australia, it is now considered to be appropriate that statutes of limitation should be limited to 3 years and I would commend to the honourable member the suggestion that the 6 years referred to in that section should be limited to 3 years.

In clause 23, there is a reference to the protection of the title of a person who obtains title as a result of action under this ordinance. I suggest that some provision should be made to ensure that the order of the court should be a complete protection and not only a protection to a purchaser who obtains title in good faith without notice of certain things which are specified in the clause. If the court has ordered the sale, then surely that should be a bar to any action because all matters concerning any claim should have been dealt with in the application before the court.

I will repeat that I think that there was a need for legislation of this sort but that I think the bill is prolix and needs very careful attention before it is passed into law. I suggest to the honourable member that she may do well to consider some of the comments I have made.

Debate adjourned.

ADJOURNMENT DEBATE

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

Mr RYAN: In the adjournment debate this afternoon, I would like to carry a little further a question that was put to the Majority Leader this morning concerning statements made by members of the Labor Party in the Northern Territory about the actions that we are undertaking as members of this Assembly. Particular reference was made to our attendance at ministerial conferences and a statement was made in this morning's press, and I believe last night on a radio program, by John Isaacs that this was a waste of taxpayers' money. I am wondering what policies the Labor Party have. Over the last few weeks, we have seen editorials and various statements by visiting shadow ministers, and by local members of the Labor Party, that heads will roll and all manner of terrible things will happen to the members of the Majority Party in this Assembly. We have the sole representative of the Labor Party in the Northern Territory in Parliament, Senator Robertson, who is castigating our attempts to gain some sort of control over the events that take place in the Northern Territory. What does the Labor Party want in the Northern Territory? I would be interested to know, Mr Speaker. We

have the senator who indicates that he is not all that fired up about statehood and we have Mr Isaacs saying that we are wasting taxpayers' money by attending ministers' conferences. I can only assume from this that, in the unlikely event that the Labor Party should ever gain a majority in this Assembly, they would not proceed to get any form of local self government for the Territory and that they would not send anybody to represent the Northern Territory at ministers' conferences. Perhaps they may want to really set a new line and possibly even seek to have the members of the Assembly attend conferences of the ACTU. This would possibly suit them in their approaches to government.

I am a bit sick and tired of the cirticism that is levelled at us. We have had problems; we had problems with the Labor Government. It is quite obvious that under a Labor government we were not to make a lot of progress towards autonomy for obvious reasons. We then saw that the Federal Government was displaced, fortunately for everybody, and we had a Liberal-Country Party Government put into power in Canberra. We have had some problems with that government as well and I think this will continue and, whichever government is in Canberra, we are going to have problems. But I am not going to sit quietly back and listen to people criticising me and members of my party for what the minority consider to be a lack of responsibility. As far as I am concerned, the action that we are taking is in the best interests of the Northern Territory. We are attempting to use whatever power we have got - and let us face it, it is fairly limited at the moment - to get things done in the Northern Territory the way we want them to be done. We will continue to do this and I think it was evident today, from the remarks of my colleague, the Executive Member for Finance and Community Development, when he read the statement from the Minister for the Northern Territory, that there will be possibly some reconsideration and changes to the decision on the Home Finance Trustee.

We have a job to do. We have got to represent the Territory. I know that you yourself, Mr Speaker, have similar problems to the rest of us in getting the sort of things done in the Territory that you want. I do not believe that the Labor Party has anybody in this Territory and I certainly have not seen anybody in the time that I have been here. On the odd occasion I have been asked to resign by some misfits who think that maybe I am not doing the job. Well, I throw out the challenge to them that the only way they will ever get me out of this place is to put me out in an election. I intend to continue, and I am sure my colleagues intend to continue, to push for what we consider is right in the Northern Territory. The honourable member for Nightcliff is yawning. She may find this boring, being a fellow traveller of the people I am talking about. I intend to press for what I have always wanted for the Territory, and that is that we get more autonomy. As far as I am concerned, that autonomy should come to the people who now represent the Northern Territory and that is the way I think it will be.

The talk of rolling heads, of irresponsibility, is so much rubbish and I am quite prepared to continue the fight that we have put up to date and come to an election next year. I would like to see the Senator Ted Robertsons and the John Isaacs use that as their platform, that they do not want statehood. I would be quite prepared to fight an election on statehood. I think it has been proved over the last 12 or 18 months that we need some sort of autonomy up here; we certainly have not got any and it is in a mess. I would like to see these gentlemen come out quite plainly and say they will fight an election on statehood, that they will not want representation at ministers' conferences. I would be quite happy to fight an election on that basis and I would like these gentlemen to come out and make it quite clear just what they want for the Northern Territory.

Mr DONDAS: I wish to speak of a few problems that we are having in the northern suburbs and one of them is the quality of the water. Just recently, we have had price increases in our water but unfortunately the quality is

deteriorating. It is getting to such a situation up here that you cannot make a decent cup of coffee in the morning. The situation is very serious. I have in the past week received about 20 complaints regarding this problem and what can be done about it. Unfortunately the reply must be that we cannot do anything until such time as we have a water treatment plant. When you start talking about water treatment plants you are looking at costs of anywhere between $2m and $4m. Where are we going to find $2m or $4m at this stage of the game? Nobody seems to know. In the meantime the people of Darwin, the Top End, are experiencing problems; their hot water systems are not functioning correctly, they are getting clogged up; the water you put in your refrigerator to chill has white algae floating around in it. You do your washing; you pull the plug out and you have a brown stain around your bath. Is that fair, and what can we do about it? Nobody knows.

Another area of concern is the electricity supply. We are now paying more for the service but unfortunately we appear to be getting more blackouts. Normally, when one pays for a service one expects that service. However, out of the blue, we have power failures and there is a small advertisement in the paper to indicate that there will be an interruption to a power supply in such and such an area and on such and such a time. Surely, if they know that power failure is going to take place, it can be averted. They say it is due to maintenance. But we are paying more and let us hope that in the future we do get a better service.

Last week, the subject of temporary caravan parks was a hot issue for the member for Sanderson and myself because the Darwin Reconstruction Commission has wanted to put temporary caravan parks in our electorates. I have no objection to caravan parks being placed in my electorate provided they meet with the provisions of a town plan. Although we do not have a town plan now, in future we hope to have a town plan. This word "temporary" is a frightening word here in the Top End. Temporary can be one year, it can be two years, it can be five years, or it can be ten years. That is the definition of "temporary" up here. However, one of my fears has been resolved by the Chairman of the Darwin Reconstruction Commission who gave me last Sunday morning on my radio program a guarantee that a temporary caravan park that was going to be placed on the Tiwi park oval would only be there for the next wet season. The question I ask myself is whether the Chairman of the DRC can give the people of Darwin and the people living in other areas the same guarantee that other temporary parks will only be short term.

We know that there are a certain number of private enterprise organisations willing to install permanent caravan parks. From one of the answers the Executive Member for Finance and Community Development gave this morning, we know that the Leanyer area is possibly going to be a permanent caravan site and that tenders are going to be called for. We know that Day and Dent Enterprises are putting in a 280-van caravan park out at the 11-mile. We know that other organisations are going to be putting in permanent caravan parks, but nobody says where they are going to go or when they are going to be operational.

In the meantime, we are looking at my particular problem in Tiwi. The Department of the Northern Territory or the Reconstruction Commission are going to spend $30,000 or $40,000 - it would have to be that much to reticulate power, to put in more toilets, to put in washing facilities. The thing that worries me is that next year or just before the wet they are going to move them off. They will have spent $30,000 or $40,000. Why don't they put it into a permanent park now? That is the question I ask and I sincerely hope that Mr Jones, the Chairman of the Darwin Reconstruction Commission, can be trusted in saying that we will only have it on the Tiwi oval till the beginning of the next wet.

Another temporary caravan park that has been selected in my electorate is the Wanguri oval. The Wanguri oval at the moment is, as they say, still bushland. But that is only the oval itself; in the immediate area we have

houses, we have a school, and we have the beginnings of another thriving community as we had before the cyclone. But there is nowhere for the children to play; there are no playgrounds. Kids try to play in the school grounds after school and they get hunted out by the caretaker. We need parks.

You go along to the Corporation of the City of Darwin and ask when they are going to finish the park, when they are going to put some lawn in, when they are going to put some trees on it. The reply is, "I am sorry, we cannot do anything to that park until such time as the Darwin Reconstruction Commission hands it over to us". This has been being handed over to the corporation for the last 18 months, since the DRC have been here. Are they keeping it for more temporary parks? This is a fear that I have.

Another fear that I have is becoming very evident when we are only 3 months away from the next wet season; it is the subject of dangerous buildings. We have an example that sticks out like a sore thumb. In Trower Road, opposite the Casuarina Shell Service Station, there is a block of flats which has been taken over by a group of bikies and they have named it the "Hole in the Wall". They are lucky, they have found themselves some temporary accommodation because we have been unable to provide it. They have power; they have water; but they are a nuisance to other people living in the area by way of coming home late at night and their goings on. I do not really know how bad it is but the complaints on that subject have been numerous. The thing that sticks out is that the building is in a shocking state. The owner is overseas. You try to find out when he is going to return. He is in Greece. Is he going to be there 6 months or is he going to be there 9 months? What can we do about it? There is absolutely nothing. I questioned the Chairman of the DRC on Sunday morning about the provisions of the Darwin Reconstruction Act which gives the commission the power to enter a dangerous building, to ask people to move out and to make it safe. I was told that he was going to look into it. I certainly hope he does and that is the reason I am placing it on record today.

My final area of concern is that I have received a copy of a letter from Mr Eedle, the Director of Education in the Northern Territory, to the president of the Alawa Parents Committee. The letter states that the Alawa Primary School now has a temporary freeze on the intake of children into any classes whether they be preschool or not. Dr Eedle goes on to say in his letter that until such time as there are more demountables provided there will be no more enrolments at the Alawa School. They are waiting for the Milner School demountables to become available and also those from the Howard Springs Primary School. Surely there are a lot of demountables that are floating around the place that could be used as temporary accommodation until such time as the ones from these particular areas are transferred? Until such time as there is some co-ordination between the various departments - and I have said this before - whether it be the Department of the Northern Territory, the Education Department or the Darwin Reconstruction Commission, I feel that members of our community are going to be always having problems that need not really exist.

Mr POLLOCK: I wish to answer a question asked this morning about the Tiwi Mothers and Babies Home. I am informed that the building has been handed over to Aboriginal Hostels Ltd. It is presently being furnished. Staff positions have been advertised, interviews have been conducted and it is hoped that the hostel will be operational towards the end of this month. Aboriginal Hostels Ltd have had negotiations with the Department of Health regarding the accommodation of mothers and babies and other medical cases which might be in Darwin. I understand that satisfactory working arrangements have been made in relation to that matter.

The other matter which was raised in question time this morning concerned the water supply at Yuendumu. I am advised that it is a fact that the Yuendumu community relies basically on the water supplied by one bore. There have been some considerable difficult-

ies, which I alluded to this morning, in relation to the supply of water to that community. Following an extensive search for water 2 or 3 years ago by the Water Resources Branch of the Department of the Northern Territory, a supply was found about 5 miles south of the present supply - about 10 miles from the community. Three bores were initially sunk and it was recommended that 2 be equipped; since that time a further bore has been sunk and the Water Resources Branch recommends that it also be equipped. For some 12 months or so now the Department of Construction has been allocated by the Department of Aboriginal Affairs $580,000 for works to be conducted to implement this supply of water. Power reticulation is at hand and I am told that a contract is to be called this month for the installation of a rising main of some 5 miles from the new proposed source of water to the present pipelines, upgrading of the present pipelines, provision of the bores, storage facilities of approximately 2 million litres and upgrading of the internal reticulation system at Yuendumu. This is a sixty week contract but it is hoped that the rising main and the bores will be completed by next May which will ensure that the supply will be more reliable if anything should happen. There are contingency plans in hand and have been for some time. If there is a breakdown of the present bore, the community will have to be evacuated to nearby bores on properties. A watch is being kept on the situation and the water supply has been fairly reliable.

Another matter that I would like to report to the Assembly relates to the Kulgera bypass road. I think I should mention that it has at long last been sealed as has the whole of the Stuart Highway from Darwin to the Northern Territory-South Australian border.

The other matter I would just like to raise this afternoon is an executive matter in relation to temporary caravan parks. The Department of Health has been telling the Darwin Reconstruction Commission and others right from the beginning that caravan parks would need to be constructed as permanent sites and provide all of the facilities which are in keeping with what people today expect of caravan parks. Today, a properly planned, constructed and organised caravan park is something of which a community can be quite proud.

I have seen one caravan park in Darwin which I believe is of quite high standard and I have seen others of varying standards. In other places, I have seen caravan parks which provide many amenities and facilities - proper sewerage, playing grounds for the children, proper water supply, telephones etc. In Darwin at the moment, we seem to be hell bent on a program of temporary caravan parks.

Until the cyclone, it was remarked to me this morning, people in Darwin were working and living in wartime temporary facilities, things that had been here 20-odd years or so, and the cyclone took a lot of those away. I am sure that, if we start with these temporary caravan parks, they will be temporary for as long as Darwin remains. I wrote to the Darwin Reconstruction Commission the other week expressing concern about the matter and they cannot even give an unequivocal denial that these temporary caravan parks will only be temporary. The best they can do is to say that they are very conscious of the potential for temporary facilities to become permanent and, in conjunction with the Department of the Northern Territory, have taken action to endeavour to see that this does not occur. They do not say it will not occur and that temporary will definitely be temporary and will only be a matter of months, 12 months or something like that. Once these caravan parks around Darwin get established, whether they are at East Point or Wanguri Oval, or wherever they are, they will be here for ever.

A member: A blue-ribbon seat.

Mr POLLOCK: That's right; I'd have a blue-ribbon seat.

I can't emphasise too strongly to the department, to the Darwin Reconstruction Commission, or to anybody who has anything to do with these caravan parks, that whatever is needed, wherever it is, needs to be of a completely permanent nature and needs to

be got on with fairly quickly. There has been enough humbug and carry-on over the last 18 months to 2 years or even longer in relation to caravan parks and so forth. Some of the episodes I have seen in correspondence lately are just unreal, and it is high time that some of this talk about these parks was done away with and that there was some action to provide the community with permanent caravan parks - and soon. Another aspect of course in relation to these caravan parks is that they must be constructed to a permanent standard as I have mentioned, something that the community can be proud of.

Also I am quite concerned at the humbug that has been going on as to where they are going to be. Every time somebody pops up with a particular site, people are concerned that it is too close to them. These caravan parks are all right as long as they are not near someone's backyard. As far as my electorate is concerned, I would welcome as many as can be constructed there.

Mr MacFARLANE: I was distressed by a remark attributed to the Minister for the Northern Territory in the NT News some month to 6 weeks ago where he criticised cattlemen who had been unwise enough to borrow heavily. The situation is that the Minister is only as good as his advice, and in this case would appear quite clearly that his advisers do not know what is going on in the beef industry. Now the first way you can get money, I suppose, is through the Commonwealth Development Bank or through the pastoral houses, the banks - there are not too many other people lending money. So somewhere along the line these people like the Development Bank and the pastoral houses must have confidence in the beef industry in the Northern Territory too. The slump in beef which came about some 3 years ago was not forecast by the Australian Meat Board, the Bureau of Agricultural Economics or anyone at all. None of the experts knew anything at all about it. It came overnight, unheralded, and caught these cattlemen, who the Minister says had been unwise to invest heavily, with their pants down. It also caught the Government unawares too.

Now a house in Darwin costs $60,000 to $80,000 to build I understand; a house in Katherine costs $50,000 to $60,000. A cattleman with, say, 1,000 square miles of country would possibly have a debt equivalent to 3 or 4 houses in Darwin, that is all. But if you build a house in Darwin you do not go along with a huge bundle of banknotes; you go along and you borrow some money. But you are not unwise to invest there, are you? Even if you cannot get the money, we hear the honourable Executive Member for Community Development going to task on the Minister or the Government to get more money for these people to borrow. They are not unwise, are they?

Well, we established that a person with a debt of 3 or 4 houses in Katherine or Darwin has also some assets. He has quite probably on his place houses to the value of 2 or 3 houses in Darwin or 3 or 4 houses in Katherine because he lives in one, and he has access to the same kinds of facilities - TV and things like that - that anyone in Katherine or Darwin has. He also has buildings, accommodation for employees, and he would probably have accommodation including what they call the "big house" to a value of $100,000. Then, of course, he has plant and equipment: a bulldozer, a grader, welders, lighting plant, etc, etc, etc, on a place such as I am talking about of 1,000 square miles, to the value of about $500,000. This is the man who has been unwise enough to incur this colossal debt of 3 houses in Darwin. Then he has his trucks, his vehicles, tractors - all the bits and pieces that go along with them. He has his fences, probably a couple of hundred miles of fences at $600 a mile. And then, of course, when you finish that, he has his bores and yards and all the bits and pieces which apparently the Minister, through his advisers, has not taken into account.

But of course it is a cattle station and you would expect him to have a few cattle too. They might not be worth much but he would have possibly 10,000 head of cattle that would be worth $10 a head all round. There is $100,000, but of course if they are worth what they will be in a year or so they could

be worth between $500,000 and $1m. I do not expect the honourable Minister to know all these things but, similarly, I do not expect him to make rash, uninformed statements. Particularly am I terrified of his advisers, because the Minister might know something about pineapples at Nambour but he would not know much about the Northern Territory. This is what we are coming up against.

I think the honourable Executive Member for Finance and Community Development this morning said the Darwin Home Finance Trustee will have access to another $11.5m. If these people get $30,000 each, that is a fair smack I suppose to build a house. But the people I am representing, the cattlemen, who have had no market for years, are going to get, if they are eligible, $15,000 to rebuild their future. Where is the comparison? Cyclone Tracy blew down Darwin and about the same time the cattlemen's futures evaporated. Sure, they have their houses, they have their fences, they were not physically destroyed like the homes of the unfortunate citizens of Darwin, but what about a fair go for them too? The $15,000 carry-on finance which the Minister promised them in June - and which has not even gone through the books yet, as I understand from the Majority Leader - would not pay the insurance on a 1,000 square mile property. Worker's compensation would come to $4,000 or $5,000, your life insurance, your vehicle registration, your comprehensive third party, would take you to 15 grand. Where does that leave you? It leaves you in a very dickie position because you are going to get about 6c a pound for your beef after you pay the freight. Even if you can book in at Katherine - and that has a waiting list; it is booked out for a month - you are going to be down the drain about 20c a pound.

You have this band of advisers who are terrified of the potential of the debt structure of the cattlemen in the Northern Territory, and so they should be. They have not shown any spark of private enterprise; they are content to sit in their offices and proffer advice which may or may not be correct. However, on the correctness of that advice, lies the future of the cattlemen. What do we do about this? You cannot tell the Minister to pick his advisers more closely, I suppose, but you can at least make a vocal protest.

Cattlemen may need this financial assistance but they do not want it. We want markets. As far as I am concerned, our geographical disadvantage in relation to the populated areas of Australia must be turned to our geographical advantage. We are 2,000 miles closer to millions of people who are reputedly hungry and short of protein. We have a glut of beef and skim milk and a shortage of money, yet we are giving away in foreign aid something like $500m a year. We cannot afford to give away money, but we could reduce the embarrassment of gluts of wheat, beef, dairy products or whatever and give in kind. Surely, if this has dawned on my feeble brain, it must have dawned on somebody else's. We are giving away something we cannot afford to give away and we are keeping for ourselves the embarrassment.

Our total export of beef from the Top End in the big year 1972-73 was 15m pounds valued at $7.5m. This means that one million people, if they had 15 pounds of beef a year, would clean us right out of beef. It is merely a matter of locating the market. Early last year, I had word in Katherine from an Egyptian there that there was a market for Australian beef in Egypt. I tried to get the Cattlemen's Association to explore this market, secure this market and then send their own cattle to it through a killing facility. The Cattlemen's Association smelt a rat. However, the Wyndham meatworks did not and they went over and tied up the market. They are doing what we should have done. This illustrates that there are markets but we have got to find them. I tried, through Dr Patterson, to have Dr Barry Hart, Mr Bill Tapp, Mr Peter Bisley and this Egyptian agronomist in Katherine sent over there to explore but Australia's representative in Egypt said there was no market. There was not either - for us, but there was a market. I am convinced there are markets in Indonesia, in Malaysia. I spoke to the Malaysian High Commissioner last week and he is

interested. He is sending his Trade Commissioner here to us. But why should this be left to us? Sure, it is private enterprise and that is what it is all about, but we do not have the facilities. There are statutory authorities which are here for this job. I insist that we should think more. There is an economic vacuum of 2,000 miles between us and Canberra but our markets are here in the north. And when we do exploit them, we should remember that these people close to us here, 400 miles away, are either our friends or our enemies, and they are 2,000 miles closer to us.

Mr VALE: I would like to raise a couple of points, and the first one refers again to the supply of water at Yuendumu. I have again drawn the Executive Member for Social Affairs' attention to the fact that water will not be connected, a permanent and reliable supply of drinkable water, until May of next year, and those residents of Yuendumu have still to go into the summer months with one bore which could fail. The point is, if there is criticism to be levelled, who in the department, or which department, let the population grow to 1200 people with one bore there, without farsighted planning to get those additional bores up?

From the constructive point of view I would like to suggest that one of those 3 bores which are on the far side from the settlement from that existing bore be equipped immediately and a line run in to the existing bore and connected to that line for a backup supply come this summer. It is essential, for the fact that an entire community of 1200 people are going to be evacuated from central Australia to Mount Allan station and Papunya is ridiculous. I think the total estimate to put a temporary supply of water on pending the outfitting of those other bores and the pipeline supply is less than $40,000. What will it cost to move 1200 people out of a settlement and then back some 12 months later when the supply has got to that stage? I think in actual fact that someone's head should be kicked into shape in a department somewhere along the line for letting the population get to that stage.

Another point I would like to speak about briefly - and it came up during questions this morning - is the proposed purchase of the Nomad aircraft. It is an issue which became a matter of public debate in the Northern Territory some years back when the proposed purchase was announced. It was then mentioned that purchase of this aircraft was purely and simply to keep an aircraft factory in Melbourne operating, or that was one of the reasons. From the economic point of view, from the serviceability point of view, and from a safety point of view, I am of the opinion - and I know a lot of other people in the Northern Territory are - that the Nomad is not the best aircraft available in Australia for the aerial medical service. There are other aircraft in Australia available which are less expensive to purchase, which are pressurised and which would allow the transport of sick or injured patients from remote areas to hospital during the hot summer months when climatic conditions bounce aircraft around. These pressurised aircraft could climb above that climatic condition and allow for the much safer transport or more comfortable transport of those patients. I suggest that this Assembly, and particularly the Executive Member for Social Affairs, should again put pressure on the authorities to reconsider the contract for the purchase of those 6 Nomad aircraft. There is a much better type of aircraft available in Australia for immediate delivery.

Mr STEELE: I would like to make a few short remarks on the matter that I raised in question time this morning. It concerns pedestrians being knocked over on the main thoroughfares. It does seem to me that, with a slight reallocation of funds, these problems could be pretty well taken in hand and remedied. When you are looking at the loss of life and the injuries associated with these horrific accidents along Bagot Road and in the Trower Road area, it is clear that only a small matter of reorganisation by whoever is responsible for supplying stop lights could alleviate the problem. One of the reasons they have failed to provide lights in the past has been the problem of traffic build-up and congestion.

Surely, this goes one step further into the planning process. We have lived with a lot of planning arrangements that were not satisfactory to people over the years, such as the Palmerston arterial road. We looked at several innovations in the planning process presented to the people of Darwin after the cyclone in the Cities Commission reports and one would assume that, at this stage, the alternatives would be not on some drawing board but inside a budget consideration and at the stage of being implemented. I can only use this illustration today as an argument for a greater say by local people. It seems that once again we are under the influence of people from the south who have not taken into account all our problems. The situation is untenable as far as I am concerned.

Speaking briefly about the caravan park situation, there is one aspect that comes to my mind to which little consideration has been given. I refer to the over-use of public land for things like temporary caravan parks. We have a board of commissioners over there at the DRC, we have a Darwin Citizens Council comprised of 20 citizens who are appointed by the Minister under the Darwin Reconstruction Act and, from my not extensive reading of their minutes, not one person in the whole bunch has recommended the use of private land for temporary caravan parks. I think it is a disgrace that they are going to use the East Point Reserve area as a temporary caravan park; it is a disgrace that they are going to use sports ovals. I think that a complete rethink of the exercise has to be undertaken. There are stacks of blocks of private land in this city that could accommodate hundreds of caravans and there is no doubt in my mind that there is something wrong with the thinking of the commissioners and the Darwin Citizen's Council.

Motion agreed to; the Assembly adjourned.

Wednesday 11 August 1976

Mr Speaker MacFarlane took the Chair at 10 am.

SELECT COMMITTEE TO EXAMINE REGIONAL COUNCILS FOR SOCIAL DEVELOPMENT

Mr POLLOCK: I move that a select committee comprising Mr Ballantyne, Mr Withnall and Mr Pollock be appointed to examine, and report to the Assembly on, the role, structure and effectiveness of Regional Councils for Social Development established in the Territory under the Australian Assistance Plan with a view to -

(a) Advising on their value as a means of community development.

(b) Recommending changes in the composition, structure and funtions of the Regional Councils.

(c) Evaluating existing projects initiated by the Councils.

(d) Suggesting the basis of financial assistance if the responsibility for funding the Councils is assumed by the Legislative Assembly.

(e) Examining the role of Local Government as a substitute for Regional Councils in the area of community development.

That the committee have power to sit during any adjournment of the Assembly and to adjourn from place to place.

That the committee report to the Assembly on the first sitting day of the next sittings.

Under the Australian Assistance Plan, there have been throughout Australia some 37 regional councils for social development established; 3 of them are in the Northern Territory. These regional councils have been funded by the Commonwealth Government. Recently, the Minister for Social Security, Senator Margaret Guilfoyle, announced that the Commonwealth was no longer going to fund these organisations, that it was virtually bowing out of this area and it was now a matter for the states and the territories to decide what they were going to do with the plan and the organisations established under it. In making that announcement, actually here in Darwin earlier this year, she said that the Commonwealth would continue to fund these organisations for the remainder of this current financial year and after that we have to know where we are going. With the constitutional development and so forth of the Territory, we have to decide whether these regional councils for social development do have a part to play in the community, what that particular role will be, how they will be financed, and a great many matters associated with them. It has been considered that one of the best ways to evaluate the schemes that have been operating in the Territory would be by examination by a select committee of this Assembly.

As I mentioned, there are 3 regional councils in the Territory, one in Darwin, one in Alice Springs and one in Katherine. Since their establishment during the last couple of years they have been funded to the extent of $40,000 per annum, plus $12,000 per organisation for a Community Development Officer's salary. This funding will continue during the current financial year and that is a cost at the moment of some $156,000 to the taxpayer. In addition, there are moves afoot for the establishment of a regional council for social development in the Tennant Creek area to service that particular area, which would mean an additional $52,000 per annum. This is also before they have undertaken any particular community projects. Throughout Australia, there have been a number of community projects undertaken by these organisations which are being funded by the Government. In Alice Springs, there have been moves to establish a night shelter for alcoholic persons and there have been also many projects undertaken in Katherine. In fact, from my rough survey of the projects which have been undertaken by these regional councils, Katherine is one of the more gleaming lights of activity in the Territory.

The operation of the regional councils could face us with a bill of about

$500,000 and members will quickly recognise that, if the Territory is to be faced with an account of such a nature, we have to be satisfied that these organisations are worthwhile and that the money is going to be well spent. It also has been suggested that these organisations might in some way be funded by local government and that, in fact, local government might be able to undertake the role of these organisations. That is to be examined and it may be the case.

If the committee is formed, I will be very anxious to hear the views of people in various sectors of the community as to what they consider best. There are many special needs in the community and perhaps these regional councils may be an avenue which can be developed. We are aiming to find out as to whether they can have an input to the system, how they are to be funded, what they have done over the last couple of years and whether it was really worthwhile and where they are going to go from here with the Assembly. At the moment, the Department of the Northern Territory is providing the funds but as things develop it will be the Northern Territory vote that the money will come out of and we have got to decide whether the money is to be spent in this way or some other way and the best to come from it. I will be interested to hear the views of other members on this subject.

Miss ANDREW: I rise to support the motion. I am delighted to see that an objective survey of the Regional Councils for Social Development throughout the Territory is about to take place. I think perhaps a large amount of the evaluation that has gone on as far as these councils are concerned since their inception has been not quite as objective as it could have been because it is being done internally by people who are often too involved to see the forest for the trees. I would like to take this opportunity of saying a little about the Regional Council for Social Development as it exists in Darwin. Until very recently, I was in fact a member of the executive of the Darwin branch and I have recently resigned. I have been involved on an amateur level since the commencement of the regional council which was about 2 years ago. Darwin has operated on a fairly low key hoping to rationalise community effort by co-operation and conciliation rather than all-out take-over involvement. To a large extent Darwin for some 18 months of that period was geared towards survival and maintenance rather than any great progression. Now they employ a social planner, a community development officer, a youth worker and a stenographer. The Darwin Regional Council for Social Development saw fit to divide itself into a series of task forces. Because of the demands on executive members in their professional and social fields, it was impossible to direct every aspect that the regional council was involved in by just one group of people. I believe that about 8 task forces were set up and these are indicative of some of the areas in which the regional council is involved.

There is a communications task force which is in the process of setting up a learning exchange which is designed to disseminate information on such aspects as art, craft, health, housing, tenants rights, sports etc. The second task force is a management task force which is responsible for finance and the allocation of overall resources. For example, if an initiative is taken by one of the other task forces or some individual, the management task force costs the program and allocates money in keeping with the policy guidelines. A rural task force was established. However, it is interesting in this area that it was looking at a need that perhaps was not really there and this has not progressed in any way. A housing group has looked at short-term problems such as squatting and home finance and it is currently producing material on the housing situation and housing operations. The social planning task force has produced a directory and is now looking at the prison system and its implications in Darwin.

The youth services task force has had perhaps more success and more failure than any other aspect of the regional council as it operates in Darwin. As a result of initiatives taken by the organisation, dances were started at Essington House in the northern suburbs

and, at the period of most success, 200 to 300 children were attending these dances. However, as a result of bad organisation, mismanagement and several other problems, this has now wound down and once a week there is a dance being run, with occasionally a coffee shop in mid-week, but the numbers are down around the 50 to 60 mark. It is interesting to note, however, that the regional council isolated this urgent need for some form of entertainment and collection centre for children in the northern suburbs and it is unfortunate that it has been unable to farm out or attract other more relevant bodies who have greater resources than the regional council to cope with this particular problem of teenagers in the northern suburbs.

Perhaps the most successful of all the task forces has been the home-maker service task force. This has had support from the Departments of Health, Education, Northern Territory and Aboriginal Affairs along with the Housing Commission, Legal Aid, Aboriginal Development Foundation, churches, Red Cross and Community College etc. This is a training program for women in the community in the skills of budgeting, housekeeping and home management. It has proved highly successful. Another task force is the welfare rights task force which is involved in determination of financial need; for example, putting pressure on authorities for purchase orders rather than cold cash in welfare cases. The regional council also makes available facilities such as photostat machine, printing presses, tape makers etc.

Having just briefly discussed the areas in which the Darwin branch is involved, I urge this proposed committee not to isolate one regional council project from all the others. I think that they must look broadly at the needs of the community and whether or not these are being met. I allude to the Essington House situation in the filling of a need for young people in the northern suburbs. I think these are the areas on a broader scale that this committee must consider in looking at the continuation of the regional councils.

Mr TAMBLING: The Australian Assistance Plan was initiated as an experiment and it must be seen as such. The evaluation of that experiment can now take place in a number of courts, and I believe the select committee now proposed is one of the very appropriate courts of review that can be applied to a regional council or to any of the specific projects of the Australian Assistance Plan that were undertaken in the Northern Territory. When we talk about social planning, particularly when it is involved in a stage of rapid change in decision-making, we will always find that the issue is controversial and the regional councils in the Northern Territory have, to say the least, been very controversial. I am not arguing against them. I believe the projects that the Executive Member for Education and Law has outlined are very appropriate. There have been successes but there have also been some dreadful failures. We have got to identify real need in a community and we have to assess the priority of that need and particularly the function of Government in helping to solve it. When it all boils down, the Government is only the money machine to fund it. When you look at how community involvement or the decision-making process is to express itself, then you have the political machinery of local government, state government and federal government in the Australian scene. One of the constant criticisms of the regional councils have always been that they have introduced a complete new concept in decision-making and influence on community type decisions.

In general terms, I believe that the regional council system was too broad-brushed to be accepted and we have to adapt it to peculiar situations; there is no way you can compare the Northern Territory part of the experiment with that of another state. If you look at what has happened in the Northern Territory and the systems that we have here at the present moment, you have Darwin and Alice Springs with existing municipalities and local government; therefore there has been a certain cross-fire or feeling of threat to local government bodies that regional councils were perhaps assuming

some of their legal and proper functions. In smaller townships, where there is no local government, we have seen a very strong interest and need to co-ordinate some sort of body that can express the community needs. As you, sir, would be well aware, the Katherine regional council has been most effective. In my opinion, that council has been probably an outstanding success in what has happened in that particular community and in the way in which it has worked. We must also consider in the peculiar situation of the Northern Territory the needs of Aboriginal communities and how they are to participate in making known their needs and in having proper political decisions made for them.

One of the weaknesses, in my view, of the regional council system has been that there has been no commonly accepted system of accountability and responsibility. I believe that this is one area the select committee ought to look at very closely. Often, with the personnel that become attracted to participating in social planning type issues and social work areas, you get a mixture of people who, by their very motivation, have different wheelbarrows to push. You have permanent citizens where you have already got an infrastructure of community involvement through hundreds of community organisations that are actively working and working well and probably do not need a great deal of sparking and prodding. But if, suddenly injected into a situation like that, you get a mixture of other people such as transients, academics, radicals and pushers, that get involved in some of these areas, then you can only build into the system a whole series of conflicts. I think we have to look very carefully at the organisational structure of any continuing group that is involved in community development in our community in the Northern Territory.

The formation of this select committee is very timely because of the transfer of executive functions that must take place in the next 12 months in the Northern Territory. It is also timely because the current regional councils have to find a system of funding after June of next year if they are to continue to operate in any form at all. Therefore they will have to take their guidelines from what rules they can establish with the new executive and we in turn will need to depend very heavily on the report of this committee to find out what is a viable method of assistance for the social needs of the Northern Territory.

Mr MANUELL: I rise to support the motion. It is apparent to me that there appears to be varying performances by these Regional Councils for Social Development throughout our community. I listened with interest to the remarks made by previous speakers and I was also very gratified to hear the Executive Member say that he would himself treat the select committee and its inquiry with an open mind, I am certain that other members of the committee will do the same.

I believe that the investigation is significant, particularly in the times we are currently experiencing of hardship at a financial level. I believe that the funds disposed towards the activities of these regional councils could well be channelled towards projects of higher priority at present. I believe that in some of these regional councils' offices they have facilities that appear to exceed even facilities provided to the members of the Legislative Assembly.

Mrs Lawrie: Good.

Mr MANUELL: Yes, it is all very well but you have to do your own typing and I cannot type.

However, I do believe that this organisation was originally established as a Labor Party tool to penetrate the community as both a research group and a propaganda machine and it has been funded by the community as a whole and I believe this is incorrect. Personally, I abhor the establishment of these organisations, not for what they are but for the principle on which they are established. The attempt by the infamous Federal Labor Government to infiltrate the community and undermine the spirit of the citizens of this nation is to be deplored and this machine is essentially a result of that

effort. The subversive attempts by the Federal Labor Government are well-known and now that they are no longer in power, their redundant and spoiling machinery that defaces this nation of ours should be dismantled.

I do not wish to pre-empt the findings of this committee but I do wish to draw honourable members' attention to the terms of reference and suggest that those terms will permit the finding of the doubtful usefulness of these establishments. I believe the committee will find that the functions of these regional councils for social development are mere duplications of services already available to the community through existing federal and local government agencies. To say the least, the salaries being paid to these bare-footed, pipe-smoking, liberated women, field officers, could perhaps be used to supplement funds needed desperately by the Home Finance Trustee. I believe the significance of the service by some of the councils of which I am aware is consistent with a lack of dignity shown by the officers themselves. I am not suggesting that within the establishment there are not officers of good faith, what I am saying is that to me the establishment of these tools of socialistic philosophy provide an uncontrolled opportunity for those who want to infiltrate and surreptitiously undermine the accepted stability of this nation. Needless expenditure at all levels must be curtailed and if this committee finds, upon investigation, that the organisation is not justified, I hope it will have no hesitation in saying so.

Mrs LAWRIE: I had not intended to speak on this motion because I felt any remarks I would make would be more properly addressed to the report which will in due course be presented to this Assembly. But, having listened, first with amusement and then with something of the abhorrence which the honourable member for Alice Springs saw fit to suggest, I felt, as the Executive Member for Finance and Community Development well knows, that I had to rise because the speech of the honourable member for Alice Springs was one of hysteria and almost of hatred, the very things which this Assembly should hold in abhorrence.

The honourable member for Alice Springs spoke of the Australian Assistance Plan as a Labor Party tool. That is rot, at least in my opinion. It was initiated by the Labor Party. That in itself is nothing sinister; successive governments initiate plans which they feel may benefit the community and this was such a plan. Indeed the present Minister, Senator Margaret Guilfoyle, while indicating that funds may no longer be available, has made very kind remarks, with all the benefits of her department's advice, with her own expertise. She is not a stupid woman, nor indeed is she, and I quote: "a barefoot, pipe-smoking, liberated woman". She is an intelligent person who has risen to a high place and who has indicated support for the broad principles of the plan. Those principles were community involvement in the expenditure of moneys provided for the best purpose that the community saw fit. I went to the inaugural meeting of the Australian Assistance Plan in Darwin. There was opposition expressed at that meeting to the acceptance of federal money which was freely offered and the opposition expressed came from very well-established welfare agencies who said quite openly, "We exist, therefore there is no need for any other kind of involvement". I believe it was clearly demonstrated at that inaugural meeting that the citizens did not feel that way.

I have had the greatest admiration for the Australian Assistance Plan broadly and because I am a resident of Darwin and have seen the fruits of the Darwin effort, I can speak specifically of the Darwin office and the work it has performed. I believe the Executive Member for Education and Law well outlined the very good, intelligent work that is being performed by the local group. I do not need to reiterate her remarks, but I will place it on record that I support her in what I believe was her indication of support. To say that it is a pernicious influence in the community, a socialistic menace, all these hysterical words which have poured forth from the member for Alice

Springs, may perhaps have some context in his particular area. I refute utterly those allegations when they refer to Darwin. Would he regard a home maker service as a pernicious influence in this community? I think the honourable member could have chosen his words with far more care or at least have pinpointed areas and not slammed an entire ground swell across this country which I believe has broadly been beneficial.

The AAP was set up so that the citizens could have a direct say in how money would best be spent. Quite obviously, in some parts of Australia, it would be spent in projects which others felt could have been better left unfunded but, for the first time, the citizens themselves were going to have a say in how their money was going to be spent to the best effect. The AAP membership is open to any person and that is the beauty of the plan. I do not wish to pre-empt the report which is why I was not going to speak in the first place. Because of the necessity for local funding, I am prepared to support a select committee of this Assembly. I will save any further remarks for the report they produce. However, I do deplore hysteria in what should be a reasoned debate.

Mr EVERINGHAM: I am quite happy to support the motion proposed by the honourable Executive Member for Social Affairs that this Assembly form a select committee to examine and report to the Assembly on the effectiveness of Regional Councils for Social Development established in this Territory under the Australian Assistance Plan. The reason I am happy to support this motion is that I do think that some aspects of the Australian Assistance Plan are worthy of retention. I do think the terms of reference are sufficiently wide to encompass all these aspects; their value certainly has to be looked at on balance and it has to be decided whether the expenditure of money and the tying up of manpower is commensurate with the result being achieved.

I know that in the town of Katherine there is a regional council for social development which has achieved a number of things which the Government said could not be achieved. For instance, they have set up a detoxification centre in Katherine under the auspices of the regional council for social development. Not so long ago when I was trying to introduce certain legislation, I was told by the Department of the Northern Territory that these things just could not be done. However, they have been done by people with a will and these people in Katherine have apparently got the will to get things done. I would certainly hope that, in the case of that particular group, we can find some means of giving them the money that they need to carry on.

Turning to point (b), changes may be needed in the composition, structure and the functions of these councils. For instance, some of the functions that they may be undertaking may be crossing the paths of established welfare agencies and I can see no point in duplication of services and wasteful expenditure in this time of economic belt tightening. If there was plenty of money around, we could afford a luxury item but I think we only need one of each at the present time. Some of the functions which some of the regional councils may have arrogated to themselves are already being covered and this must be looked at by the select committee. I certainly hope that all regional councils now in existence present detailed reports and submissions to this committee so that it will have the benefit of their experience.

Points (d) and (e) come together in my mind because my opinion is that the regional councils are at a level which is right there with the local people that they are dealing with. The nearest level of government to them is local government. To my mind, if anything, they should be an extension of local government. It is recognised in many other places that local government should provide welfare services to the community. Local government in the Northern Territory is a very emasculated beast and has little to do other than rate, repair a few roads and open and close the rubbish dump by and large. I am not against them; I am just pointing out the facts despite the fact

that other honourable members may dislike those facts. Local government in the Territory is just a shadow, a paper tiger. All real control is and will be retained in the hands of the bureaucracy down there in the MLC building. That will be the story with this Assembly as well unless a strong stand is taken. But I am sorry, this honourable member is in danger of getting me onto a hobby horse and I must resist the temptation.

Mr Vale: It rides south.

Mr EVERINGHAM: Thanks very much for the kind advice.

The regional councils should make their approaches, where there is local government, to local government for funding and act as an extension, an arm, of local government that will bring local government even closer to the people than it is already. In Katherine, Tennant Creek and Gove, there is no local government so obviously a special case exists for these bodies. There is not one in Tennant Creek, or if there was, it died at birth. Anyway, these bodies should be able to approach either the Executive Member for Finance, when ever he has any finance - and God alone knows when he will get any - or the Department of the Northern Territory to get their funding direct. We must not allow the situation to arise where only funds are available to these bodies by a special vote on the local government budget.

Certainly, I cannot see the committee - and I do not want to presuppose the results of their report - but I cannot see this committee turning down entirely the concept of the Australian Assistance Plan as organised through the regional councils. I am more worried as to what their recommendations will be in relation to funding. I think this is where they have really got to turn their attention. I know that times are tight at present but in places like Katherine and Alice Springs there are not the number or breadth of welfare bodies that are perhaps available to us in Darwin and I feel that, particularly in these areas, the Assistance Plan has worked quite well and I hope that the select committee sees fit to report in this way. I commend the motion.

Mr TUXWORTH: I rise primarily to commend the Executive Member on the motion and to support it in the sense that I believe an inquiry should be conducted into the activities in the Northern Territory of the regional councils for social development.

I would firstly like to put to rest one of the honourable member for Jingili's conceptions, that the council for social development in Tennant Creek was born dead. In fact, it had its inaugural meeting last week at which 35 people, all very interested members of the community, attended. The members of the community are very mindful of 2 facts in Tennant Creek which I believe will be pertinent to the findings of this inquiry: the concept of the regional councils was developed for the suburban areas of the larger cities where many organisations were operating within the community to provide services that the community needs and in many cases they were duplicating services unnecessarily and leaving gaps in services that they could well have covered had they had the opportunity. In the smaller communities of Tennant Creek, Katherine and Gove, where the more willing workers are to be found on almost every committee, this is less likely to happen because there is this overlapping of interested parties working within the community.

The council that has recently been formed in Tennant Creek is very mindful of this position; in its first consideration it will be deliberating primarily on what its role should be within the community and I think that, as soon as the local council has done that, its findings should be very interesting. I believe that, rather than being a body that conducts activities for the community, such as the detoxification centre that the people in Katherine have started, the council in Tennant Creek could well be a catalyst orgnisation that gets existing organisations to fuse their energies in the right direction.

Mr POLLOCK: I am please with the remarks of support that have been made by

members. It is quite obvious that there is throughout even this body here a divergence of opinion in relation to the role and activities of the regional councils, how they should be funded, their activities and composition and so forth. That is really what the aim of this committee is, to examine, to consider and to report to this Assembly. I trust that all sections of the community, the regional councils, the general public and so forth, will readily come to the committee with their views, with their impressions of the effectiveness and work done to date by the regional councils and what they see in the future for those organisations. This will allow the committee to come back to this Assembly after full consideration of all those varying sectional viewpoints and recommend what is really needed for the future of these organisations in the best interests of the Territory.

Motion agreed to.

HOUSING BILL

(Serial 126)

Bill presented and read a first time.

Mr TAMBLING: I move that the bill be now read a second time.

The sole purpose of this bill is to bring the statement in the ordinance into line with fact so that a legal but unjustified claim against the Housing Commission will be wiped out and the future liabilities of the commission will be properly based. Until 1962, a capital subsidy of $1,000 was paid in respect of each home built by the commission. This amount was not to be repaid nor bear interest. In 1962, the amount was changed to $1,000 for houses built in Alice Springs and $2,000 for houses built elsewhere. When the commission's sales scheme was introduced in 1966, the commission was required to repay that subsidy in respect of each house sold. Although capital subsidies are no longer paid, the commission must repay subsidies when houses which had attracted subsidies are sold. As expressed, the ordinance indicates the requirement for a repayment of $2,000 in respect of each house built elsewhere than Alice Springs whereas, before 1962, such houses attracted a subsidy of $1,000 only. Although Treasury appreciates the situation, there is presently an amount of $46,000 which legally pursuant to the ordinance the commission should pay to the Treasury. This amount will increase by $1,000 for each house built elsewhere than in Alice Springs prior to 1962 subsequently sold by the commission. I propose to correct this position by amending section 17 of the ordinance to provide that the repayable amount for houses built elsewhere than Alice Springs prior to 1962 is $1,000 not $2,000. The ordinance will then reflect the actual position. The liability for payment of $46,000, increasing with each sale of an affected house, will no longer exist.

This bill ought not to be confused with the Majority Party's proposal to also introduce legislation for a home sales scheme for the Northern Territory Housing Commission. This bill is one of a technical nature to correct the financial situation that has arisen. The Majority Party will be pursuing actively, and hopefully in the near future introducing, legislation for the Northern Territory Housing Commission to reinstate its full home sales scheme on suitable terms and conditions. The Northern Territory Housing Commission is pursuing a very active line in its construction program. The indications that next Tuesday's budget will include a figure of some $22m for the operation of the Northern Territory Housing Commission in 1976-77 is indicative of the role that the Government has given the Housing Commission to play in this community.

Debate adjourned.

TRUSTEE BILL

(Serial 102)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

This bill arises out of representations made alleging that there are deficiencies in the provisions relating

to the authorised trustee investments contained in the Trustee Act and Ordinance. A trustee's power at law to invest trust funds is strictly limited by the terms of the trust investment instrument and by the terms of the Trustee Act and Ordinance. Traditionally, the statute-authorised types of trustee investment have been limited to only the most secure type of investment and, as a result, capital growth type investments have been excluded because they tend to be a more risky form of investment. However, in these days of high inflation, it has been recognised that some expansion of the traditional range of trustee investments is desirable.

An attempt to expand the range was made by the Trustee Ordinance of 1972. As a result of that amendment, a new paragraph (h) was included in the revised list of authorised investments. This paragraph authorised deposits in any corporation declared by the Administrator in Council by notice in the Gazette to be authorised to accept trust fund deposits. However, it is considered that this provision which has no parallel in any other jurisdiction in Australia is unsatisfactory and does not contain adequate safeguards. It empowers a trustee to invest in deposits in any corporation irrespective of whether the deposits are secured or not and whether they are negotiable or not. It does not appear to extend to other forms of corporate investments such as shares. There are no duties placed on the trustees to seek advice before investing on deposit or thereafter and the trustees are under no duty to seek diversification in any such investment. Any corporation may apply to be declared, regardless of its financial stability and where it is incorporated.

There may be some opportunities to check on these matters before the declaration is made although no guidelines have been established for this purpose and no further financial checks are made after the declaration so made. Indeed, a continuing governmental review of the suitability of deposits in declared corporations would be extremely difficult. These difficulties would increase as more declarations were made. A declaration enables a corporation to make public issues of deposits with any official seal of approval which, in some cases, may be undesirable. It leaves untouched the many other corporations which may be more suitable for investment and which have not gone to the trouble of seeking a declaration.

The trend in many jurisdictions is to place the onus on the trustee to check out the suitability of corporate investments for trust funds, subject to specified guidelines. Legislation in these terms has been adopted in the United Kingdom, New Zealand and in Western Australia, and is under consideration in several other states of Australia. This bill seeks to make similar provision in the Northern Territory.

The proposed new range of trustee investments is contained in paragraphs (h), (i), (j) and (k) of subsection (1) of section 4 of the Trustee Act and Ordinance. Members will note that special provision has been made for the approval of building societies operating in the Northern Territory as deposits and shares in building societies may not otherwise meet the guidelines laid down in the bill. There is at present one building society that is a declared corporation and I am not aware of any reason why that society should not continue to be available for trust investment. It performs a valuable service to the Territory and its continuing approval will be facilitated by proposed new paragraph (k) of subsection (1) of section 4 and by the provisions of proposed new section 4B. As to other corporative investments, the guidelines to be observed by trustees are contained in proposed new subsections (1a) to (1f) inclusive. These guidelines relate to the negotiability of the investment, the financial stability of the company and the need for proper and continuing advice as to the investment. It will be the trustee's obligation to ensure that any investment meets these guidelines and no prior official approval will be necessary.

Other amendments of a technical nature are proposed in the bill. It is

proposed to remove present restrictions on the purchase of securities at a price exceeding their redemption value, or exceeding 15 per cent above par in view of the guidelines proposed for corporate investments. In place thereof a new provision is proposed in subsection (4) of section 4 that such a capital value of the trust fund will be maintained should securities be purchased by a trustee at a greater or lesser price than the redemption value. It is further proposed to give trustees holding corporate investment wide power to concur in rearrangements of companies, to pay calls on those investments and to deal in conditional or preferential rights attaching to those investments. These provisions are similar to those already existing in the states and will facilitate the investment of trust funds in corporate securities. As to all the corporations that have been declared already by the Administrator in Council under existing paragraph (h) of the authorised investment provisions some allowance must be made for those trust funds already on deposit with declared corporations. A transitional provision has been included in the bill authorising a trustee to continue to hold the investment in those corporations subject to requirements as to seeking advice. Subject to that advice being favourable, existing trust investments in those corporations will continue to be authorised.

Following the present sittings of this House, it is my intention to circulate the bill amongst declared corporations and other interested bodies seeking comment and criticism and I would invite other members to do the same. I commend the bill.

Debate adjourned.

MINING BILL

(Serial 127)

Bill presented and read a first time.

Mr TUXWORTH: I move that the bill be now read a second time.

The amendment in this bill is a simple one which will enable stock routes on land reserved for travelling stock and quarantine purposes to be made available to persons making application over land of this nature for exploration licences. Honourable members will appreciate that land set aside for the purposes of walking stock is no longer required exclusively for these purposes and this amendment will allow a wider use of the land set aside for the walking of stock and for quarantine purposes without affecting the original purpose for which that land was originally set aside.

Debate adjourned.

CROWN LANDS (VALIDATION OF PROCLAMATIONS) BILL

(Serial 129)

Bill presented and read a first time.

Dr LETTS: I move that the bill be now read a second time.

This is a government bill and I am giving second-reading notes prepared with the assistance of the Department of the Northern Territory. The bill preserves and validates proclamations made under Northern Territory ordinances or South Australian state acts having effect in the Northern Territory which were subsequently repealed without a saving clause in the repealing ordinance to preserve existing proclamations. The matter was brought to light when preparations were being made to revoke proclamations defining and naming the hundred of Selwyn which was constituted and defined by the Governor of South Australia by proclamation on 25 March 1885 under the Northern Territory Crown Lands Consolidation Act 1882 of South Australia. That state act was repealed by the Northern Territory Crown Lands Act 1890 of South Australia. Section 4 of that act expressly saved proclamations under the repealed act as if the repealed act was still in force.

The Crown Lands Ordinance 1924 repealed the Northern Territory Crown Lands Act 1890 of South Australia without saving any proclamations made or enforced under the repealed legislation so that, as a division of land

supported by statutory authority, the hundred of Selwyn then ceased to exist. This equally applied to counties, towns and hundreds constituted and defined through powers conferred or saved by any of the state acts repealed by the Crown Lands Ordinance 1924 or by any Crown Lands Ordinance prior to the commencement of the Crown Lands Ordinance 1931. In other words, there is no statutory authority for any country, hundred or town constituted or defined before the commencement of the Crown Lands Ordinance 1931. In addition, reserves declared under the repealed state acts or the Crown Lands Ordinance of 1924 and 1927 were not maintained by the Crown Lands Ordinance 1931.

The extent to which land divisions of hundreds, counties and towns should be validated had to be determined so that the orderly identification of parcels of land would be preserved for the purposes of general land administration and, more particularly, for the registration of title to areas of land. It was originally considered to be essential that all hundreds, counties, towns and reserves thought to have been in existence since before 1931 should be maintained. It was realised that this approach to the problem could produce undesirable effects in some cases. It was decided that validating action should not be taken indiscriminately but should be limited to those hundreds, counties, towns and reserves where the validation would serve some specific purpose. After several experimental approaches to the problem, it was eventually recognised that a prerequisite to any validating legislation would be an exhaustive search of all available records of action taken prior to commencement of the Crown Lands Ordinance 1931, that is 12 June 1931. The search has been carried out and the list of proclamations and reserves, hundreds, counties and towns requiring validation appears in the schedule to this bill. It is advisable to put beyond doubt the validity of selected proclamations of hundreds, counties, towns, town lands and reserves where the continued existence of those land divisions would serve some specific purpose. This bill is designed to serve that purpose and will have the effect of causing proclamations to be regarded as though they had been made under the Crown Lands Ordinance. Proclamations actually made under the Crown Lands Ordinance will still take effect.

Turning now to the details of the bill, under clause 2(1), proclamations in the schedule which were made under laws since repealed are deemed to have been made under the Crown Lands Ordinance. Clause 2(2) provides that the proclamations listed in the schedule take effect according to the provisions of the Crown Lands Ordinance. Clause 2(3) supports the existence of any lease which may have been granted over reserved lands validated by this bill, and the schedule contains a list of all those proclamations of hundreds, counties, towns, town lands and reserves which are validated by this bill.

Honourable members may not be familiar with some of the local names which existed formerly in the past history of the Territory so I will identify 4 of the places mentioned in the schedule for those who are not familiar with their location. The first one is Urapunga which is situated on the south side of the Roper River in the vicinity of Roper Bar. Brocks Creek, Burrundie and Union Town are all situated between Darwin and Pine Creek, near to the railway line, approximately 160 kilometres, 190 kilometres and 220 kilometres south of Darwin respectively. The validation of these towns is necessary to support the existence of freehold title over lands within the town areas as follows: Urapunga, 7 freehold lots; Brocks Creek, 6 freehold lots; Burrundie, 28 freehold lots; Union Town, 21 freehold lots. I commend the bill.

Debate adjourned.

CROWN LANDS BILL

(Serial 80)

Bill presented and read a first time.

Mr PERRON: I move that the bill be now read a second time.

Recent amendments to the bylaw-making powers of the Reserves Board, Port Authority and the municipal council established a uniform procedure for the

confirmation of those bylaws. In general, the procedure is that the authority makes the bylaw, the bylaw is referred to the Administrator's Council, it is confirmed by the Administrator's Council, the confirmation is gazetted and the bylaw brought into operation and the bylaws are then tabled in this House which has power of disallowance.

In addition to the authorities I have mentioned, boards of trustees created under the Crown Lands Ordinance to control reserves also have bylaw-making powers. These powers are laid down in section 103C subsections (8) to (12) of the Crown Lands Ordinance. The confirmation procedure under the ordinance differs from that previously mentioned. The board makes the bylaws and the bylaws are conveyed to the Administrator who notifies their making in the Gazette at which time they come into operation. Thirdly, the bylaws are tabled in this House which has the power of disallowance. There is no requirement in the ordinance for confirmation by the Administrator's Council. This requirement is valuable; it provides a means of review before the bylaws come into operation to ensure that they are valid, effective and conform with the general pattern of Territory legislation. Without this review, undesirable bylaws may be in operation for some time before the next meeting of the Assembly when there is an opportunity to terminate them by exercising the power of disallowance.

As it has been considered necessary to impose this extra review on more experienced permanently operating bodies than boards of trustees, it appears desirable to impose similar restrictions on the exercise of the by-law-making powers of these boards to provide some oversight. The existing powers have not been abused by boards of trustees. However, there are some 20 or 30 boards in the Territory and it is sensible to impose control now before any problems arise.

The procedure for confirmation of local government bylaws in other states of Australia is of some interest in this matter and I would just like to outline to the House the various methods used in the states. In Western Australia, bylaws require confirmation by the Governor and are laid before each House of Parliament. In Victoria, bylaws require approval of the Governor in Council except where Council adopts the provisions of the fifteenth schedule to the Act which in fact are model bylaws. In Queensland, bylaws require the approval of the Governor in Council. In Tasmania, bylaws require confirmation by a Minister only. In South Australia, bylaws must be submitted to the Crown Solicitor, laid before both Houses of Parliament and then confirmed by the Governor. In New South Wales, bylaws are made by the Governor acting on advice of his counsel in the local government department. They are then tabled in each House of Parliament.

There may be some merit in reviewing the system we have adopted in the Northern Territory some time in the future. We should ensure we have a system which does not waste unnecessary time and has sufficient safeguards to provide proper scrutiny. I commend the bill.

Debate adjourned.

FISHERIES BILL

(Serial 128)

Bill presented and read a first time.

Mr TUXWORTH: I move that the bill be now read a second time.

The amendments proposed in this bill are purely of a mechanical nature. In Part III of this bill a change is proposed in the principal ordinance to enable fisheries inspectors to be provided with the polaroid identification card somewhat similar to the cards recently adopted by the wildlife inspectorial services. In clause 4 of the bill, the amendment is a correction to a printing error in section 8A(b); it refers to subsection (3) when in fact it should refer to subsection (4).

Debate adjourned.

RADIOGRAPHERS BILL

(Serial 98)

Continued from 26 May 1976.

Mr BALLANTYNE: There have been moves afoot for quite a number of years to bring in such a bill to have some control over radiologists and over their equipment which is in some ways a lethal weapon. The first part of the bill establishes the Radiographers Registration Board. The board consists of a chairman, a senior specialist in charge of a department that specialises in radiology and is appointed by the Administrator in Council on the nomination of the chairman. Also there are two other members who are registered radiographers and have at least 3 years experience in that field and they are appointed by the Administrator in Council. In clause 4(2) (d), it says "one other member appointed for the purpose of this paragraph by the Administrator in Council on the nomination of the chairman". I consider that there should be some provision for a nuclear physicist or some technical person to be able to give his comments and convey to the board itself his understanding of this equipment. This person could then be brought in at a moment's notice to give some judgment on a particular case that might come before the board. Perhaps that clause does protect it, but I feel that there should be someone on the board who is a nuclear physicist or a person who specialises in x-ray and other equipment relevant to the industry.

There is a registration requirement in this particular bill. The board will grant registration to a person who satisfies it that he is a fit and proper person to be registered and, subject to subsections (2) and (3), completes a course of training approved by the board and passes an examination approved by the board, makes applications in the approved manner to the registrar for the branch by the Board of Registration and pays to the registrar the fee prescribed for the grant of registration. It also refers to the qualifications of the persons who are applying for registration. I do not know how they have been operating in the past but it seems a very long time ago that x-ray equipment was first manufactured and was being used in the Northern Territory. I only hope that, in the past, these facts have been taken into consideration. I only hope that we can have persons of this type registered in the Territory.

There is also provision in the bill for the suspension or cancellation of registration. Clause 14 covers this matter. I will not read the points but there are quite a few clauses there which I should imagine should not be written into such an ordinance. However, it does give them the power to look at a person who is perhaps on the job intoxicated or perhaps failed to carry out his job or profession in an ethical manner. But I feel that these people are not just ordinary people off the street, they are highly trained people, and I think the professionalism grows with them in the job. In some way, I think that, when you are looking at suspending a person, I would say that in most instances in the Territory I do not think that we would have to be looking at a person if he was drunk on the job or acting in an unethical way which is a standard accepted by the profession of radiographers. I do not know what these standards are in that sense but perhaps now we will find out in the long term.

Also in the bill we have, under clause 15(1), a restoration of registration; that means that where registration is cancelled the board may, on the application of the person whose registration was cancelled, restore that registration and under clause 15(2) the board shall not restore registration that was cancelled unless the board is satisfied to do so; that is to say, under clause 15(2)(a), it is contrary to the public interest and (b) is otherwise proper in the circumstances. I am sure it would be up to the discretion of the board to look at any case that may come before them and not take a person's livelihood away from them because, as I said, this is a very highly skilled position. There are not too many radiographers around at the moment and it is a job that I should imagine the people themselves

would protect by the ethics that they use in the job and also by the continuous looking at new methods being introduced through the research people, particularly in the manufacture of new equipment.

There is also provision for an appeal against the decision of a board and I feel that this is a must in every case where a person who is taken before some board for some misdemeanour or has been complained about by other people. I think that he has a right to appeal in a just manner.

There is also a clause under part IV "Miscellaneous offences in relation to practice". In 17(1): "A person other than a registered radiographer shall not (a) take or use the title of a radiographer or (b) present himself in any way as being a radiographer or (c) do or suffer any act or thing from which it can reasonably be inferred he is or is acting as a radiographer". I do not know how you can impersonate a radiographer but I am sure that the people in the various hospitals, the various institutes, would know of a person who was trying to impersonate a radiographer. But first of all you have got to be -

A member: How?

Mr BALLANTYNE: You have got to go along and be interviewed in the first instance. You do not just walk into a place and say, "I am a radiographer; I am starting today". You have got to be interviewed by the proper authorities and surely there are a lot of people in these institutes or in these various hospitals and clinics who have the knowledge to know when they talk to a person whether he has had experience or not. I do not know just exactly what to think about that, but -

Mr Dondas: Like that movie, "The Great Imposter".

Mr BALLANTYNE: Yes, "The Great Imposter". There are imposters around. There are quite a few in this Chamber I should imagine. But how do we know? Anyway I am sure that discretion will be used in that particular case. As the honourable member for Social Affairs says, it is only $100, but I might even try to impersonate one myself one of these days.

There are quite a lot of things tied up in this particular type of job. A lot of regulations will have to be made very precisely and given a lot of consideration by the Administrator's Council because it is a very technical field and one which very few know much about. That is why I mentioned it is very hard for someone to pose as a radiographer because there are not many people who know anything about radiation, and it is surprising to me that something has not been done in the past because, I do not know about any honourable members in this Chamber, but I have been x-rayed many times and I only hope that the person who did x-ray me knew what he was doing because I might be gradually becoming a leukaemia patient or something of that nature. I often wonder when we hear about leukaemia whether in fact that leukaemia was brought about by some form of radiation. There are natural radiations in the atmosphere through cosmic rays and such, a lot of background radiation we do not know about. As a matter of fact, air pilots are probably more vulnerable in this sense with the radiation in the atmosphere.

I would like to speak a bit about radiation just to let us know how lethal it is. Long-term x-ray exposure or radiation can lead to bone cancer and leukaemia. This can be done quite easily through some malfunction in the machine or persons working in the industry. Also, radiation of the thyroid can cause cancer of this organ. The radiation from x-rays, gamma or ultrasonic rays, can have a harmful effect on human organs causing genetic changes and shortening human life span because of over exposure. It could be added that man-made radiation exposure from x-rays in medical diagnosis is said to be approximaately comparable to cosmic radiation at sea level or a quarter of background radiation. Radiation from occupational exposure from small sources such as the luminous dials on wrist watches, colour TV sets and from atomic nuclear reactors is proportional to only a small fraction of the total radiation.

I am very concerned that there are some operators of x-ray machines who are not fully qualified. I can honestly say that I know of cases where people have been using equipment and have not been taking any safety precautions. Long ago, there was a case where a person picked up a capsule at an oil refinery, put it into his pocket and had it there for a couple of days or even a week. That capsule was radioactive. Consequently, he lost his leg and I do not even know whether the man is alive today. That was through an accident. Radiation does not get hot or cold; you just do not see it; it is invisible. That shows the ignorance of people handling such equipment in the early days. I only hope that a lot of those ignorant people have not carried on in the industry up until we have this ordinance.

To give another instance, a radiograph of the human lung without proper collimation of the x-ray beams may result in the same genetic exposure as 150 radiographs carried out without proper technique. One single radiograph of the human abdomen carried out without proper collimation of the beams would produce the same genetically significant exposure of 50,000 radiographs of a human lung carried out without the proper collimation. You can see how lethal these x-rays are. I have heard cases in the past where people have lost their hair through having certain x-rays of their noses or sinuses. How do we know that all bald people getting around today might not be victims of the x-ray because it was not properly controlled perhaps by the antiquated machine and the operator was not aware of it? I gathered these small statistics from a paper on radiation which was written in 1975. It does highlight the immense importance of having properly qualified people as radiographers and technicians. As I said before, the ignorance of some people in the past has been responsible for many accidents and the loss of human life in the field of medical electronics. With those few words, I support the bill.

Mrs LAWRIE: I rise to indicate my support for this legislation. I think it is long overdue. It was approximately 4 years ago when I first asked through the Department of Health representatives in the old Council when such legislation would be brought forward. There are some parts of the bill which in my opinion do not go far enough. I have some slight knowledge of medicine and I am aware of the dangers of radiographic procedures. I circulated this legislation to the Private Medical Practitioners Association, the Department of Health, to other specialists both here and interstate, and I have received some very interesting comments upon it, most of the comments pointing to the need for the strictest control of the use of this equipment.

The indications are that x-rays used in excessive doses are dangerous and have been known to cause leukaemia, cancer, skin cancer, unfortunate genetic effects, and these can be seen in patients suffering from the dropping of the bomb at Nagasaki and Hiroshima, in both cases. There has been experimental evidence on animals, insects and plants as to the danger of the excessive use of the equipment. Skin cancer is quite prevalent, unfortunately, on the hands of radiologists and in patients who have received radiotherapy when young. There is a higher rate of leukaemia amongs radiologists than any other doctors and these people use it most carefully and are well aware of the dangers.

I agree with a body of medical opinion that suggests that the use of x-rays on human beings should be controlled in a similar way to the dangerous drugs such as morphine and heroin. There are only 2 types of medical personnel who have any in-depth training in the use of x-rays, one being radiologists. These are the specialists who are medically qualified and have a minimum of 4 years training after qualifying as general practitioners. Then, of course, we have radiographers, the people taking the pictures, who have a minimum of 3 years training. Some of the dangers which have been pointed out to me in the perhaps indiscriminate use of x-ray machines or the wide-spread use of

x-ray machines include inexperienced personnel who do not know the techniques of producing good quality x-ray films with a minimum of radiation and the use of the older types of x-ray machines. This is quite important; there are several of these older machines in use today but the modern machines produce far better results with only a small fraction of the radiation. The dangers are to both patients and operators, often young females of reproductive age.

The present legislation in its amended form hopefully will allow for other people to use the x-ray machines only if they can show that they have competence to do so. By "other people" I mean other than radiographers under the direction of radiologists.

In looking at the bill in detail, I felt that it did not tighten up the control of the use of these machines sufficiently. I have had a good look at the circulated amendments and I was horrified to find that, in clause 19, there was a proposal to add the following subsection which was subject to subsection (4): "a special licence could be granted for the use of the machine to a person who is capable of being registered as a chiropractor under law in force in the Commonwealth and that on application for a permit under this section and subject to compliance with this section, that person shall be granted a permit". However, this is not unless he satisfies the board that the equipment he proposes to use for carrying out radiographic procedures is safe for that purpose. It is a perfectly logical restriction to put in that no permit would be granted unless the equipment is okay but there was no indication under that proposed amendment as to the qualifications of the person using it other than the fact that he has to have a licence to carry out chiropractic procedures under some law in the Commonwealth.

I have spoken privately to the sponsor of the bill of my fears on this matter and he has advised me that subsection (3) of the proposed amendment is to be deleted. If this is so, a lot of my fears and worries about this proposed legislation will be allayed. I recognise that, other than qualified radiographers, there are instances where other persons should be able to apply for a licence. If they can satisfy the board, they should be able to receive a licence to operate the equipment. Such examples are veterinary surgeons and dentists, two very obvious ones. Both dentists and veterinary surgeons are qualified personnel who have a high standard of ethics in their profession. I have no worries about the misuse of equipment in the hands of these people. My fear was that people who do not receive such a high degree of training could get a licence because the proposed amendment stated that, unless the equipment was shown to be faulty, a chiropractor shall be granted a licence. If the information is correct - and I have great faith in the Executive Member for Social Affairs; I do not think that he would attempt to mislead me - that the amendment is to be withdrawn, I would say the legislation as presented will allow for the proper registration of radiographers, for the other skilled people I have mentioned, and for other people perhaps without tertiary training but who can demonstrate they are capable of using competently and wisely this highly dangerous equipment.

The competency may not be in question but the wisdom concerns me. I had a letter from a lady following debate in the former Council who felt that the use of x-ray machines should be more widely permitted throughout the community. She had a series of 7 x-rays taken at the Department of Health. She had undergone treatment and was not satisfied. She then went and had another series of 7 x-rays taken by a private person in the Darwin community and she still was not satisfied. On her next trip interstate, and this is where you really cannot protect people against themselves ultimately, without telling the people down there that she had now had a series of 14 x-rays, she had another series done. This woman is exposing herself to a great deal of danger. One cannot prevent people from going interstate and not mentioning previous x-rays but one would hope that within the Territory you could institute procedures where constant

x-rays are not given with their consequent dangers to the patient.

I commend the introduction of this legislation and, taken with its proposed amendments, I will support it to the full. I think it is years overdue and I support both the original bill and its amendments.

Mr ROBERTSON: Firstly, I would like to reassure the honourable member for Nightcliff that it will be proposed that the amendment she referred to will be deleted in the committee stage. In fact, the Majority Party has agreed that it is perhaps an undesirable amendment to make. The clause relates to chiropractic specifically and it has been my concern since the introduction of the bill that its provisions could be used as a lever, a mechanism for denying chiropractors the right to practice. There is, of course, a widespread feeling within the medical profession that these people are charlatans and undesirables in this field of orthopaedic manipulation. However, there are very many people who can provide testimonials that chiropractors, as a last recourse, were the cause of their recovery. In fact, Mr Speaker, I am one of those. When I first went to the chiropractor, it was virtually in desperation and certainly I was utterly sceptical. I can recall thinking perhaps this was where I would stop walking for ever. I was at a stage where I could not walk up a flight of stairs without pulling myself up by the hand-rail and, after 3 treatments, I was back playing baseball.

I do understand from the present Director of Health that this legislation will not be used or directed against the chiropractic profession or perhaps we may call it the sub-profession. However, that is all very fine with the present Director of Health but I cannot help but wonder what may be the case under a new director - who, incidentally, is only one vote in any event - in say, the year 1982 or 1985, whatever the case may be. Looking very briefly at the constitution of the board, it is clearly very heavily loaded with professional people of sectional interests within the field of radiography. Naturally, you would not have a plumber determining who was going to be licensed under a radiographers registration bill. I do, however, still point out my somewhat alleviated concern at the possibility of this being used to prevent chiropractors from using radiological equipment. It would certainly be appropriate, as the honourable member for Nightcliff would have it, that these people should satisfy in the highest order their ability to use this sort of equipment. I do not deny that right at all. I think that perhaps there is room within the system, if they do not come up to the standard required, for some form of retraining scheme to be used rather than prevent them carrying out radiographic procedures. However, I completely agree that it is vital that the board be satisfied that they are in fact capable of using it. That would also apply to such people as medical practitioners and dentists. While they may be trained in the arts of medicine, that is no guarantee that they are trained in the profession of radiography.

The honourable member mentioned veterinary surgeons. This does raise a little bit of difficulty in that the bill does not relate to those at all. It merely relates to the use of x-ray equipment on persons and, on my understanding of the matter, veterinary surgeons are not required to have a licence or any qualification to use the equipment. One can only assume that their training generally in their profession is sufficient to safegaurd those around them.

In relation to older equipment, the honourable member may well be satisfied that that is very adequately covered in the proposals. The Director of Health is very aware of that particular problem himself and, as was previously suggested by the honourable member for Nhulunbuy, the person referred to in clause 4(d) should be, if possible, a physicist.

Mrs Lawrie: There are very few around though.

Mr ROBERTSON: I agree. I have suggested to members privately that it may be an idea that that person be a

physicist in any event even if it is not practical for him to attend the board sittings on a regular basis. Of course, he could be seconded. However, I would prefer to see a physicist actually appointed to the board. The quorum would have no difficulties in being met during his normal absences interstate and his presence on that board would be desirable. I support the bill.

Mr POLLOCK: I thank members for the support that they have given to this bill which is quite a worthwhile contribution to medical services for people in the Territory. It provides a protection for people against indiscriminate and unwarranted radiographic procedures and will ensure that the persons who are carrying out these procedures are properly qualified and registered.

A couple of matters did arise during the debate in relation to imposters. That particular section is there to ensure that somebody who is not qualified does not set himself up privately as a radiographer and endeavour to carry out radiographic procedures. This is a further protection for the community.

As the Member for Gillen has mentioned, this legislation actually affects only the conduct of radiographic procedures on the human being and it is trusted that a veterinary surgeon would not attempt that.

The composition of the board has been mentioned by a number of people and it is noted that it is thought that one person on the board should be a physicist. As I mentioned in my second-reading speech, it was the initial intention of the department, in proposing legislation to me, that this member be in fact a physicist but they are not readily available in the Northern Territory and, until such time as one might be available in the Territory, the best will be done; the provision is always there for such a qualified person to be added to the board.

I assure the honourable member for Nightcliff that in the committee stage I will be proposing the circulated amendment to clause 19, that subclause (3) be defeated and this will remove then the provision where chiropractors will automatically get a permit to carry out radiographic procedures providing their equipment is satisfactory. The legislation does provide for general inspection and continuing inspection of persons who are either registered or permit holders as a further safeguard for the public. I am assured by the Director of Health that the board is not designed to stop chiropractors from operating and that if a chiropractor, like a dentist or a doctor, has some training and is able to satisfy the registration board of that competency and of the fitness of his equipment, he will be able to get a permit. Of course if he does not satisfy them, there are provisions in the legislation for him to appeal to a magistrate, so he does have some safeguard if he feels he is being hard done by.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr POLLOCK: I move that clause 3 be amended in accordance with amendment 99.1 in the schedule circulated.

This is a machinery amendment only, to rectify a typographical error. Clause 3 is the interpretation clause.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 13 agreed to.

Clause 14:

Mr POLLOCK: I move that clause 14 be amended in accordance with amendments 99.2, 99.3 and 99.4.

The effect of those amendments is to add a new paragraph (f) to subclause (1) thus extending the grounds on which the board may take disciplinary action against registered radiographers. Gen-

erally the provisions of this clause are similar to corresponding provisions in other legislation dealing with the registration of professional groups. Subclause (1) provides the board with discretionary powers to cancel or suspend the registration of persons under certain circumstances while subclause (2) requires the board to deregister any person who has obtained registration by fraud or misrepresentation. In both instances, the board's powers may only be exercised after due inquiry, while subclause (3) requires the board to notify the persons concerned of the intention to hold an inquiry.

Amendments agreed to.

Clause 14, as amended, agreed to.

Clause 15 agreed to.

Clause 16:

Mr POLLOCK: I move that clause 16 be amended in accordance with amendments 99.5, 99.6 and 99.7.

The first of those amendments is simply a machinery one. The term "magistrate" is defined in clause 3 and the words "appointed under the Justices Ordinance" in subclause 16(1) are therefore redundant. The second amendment is simply one having the effect of specifying that appeals to a magistrate against decisions of the board are to be in writing. The third amendment inserts a new subclause 16(6) in the bill providing for a magistrate hearing the appeal to award costs. This provision is designed as a deterrent against frivolous appeals and will also assist in safeguarding against the possibility of a person with legitimate grounds for appeal being deterred by the costs involved.

Amendments agreed to.

Clause 16, as amended, agreed to.

New clause 16A:

Mr POLLOCK: I move that after clause 16 a new clause be inserted in accordance with schedule 107.1.

This new clause provides for the appointment of inspectors and defines their powers and duties. It is felt that the appointment of inspectors is now necessary because of the additional requirements needed to be met by persons carrying out radiographic procedures which have been included in the bill since it was originally drafted. These include the requirements to keep records in clause 20 of the bill and it is an extension of the provisions of the bill to cover radiographic equipment which is the subject of further amendments I will be proposing.

Mrs LAWRIE: I agree with the necessity for inspectors and inspection. I just want clarification. It appears, unless I am misunderstanding this legislation, the inspections will not be carried out unless the board so directs. Is that correct?

Mr POLLOCK: Basically yes. The new clause 16A which has replaced the original 16A circulated in 99.8 allows these inspections to be made at any reasonable time whereas the previous amendments proposed were more restrictive. Once the person does have the permit and is carrying out his operations, he can now be inspected by the board under the proposed amendment.

New clause 16A agreed to.

Clauses 17 and 18 agreed to.

Clause 19:

Mr POLLOCK: I move that subclauses (4), (5) and (6) as circulated in amendment 99.9 be inserted in the bill.

This allows persons who have certain qualifications, such as doctors, dentists, chiropractors and the like, to be granted a permit to carry out radiographic procedures specified in the permit. For example, it would not be proper for a dentist who would be dealing with teeth to have an open-ended licence to carry out procedures. Persons applying for a permit must satisfy the board of their competency and the safety of the machinery to be used. It also allows permits to be suspended or cancelled and allows for appeal to a magistrate.

Mrs LAWRIE: I agree with this amendment. At the risk of being a devil's

advocate, I would point out to the committee that what we are in fact saying is that, if you are competent to operate the necessary machinery and if the machinery is in good working order, then you can get a licence subject to any other restrictions. What we are not taking into consideration is whether the person carrying out the procedure has the expertise to make the decision as to whether the x-ray is necessary. It may be a short-cut to a diagnosis but it may be that someone with more medical competence could arrive at the same diagnosis and suggest treatment without the need for x-rays. This point has been either overlooked or perhaps discussed by the Majority Party but not brought forward in discussion. All we are really saying is that, if you know how to use it and the machine is in working order, go ahead. I honestly believe we have not paid enough attention to whether they should have the necessary medical training to enable them to make the decision as to whether the procedure is absolutely necessary.

I realise that, in the passing of this legislation, it is perhaps too late to pose that philosophical query but it has been put to me by medical specialists, from not only the Northern Territory but other parts of Australia, that radiographic procedures should not be carried out unless absolutely necessary. They should not be used simply as an aid to diagnosis. This is my fear, especially in the case of chiropractors. Do they have the expertise to know when it is absolutely necessary and not just an adjunct to treatment?

Mr POLLOCK: In my understanding, a person would not be x-rayed unless he was referred by a medical practitioner who would have a fair degree of knowledge as to what he was about. At the same time, we have to allow for the situation within the scope of the legislation for localities such as Tennant Creek which at the moment do not have a radiographer and, in an emergency circumstance, the doctor who is there would have a permit to be able to carry out radiographic procedures. We have got to draw the line somewhere. Unfortunately in the setup that we have we just cannot say, "You have got to be a radiographer", and that is it because within the Territory scope we have to be able to accommodate the varying conditions. You do not go to a radiographer for a broken hand. Initially, you go to a medical practitioner and he says, "You have to have that x-rayed", and so you are referred there; he wants this and that done. The radiographer carries out the procedure and might give his interpretation of the results.

Mrs LAWRIE: I accept absolutely what the Executive Member for Social Affairs has just said and I expressed myself improperly which is why he misunderstood the tenor of my remarks. Of course, a medical practitioner in emergent circumstances would use the equipment and should be able to do so, especially given the degree of isolation of many of the Territory centres, but I was referring to the registration of people such as chiropractors. It would be better, if they wanted x-rays taken for the purpose of treatment, to have to get perhaps medical permission for this to be done and not simply to be able to carry it out themselves. That was the inference which worries me in this legislation, not that a medically qualified person - although there may be one bad egg in the lot - is going to misuse the equipment for the sake of an easy diagnosis. My fear is that people with less training will be licensed, and can be under this legislation, to use it because they are competent and the machinery is good, but they can use it just as an aid to themselves and not as a necessity.

Mr POLLOCK: This is one of the advantages of having the inspectorial service in that the inspectors can examine the results of particular cases. If they find that, for instance, a chiropractor has no basis at all for taking particular x-rays, that might be grounds to report to the board and for the board to suspend his permit. In relation to that matter, the chiropractor, or whoever he is, the dentist, if he is just taking x-rays willy-nilly because he does not know why he is taking them but he thinks it might help him, and he is unable to satisfy the inspector that they are really medically required, the board does have its avenues for taking action to overcome

that problem. Initially there would be some problem but he will not be able, hopefully, under the legislation, to continue indefinitely with such practices.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clause 20:

Mr POLLOCK: I invite defeat of subclause (3) of clause 20 and move that a new subclause (3) be inserted in accordance with amendment 99.10.

The clause as printed requires registered persons and permit holders to keep records relating to the person he has exposed to radiation and to produce those records upon demand to a member of the board or a person authorised in writing by the chairman. The amendment proposed is a machinery one only and is consequential on new clause 16 providing for the appointment of inspectors.

Amendment agreed to.

Clause 20, as amended, agreed to.

New clause 20A.

Mr POLLOCK: I move that new clause 20A be inserted in the bill in accordance with amendment 99.11.

The proposed new clause makes it an offence for any person to carry out any radiographic procedure using equipment which the board considers to be unsafe. This provision in effect places a positive onus on radiographers and other persons using radiographic equipment to keep that equipment in good order. Apart from the specific penalty provided for a breach of this clause, an offender would also be liable to have his registration and permit cancelled or suspended and this could act as an effective sanction against the use of unsafe equipment.

New clause 20A agreed to.

Clause 21:

Mrs LAWRIE: I do not rise to question the regulation-making power, I only rise to express my hope that these regulations are well in train, that they will be tabled in this Assembly and this ordinance can be commenced with a minimum of delay.

Clause 21 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

DISPOSAL OF UNCOLLECTED GOODS BILL

(Serial 121)

Continued from 10 August 1976.

Mr ROBERTSON: I do support the concept of the bill and I support the direction in which it heads and what it seeks to achieve. It has been desirable for quite some time that a mechanism be provided by statute to facilitate the lawful disposal of uncollected and unclaimed goods. However, I have some questions which I hope the sponsor will be able to answer for me and perhaps it may be necessary to make some slight amendments in several places.

Clause 3(2) deals with the goods being deemed ready for delivery. I rather like that; I think it is excellently done. It is quite clear to all where they stand. However, when we pass on to clause 4, saving of other laws, this is an area in which I quite often feel concern. In the select committee's report on landlords and tenants, the committee was somewhat concerned about the duplication of laws and other laws acting in parallel with existing legislation and it points out the difficulties that causes. What I would like to know in respect to clause 4 is what other pieces of legislation is this ordinance not going to derogate from and how are people who are involved in these matters going to know readily which other pieces of legislation override this legislation?

Mr Withnall: They would not override it.

Mr ROBERTSON: Perhaps the honourable member might like to explain why it would not override it because it says that, "This ordinance shall be read and

construed as being in addition to and not in derogation of any other legislation or in substitution ..." It would seem from that wording that, where another piece of legislation is enacted parallel to this one, this piece of legislation will not derogate from the value of that other piece of legislation. Perhaps the executive member could enlighten me on that in reply.

The other area that concerns me is what occurs in clauses 7 and 8. Clause 7(1)(b)(iii) says: "... the bailee, while the failure continues, may, subject to the bailment agreement and this ordinance, sell the goods by public auction or private treaty or otherwise dispose of the goods". Now further down, in clause 8, we have the method by which he will do it. It seems to me that what the legislation is saying is simply that when you have an order or when you are clear to sell, you firstly must offer it by public auction; if you cannot achieve the price or a satisfactory result you are then clear to proceed to dispose of or rather sell, as it would become, by some other method. Why not say it all in the one clause so that everyone knows exactly where he is with one reading rather than having to divert your thoughts from the top of the page to the bottom in order to get the singular meaning? I am just wondering if there is a drafting reason why that has been done.

I would also think that subclause (2) of clause 7 in paragraph (a), "a refusal of the bailee to make delivery", would have to be pursuant to an agreement to make delivery, although that is somewhat covered by paragraph (b) of clause 7, I think it could be clarified. In relation again to subclause (2) paragraph (c), I would suggest that the words "prior to the contract being entered into" or some such similar words be added, simply to clear it up.

In paragraph (b) of clause 8(1), I wonder what is supposed to happen if the person issues his notice of delivery and then through oversight forgets to actually issue the notice advising he is going to sell within 3 months or the 3 months expires. What then happens? Is he stuck with them forever or does it imply that he must then reissue the notice as required in clause 2 and then proceed again or what? I would like that particular point cleared up. It would seem, on the face of it, that it is probably implied that he has got to go completely back to the first thing he did.

I cannot quite frankly understand why you have to notify the Commissioner of Police on a matter like this, particularly under $200. In fact I cannot see in any circumstances why you should have to go through that bureaucratic process unless it is to prevent you from being subsequently prosecuted for theft which is highly unlikely because you have issued a notice. It just seems to be a little bit of nuisance; it need not really be there.

Again, I cannot recall from the amendments whether paragraph (c) clause 8(1) is going to be amended such that it should be published in a newspaper circulating in the Northern Territory rather than in the Government Gazette. Who gets the Government Gazette and reads it for heaven's sake? I get it sent to me and I hardly ever read it myself.

A member: Everybody should.

Mr ROBERTSON: We are talking about the average citizen if the honourable member may stop and think for a minute. He may regard himself as something other than average if he wishes but I can assure him that the average person does not read the Northern Territory Government Gazette. I wonder if some consideration might be given to advertising what you intend doing under the provisions, when it becomes law, in a medium which is available to the public and read by the public. The honourable member for Jingili rightly points out that it is a lot cheaper to advertise in the Government Gazette but I do not know whether it would be cheaper in terms of value for money.

Clause 8(3) says: "If the bailee has offered the goods for sale by public auction in circumstances calculated to offer a reasonable prospect for sale ..," Does that imply that he has the right to place a reserve price upon it

or not? It should be expressed in legislative form whether the bailee has in fact the right to set a reserve price. "In circumstances calculated to offer a reasonable prospect for sale" could mean either he must offer it at an auction which is properly advertised and properly run or it could also mean that the circumstances imply that he has the right to impose a reserve price. Again, that may give rise to certain difficulties if in fact that is the intention and an amendment is subsequently made.

Turning to clauses 9 and 10, I have the gravest fears that anyone short of the infinite wisdom of the honourable member for Port Darwin would probably have some difficulty in understanding exactly what it means. It is very heavy on legalese. I personally do not believe the legislation is made for the use of lawyers alone and you would certainly have to be a lawyer to follow that. Let us just read a bit of it. Half way down clause 9: "The bailee's right to sell or otherwise dispose of goods shall not be exercised unless the dispute is treated as determined under section 10(1), determined under section (4) of that section or is otherwise determined". How many of us can understand what that means? How many would know in the legal sense what it is to determine a dispute? If there is no other means of expressing it, I would appreciate it if you would let me know. I agree incidentally with the comment made by the honourable member for Port Darwin earlier that perhaps it may be an idea to look at the possibilities of the court of summary jurisdiction instead of the local court if you consider that would be a more convenient jurisdiction through which to operate.

In the awarding of costs, I was wondering by what method these costs are to be recovered. One would assume that, if you have not recovered them after the disposal of the goods, they would become recoverable in a court of competent jurisdiction. I make that assumption. Again I would hope to be enlightened as to how that is supposed to work.

Apart from those few criticisms and possibly I am on the wrong track in respect of many - and no doubt will be told if I am - I find myself in sympathy with the direction in which the bill heads and I commend it to honourable members.

Mr EVERINGHAM: This piece of legislation is without a doubt needed because in the time that I have been in the law game in the Northern Territory numerous people have approached me in connection with the disposal of quite often small items of goods which have been left with them and have not been collected. In many cases, there is no remedy and they cannot dispose of the goods without committing a criminal offence and yet the goods just sit there in their yard or shed, rotting and being of no use to anybody. Of course, the person who has done the work or whatever it is ends up without any reward.

It has been said by the honourable member for Port Darwin opposite that it is a long-winded piece of legislation but all I can say is that it is a piece of legislation that needs to have built into it all possible safeguards and I think that the draftsman has tried to do that. Of course a first offering is put up to us in the best possible shape that can be and no doubt there are flaws in this piece of legislation; we have already had one lot of amendments and I think we might possibly see another lot, but I am quite in sympathy with the tenor of the legislation.

Dealing with one or two comments of the previous speaker, in clause 8(1)(b)(ii), a notice has to be sent to the Commissioner of Police and that is a safeguard, a safeguard for the person who has left the goods or who has had work done on them. I think the rights of that person should be protected. Let us take the case of someone who puts his car into the panelbeaters and gets a few hundred dollars worth of work done on a perfectly good car, and he goes out into the street and gets knocked over by a bus with very bad injuries. Darwin Hospital is no good, and he has to be air-freighted down south for treatment in some intensive care ward in Sydney; imagine what happens when this chap is away from the Territory for months, no relatives and all that sort of thing - there have to be safeguards.

We are told there had better be an advertisement in some publication other than the Government Gazette. I agree with that in principle but, in practice, if you want to advertise in the Northern Territory News it costs you about $50 a pop and you are only dealing with goods worth $200. The Government Gazette only costs $7 a pop so obviously it has got to be the Government Gazette.

The honourable member for Port Darwin said that the court of summary jurisdiction should be substituted for the local court because the local court is a lot slower. The only reason for the local court being slower is that the magistrates do not assign enough sitting days to it and there is no reason why the local court could not deal just as expeditiously with these matters if sufficient time was allocated for the hearing. We also have to bear in mind that the court of summary jurisdiction is a criminal court, or at least a quasi-criminal court, and I do not see why people asking for an order in relation to the disposal of goods should have to have the matter dealt with in a criminal court.

Mr Withnall: You are not serious? It is not a criminal court anyhow.

Mr Everingham: Keep going.

Mr Withnall: I will if you like.

Mr EVERINGHAM: I am not sympathetic to the honourable member's suggestion.

I can see problems arising in the implementation of this legislation without doubt, but I am not really able to make any great suggestions as to what better procedures should be applied at this stage. No doubt, we will be able to come back at some later stage and suggest better procedures and perhaps amendments but this is one where we must have a bit of a suck and see what it is like in operation. Perhaps amendments may be able to be introduced in the next 6 to 12 months.

Debate adjourned.

SELECT COMMITTEE REPORT - LANDLORD AND TENANT (CONTROL OF RENTS) ORDINANCE

Continued from 10 August 1976.

Mr ROBERTSON: I might start by saying that there was a stage during the course of this select committee's inquiries when I thought that the day would never come when I would stand here and speak on the report. The Assembly will no doubt be aware that the committee was appointed on 24 February this year and it was not until 10 August that the report was finally tabled. In fact, it was not ready for tabling until last Monday. That is a time lapse of some 7 months during which the committee sat 15 times in various centres around the Territory. I do recall the comments of the honourable member for Nightcliff at the time it was appointed that we had no hope of making our original date. She was of course proven very right.

Casting back on that effort and looking at the general recommendations and the general direction in which the committee's report heads, it would not be inappropriate to say that it is extremely regrettable that all that effort, money and time was necessary at all. The committee is quite clear in its view that, if amendment number 8 of 1974 had never been made, I would not be here speaking on this now. While the wording in a parliamentary document excluded me from stating in the original draft to the committee what I really thought of that particular amendment, perhaps parliamentary practice will allow me to say it now. It would have been the most stupid blunder in the field of economics within the landlord and tenant and the building industry made since this Northern Territory was originally attached to the Commonwealth. It must have been done in a haze of political ideology with absolutely no commonsense basis. As is quite obvious from the report, it has been an unmitigated disaster and I would hope that legislatures in future, regardless of what political colour they may be, will have regard to the extent and scope of that particular blunder made in 1974. Worse

still, of course, it was retrospective to 1973 - just to rub salt into the wounds.

I would like to turn briefly to page 32 of the report, Appendix A, and examine the type of evidence given verbally to the committee. Looking at Alice Springs, industry oriented witnesses numbered 6, others were 5; among the others there was a member of the Housing Commission and I thank him for turning up. While it may not seem to have been relevant at the time, his advice was indeed useful to the committee. Just for the House's information, the gentleman referred to is Mr L. Lloyd but the correct spelling of that should be Les Loy. We had Mr Brian Martin, a solicitor; he was not part of the industry but incidentally I would like here and now to pass on my thanks to Brian. He was an enormous help to me in giving gratuitous legal advice on many occasions and on many times at a great inconvenience to himself - on Saturday mornings and all sorts of odd times.

The only other person there apart from Mr Thomas was a clerk. I am enlarging on the Alice Springs ones simply to let you know the type of evidence that was given. The ALP representative, Mr John Thomas, in fact never gave any evidence at all to the committee; all he gave us was an insulting letter. That is, of course, the extent of responsibility of an organisation which claims to represent the political view of 34% of the Northern Territory. Quite frankly, it is a disgrace. I will say in follow-up to that though, that Mr Curly Nixon who is also listed on page 32 gave evidence that was courteous and very helpful. I think all members of the committee would agree with that. In Darwin, industry representation was 15 people compared with 8 from outside of it. Both the Katherine witnesses were from the industry and in Tennant Creek 2 out of the 3 were in fact representatives of the industry. We recognised the last person mentioned in the Tennant Creek list.

I have spent so much time on this because, in light of the imbalance of the evidence which we may seem to have received, the report would give the lie to that in the opinion of anyone who reads it. The committee has been very conscious of its responsibility to the tenant. I believe that the report covers the rights and the protection of the tenant and, if its recommendations are implemented, any ensuing legislation would be the best of its kind in the country from the tenant's point of view. A great deal of effort was put into guaranteeing reasonable expectation of tenancy to tenants who have committed their funds to what they really believe is their home for as long as they want it, particularly in such things as flats.

We will turn to the report. There is no point, of course, in going back to the recommendations so we will go straight to page 7 which commences the detailed explanation of recommendations. Needless to say, sections I to IV deal with the effects of the 1974 amendment; they deal with the committee's commercial and industrial findings in relation to the effect of the Minister's decision. It is to be noted there that the committee was of the view that it was probably a proper decision the Minister made at the time. I might point out to honourable members, and no doubt the person involved on the committee will do so himself, that the concept of rent control applying only to residential accommodation was not a unanimous one of the committee. I think it is right for me to point that out to the House. I have no doubt that, if the person who had serious reservations about that course of action wishes to, he will speak on it later. That page also deals with the effects of abandoning controls. If the Assembly was to completely abandon controls, the effects of that would be highly undesirable in light of the stranglehold the previous legislation has had upon the industry itself.

Further in that section, it was also the belief of the committee for some time that there seemed to be reason to believe that controls at all should only apply to Darwin. As further evidence was obtained, that view weakened and I think the committee rightly arrived at the conclusion that it should apply to all of the Territory

equally and in the same manner. It follows, of course, that caravans are recommended to be placed under the ambit of the ordinance when revised if these recommendations are accepted. In respect of caravans though, I personally have the view that it would be extremely difficult, if not impossible, for the controller's office to control or to determine every single individual caravan over the next 12 months, or from whenever this comes in if it is in fact accepted until the suggested date of 12 months if that idea too is accepted - it would be quite impossible for the controller over a 4 or 5 months' period to even attempt to control every caravan. I think perhaps the spirit of the recommendation is more along the lines of when it is no longer automatically compulsory to have rent control, at that stage, owners of caravans have the recourse to then go to the controller, if they think they are being hard done by, to in fact use, as the wording is here, the rent controller as a grievance receiver with statutory power to make a determination should he think that desirable.

In respect of caravans and tourism, I apologise to the Assembly, probably on behalf of the committee but particularly for myself as the person who originally drafted the report. On page 10 just above roman numeral X, are the words: "Your committee's attention was drawn to section 31M of the Landlord and Tenant Amendment Act 1948 of the State of New South Wales." We have omitted to print that particular section so I will read it out to honourable members. It is an act entitled "No 25 1948, Landlord and Tenant Amendment Act for the State of New South Wales". Section 31M states: "If any caravan is let to any person for holiday purposes only, this division shall not, except as hereinafter provided, apply with respect to rent of that caravan whilst the caravan is so let, but if any caravan is let to any person for holiday purposes and the letting continues for a period exceeding 8 weeks this division shall, after the expiration of 8 weeks from the commencement of the letting thereof, apply to a caravan while it is let to that person".

The committee, on my recollection of it, is of the opinion that 6 weeks would probably be a more appropriate time than 8; it would seem to me that if, after a person has been 6 weeks, he could reasonably be assumed to have ceased being a holidaymaker in a caravan park anywhere in the Territory. It would be an extremely rare tourist who would want to stay for any longer period.

A member: Why?

Mr ROBERTSON: I am not saying that it is impossible, I am saying that it would be extremely rare. He would then commence working somewhere if he stayed over that period; it is just an assumption and that is my view of it although the New South Wales Act stipulates 8 weeks.

The question of bonds, as is quite obvious from the wording of the report, did pose a great deal of difficulty. It may seem odd to some members of the Assembly that it is recommended that we institute a system of bonds in the Northern Territory when it seems apparent that the committee itself is quite unable to determine a workable method of controlling those bonds. My personal view is that, if no workable method can be made of actually tightly controlling bonds, if that is legislatively impossible, it should not act as a bar to the taking and receiving of bonds. I believe that very substantial losses have been incurred because people know there are no bonds. Very substantial losses have been incurred as a result of absconders, of people doing damage knowing there is no security being held, and I am firmly of the belief that if bonds were held then much of the damage that occurs in residential accommodation would not so occur for the simple reason they know they have got something to lose. Page 11 of the report deals at some length with possible methods of controlling the holding of bonds. I would ask honourable members to study it very closely and let us have their comments at a later stage.

We then passed into the field of the method of evictions; I would again ask

for a very close study of page 12 as it is quite complicated. I ask honourable members in particular when reading that particular page to bear in mind the last sentence of it which relates to the availability of the Australian Legal Aid Offices and, as such, I believe that its provision should be quite workable.

Page 13 could perhaps be confusing to some members in that section 63(5) does in fact go on for something like over 2 pages. The text only starts on paragraph (a) on page 15; the rest of it is merely a print of the legislation so that the members do not have to go out to the library with copies of the report and cross-reference the report with existing legislation. We note, and I wish to emphasise it very strongly to this Assembly, that the vast majority of these provisions within the eviction proceedings recommendation deal with the protection of tenants. Contrary to what certain political parties or political viewers may have originally thought, I think that this is a recommendation which, if slanted in any direction at all, is slanted towards the protection of the tenant. Indeed, recommendations (d), (g), (h), (i), (j), (l) and (m) are all dealing with the protection of the tenant and, if these recommendations are implemented, that protection level will be much higher than the existing provisions of the ordinance.

Page 18 is the next point of considerable interest. It is new to the Territory; it is the recommendation of implied conditions being inserted. The meaning of that simply is that, if there is no written agreement between the parties they both, at law, by statute, know where they stand in relation to each other. If there is a written agreement, then each and every one of those implied conditions are in addition to the clauses or conditions contained in the lease so that again everyone knows the minimum level to which he is responsible to the other.

It is noted on page 19 that the report prints the third schedule from the Victorian act, the Landlord and Tenant Act of 1958 of the State of Victoria. This is simply to give a clear and precise definition to any words used in any lease in the Territory so that again everyone knows exactly where he stands, so that all words used similarly in various documents anywhere in the Territory will have precisely the same meaning and the judiciary would take precisely the same note of them. As is noted, the wording is very old and again not very suitable for modern usage. It is in conflict with the recommendations in certain respects in any event. It would need to be modified for our own local use.

An area that would cause some concern to members would be on page 20, item 4: "and to paint outside every year". There should be a space between "every" and "year" where you insert a figure. It would be every 3 years or whatever may be desirable.

It has been noted that the committee recommends the retention of a magistrate. It did not accept quite considerable evidence from sectional interests that the board be replaced by a tribunal.

It is to be noted throughout that a number of submissions of the Rent Controller have been accepted. It is also to be noted that a radical departure is being made in its recommendations about the provisions of section 20 of the existing ordinance. As the text indicates, it is an area of great sensitivity and great difficulty and the committee has made a genuine attempt to set down firm and workable guidelines. The key to the whole thing lies at the top of page 26 which says: "It seems to your committee that a firm return upon the market value of the premises let plus out-of-pocket expenses and depreciation should be the major consideration guiding the controller". I think that the whole of section 20 should resolve around that philosophy.

In conclusion, the remainder of it goes step by step through the ordinance making whatever obvious recommendations are necessary to modernise it. I would again repeat the words of the report, that the legislative drafting staff should really go through the ordinance very closely and revise all sections which are no longer applicable. Such an

undertaking was way beyond the scope and capability and resources of the committee in its inquiries.

I would like to express publicly my thanks to the Controller of Rents for his help throughout the course of the committee's inquiries and its predeliberative sessions. He was at all times extremely helpful; he in fact was extremely valuable to us. If there are words within the report which are apparently a criticism of that gentleman, they are not intended as any personal reflection upon him at all. The criticism is against the system with which he was saddled.

Mr PERRON: I would like to preface my remarks on the report by commending the work done by other members of the committee and, in particular, the chairman who has worked long and very hard on this report. I would also like to commend the work done by individuals in the background, individuals who in many cases did not come before the committee but who obviously spent many hours compiling some of the well-prepared submissions which were presented to the committee.

During the committee's visits to other centres in the Territory, the committee went out of its way to take evidence to see that it did all in its power to get the information required and, in some cases, special meetings were convened to suit the particular situations of individual witnesses who could not attend the scheduled hearings. During the early stages of the committee's hearings in Alice Springs, one of the witnesses was from the Australian Labor Party. We were quite anxious to hear the views of the Labor Party and to receive their submission on this complex problem. However, the evidence presented by that particular witness consisted solely of criticism of members of the committee. The witness concerned then advised that the Australian Labor Party would present evidence within the terms of reference to the committee in Darwin at a later date. That evidence was not forthcoming. The ALP have chosen not to take a stand on this socially important issue which involves the daily lives of thousands of Territorians. I suspect they are deliberately sitting on the fence in a cowardly fashion, refusing to commit themselves so that they may criticise any proposals which this House might choose to adopt. Time alone will tell if I am right.

The report confirms that the operation and the administration of the Landlord and Tenant (Control of Rents) Ordinance has had a detrimental effect on the supply of residential accommodation in the Northern Territory. Not only has investment been stifled but evidence was received that some investors have chosen to take their capital outside the Territory. Even the Valuer-General for the Northern Territory whose department might be reasonably termed conservative advised the committee that, although he considered there were other contributing factors, compulsory rent control was partly responsible for a fall-off in new rental accommodation construction. The report recommends major and immediate changes to the ordinance to provide the stimulus necessary to undo the harm caused by the amendment which made it compulsory for all rents to be determined by the Rent Controller. It also recommends the section pertaining to eviction be rationalised to conform with sensible guidelines, taking into account the rights of both parties to a tenancy agreement, be that agreement written or not.

The committee looked at several options which had to be considered when looking at a way to reduce the effect of the compulsory and blanket rent control that exists in the Northern Territory. The committee decided to recommend that the present system of rent control be retained for a further period of 12 months in order to provide notice to all concerned and to avoid unwarranted rent hikes which could occur if the system was dropped overnight. The 12-month period should also encourage and give a light of hope to people who intend to undertake construction of new rental accommodation premises. After that 12-month period, rent control is recommended to exist by motion only. In other words, the office of the Rent Controller will still exist but a tenant or a landlord or the Rent Controller himself may

determine a fair rent for a particular premises and we recommend that system continue for a further period of 3 years before being reviewed again.

The task of reviewing section 20 of the ordinance which the committee had to do if rent control was to stay - it is the section that provides the criteria by which rents are determined - and the task of reviewing that section to arrive at an objective formula to determine a just rent was very difficult for the committee and was done with some trepidation. The problems associated with the existing formula under section 20 are exemplified by the fact that subsection (f), as an example, requires the Rent Controller to have regard to the current rate of interest charged on overdrafts by the Commonwealth Bank. The absurdity is that nowhere else in the ordinance is the Rent Controller advised as to what sum he should relate this interest rate. One might argue that the overdraft interest rate is included as a guide to what might reasonably be expected as a return on the owner's equity in a building. It could also be argued that the interest rate is intended to indicate the current cost of borrowing money to buy or build accommodation. Thirdly, it may have been included for a calculation of a fair return on the capital value of the premises. Here we have a situation where not only does confusion exist as to what figure the interest rate should relate, but the committee found that the overdraft rate itself varies from customer to customer as well as with the amount borrowed. There is no such thing as a fixed overdraft interest rate at the Commonwealth Bank. It is not surprising that your committee had some strong words to say about the existing section 20 of the ordinance.

I quote from page 9 of the report: "The committee made the observation that there is no point in setting up a climate for domestic rental development unless the Government releases appropriate land for the purpose". We received evidence that between 1970 and 1975 the Government released 74 residential C and residential A blocks in the whole of the Northern Territory - 74 blocks in 5 years! One could be forgiven for thinking that between the Government's land policy and rent control, the accommodation investor is caught up in a conspiracy.

I will not speak in detail on other sections of the report but conclude my remarks by saying that, unless it can be shown to private investors that they will be able to earn a satisfactory return on their investments and that more land will be made available, we will not have new construction that is so urgently needed in the Territory. I believe that it is our responsibility to put an end to this artificial shortage of accommodation which has been created largely by bureaucratic meddling in the free market. I commend the report.

Debate adjourned.

ADJOURNMENT DEBATE

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

Mr KENTISH: I would like to comment today on an article which appeared in Monday's NT News and also in the Australian. I think the article is identical in each case and it concerned a conference in Sydney which blasted the Land Rights Bill. Apparently, this blasting took place and the echoes of it have reached into the Northern Territory. It is a peculiar report that we have in the paper and in the Australian; it does not say who sponsored the conference in Sydney nor does it name anyone who attended the conference. We are left in the dark absolutely as to the sponsors of the conference and the people who attended. It is what you might call an anonymous conference.

Most of us may agree with the conference on one of its first notes: "The Land Rights Bill for the Northern Territory fails to guarantee even minimal land rights". I think we have been trying to tell people that for a long time. It fails to give even minimal land rights to the traditional landholders and, after we have been beating this point for a long while, suddenly a conference in Sydney has found out the same thing. They tried to point out

that the previous bill of October last year did give rights. However, as far as I am able to see, that bill also failed to give rights to the traditional owners of the land. When I say rights, I mean titles to their land. Neither of the bills that have been produced in Canberra have given title to the traditional owners of the land; they have in fact given the title of the land to somebody else who is not the owner of the land. I am glad that someone somewhere else has woken up to this fact.

Apart from that, a lot of the rest of the report is simply slanderous, untruthful material by persons unknown. It is very easy, of course, to engage in this sort of thing on an anonymous basis. It apparently considers that the Country Party and the National Party are behind all this business of not giving land rights to the Aboriginal people; this is not in accordance with fact, not in any way. It said: "The most significant of the amendments proposed withdraws from the Northern Territory Assembly the power to make laws on sacred sites, permits, entry to pastoral properties, fishing rights and control of territorial waters". On some of those things, the Northern Territory Legislative Council and the Assembly have made laws for a great many years and apparently on a satisfactory basis because we have had very little complaint about them.

I am pretty certain in saying that this conference in Sydney received material which stated very clearly to that conference that the Aboriginals have for many years had open entry onto pastoral properties in the Northern Territory; it is a condition of every pastoral lease in the Territory, with perhaps a few exceptions that I am unaware of, that Aboriginals may enter. Also, in regard to permits, the Legislative Assembly here fought very hard to retain the permit system of entry into reserves for the Aboriginal people for quite a long while. The Country Party which was slated so much by this conference was mainly responsible for keeping the permit system which gave them at that time about the only right they had to ownership of the reserves.

We consider this report but the struggle still goes on about Aboriginal land rights despite the fact that there appears to be practically no dispute whatever about the issuing of titles for Aboriginal landholders on all the reserves of the Territory which is about one-fifth of the Northern Territory. There is a second struggle going on of which perhaps very few people are aware. Apart from this struggle for the quick allocation of land rights and title to Aboriginal people, it becomes increasingly evident that the secondary battle under the surface is the battle for who is to control the Aboriginal land councils and the Aboriginal trusts and the Aboriginal people when the land rights are achieved. This is the battle which the public are unaware of.

A member: Hear, hear!

Mr KENTISH: That is the main battle; that is the big fish. People who are engaged in this business are quite aware of what is going on there. I becomes increasingly evident that the people who are engaged in this battle to control councils and trusts and Aboriginal people do not want any half measures; they want to control the whole of the land of the Northern Territory; they want to control the whole of the minerals of the Northern Territory and the waters of the Northern Territory - they want the lot. These people who are engaged in this under-the-surface battle would, if their plans evenutate, become the unelected rulers of the Northern Territory, subject only to the Minister for the Northern Territory - or the Minister for Aboriginal Affairs more correctly - who would not dare to disregard their advice. Some of these executive personnel have already displayed considerable skill in the manipulation of their subjects.

Mr VALE: I am just going to speak very briefly this afternoon on one point to which I would like to draw the attention of this House. It is a fairly recent topical issue concerning the Olympic Games funds and the fact that the Northern Territory with one exception was unrepresented in Canada. The only exception was a former Alice

Springs lad who unfortunately had bronchitis and was unable to take part in the bicyle events in Montreal. I support this public issue of funding and, despite some indications from the other side of the House of parish pump politics, I am pro-Territorian when I think that all Territory residents have a lot to offer in terms of potential for Olympic gold medals. In fact, the Majority Leader, in his youth, was a well known broadjumper in Melbourne - I am talking about long distance.

In the Territory, because of the isolation, some funds are needed to allow our competitors in a wide variety of sporting events such as cycling, basketball, boxing and swimming to train in the Northern Territory and to be able to go interstate for competition and possibly face pre-selection for international Olympic or Commonwealth games. If a gold medal was to be awarded for patience, the Territory would do pretty well but I am referring to patience to have roads repaired etc. I think that we in the Northern Territory from a Legislative Assembly point of view and as a federal issue should push for more funds for sporting venues, to allow our competitors more interstate travel for possible future Olympic selection. I think we have a lot of potential.

Mr TUNGUTALUM: Over the last few weeks, some articles and letters about Aboriginal housing throughout Australia appeared in a number of magazines and newspapers. As part of that material, some comments were made on the efforts of the Bathurst Island Housing Association to provide houses for people on Bathurst Island. Because some of the comments that were made were incorrect and some were very misleading, I have written a letter which has been published in the "Bulletin". As this is a very important matter for the people of Bathurst Island and it is important to get a straight record of what has been done for my people, I thought I might briefly talk about the history and activities of the Bathurst Island Housing Association.

The Bathurst Island Housing Association, when incorporated in early 1973 and for the 3 months ended 30 June 1973, received $59,500 of which $48,864 was spent, including $30,000 for materials, freight and plant and equipment. The remainder was spent in wages and expenses for the next year's program. During the financial year ending June 1974, the association received $328,700 and spent $321,059. The association had planned an ambitious program for that year including the establishment of a brickworks and joinery shed, the building of 4 married European staff quarters and construction of 5 family houses - 3 brick and 2 timber - for the people.

As well, it was planned to rebuild a burnt-out brick house, to complete a security yard and 3 single quarters for young men. Against this program the association completed 4 single quarters with septic systems for the young people and 1 toilet block associated with a caravan. Also the first family house in brick was completed in February and the remaining 2 brick houses in March 1974; the burnt-out brick house was rebuilt by April. Over this period also the security yard was completely fenced, the brickworks were made ready for operation and a bakery building was commenced under contract to the Nguiu Association. Out of the total amount of $321,059 spent, $71,802 was paid to Aboriginals working on the various projects.

For the year ending 30 June 1975, the association received $540,000 and spent $416,395. Over this period the association was committed to complete the bakery and the 4 staff houses, to construct a storage shed and an additional 3 brick houses. At the end of the year, the bakery was ready for use and the storage shed and 4 staff houses completed. For various reasons, the association decided not to continue with the 3 brick houses after the floor slabs and the verandahs had been poured, but to purchase and erect precut houses. From January 1975 to June 1975, 6 of these houses were built.

For the year ended 30 June 1976, the association received $500,000 and spent $568,018. $68,018 had been carried over from the previous year's program. Again an ambitious program was planned involving the construction of 20 precut

family houses, the repair and maintenance of existing association houses, and the provision of an advisory and consultative service in the construction field to the whole community.

It is very pleasing, and I am very proud to be able to announce, that during the last year the association completed the construction of the 20 precut houses as planned and, as well, completed 4 additional precut houses out of savings in material, because of better construction techniques and tighter budget management.

A toilet and shower block was completed for the bakery which also was repaired. Some repairs were also undertaken to the social club buildings. The association was able to complete site preparation for a further 2 precut houses as a carry-on venture into the next financial year out of the funds allocated for the original 20-unit program.

Whilst there are still some things to be done to improve the program for providing homes for my people on Bathurst Island, and for maintaining them, I think that what we have achieved is worth talking about and should enable us to attract funds to continue the program. We hope that, as the program develops, more of our young people will be trained in all the things that are required to be done to complete their own homes. In this way, we will be able to help reduce the problem of unemployment in our community and to demonstrate the capacity of an Aboriginal community to manage its own housing commission.

While I am on this subject, I have a "Bulletin" here, dated 3 June 1976, in which Mr Viner made a comment about the housing associations in some areas. He said, "While I do not deny that there are unsatisfactory aspects in relation to the performance of a few housing associations, my own investigations do not bear out the allegations in your article".

Ammoonguna settlement has received $110,000 and that has been closed down. I do not know why; money must have not been spent the proper way. Bathurst Island has received an amount of money and, in that area, you see the taxpayer's money well-spent.

Members: Hear, hear!

Mr BALLANTYNE: I would like to speak in this adjournment debate on a subject which is concerning the people of Nhulunbuy, Gove, and has for the last few years since the influx of people to that town and since the mining venture started in 1969. I am referring to an article which was put out by a local fisherman, Mr Noel Whitehead, and it is about a fish poisoning problem which we have called ciguatera. It may not be well known to members of the Assembly but it is a very harmful poison which comes from fish caught in that area. I will read this article to enlighten the members of this House and also to anyone who may care to read the Hansard.

The heading is: "Ciguatera, fact or fantasy?" Every paradise has its problem and one which faces the Gove fishermen is ciguatera or fish poisoning. It is a fact that over 60 people have had fish poisoning in some form or another since 1972. Prior to 1972 very few reports were made here or at Gove. Ciguatera is not new and, as early as 1774, it was reported by Captain James Cook that he and 2 of his officers had contracted poisoning which had the classic symptoms of ciguatera. In fact, a pig they had on board ate the entrails of the fish and was dead next morning.

Ciguatera poisoning is very prevalent in the islands of the South Pacific. In some islands, it has reached such proportions that few people will eat fish. Over 300 species of fish have been implicated in ciguatera poisoning, many of which are highly regarded as edible fish. Much research has been carried out by the Hawaiian Marine Laboratory but still the reason for the presence of the poison remains a mystery.

Dr Banner has isolated the toxin which causes the sickness but to date no antivenene or simple test for toxicity has been found. Present evidence favours the source of the toxin as blue-green algae found mainly on damaged coral. The toxin is passed through

the food chain as first herb eating fish contain the poison and pass it through, as one species of carnivorous fish eats the other. The more infected fish eaten by a single fish, the greater is its toxicity as the toxin is accumulative. That is to say, these small fish eat the coral in the bed and the larger fish come along and eat the smaller fish and so the toxin builds up in the body of the fish. Researchers have many theories as to the cause of this toxicity but Dr Banner studied the stomach contents of fish known to be toxic and found large numbers of acanthurids which in turn fed only on herbs and in particular the blue-green algae. According to some researchers, the algae forms on coral damaged by many forms. Pollution, environmental changes, damage by excessive storms or cyclones, heavy bombing or blasting have all been recognised as coral damaging factors in areas affected.

Some credence was given to the probable pollution by heavy metals in areas where bombing, blasting and industrial pollution had taken place. Heavy metal would be mercury. However, it was found that similar cases were recorded where natural upsets such as cyclones or excessive rain or volcanic disturbances had occurred and no real environmental changes had been caused by man.

The symptoms of ciguatera are very similar to those of mercury and cadmium poisoning. For this reason, many researchers have been divided over the probable cause and treatment.

But what of the local Gove problem? It appears that very little poisoning, if any, occurred prior to 1972. In 1972, a number of people reported being sick after eating fish caught in the Bremer Island area which is just off the peninsula itself. Mr Whitehead was interested after a number of reports started to accumulate. Bremer Island, and in particular the area where the poison fish were caught, had been one of his favourite fishing spots. He had caught large numbers of fish in this area and handed them out to other families, all without problems. First he felt that perhaps food poisoning may have been the cause because he had seen so many people catch fish and leave them at the bottom of the boat for hours. He also found this to be the case in a number of incidents where people had become sick, and he advocated that the bleeding and cleaning of fish soon after they were caught would remedy the problem. However, Mr Whitehead advised that the fish be iced down as soon as possible or kept cool. As most cases seemed to come from Bremer Island, with about an hour or so run from the boat ramp, he felt that food poisoning was more likely to be the problem.

It was when a number of cases occurred among the people that he was assured there was some problem. Mr Whitehead found that they bled, cleaned and iced down the fish and the ones that had been sick had still done this in some cases. He also said that some attempt should be made to establish a pattern to see if the cause was restricted to one area or one type of fish. Firstly he complied a questionnaire which was completed by some of the people who were ill and also others in the area. This questionnaire consisted of some 30 questions and when this information was collated there were some interesting facts found. First, that the fish appeared to come mainly from one area, other cases being confined to about 3 separate areas. Secondly, although most of the cases had occurred with barracuda, a large number of species were represented. These included mackerel, queen fish, turrum and the bottom feeders - coral trout, cod, sweetlip, red emperor, scarlet sea perch and coral cod. Thus, you can see there is a large variety of fish and they were the ones that he was able to get from this questionnaire. There have been other fish also causing fish poisoning.

Although people were affected in different ways, the classic symptoms were present in most cases. During this period, contact was made with several authorities on the matter and the Queensland Department of Fisheries wrote saying they considered the problem appeared to be ciguatera, which is a tropical disease. Ciguatera was heard of by fishermen in the tropics most of whom considered it was confined to certain fish: chinamen, coral trout and

red bass. It was said that if anyone wanted to test these fish, a slot was cut in the flesh and a silver coin inserted. If it was discoloured after a time, the fish was suspect but I doubt whether this would be a reliable way of testing a fish to see whether it was poisoned. I am sure that most of the honourable members here would not use that as a sure method.

The problem was researched thoroughly through such books as "Fish Poisoning in the South Pacific", "Fish in Australia and New Zealand", "Marine Toxin and Venomous and Poisonous and Marine Animals" and many others which touched on the subject of ciguatera. One thing was evident, that not a great deal was known of the cause of the poison and that there was no sure method of detecting the toxin in the fish prior to consuming it. This is a very important fact and some continual research should be made by the Fisheries research branch or perhaps some marine biologist should come up to this area and spend some time trying to find some relief for this poison because research is necessary to establish areas where the poison is prevalent and then much painstaking analysis and investigation is required to isolate the toxin. The development of an antivenene and a simple toxicity test is being hampered by the lack of known samples of the toxic fish. In Australia, very little is being done - in fact, I would say that nothing is being done - on this particular problem and we can only hope that some high priority and finance is allocated to this important research.

In mid-1974, it was brought to notice that the symptoms of the fish poisoning were very close to those of heavy metal poisoning. It was suggested that because an aluminium plant commenced production in that area in 1972 maybe there was some significance attached to the fact that it was actually letting water and other substances go into the sea from the plant effluent. This was asked of several chemical engineers in that plant and there was evidence found that there was some mercury, so they built traps to trap the mercury which was quite easily done - there was not a great deal. It was felt that this had no bearing on the problem at all because there were no substantiated reports of fish poisoning and there was nothing that was caught in that bay area that showed evidence of poisoning.

About this time, a local doctor and his family became very ill after eating barracuda and the Department of Health appeared to take an interest in the problem and steps were taken to get more information on the poison and its treatment. Further investigations and interviews with people poisoned gave the following list of fish to which fish poisoning had been attributed: barracuda, mackerel, skinny, brown cod, red emperor, emperor sweetlip, painted sweetlip, trevally, thread fin, red perch. Generally most fish were over 6 pound, but in several cases people were not sure and after questioning it appears that the fish were in the 2 pound to 4 pound range, and one or 2 serves were consumed in most cases with each serve roughly about the size of a cigarette packet.

Not all fish from the area are toxic. This is borne out by several cases, one of which involved Mr Whitehead himself. There were 3 brown cod caught off the reef at Cape Arnhem, all within 3 yards of each other; the fish were all about 8 pounds and were gutted and cleaned and placed in an esky as soon as they were caught. There was this person present and he had been previously poisoned with the fish and he was very meticulous; he cleaned his fish and, because he was unfamiliar with the fish, he brought them around to Mr Whitehead's place for identification. When he arrived there was a barbecue in progress and, on learning the fish were edible, they proceeded to eat some fish and one of them, a Swiss gentleman, kept some and put it in his freezer. About a month later the Swiss gentleman baked and ate the fish and both he and his wife suffered severe fish poisoning. It is just unreal to think that you can get fish from the same area within a few yards of one another and treated in the same manner and yet can become poisoned by one fish. Another instance occurred where a number of people ate several fish and some were affected and some were not although all the fish were caught in the same anchorage.

What are the symptoms and effects suffered by the victims? The symptoms are dizziness, vomiting, diarrhoea, nausea and tingling around the mouth and extremities, usually within 4 to 24 hours after eating the fish; in severe cases, muscular aches with loss of control, balance and co-ordination occur.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

(Extension of time granted on the motion of Mr Ryan.)

Mr BALLANTYNE: Thank you, Mr Deputy Speaker, I have not got long to go.

In very severe cases, respiratory problems occur which researchers say can result in death. The victim often suffers parathesia, which is classic in type; in other words, when you touch a cold object it feels hot and when you touch a hot object it feels cold. This is a very serious illness. Also, after effects, according to the severity - dizziness, loss of balance, co-ordination - can occur up to 6 months after the attack. It has been known that people have felt sick for a longer period than that, as well as suffering unperiodic bleeding, nausea, and pains in back and muscles for several months. This has occurred at Gove.

What are the long-term effects? This is not known from Mr Whitehead's experience, but researchers in South Pacific islands have found that effects can occur for up to 2 years with any fish, including pastes, able to cause a re-occurrence. It is quite fantastic. It has also been known to cause skin disease, loss of hair, loss of nails on fingers and toes. Some researchers feel that it could cause hereditary problems but nothing has been found yet to support that theory.

What can the people of Gove do? For 3 years Mr Whitehead has tried to get someone in authority to recognise the problem. It may sound strange that people around Darwin can go out in the Darwin harbour and catch fish and not suffer these problems. There must be some reason for this and this is why I am bringing this to the attention of the Chamber today. I only hope someone listening will take some notice of it.

The Health Department is aware of the problem and so is the Fisheries Department. However, these departments are limited in their brief and require direction and funds to carry out research. There are very able men in both departments who are willing to carry out this research if this problem is officially recognised and funds are made available. It is heartbreaking to think that most people in Gove will not eat fish. They have a source of large, delightfully edible fish within minutes of the town and accessible to anyone who cares to wet a line. It is also heartbreaking to catch large fish only to have to throw them back because they could be poisoned. If only some simple, sure method could be found to test these fish! Gove has the potential of an excellent fishing industry which could be beneficial to the local and export markets if only someone can tell them which fish is affected.

To conclude: in the meantime, Mr Whitehead will continue to catch and eat fish. He uses a portion test to ensure that the fish is edible before feeding it to his family. This consists of eating a small portion himself before cooking the whole fish. It seems a crazy way of doing it. Sometimes it has been said that you should feed it to your cat. I do not know what animal lovers would think about that. This could be dangerous but at the moment the odds are in his favour. Will this poison increase to such an extent that one cannot eat the fish? Only research, and research which should not be delayed, can answer that question.

Mr RYAN: I believe, Mr Deputy Speaker, that an extension of time in the adjournment debate is not allowed under standing orders.

Mr DEPUTY SPEAKER: It is in order.

Mr RYAN: Over the past few days, we have been preoccupied with the problems associated with the building of houses. We seem to have forgotten that, when people are housed, particularly in the northern suburbs, they have to get to work. Most of them work in town. It has become quite obvious over the past few months that the situation regarding traffic on Bagot Road at peak periods is almost at the stage that it was

prior to the cyclone when there was quite a lot of debate on the construction of another access to the city from the northern suburbs, namely the Palmerston arterial road. While we are all preoccupied with making sure that we can house all these people, somebody should be taking a fairly hard look at the problem which is only going to increase as the time goes by: the excessive traffic on Bagot Road.

This problem does extend into town, to areas on the Stuart Highway, in particular the bridge crossing just before the lights at McMinn Street. If action is not taken, we are going to see the problem of pedestrian crossings, which was brought up yesterday by the honourable member for Ludmilla, increased also. Therefore, I intend to take the matter up with the department concerned and find out whether they have any specific plans for improving Bagot Road. I believe there were some plans under way to increase the capacity of the Stuart Highway-Bagot Road intersection to allow 3 lanes of traffic to turn into the road to go across into Bishop Street area. There was also a proposal to add another lane of traffic to either side of the bridge on Daly Street. Hopefully, this action will be taken fairly quickly, otherwise we are going to reach a situation where the traffic congestion in the morning and afternoon peak hours on Bagot Road is going to cause a very serious problem.

Mr DEPUTY SPEAKER: For the clarification of honourable members, the Executive Member for Transport and Secondary Industry appears to be quite right Section 66 of the Standing Orders does seem to preclude an extension of time in debate on a motion for the adjournment.

Motion agreed to; the Assembly adjourned.

Thursday 12 August 1976

Mr Speaker MacFarlane took the Chair at 10 am.

WILDLIFE CONSERVATION AND CONTROL BILL

(Serial 108)

Bill presented and read a first time.

Mrs LAWRIE: I move that the bill be now read a second time.

It may be that with the passage through this House of the National Parks and Wildlife Bill for which we are waiting assent, this bill is no longer necessary; however, I have decided to proceed with its presentation and second reading. Although the Majority Leader indicated this morning that he expects his legislation to receive assent, being very cynical, I have no faith in any government. I would like this legislation to proceed so that, in the event of his legislation not receiving assent for some time, my legislation may close what I believe to be a loophole in the present legislation; this relates to protected areas.

Under section 23 of the principal ordinance, there is a description of exempt persons for the purposes of protected areas. They are an inspector, a person authorised by an inspector, a ranger, an officer or employee of the Commonwealth Public Service or the Public Service of the Territory or a board or instrumentality of the Commonwealth while acting in the course of his employment or a person who is the holder or the employee of the holder of a miner's right, an exploration licence, a permit, licence or lease or a person performing a duty or function under the law of the Territory.

The loophole appears in paragraph (c)(i) which is the provision I want repealed: a person who is the holder or an employee of a holder of a miner's right is exempt from the provisions of the protected areas. These include, in section 27, "a person not being an exempt person shall not use or have in his possession or under his control in a protected area a firearm or trap". This loophole has meant that anyone holding a miner's right can have in a protected area a firearm or trap and so can the employee of any such person. Honourable members will be aware that it is a very simple procedure to get a miner's right. One simply applies, pays and receives a miner's right. If one owns a fruit shop, all one's employees in that fruit shop would, by inference, because the owner of the shop has a miner's right, have the right to go into a protected area with traps and guns.

I have received representation which leads me to believe that this loophole has been discovered by the very people to whom it should most forcibly apply. They have been using this provision in a way never intended. If my legislation is passed and becomes necessary because the Majority Leader's legislation is not assented to, it will amend the principal ordinance to ensure that the holder or employee of the holder of a miner's right no longer has the right to go onto a protected area using or having in his possession or under his control, a firearm or trap. I would draw honourable members' attention to the fact that there is still provision for a bona fide person to get an exemption anyway from the Chief Wildlife Officer. Section 26(1) is amended in clause 4 of my legislation to ensure that people holding miner's rights can still go onto a protected area; all my legislation does is ensure that they do not have the automatic right to have in their possession firearms and traps. I commend the bill.

Dr LETTS: I rise merely to point out, as I am sure the honourable member for Nightcliff recognises, that the bill which was passed by the Assembly at the last sitting, namely the Territory Parks and Wildlife Conservation Bill, not only takes care of precisely the area that she is interested in and has proposed legislation for, but in fact would repeal the whole of the present Wildlife Conservation and Control Ordinance and replace it with a new, more comprehensive piece of legislation.

I am assured by the ministers most closely concerned in this matter - nam-

ely, the Minister for the Northern Territory and the Minister for the Environment - that not only is there support for that legislation but also I believe they are anxious to see it assented to and commenced as soon as possible so that the new and more effective machinery for wildlife and park work in the Northern Territory can be set up to meet any decisions which may be made relating to mining in the area of one of our most important parks in the Northern Territory.

I believe that assent could be forthcoming within a very few days and I will be having further discussions with the Minister for the Environment in person tomorrow, which may clarify this point. I think it would be unnecessary for us to debate this matter at length and process it through and take it through the motions of departmental advice and assent when the matter may become quite unnecessary within a few days. Therefore I suggest that the best course for the Assembly is to adjourn the proposition for the moment and see how speedily we can achieve the same result with the legislation which has already been passed.

Debate adjourned.

PREVENTION OF CRUELTY TO ANIMALS BILL

(Serial 57)

Continued from 24 February 1976.

Mrs LAWRIE: I seek leave to withdraw this bill. My reasons are that in some provisions of the legislation, which is fairly comprehensive, there was general agreement; in other provisions there was certainly no agreement. To amend the legislation accordingly, I think would unduly take up the time of the House. It is my wish, therefore, to withdraw this bill and to present at the next sittings a simplified bill containing provisions on which there was general agreement expressed during the course of debate on the present one.

Leave granted, bill withdrawn.

ENVIRONMENT BILL

(Serial 81)

Continued from 24 February 1976.

Mr EVERINGHAM: If I may, I shall make some comments in connection with this piece of legislation. At this stage, I should like to compliment the honourable member for Port Darwin on the obvious work that has gone into this quite voluminous piece of legislation; however, it seems to me that the bill as it now stands requires perhaps a great deal more refinement before it finally is given the approval of this House. I might say that the honourable Majority Leader has, in consultation with myself, done a great deal of research and work into and on this bill. I would say that he has done a great deal more than myself but, be that as it may, it seems to me that the bill could do with improvement in clause 3 where the definition of "aggrieved person" refers to the term "statutory nuisance". To find out what a statutory nuisance is we have to go to section 14 of the bill, and I believe that all definitions should at least be together so that the bill is made easy for the public to read. Then we see the term "beneficial use"; this only relates to human benefit and I wonder whether the honourable member has not perhaps given some consideration to enlarging this term to bring in perhaps the environment generally or animal sanctuaries or anything like this. The definition of "land" on page 3 - I wonder whether perhaps "land" should specify that it also includes rivers and streams. The definition of "waste" could also perhaps do with some refinement. Passing on to page 4, we have in clause 3(2) the term "environmental protection order", and once again one has to go further on in the legislation to find out what that means.

I pass on to clause 6(1) relating to the administration. This provides for the appointment of a director. I wonder whether we should not decide whether we ought to impose in the legislation certain qualifications which the director who will be appointed later by the

Administrator in Council should meet. I would ask the honourable member opposite to give some consideration to that. Clause 6 also appears to set up a new branch of the public service - I assume in the Northern Territory Public Service but it may well be in the Commonwealth Public Service - but has sufficient provision been made for this and will this new section not trample on some of the prerogatives presently exercised by the Parks and Wildlife Section? This is something that perhaps the honourable member could consider.

Going on to clause 8(2), these functions of the director need careful scrutiny. My own feeling is that 8(2)(f) is perhaps going a bit too far by giving the director that broad power. Clause 8(3) says that if a person having control of any premises refuses to permit the entry onto those premises of an environment officer, the environment officer may not enter those premises. He has to go away and get a warrant, but he can authorise some other person, a pimp presumably or a runner, to enter onto the premises and remain there until the application for the search warrant has been made and determined. This seems to defeat the whole purpose of the environment officer having to obtain the search warrant. I would strongly suggest to the honourable member that this part be deleted.

Clause 9(1) says that the Administrator may appoint such environment officers as he thinks necessary for the purposes of the ordinance. What about spelling out there some qualifications which the environment officers might need to meet? After all, if this went through as it is at the moment, they are going to have very broad powers and I do not think that just anyone should be appointed.

With reference to clause 9(2), it is my belief that a warrant should have to be sought in the case of exercise of these powers. Clause 9(6) could be dealt with more appropriately by making provision for the director to make application to a court on the basis that he believes in the existence of certain documents. The person against whom the offence is alleged could be required to produce these documents if, in fact, they do exist. All this is a great invasion of privacy and virtually enables the director to secure conviction on this poor victim who is being required to provide all the evidence for his own conviction.

Clause 13(3) and (4) relates to where a person may not apply for a cancellation of an environmental protection order if he does not shut down his factory or manufacturing process within a certain time of receipt of the environmental protection order. In other words, if he wants to appeal, he has to abide by the order and suffer what may be a tremendous loss and then perhaps his appeal succeeds. In my view, the better course would be to provide a remedy in damages. Imagine if an environmental protection order was served on Nabalco and this huge plant employing thousands of people was required to close down within one day. It is just not possible. Of course, there is provision that it may close down within such reasonable time as may be allowed, but then it has to start up again if its appeal succeeds. All these people would be stood down for a week while the plant is closed down, then it would take another week or 2 to get it going again.

Clause 14 is going to provide a lot of fun for various people who do not get on too well with their neighbours. I direct attention to subclause (k): "the emission of noise of a volume, intensity or quality that is, or is likely to be, harmful or unduly offensive to a person". This is going to lead to fights about whether you have started your motor mower at 6.30 in the morning on Sunday or 7.30 and all the rest of it. Paragraph (1) refers to: "the emission of odours which, by virtue of their nature, concentration, volume or extent are obnoxious or unduly offensive to a person". Obviously, I cannot break wind in the bus on the way home any more if this piece of legislation is enacted. This really is totalitarian legislation. I do not know that such a statute is even on the books in the Union of Soviet Socialist Republics, but I think it is a very basic right and if it is not enshrined in the Magna Carta, it surprises me.

In clause 16, we have a subclause (4) where the director, if in his opinion a question is too complex, may direct that the matter be taken out of the local court's hands and remitted to the Supreme Court. I do not think that section is necessary at all and neither do I think subclause (5) of clause 16 is necessary.

We go on to clause 20. The director's estimate of costs here is final. That is in 20(6). Here again I think the director should have to take action to recover his costs or damages in the normal way. Clause 21(3): "Where an environmental protection order refers to a substance as being a dangerous substance, the production of the order is prime facie proof that the substance referred to is a dangerous substance". I think the onus of proof in that should be on the director; after all, he is making the allegation. This is a provision which, if enacted, would give the director far-reaching powers on his own initiative and I believe that he should have to apply to a court for an injunction to obtain the orders that he might obtain under 22(1)(a) to (d) inclusive. Clause 23 would preclude us from throwing our old batteries and detergent bottles away in the municipal tip if it were enacted in its present form, and so it goes.

In clause 20 we are once again precluded from breaking wind. He has been really anxious to cover this point has the honourable member opposite. I would suggest there again that section might be deleted.

Roadside signs are referred to in clause 36. I think these are covered within municipalities by the authority of the local government body where not by the Department of Construction, but I do believe it is an area which is more appropriately covered by other authorities.

I would like to say that I am not trying to be too critical by any means or carping of the honourable member opposite; I believe a great deal of work has been put in by him on this legislation which is very novel and I think he deserves the compliments of this House. But I do believe, with the additional amendments that I think should be made and the amendments that we have already, that it would be a wise course if the honourable member for Port Darwin withdrew the present piece of legislation and amalgamated the whole lot and presented to us at the next sittings a fresh piece of legislation which we could consider de novo.

Mr WITHNALL: When I introduced this bill, I think honourable members will remember that I said that it was a piece of pioneering legislation containing a number of new concepts and I invited honourable members to criticise both the form and the content of the bill. I am glad indeed to accept criticism because, after all, when one has lived a long time with a particular task, particularly with a particular form of words, eventually one gets to the stage where one cannot see beyond one's own words. It is at that point that some external criticism and some fresh mind is of the greatest of value. I thank the Majority Leader and the honourable member for Jingili for their concern in this matter and for the work which they have done and the discussions which they have had with me on the general subject of the bill.

While I accept most of the proposals which have been made by the honourable member for Jingili, I would like to make this remark: it has always been my view about the making of legislation that no matter how careful one is in forming the terms of a bill, no matter how careful one is to write in administrative safeguards, there comes a point in all legislation-making where you simply must trust your administration. One ought not to be quite as afraid of the administration as perhaps some of the proposals which the honourable member made this morning imply.

Some of the amendments clearly point to errors on my part. I do not propose to deal with the amendments as the honourable member put them one by one. I propose, however, to deal very broadly with what I think are his chief criticisms. He spoke about the functions of the director and suggested that 2 of those functions were too wide. Perhaps one can be very misled in

spelling out functions of a director or functions of any officer in legislation because, while they appear in the section generally speaking, they are not tied up with any particular power which is given to the director but merely indicate the sort of area within which he exercises those powers and the sort of activity that he may engage in without committing any act of enforcement of the law. However, I certainly will look at the proposals made by the honourable member and come back to this Legislative Assembly later with my further consideration of the point.

The other general matter that I wanted to deal with was the question of search. Honourable members will know from what I said in the second-reading speech, that I put forward the provisions about search in a very tentative way. It is not, and never has been, my view that powers of search should be given to police officers and other officers without such limitations as will ensure that the freedom of the subject and the privacy of persons is not unduly interfered with. I accept the criticisms which the honourable member has made. The provision which I made in this respect was completely novel; I put it forward somewhat tentatively and I am glad to have had it tested out by the consideration of the other members of this Assembly. I will accept the honourable member's proposals but I do not think that the omission of these provisions would represent the best solution of the problem which crops up time and time again in legislation. I would suggest that some further consideration on other occasions might be given to evolving a system which will be effective so far as the administration of the law is concerned and preserve the freedom and privacy of members of the public.

Finally, I want to deal with the suggestion the honourable member made that the Environmental Protection Board should be headed by a judge instead of a legal practitioner. I would be quite happy to accept that proposal but I cannot envisage the amount of work that may fall to the task of this board. It may be that, by providing in the legislation that it should be headed by a judge, an undue workload will be placed upon the judge who is appointed to the board. The only other comment I have to make about that proposal is that the board is also a board which is not dealing merely with appeals from decisions or appeals from environmental protection orders but is a board which is responsible for considering the administration of the ordinance and recommending to the Administrator in Council further amendments of the law to ensure that the law is kept up to date and in accordance with modern ideas. This seems to me not to be a task that one would place on a judge and, while I accept his proposal, I think that it may be that experience at a later stage is likely to create some difficulty.

The last comment the honourable member made was with respect to roadside signs. I suppose it may be said to be a little startling to find this provision in an environmental protection piece of legislation. It was there because there is no law in the Northern Territory, apart from such bylaws as do exist in municipalities, which controls the erection of roadside signs. I put it in for that reason because I thought the existence of the law might be a warning to persons who may want to set up business in the Northern Territory that they cannot do the sort of thing that has so spoiled the countryside in other parts of Australia. But I do not regard this as an essential part of the bill, and if there is objection to it appearing in the bill at all, or in the form that it does, I am very happy to consider the proposals which the honourable member has made.

I cannot but agree, however, with the suggestion made by the honourable member for Jingili that if amendment to the bill, in addition to amendments already before the Assembly, is made on a number of the subjects which he has spoken about today, the bill will become a document which will be very difficult to understand in committee and which will be almost impossible to set out in any orderly fashion. As a consequence I would like to indicate to the honourable member that I am prepared at the appropriate time to withdraw this bill and to present a bill embodying, not only the amendments

which are already before the committee, but also some of the amendments at least which have been proposed this morning.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

GOLD BUYERS BILL

(Serial 91)

Continued from 24 February 1976.

Mrs LAWRIE: I seek leave to withdraw this bill.

The Majority Leader was in fact correct that the ordinance has been repealed but it was left in the library in its normal manner as an ordinance still on the statute book. Owing to that error, I attempted to amend it.

Leave granted; bill withdrawn.

TRAFFIC BILL

(Serial 92)

Continued from 3 June 1976.

Mr WITHNALL: I ask that this debate be adjourned.

In explanation, this subject has been under discussion between the honourable Executive Member for Transport and the persons administering the traffic laws. As a result of those discussions, a more comprehensive bill will be introduced at a later stage. When that bill is introduced, I will be prepared to withdraw the bill which is now before us.

Dr LETTS: I move that the debate be adjourned.

Motion agreed to; debate adjourned.

NATIONAL TRUST OF AUSTRALIA (NORTHERN TERRITORY) BILL

(Serial 116)

Continued from 3 June 1976.

Mr TAMBLING: I am very pleased to support this bill. I believe that it is long overdue that we should establish a body to ensure that historic and other landmarks are adequately protected and maintained. I am aware that there has been a community response for some time and interest in the formation of a national trust in the Northern Territory. In fact the sponsor of the bill did outline that interim committees and other organisations have expressed this interest for some considerable time, both in Darwin and Alice Springs. If you look also at other centres such as Katherine, Pine Creek, Tennant Creek, and I am sure a lot of other centres right throughout the Northern Territory, it only takes a general drive around many of the former mining or former agricultural areas to realise that there are numerous points of historical interest and that, unless very deliberate moves are taken to ensure their preservation for future generations, then the bastards of the community will get in and will certainly rape a lot of the historical objects and historical places and future generations will suffer the loss of them.

The only reservation that I have with regard to the bill is purely technical in that I find that in its construction there appear to be a number of aspects that I would have thought to have been more appropriate to perhaps the standing orders of an organisation in its day-to-day routine. However, I have been assured by the sponsor of the bill that this legislation was introduced at the request of the interim committees that have looked at the formation of the national trust and for their own reasons have sought to have these administrative matters incorporated in the legislation. If that is the case, they are going to have to live with the imposition perhaps of rules that may not be quite flexible enough in the future. However, I will leave that for the body itself to work its way through in the future.

Just from my own observation within my own electorate, I am aware of many of the places of natural and historical interest. On the East Point Reserve, I

have the war museums and the military establishments. I am fortunate to have the remnants of the Fannie Bay Gaol and I hope that they do remain remnants ...

Mrs Lawrie: Hear, hear!

Mr TAMBLING: ... and can be preserved and looked after on a future occasion by the national trust.

Mr Perron: Except for the fence.

Mr TAMBLING: Except for the fence. Yes that will have to perhaps come down.

There are many other areas throughout our community that need this special interest and special application. I am always thrilled to go to Pine Creek and drive around that old township, and to go to a number of other areas that we have to look at very carefully. So it is with a great deal of personal interest that I believe that this legislation is very timely and I give it active support.

Miss ANDREW: I too share the sentiments of the Executive Member for Finance and Community Development and applaud the introduction of this legislation. I wish it a speedy passage and I hope that it will be very soon assented to so that some form of order can be brought into the preservation of historic sights. Members are well aware of my interest in the history of the Territory, illustrated by changes to the Native and Historical Objects Ordinance which has, thankfully, passed at this sittings. I have read this legislation at length and discussed it with people in Canberra and here. I agree with the comments of the previous speaker that, in time to come, there is a possibility that the people concerned could well find these rules somewhat binding and difficult to change. However, this does seem to be a trend in national trust legislation throughout Australia.

I am concerned that the penalties are perhaps a little too lenient. In clause 12(2)(g), there are penalties for a breach or non-observance of the bylaws; these are not to exceed a fine of $50 for an individual or for a person other than a corporation, or $5,000 in the case of a corporation. The Territory is losing its historical sites either through national disasters, bulldozers or tamperings from outsiders. We have very little left and you only need one quick drive around Darwin as an illustration of that. I am concerned that a fine of $50 would be a very small deterrent to anyone infringing the bylaws which are designed for preservation. I put forward the proposition that I may be proposing an amendment to increase the penalty.

Clause 18 provides that where a person is willing to enter into an agreement with the trust to make his land either permanently or for a specified period subject to conditions restricting the planning, development or use thereof, the trust may enter into agreement or accept a covenant from that person. My concern is that any such agreement or covenant would only bind the current parties to it and not subsequent owners. It is my understanding that a covenant of this nature may not, as a matter of law, run with the land. It may therefore be desirable to provide in the ordinance that it does run with the land for the agreed period, providing that it does not conflict with any other existing lease covenants or town planning restrictions. It may also be desirable to provide for registration of the covenant on the title. I put these suggestions to the honourable member for Nightcliff and ask her if she will look at the matter because I think this is most important.

I commend the bill and, in doing so, I hope that very shortly we will be seeing stickers on buildings not only in the towns of the Territory but in the outlying areas in the older towns and counties.

Mr MANUELL: I support the bill and I would like to commend the honourable member for Nightcliff on her endeavours to introduce this piece of legislation into this House. I share the sentiments of the previous speaker and I believe the points of constructive criticism to have been adequately covered by those previous speakers.

I would, however, like to draw clause 10 to the attention of the honourable member sponsoring the bill. I have spoken to the honourable member privately about this matter. I believe that, as this bill incorporates the national trust in a piece of legislation, it would be appropriate to place some obligation on the trust to present to this House an annual report of its activity and its financial affairs. For that reason the honourable member for Nightcliff has agreed with me that an amendment to clauses 10 and 10A be inserted. I am certain that the honourable member will make mention of that in her closing remarks. I commend the bill.

Mrs LAWRIE: I thank honouable members for their broad support of the legislation and I thank the 2 members who have spoken on behalf of the Majority Party for their courtesy in discussing the legislation with me.

The Executive Member for Education and Law raised 2 points. One was the increase in fines and she did indicate that she may be introducing an amendment. I have an open mind on that matter; if the Majority Party agree to increase the fines, I do not mind at all. But that particular fine was the one suggested by the national trust itself and I ask the Executive Member, if she does indeed introduce this amendment, to allow me prior notice so I can discuss it - perhaps we both could - with the present senior executive of the national trust in the Territory who of course lives in Darwin.

She also suggested strengthening clause 18(2) to enable covenants to run with the land. This provision is enforced in Western Australia and it has proved very difficult in the various states to get agreement with the state governments on this principle. The reason it was not put into this legislation is because it has no uniformity, although that is considered desirable, with the rest of the statutes in Australia. Therefore, I felt it would be better to get the broad bill accepted and passed and assented to and then, if indeed legislation can be drafted to enable covenants to run with the land, remembering that we have leasehold and freehold systems in the Territory which is a further complicating factor, I would be happy to see that introduced. But I think it would be better for it to be introduced as a separate piece of legislation, as an amending bill. It was discussed with the national trust and it was discussed with the person preparing draft legislation in South Australia, and it was found at the moment to be too difficult. So I would ask the Executive Member for Education and Law if she would accept the proposition that the bill goes through in this form and if it can be found that legislation can be drafted to tidy up and to strengthen that provision, I would only be too happy to give it my support.

The honourable member for Alice Springs has suggested that there is a need for an annual report, an audited report, to be tabled in this Assembly. I agree with him in this and hope to circulate an amendment, which has already been drafted, to enable that to happen. I thank him for his interest.

In conclusion, I thank all honourable members for their support of this legislation.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

DISPOSAL OF UNCOLLECTED GOODS BILL

(Serial 121)

Continued from 11 August 1976.

Miss ANDREW: I would like to thank members for their comments. My only criticism would be that comments all too often come at the eleventh hour and some consultation over a period of time would give more time to discuss suggestions intelligently.

I would like to comment on some points made by the honourable member for Port Darwin and I thank him for his suggestions. Some of his suggestions have already been incorporated in the schedule of amendments that has been circulated and I propose to adopt some of his other suggestions by way of

other amendments. In particular, I propose to seek further amendments to clauses 10 and 14 to simplify them and avoid any repetition in their provisions. All reference to part II will be removed from clause 14 and, where dispute arises under clause 10 in part II it has been amended.

I propose the deletion of paragraph (c) of clause 19(1) dealing with disposal by gift. We have decided that 19(1)(c) which specifically caters for gifts could best be deleted because such an action is still covered by 19(1)(e). I will seek to reduce in clause 20(4) the period during which any proceeds of sale must be held in trust by the Administrator from 6 years to 3. I believe that this is a more realistic figure for the Territory. Some further clarification of the difference between sales and disposal will be proposed in further amendments to the bill. An amendment to clause 24(4) will be sought to require a person to estimate the value of the goods in his notice of intention to sell.

I am not able, however, to accept 2 of the suggestions of the honourable member for Port Darwin. He suggested that the appropriate court to deal with such matters under the ordinance was the court of summary jurisdiction, and not the local court. The court of summary jurisdiction is concerned primarily with criminal matters and would deal with any offence committed under the bill. The other provisions of the bill are purely of a civil nature and would in my view more appropriately be dealt with by the local court. It may be that some of the local court procedures may be unnecessarily complex for the purposes of this bill and, for that reason, amendments which have already been circulated are proposed to enable the procedure under the bill to be prescribed by regulation. Subject to any such regulation, the local court procedure would apply wherever appropriate.

I refer honourable members to clause 22(3) and the amendments proposed thereto. I also foreshadow a further amendment to the bill to ensure that the normal right of appeal will apply from any court exercising jurisdiction under the bill.

The other matter raised by the honourable member for Port Darwin was that clause 23 should be a complete protection and not only a protection to the person acquiring the goods in good faith and without any notice of any failure to comply with the bill or defect in title. The clause as it stands is substantially the same as that in various state laws. In my view, it should not extend to give complete protection where the person selling the goods has not complied with the bill; he will be protected in any event, although the onus will be upon him to establish that he has so complied. I refer honourable members to clause 23(2) of the bill and thank them for their comments.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

HOSPITALS AND MEDICAL SERVICES BILL

(Serial 133)

Bill presented, by leave, and read a first time.

Mr POLLOCK: I move that the bill be now read a second time.

The purpose of this bill is to amend the Hospital and Medical Services Ordinance so that the Commonwealth Government's new approach to Medibank may be implemented. The Government's plan is that as from 1 October 1976 all citizens will pay, except those with the least means, a contribution appropriate to their income towards the cost of health services provided throughout Australia. It is also intended that those who would prefer to be insured privately will be able to opt out of the Medibank inusrance scheme if they arrange satisfactory cover with a private fund. It is emphasised that Medibank will remain a universal health insurance scheme except for those who positively decide to opt out, and will entitle patients in hospital to receive treatment in a standard bed by a salaried hospital doctor without further payment. Medibank subscribers requiring intermediate or private ward facilities, together with treatment by a

doctor of their own choice, will be required to pay an additional Medibank premium or take additional cover from a private fund. This scheme will ensure that all people will receive full hospital care at a cost tailored to their income. Hospital charges at the daily rate to be prescribed will be paid by persons covered by private funds who will then claim respective amounts from their funds. Honourable members will note that a new category of private bed is included. This has been done to take into account new facilities to be provided in the hospitals under construction at Alice Springs and at Casuarina.

The charges which will be prescribed in regulations will be: for patients with intermediate or private ward cover who are treated in a standard bed by a salaried hospital doctor - $20 per day; for patients who elect to be treated by a private doctor and who do not occupy a private bed - $40 per day; for patients who elect to be treated in a private bed by a private doctor - $60 per day. No person will be called on to pay an additional fee where special accommodation is provided for him on medical grounds or when this is done to suit the convenience of the hospital. For example, a standard Medibank patient, if his medical condition in the opinion of the medical superintendent requires him to be treated in a single room, will not be charged a private ward rate.

All Australian residents therefore will be covered by health insurance, either by Medibank or by a private health fund, whilst overseas visitors will be called upon to meet the actual daily cost of hospitalisation at the rates prescribed from time to time for compensation cases.

The exemptions in clause 7 are being amended to ensure that accounts are not raised when exemptions from charges are approved. The exemption provision will also be available for application to overseas visitors if and when this is indicated.

I foreshadow one small but important amendment that I will be proposing. The amendment will be to the definition of "salaried medical practitioner" to ensure that in respect of part-time salaried officers who are private practitioners the term relates only to the time they are employed as salaried officers.

The Federal Government has announced that the new health insurance arrangements will commence on 1 October 1976. If the Northern Territory is to join with the rest of Australia in this new scheme, then it will be necessary for the bill to be passed through all stages during these sittings of the Assembly. I therefore will be seeking the suspension of standing orders to facilitate this. I commend the bill to the House.

Debate adjourned.

ADJOURNMENT DEBATE

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

Mrs LAWRIE: In the adjournment debate this morning, I wish to raise a matter on which I have asked 2 questions during this sittings of the Assembly. I refer to the proposal to include provision in the 1976-77 Capital Works Program for the building of 2 juvenile centres. On 23 April 1976, I wrote to the Minister for the Northern Territory outlining the problems facing the people in my electorate and Darwin generally in that there were no proper facilities for mischievous children. I said to him, inter alia:

> *I recently attended a meeting of about 15 residents in the Dudley Street area and the tale they had to tell was somewhat horrific. Young people were, with apparent impunity, breaking into homes day after day. I know that some of these kids have been apprehended by the police but that, as there are no proper facilities in which to hold them, they are released to continue in the same merry way.*

I also advised the Minister of the urgent need for holding, remand, assessment and security facilities, and I told him that I had received no indications as to his intentions in the

matter. Having sent various telegrams reminding the Minister of my interest and concern, I eventually received a reply dated 19 May 1976 and I quote from it:

Dear Mrs Lawrie,

I refer to your representations on behalf of the residents of Dudley Street, Nightcliff about the activities of juvenile delinquents. The matter of providing adequate facilities for juvenile offenders sentenced to be placed in custody has not been neglected by my department. Arrangements have been made with the Darwin Reconstruction Commission to have 2 facilities of the kind required on the works program for 1976-77. Unfortunately, the new facilities will not be available until 1978. Temporary arrangements are being made to overcome the shortage created by Cyclone Tracy by converting one of the cottages under the control of the Social Development Branch to a holding centre, and a rehabilitation program is being designed based on the use of Essington House. Advice has already been given to the Children's Court magistrate of these intentions. I agree with you that there is an urgent need for facilities and I can assure you that my department is proceeding with all speed possible to provide them.

Following that advice, I wrote to the Darwin Reconstruction Commission on 30 July attaching a copy of the reply from the Minister regarding facilities for juvenile offenders, and I quoted from his reply the statement that arrangements had been made with the DRC to have 2 facilities of the kind required on the works program for 1976-77. I then asked them to confirm that this in fact had been done. I received the following reply from the DRC dated 4 August 1976:

Dear Mrs Lawrie,

I refer to your letter of 13 July about facilities for juvenile offenders and confirm that provision has been made in the commission's works program in 1976-77 for these facilities. Whilst we are still awaiting advice on our priorities from our client, the Department of the Northern Territory, it is planned at this stage to commit works construction in early 1977.

That was signed by the Acting General Manager, a Mr J.W. Parsons.

Not wishing to neglect this pressing problem, and not wishing to see a return to the abhorrent days of young kids of 13 and 14 being placed in Fannie Bay Gaol which is not suitable for adults let alone juveniles, I approached the honourable Executive Member for Finance and Community Development twice by way of questions in the House as he is our representative on the DRC. He gave me a completely unsatisfactory reply this morning. I do not wish to criticise the honourable member in calling it unsatisfactory; he was relaying information provided to him. The answer was that design work is in progress for the repair and reconstruction of Essington House to be used as a juvenile training facility, that a further study is being carried out in conjunction with the Department of the Northern Territory in relation to a juvenile security centre, and that provisions have been made in the commission's works program for 1976-77 for both of these works. I understand that reply, especially the last line, to refer to an extra facility and the reconstruction of Essington House. I find this quite incredible, given the Minister's unequivocal undertaking in the letter of 19 May that there were to be 2 new facilities on the 1976-77 works program. If I am incorrect in my reading of this information given to me by the Executive Member for Finance and Community Development, and if the rumours circulating Darwin at the moment to the effect that these 2 facilities are not on the program are wrong, I would be delighted to receive such an assurance through the Executive Member and from the department, although I fail to see why I should have to check back with the department when I have the Minister's undertaking that the 2 new facilities are to be built.

Being neither deaf, dumb nor blind, it has come to my notice that the dep-

uty secretary of the department has been seen in the area of Essington House with the Minister. What this portends I do not know, but I fear that all is not well with the Capital Works Program 1976-77. I wonder if the Minister is aware that there are moves afoot, if indeed it is correct, to take one of these facilities from the current program? It is very difficult to get any precise answer on this count through this Assembly. It is no fault of the Executive Member; 2 questions have been asked and he has tried to provide an answer. He did indicate this morning that the deputy secretary, Mr Dwyer, is the person making recommendations to the DRC on behalf of the Department of the Northern Territory. Then we have a letter from the DRC saying that they are to set their own priorities. Notwithstanding that, I ask whether it is the prerogative of the deputy secretary to change a program approved by the Minister for the Northern Territory. That approval I take to be implicit in the letter to me of 19 May.

Essington House at the moment is being used as a community centre, as a creche, as a coffee shop. It is being used in a way it was not intended for when it was built but it has proved infinitely more satisfactory than the old Essington House which tried to be all things to all people. It was supposed to be a remand, assessment, training and detention centre and, because it tried to be all things to all people, it satisfied very few of the demands and in an unsatisfactory manner. If Essington House in part is to be rebuilt for the use of juveniles, I believe as a remand centre or as a training centre, it may well be incorporated with its present use so that the kids are not removed from the community in which they have to live. They could co-exist in fact with a creche and with a community centre. That may be considered by many sociologists to be ideal and I would support them. But the idea that the Minister's undertaking is to be over-ridden, or apparently so, and that Essington House is again the be-all of juvenile facilities, is a concept I do not accept and I ask the honourable Executive Member for Finance and Community Development to make my views known to the DRC and to the Minister. Of course I shall be making my approaches to the Minister asking him to honour what I believe to be his firm commitment as outlined on 19 May 1976.

Mr MANUELL: During the adjournment debate today, I would like to take the opportunity to make some comment about a reply I have received to a question I asked the Executive Member for Transport and Secondary Industry on 19 July 1976. I asked him a question relating to leases of land in the railway reserve at Alice Springs. Because of the Executive Member's inability to provide me with an answer immediately, he requested I place it on notice which I subsequently did and I have subsequently received a reply. I asked the honourable member whether he was aware that leases were not being granted in the railway reserve in Alice Springs upon instructions from the Department of Transport, and I also asked him if he felt that, if the railway project for the resiting of the railway sidings and commercial sidings in Alice Springs was to take an undue length of time, it would be unreasonable to expect commerce to wait for that length of time before establishing new industry that required tenure of the railway lease.

The Minister for Transport's department made a reply to the Executive Member and I would like to read that reply supplied to me:

The following information is supplied in answer to the honourable member's question:

1. *In 1974 Messrs Ashton and Wilson transportation and urban planners were commissioned to prepare an environmental impact statement on 4 proposed sites for standard guage rail terminal facilities at Alice Springs. The scope of the statement followed guidelines recommended by the Department of Environment and Conservation. The consultants' report was released for public comment on 31 July 1975 and interested parties were required to submit their comments in wri-*

ting to the Department of Environment and Conservation by 1 September in that same year. Consideration of the replies by the Department of Environment, Housing and Community Development, and related investigations are still proceeding. Until finality is reached on the question of terminal location which is expected in 6 months, Australian National Railways are not entering into any new lease arrangements in the Alice Springs area.

2. *The original construction plan provided for the Tarcoola-Alice Springs railway to be substantially completed within the 5 years of commencing earthworks. The actual period of construction could be extended as a result of the Government's policy of restricted capital expenditure and its appointment of a review committee to examine the construction standards and costs of this project.*

This reply is rather alarming because it could imply that, if the committee of inquiry finds that the capital works to be undertaken are beyond the capacity of government funds in accordance with the original projected plan, it may be 10 years before Alice Springs has a resited railway siding complex. I strongly suggest that this is an untenable arrangement. It is just not accepted that commerce should have to come to a standstill and wait for this type of revision of attitude.

I would like to call upon the Federal Government to make clear the position in relation to the occupancy of land required by commerce in Alice Springs that requires service from the Alice Springs railway complex and facilities. There are commercial enterprises in Alice Springs crying out for accommodation on land that is to be serviced by railway facilities. I cannot accept the proposition as put forward by the Federal Minister for Transport and the Australian National Railways that we have to wait. If, as the Minister has said, the question of terminal location is expected to be known within 6 months, I find even that hard to accept. It could be longer. If at the end of 6 months, there was a decision that the siding was to be repositioned, would the decision then be that short-term leases would be permitted to lessees in the existing siding area or would those lease applications have to wait until such time as the new siding was constructed? I believe that the Minister, the Department of Transport and the railways owe it to the Alice Springs community to make some statement clarifying their position to enable commerce to make plans.

I have said in the House on a previous occasion that there are lessees who are prepared to take up tenancy on the railway reserve at their own cost. They are prepared to remove their facilities at their own cost at the end of the tenancy once the railways have made up their mind where they are going to place their new siding. It is not going to cost the Government a penny or a farthing. All that commerce and interested tenants want is the ability to site themselves adjacent to the railway that is critical to their industry. I say to the Federal Minister for Transport that he must clarify the position and treat this problem more realistically.

The next point that I would like to make during this adjournment debate follows several points of discussion that have arisen in the last couple of days in this House surrounding the selection of the Nomad aircraft for the Aerial Medical Service in the Northern Territory. It has been bandied around to some extent, but I still think it deserves continuing discussion.

It is probably, community-wise, rather unfair to impose on Northern Territory people - and more particularly perhaps on people who require medical services at an aerial level - an aircraft that is perhaps less than optimum. I acknowledge the Federal Government's attitude in that they see it as necessary that they support the Government Aircraft Corporation or the Government Aircraft Factory where this aircraft was originally designed and has continued to progress through trials and is eventually planned for manufacture. But I question the ration-

ale behind applying such an aircraft to the Northern Territory when it is well known there are better alternatives that could provide not only those that are operating the aircraft with additional satisfaction but even offer the patients additional comfort. I believe that, if the Federal Government is to adopt an attitude where it must support its own aircraft factory, it should concentrate on defence projects and not projects that are competing with commercial enterprise which is well established. I think that it is quite clearly seen throughout the passage of time that the Government is unable to compete successfully with commercial enterprise at a marketing level. It does not have the expertise; it does not have the incentive; and neither is it desirable that it should interfere at the level of commercial enterprise.

I am saying virtually that I believe that the fundamental attitude of the Federal Government in entering into the manufacture of commercial-type aircraft in unsound. However, that project is now well established and obviously we are committed as a nation to carry on with it and we cannot drop it. Nevertheless I think we should be in a position to seriously question the imposition of having to accept this type of federal decision. In my opinion it clearly indicates how we as a territory have no part to play in the decision of the application of a service in our area.

I do call upon the Federal Government to seriously consider that if they want to apply this type of aircraft to our Aerial Medical Service they think again. Let us adopt, perhaps, a commercial aircraft or an aircarft that is provided by commercial enterprise already in Australia at a cheaper price. If they want to follow this philosophy of manufacturing this type of aircraft in Australia, let them do so but fit out their VIP fleet with this type of aeroplane, although I seriously doubt whether the Prime Minister or the Minister for Transport would tolerate flying in one of these little bottleships from Darwin to Alice Springs.

I am quite impressed by one single aspect of this aircraft's performance; it is, on paper anyway, quite a good short-field take-off and landing aircraft. But that is the only degree of appeal that this aircraft appears to have on paper. I have seen it perform in Alice Springs but I am not so certain that the figures as they are quoted at the present time can be sustained. If in fact this is the case, I do not think that this aircraft is necessarily the right sort of aircraft to use.

Leading on from that, it seems rather strange to me, when considering the application of this aircraft and the whole question of the Aerial Medical Service in the Northern Territory, that there are commercial aircraft operators in the area crying out for work. On the one hand the Government is going to subsidise its own aircraft factory at a production level that is running at an extreme loss, and on the other hand you have a commercial aircraft enterprise operational in the Northern Territory that is also running at a loss. Would it not be rational to contract the service out to existing contractors who could absorb the activity and perhaps lessen their own losses, and thus cost the taxpayer less money because the subsidies would not have to be provided?

I believe the Federal Minister for Transport should seriously consider the whole attitude towards the application of this aircraft in conjunction with the aero-medical requirement and the air transport situation in the Northern Territory as a whole.

Mr VALE: I rise to speak very briefly. As you know, Mr Speaker, when I get up I always speak briefly if not very clearly. Despite the interjections from the honourable member for broad-jumping, my speech will be very brief. I would like to draw the House's attention to one of the problems in central Australia concerning dental services. We have 3 dentists only in a clinic which is equipped to take 5 and the average waiting time from application for an appointment to the actual treatment is between 18 months and 2 years. It is quite possible that a person wants to have a tooth filled but by the time he gets there, he would have

to have the tooth extracted; there would not be much left after a 2-year wait.

I would like to bring to this House's attention and to the attention of the medical authorities the fact that this 2-year waiting period is critical in central Australia. It could be considerably reduced by the hiring of additional dentists for the facility that exists and possibly establishing a facility in Alice Springs and getting young dental students fresh out of college for 12 months or a 2-year period and letting them lease the premises in Alice Springs. The combination of these 2 things would help to reduce our waiting time. In conclusion, I should place on record the appreciation of the Alice Springs community for the dedication and service of existing dental staff in Alice Springs.

Mr KENTISH: In yesterday's NT News, I noticed that the Director of Education, Dr James Eedle, is concerned over Aboriginal education. I have been concerned over Aboriginal education for about the last 5 years. My concern commenced when bilingual education was introduced into Northern Territory's schools because experts said it worked very well in some overseas countries. A lot of things might work in some overseas countries but not work well in Australia, and they found another one that works well overseas but is apparently not working in the Northern Territory. Dr Eedle said that there have been profound changes in the approach to Aboriginal education in recent years. He said the system itself has been giving indications of falling short in vital areas. We are well aware of that.

I am very pleased that at last we have a director who has got down to earth and ferreted out some of these failings. He said the schools must be careful not to denigrate the Aboriginal culture although the most important practical role they can play is to give the Aboriginal children the skills of numeration and literacy in English. At the time of the introduction of bilingual education some time ago, although it may have been successful in a few areas, I objected very strongly to it as being likely to be not only ineffective but retarding the children in this area in acquiring a grasp of English. At the time it came out, there was some misunderstanding that the idea was that they would be educated in an Aboriginal language, of which there are a great number - something like 30 between here and the Gulf of Carpentaria along the coast. However, later we found out that they would be taught general subjects perhaps in the bilingual language, but they would also learn English, and their general tuition in the bilingual or in their Aboriginal language or the vernacular would help them in those general subjects. Also we were told that they would learn English much more quickly and easily by this process. Apparently the chickens are coming home to roost and something different is being found out. He said the most important thing is skills in numeration and literacy in English, and once this was achieved the world was open to the Aboriginal child. They might get a job some day too when they leave school if they could speak English and understand directions normally; they might have more chance of employment if they can count without using fingers and toes and things like this. Aboriginal education has fallen very short in many areas.

There is worse than this in 2 places to my understanding. I visited Ngukurr, Roper River, and the headmaster there told me that their main teaching language there would be Creole or Pidgin English. Pidgin is the language of plantations in New Guinea and the cattle stations in north Australia. It is politely called Creole in the schools but it is the same language that we have been calling Pidgin for years in the Northern Territory. I think that this is disastrous and really a wicked imposition to put onto school children. We have been told that the reasons for the use of this Pidgin English in these schools as a teaching medium is that there are multiple languages in the area but no multiple language appears to be dominant so they have decided that they would teach in Pidgin as the main language and also English as a second language. I just do not see eye to eye with this. I think that, if there is no

dominant Aboriginal language in an area, surely the most sensible and correct thing to do would be to teach the children English. Aboriginal children 40 or 50 years ago were educated much better in the English language than they are today. In some of the old mission schools along the coast, some of the old people are speaking far better English among young people who can hardly read or write. Something has gone very haywire. I am very pleased to see that at last someone in authority is awakening to the fact that we may be on the wrong track somewhere.

Moving away from education, I would like to remark on the 2 significant events which have occurred on the Australian scene since the last sittings of this Assembly. We have seen a very prominent man in southern communities, Mr Jack Egerton, receiving a knighthood from the Queen on behalf of our country. People of all shades of political opinion would agree that this man was outstanding in his field and had earned this honour. To the dismay of most Australians, we had the spectacle of Sir John Egerton being shorn of all the positions which he held, and the ironical thing was that he received this honour because of his fine fulfilment of his duties. We see this remarkable thing where a few radical leaders in unions have achieved this situation. This was a back-handed insult to the Queen who had bestowed this honour on Sir John Egerton. This back-handed insult to the Queen should not pass unnoticed by other Australians with less radical ideas, other Australians who still hold Sir John Egerton in high regard.

There was another news item which has come to us in the past few weeks concerning the Leader of the Opposition, Mr Whitlam; again a high honour has been conferred. The first high honour was conferred on Sir John Egerton and was shattered by the action of his comrades or his friends in unions, but the Leader of the Opposition perhaps is more fortunate. Mr Whitlam was overseas and we had a news item that he had received overseas, somewhere in Europe, a very high honour from the International Socialist Organisation. He was the twelfth person in the world or perhaps, as the item said, there were 12 other people in the world who had received this high honour which was conferred on Mr Whitlam overseas. The reason given in the news item for the conferring of this honour was that the Leader of the Opposition had done so much for advancing the cause of international socialism in Australia. This may not receive much attention from the general public who may not know much about international socialism, but I would like to bring to the attention of members a little episode that happened here in Darwin a year or 2 ago. I was at a small meeting and someone at that meeting said to one of the leaders of the communist section in this town, "You're still a communist aren't you?" "Oh yes," he said, "I'm a communist all right, but I prefer now to be known as an international socialist."

It was clear from what was said to him that to him there was no distinction between a communist and an international socialist; he adopted both names. So in effect, Mr Speaker, Mr Whitlam overseas has been given a high honour for advancing the course of international socialism and communism in Australia.

Miss ANDREW: I would like to take this opportunity to answer some questions which have been asked of me during the course of the sittings so far. Firstly, I have an answer to a question asked of me by the honourable member for Alice Springs regarding the Australian Legal Aid Office in Alice Springs. The answer to his question is no.

The honourable member for Nightcliff asked about students in Casuarina enrolling as external students in examinations. I am advised that a number of students at Casuarina High School have not shown interest in their studies or reached a sufficiently high level of attainment to give them any hope of success in external examinations. Great emphasis is placed on the results of these exams throughout the Northern Territory as it is one of the few external yardsticks to measure the effectiveness of the system. Students who in effect have a very casual record of attendance and demonstrate little, if any, interest in passing their

studies have been advised that, in the opinion of the school, they are not suitable candidates for this examination. However, in light of the rights of individuals to make decisions for themselves, the students have been advised that they may enrol as external students.

In answer to a question asked by the member for Port Darwin regarding Kahlin Beach, I am advised that the police are aware of the problem and are patrolling the area.

In answer to a question from the member for Arnhem about the police station at Roper Reserve, I am advised that a police station at Roper Reserve is listed on police design list proposals for 1976-77. When this station is opened, the Roper Bar station will be closed.

Motion agreed to: the Assembly adjourned.

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