NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Second Assembly
Second Session

Parliamentary Record

Tuesday 11 September 1979
Wednesday 12 September 1979
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Note: Parliamentary Record for Thursday 11 October is included separately after Part III of September sittings.

PART I

DEBATES

Mr Speaker MacFarlane took the Chair at 10am.

LETTER FROM ADMINISTRATOR

Mr SPEAKER: Honourable members, I have received the following letter from the Administrator of the Northern Territory:

Dear Mr Speaker,

On 18 July 1978, pursuant to a resolution of the Legislative Assembly passed on 15 June 1978 and acting with the advice of the Executive Council, the Administrator appointed a board of inquiry to inquire into, report and make recommendations on the welfare needs of the Northern Territory community pursuant to section 4A of the Inquiries Act. The board of inquiry has now presented its report and I foward it herewith for tabling in the Legislative Assembly pursuant to section 4A(4) of the Inquiries Act.

Yours sincerely,
W.E.S. Forster, Acting Administrator.

Report tabled.

Mr DONDAS: I move that the report be noted and seek leave to continue my remarks at a later date.

Motion agreed to.

APPROPRIATION BILL (No 1)
(Serial 315)

Continued from 23 August 1979.

Mr ISAACS (Opposition Leader): Before embarking on the formulation of a Territory budget, there is obviously need to consider the implications of the federal economic strategy as it is the strategy that provides the economic setting in which a Territory budget is to be framed. The strategy of the Fraser government is moving the Australian economy towards higher unemployment and higher inflation. This strategy will cut the living standards of the average single-income family of 4 by some $7.90 a week over the next financial year, average weekly earnings are forecast to rise by tween 9-9½%, prices are expected to rise by more than 10% and, accordingly, the purchasing power of wages will fall over the next 12 months. In addition, income tax will rise faster than wages and further reduce the spending power of pay packets. Assuming a 1% rise in employment, federal budget forecasts are for a 15% rise in pay-as-you-earn receipts. Thus, the average increase in tax for wages and salaries will be 14% compared with a 9-9½% increase in wages. Therefore, the context of the Territory budget is one of high unemployment, rising prices and falling living standards.

The Territory budget therefore must do 3 things: first, directly influence the level of employment in the Territory; secondly, steer the Northern Territory economy in the direction of sustained economic development and give priority to the Territory's particular needs; and finally, demonstrate that the government is capable of managing the Territory's finances.

Regarding direct action to relieve the extremely high level of unemployment in the Northern Territory, this budget does nothing. As a result of

the Northern Territory government's activities, the number of people registered as unemployed with the Commonwealth Employment Service increased by 25% between July 1978 and July 1979 - a woeful record for any government, especially given that the national increase in unemployment was only 7%. 10.21% of the workforce is unemployed in the Northern Territory yet there has been no direct initiative taken by this government.

The government's policy of lifting the exemption level on payroll tax will see the bulk of the reduction go as a subsidy to profits. That is fine in itself but is not necessarily a stimulus to employment. Businesses will not increase their employment levels simply because of increased profitability. The record over the last year bears that point out. In Australia in 1978-79, business profitability rose by 8.95% in real terms and unemployment increased by 7%.

Labor accepts the lifting of the threshold but, in addition, would implement a 5-year holiday on payroll tax and stamp duty for approved businesses establishing or expanding in the Territory. Only by positive discriminatory use of payroll tax would employment opportunities be opened up.

The government pointed to its capital works program as an employment stimulus. The Treasurer announced that the Northern Territory government contracted out some $80.5m worth of new proposals. However, this represents little real growth on the 1978-79 level when Commonwealth health and education programs are considered. For the second year in succession, the Treasurer has locked a civil works bias into his capital works program. Civil works are capital intensive; little joy for the unemployed. Do not forget the government's extraordinary decision to phase out elevated houses which resulted in another bias to capital and away from labour.

A second alternative available to the government so far as employment creation was concerned was employment creation via the allocation of funds to local government. Again, the opportunity was not taken up by the Treasurer. Indeed, the reverse was the case. Subsidies flowing to the 4 local government corporations in Darwin, Katherine, Tennant Creek and Alice Springs have been cut by 34.02% in money terms and a little over 40% in real terms. The Treasurer stated in the budget papers that the reduction was a result of the completion of major capital works such as the Alice Springs Civic Centre and the Smith Street Mall. If you omit those projects, the councils are still faced with a reduction of 19.58% in money terms or a little over 27% in real terms. The councils have already foreshadowed the implications of this policy. They face a difficult prospect indeed in maintaining their present services and programs unless they increase their rates or cut staffing levels. The Corporation of the City of Darwin has forecast an increase in its rates by approximately 11% in 1979-80. The Corporation of the Municipality of Alice Springs has publicly mooted that it will reduce its staffing levels. An avenue that the government had available to it to improve the standard of community facilities without extra charge to ratepayers and to improve the prospects of the unemployed has been lost.

A further avenue available to the government to actively stimulate the level of employment was the Northern Territory Housing Commission. Once again, funds in this area have been cut. In 1978-79, $34m was spent. For 1979-80, the Treasurer has allocated only $33.99m for expenditure on housing. One paragraph in the Treasurer's speech is the full commitment of this government to reduce unemployment. Action rather than platitudes is required.

Let us now consider the government's approach to promoting sustained economic growth to meet the particular needs of the Territory. Such a goal requires higher levels of investment in the channelling of as many resources as possible to productive areas now so as to reap greater benefits in the future. With such a plan in mind, one would have expected the government to give financial priorities to those areas that would allow for the expansion of services to cater for a rising population. One obvious productive area is primary industry but the Treasurer has cut funds to this area by 5.4% in real terms. More specifically, funds to the Territory Development Corporation have been cut by 2% from the sum appropriated in 1978-79. Other productive areas are the Mine Services Branch and the Department of Mines and Energy which provide assistance to mines and prospectors. Examples of its work are the treatment batteries at Tennant Creek and Mount Wells and the provision of diamond drilling facilities. Appropriation of funds for this area in 1979-80 was $131,195, a cut of a little over 31% in money terms or over 38% in real terms.

As well as channelling resources into investment areas, a program for development must also be balanced if it is to achieve its aim. Let us look closely at the capital works program. An over-commitment to new road construction in 1978-79 and 1979-80 has the consequence of the government being locked into a massive commitment of funds to this area beyond even the next financial year. It is the nature of road construction that 12% of costs are incurred in the first year, around 78% of costs incurred in the second year and the balance in the third. Therefore, because of this lack of understanding in terms of a balanced program of resource utilisation, the Treasurer and the government have created a financial monster. The implications are serious to industry. The creation of a huge productive capacity in the short term will put industries meeting the long term viability in the Territory in jeopardy. We need roads but the road construction program must be one that allows the construction industry long-term viability and not the sort of program which the Minister for Transport and Works was so proud about when he spoke of the Alice Springs allocation. He was so proud of it; he said that the private sector could not cope with it. If that is sensible economic planning for the future then there is no question about where this government is heading for at the next election.

We want a stable economic climate for the Territory. One must ask the question: how long can the government keep a program of this sort going? Payments for roads under the State Grants Road Act of 1977 is to be reviewed before the next financial year. The government cannot look to that source to find solutions to problems which we are now locked into.

Housing presents a similar lack of planning and stable growth. With a population growth rate of around 5% in the Territory, the fastest in Australia, the Treasurer has cut funding to the Housing Commission by 8.23%. Why the cutback? The Housing Commission, in perhaps one of the better explanatory papers for the budget, cited the major problem as being a lack of serviced land and thus pinpointed the lack of co-ordinated approach that this government has to the problem of housing.

Planning for sustained economic development also means ensuring the development of a skilled workforce. The Treasurer has only allowed the Education Department to barely hold ground. The Treasurer gleefully announced that there was a 17% increase in the allocation to the Education Department over the federal allocation last year. Of course, if an allowance is made to the payroll tax provision which was not there on the last occasion, funds to education in 1979-80 increased by only 11% compared to the 1978-79 federal

allocation. The Community College of Central Australia has suffered a shortfall of approximately $0.5m from what was considered necessary to maintain and expand their present level of performance while the Darwin Community College remains divided. It is quite obvious that this government's priorities are not towards education. Well, where have they gone?

Appropriations for the Chief Minister's Department were increased by 68% for 1979-80. Last year, the Government Information Office spent $60,000. This year the propaganda machine is allocated $220,000. Over 20% of the administrative expenses of the Chief Minister's Department have been appropriated for this area.

Consider the appropriation for the Treasurer. The figure represents a 74% increase over the 1978-79 level. The advance to the Treasurer for 1978-79 was $2,577,000 or 0.74% of the total appropriation of that year. This year, the advance to the Treasurer is $12,250,000 or 2.4% of the total appropriation. In New South Wales, the Treasurer's advance is 0.63% or $22m out of a total appropriation of $3.5m. Our Treasurer requires an advance of $12m out of $516m. Is this productive use of public money? Why has the Treasurer so much money salted away? Has he plans for the money? If the answer is yes, then he ought to specify them. Will the Treasurer's advance be known as the "election gimmick fund"? If the Treasurer has no specific plans, does this mean that his confidence in his sums, that is, the matching of appropriation with actual expenditure, is so low that he needs 2.4% of the total appropriation just to patch up his budget?

Mr Speaker, as well as providing the government with a means by which it can present a blueprint for economic development, the budget has the other important factor of being the vehicle by which the government's ability as a manager of money can be assessed: its ability to provide a plan and then follow it through.

Let us look at this government's performance. In 1978-79 the Fisheries Division of the Department of Primary Industry underspent by 32% of its allocation. Capital item expenses in the Chief Minister's Department exceeded the appropriation by 43%. Administrative expenses of the police force were 252% above the appropriation. How is it possible that programs can be so inaccurate in the assessment of needs over a financial year? It must be a harrowing experience to have such massive demands on expenditure virtually appear overnight. Another couple of examples: the Community Services Division of the Department of Community Development for expenditure on salaries was 2,026% over the figure appropriated and, for administrative expenses, 6,897% above the appropriation figure. These discrepancies are too extraordinary to be swept aside by the Treasurer's normal statement about flexibility. This represents lack of control and lack of planning.

Let me turn now to Labor's alternative strategy. Our policies are: increased expenditure on building in the capital works program; increased expenditure on housing and land development; and increased local government programs by increased funding. We propose increased expenditure through the Territory Development Corporation aimed at getting the Territory economy moving through accurately directed aid within an overall economic strategy. Labor, in line with its publicly announced policy, would establish a Territory Savings Bank. A Labor government would commence the unification of the 2 campuses of the Darwin Community College. There would also be increased expenditure on the Community College of Central Australia in order that it may be allowed to obtain the level of performance expected and required by

the Alice Springs community. This government has let the people of Alice Springs down.

Through its budget, Labor would increase funds flowing to the Housing Commission and complement this increased housing program with an escalated rate of turn off of residential land. In the explanations of the appropriation for the Northern Territory Housing Commission for 1979-80, the commission stated that the cut in the public housing program was mainly due to the limited availability of serviced land. The Minister for Transport and Works has suggested that the private sector would become increasingly involved in land servicing. They do the work now; the only role to be transferred would be one of project management. The problem is the lack of a systematic implementation of an overall development program.

A Labor government would also increase funding to local government. Tennant Creek would be given the option of continuing the most aptly initialled scheme that exists in the Territory, the Mary Anne Dam Scheme, or of vesting the money in areas it thinks best for the town. It would not be given an ultimatum, as given by its own member, that either it spends the money on the dam or it loses the money for good. We genuinely believe in local government. The local council at Tennant Creek would be given the option of spending the money on the Mary Anne Dam Scheme or diverting it to other areas which it considers to be in the best interests of the town. The injection of funds into those areas would have a significant impact on the Territory's employment problem.

As I pointed out earlier, the government's responsibility is more one of creating an appropriate economic climate to allow for balanced development and hence a growth in employment opportunities. However, in the area of industrial development, an active approach is required. We need to attract industries into the Territory. The vagueness of the government's strategy must be replaced by a positive approach which ascertains the problems confronting the development of manufacturing industries and pursues policies which would alleviate those problems. There is a need to look closely at the reasons considered by entrepreneurs before they locate or relocate their establishments. Government policy should then be geared to influence these considerations and to encourage industry into the Territory.

In general terms, entrepreneurs take into account 5 main considerations: first, the alternative sources and cost of input materials; secondly, the location of markets; thirdly, transport costs of input materials and output produced; fourthly, labour supplies; and, fifthly, establishment costs. A Labor government would provide establishment grants and overdraft facilities at low interest rates to assist in the establishment of approved industries in the Territory. Establishment costs are often high as a result of development finance, which is often difficult to obtain on reasonable terms, thus reducing significantly the viability of a project. We would also implement a carefully considered discriminatory payroll tax policy by granting a 5-year holiday on payroll tax and stamp duty to approved enterprises either establishing or expanding in the Territory to encourage the opening up of actual employment opportunities which hitherto did not exist.

A Labor government would take very seriously the problems confronting this nation, and the Territory in particular, in regard to the energy crisis. A Labor government, like its counterparts in New South Wales and South Australia, would actively take part in the exploration and development of our energy reserves so that Territorians are sheltered from the imminent

energy crisis. Grand plans for the Territory will crumble to dust if we do not tap into our oil and gas reserves. Labor will back up its concern for conservation of our energy sources with practical action. The Electricity Commission would be empowered to buy bulk supplies of solar hot water systems and pass on the reduced cost to consumers. In addition, domestic electricity tariffs would be restructured so that it would pay to conserve. The new scale would mean that the first units consumed would be at a lower rate.

Having outlined the initiatives which we would take and the alternative approach that we would adopt, the normal moan that we expect from the government is: "Where will the money come from? Where can we find the money to undertake these programs of productive employment creation? Where can we find the funds to assist industry to establish growth in the Territory?" Because of the inadequacy of the Treasurer's budget papers, it is extremely difficult to do a detailed analysis of the government expenditure program. However, there are several obvious areas where considerable savings could be made or a more productive application of resources employed.

First, the Treasurer's advance could be cut from its appropriation of $12.251m to just $3.82m, that is, the same percentage of the total appropriation that existed last year. The Treasurer's advance for the financial year 1978-79 was 0.74% of the total appropriation and the figure $3.25m is in line with the relationship between the advance and the total appropriation in federal and state budgets. The Labor party considers that the remaining $8.431m could be put into active use rather than sitting idle waiting for errors in the Treasurer's calculations to emerge. The abandonment of the Mary Anne Dam Scheme would see $700,000 available to the Tennant Creek Council for application to endeavours of a productive nature. I note that some $300,000 was allocated last year for the Mary Anne Dam Scheme and not used. We consider an increase of 270% in funds for the Office of Information as outrageous. The normal increase in cost of living should be applied to it. The nett gain from that simple initiative would be $150,000. Another example is the appropriation of $135,000 for travelling allowances for the Chief Minister's Department over and above recreation leave fares. This represents 270 return tickets to Sydney for 190 employees over the financial year. There is a lot of flying in the Chief Minister's Department and, quite obviously, considerable savings could be made in this area. A slowing-down of the road program would produce a considerable saving in expenditure.

In those immediate figures, there is a saving in excess of $10m that could be put to active service for the future of the Territory. After a proper explanation on the expenditure pattern of the government in 1978-79 emerges from the committee investigations, I have little doubt that there could be a substantial pool of financial resources available for productive re-direction.

Labor's approach would be carefully planned but, most importantly, having announced our program, we would stick to it. I cannot see how the public can plan their year if the government chops and changes its attitudes and policies. Our program is geared to the development of the Territory in harness with a growing private sector. It would mean a better and more secure deal for our future generation.

Mr TUXWORTH (Mines and Energy): Mr Speaker, before I mention some of the implications of spending within the Departments of Mines and Energy and of Health, I would like to just touch briefly on some of the points raised by the Leader of the Opposition in the story that he has read for us this morning.

One of the realities of life in this country is that whimpering about the policies of the federal government as they affect the Northern Territory or any other state does not take away the need for the respective state governments to do what they think is best for the people in their states. The Leader of the Opposition is barking at the moon when he begins his financial criticism and strategy concerning the Northern Territory with a broadside at federal policies. Within the Northern Territory, we still must have our own policy and our own budget direction and barking at the moon about federal strategies and policies will not affect this one little bit.

The Leader of the Opposition also expressed concern about the 10.1% unemployment level in the Northern Territory and how it was the highest in Australia. Since the Northern Territory has a small population in a very large area, I guess that our percentage of unemployed will always be very high because we can import so many of the devils at short notice into the Northern Territory. While that may appear to be a reflection of the financial policies of the Northern Territory, probably it is more a criticism of the financial policies of other states in that people see the Northern Territory as a place to come for employment. If that is the way they look at it, that is good but there is a limit to the ability of any state government to put into work the hordes that flock across its borders.

The Leader of the Opposition did not mention the fact that, in the past 12 months, we have created 2,000 new jobs in the Northern Territory. I would have thought that that was a pretty fair effort by any standard for a community of this size.

Mr Collins: 1600 in the public service.

Mr TUXWORTH: The member for Arnhem made the point that 1600 of them are in the public service. I just make the point that the opposition has advocated strongly for some time that government spending is one way of getting unemployment down. One of the realities is that, when we took over many departments, we found that much of the work was performed by faceless people in Canberra who were not prepared to come to the Northern Territory. We had to assume many of those responsibilities which made it necessary for people to do the work up here. That is how a great deal of the employment in the public service came about.

The Leader of the Opposition also reflected on the relationship of profitability to employment levels. I am not quite sure whether he means that too much profitability is not good because it puts too much money in the hands of individuals and they in turn do not employ as many people as we would like or whether he means there is no relationship at all. The reality is that, if you do not have profitability in private enterprise, you cannot have employment because it is from the profits of the operation that the individual takes the courage to employ another person; if he does not have a profit, he cannot employ anybody. There is a very great relationship between profitability and the capacity of the employer to put people on his payroll. A reduction in payroll tax will not be the cure-all for the problem of unemployment. It will not enable every employer in the Northern Territory to put extra staff on his payroll but it most certainly will help him and give him confidence to do these things.

The honourable Leader of the Opposition said that the civil works program was capital intensive. As I see it, there are many things in this life that are either capital or labour intensive but they go hand in hand with running society in a normal manner. While he may feel that they are capital

intensive and they do not have the employment potential that other things may have, the community must have civil works whether it is timely or not. For all the billing and cooing of the Leader of the Opposition and his concern about unemployment, I have failed to come across anything in his paper that would offer a solution to reduce the level of unemployment. Perhaps they might provide more detail as further speakers rise and tell us exactly what they will spend it on.

The Leader of the Opposition criticised the cut of $131,000 in battery and drilling expenditure for the Mines Branch for this financial year. To have a drilling and battery program of $0.5m a year, you must have services on both sides of that program. You must have geological mapping and planning on the drilling side and, on the other side, you must have assay services to provide for the drilling. There are few good arguments to spend money endlessly on a drilling program if you are not doing basic geological survey and mapping work and if you are not assaying the ore that you are extracting from the ground. The subsidy that we put into the battery is related to the amount of ore that is available to crush. The amount of ore that is available to crush is related to the amount of work the gougers are doing in the field and, as anybody would appreciate, energy in this area fluctuates greatly. Only 5 months ago, we had to run 3 shifts in the battery at Tennant Creek to get the ore out of the gouger's way so that he could get a dollar from the gold to keep on working. Today, we barely have enough ore for 1 shift. What is the point of running 3 shifts? Are we to run the stamps and grind them away because it is a good thing to run 3 shifts and we do not want to cut the budget to save funds? It is crazy, Mr Speaker. I think the criticism levelled at my colleague about flexibility is so far from the mark that it does not matter. We have to be able to react to the communities' needs and activities during the course of the year.

If honourable members look closely at the budget papers, they will find that the expenditure in the Mount Wells battery for this year will be greater than it was last year because we will be entering into a program of treating sand that has not been treated previously and of putting the wet season to good use and giving the staff something constructive to do. We will probably make a lot of money by reclaiming some of the metals that are in the sand in the dumps at the moment. The wolfram, tin and gold markets have never been as buoyant as they are at the moment. The market is up and now is the time to climb in and that is what we are about to do.

I notice with interest that the Leader of the Opposition was not particularly keen on the civil works program because it was capital intensive. In his next breath, he went on to say that capital works should be increased as a part of the ALP strategy. Perhaps the honourable members on the other side could explain that. I would also be interested to have clarification by the honourable members opposite on how a savings bank and the combination of the community college campuses could have any impact on the unemployment situation.

The Leader of the Opposition suggested that I said that, if the local government does not take the money for the Mary Anne dam, it will not get the money at all. I think we ought to put this into perspective. As early as 12 months ago, the local governments in both Alice Springs and Tennant Creek were keen to establish recreation lakes to provide facilities in these areas that were not previously available. A proposal, sponsored by the Lions Club of Tennant Creek, was presented to the government for consideration and it deemed it to be a reasonable proposition. Various studies and negotiations have taken place and contracts have been let to McMahons to build

the dam and provide ancillary works. The honourable Leader of the Opposition immediately infers that the cost has gone out of all proportion because he does not understand it.

The cost has increased but so too has the scope of the works to be done. The original concept of the Mary Anne dam in Tennant Creek was to slap up an earth wall, build a turkey-nest dam that would be fed from the run-off in the Mary Anne hills and provide a recreation facility. In addition, there were fencing requirements to be negotiated with the cattle station on which the Mary Anne dam is situated and a road has to be built because the access to the dam has several creeks running through it and they have to be made passable. There are toilet and camping facilities that were not envisaged in the early days. The government believes there will be a demand for good access, toilets and a camping area because the water is there and people will want to go to it.

The Tennant Creek council has been wary all along as to whether it should be involved in the project. Personally, I believe it is the sort of thing that the council should run because I am a great believer in the third arm of government doing its thing in its own community. Be that as it may, the newly formed Tennant Creek council has not been enthused with the project because it is not quite sure of certain aspects. However, never at any stage has the mayor, the councillors or the clerk said to me: "We think the Mary Anne dam is not a proposition. Why can't we have the money sent to the council?" I live in Tennant and never have I heard such a proposition. If the opposition is saying that that should be done, then they are a long way away from knowing what the people really want. I can assure you that, when the council muttered about moving the town dam in Tennant Creek close to the town, in fact a hundred yards from the main street, they came up against a lot of opposition and backed off pretty quickly.

The Leader of the Opposition also jumped in on the energy crisis and said that the government should put money into exploration and start tapping our oil. To put things into perspective, our most important concern is to use what we have and follow up that with further exploration and investment in the field. It is an area of very high risk and large sums of money are needed to fund exploration in the energy field generally. I have great reservations about the government becoming heavily involved in this area. It would not be impossible for the government to become involved in oil exploration anywhere in the Northern Territory. It would be quite possible for the government to spend $20m in 12 months on oil exploration and it would be highly likely that they would not get a thing for it. This is a very sophisticated capital-intensive industry and has such a great risk attached to it that any government spending would have to be backed by very good reasons. At the moment, I do not think that the Northern Territory government has any great reason to commit large amounts of taxpayers' funds to drilling and investigation programs for oil, particularly as we have oil and gas in Central Australia that, although we are still working doggedly, we have not yet extracted from the ground.

The Northern Territory government budget for 1979-80, so far as the Department of Health is concerned, represents the first full year of the department's operation. The allocation for this department in 1979-80 totals $67.5m which is an increase of $12m or over 23% on last year's financial expenditure. Explanations to these estimated expenditures are contained in budget paper No 4.

Additionally, an allocation of $9.76m has been made for capital works for

1979-80. The details of this are contained in budget paper No 5. Of the total, $7.15m has been set aside for works in progress and $2.61 for proposed new works.

In analysing the health budget allocation of $67.5m,it should be noted that the total departmental recurrent expenditure, excluding capital equipment and grants-in-aid, is 70% and is to be spent on staffing, salaries, wages, allowances and overtime. Of this figure, the Northern Territory hospitals will receive just over 70%. My department presently employs 2,802 people which makes it the largest government department in the Northern Territory. Provision has been made to provide an additional 300 staff members for the operation of Darwin Hospital when Casuarina Hospital is commissioned in March next year. The department is confident that it has been allocated adequate resources to cover the increase in personnel that is required to operate its services during this year.

The second major consideration is the provision for administrative expenses and these are detailed in budget paper No 4. The administrative expenses relate to hospitals and other health services for travelling and subsistence, office requisites, postage, telegrams, telephones, fuel, power, water, provisions, medical supplies, domestic charges, transfer of patients, repair and maintenance of equipment, incidentals, furniture and fittings etc. They represent an increase of 23.76% over last year's expenditure on hospitals and health services.

The next subdivision relates to capital items for which there are allocations of $3.183m for hospitals and $1.585m for health services. The bulk of the allocation is to equip the Casuarina Hospital over and above the transfer of all usable equipment from the Darwin Hospital. Essential items will be retained at the Darwin Hospital sufficient to equip the 60 beds remaining for the accommodation of psychiatric, geriatric and severely handicapped people in the rehabilitation unit. By Australian standards, these arrangements will provide Darwin with well-equipped hospitals.

The capital equipment program for community health services includes that which is required to equip 2 further dental clinics which will provide almost complete school dental cover for Darwin and Alice Springs. This will complement the 100% cover already achieved in Nhulunbuy, Tennant Creek and Katherine. It is generally accepted in the dental fraternity throughout Australia that the Northern Territory is leading Australia in the provision of dental services to schools. This is something that departments and previous governments have been able to achieve over a period of time probably because the Northern Territory is so small. The states that have embarked on similar programs have had such a backlog that they have never been able to catch up and it is unlikely that they ever will. In addition, a further mobile dental unit has been provided to increase the services available to outback centres. Funds have also been made available to make a start on the introduction of dental services at the various Aboriginal communities using Aboriginal dental workers supported by dental therapists.

The fourth subdivision is devoted to grants-in-aid with a small amount provided for drug education and the Australian encephalitis programs. On page 69 of the papers, there is a functional breakup of the allocation under the grants-in-aid program. Honourable members will recognise that this area has been considerably expanded beyond that previously supported by the Commonwealth Department of Health.

I referred earlier to the capital works program as it was listed. These

lists propose the following new works: the construction of 15 new residence at Casuarina Hospital; the construction of a community health clinic at Dripstone; the structural upgrading of the main wards complex at East Arm; provision of fire protection facilities at Gove Hospital; the provision of dental therapists clinics at Tiwi and Wanguri Primary Schools; and sundry works which are estimated to cost $20,000. Additionally, the health centres for Numbulwar and other places are provided for under the grants-in-aid scheme.

The Department of Health has been adequately provided with financial provisions to enable it to continue to service the public at its present levels. Its current re-organisation program will enable the department to reshape its pattern of expenditures to provide additional benefit to the people of the Northern Territory.

I would like to touch briefly on the activities of the Liquor Commission which is just over 6 months old. The commission has been allocated $317,000 for the current financial year to cover its operations. The commission has a total staff of 10 and the work involves a considerable amount of travel to all parts of the Territory. The commission is currently negotiating new licences with all the 300 liquor outlets in the Territory. It is also involved in the investigation and declaration of restricted areas under the Liquor Act, mainly around Aboriginal communities in remote areas. Apart from these investigations and formal hearings, the commission will continue with its normal work of administering the licensing laws, inspecting premises and handling public inquiries on liquor matters. Public interest and concern in liquor licensing arrangements have increased greatly over the past 6 months and the commission is now bearing a substantial part of this workload. One of the new activities of the commission is to audit the returns of licensees on their liquor sales. It is likely that there will be considerable additional revenue this year as a result of this audit and it is probably one of the more positive things to come out of the activities of the Liquor Commission.

I would just like to briefly point out some of the major initiatives that have been taken by the Electricity Commission during this financial year. One relates to the installation of the gas turbine at Berrimah which costs $9.32m. The object of this is to strengthen Darwin's electricity supply, particulary during the wet season when outages are likely to occur. The transmission works at the Berrimah zone substation are also on the program at a cost of $3.253m and there is an additional cost of $947,000 for the works at the Casuarina zone substation. Stage 2 of the Tennant Creek power station will come on stream. This will account for $850,000 during this financial year. I am sure that the honourable members from Alice Springs will be pleased to learn that some $2,682m is expected to be spent in additional generating and fuel handling capacity in the Alice Springs power-house. An amount of $2.82m will be spent on electricity distribution in all areas and provision has been made to upgrade commission establishments, including a new control centre and headquarters office. Finally, I would like to mention that the new electricity tariffs which apply to meter readings effective from 26 October have been held at 8% which is in line with the increase in north Queensland tariffs which were put down about 6 weeks ago.

The Department of Mines and Energy is responsible for the control and orderly exploration and development of mineral resources through the administration of legislation enacted for this purpose. It is also responsible for the environmental impact of mining operations, the maintenance of industrial safety standards and research into and planning of the development of alternative sources of energy for the future.

The department's organisation comprises 2 divisions: energy and mines. The Energy Division, through planning and research, has a vital role to play in research for alternative energy sources and for better energy utilisation of existing resources. The government's involvement at the national level to better co-ordinate energy policy in the Territory has been considerable. The Mines Division, apart from serving the traditional mining areas, has become increasingly involved in discharging responsibility for the supervision and regulation of mining operations and environmental controls in the uranium region. At this stage, the federal government has devolved upon the Northern Territory the regulatory responsibilities in this area. One of the resultant effects of this in the mines area was to have an increase in staff which was agreed to by the Commonwealth because they are footing the bill for some 60 officers in the Mines Department. I do not think it is likely that this complement will be expanded for the existing 2 mines. When the new mines come on stream in the 1980's, it is most likely that there will be an expansion in the inspectorial duties.

During the past 12 months, there has been continued growth in mineral exploration throughout the Territory and a number of promising mineral prospects may be forthcoming in the future. Development of our uranium resources, particularly the Nabarlek and Ranger deposits, are well advanced and this augurs well for us all. The feasibility report on the MacArthur lead-zinc deposits has been completed by the company and is now being reviewed by the Department of Mines and Energy and the government will shortly be in a position to determine the future prospects of the development of these deposits which is regarded as one of the biggest in the world.

The Department of Mines and Energy is continuing to provide geological and other mining services to small prospectors and major new initiatives are planned to increase technical assistance to the mining industry. The provision of services to the mining industry, particulary to the prospectors and the small companies, is a very important function of government. It is one that does not have a normal workload but is important because, unless the government provides the basic information and assistance that small people need, there is no hope of anything constructive being done in the field. It is widely regarded in Australian mining circles that, by providing assistance to the small miner, particularly the gouger and the prospector, governments often appear to be throwing money down the drain. It is one of those things that is very hard to measure the productivity return for the amount of money spent.

In the Northern Territory, particularly in Tennant Creek and Mount Wells, we have been able to justify our operations quite well and one of the tangible benefits that comes from those operations is the possibility of finding a mine with a long life. In Tennant Creek we have had several mines which were products of the gouger being able to take his ore to the battery, have it crushed and get something from it. One of these is still in operation. At the time the government was involved in this, it probably thought that it was not worth the effort to crush it but the benefit that resulted was a mine that has continued to produce for nearly 30 years, has provided employment for nearly 100 people during that period and has made a great deal of money for the whole country in that time. I have a great faith in the gougers of the Northern Territory and we should support them to the hilt. We only need one man to find a mine like the Orlando mine or the Nobles Knob mine and the expenditure of the government in this particular area will be more than justified. While they are looking and digging, we have a hope but, when they give up and stop looking, we have no hope at all.

As can be seen from page 8 of the departmental budget documents, salaries and allowances will rise by about 20% over the 1978-79 expenditure. Unfortunately, the department experienced long delays in recruiting the much-needed, experienced professional and technical staff with the result the bulk of these people were not recruited until well into the latter half of the last financial year. The resultant increase simply provided for a full year's salaries and allowances for these personnel as the department had reached full establishment levels by June 30. Apart from the provision for a new PABX switchboard to be housed in the department's new head office, the bulk of the increase in the department's administrative and operational expenses is attributable to the improved recruitment position previously mentioned and it reflects a full year's cost of the operation of these additional personnel in such things as travel, vehicle maintenance and working accommodation.

Perhaps the greatest area of concern confronting the department at present is the energy crisis. The Energy Division responsibilities are given a very high priority in light of the world situation. Attention is being focused on energy problems in Australia at both the national and state levels. At the present time, because of the total reliance of the Territory on imported petroleum products as our energy source, the effects of the petroleum price rises and other shortages are far more critical in the NT than in other states. A strong and well co-ordinated effort will be required from the Energy Division in the Territory if it is to overcome these problems and there is no doubt in my mind that we will overcome them. The required financial support to this division will be forthcoming.

The departmental budget papers also provide for an allocation of $3.061m for salaries. This covers the full departmental establishment of 197, including the 30 personnel engaged on uranium activities. The administrative and operational costs of the department are estimated at $1.491m and, again, travel accounts for the greatest single expense in this particular area. The cost of maintaining the department's vehicles is estimated at $136,000 and the capital cost of vehicles is not included in these figures as such amounts are provided for on page 34 of the departmental budget paper.

Plant and equipment purchases for the year will come to $470,000. This will include $68,000 for the solar and wind energy units which we will purchase from overseas for research work. On the revenue side, the collections in 1979-80 are expected to be in the order of $2.856m of which $2.538m is expected to come from royalties.

I think that it is fair to say that no minister receives what he would like but I feel that my areas of responsibility have been fairly considered in this year's budget and I commend the papers to honourable members.

Mr PERKINS (MacDonnell): It is an honour to rise in this debate and to fully endorse the speech which has been made by the honourable Opposition Leader. I think it is important to point out that viable and tangible alternatives have been offered by the honourable Opposition Leader.

I was amazed to note the rhetoric from the honourable Minister for Mines and Energy when he had the audacity to say that the Opposition Leader has not offered any actual solutions in his budget speech. Unfortunately, that particular remark is as untrue as it is misleading. The rhetoric of the Minister for Mines and Energy never ceases to amaze me. He has the capacity to misinterpret, misunderstand and then to misrepresent what the Opposition Leader has said. I would ask the Minister for Mines and Energy to read in the Hansard tomorrow all those positive suggestions and alternatives that have been put forward by the Opposition Leader so that he will see for himself

that there are solutions provided, that there are alternatives and that they are both viable and tangible. These alternatives have been put forward in the interests of the Northern Territory and its economy.

It is important for me to clarify the remarks made by the Opposition Leader because they have been misinterpreted by the Minister for Mines and Energy. This Northern Territory budget hardly does anything to create employment by way of direct action and does nothing to alleviate the high unemployment problem in the Northern Territory. It is a well-known fact that the unemployment rate in the Northern Territory is in excess of 10%. That fact has been realised, I am pleased to say, by the Minister for Mines and Energy. It is even more important to realise that action has to be taken by the government to create employment directly. It is most unfortunate that the Minister for Mines and Energy has misunderstood the argument of the honourable the Opposition Leader who said that we have to increase expenditure on capital projects which are labour intensive. That is the key point. Unfortunately, one of the bad aspects of the Northern Territory government is that the emphasis is on capital works programs. The emphasis is not on civil works programs which have a high labour intensive nature. In that respect, the budget hardly does anything to alleviate the high unemployment problem in the Northern Territory.

I thought it was absolutely ridiculous on the part of the Minister for Mines and Energy to make excuses about the high unemployment rate in the Northern Territory. He had the audacity to say that it will always be high as compared with other states and that there is always a limit to the ability of a state to employ hordes who cross the borders. That is a very interesting statement; it is also a very poor excuse for the high unemployment rate. He did not say, nor has his government proposed in their budget, what they are going to do to bring down that high unemployment rate in the Territory. It seems that their solution is to spend a great deal of money on civil works projects which are capital intensive rather than labour intensive.

Under a Labor government, there will be increases to capital works programs but the emphasis will be on industries and projects which are labour intensive because it is a well-known fact that we have an extremely high unemployment problem in the Northern Territory as compared with the other states.

What the honourable the Opposition Leader had to say about the NT budget made a lot of sense. The NT budget does not do a great deal to reduce the high unemployment rate but will encourage a fall in the living standards of the people of the Northern Territory. As I have indicated, it would seem that the budget hardly does anything to directly alleviate the high unemployment rate in the Northern Territory.

It is important to note also that the payroll tax concessions which have been outlined in the budget will not necessarily lead to a lowering of the unemployment rate in the Northern Territory and I would ask honourable members again to have a look at the speech of the Opposition Leader and have a look for the alternatives and the solutions which have been provided. They should take note of the fact that it is important that we have a stable economic climate rather than having the present arrangement where we have this extraordinary situation where the Northern Territory government actually prefers to chop and change in relation to budgets and other matters. If a Labor government actually decides on a course to take in relation to budgets, we will stick to it and that is what is needed in the Northern Territory: responsible economic management.

I would now like to turn to a range of matters which concern me in relation to the Northern Territory budget. Unfortunately, I do not think time will permit me to cover them all. However, I will confine my remarks to those matters which are of particular concern. In the first place, I would like to talk about the capital works program for this year and, in particular, as it relates to the Alice Springs area. I have indicated in the press already that the Alice Springs area, under the capital works allocation, has received a raw deal compared with other centres such as Darwin.

After I made those statements in the media, a statement came from the Treasurer who reckoned that what I said was nonsense. For his benefit, I will look at the facts and point out just what I mean by the Alice Springs region having received a raw deal in the capital works allocation. In the capital works program for this financial year, the share which has been received by Alice Springs for capital works has dropped from 20% to 17%. Compared with Darwin, that is particularly unfavourable. The Northern Territory capital, with a population of 50,000 people, has received almost 4 times the allocation for capital works than the Alice Springs region area even though Alice Springs has one third of Darwin's population. That is another fact which I would like the Treasurer to take into account. It means that the government is prepared to spend $1200 per head for capital works in the Darwin area but only $960 per head in the Alice Springs area. If you look at the budget papers and the various explanations, you will see what I mean by those figures.

Although the latest population count for Alice Springs indicates that it has grown rapidly over the last 3 years and that the housing shortage is acute, this has not really been reflected in the budget. The Treasurer said that, in this financial year, 50 houses will be built in Alice Springs under the general public housing program and 82 new dwellings for the public service housing program will be included in this year's budget. That makes a total of 132 houses this year for the people of Alice Springs. If you look at recent figures in relation to housing needs in Alice Springs, you will find that there are 159 applicants on the waiting list. You will also find that there are 102 applicants on the waiting list for flats. You are looking at a total figure which is far in excess of the number of houses which allegedly will be provided in this financial year. The policy on housing that has been adopted by the government in this budget will not really come to terms effectively with the housing crisis in the Alice Springs area. These facts illustrate that Alice Springs has received a raw deal compared with other centres, particularly Darwin.

The government has adopted the mentality that, the further a town is down the track, the less capital works it requires. I would have thought that, with the advent of self-government, we would see more decentralisation and a greater allocation of resources. Unfortunately, I have not seen any positive indication from the Northern Territory government that greater regional development and wider decentralisation will really take place. Under a Labor government Alice Springs would not be treated like a forgotten relative of Darwin. That is a very important point because some people in Alice Springs feel that way about the Northern Territory budget.

Another matter which I would like to raise is the problem with the Community College of Central Australia. I must emphasise this problem because it is the cause of much concern for both those involved in and those who support the college in Alice Springs. I believe that a raw deal has been meted out to the Community College of Central Australia in the budget. I am advised that the community college was asking for almost $1.5m

to carry out its operations and to make the necessary improvements to its facilities in order to meet the needs of the people of Central Australia. However, it has only received an allocation of $900,000 which is considerably less than what it expected. I am advised also that its expectations of receiving sufficient funds were raised by the honourable Minister for Education himself. Unfortunately, its expectations have been dealt a blow by the government.

I understand that the people associated with the Community College of Central Australia are most concerned that one of their most important projects, a workshop which was supposed to be purchased for the Aboriginal Vocational Training Program, may not go ahead. I noted that the member for Alice Springs raised this particular matter this morning in question time and it seems that that particular project may have received the chop.

Mr Robertson: Can't you listen?

Mr PERKINS: I would ask the honourable the Minister for Education and his government to seriously consider the allocation of funds to the Community College of Central Australia so that it may carry out its worthwhile work in Central Australia. It needs adequate and proper support from the government. I understand it received assurances from the Minister for Education that, if it became attached to the Department of Education and became the Community College of Central Australia, it would receive adequate funding from the government. Unfortunately, that has not happened and I ask the Minister for Education and his Cabinet colleagues to reconsider the allocation to the Community College of Central Australia.

I would now like to talk about the allocation in the capital works program as it affects some communities in my electorate. I was pleased to note that, under the vote for the Northern Territory Parks and Wildlife Commission, an amount of $6m has been allocated for stage 1 of the development of the tourist village at Yulara. I am happy to see that, after all the initial delays and the pontification on the part of the government, funds have been allocated. I am pleased to note also that there are roadworks and bore drilling in progress for the new village. It can only mean that facilities for tourists and other visitors to Ayers Rock will be improved. This ought to give a boost to the tourist industry. However, I have not seen much in the budget as to the provision of long-term and permanent housing for Aboriginal people in the Yulara village. I would like an indication from the government of what its proposals are for the provision of suitable housing for Aboriginal people in that area. It is most important that the needs of the Aboriginal people, in particular the traditional owners, be taken into account.

I would now like to turn to the allocations in the capital works program for the Department of Community Development under Aboriginal essential services. I note with interest that allocations have been made for works in progress at Hermannsburg for upgrading the water reticulation. Allocation has also been made for upgrading the water supply at Papunya and also to equip a bore at an outstation near Docker River in the Petermann Reserve. I have no particular quarrel with that. What really concerns me is that there are many Aboriginal outstations in my electorate in urgent need of adequate water supplies. Unfortunately, the drilling program which has been carried out by the government has been slow and has not really been able to meet the demands of Aboriginal communities in the area. This is one of the most important matters raised with me by Aboriginal people wherever I travel. There are frequent complaints made about the slowness in the government drilling program. I would ask the Minister for Transport and Works to examine this matter. I have made representations to him in writing on this matter on

many occasions. Unfortunately, I did not see much in the explanations to the budget papers to indicate that the Aboriginal outstations in my area, in particular those at Papunya, Hermannsburg and Docker River, will obtain suitable bores this financial year or in the future.

I now turn to the allocation in the capital works program to the Department of Education, in particular, for the erection of the demountable school which is in progress at Maryvale. I talked with the people on a recent visit to Maryvale and I believe that the provision of this school is a good thing. However, I noticed that no Aboriginal labour was involved in this particular project. This is a matter which I have raised before in correspondence with the Minister for Education. This is a cause for much concern because there are people in the Maryvale community who are out of work and who are interested in working but employment opportunities are not being provided. I would have thought that the erection of a new school in the Maryvale area would have been a golden opportunity for the government to create employment and training opportunities for Aboriginal people in that area. Most people would agree that it is most essential to ensure that Aboriginal people are trained in the development of these projects because it is assumed that, at a later stage, the Aboriginal people will be taking on responsibility for those projects.

It is interesting, by way of comparison, that a decision was taken recently at Areyonga by the Department of Education to remove a demountable building which was used for domestic science at the school. A contractor from Darwin was engaged to do this job which involved a sum in the order of $70,000. I think the contract also included the removal of a school building at the Amoonguna school which is also in my electorate. I have written to the Minister for Education on this matter and he is obviously aware of it. One of my points was accepted by the minister and I ought to thank him for his prompt response. In this instance, there was no actual consultation beforehand with the Areyonga Council concerning the removal of the building and whether the council had any ideas on alternative uses. I understand that the building was removed to be taken to Jabiru. Here again, Aboriginal labour was not involved in this particular project and yet there are some Aboriginal people in the Areyonga area who were unemployed and who were available to be employed. Perhaps the government could have done this at less cost by using local labour rather than bringing in outside contractors to carry out that particular project. The Minister for Education is aware of that particular problem and he has already commented on that matter to me in correspondence.

A large component of the high unemployment rate in the Northern Territory is filled by Aboriginal people, particularly in Central Australia. In my electorate, there are many unemployed Aboriginal people. It is important that, where the government is involved with projects and contracts, they endeavour as far as possible to involve Aboriginal people in the creation of employment and of training opportunities. I feel that this would be one way of overcoming the high unemployment rate amongst Aboriginal people in outback areas.

I would now like to turn to the allocation to the Transport and Works Department under the roads division of the civil works program for this year. I am pleased to note that works are in progress for sealing the Petermann Road from the turn off at Erlunda to Angus Down turn off. This is stage 1 of the sealing of the road from the Stuart Highway into Uluru National Park. I believe that the sooner this particular project is completed, the better. I know that the Minister for Transport and Works was concerned when he raised the matter recently in the press that the progress on that particular

roadworks was proceeding slowly. I would like him to know that I share his concern and that I would like to see the work on that road proceed as fast as possible. It is in the interest of those who travel around the Territory and of the tourist industry that we have a properly sealed road leading into Uluru National Park. I have travelled that road recently and it is very bad in parts. There are other constituents in my area who would like to see the highway sealed as soon as possible.

I am also pleased to note that new works are proposed under the roads division in relation to the sealing of the road from Jay Creek to Hermannsberg. I believe that this is a good thing and that this can only improve the road communications and transportation in the area. It is a fairly busy road and it is important that people have the use of a road which is adequate and proper. I am concerned that there is a section of the road between Hermannsberg and Areyonga which is in a very bad condition. I raised this matter with the Minister for Transport and Works on a previous occasion. This road is very difficult to travel upon and, at times, constitutes a safety risk because of its poor condition.

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

Mr ISAACS: I move an extension of time for the honourable member, especially in view of the fact that the Minister for Mines and Energy spoke for about 40 minutes. I think it would be reasonable to let him complete his remarks?

Motion negatived.

Mr SPEAKER: The Chair will be resumed at 2pm.

Mr SPEAKER: Honourable members, prior to the suspension of the sitting, the Leader of the Opposition applied for an extension of time for the Member for MacDonnell and, in support of his motion, stated that the Minister for Mines and Energy had enjoyed 40 minutes when he spoke. This of course was an exaggeration as examination of 3 separate records of speaking times shows that the minister could not have spoken for more than 35 minutes. Being conscious of the fact that I had allowed the minister to speak beyond the allotted time, I extended the same latitude to the member for MacDonnell who was the next opposition speaker. For the information of honourable members, my policy in relation to time limits on speeches is to allow a member to speak on if he appears to be winding up his speech so as to avoid cutting him or her off in mid-sentence. However, it is not really within my competence to allow extensions of speaking times; that is the prerogative of the Assembly. It is my intention to ask the House Committee to examine the possibility of installing a timing device which would obviate reflections on the Chair's ability to do this accurately.

Mr HARRIS (Port Darwin): In speaking to the Appropriation Bill, I would first of all like to say that the people of the Northern Territory should be very pleased with the budget that was handed down by the Treasurer on 22 August. Despite the uncertainty of the economic situation in the rest of Australia, companies and business people have still continued to develop and pour money into the Northern Territory. This has been reflected in the high growth rate that we see today. The Northern Territory government has shown that it is keen to have development continue and is prepared to play its role in offering incentives to encourage business development and activity.

In the revenue-raising field, the government has been able to provide

direct incentive to small businesses in a responsible manner by raising the threshold where payroll tax is payable from $5,500 to $12,500. I say "responsible" because, whilst offering incentives to businesses and also to individuals, we must continue to look towards raising revenue in the same accepted manner that is employed in other states. We must always remember that, if we are to continue to receive assistance from the Commonwealth government under the Grants Commission, we must make sure that we make an effort in this area. The opposition has suggested a holiday from payroll tax. 20% of our revenue raised in the Territory budget comes from payroll tax. If you wipe the payroll tax out, you must find a suitable alternative. Is the Leader of the Opposition saying that he would slug the consumers of cigarettes and alcohol? He would indeed be popular with the working man.

By the introduction of the Home Loans Scheme, the government will bring the owning of a home within the reach of Territorians. It will give to those people who enjoy the Territory, people who want to settle down here, a method whereby they will be able to purchase their home at a price which they can afford. With every project, it is necessary to look to the future and ensure that development, where a commitment has been made, is able to be completed. Expenditure detailed in the Appropriation Bill outlines many such projects and I would like to touch on a few which directly affect my electorate and also affect some of the traders in the business district and the people who commute to the city from the northern suburbs.

First of all, we see stage 2 of the landbacked wharf at a cost of $2.5m. Together with the money already committed to the first stage, this will give to us a modern wharf facility. I have always felt that the key to the door of major development has been our waterfront. I hope that, with the completion of these facilities, many opportunities for increased trade and tourism will be forthcoming. Since the wharf development will attract more traffic, it is necessary that the road systems giving access to and from that wharf be either upgraded or extended. At present, articulated vehicles travelling from the wharf have to negotiate a difficult corner when turning into the Stuart Highway at Daly Street.

We see that $2.9m is to be spent on the construction of the Bagot Road-Stuart Highway overpass which, together with the Coconut Grove-Fannie Bay-Ludmilla connector, will provide a safe road system for the 10,000 people who commute from the northern suburbs to the central business district. The Northern Territory government has also shown its support in making provision for bicycle paths for the increasing number of people who are moving to this mode of transportation. These are some of the areas where the Northern Territory government is looking to providing for the future and, in some cases, correcting planning mistakes of the past.

Over the past year, as the member for Port Darwin, I have shown concern for properties left in an overgrown state. We have many vacant lots either privately owned or owned by the government, not only in my electorate but other electorates, which become overgrown with grass and constitute a hazard to people living near these properties. It is pleasing to see that the government has realised the ongoing need to appropriate funds for cleaning up purposes.

The government has also looked to preserving our heritage. Work has been done on recording some of the past which, before self-government, was being lost. Our past history is important and a continuing emphasis has been placed on this aspect by the Northern Territory government by the appropriation of moneys to carry out restoration work. One such building is the Naval Headquarters on the Esplanade. We are not only looking to preserving our past but also to providing a museum and art gallery for every one to enjoy.

This project has been long overdue. We are looking to increase tourism and we should provide to those who visit us the opportunity of seeing displays of art and crafts not only from other areas but from the Territory itself. The Northern Territory should have the best display of our Aboriginal artifacts in the world. We will now have somewhere to house such a collection.

The Leader of the Opposition said that a Labor budget would inject more money into the areas of building and housing. I would like to know where that money would come from. The Northern Territory government has shown its faith in this area. The government has made land available to developers and has cut the waiting time for land to be processed. It has also made funds available through the development corporation for approved projects. It is really a matter of choice as to who should do the building. What is the difference between the government building or private enterprise building and making land available? If you create the appropriate circumstances for subdivision and make housing loans available, more people could buy houses. These are all inducive to stimulating the building industry and creating employment opportunities.

The Leader of the Opposition went on to say that a Labor budget would increase funding to local government and give them a greater say in where they wished to spend such funds. The Territory government is already doing this. By its very nature, the Territory government has looked to giving people who live in a local area a greater say in what they are about. The policy of the government in this area is quite clear. Local government has been and will continue to be given a greater say in their own affairs.

To be responsible, the government must be flexible and the opposition stated that they did not agree that a government should be flexible. A government must be able to change certain policies. We have a unique situation in the Northern Territory and have the opportunity to maintain close contact with our people. One must be prepared to listen. It is obvious from the comments made by the Leader of the Opposition and the member for MacDonnell that, if a Labor government did something wrong, it would continue to do so. You do not just go from yes to no situations; you must be able to change in midstream. I would hate to be on a boat with the Leader of the Opposition and the member for MacDonnell heading for a sandbar. To give an example, I can see an area where there is a need for flexibility. When land is provided for subdivisions for private enterprise, that is good, but I feel there is a need to develop flexibility for innovative ideas rather than being over-restrictive. If there is a market for a certain type of subdivision, why shouldn't it be developed? Why should it be specifically laid down, other than for certain guidelines, that it cannot be used for a particular purpose.

Whenever amounts of money are injected into our society, whether it be in the form of private development such as the casino or projects that are put forward by the government such as road construction or the building of the landbacked wharf, there is the opportunity for more jobs to be made available to the people. We must also remember that many of these projects continue to give employment after that initial construction period.

This budget will create employment opportunities; there is no doubt about that. The opposition know it and the people of the Northern Territory know it. It is a good budget and the Treasurer is to be congratulated.

Mr OLIVER (Alice Springs): Mr Speaker, firstly I thank the honourable Minister for Mines and Energy for his remarks on funds relating to the Alice Springs powerhouse. In Alice Springs, we have a highly efficient

powerhouse with highly efficient staff and it is very encouraging to know that that efficiency will be maintained. Just as an aside, I picked up the remark by the member for Port Darwin about changing horses in midstream. It seems to me that somewhere along the line a horse changed a rider.

I cannot agree with the member for MacDonnell in his support for the remarks of the Leader of the Opposition. That speech is much the same as last year's with more criticism than constructive input. The member for MacDonnell made much of labour intensive projects and capital intensive projects. To my mind, a funded project is meant to achieve a definite and needed result. Over the lunch break I gave a fair bit of thought to it and, allowing for my possible ignorance, all I can suggest is that we revert to picks and shovels and bush all the machinery. I would hope to get a clearer definition than that before these sittings are finished.

The payroll tax exemption has come under a fair bit of discussion and I know it is not the cure-all for unemployment but, most assuredly, it still creates some employment. After all, this is what we are after: more employment by the best means possible. The end result of that payroll tax reform must mean more employment in the private sector through the expansion of existing businesses and through the establishment of new businesses and industries. Further, the exemption of the monthly wage bills up to $12,500 must surely follow through to the consumer. It must help to ease the ever spiralling cost of living in the Northern Territory.

A further incentive to business people and a great encouragement to all Territorians was the statement that there will be no increase in Northern Territory taxes. Certainly, in the first year of self-government we saw increases in all areas of state-type taxes but most people appreciate now that they would have gone up irrespective of self-government. In any event, these taxes are no more and, in not a few cases, less than those imposed in other states.

A further point to encourage development and to give the Territory a more stable and happier population was the recent introduction of the sale of land over the counter. This proved to be highly successful in Alice Springs and I do not doubt it will be equally successful throughout the Territory. When you add to the over-the-counter sales of land the new Home Loans Scheme, we can definitely foresee a very great impetus to the building industry in the private sector throughout the Territory. That brings me back to a remark made by the honourable member for MacDonnell that, according to the budget, in the Alice Springs area there are 50 houses to be built for the private sector and 82 houses for the public service. According to these figures given by the honourable member for Macdonnell, and I am quite certain they are right, there are 150 applicants for houses and 102 applicants for flats. I feel sure that, with the over-the-counter sales and the home-loans Scheme, that number will be reduced considerably. I feel certain that a large number of those people on the waiting list will build their own home. Generally, the Home Loans Scheme has been very well received, particularly in the lower-income brackets. However, some dissatisfaction has been expressed by people in the middle-income bracket and I am still examining this matter.

The member for MacDonnell also stated that Alice Springs has had a raw deal. If my memory serves me right, the honourable member for MacDonnell said that Alice Springs had had a raw deal in last year's budget. In spite of that raw deal, Alice Springs has been a bustling, go-ahead town over the last 12 months. I would like to reiterate what I said last year: budget allocations cannot be made on a per capita basis; the money must go where the need is.

As I said earlier, the anticipated increase in the private residential sector will keep our building contractors quite busy this year. In addition, there will be the construction of the casino, the 2 motels recently mooted by the honourable the Chief Minister, the Araluen complex and the railway terminal. It is to be hoped that most if not all of these projects will fall to local contractors. For the financial year 1980-81, I would be looking for the construction of a library - and I understand the planning is well under way - the upgrading of the fire station with perhaps a substation on the east side and, most urgently, a toilet block out at the motor registry in Alice Springs. Some times the wait out there is quite lengthy and, in the winter, quite uncomfortable.

The rural and tourist roadworks in Central Australia are forging ahead quite satisfactorily. I will not enumerate them because honourable members would have read the budget speech. I am quite pleased with the allocation provided. My comment is that there should be no slackening of this program in future budgets. Several points arise, however, in relation to roadworks in general. The first one is my favourite question at question time concerning the upgrading of the edges of Undoolya Road. I received quite a few complaints about the dangerous situation that exists for cyclists on this road and I hope that some funds will be available for the immediate rectification of this problem.

Also relating indirectly to roads is the $105,000 to be spent on cycle tracks in Alice Springs. This is a very good start and I trust the money will be well spent. I stand to be corrected on this but I understand that this money is intended for Gap Road and Stuart Highway north. These are very busy roads in Alice Springs but each one does have a service or side-road adjoining which makes cycle riding on the main carriage-way unnecessary. Before the work starts on cycle paths in Alice Springs, perhaps discussions could be held with the cycling fraternity to establish priorities in the construction of those cycle paths.

I applaud the upgrading and sealing of the road to Yulara village. This is a must for tourism. With the standard gauge railway line soon to arrive at Kulgara and good road access to Yulara and Ayers Rock, I envisage a greatly increased flow of tourists to that scenic attraction. However, I understand that a large increase in the number of tourists would strain the existing facilities to the utmost and a limit may well have to be imposed on the daily intake of tourists. We could reach the situation where we would have excellent access to Yulara but little accommodation. I know that some $6m is allocated to Yulara village, mainly for the groundwork, but I hope that some of that money will go towards the early construction of a camping area to accommodate the expected increase in tourist numbers. Indeed, it would be ideal if both the camping ground and the road were completed at much the same time. However, I am satisfied with the funds allocated for the roads and the way that the roads are improving in Central Australia.

Turning briefly to the allocation for the Department of Primary Production, I have no quarrels there whatsoever. The funds are sufficient to keep this department operating in its usual efficient and productive manner. However, there is one point of particular interest to me: the allocation of $20,000 to the Katherine and Adelaide River Show Societies for capital works. I support this assistance to those societies wholeheartedly. I bring this matter up merely to inform the government and this Assembly that the Alice Springs Show Society will be needing a very large amount of money in the not too distant future and I intend speaking on this matter more fully at another time.

I fully support the restoration and preservation of our historic buildings. We must protect our heritage and that is why I endorse the expenditure of $105,000 on the restoration of the old court-house in Alice Springs. It is purely out of interest that I ask to what purpose the old court-house will be put when the restorations are completed.

Mr Speaker, I am reasonably satisfied with the budget and the people with whom I have spoken in Alice Springs are reasonably satisfied. No budget will satisfy all of the people; that would be an impossibility. This budget will encourage the development of the Territory; it will encourage investment in the Territory; and it will increase the utilisation of our resources from tourism all the way through to mining. In doing all of that, it will create the employment we so urgently need. I support the bill.

Mr BALLANTYNE (Nhulunbuy): Before I speak on the budget generally, I would like to say that the Deputy Leader of the Opposition's rambling in support of the Leader of the Opposition's speech seemed to me to be one of the dullest speeches that I have ever heard in this House.

There has been very little criticism of the budget by the general public. All the Leader of the Opposition did in his typewritten speech was outline some of his Labor Party platform. He talked about spending more money on housing, local government, the Housing Commission, setting up the Northern Territory savings bank and giving a payroll tax holiday to small businesses. Of course he would like to increase expenditure but he did not say where the money was coming from.

Mr Collins: Yes, he did.

Mr BALLANTYNE: He did not come up with any ideas at all really. Perhaps he might do the old trick and print some more money. He did not say what the payroll tax threshhold would be for big businesses. He did not say what formula would be applied to the businesses after the 5-year holiday. The Labor Party loves spending money and we remember when they went on a spending spree during the Whitlam years. In 1975, when one of their federal members retired, he was heard to say: "We spent money as if it was going out of fashion". I believe that the same old philosophy is there. The opposition here would certainly go on a spending spree if they ever got into power.

The Deputy Leader of the Opposition hedged around his leader's speech but he did not amplify the Labor Party platform because he could not. He cannot come up with any new initiatives because the government has beaten them to the punch in every area of finance. The budget speaks for itself overall. Every time the Leader of the Opposition speaks through the media he speaks about housing loans, finance and policies such as the TIO and payroll tax. He always says: "They stole that initiative from us". How can you steal something when you introduce it? I am amazed at those statements and so is everybody else. People are getting sick and tired of hearing the same old dialogue week after week.

We only have to look at the capital works program. There are 270 items of expenditure on works in progress amounting to $92.5m. There are 153 new works programs estimated to cost about $80.5m. This gives a total of $173.1m. Nevertheless, the opposition keeps on coming up with the monotonous dialogue that there is nothing in the capital works expenditure which will create jobs. You only have to look through the list of capital works. Large amounts will be spent in every area. To use that money, you need goods and people to work on construction projects. Some of these are fairly big items

of expenditure. The people of the Northern Territory are not fools; they know what is happening. The businessmen know what is happening and the building industry knows what is happening. It seems that everybody in the Territory knows what is going on except the opposition.

I believe that the budget is an excellent one. It will stimulate the business interests, small businesses in particular, with the new formula on payroll tax. It will give added confidence to the Northern Territory people in that they will see that there is progress in all areas of government. The new threshhold for payroll tax is a real initiative by this government and one that has been accepted with enthusiasm by the business people generally. I believe it will assist 600 or more smaller businesses.

The introduction of the Home Loans Scheme is another initiative of which we are proud. This will give an opportunity to many young couples who previously have been unable to put a big deposit on a house. It will give them the opportunity of purchasing a house earlier than they expected. For the general public, the formula is there for those people who can afford it to buy one of the houses on time payment.

In my electorate, there are a number of large capital works projects going on; for example the construction of the Nhulunbuy High School which, even in 1972, looked to be bursting at the seams. Since then, demountable units have been added. The school was originally built for about 650 children and now over 1100 children are in attendance. This project will alleviate all those problems. It is estimated to cost over $3m and will eliminate all the overcrowding. It should be finished in about 18 months for the first term in the 1981 school year. Also, there is construction work taking place at the pre-school for a minor expenditure of $36,000. There also is extra expenditure on the Yirrkala School, which is near completion, in the order of $120,000.

Now turning to the grants-in-aid for community organisations under the Minister for Youth Sport and Recreation, there is an increase this year of $26,500 which gives the opportunity to many sporting bodies and organisations, who have not benefited in the past, to apply for grants-in-aid for small projects. Under the Betting Control Board, it was restricted to small numbers. I believe that quite a number applied but only a few were successful because of the amount of money available at the time.

The introduction of the travelling scheme for sporting bodies is a wonderful innovation and it gives the opportunity for individuals and teams to compete at national and state levels in all forms of sport. That has been received with real enthusiasm. I have asked the minister to give every assistance that he can to youth activities in the Territory because I believe that the youth is the backbone of our future. I am sure that he will be reviewing the criteria for youth teams travelling interstate for their respective sporting bodies. I believe that the more the younger people and the sporting people generally can compete against the southern states, the more experience they will gain. A perfect example of this is the recent under-16 Australian Rules football team which returned to the Territory as victors. I believe that one of the Darwin lads was voted the best player of the carnival. That is a credit to the Territory and to that young footballer.

I have mentioned to the minister that there is need for a sports advisory committee for the Territory. It is not my idea; it has been talked about for some time. A committee could be set up to advise the minister on all matters of sporting organisation, management-coaching schemes, and sports medicine to assist athletes and the general public in fitness campaigns. I sincerely

hope that the minister looks at this and I will keep pressing for a body to act on behalf of all the sporting organisations in the Territory.

I turn to the proposed roadworks which I believe will give a tremendous lift to all the areas in the Territory. The new works will assist in the transportation of goods and provide speedier services to the Northern Territory and, moreover, will assist the tourist industry. It also will improve the safety aspect of motoring. Many accidents that occur in rural areas are caused by bad road surfaces.

Turning to my electorate again, the Yirrkala Road has been placed on the capital works program and this will be constructed at a cost of $375,000. This road has been a real problem over the years. The surface is quite good when it is regularly graded but in the dry season it breaks up very easily and causes people to skid across its surface. In the wet season it causes more skidding and greater potholes form. It has been the cause of a lot of accidents. Some have been only minor but last year a fatal accident was caused by the surface of that road.

There has been an upgrading of structural work at the Gove Hospital to make it more cyclone-proof. There is also provision at the hospital for fire protection equipment and that work amounts to $21,000.

At Yirrkala, major construction of a sewerage system is proceeding at a cost of $600,000. This is long overdue and I believe the Yirrkala people will welcome it as they have had some health problems through bad sanitation. The second stage of the water reticulation system is proceeding at the cost of $330,000. On top of that, $113,781 was used for stage 1.

By way of comparison of capital works expenditure, we can see that Darwin has $58.5m, Katherine $7.7m, Tennant Creek $8m, Alice Springs $15.4m and Nhulunbuy is listed as $1m. Over the next 12 months, you will find that $4.5m will be spent on various projects, so we have done fairly well.

Tourism is another area of the budget which has been given a boost and I hope that the new commission will assist the tourist body further. There is only one problem that I find. Over the next 2 years, if it increases at the rate it has been, we will have a lack of accommodation in the Territory. That is one area that will affect tourism unless something is done about it very soon. The advent of the 2 new casinos will give first-class accommodation but there is other accommodation which is needed, particularly at the height of the season. In Katherine, tourism has been going ahead like wildfire over the last couple of years and, already, they have just about exhausted their bookings for next season. That is a wonderful thing for Katherine but, then again, there is that shortage of accommodation which I am sure will be looked at by the local tourist promotion bodies.

I hope that tourism will go ahead in Gove. A tourist promotion group is trying to enter into some negotiations with the Aboriginal people to go on fishing and camping trips. I hope it is successful There too we have problems with accommodation. We have only one motel in the town which is only equipped with 42 rooms that can accommodate only 82 people. Accommodation is a real problem everywhere. The Housing Commission has listed another 13 homes to be built in Nhulunbuy. They have already built 20 and I believe there are another 10 on the way. By the end of 12 months, we should have about 40 commission homes which is a great thing for the town because there is no alternative accommodation other than a few demountable units and a few homes that have been built by private citizens.

I believe that the pattern has been set for our budget and I think that we will progress from that. I want to congratulate the Treasurer and the ministers generally for the work that they have done on the budget and I do not think that there is anybody in the Territory that I have heard say that it is not a good budget. I praise it and I only hope that next year we see an even bigger, better and more successful budget. I support the contents of the budget.

Mr DOOLAN (Victoria River): I support the alternative budget as presented by the Opposition Leader. I will confine my remarks principally to the allocations to the Department of Primary Production.

One particular aspect of the budget that worries me is that, in many cases, the allocation for 1979-80 is less than it was for 1978-79, I cannot understand the differences between expenditure and allocation. For instance, the Division of Agriculture and Stock had an allocation in 1978-79 of $4,022,000 for salaries and allowances and the expenditure was $3,593,140. This meant that it underspent by $428,860. Allocation this year for salaries and allowances is $3,800,000 which is $222,000 less and it goes on and on. Some sections spent their particular allocations but mostly they were underspent: administrative expenses underspent; capital items underspent; and the total for the Agriculture and Stock Division in the 1978-79 allocation was $8,405,000 compared to an expenditure of $8,336,000 which meant that it underspent by $68,000. The allocation this year is $271,000 less than last year. Fisheries and tourism appear to have done very well which is fine provided that other divisions do not suffer as a result. It appears to me that, in many cases, they have. I have done a complete run-down on these things. In the field of industrial development, salaries and payments underspent, administrative expenses underspent and, because they were underspent, the allocations for this year have been considerably less. Salaries and payments were $69,000 less and administrative expenses were $225,000 less than the allocation for 1978-79. The total allocation through the department was underspent by $674,147 and the 1979-80 allocation is $117,000 less than the allocation for 1978-79.

Whilst the member for Nhulunbuy may complain about ALP spending, I think it is pretty foolish not to exhaust an allocation. If you delve into what is happening to the Department of Primary Production, you will find that what I am saying is correct. I know that there are reasons given for some of these things; for instance, animal production research is down the enormous amount of $99,000 and scientific services is down to $10,000. The explanation given is that components to cleaning and service charges, which have been made across to this branch in previous years, have been transferred to the executive administration branch to be borne as an overhead cost to the division. Nevertheless, the allocation for 1979-80 to the department is considerably less. We can accept this explanation as to why it was underspent. I lay no claims to being a financial wizard - incidentally, nor should the Treasurer - but figures can be made to do almost anything if some of us are clever enough to juggle them around.

Whilst I support the alternative budget as presented by the Opposition Leader, he does say at one stage that it would slow down the government's road building program. I certainly hope that the government's road building program on the Daly River Reserve never slows down because it will be going astern if it goes any slower. When I spoke on last year's budget, I mentioned that I had staked a couple of tyres which I regretted later because I was "bucketed" for complaining about my tyres but this year, through the generosity of the remuneration tribunal, I have a government vehicle for which I am most grateful. I take it on a trip down to Port Keats and around the

reserve. I received it as a brand new vehicle and it has done 1600 kilometres. After 1 trip in the bush in that particular area, it doesn't sound like a new vehicle and it doesn't look like a new vehicle so I think it is a matter of urgency that something be done down there. There was a grader on the road when I was down there. It wasn't grading; it was scraping the surface and the operator was busily filling potholes with bulldust and making the surface feel level. It looks like a good surface but, as you drive along, you drop down a pothole and damage the front end of your car. There is certainly a lot more which needs to be done on those roads; a lot more than merely scraping them with a grader. Nevertheless, I was delighted with the progress being made on the road from the Stuart Highway down to the Daly River and to see that Tommy's Creek at least is being bridged because this particular road, besides providing a service to the residents of the Daly, is most necessary because it has a marvellous tourist potential. It is only 140 miles from Darwin and is very well patronised by locals as well as interstate tourists.

The other matter I would mention is the great necessity for bores in many parts of my electorate. The people living at the mouth of the Moyle in the community of Nardirri have been trying to get a bore for a long time. There was a boring plant and a crew down at Peppimenarti 2 hours away. They put a bore down at Peppimenarti and then moved out of the area which seems quite an extraordinary thing to do. Also, the people at the community of Wudapuli are desperately in need of a bore and there is a group of people at Lajamanu who are desperately anxious to get out of that overcrowded place and set up an outstation at a place called Kumera. That is desert country; there is a spring there but they cannot do anything about it until they get a bore. Those fellows have really tried but so far with indifferent success. They are most anxious to make a go of it and get out of Lajamanu which certainly is overcrowded.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this budget covered practically all areas of my electorate. The people who live in my electorate cannot be anything but pleased with the apportioning of public funds to their public needs. This is not to say that there is not room for improvement; there always is. This is what active government is all about. There are continuing needs which cannot be considered in isolation but with the public needs of everyone in the Northern Territory. I would like to comment briefly on the budget as it affects my electorate.

First, in the capital works program, I would like to comment and suggest 2 corrections. In the item relating to the Northern Territory Police mention is made of demountable complexes for police at Jabiru. As far as I know, the police do not live at Jabiru yet; the name of the town is Ranger. A sum of $47,000 is mentioned for interim facilities for the police. These are mostly completed now and everything is functioning quite well out there, including the police road patrol. The Chief Minister mentioned these mobile road patrols previously. I had occasion to call upon these services and the police were very helpful to me.

The next comment I would like to make relates to the works in progress and the proposed new works for the Department of Community Development and Correctional Services. This is concerned with the works in progress at the Gunn Point Prison Farm and also the construction of staff quarters for the Gunn Point staff at Howard Springs. The building of these staff quarters is an entirely new concept for the public works program in the rural electorate. I am pretty certain that this is the first time that there has been any government housing built in the rural area. It gives food for thought for different sections in that there will be another base of interest in the community that has not been there before - the gaol officers and their

families. Their children will go to the local school and they will enter into community life with the people who are living in the rural area. I have made several inquiries of the minister regarding the building of the staff quarters, which are about half-finished now, the subdivision of that particular block of crown land and the associated future road works. I am waiting for the government's view of the matter.

The upgrading of the electricity supply is included in the proposed new works for the prison farm. I am very pleased to see this as I am to see any development in a prison farm. If one is unfortunate enough to be in prison, Gunn Point Prison Farm is an excellent place to regain one's self-esteem and to make one's rehabilitation into the larger community much easier. I think any prison farm community, and especially the Gunn Point Prison Farm, would bring anybody who works on a farm in those conditions to a basic realisation of what life is about. I commented last year on the support that the North Australian Show Society received from the people at Gunn Point Prison Farm in terms of their entries and the standard of their entries. Without going into too much detail, I think the Gunn Point Prison Farm would have the best large white pigs in the Northern Territory.

Another point of interest connected with the staff quarters for the Gunn Point Prison staff in the Howard Springs area is that, because of their farming, they have quite a close relationship with many people in the rural area. There are several poultry and pig breeders and also vegetable growers in the rural area. I know they have exchanged news and views on these particular interests.

I turn now to the capital works program for the Department of Community Development as it affects Bathurst Island. There is continuation of works in progress on pumping stations, toilet facilities and other services to new subdivisions. These are carried over from last year and I think they are progressing quite happily. There are also proposed new works relating to power supplies and an access road. As much as possible, the government has tried to provide work for the local people on Bathurst and Melville Islands. Anybody who is willing to work should be given, if possible, the opportunity to work. The Aboriginal people want to work; they want to work for themselves and they want things done the way they want them.

While I was down south last week, in company with the honourable member for MacDonnell, I got into quite an argument with a southern gentleman who was trying to tell me what services he thought Aboriginal people should have up here. I tried to point out to him that he would be taking away from Aboriginal people the self-determination that the government has said they shall have. We ask them what services they want and at what standard they want them. I am talking about roads and services like that.

There are proposed new works at Garden Point relating to toilets and power supply. Also, at Milikapiti, there is to be an upgrading of the airstrip. In most of the government services like that, the people on Bathurst and Melville Islands have slightly better facilities in some cases and greatly better in other cases.

In the Department of Education capital works program, reference is made to a mobile school at Jabiru. It is not Jabiru; there is no school there yet; it is at the Ranger construction site.

The budget has allowed a sum of money for storm-water drains in the rural area. This is mentioned generally because, with the road conditions in the wet out there, it is not known from one month to the next where the damage will occur and where the repair has to be made.

In the proposed new works for the Department of Transport and Works, there is mention of the sealing of Whitewood and Hillier Roads at a cost of $220,000. I have been asking for this for some time in response to complaints from many electors who live along that road and others who travel along that road. Hillier Road is in very poor condition and this is in the dry; in the wet, it becomes even worse. Not only will I be pleased to see that road sealed but all the people who travel over it will certainly be very pleased. I would like to see in the next budget the upgrading of the Howard Springs turn off which is another very sore point in the rural roads program. I feel that it must be attended to before next year because it could be a source of great danger.

Turning to Department of Education, I would like to comment on the assistance to mission schools. The allocation for 1979-80 is $2,294,000. There are no particular schools mentioned so this sum would relate to the whole of the Northern Territory. There are 2 mission schools on Bathurst Island. I have not been able to find out how much exactly will be allocated but no doubt it will be something to please them.

In the Department of Community Development allocation, there is a sum of money for reserves in the Northern Territory. There are 14 reserves listed and the sixth one down is Freds Pass Reserve at the 19-mile. The total sum of money is $242,000. I understand that Freds Pass Reserve Hall will get $68,000. I am not certain if this is what they asked for or whether it is a little more than they asked for. However, I understand that the government is very impressed by the effort of volunteers, namely the trustees and the people that the trustees have co-opted, to build that hall. It certainly serves a very useful purpose in the community and is a focus of community involvement.

The next item in the Department of Community Development budget touches on the library service. Salaries and payments will receive an allocation of about $0.5m and the administrative and operations section will receive about $0.5m, making a total of about $1m for administrative operations and salaries. I understand there are libraries at Alice Springs, Tennant Creek, Darwin, Nightcliff, Katherine and Nhulunbuy. I have made inquiries about a mobile library in the rural area. I have been told by the minister that he is considering a plan for library services in the rural area. I would like to mention now that the published population figure for the rural area is about 2,000. The actual figure is - and I do not think anybody who lives out there would disagree with this - about 5,000. I understand that Nhulunbuy and Nightcliff would be on a par in population and would be much less than 5,000. I have been told that the population of Katherine is around 5,000. Going on figures alone, the people of the rural area would seem to merit library services of some sort in the future.

The Territory Parks and Wildlife Commission budget affects my electorate only in relation to an office and cyclone shelter at the Howard Springs Reserve and the perimeter fence at Fogg Dam. The provision for the perimeter fence at Fogg Dam is $45,000. That does not sound very much to me but no doubt it could be for repairs. For the Howard Springs office and cyclone shelter, the sum of $40,000 is mentioned. That will be money well spent because this picnic area is used extensively by the Darwin public. It has been said that people in the rural area use city facilities but I think it is weighted the other way. I am very pleased to see that money being spent at Howard Springs Reserve.

There is also mention of community health centres at Garden Point and Howard Springs. These health centres are very well used by the public. Since their introduction a few years ago, health centres have served a very

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useful task in our local communities in that they relieve the pressure on hospitals, especially the outpatients sections. The people who staff the community health centres live in the area and thus are able to give personal attention because they usually know the people who come for treatment. Their service is excellent. It is very convenient for the people who live in the area; it saves them the long trip into town. Mention is made of the on-going grant to both these health centres and I am very pleased to see that.

I turn now to the Department of Transport and Works budget as it affects the rural area. In connection with fire services for the rural area, I am happy to see that there is an increase in the allocation for 1979-80 over expenditure for 1978-79. I would have liked to have seen some capital works in the rural area but no doubt this will come in the future because people in my electorate have been getting in touch with me for some time now, especially earlier on in the dry, regarding the establishment of a fire station at the 19-mile or at Humpty Doo because we rely on the services of the fire brigade in the rural area and not the Bushfire Council. The fire brigade and the bushfire people provide excellent services. They arrive at a fire very quickly; they are very competent people and I cannot speak highly enough of them. However, it is a long way to come from Winnellie to a fire at the 35-mile which is where the range of the fire services finishes.

I would like to comment briefly on the Department of Mines and Energy budget. To a lot of people, this would not be a very startling budget but it certainly shows the steady progress of the Department of Mines and Energy which is in step with the greatly increased importance of mining in the economy of the Northern Territory. In the future, we can expect an even greater and sounder expansion of this department. I was very peased to see an allocation of $470,000 in which energy equipment is mentioned; that is, a solar wind homestead unit.

I would like to speak about the budget for primary production as it affects my electorate. I was very interested to hear the remarks of the honourable member for Victoria River because I could not quite reconcile what was said with the figures here. In the agriculture and stock figures, there is an expenditure for salaries and allowances in 1978-79 of $574,135 and there is a greater allocation in 1979-80 of $611,000. The administrative and operational expenses are also up from $286,000 odd to $371,000.

I was very pleased to see the Commonwealth extension services grant. I asked questions of this some time ago and I am always very pleased to see extension services of any sort specifically mentioned. While the officers of the animal industry branch cannot be more helpful, I think that in the near future this will not be enough. With the expansion of agriculture in the Northern Territory, these officers must go out to the people and not wait for the people to come into them. I am speaking about Commonwealth extension services because I have not been able to find any mention of extension services by the Northern Territory government.

In the animal health branch, there is an increased allocation of $283,871 which is very pleasing because we all know what the blue tongue scare did some time ago. We all know that the deadline to have brucellosis and TB-free herd in the Northern Territory is 1984, so anything spent on animal health can only come back on the whole of the Northern Territory to its advantage.

In the section concerned with the animal production industries branch, mention is made of additional funds provided for Bali cattle capture and survey projects. I know a start has to be made somewhere and I am very

pleased that the Bali cattle are being captured and transported somewhere else so that there are loci of breeding in other parts of Australia just in case something happened to the population up here. I would have liked to have seen Timor ponies included but no doubt this will come in the future. As I said earlier, a start must be made somewhere with this revolutionary idea. Once a start has been made and a success achieved, I am sure that other feral animals will be included in the same project.

In the animal production research station's branch, mention is made of a sum of $67,000 to the coastal plains research station. Knowing what that station was like some years ago, I would like to see that sum increased even further. Great work was carried out there. The climate and soil are right for what they are doing and it is the nearest experimental station of that size to Darwin.

In division 40, concerning agriculture and stock, there is a big reduction in the beef freight subsidy. With the upturn in beef prices and the small bouyant market, it becomes quite obvious why it went down from $1,271,726 to $15,000. The blue tongue assistance went down from $471,518 to $35,000. Again, that is pretty self-evident to the people who know the situation.

I was very pleased to see the assistance given to the Katherine and Adelaide River Show Societies. I understand that the Katherine people were particularly happy with the sum of money they received. Not only people on the land but people in cities are beginning to realise the value of shows and the show societies that run these shows. Whether it is a royal show or a country town show, it is the premier way for a particular district or town to advertise itself. They advertise through their agricultural products and through the participation of the town people who supply merchandise for sales.

Commenting now on the fertilizer freight subsidy, there is an increase in expenditure over the 1978-79 figure of $14,135. The allocation for 1979-80 is $40,000 which is an increase of $25,865. Again, this is to be commented on and commended. It is connected with the crop development scheme that started last year. It has been said that this cropping scheme is too little too late but, as I said earlier, a start has to be made somewhere. I have read the report of this cropping scheme and I agree that it was not very successful. Even so, everybody that participated learnt something: the farmers and the officers of the Primary Industries Branch. I envisage a scheme like this going on to bigger and better things in the future because everybody wants it to continue.

As a result of the operations arising from the Feral Animals Inquiry, a sum of $200,000 was allocated in 1979-80. Mention is made about the removal of the Bali cattle from the Coburg Peninsula. After the Bali cattle project has succeeded, I would like to see the same system applied to other feral animals. I receive inquiries every week from different people who want to buy these feral animals; not have them given to them but buy them. I think that finishes my remarks and I can only reiterate that the people in my electorate could not be anything else but pleased with the budget as it affects them for this year.

Mr COLLINS (Arnhem): Before turning to the budget, I would just like to comment very briefly on some of the things that have been said earlier in the debate. I was particularly interested in a pre-election statement by the Minister for Mines and Energy earlier today when he discounted the Leader of the Opposition for daring to mention the federal budget. I was particularly

interested to hear the Minister for Mines and Energy disowning the federal government which, certainly for the sake of the CLP and the Territory, would be a very wise move to make politically.

There does seem to be some confusion on the other side of the House regarding the opposition's policies on payroll tax. Statements were made by the Minister for Mines and Energy, by the member for Port Darwin and by the member for Nhulunbuy, which showed some degree of misunderstanding. For the benefit of those honourable members, I reiterate that the ALP's policy on payroll tax is not for a total holiday, as was suggested by the honourable member for Nhulunbuy, but for a payroll tax holiday for approved companies and specifically for the purpose of attracting new businesses to the Northern Territory.

During the debate this morning, I noted that the member for Stuart was becoming extremely animated and also contributed to the debate by saying "oh yeah, good point" and "hear, hear". In anticipation of this possibly being the member's total contribution to the debate, I duly acknowledge it here.

As far as the budget itself is concerned, the 2 points that particularly struck me about it was the drastic reduction in allocations to local government which, in view of the inflation rate over the last 12 months, was quite an extraordinary direction for the government to take. Even more extraordinary and possibly the most interesting feature of the entire budget is the Treasurer's slush fund. Considering the amounts of money which are laid aside for the Treasurer's advance in other parts of Australia, I am looking forward with a great deal of interest to hearing the government justify that quite extraordinary amount of in excess of $12m advanced to the Treasurer as against the $2m plus that was advanced last year. I find it quite fascinating that the government saw fit to reduce by $2m in actual money terms its allocation to local government, that third arm of government. In anticipation of the honourable Minister for Community Development's speech, I am quoting from the figures which he supplied to the honourable member for Fannie Bay so I will be interested in hearing his explanation this afternoon as to why those figures are not correct. Perhaps there are hidden grants that we have not been told about. I would return again to the Treasurer's advance of $12m plus. I find it quite extraordinary that, in the Territory with a population of 110,000 people and a budget of some $500m, the Treasurer would appropriate for himself, in anticipation of his government's flexibility, the sum of $12m which is greater than 50% of the amount allocated for a similar purpose by the government of New South Wales, the most populous state in Australia with a budget of $3.5 billion a year. The Treasurer's account in that state is $22m. I think it must be of some interest - and I look forward to hearing the explanation for it - that, with 110,000 people and a budget of $500m, we can have $12m in the Treasurer's flexibility account or vote-buying account or pre-election account or whatever you want to call it whereas New South Wales, with a $3.5 billion budget, has $22m.

There are only 2 possible reasons that this could be done and both of them of course are probably correct. One is that the Treasurer - and I guess it is legitimate politics - would use this flexibility account to buy votes as the time approaches the election. What is equally likely and equally true is that having such an enormous amount in this account will be essential for patching up the holes in the budget that will become apparent over the next 12 months. No doubt those 2 reasons are both correct.

I was also interested to see the drastic increase in allocations to the

Government Information Office. I am looking forward to the Chief Minister's explanation for that also. An increase of 262% does seem to be quite an extraordinary increase for a department distributing propaganda. The next 12 months will show whether or not this propaganda is for the benefit of the Territory or the CLP government. Certainly, some of the publications of the Government Information Office in the past - and I admit quite freely this is a subjective judgment - have not been publications which you could necessarily say were balanced and correct. One which particularly intrigued me, and I admit that it certainly was a rushed job brought out for the purpose of the conference with Aboriginal people, was this particular one entitled "Why the Northern Territory government cannot register Aboriginal land titles". It has charming little pictures of motor vehicle accidents on intersections with an Aboriginal's car turned upside down and a policeman pulled up at the corner. Because there is a sign that says "Aboriginal Land", he cannot attend the accident. Nice, balanced stuff like that received some comment in my electorate. I am looking forward to seeing whether this increased allocation will result in similar publications. I am certainly not slighting officers of the information office; they do what that office is supposed to do: what they are told by the government.

The other increases in allocations for the Chief Minister's Department include quite a drastic increase in travel. Predictably enough, the cry has been raised today: "Where is the ALP going to get the money for its proposed changes?" For a start, there is no way that an ALP government would countenance $12m being allocated to the Treasurer. I would anticipate that an extra $1m would be necessary over and above that provided last year, which would still leave an amount of $8m outstanding that could be productively allocated to areas of great need in the Territory that have not been supplied with funds. In my particular area of interest, education could have spent quite profitably some of that $8m given to the Treasurer to patch up his mistakes over the next 12 months.

The speech by the Minister for Mines and Energy this morning on mines delivered nothing that was not in the budget papers. It does show that there has been a slow and steady increase of work and staffing in that department. The most significant increase will be funded directly by the federal government - the monitoring of the uranium province. One particular part of that budget that I wish to commend the government on is its purchase of experimental equipment which will be used to investigate alternative energy sources. I commend the government on that.

As far as the education budget is concerned, I believe that it was a great relief to people to know that education services in the Territory are to be maintained. I do take some issue with the Treasurer's statement: "In 1978-79, the Commonwealth government spent $61.3m on education. The increase of $10.6m represents 17% and is clear evidence of the Territory government's intention to improve education services". I think it can be shown clearly that the government has certainly kept pace in its allocation with the extra enrolments over the last 12 months but it is going too far to say that the government is improving education services in the Northern Territory; it is simply maintaining them. The increase of 17% on education spending referred to by the Treasurer does not stand up to dissection. Quite a significant amount of that money - in fact $2m - is in payroll tax which was formerly not covered. In fact, when you add up the areas of the budget allocating expenditure for areas that were not previously covered, it amounts to some 6% of the total education budget. This brings the figure down to roughly an 11% increase over the last year in actual money terms. If you look more closely, you will find that in excess of $2m of that $6m is spent on things like increases in salaries for current staff. Given the inflation rate that we

have had over the last 12 months, it is quite clear that the 17% is not an expenditure in real terms on education in the Territory, as claimed by the Treasurer, but is merely the maintenance of the education program.

There are 2 particular areas of education that I think are lacking and they both involve tertiary education. I do not intend to plough through the budget papers, as some members have done, detailing specific dollars spent here and there and saying what a wonderful thing it is. In the primary and secondary areas of education, the amounts of money allocated are adequate. It would be irresponsible of me to nit-pick my way through the budget papers on education given the fact that the Northern Territory did not have a Minister for Education before July this year. My greatest concern and interest in the education budget will be how it is spent over the next 12 months. The 2 areas I do want to take up are the Darwin Community College and, more particularly, the Community College of Central Australia which has suffered badly in this budget.

I would like to quote from some of the figures which were sent to the Chief Minister by the Leader of the Opposition relating to the position of the college in Alice Springs. Perhaps they are things which can be taken up by the Minister for Education who can advise this House whether they are in fact correct or not. Part of that letter to the Chief Minister said that there had been no consultation on the college's budget between the college chancellor and Treasury and Education Department officials. If that allegation is correct, it is a disgrace. I look forward to hearing whether or not that was correct.

Some of the figures which are correct are the student-staff ratios of the Community College of Central Australia compared with the Darwin Community College. The CCCA has a student-staff ratio of 62:1 compared to the DCC ratio of 27:1. At the Community College of Central Australia, 829 hours of teaching effort are expended by each full-time teaching staff member as compared with 501 hours of teaching effort expended by lecturers at Darwin Community College. The proposals for upgrading and, to use the words of the Treasurer, "improving" the education standards of the Community College of Central Australia have just not been afforded by the government. In fact, the budget allocation to the community college is some $500,000 short of the allocation expected by the college.

The honourable Minister for Education knows as well as I do the feelings of the people at that community college. For some time they felt that they were a poor relation of the Darwin Community College and there is not the slightest doubt that they made their decision to transfer - I hesitate to use the word "allegiance" - their affections to the Education Department rather than staying with the Darwin Community College in a belief that they would get an increased allocation, increased attention and, as a result, upgrade the poor facilities in Alice Springs. In fact, they only received an increase in their budget allocation of $200,000 over last year. That is soaked up immediately by the increases in administrative staff and extra enrolments over the last 12 months.

I was interested to see also that only a total of $200,000 has been allocated to both the Alice Springs college and the Darwin college for capital works. Some attention has been given in this House to the curious situation of the Darwin Community College Winnellie campus. Students are being taught in appalling conditions, in non-soundproofed, partitioned rooms where it becomes literally impossible at times to conduct a class. Those issues have been raised before in this House so I will not go over them again now. Urgent attention needs to be given, and would have been given by a Labor government,

to the relocation of the Winnellie campus to where it should be. The rental on the buildings in Winnellie is considerable yet the facilities are not adequate for proper teaching. I would suggest very strongly to the Northern Territory government that money could be made available immediately to relocate the 2 campuses as one Darwin Community College, for the benefit of those long-suffering students, out of the $12m given to the Treasurer to patch up the government's mistakes. I believe this is one mistake that should be obvious to them. I would suggest to the Treasurer that perhaps he could give some of his petty cash to the Darwin Community College so that at least students at Winnellie can be taught in proper conditions. I am quite sure that the Community College of Central Australia must now be thinking that they have backed the wrong horse. I will be interested to hear the comments of the honourable minister when he replies.

The other area of the community college's activities which affects many electorates is the external study section. As the minister would be well aware, there is an urgent need for increased staff in that area. One of the problems for graduate staff living in isolated areas - and it is a problem for people who do not intend to live and die in some of these places - is how to continue to add to their professional qualifications and to continue to relate to graduates in the same discipline outside these communities. Many people in my electorate, particularly school teachers, are doing this by availing themselves of the services of the external studies department of the Darwin Community College which is in real threat of being downgraded. Again, I would look to a response from the minister.

I wish to commend the government and the Minister for Education on the great priority which is now being given to the upgrading of facilities for the training of Aboriginal school teachers at Batchelor. I think there is a potential problem with this upgrading. As the minister would know, a great concern of Aboriginal people, particularly of Aboriginal women, is for facilities to be made available to them to carry out as much of this training as possible in their own communities. There are some excellent female school teachers who would find it absolutely impossible for family reasons to ever go to a place like Batchelor no matter how fine the facilities might be. It should be a priority of the government in its thinking over the next 12 months to upgrade as far as possible facilities for training people in their own communities.

I know that the Department of Education is currently making available specialist teachers in communities. There is one at Milingimbi and another at Galiwinku. In order to do this, extra staff needs to be allocated and extra facilities need to be provided so that teachers, some of them of 15 years standing, can become properly qualified. I am certainly opposed to qualifications being handed out. Qualifications need to be earned and the Aboriginal teachers who so desperately need these qualifications and want them should have the facilities to be instructed properly, to sit for whatever examinations or assessment proposals are appropriate and to gain those qualifications in their own communities. There is not the slightest doubt that education is the key to the advancement of the Aboriginal people.

The minister would be aware that, in all Aboriginal communities in my electorate, the teaching staff comprises the single biggest bloc of non-Aboriginal people living in the community. It is essential that high priority be given to the training of Aboriginal teachers so that, as soon as possible, white teachers can be replaced with Aboriginal teachers. This is particularly important in outstation education. Outstations are in a formative stage of development. I do not say that outstations are the answer to Aboriginal problems but, after a period of some 10 years association with the outstation development, I can say that, whether they are right or wrong,

they are a genuine Aboriginal response to an Aboriginal problem and they should continue to be encouraged by the Northern Territory government as much as possible.

The education that is provided in these outstations is essential but it should be on the terms of the people who are living in outstations. I have seen some evidence over the last 12 months that it is possible for education to be a totally intrusive force in outstation living. It brings up again the old bugbear of 2 standards. It gives you a bit of a jolt when you go into an outstation where Aboriginal people are living in appalling conditions and you see an establishment, costing in excess of $200,000 for the sole benefit of the single teacher who lives there - 5 air-conditioners in the school, 3 air-conditioners in the teacher's accommodation and a 15-KVA lighting plant chugging away 24 hours a day for the benefit of one white school teacher. Aboriginal outstation education is posing to the Education Department the greatest challenge that it has had in the last few years. It is not that there are no problems in education for the non-Aboriginal community but, basically, those problems are orthodox problems, predictable problems. The outstation education situation requires a great deal of innovative thought and I know much thought is being given to this. I would strongly suggest to the honourable Minister for Education that, before a concrete and steel structure runs away from itself at Batchelor - I am not decrying the establishment; I commend it - careful consideration should be given to balancing as much as possible the training received at a source away from the community and the training received in the community.

One of the proposals that has been put up which is worthy of consideration and financial support is a proposal that is well advanced at Milingimbi for the establishment of a radio station in an Aboriginal language. I know that the major reason for that proposal was for the education of outstation school children in their own language. I would suggest to the government that it could look at promoting that not just at Milingimbi but in other centres. This is not something that needs a boots-and-all approach by the government; I am not suggesting that it plant 6 radio stations in 6 different communities. However, I think that the establishment of a radio station and the careful monitoring of the progress that it achieves in educating Aboriginal children in the bush should be an initiative of the government and certainly would be an initiative of a Labor government.

One of the major problems in the allocation of money is not so much how money is allocated but how it is spent. I recently saw another example of that. The government opposite is well aware and in fact commented on the ridiculous waste of money in Aboriginal communities on things that were not really necessary. I do not believe it is necessary to start picking out whether a CLP government or a federal ALP government was responsible; that is irrelevant. Nobody in the community likes seeing money wasted. The honourable Minister for Health would be well aware that there is a mausoleum of a hospital at Oenpelli costing $0.5m. Only one room is used or is needed by the community yet Aboriginal people are living in appalling conditions 100 yards away from it. They are running up to the hospital with gastric infections and health infections caused by their living conditions yet money is being wasted on a hospital.

Money has been spent on things like Mark 1 and Mark 2 council offices in communities across my electorate yet Aboriginal people do not have adequate places in which to live. In many cases, the minister would be aware that most of these facilities are only partially used and in fact have been abused in many places. This is mainly because the communities were never asked whether they wanted them in the first place. Just recently, I visited

Umbakumba where work has begun on an office for the principal and a library. It struck me as strange that, where demountables are still being used for classes, where an aluminium caravan is still being used in which to teach school children, $600,000 can be spent on constructing an office for the principal and a library. I would suggest to the minister that, when this building is completed and is situated behind one of the aluminium classrooms, it will look rather incongruous. I think that it should be the desire of the Education Department and the Territory government to liaise with communities to determine what the real needs are so that we do not have $0.5m hospitals next to tin shacks and we do not have $600,000 principal's offices next to aluminium classrooms.

To conclude, I repeat that my particular interest in this is not so much in the amount of money that has been allocated to education but how that money will be spent over the next 12 months. I must also say that there is a trend in current Territory government spending in my electorate which I hope will be continued. In capital works and money that is being spent in communities, there is a very pleasing trend towards providing services such as sewerage and water in line with the government's stated policy of improving Aboriginal health conditions rather than building bigger and better hospitals. $2.5m is currently tied up in government works in my electorate at the moment and a further $2m is proposed. Time is running out so I will not detail what is being spent in each community but a large part of this money is being spent on essential services such as electricity reticulation, water supply and improved sewerage. I commend the government for this. I understand that the 5-year plan spoken of by the honourable Minister for Health is in fact under way and I trust that something of real benefit to Aboriginal communities will result from it.

Debate adjourned.

ELECTORAL BILL
(Serial 309)

Continued from 23 May 1979.

Mr EVERINGHAM (Chief Minister): I seek leave to withdraw Electoral Bill (Serial 309).

Since this bill was introduced in the May sittings, we have undertaken a detailed review of its provisions. These provisions were examined again by the draftsmen and various drafting points have been picked up. This legislation has attracted considerable public comment through the news media and by a considerable number of direct approaches from interested persons and groups. This comment has been welcomed and has enabled us to test the provisions of the legislation against the public interests. As a result, there are some significant amendments being mooted.

I am able to report that the majority of amendments which the government will be incorporating in a new bill which I will give notice of shortly are minor, formal ones for the purpose of clarification or are drafted for the purpose of achieving consistency with established electoral patterns. I consider that the interests of the procedures of the Assembly will be best served in the easier understanding of honourable members. The man in the street interested in this important measure will be facilitated if this bill is withdrawn in favour of the introduction of a new bill incorporating the amendments. I am sure that honourable members will agree that that is the better course to adopt so that they are not subjected to the tedium of processing a large number of amendments through the committee stage.

I circulated copies of the new electoral bill to honourable members a week ago which I propose to introduce during the course of this sittings. At the time of introduction, I will be explaining significant variations between the new bill and the one that was introduced at the May sittings. For those reasons, I seek to withdraw the existing bill.

Leave granted; bill withdrawn.

ADJOURNMENT

Mrs LAWRIE (Nightcliff): Mr Speaker, Australia is a member of the International Whaling Commission and has supported the quota system of whales for some years. Supported by the Australian government, there were moves to introduce a moratorium in some cases on the taking of whale meat in the world and, in fact, Australia no longer operates any whaling stations. Some very interesting information came to light quite recently from an article in the Bulletin of July 17 1979 that dealt with whale poachers. It concerns a pirate ship which acts in defiance of the International Whaling Commission and, in the words of the article, "shoots anything that moves". Four Corners did an excellent documentary on the same despicable practice. After listening to what I have to say, the Northern Territory government might try to get a look at that film because they will find it most interesting.

I will quote directly from the Bulletin article which was subtitled "How an Amateur Detective Exposed an Illegal Killer":

> *Brilliant detective work by just one man has proved that a single grubby little ship, flying a flag of convenience, is slaughtering great numbers of undersized whales in forbidden waters. Working by stealth, the ship earns an estimated $2.8m to $3.8m profit a year for its owners. She's killing hundreds of whales every year, decimating the stocks of hunchback, fin, sperm, killer and blue whales off the North African and Portuguese coasts.*

The name of this ship is the Sierra. She embarrasses South Africa from where she operates, Britain who insures her and Norway who provides her with harpoons and whaling equipment. Most of all, she acutely embarrasses the world's largest commercial whaling nation: Japan. The Sierra was filmed transferring a cargo of illegally caught whale meat to Japanese freighters for shipment to Japan. It is important to recognise that each country which is a member of the International Whaling Commission is bound not to accept any meat caught by any operations outside the International Whaling Commission. Japan is acutely embarrassed. By the conventions of the commission, she cannot accept this whale meat but is continuing to do so. Britain and South Africa, also members of the commission, are similarly embarrassed.

This one person who tracked down this illegal killing of whales and the pirate ship collected a lot of information from Lloyds of London and was able to track the movements of the Sierra to find how she was operating and sending her illegal cargo to Japan. The whole thing reads like a first class James Bond thriller. I will not go into the details of how this man operated bravely and at great risk to his own life. One of the crew members actually filmed some of the operations of the Sierra. It showed the ship killing whales which were prohibited and the way in which she arranged the trans-shipment.

> *The Sierra is thought to make about 10 whaling trips a year, landing about 2,500 tonnes of whale meat with a retail value of $10m. A wholesale value would give the Sierra's owners a profit of $3m to $4m a*

year. Her owners are a convenience company and the company that operates the Sierra is known to be Andrew M. Bauer and Company of Cape Town, a great embarrassment to South Africa with a good conservation record with the International Whaling Commission.

Japan, as the major consumer of whale meat and a major whaling nation, has always said that it plays the rules by the book and abides by the IWC conventions. But it has been caught out in accepting this illegal meat. The Sierra could not operate in this illegal, immoral way if she did not have a market. It has been uncovered and is on film that the market is Japan. Some members might be wondering what this has to do with the Northern Territory and they are about to find out. The company providing the market for this totally illegal undertaking in defiance of IWC rulings and in defiance of world opinion is the Taiyo Fisheries of Japan. This is not relevant to the Territory until one reads the press release from the Minister for Industrial Development which was dated 11 July which was 6 days before this article was published in the Bulletin and therefore I do not criticise the minister for the undertakings which he entered into and to which I shall now allude.

He stated that the future expansion of the Territory's commercial fishing industry could involve 3 foreign companies that, in conjunction with Australian companies, have approached the federal and Territory governments. There are Japanese, Taiwanese and South Korean interests and now we start to see the tie-up. The honourable minister went on to say that 2 of the foreign proposals approved in principle involved joint ventures with Australian interests while the third concerned a joint Australian-Taiwanese company. He did say although they had been approved in principle, there was no certainty that fishing licences would ultimately be issued. The minister went on quite properly to assure everybody that fishermen already operating in Territory waters would not be disadvantaged. The minister recognised the need to bear in mind the provisions of international understandings for utilisation of our resource where it was above and beyond the national need but he also said that, despite that, "the final acceptance by the Territory government of any foreign fishing proposal would depend on the likely economic benefit to the Territory. Together with this there were other matters yet to be ironed out". There certainly are because of the companies involved in a joint venture with an Australian company is the same Taiyo Fisheries. It certainly has the same name and it comes from the same country and I assume that it is in fact the same company: Taiyo Fisheries.

I would not accept the defence to this proposal that it was a subsidiary company. Taiyo Fisheries in Japan is acting in a manner which can only be described as verging on the criminal. They are displaying gross impropriety in dealing with a pirate ship that operates the illegal, mercenary, whale-meat trade. I do not think this is the kind of company with which we want the Northern Territory government to be associated. As I said at the outset, I am quite sure that this knowledge did not rest with the minister when he approved the initial survey undertaken jointly by that incredible company and Sumatil of Australia.

Territory fishermen and Australians generally will want to be assured that any company operating in Australian waters can give some guarantee of doing so in a proper and orderly manner. The Australian government requires that,a Territory government would require it and certainly the Territory fishing industry would want to know that that happens. Yet, this particular company has been shown to ignore all the internationally accepted rules and to do anything for profit, including accepting illegal supplies.

If there was not a market for the illegal whale meat, the Sierra would not be able to operate. It is the Taiyo Fishing Company which is ensuring that she continues her depredations in international waters in defiance of all other countries that are signatories to that whaling convention. Yet, this same company is now going to carry out feasibility studies in Northern Territory waters and, perhaps hopefully, extend that to a fishing licence to take our fish. I would hope that the Northern Territory government would not want to touch such a company with a 40-foot barge pole once they found out just what they were like.

Mrs PADGHAM-PURICH (Tiwi): On behalf of at least 3 people in my electorate, I would like to air a grievance. It is one that I have experienced personally and is connected with air travel. I have mentioned this before. I think other members have mentioned it. I do not think it can be stressed too strongly that in the Territory we have to pay through the nose for the air services we get.

Recently, I travelled to Perth and the trip took 7 hours. I travelled back from Perth and the trip took about the same time. On both of these trips, I travelled with MacRobertson Miller Airlines in an F28. I travelled and paid standard-class fare. If one is fortunate enough to travel on a DC9, one has the option of paying first-class fare or an economy-class fare. A first-class fare is $265.60 and an economy-class fare is $218.30. The standard fare on MMA F28 is $279.80. That is a difference of $61 between the economy fare on a DC9 and MMA's standard fare. I must say that the DC9s are run by both Ansett and TAA. One could stay at the best hotel in Perth and have dinner or breakfast for this $61. One could even stay in Darwin at the best hotel and probably have a meal for this $61.

On this flight from Perth, for our $61, we were offered in the way of food - I will not mention seating yet because the seating does not even compare favourably - 2 cups of tea, about 8 ounces of diluted orange juice, a cake, sandwiches and a curry dish. If ever there was a case for the consumer protection council to get onto something, it is air travel and what one is offered as services by an airfare. Regarding entertainment on the trip, the best entertainment is getting off the plane wherever it happens to stop - Kununurra, Paraburdoo, Karratha or Port Hedland - and walking over to the airport terminal and back again. That is the highlight of the trip.

The food is not even good boarding school meals; it is not even good boarding house meals and I do not think it would be offered and accepted in any cut-rate student hostel. The staff try to do the best they can but they seem to have to work against the company rules all the time and, when we get to Port Hedland, they raced around looking for tea bags because they did not even have enough on the plane.

We now come to the size of the seats. I stated at the outset that my hips are 38 inches around. Looking around this Assembly and having an eye for figures — men think they are the only ones who have eyes for figures - I would guess that there are about 5 or 6 honourable members who have hip measurements about the same or even more. In this standard seat, for which I paid $61 extra, I just had enough room to sit. My height is 5 feet 8½ inches and in front of my knees I had a bare 2 inches in which to move around. Again, looking around this Assembly, a 5 foot 10 inch man would have trouble sitting in the seat and anybody taller than 6 feet would be at a definite disadvantage. There is a society for the prevention of cruelty to animals but I really think that somewhere along the line there should be a society for the prevention of cruelty to airline travellers. The staff try to do the best they can on these lines but the seats are too small. When a person

sitting next to the window has to get out over 2 other people, the conditions are definitely not first class.

I have mentioned these conditions before. I think they are very sub-standard. I do not think we can do anything to make them better because we have been complaining to different people for a number of years. All we can do is live in hope.

The second item on which I would like to speak also concerns air travel. It concerns intimately 3 people in my electorate and I understand it concerns other people who travelled on that particular flight. It concerns TAA's DC9 flight from Perth on Thursday evening. When this flight arrived at Port Hedland, the plane developed engine trouble so everybody was off-loaded. They would have reached Port Hedland at about 3 o'clock on the Friday morning. The passengers were moved into one hotel but then were taken out of that hotel and moved into another. I was told this by a very irate person in my electorate who had a very elderly mother travelling on this trip. On Saturday, the passengers spent all day in the terminal. They did not even leave on Sunday so these passengers from this stranded DC9 were down in Port Hedland all Friday, all Saturday and all Sunday. I would hazard a guess that nowhere else in Australia would a situation like this be allowed to continue. It seems that the people up here are paying all the time. Perhaps it was not money in this case but it certainly was in services.

When I rang TAA, they told me that they could not get the people on the next MMA flight. This is one occasion when I can say definitely that they were wrong because the flight coming back from Perth to Darwin on that Friday night had spare seats on the plane. Whether they really tried to get the passengers onto that MMA flight, I do not know. There certainly were spare seats available. The factor that most inhibited TAA from putting their passengers on this MMA flight was that they would have had to pay the MMA standard fare which is $61 more.

I think the passengers were finally put on a plane on Monday morning. This is the way that we are treated in the Northern Territory by the airlines.

Mr DOOLAN (Victoria River): I would like to bring to the attention of the House a matter of very great concern to residents of my electorate. It was given to me yesterday in the form of a letter. It is addressed to me and says:

> *I refer to our telephone conversation on Friday September 7 and enclose a copy of a draft letter to the Secretary for Lands and Housing, Mr Fountain. A copy of the final, original and signatories are going to be forwarded to you. It would seem some 100-plus residents are affected in section 288 alone. So taking into consideration sections 296, 304 and 306, several hundreds of residences would certainly be directly affected. I have written to the minister and the secretary on behalf of my husband and myself briefly stating our position as follows: In view of areas specifically designated for noisy recreations being available (prior to the legislation concerning noise pollution passing through parliament and prior to the establishment of the Rural Development Committee which has recently been announced and for which nominations have been called), I have stated that we are seeking an early assurance of a moritorium on the establishment of a gun club on section 295 pending a referendum of local residents. "We" refers to my husband and myself. It is the understanding of my neighbour, Mr H. Knodl, from his discussion with a person claiming to be a member of the above mentioned club that 2 demountables are being given free of charge to the club for its activities. All of this has happened during the last*

3 weeks while I have fortunately been confined to town as a result of a car accident. I do not feel I could return home to the blazing of guns at any rate. We do not know if the club has been incorporated as an approved association but we have been advised by the Lands Branch that the lease has not been officially granted as of Friday. We are looking to you for support.

Yours sincerely, Robyn Martin, Lot 27, Section 208 Hundred of Bagot.

She has added a postscript which says: "I have just learned that a sign was today posted at the proposed area stating 'Top End Gun Club'. Shooting continued all afternoon according to my neighbour and all the animals nearby have been affected. Could you check urgently and see if such a club is registered please". Perhaps the appropriate minister might advise me on that and the Minister for Lands and Housing might like to advise me whether a lease has in fact been granted to the Top End Gun Club.

The copy from the residents is addressed to Mr Ross Fountain, Secretary of the Department of Lands and Housing. There is a notation that says the Minister for Lands and Housing has been given a copy. It reads as follows:

Dear Sir, We the undersigned residents strongly protest the proposed establishment of a gun club on section 295 and adjacent/alongside sections 288 and 296 Hundred of Bagot and sections 304 and 306 Hundred of Strangways, Howard Springs, as it is contrary to the present and proposed Darwin and outer Darwin Town Plan as the before mentioned sections are designated "rural", "farming", "living". Residency in this area dates back 10 to 12 years when the lands were first subdivided and residents moved out of town for peace and tranquillity. Our protest is based on the following grounds:

1. *Noise pollution, especially on Sundays and public holidays. It is understood legislation concerning noise pollution is presently before parliament.*

2. *Environment protection is a great concern. This area is inhabited by many species of wildlife, including wallabies, grey kangaroos, black and white cockatoos and parrots.*

3. *Tourism. There are 2 tourist caravan parks in the immediate vicinity, namely 17-Mile Caravan Park and Coolalinga Caravan Park.*

4. *The above mentioned sections have been designated as rural living areas in the outer Darwin area plan and the establishment of a gun club in this area would severely decrease the real estate value of our rural holdings.*

5. *The Lands Department has designated an area west of Noonamah to facilitate all noise-polluting recreational sporting activities and it is beyond our comprehension why the proposed gun club has not been allocated land in that area.*

6. *To our knowledge, not one member of the proposed gun club lives in any of the affected areas. The members of the proposed gun club have already cleared an area of approximately 2 acres and shooting practice began on Friday 7 September 1979 and continued until approximately 4 pm on that day in the unfenced and unmarked area where many of us enjoy a stroll.*

Appended to this are 80 plus signatures, including such redoubtable people as Curly Nixon and Brian Manning. I think the letter and the petition are self-explanatory and I would seek clarification from the Ministers for Lands and Housing and Youth Sport and Recreation as to whether or not this is a fact.

Mr PERRON (Stuart Park): In anticipation of a question on this very subject, I obtained a small amount of information that I will pass on to honourable members. There had been an application received by the gun club for the allocation of land in the rural area of Darwin. I believe it is the northern portion of section 305 Hundred of Strangways for a shooting range. This land has not been allocated to the gun club at this stage. These applications are looked at carefully and assessed along with other applications for like uses and unlike uses. The area is considered in light of the types of activities that are proposed. The department has received a number of objections from people who heard that the gun club had made an application for this particular parcel of land. As no lease has been issued, the club concerned has no authorisation from the government to conduct any activities on that particular parcel of land. If they are conducting shooting activities on the land, as the honourable member mentioned, that seems to be completely outside the law. I will have the Department of Lands and Housing write to the particular club and lay the complaint with them that it has been alleged that they have been using the block without any authority. I am sure the local residents can take their own action if it occurs again.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MAGISTRATES BILL
(Serial 333)

Bill presented and read a first time.

Mr EVERINGHAM (Attorney-General): I move that the bill be now read a second time.

This bill amends the Magistrates Act to allow the appointment of an Acting Chief Magistrate by the Attorney-General for the administration of the local court. A sudden illness or absence of a Chief Magistrate can lead to unscheduled meetings to the Executive Council at any time. Any appointment exceeding 3 months will still have to be made by the Administrator. It should also be noted that any appointments can be terminated by the Administrator at any time. In summary, this bill will allow the appointment of an Acting Chief Magistrate by the Attorney-General without the need for an Executive Council decision if the period of appointment does not exceed 3 months but it does not affect the present provisions in the Magistrates Act relating to appointment for a longer period or the provisions for termination of any acting appointments. I commend the bill to honourable members.

Debate adjourned.

JUSTICES BILL
(Serial 316)

Bill presented and read a first time.

Mr EVERINGHAM (Attorney-General): This bill amends section 27A of the Justices Act. Honourable members will remember this unfortunate section. Previously, the Assembly passed a small act merely to place the word "not" where it should have been in the section. Members will be pleased to hear that this amendment does not concern the nomadic "not" as it has quite happily settled in its present position. The purpose of the amendment is to ensure that the service of summonses under the Justices Act is consistent with the provisions of the Traffic Act dealing with on-the-spot fines for traffic infringements. Under section 36H of the Traffic Act, a person has 28 days to pay a fine for an on-the-spot infringement notice. If that fine is not paid, the police then proceed by way of summons. However, section 27A of the Justices Act requires a summons to be served within 1 month of the date of the offence. This obviously causes problems to the police and it leaves them little time to serve a summons once the 28 days for paying the fine has elapsed.

The bill also makes a number of small formal amendments to the Traffic Act to accord with present drafting practice. I commend the bill to honourable members.

Debate adjourned.

DINGO DESTRUCTION BILL
(Serial 314)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

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The purpose of this bill is simply to repeal the Dingo Destruction Act. This does not mean that the government is not concerned to protect landholders from damage by dingoes. It means that the Dingo Destruction Act is a useless piece of legislation for this purpose. In effect, it imposes a burden on all landholders for little or no return and provides from the public purse a bit of pocket money for the destruction of animals in proximity to urban areas with no valuable effect on areas of possible dingo damage. The provisions of the act are largely ignored. It requires all landholders to act to destroy dingoes on their land and to report annually to the minister on steps taken. No such reporting takes place. It requires all landholders to pay an annual rate whether a dingo problem exists or not. A large proportion of this rate is usually in arrears and this leads to an imposition of penalties so here again the government is lifting taxes not imposing them. A payment may be paid for dingo scalps. This payment appears to be only pocket money in areas in proximity to urban concentrations and probably includes a high proportion of domestic dogs gone wild which are dingoes for the purpose of the act and serves no valuable dingo control purpose.

The Dingo Destruction Act is an old act which was made in 1923 and reflects the state of knowledge and prejudices of the times. Our understanding of feral animals and their place in the ecological balance in the environment is more fully understood now and more advanced technology has proved more effective, though not perfect, means for attacking a dingo problem in areas where it becomes severe. The role of a dingo as a predator against native animals which are competitive with the pastoralist is now well recognised. The problem of dingo control is understood as part of total feral animal control not as a singular problem. Of course, there is not always full agreement on this. Some concerned pastoralists would see no answer other than the complete eradication of all dingoes. But there is an increasing cooperation between pastoralists and government in dingo control and the most effective control campaigns are conducted as a cooperative venture between both parties. In general, this is carried out by joint recognition of problem areas. The landholder meets charter costs for aerial baiting and Wildlife employees carry out the actual controlled baiting with toxic and effective poisons.

The general principle of these points was stressed in the recently tabled report of the inquiry into feral animals. That report also strongly recommended the repeal of the act and recognised dingo control as a part of the total feral animal problem of the Territory. As well as setting aside considerable funds for the implementation of the Feral Animal Committee's recommendations in the year's budget, the government has already moved to implement one of the recommendations by repealing this piece of legislation.

This bill provides no savings provision. It is my intention to strike the act off the statute book with no continuation of any actions under it. No rates, charges or penalties due under the act to the Territory government need be paid nor will be followed up after the act is assented to. No more scalp bonuses will be paid for scalps after that date. I cannot of course talk for the Commonwealth government in this matter. Monies due and payable to the Commonwealth before 1 July 1978 will remain a debt due to the Commonwealth and follow-up action by the Commonwealth is possible.

I wish to repeat that the repeal of the act does not mean that the government does not recognise that the dingo can be a problem to landholders. We recognise that and the resources of the Wildlife unit are available to assist in dingo control whenever a problem is identified. I do not believe that the Dingo Destruction Act is of any value in attacking the dingo problem; it

merely imposes an extra burden on the landholder and the public purse for no discernible benefit. I commend the bill to honourable members.

Debate adjourned.

ELECTORAL BILL
(Serial 327)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

As I indicated when seeking the leave of the House to withdraw the Electoral Bill (Serial 309), this bill contains the provisions of the withdrawn bill amended to take account of a substantial number of proposals. Copies of this bill have previously been circulated to all honourable members and I think it has had wider distribution even than that. As I indicated, the majority of the modifications contained in this bill are of a minor, formal nature, for clarification purposes or to achieve consistency with established Australian electoral patterns. However, there are some modifications of more substance. If I may take up the time of the House, Mr Speaker, I will explain the more significant variations between this bill and the previous one.

In clause 3(1), a significant variation in the definitions clause is the deletion of the definition of "Aboriginal". Honourable members will note a number of similar deletions which together remove all reference to Aboriginal persons in the bill. Optional enrolment for Aboriginal persons is thus removed and enrolment and voting will become compulsory for all eligible persons in the Territory. As I indicated in a statement to the popular press, the Northern Territory Cabinet made its decision after careful consideration of all views presented to it and in the knowledge that the decision is contrary to Commonwealth Electoral Law applying to Aboriginal people. My government, however, is committed to a policy of removing all forms of discrimination in the law and we are particularly concerned that Territorians be placed on an equal footing in Territory electoral matters.

The definition of "authorised witness" is another significant variation in clause 3 which has particular significance in relation to clause 60 of the withdrawn bill, dealing with the recording of a postal vote by an elector in the presence of an authorised witness who has to witness the vote. There was a deal of criticism of clause 60 of the withdrawn bill. However, any person with reasonable perspicacity and unhindered by a desire to make political mileage out of something that comes his way would readily appreciate the real intent of that provision which was to guard against manipulation of a voter exercising the franchise in difficult and possibly subjective circumstances. It was our intention that the use of mobile polling teams would be such that no voter would be disadvantaged by the provision. Honourable members will see that the definition has been amended.

I give notice now that, so far as the government's financial, physical and manpower resources permit, any place in the Territory where enrolled voters live will be serviced by a polling place or a mobile polling team to the intent that, as far as possible, voters are able to exercise the franchise at an objective polling place. Further, in relation to an application for a postal vote signed or a postal volte recorded outside the Territory, the definition of "authorised witness" has been expanded to include commissioners for declarations and further expanded to include those and holders of similar

offices such as justices of the peace under any law in force in the Commonwealth. That amendment is desirable, firstly, because the office of Commissioner for Declarations is as it were ejusdem generis with the other offices mentioned in the original definition and, secondly, because "Justice of the Peace" is defined in our Interpretation Act whereas the other offices are not. The one office would have been limited to Territory appointees whereas the other offices may not have been.

The definition of "mobile polling place" has been deleted in favour of definitions of "mobile polling team" and "mobile polling team leader". The new clause 64, dealing with the appointment of polling places, has also been amended accordingly. The amendments will allow for simpler drafting of regulations and notices under clause 64 as well as obviating difficulties which were foreseen in the use of a physical thing such as a motor vehicle which might break down and need to be replaced during a polling schedule.

There is also an amended definition of "prisoner". Present Territory electoral law provides that a person under sentence for an offence, the penalty for which is imprisonment for one year or more, is not qualified to vote while still under sentence. The withdrawn bill provided that a prisoner could still vote unless he was serving a sentence for sedition or was a person attainted for treason. Firstly, attainder no longer applies in English law and, secondly, there are other serious crimes, besides the term mentioned, which are classed as crimes against the state. The new definition will mean that a prisoner may vote if he is not under sentence for one of the crimes mentioned in the new definition. Those crimes are treason, assisting a traitor, treachery, sabotage, sedition, inciting mutiny, assisting prisoners of war to escape and unlawful drilling in a military sense.

Clause 3(2) has been amended to provide that, in order to make a ballot paper formal, it must ben initialled by an officer as distinct from a presiding officer. Honourable members will know that, at most polling booths, there are 2 or 3 officers who initial and issue ballot-papers to persons claiming to vote. To require the one presiding officer to perform all the necessary and sometimes routine functions at a polling place would be impractical and a number of other similar variations will be noted in the new bill. The more routine functions will be devolved on officers whilst the more responsible functions, such as being satisfied as to a person's illiteracy, degree of physical handicap or requiring a disorderly person to leave a polling place, are left with the presiding officer of the polling place.

The amended clause also provides that a ballot-paper will be formal if it is authenticated by an official mark even though not initialled by an officer. Honourable members will appreciate that it is in the nature of things that some ballot papers will be issued without the initials of an officer because he is distracted at the particular moment. That should not invalidate a person's vote and the situation is overcome by the use of specially water-marked paper for the printing of ballot-papers.

The new clause 8 provides that an officer shall automatically vacate his office on becoming a candidate for election rather than doing so as soon as practicable.

The new clause 13 does not include subclause 13(4) of the withdrawn bill. That amendment introduces the provision which relates to the invitation of suggestions and comments regarding a proposed electoral distribution and is in line with the Commonwealth provision presently applying to Territory elections. It removes an unnecessary 14-day period from the time

scale, thus protracting the statutory period involved in a distribution.

Clause 21 deals with the keeping of the rolls. The original clause could have been criticised on the grounds that it was ultra vires in so far as it directed our chief electoral officer to keep the rolls with the intention that they could be used for Commonwealth elections. Whilst the new clause achieves the same result, it does so with terminology that is not subject to that criticism.

The new part V, enrolment, represents a substantial redrafting and is related to clause 21. The amended part provides that a person who enrols or makes a claim for enrolment under the Commonwealth law will be deemed to have done so for Territory purposes and will not be liable for an offence of failing to enrol under our law. Further, in the new clause 27(5), under enrolment, a member of this Assembly will be entitled to enrol if he wishes for the division that he represents in the Assembly and to vote for that division despite residence in another division. A similar entitlement exists in the Commonwealth Electoral Act in relation to senators and members of the House of Representatives.

New clause 30 omits the reference to a "signature in his own hand writing" from the old clause 28. Similar amendments, particularly the amendment to clause 110 of the withdrawn bill, will make it clear that a "marksman", that is, a person who cannot sign his own name, may complete any paper under the act in the presence of one witness except where the paper is an application for a postal ballot-paper or a postal vote certificate. The significance of those 2 exceptions, where 2 witnesses are required, will be obvious to honourable members.

Clauses 35 to 37 of the withdrawn bill, which related to the determination of objections to enrolment, notification of the determination to the parties and appeals against determinations, have been tidied up in the new clauses 36 to 38.

Clauses 48 to 51 and clause 53 replace the original clauses 47 to 50 and are a complete rewrite of those provisions. The new clauses provide for, firstly, the return of a candidate's deposit to the personal representative of the candidate who dies before polling day and the return of deposits to other candidates where an election fails because of such a death and, secondly, for the acceptance of nominations and withdrawal of nominations by a person authorised by the divisional returning officer. The new clauses allow for telegraphic advice by the authorised person to the divisional returning officer and will facilitate nominations and withdrawals in, for example, an electorate such as Victoria River where the divisional returning officer for the division will probably be stationed in Darwin.

Clause 53 is a variation of the old clause 52 and is reflected in later amendments such as those dealing with disputed elections and courts of disputed returns. The original clause 52C provided that "an election shall be deemed to have failed if no candidate is declared elected at the elction". The new clause uses the phrase "no candidate is returned as elected at the election". This new clause and others provide for circumstances where no candidate can be declared as elected because there is no candidate returned at the poll. An example would be where a parcel of votes is lost or accidentally destroyed and those votes could affect the result of an election.

Clause 55(4) varies from the old clause 54(4) by the addition of the word "unlawfully" so that no person shall unlawfully induce or persuade an elector to make an application for a postal ballot-paper. The penalty is $1,000. The effect of that variation is obvious.

The old clause 67, which related to postal voting by a physically handicapped or illiterate voter, and similarly clause 78, which related to voting by such persons at a polling place, have been replaced by clauses 61(8) and 79 respectively to allow the physically handicapped or illiterate voter, if he wishes, to have another person of his choosing present while the authorised witness or the officer respectively marks his vote in accordance with the elector's instructions. The intention is that such a voter could call his agent and aide to explain his instructions to the authorised witness officer. The amendment will allow for assistance by an interpreter where the voter is not literate in English or, for some other reason, needs the assistance of a third person to vote. Members will note that the new clause 79 spells out in detail the duties of the officer and the agent and related offences and penalties. The original clause 61(3) provided "no person shall induce a person issued with a postal ballot-paper to hand that ballot-paper to him otherwise than in accordance with this act - penalty $2,000 or imprisonment for 2 years". That clause was too narrow in that it referred only to inducement. It has been widened in the new clause 62(3) to: "No person shall receive or take possession of a postal ballot-paper otherwise than in accordance with this act".

New clause 69, which replaces the old clause 68, will allow for one candidate's representative per candidate for each ballot-paper issuing table at a polling place.

Similarly, the new clause 89 replaces the old clause 87 and allows for one representative per candidate at each counting table at the determination of a poll.

Clause 75 is a result of much comment in the press and letters received by the department regarding the questions which may be asked of a voter claiming to vote as against those questions which must be asked. In clause 74 of the withdrawn bill, the questions which must be asked relate to whether the voter has voted before at the election and his place of living. There remain 4 questions which have been in contention in so far as they might result in a situation which occurred in a fairly recent state election which was declared void by a court of disputed returns. These questions are regarded as a standard provision in Australian electoral law and presently apply in relation to Territory elections. However, the provision was examined in the light of comment by the so-called experts and the 4 contentious questions are to be limited in their application to a person claiming to vote whose name does not appear on a certified list of voters, which will be a significant innovation. There has been contention about the 2 questions which must be asked and they will remain in the bill. It is reasonable that the other 4 questions be applicable in the circumstances I mentioned.

The new clause 80 represents a substantial redrafting of the old clauses 79 and 80 which dealt with persons claiming to vote whose names were not on a certified list of voters. They also dealt with persons voting at a polling place in a division other than that in which they are enrolled. Finally, the old clauses dealt with persons issued with postal ballot-papers who voted at a polling place. The original provisions were confusing and the new clauses clarify the situation.

Clause 87 is an addition which corrects an error of omission by defining an officer who conducts the determination of the poll.

Clause 92 replaces the old clause 90 which dealt with the determination of objections where a representative objects to admission of a ballot-paper as formal. In practice, where the number of ballot papers objected to could

affect the outcome of an election, the divisional returning officer conducts a recount and so reviews the determination of objections. The next step after the recount, if a candidate still feels aggrieved, is to take action through the Supreme Court for a disputed election.

Clause 95 (2)(b) provides that, during a recount where 2 or more candidates have the lowest number of votes, the divisional returning officer will decide by lottery which shall be excluded from further consideration. The old clause 93(2)(b) indicated that he would make the decision by conscious choice.

The old clause 100(1) provided for an extension of an election by the chief electoral officer to obviate any difficulty that might arise in the election. In common with other Australian electoral law, it is proper that that power be vested in the person who issued the writ and that person is the Administrator. The new clause 102 provides accordingly. Further, clause 100(1) provided that the power of extension may be exercised within 20 days before polling day. That is clearly a misreading of the Commonwealth provision which provides that the extension may occur within 20 days before or after polling day. The new clause 102(1) provides accordingly.

The old clause 102(2) was also clearly a misreading of the Commonwealth provision. The original clause provided that no election can be postponed for a period exceeding 7 days after the original polling day. The intention is that no polling day should be postponed at a time later than 7 days before the day originally appointed as polling day. The new clause 102(2) provides accordingly.

The new clauses 103 and 104 remove references to Aboriginals in the old clauses 101 and 102 which dealt with offences of bribery, attempted bribery and threats of violence in relation to election. Honourable members will be aware of criticism levelled at the old clauses. Unfortunately, that criticism was unfounded, based on misunderstanding and was possibly mischievous. I am pleased to note that the criticism was rejected by the honourable Leader of the Opposition and other interested persons.

The old clause 111 dealt with offences by persons as witnesses to documents under the act. New clause 113(2) makes it an offence for a candidate to witness any document under the act. The intention is obvious and I am sure honourable members will agree that it is a proper addition.

Clause 116 also makes it an offence to forge or utter any document required under the act and again the intention is obvious.

The old clauses 120 to 123 dealt with the jurisdiction and powers of the Supreme Court and the exercise of those powers in relation to a disputed election. Those clauses confused the 3 matters which are now arranged in a more logical and more easily understood sequence in clauses 123 to 128 of this bill.

The old clause 129 gave the Supreme Court power to make rules of court in the disputed elections area. That provision has been deleted from the new bill in favour of the adequate provisions in the Supreme Court Act to make rules.

In clause 139, the penalty for unlawful disclosure of information by an officer has been increased from $100 to $2,000 or imprisonment for 2 years. The penalty for similar disclosure by an NT public servant under the Criminal Law and Procedure Act is $4,000 or imprisonment for 2 years. The amended penalty in clause 139 equates with that provided in clause 63 for disclosure by a witness.

The new clause 140 provides legal protection for an officer in respect of acts done in good faith in his capacity as an officer. It is a standard protection which I am sure will be acceptable to honourable members.

Clause 143 is a transitional savings provision which preserves the existing electoral divisions with their names and boundaries under the Northern Territory electoral regulations until a redistribution is performed and approved under part III of the bill.

The other variations between this and the withdrawn bill which I have not touched on are to clarify and tidy up drafting amendments. I will be happy to explain any of them at the appropriate time in the committee stage.

This bill is the result of an intensive critical examination of the withdrawn bill and will find an easier passage through the proceedings of this House than the old one would have had. I intend seeing the passage of this bill through all stages at this sittings. There must be a general election for this House no later than August next year. It is appropriate that that election be carried out under law which is the result of taking up the invitation of the self-government act, so that this Assembly can legislate in the electoral field to meet the needs of the Territory. It is necessary, therefore, that the bill be passed as soon as possible so that enrolment and electoral education programs can be instituted as well as to provide enrolment for prisoners disenfranchised under Commonwealth law and so that necessary regulations can be made and administrative procedures established.

I saw in the popular press that the opposition is proposing to move a substantial number of amendments to the bill in the committee stage and it would be of assistance to me if I could have those amendments well beforehand so that I can give them serious consideration rather than having to give them consideration on the spot in the committee stage.

I commend the bill to honourable members.

Debate adjourned.

PERSONAL EXPLANATION

Mr STEELE (Transport and Works) (by leave): Mr Speaker, I listened with interest to the ABC's report this morning relating to the honourable member for Nightcliff's remark in the adjournment yesterday. The item stated that the government is undertaking to reconsider an approved joint fishing venture because of claims in the Legislative Assembly etc. The transcript tails off: "Mr Steele said outside the House that he would ask the Fisheries Division to look into the matter". The latter part of the statement is correct. I did say to the ABC reporter that I would have the matter looked into and I have instructed the chief fisheries officer to that effect. I would say that the feasibility fishing study, not the joint fishing venture, has been agreed to in concept with the federal government. They are the supreme body as far as fishing ventures in the 200-mile zone are concerned.

Some preliminary information has been brought to my attention: the Taiyo management is not involved to the extent first indicated but some equipment could be used by Sumatil which we assumed was the full partner. This is not so. I am expecting to obtain more information and place it before the House as soon as I possibly can.

APPROPRIATION BILL
(Serial 315)

Continued from 11 September 1979

Mr VALE (Stuart): Mr Speaker, I would like to speak in support of this budget. Unlike the Leader of the Opposition who said in Alice Springs recently that he found the budget dull and dreary, I find the budget exciting and full of promise for the further planned development of all areas of the Northern Territory. Yesterday's speech by the Leader of the Opposition, in which he offered an alternative budget, was a hotch-potch of academic, would-be economic, kite-flying ideas. I would suggest the Opposition Leader trade in his slide rule, his calculator and even his much vaunted economic adviser, as his financial comments yesterday showed as much sanity as his recent statement which urged the Northern Territory government to buy for $7.5m a 25% interest in the Mereenie field which contains at today's values an in-ground value of crude oil and natural gas worth in excess of $2,000m. While it is possibly a good buy on those terms, no one would blame the companies for rejecting a buyer on those figures that the Opposition Leader suggested.

The Opposition Leader made reference to much needed development of the Mereenie field, and with that I concur, but he must realise that the present stalemate in development is not because of Territory government inactivity but rather the federal government Aboriginal land rights legislation is presently preventing the development of this field, which has the potential to supply the whole of the Alice Springs and Tennant Creek area with all main petroleum products for at least 40 years. This supply period ignores the natural gas which occurs in the Mereenie field and the Palm Valley field. Central Australia is in a unique position with energy supplies if and when field development is allowed to proceed.

The Opposition Leader also said that his proposal would cut or reduce funds for road development. Let me offer some advice. Road development programs in Central Australia - Ayers Rock, Glen Helen, Hermannsberg, Yuendumu and the Plenty River Roads - cannot and must not be halted or slowed down. The sealing and upgrading of these roads has been needed for decades in Central Australia and we have waited patiently for years for this work to begin. Once started, no one in the Centre would wear any restriction of the program. The Opposition Leader's proposal on roads again shows his absurd set of funding priorities. Quite apart from road safety, these roads are much needed for the development of our tourist, pastoral and mining communities and, in addition, will provide a long-sought-after, all-weather link between remote communities in the Centre and Alice Springs.

The Home Loans Scheme announced by the Treasurer will provide for the first time home loans with realistic interest rates and deposits for lower and other income earners. Coupled with the over-the-counter sales of land in Alice Springs, it will do much to tackle the housing problems at Alice Springs associated with the tremendous development now under way in Central Australia.

Despite the Deputy Opposition Leader's berating a raw deal in last year's budget comments - and I quote from last year's Hansard - "that Alice Springs has again been discriminated against", Alice Springs has received a fair vote of funds in order of priorities. It was only a couple of years back that a leading light in the ALP, Mr Thomas, at a public meeting standing in for a

much-absent Senator Robertson said that money allocated to the Head Street subdivision should be re-directed. This person, together with the member for MacDonnell, is now saying the government ignored both the provisions of land and housing in Alice Springs. I wonder what the position would be today if the Head Street subdivision money had been re-allocated.

The Opposition Leader said that he would cancel the Mary Anne recreation lake in Tennant Creek. I wonder if he would do the same with the proposed lake in Alice Springs. It seems to me that some people who live in Darwin believe that they have a monopoly on surface water for recreational purposes. A proposal such as the one he suggested for Tennant Creek would start a riot if he proposed the same idea in Alice Springs.

Both the Leader of the Opposition and the member for Arnhem commented on funding for the Chief Minister's information department. I would strongly support that funding and, in particular, the preparation and circulation of various brochures detailing and explaining the government's initiatives and actions in so many areas. This information is welcomed by many people in all areas but in particular the remote communities.

In all areas, the budget presented by the Treasurer shows initiative and imagination. I believe it to be best summed up as a go-budget for industry and the individual. It will provide for development of the tourist, pastoral and mining industries and facilitate home ownership for so many people who have now decided to make the Northern Territory their home.

Mrs LAWRIE (Nightcliff): Mr Speaker, I must assume that the honourable member for Stuart and myself have been reading different budgets because, if ever there was a dull and unimaginative budget, this is it. Presumably, this is because it is a basically dull and unimaginative government which has proposed it. It is not a particularly bad budget. Some areas are quite well served but, if ever there was a complete lack of imagination, it is in the budget we have had presented. This budget really does no more than continue Commonwealth budgeting attitudes and I cannot see that the advent of self-government has made much difference to the way in which the budget is slanted. There are a couple of good proposals such as the landbacked wharf. Such proposals were mooted months ago. But even ...

Mr Robertson: Is she reading?

Mrs LAWRIE: No, I do not read my speeches - unlike the backbenchers of the Country Liberal Party government who find it a necessity.

The Treasurer would be well advised to remember that, no matter what money is allocated in the budget, the private sector of the community suffers greatly when there are changes of government policy, to coin the phrase used yesterday, "in midstream". The private sector cannot be expected to feel secure when such decisions are made as that regarding the doing away with all elevated housing. That created shock waves in that industry. Ancillary industries were facing virtual liquidation and it was only as a result of many protests that the Treasurer was persuaded to scale down the rate of change. Those things affect private industry equally if not more than the printed budget.

The first area about which I wish to speak is education. I notice that we have an allocation of nearly $43m for salaries. Unfortunately, it will not be spent to the degree that it should be spent on people in the field - the teaching and ancillary staff. The Department of Education, perhaps more than any other department, with the possible exception of that of the Chief Minister, has padded its hierarchy. It has a group of people, sitting in a

building remote from the teaching staff, looking after themselves very well. The Department of Education would operate more efficiently and for the better education of the children of the Northern Territory if there were fewer senior positions and if we did away with the plethora of senior advisers and redistributed that wealth, both of expertise and expenditure on salaries, where it counts and that is in the field. The past year has seen some strange priorities within the Department of Education. Wall-to-wall carpeting was provided for administrative staff as a matter of right whilst new school buildings did not have the furniture to enable them to operate very well. The minister must ensure that this kind of attitude is not developed and continued.

We are all aware that school fees are charged throughout the Northern Territory. At Nightcliff High, they are $50 per student. These fees do not provide oriental rugs for the students; they only provide the basics to enable the kids to have a reasonable and fully-rounded education. The honourable Minister for Education seems to have taken some offence at my earlier statement.

Mr Robertson: Well, it is not true.

Mrs LAWRIE: It is true. When new school buildings were provided, there was not sufficient furniture in the schools to enable them to operate but the senior staff of the department were well looked after. I think the priorities were wrongly set. I am asking the minister to ensure that does not continue.

At least in one high school, there are programs which require a special funding. I refer to programs for children who have special problems. That money is not automatically forthcoming but I note with some interest that there is a new item on page 39, "grants-in-aid other services", which makes provision for special grants to educational bodies and groups etc. I asked the minister to give us more indication of just how that money is expected to be used. It may well be that it is the kind of assistance which can be granted for the special teaching needs of some schools. An example is the one being undertaken at Nightcliff High where there are a group of kids who need particular equipment. It was not budgeted for because the school was not really aware that it would have to provide this special program when it was preparing its budget. I hope that this is the kind of assistance but I ask for an explanation.

At the last sittings, I alluded to the teacher training program at Batchelor. I am still critical of the fact that $60,000 has been provided for 2 senior teaching positions within the Department of Education. If that money had been re-allocated, the present 3-year teacher training course undertaken by the present Darwin Community College and which has 2-year trained status could have been expanded to provide fully-trained Aboriginal teacher training which is the ultimate aim of the Darwin Community College and I hope of the Department of Education. An undertaking was given to the Darwin Community College by a senior person within the Department of Education, I believe it was Mr Jim Gallagher, that full responsibility for Aboriginal teacher training would be the province of the Darwin Community College yet the $60,000 has been provided to people within the Department of Education. There certainly seems to be some conflict there and I ask for clarification from the minister. If he cannot provide it in terms of the budget speech, then I would certainly like it at some other time.

Along with other members on this side of the House, I believe that the consolidation of the Darwin Community College campus at Casuarina should have

been given priority. The community college operates well within the limits which are set by unusual facilities and I do not think that sufficient credit is paid to the college staff. If we look at the Darwin Community College paper, it indicates clearly on pages 3 and 4 the scope of the work being undertaken by the Darwin Community College. It is commendable but, without the consolidation of the campus, the community college cannot totally fulfil its responsibilities. The Darwin Community College also needs a continuing guarantee of independence from departmental control. There is also an urgent need for a technical college in Darwin. I have heard no mention of that and that is why I say that the budget is unimaginative. These are initiatives that I would have expected to be taken by the Northern Territory government. The present education allocation does little more than continue what has been past practice.

I move on to the Northern Territory Housing Commission. The minister in charge of the Housing Commission is the Treasurer and he has a dual responsibility for town planning. We have had from the Treasurer at least an acknowledgement that present policies of public building in the Northern Territory need careful reappraisal and new initiatives. I will certainly be outlining to the Treasurer in the adjournment one initiative that he might pursue. At the moment, the Housing Commission are doing no more than following the old line they have followed for the past decade. There is no provision for cluster housing yet the same minister has the responsibility for town planning and that is an initiative he could have taken this year and I believe he has ignored. There do not appear to be any incentives for urban living in the city proper, such as dual use of high-rise buildings. Again, this is a lack of imagination on the part of the government.

It is inexcusable to see in the papers pertaining to the Northern Territory Housing Commission an admission that there is a reduced construction program in Darwin "due mainly to the limited availability of serviced land". I would hope that the Treasurer will attempt to indicate to the House how this occurred and to ensure that it does not occur in the future. They cannot build the houses on the land if they do not have the land but the public housing program in Darwin needs to continue at a fairly good rate and not be cut back.

Honourable members opposite have asked how the Northern Territory opposition would fund its various schemes. If I look at the explanations to the Appropriation Bill dealing with the Chief Minister's Department, I can find some large sums of money. Some people have already made reference to the Office of Information and its allocation of $221,000 but there are a couple of more interesting points that I would like to make. We find, in sub-item 9, on page 32, consultants fees of $171,000. When the Darwin Reconstruction Commission was flying consultants in and out, it received well-deserved criticism from members of this Assembly, including the Chief Minister. However, we find the provision of $171,000 for the engagement of consultants to report to the Chief Minister on matters under his control. I will read them out to the House because I believe they cannot be excused. It is planned to have: "in-put, out-put analysis - $15,000; public relations consultants in Canberra - $45,000; and cross-cultural communications analysis - $40,000. If the Chief Minister does not have, within his own public service, people qualified to make these assessments, I would be very surprised. There is an "economic structure studies consultant - $30,000; development planning studies - $10,000; and environmental co-ordination Jabiru - $23,000". The latter certainly would have some merit. However, to have consultants because the government does not have the expertise to report to the Chief Minister on input, output analysis at a cost of $15,000 is ridiculous and a waste of taxpayers' money.

Also within the Chief Minister's Department papers, there is an allocation of $66,000 to provide library and research facilities for ministers, members, support staff and research officers. Thank God for that; it is not before time. However, I would ask the Chief Minister to indicate where this facility is to be located.

Within the Office of Information allocation of $221,000, there is $32,000 put aside for miscellaneous publications, I would like some indication of what these will consist of. All the normal publications are well listed. I think that the money being spent by the Chief Minister deserves the closest scrutiny and probably will receive it in committee.

In the Territory Parks and Wildlife Commission papers, $10,000 is allocated for land conservation. That has my total approval. However, one sees that the Forestry Unit is being fairly well funded whilst the Parks and Wildlife Unit is not adequately funded. I think the Chief Minister has chosen to give the higher funding to the wrong section of that organisation. The Forestry Unit is doing a commendable job in beautification and we need them, but not at the expense of the Parks and Wildlife Commission. For travel and subsistence, Parks and Wildlife are allocated $149,000 whereas Forestry is allocated $194,000. For postage and freight, Parks and Wildlife only have $9,000 but Forestry has $40,000. That is a fair number of trees to be posting around the place. I do not begrudge Forestry, but if the cake is only of limited size and has to be cut, more of the cake should have been given to the Parks and Wildlife Commission.

We see under the Territory Parks and Wildlife Commission's administrative expenses an allocation of $50,000 for a joint estuarine crocodile research program. I would ask the Chief Minister if he would indicate just where the $50,000 will go. We know it is for a joint research program but who is the other partner who will be in receipt of that $50,000?

The capital works program contains some works which have received the approval of other members of the House. I would like to add my approval of the $700,000 allocation for the stage I reconstruction of the old naval headquarters in Darwin. That was of course the old courthouse. It is commonly identified as the naval headquarters but perhaps it should have been given its more correct title. I am very pleased that, under proposed new works, we have stage 2 of the redevelopment of Nightcliff Primary School. There is a sum of $885,000 provided by this year's budget for which I can only express unqualified approval. Under the Primary Industry Division, I noticed that $310,000 was provided for the upgrading of the quarantine depot at Dinah Beach. That work is overdue.

Included at last is the construction of the Bagot Road-Stuart Highway overpass for $2.9m. It is a hell of a lot of money but anyone living north of that Bagot Road intersection will benefit. The present congestion at the Bagot Road-Stuart Highway intersection is becoming insupportable and the sooner the construction work gets underway the better. The same applies to the new Fannie Bay connector road of which I have always approved.

I do not intend to say a great deal about the Department of Community Development. I see that the department of ethnic affairs is at last getting underway. I am pleased with that. The minister will be lucky because he is apparently getting away without having a consultant report on it. The $56,000 would no doubt have gone on consultant fees rather than on getting this department established.

There is a sum of $120,000 for the Homemaker Service. There has been a

significant change within that service. It now appears that the homemakers, the people going into the homes to assist people, have to operate and report to a caseworker. That is a ghastly mistake. The reason that the service operated so well and received such acceptance was because it was divorced from the old Welfare Community Development Department. Caseworkers were not accepted but the homemakers were. They were not seen as an extension of the departmental welfare worker. To revert now will mean, in the eye of the consumer, less utilisation of that excellent service and not more. I have already witnessed people refusing to accept the homemakers because they did not want to be on the welfare book. That is their terminology; it is the way they see it and they do not want it. I would ask the minister to seriously consider reverting to the old method of referrals to the homemakers and not using them as an extension of his department's caseworkers.

On the subject of welfare services, it would not matter if the minister had been lucky enough to get $100m. Until those welfare services operate around the clock and do not stop at 4.21 pm, they will continue to lose much of their effectiveness. In particular, where people are eligible for cash advances and they have to travel into town or to the northern suburbs to receive the cash advance, they are at a disadvantage because the office closes at 4pm. I would ask the Minister for Community Development, who is fairly responsive to community needs, to establish his services in these particularly sensitive fields around the clock. The minister could quite properly say that they have a duty officer at all times. I guess he knows who the duty officer is and the duty officers know who they are and perhaps the head of that division knows but I can assure you, Mr Speaker, that nobody else does. The community needs more obvious facilities out of office hours.

I do not have much more to say about the budget except to express my displeasure at a remark made by the honourable Minister for Mines and Energy when he was delivering his rambling address. He talked about the unemployed and he said that we cannot stop these devils coming here. They are not devils; they are Australians who are looking for work. I think that public figures who continually denigrate citizens who are looking for work by the use of such phrases should think again and cease this abhorrent practice. It is not a particularly bad budget but it is totally lacking in imagination and any new initiatives.

Mr DONDAS (Community Development): Mr Speaker, in speaking in support of the budget brought down by the Treasurer, I would like to take the opportunity to highlight some of the provisions made in appropriations for the Department of Community Development. As pointed out by the Treasurer, the appropriations for operations total $26.6m as compared with an expenditure of about $24m in 1978-79, an expenditure which included a number of once-only payments in the area of local government. I will refer to this later.

The provisions clearly reflect the government's continuing concern for the basic social needs of our community to continue to receive adequate support. I will not attempt to deal with all the financial provisions which have been made. These are available to honourable members in the explanatory notes contained in Budget Paper No 4.

One of the largest individual provisions has been made for assistance to local government: $4.302m. Although this compares with the expenditure of $6.52m in 1978-79, that figure included a number of one-off payments. For example, $400,000 on a dollar-for-dollar basis for the Darwin Mall and $771,000 towards the cost of the Alice Springs Civic Centre. The level of general assistance to councils has been increased with operational subsidies totalling some $2.2m against payments totalling $1.7m in 1978-79. The

operational subsidies reflect, for the first time, a payment from the Commonwealth estimated at $1.1m and is the Territory share of the 1.75% of personal tax revenue made available to local government throughout Australia. The basis of disbursement of this sum between the 4 existing Territory local authorities will be the task of a possible Northern Territory grants commission to be formed for this purpose. That commission would examine in detail submissions by councils on disabilities which affect their costs. Because of the need to arrive at an early decision on disbursement this year, there may be a need to set up an interim committee to consider claims.

Offers of local government at Katherine and Tennant Creek included, as well as substantial operational subsidies, the provisions of new council chambers and municipal depots at each centre. These are now being planned and the budget provides for substantial progress to be made in building the facilities.

In Darwin, provision is being made to complete long-standing commitments inherited from the Commonwealth government to provide finance to complete the reconstruction of East Point Road and Gardens Road and the roads in the Winnellie industrial area. I have noted the remarks made by the leader of the Opposition about the funding to local government bodies and the interest shown by the member for Arnhem for more information about the financing of corporations.

Funding to local government occurs in 3 ways: in capital expenditure on a dollar-for-dollar basis on certain projects; by payments of subsidies for operational costs and payments; and by way of direct grants for certain projects. The payments for the Darwin and Alice Springs councils for dollar-for-dollar subsidies for last year totalled $529,700. The amount provided for this year totals $645,000. In respect to operational subsidies and expanding on the broad figure that I gave earlier, payment to the 2 councils last year was $893,500 and the estimate for this year is $1,115,000 representing real and significant increases. I might add that, in respect of the Darwin corporation, last year's payment included an amount of $158,000 as a one-off payment to assist the corporation with electricity charges. Honourable members should note that last year's expenditure included an unusual number of one-off payments for specific projects. These included, in Darwin, $700,000 for the Mindil Beach Caravan Park, $1,863,000 for roads, which included the completion of the 1957 roads package, and $30,000 for the Botanic Gardens. A one-off, dollar-for-dollar payment of $400,000 was made for the construction of the Smith Street Mall.

In Alice Springs, direct grants include $771,000 for the Civic Centre, $96,000 for the depot and $162,000 for financing the Todd Street Mall. Funds of $251,000 were approved towards the cost of the construction of a library as part of the corporation's civic centre complex. The smaller centres of the Territory have not been neglected. The works program provides for the construction of sealed roads in Pine Creek, Adelaide River, Mataranka and Elliott.

In late 1978, the Northern Territory government took over the responsibility for the provision and operation of essential services to Aboriginal communities. The budget provides for an increase from $5.3m to $9.2m in the new works program for essential services to those communities and there is an increase from $4.65m to $6.1m for the operation of those services. These very significant increases reflect the Northern Territory government's determination that community facilities should be provided to enable an attack to be made on the health and community problems confronting Aboriginal people.

As part of the takeover, the Northern Territory government inherited the the Department of Aboriginal Affairs' estimate of the cost of operating the services. Those estimates proved to be deficient to the extent of $500,000 last year, an amount which had to be made up by the Northern Territory government. We believe that the provision of $6.1m for this year to be a more realistic assessment of the need. The amount does reflect the increased cost of fuel which is a large component of the item. The figure of $6.1m breaks down to $1.2m for government purchased powerhouse fuel and other services, $4.2m for town management and public utility operations and $700,000 for assistance to mission sponsored communities.

The honourable member for MacDonnell raised the matter of the provision of water supplies to outstations in Central Australia. The civil works program includes continuous items for funding these smaller projects. One such item is for the provision of production bores at $400,000. Against this, water drilling at approximately 23 central region outstations is proposed during 1979-80, including 9 in the Papunya and Docker River areas. Other commitments will not allow drilling at more than one Hermannsburg outstation during 1979-80 but several of these bores were completed in the 1978-79 program and will be equipped this financial year. The total provision for this item in 1978-79 was $300,000. The honourable member can be assured that the government regards the provision of adequate water supplies to the people of Central Australia as of the highest priority. Negotiations are proceeding with the Department of Aboriginal Affairs on the takeover of additional responsibilities and funding in the area of municipal and other activities. This will be related, when appropriate, to any request from Aboriginal communities to establish community government.

Using assistance to local government in its broadest sense, a pattern of special payments to trustees of reserves during 1978-79 was akin to the trend of special payments to the corporations. Our actual expenditures for last year amounted to some $338,200 for Blatherskite Park in Alice Springs, a recreational reserve at Batchelor, the Adelaide River race course reserve, the Pine Creek hall recreation reserve, Fred's Pass reserve, Mataranka reserve, Daly Waters reserve and so on. We have also made substantial payments to Browns Mart and the Nightcliff and Alice Springs Youth Centres. I can assure honourable members that the pattern of assistance to reserves will continue this year and the government has specific plans in respect of the planned Daly River hall reserve, Adelaide River reserve, Renner Springs and Aileron race course reserves in addition to other substantial payments to some of the reserves I have mentioned earlier.

With regard to the outstation problems outlined by the honourable member for Arnhem, the government recognises the move of Aboriginal people to outstations. However, we have not been responsible for the planning of essential services as it was previously the responsibility of the Department of Aboriginal Affairs. My government has announced intentions to support the outstation movement by committing itself to a 5-year program which would allow for proper planning and facilities for outstations and future outstations. A substantial increase of funds has been made available this year in an honest attempt to rectify the various problems relating to lack of services.

The budget allocation for the Community Welfare Division reflects the filling of the division's establishment, the development of new programs and the revision of old. In 1979-80, the Homemaker Service will be expanded in centres throughout the Northern Territory with a total of 30 homemakers employed on a part-time contract offering support, encouragement and guidance to families experiencing difficulty in coping with a wide range of problems.

A total of $120,000 has been allocated for this purpose this year. To continue its support of the International Year of the Child, the Northern Territory has allocated $30,000: $15,000 for salaries and administrative support and $15,000 to be distributed to the community. This will supplement the $50,000 provided by the Commonwealth.

Particular attention has been paid to child and family programs. The rate of payment to foster parents has been raised from $15 to $25 per week. A new foster parent recruiting program was initiated last financial year. Family home parents have also been given a better deal by a review of their conditions and emoluments. For the residential care of young offenders at Malak, the allocation of $40,000 is to cover all the costs of this much needed centre. The program at Malak will be geared to short-term detention and assessment and placements through the Children's Court.

In conjunction with the establishment of Malak facilities, the Community Welfare Division will be establishing a day attendance centre at Dundas House. Allocations for 1979-80 will cover equipment and program material to help develop work preparedness, educational goal setting, creative use of leisure time, daily living skills and an awareness of values systems and their influence on social behaviour.

In 1979-80 the Aboriginal Community Workers Program has been allocated $185,000 for the employment of 10 Aboriginal departmental workers to work with Aboriginal communities. For grants-in-aid to community organisations, $115,000 has been allocated in 1979-80.

The honourable member for Nightcliff made reference to the Homemaker Service. She said that she thought the service was very good but, because of the welfare implications, some people were not using this service. We do not find that to be true. The Homemaker Service is located in separate premises to the Community Welfare Division. Welfare officers and the homemakers are responsible to a co-ordinator who is not a gazetted welfare officer and does not carry out case work or any other welfare functions associated with the Community Welfare Division. Referrals to the homemakers are made through the co-ordinator, not through the Community Welfare Division welfare staff. The Homemaker Service operates as a separate service to other welfare services of the division and liaison with the division's welfare staff is on the same basis as liaison with other agencies involved with a client family, that is, as requested by the family. Records relating to homemaker contact with families are kept within the service and are not placed on the division's case files. There is no evidence to date about families being unhappy about using this service.

Another point that the honourable member for Nightcliff made related to the full operation of the welfare office. She would like to have seen a 24-hour welfare service operating. The problem of after-hours service to the public is a difficult one and we are examining ways of improving this in the future. A suggestion currently being explored is that the Malak number be listed in the telephone directory as our after-hours number and that contact with welfare staff on call be by means of two-way radio. You will be advised of the outcome of these investigations in the very near future.

A number of other points raised by the member for Nightcliff deserve some comment. All services of the division, including cash payments of financial assistance, are available until 4.21pm each day. Welfare staff of the division regularly work out of office hours because of the particular demands of their work. In cases of emergency, after-hours numbers of the welfare staff are known to the local police and other agencies.

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The Department of Community Development funds Crisis Line, an after-hours emergency service. The suggestion of a round-the-clock cash payment system is quite unrealistic as the manpower requirements to deliver such a service without breaching audit requirements would be totally out of proportion with the demand. The fact that immediate cash payment is available in cases of need from 8am till 4.21pm each day bears witness to an efficient, responsive service which is unparalleled anywhere else in Australia. I am also pleased to advise the honourable member for Nightcliff that cash payments are being made and have been made out at the Rapid Creek office of the Department of Community Welfare since 10 July.

The honourable Leader of the Opposition referred to a lack of planning within the community services area. I disagree with those comments as it was because of consideration regarding government planning that the Office of Youth, Sport and Recreation was created. The government also took a most serious attitude towards upgrading the library services. Community Services Division seeks to act as a catalyst for cummunity self-activation. Significant assistance is given to sports and other community organisations through the grants-in-aid scheme administered by this office. Professional and administrative advice is given to community organisations in the areas of youth, sport and recreation, art and cultural affairs, consumers and businesses.

Currently, the Northern Territory library service is involved with major developments which will improve library services to the community: consultation with local government organisations for the devolution to them of the responsibility for running public libraries; the development of a state library and archives service; the opening of a new library at Casuarina; and the building of a new public library in Alice Springs. Additional funds have been provided for the upgrading of library services throughout the Northern Territory. Funds for additional book purchases and the manpower resources to catalogue and process the books ready for public use for a Northern Territory state-type reference library and archives service is now showing results. This is a complex and large task and therefore results of this work will take some time to come to fruition. The results of the special taskforce established to catch up the backlog of cataloguing and processing of books is making excellent progress. 20,000 books have been processed in the last 2 months. The flow of new books to public libraries is reflected in increased borrowing by the public.

Under the grants-in-aid scheme, additional funds have been provided to assist community and sporting organisations: $751,000 last year and $988.000 this year.

For the first time, an allocation of funds has been made for the preservation of the Northern Territory heritage. A northern Territory Heritage Commission has been formed to co-ordinate activities within the Territory.

The Salary Subsidy Scheme for Youth and Recreation Work, introduced last financial year, has been expanded in this year's budget. Eleven subsidised workers are currently working in the community under this scheme. The Travel Assistance Scheme for sporting teams has been implemented. Additional funds have now been made available to enable this particular program to expand. Funds have been provided for the continual development of the Northern Territory Youth Advisory Council. Support for arts and cultural affairs has been increased substantially. New developments include the provision of a director for the Araluen Trust in Alice Springs and the planning of a cultural complex for that centre. Assistance has also been given to the

Darwin City Corporation for the design and the planning of a performing arts centre.

Consistent with government policies and within the 1979-80 budget allocations, the Correctional Services Division will actively pursue recent initiatives in its constant attempt at maintaining a standard of service which is in keeping with modern penal concepts. The recent occupancy of the new Darwin prison is the first material step in achieving government policy on penal reform. It is worth noting that, with few exceptions, the nations of the world are experiencing an inexplicable increase in crime and numbers of prisoners. It is also relevant that the population of the Northern Territory is expanding at a rapid rate. Unfortunately, this rapid growth will inevitably heighten the effects of the increased incidence of crime. Regrettable though it may be, it is anticipated there will be further stresses upon our correctional system that it may not be able to meet without additional resources.

The main components in this item are related to the care, treatment and the rehabilitative training of offenders. The Northern Territory imprisonment rate,already by far the highest in Australia, continues to increase constantly month by month. Prison population of the Northern Territory was 176 on 30 June 1978 and 230 on the 30 June 1979 which represents an increase of 54 prisoners or an average of 4.5%. There are no indications of this trend stabilising or decreasing.

For the Museums and Art Galleries Board, 1979-80 may be the most significant budget since its inception with $6.4m provided in the civil works program to enable a start to be made on the museum complex at Bullocky Point and a provision of $650,000 for operations.

Before concluding, I would like to say that the headlines for Thursday 23 August from Dick Muddimer in the NT News said that the "NT gets a growth budget" and I show it to all honourable members. After hearing the opposite side for the last 2 days, I really wonder whether they can read or understand what is going on in this House and in other places.

I support the Northern Territory budget.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I have been waiting patiently for the contribution from the member for Casuarina. After all, it is his first budget as a minister. He might doubt whether we can read but we now know that he can because he read his speech. Perhaps we can congratulate his advisers for preparing it although his delivery did lack a little bit in style.

I do have some questions to ask. I rather hoped that he would answer them in his address but as he has not, I will put them to him to answer at another time. The first division in the Community Development Department papers is correctional services. As the minister points out, there is, regrettably, an increasing number of people coming in for the attention of this department. I have been in this Assembly for 2 years and we have talked constantly about the need for alternatives to imprisonment. I feel that we all believe that most sincerely. Probation, parole, work release, periodic detention and community service orders are the areas which we should be giving a great deal of attention to. This is not just because we all have hearts of gold; frankly, it is because they are cheaper. This budget does not recognise that. There is a very large increase in the institutional area of the Correctional Services Department, around $1m increase for salaries alone. I

suppose that the minister in that area is doing something which most of his colleagues are not doing: creating employment. Nevertheless, it compares very poorly with the staff of only 19 in the field services. They are responsible for the other areas that this Assembly has repeatedly said should receive emphasis.

The minister also referred to the recent opening of the Berrimah prison. I have had a look at that prison a couple of times. Outside the walls of the prison, there is a special building which was built as a work release centre. We all said this was a marvellous thing. I found out that it is not now being used as a work release centre. Apparently, it is being used to train more prison officers. If that is what is happening, I think it is most unfortunate. I would like to see the work release centre operating as soon as possible.

Local government received a lot of attention. I do not believe that the minister explained adequately why there has been a great decrease in the funds available to local government. He has added extra figures; the ones in the budget papers themselves are very inaccurate. The only 2 areas that were mentioned to explain the decrease in $2m were the civic centre in Alice Springs and the mall in Darwin. The minister mentioned a couple of others such as the $700,000 for the compensation for the loss of the caravan park site which we have discussed many times in this Assembly before. Certainly, the decrease in funds available to local government is very detrimental to the community because these are areas in which a great deal of employment can be created and because, with capital works of a municipal nature, we end up with an improved standard of community services and surely that is what the minister's department should be all about.

In the area of local government, there is the question of payments to trustees of public recreation reserves. The minister referred to that and provided me with a breakdown. It is one of those notable areas in the budget papers where breakdowns have not been provided. Incidentally, the member for Tiwi might be interested to know that $20,000 is provided for the Fred's Pass Reserve, not $68,000. The $68,000 she referred to yesterday is in fact going to East Point Reserve in Darwin which is in my electorate. That compares very badly with the $86,000 which that reserve received last year. One wonders why. This reserve has been there for a considerable period of time and we all know why it was originally created. Nevertheless, it has a group of leading citizens as its trustees who have been trying for a long time to get the government to make a decision to provide the reserve with money to allow it to properly provide for the citizens of Darwin by developing existing recreational facilities and by preserving the natural habitat. Already the government has set some sort of precedent by announcing the work on the Rapid Creek area. This is the sort of work which could very well be done in the East Point area and the reserve trust is there to do it. I am sure they would be more than happy to do it and I am sure they would be more than happy for the government to make money available to them so that the reserve can be turned into something really beneficial to Darwin and the Northern Territory. Unfortunately, we find that they are not even getting as much money as they had last year to maintain this extensive reserve. The allocation has been cut from $86,000 to $68,000. It is no secret that the Corporation of the City of Darwin has had its eye on that area of land and the adjacent area of the old golf course for some time.

Mrs Lawrie: God preserve us!

Mrs O'NEIL: "God preserve us" says the member for Nightcliff who has some experience of local government matters. I note the government did not

give the Rapid Creek development to the Corporation of the City of Darwin. One might ask them why they did not do that if they think perhaps East Point could be the corporation's responsibility. I know that they have not yet made that decision but I do believe the city corporation has made some submissions to the Lands and Housing Department. Perhaps the minister might care to explain to the Assembly what exactly his department is doing about this proposal. What does the government intend to do about the East Point Reserve? That area has been neglected for a considerable period of time and decisions need to be made and I am not talking about the sort of decision to simply cut even further the limited amount of money that is available to the trustees.

Other areas in the Minister for Community Development's portfolio are community welfare and community services. In both these areas, grants-in-aid are made available to various community organisations. That is an excellent thing which we all support. Grants are made available in the area of youth, sport and recreation, arts and cultural affairs and also community welfare. In youth, sport and recreation, arts and cultural affairs $751,000 was spent. The allocation this year has been increased to $988,000. It is nice to know that there will be extra money available for organisations in the community.

However, let us compare that with community welfare. In the government's own budget papers, it described what those organisations do. Organisations operating in the community area include organisations offering services to the aged, the underpriveleged and individuals or groups in need. Despite the fact that the minister said that so many extra dollars were available to the department in this budget, the grants-in-aid to those organisations have been cut substantially from $500,000 in 1978-79 to $115,000 in 1979-80. There is an extra $12,000 in the correctional services area bringing the figure to just over $120,000 as opposed to $500,000 last year. In the government's own words, these organisations are catering for "the aged, the underprivileged and individual groups in need" yet the minister did not say a word about the allocation. He has not explained why apparently we do not need those organisations any longer. Has he suddenly eliminated the underprivileged in the community? There are still plenty around. There are still plenty of old people in my electorate who need help yet this government has cut substantially the funds available to them. I think that is absolutely disgraceful.

In the budget papers, there is only one explanation: $260,000 last year went to the Corporation of the City of Darwin for 2 child-care centres. Of course, the minister knows that that is another story which I am sure we will hear more about during this sittings. Nevertheless, it still leaves a substantial discrepancy which the minister did not mention. Perhaps somebody on the other side might like to explain what will happen to those people who were helped last year and who apparently will not be helped by this government this year.

We heard what the Minister for Health had to say the other day. The health budget has increased somewhat but not significantly. As the minister said, the great emphasis once again is on hospitals. That is the way it seems always to happen in health budgets and it is a matter of some concern to me and to others. Even the federal government now is concerning itself with the problem. The enormous increases in health service costs generally are particularly attributable to the fact that hospital services and hospital costs keep ballooning and burgeoning in a way that does not seem to relate to an increased standard of health in the community, particularly in a community such as in the Northern Territory which is multi-racial and fragmented into many small communities. It is most important that we have a Health Department

which can provide health services applicable to our community and which can deliver those services to the places where the people live.

It is more than disappointing to see once again a Health Department budget in which something like 70% of the recurrent costs or even more will be spent on hospitals. It is easy to blame the Casuarina Hospital and, undoubtedly, it does bear a great part of the blame and we are stuck with it. It would have been marvellous to see the Health Department and this government show a little bit more innovation in sponsoring the health services area of the Health Department budget. The health services area has been barely maintained; there is practically no expansion in it at all. The budget does not really take into account the particular health needs of the Northern Territory community and the problem of providing funds to health services generally in the long term.

It is not just Casuarina Hospital. I would draw the minister's attention to East Arm Hospital. I might draw some criticism from members for this but I am interested to note that East Arm Hospital in its day has done marvellous work; there is no doubt about it. This year there is again an allocation of approximately $1.2m, excluding the capital works, for the East Arm Hospital. A staff of 44 will be maintained there and there are also the Daughters of Our Lady of the Sacred Heart who receive a subsidy from the Health Department. We maintain there a 50-bed hospital, a staff of 44 and we spend $1.2m. One wonders why. If you look at the Health Department's 1978 report, you will find that there are precisely 18 active cases on the Northern Territory leprosy register. Obviously, other work goes on there besides caring for those 18 active cases. Long-term patients are reviewed and there is a certain amount of rehabilitative surgery and other work carried out. It is a very happy thing that the incidence of leprosy in the Northern Territory has decreased so dramatically but we do seem to be maintaining that establishment, as often happens in government departments, simply because it is there. One wonders whether it will keep on going there with its 50 beds and its staff of 44 when we reach the marvellous situation of having no active leprosy cases at all.

I would like the minister to cast his mind to what will happen to that area. He did advise us yesterday that the quarantine station in that area is to be closed. I understand that the East Arm Hospital is in fact on land that is still Commonwealth land. Perhaps the government might care to give consideration to the future use, if any of, the East Arm Hospital. Clearly, it cannot be closed down immediately; there are people to whom it is literally home. One could not be so heartless as to simply close it down. However, one would like to see some winding down of the facility as an indication that the program has been successful and that it is no longer needed. There is money in the capital works budget for that hospital too: a small amount for the upgrading of one particular ward.

In other parts of capital works program, the Health Department gets very little, and what it does get seems to go on hospitals again. I suppose the Health Department might be paying the price of having advocated the need to improve environmental conditions in Aboriginal communities because that is where the money is going. I am sure the Health Department and others in the community are not unhappy to see expenditure of money on water supply and sewerage programs in those many communities where we have seen evidence of the deplorable standard of public services.

There are a few questions about the capital works program of the Health Department which I would like to ask. Fifteen residences are to be constructed at Casuarina Hospital. Perhaps one of the ministers might like to

explain the policy in relation to this. We have the Housing Commission which, in addition to what they call "public housing", also provides housing for public servants. Apparently that is not so with the Health Department; the Health Department is continuing to build its own houses. Perhaps the minister might like to explain why that is necessary, whether in fact it is a good idea and what cost implications there are in fact for this one department having a one-off allocation for the construction of houses. That comprises $1m of the $2.6m for proposed new works in the Health Department's capital works program.

There is $960,000 for the Dripstone Community Health Clinic. It has been customary in the past to refer to these as community health centres; community health clinics tend to be smaller establishments. However, if it costs $1m, it will not be such a small establishment. I would like to see that started as soon as possible. It is most important that we have these centres. They provide a varied and excellent service to the community. It is most important that it starts as soon as possible, particularly since the new hospital will be opened soon. We will find that people will start using the outpatients section of the Casuarina Hospital instead of the community health centres which are much more appropriate places for the delivery of many services that are currently provided by the outpatient departments of hospitals. If they are delivered by the community health centres, they are much cheaper. I would hope that the Dripstone building gets started as soon as possible. In retrospect, it is a great shame that it was not started last year. I believe that some work was commenced just prior to the cyclone and it is a shame that it has been left for so long.

There is also a community health centre in the ongoing program at Nightcliff. That is only replacing the existing centre and is not new at all. The one at Parap did not get a run this time but perhaps it will next year. I selflessly believe that the one at Dripstone is much more important.

I had not intended to talk about schools but the earlier interjection of the honourable Minister for Education during the speech of the member for Nightcliff has prompted me to do so. The member for Nightcliff talked about the lack of furniture in new school buildings. The minister might be aware that this is something that has happened in my electorate. In the middle of the year, classrooms were completed in the Parap school which really only replaced those lost in the cyclone. Nevertheless, we were pleased to see them. Unfortunately, they came without furniture; they did not even have built-in shelves. The school has tried and the parents have tried for some time to get furniture for those new classrooms and for the library. I was informed today that they still have not got that furniture. The Minister for Education might feel that that is not the case but, in fact, it is. I rang his office not long after the May sittings and I was told that he was delivering an important address in Singapore. Nevertheless, his kindly staff offered to leave him a message. I invited the minister to come informally to the school to have a look at this problem of lack of furniture in these new buildings. The minister was too busy was the message I received. I think it was most unfortunate. I hope that, before the Chief Minister comes to the school on 22 September to open the new buildings, they might have some furniture. I am rather hopeful that the Chief Minister will see the advantage of having the furniture in there before he opens them because otherwise his reception from the parents might not be very friendly.

There is very little to say about my electorate in relation to this budget. Capital works which are taking place or are to take place within its boundaries, generally speaking, are not necessarily to the advantage of the electorate. I refer partly to the road but not simply to the road.

There are allocations, such as that to Dundas House, which are good, but not particularly relevant to my constituents more than any others.

There is no allocation for stage 2 of the upgrading of the Parap school and I think that is unfortunate. Once again, I will be selfless and say that, although residents in my electorate realise that Nightcliff school deserves priority, Parap school does have a need to upgrade its older buildings which are 21 years old. I feel sure that the money will be made available in the next budget.

There is $200,000 for the relocation of the Parap Road sewer. There is also, in the works in progress, $54,000 for the Ludmilla sewerage treatment plant. It is called Darwin Site Investigations for Central Zone Sewerage Scheme Outfall: $54,000. My feeling is that this is money that has been carried forward since the treatment plant was first built at Ludmilla. The minister knows this because he lives there and I am sure many people have told him. The smells which emanate from that treatment plant and which flow across my electorate, particularly at certain times of the year, are quite offensive to the people there. It is not what you would expect to get from such a fancy, expensive and complicated treatment plant. Perhaps because it is sophisticated, it does not always work very well. The pipeline carrying the waste water out to sea was never built to the length originally designed. That $54,000 was left over as a result. The minister has said that it will now be made available to investigate the problems of the outfall and the problems of extending that pipeline. If that pipeline is extended, the method of treatment can be modified in such a way that the problem of the odours will be reduced. Once again, I urge the minister to ensure that that happens without delay so that methods of overcoming those problems can be defined as soon as possible. Hopefully, work can then commence to overcome this problem which is one which the people should not have to put up with.

There is very little in the budget which brings joy to my electorate. One minor matter is school buses. I was assured by the Department of Education that, after the transfer of education, there would be a review of the school bus system. I have said before in this Assembly that Parap school does not have a school bus. I believe that it should have one, particularly as children in one area of the electorate will have to cross the traffic of the Ludmilla connector road to get to school. I refer to the people who live in the Georges Crescent - Bayview Street area. I was disappointed to see in the education budget that the allocation for school buses only allowed for existing services and one other to the new high school. I certainly hope that the Minister for Education will have a review undertaken by his department to see whether school buses should be provided to all schools and particularly to the school at Parap in view of the problems that will be created with the opening of the connector road.

Mr STEELE (Transport and Works): I am delighted to be associated with this budget because I can recall last year's budget and the one before and the times when we were locked in a room and had the DONT budget papers given to us. We were not allowed to divulge any of that information outside. This is a great step forward because it is part of self-government and we can decide these priorities ourselves. It is even better now with education and health thrown in.

Obviously some of the criticisms need to be carefully examined to see where we can make improvements. Overall, I do not agree with the opposition about this being a dull budget; it is the best budget that the Northern Territory has ever seen. It is certainly geared towards the improvement of industry and, in particular, tourism in the Northern Territory.

I think the member for Victoria River was most concerned about some of the variations in the expenditure on the Primary Industry Division. I agree with him that sometimes they are very difficult to understand. The expenditure for that division in 1979-80 is estimated at $10,654,000 which is an increase of $2.1m after adjustment for one-off payments in 1978-79. I think that relates to the freight subsidy and the blue tongue payments which were the cause of the variation. When last year's budget was framed, the beef industry was causing some great concern and, in many cases, there was overstocking and the problems of the industry were compounded by the earlier identification of the blue tongue virus.

The 1978-79 budget in relation to the beef industry encouraged turn-off particularly of female cattle by subsidising freight costs and by offsetting in part the additional costs and lost market opportunities arising from blue tongue movement restrictions. That market situation has completely changed this year. We have discontinued the freight subsidy and people are banging on our door; we are now selective sellers as far as the beef industry is concerned. The additional thrust towards the live export trade and to develop export abattoir facilities, in particular Tennant Creek, will be of great benefit to the Northern Territory in the years to come. During the year, Point Stuart gained its United States Department of Agriculture licence which enables its capacity to be expanded somewhat. The total turn-off last year was some 306,000 head and we estimated in the coming year a total of 380,000 head.

I think that the pastoralists are now in a position to reduce the high debt levels that have built up over recent years during the depression and to undertake increased disease eradication measures. This budget therefore provides $1.4m for disease control as opposed to $800,000 last year and, of this overall expenditure, $598,000 has been provided for compensation to cattle producers. That is an increase of $150,000 on last year's compensation payments of $236,462. It is essential that producers do realise the importance of the brucellosis and tuberculosis eradication campaign because, if they do not meet the target date in 1984, they will have to face the consequences. Indeed, some of the markets are starting to become less available to producers in the Northern Territory. There are greater restrictions being imposed on the movement of cattle out of the Northern Territory into South Australia and Queensland Of course, the government's policy of supporting abattoirs will help to obviate some problems with this.

We do realise the disadvantages to Territory farmers due to the high cost of inputs and the particular need for fertilizers. Freight alone accounts for about 50% of the landed costs for local farmers. As part of our on-going commitment to cropping development, the budget provides $40,000 for fertilizer subsidies, an increase of nearly 200% on the 1978-79 expenditure. Additional loan funds of about $50,000, which are part of the Territory Development Corporation's appropriation, are expected to be made available through the corporation.

The Cabinet has accepted in principle the major recommendations of the report on feral animals and steps are being taken to establish a feral animals committeee. This will help towards the realisation of the recommendations. Already a successful start has been made on the relocation of up to 1,000 Bali cattle over a 5-year period and $200,000 has been set aside for this purpose and other programs recommended in the report. This should satisfy some of the inquiries of the member for Tiwi.

The Division of Agriculture and Stock has taken over, on an agency basis from the Commonwealth, responsibility for quarantine and a number of the 17 positions have already been filled. It is hoped to fill the rest of the

positions as soon as we possibly can.

During the last 12 months, increased emphasis has been placed on weed control through the redeployment of existing resources. The government is also supporting animal nutrition trials designed to increase cattle production and produce higher returns.

The budget highlighted the potential of the fishing industry and I accept the criticism offered by the Leader of the Opposition about the underspending in that area. It has been very difficult to recruit the sorts of people that we need in that division and there was some slackening in our capital expenditure. This year's provision of $1,578,000 for the Fisheries Division represents an increase of 82% on the 1978-79 expenditure. The allocation allows for the purchase of a new 17-metre patrol vessel at a cost of $421,000. This vessel will work principally in the waters from Croker Island eastwards to the Northern Territory - Queensland border, patrolling prawn fishing off the Northern Territory coast and the Gulf of Carpentaria and enforcing the regulations on barramundi fishing. It will complement the work already being done by the Pobasso which was purchased last year. Prawns and barramundi are considered to be the Northern Territory's most valuable fishing resources. The increased budget allocation provides for further research into the management of prawn fishing and an intensification of the monitoring and patrol of the barramundi fishery in Top End waters. There will also be further investigations carried out into alternatives to the barramundi fishery, particularly mackerel and reef fish and increased training of Aboriginal fishermen in developing subsistance and/or commercial operations.

The government has sought to redirect the existing resources of the Division of Agriculture and Stock rather than to splash money around. The latest alternative strategy for agriculture is, in the words of the Opposition Leader, "to move the Department to Katherine". I think this would make a big hole in the $10m that he has saved in his alternative budget, although the member for Elsey might welcome such a move.

The Treasurer outlined the appropriation of $1.3m to the Tourist Board. Honourable members will be aware that legislation to create a Northern Territory Tourist commission is before the House. I believe this will be a major boost for the long-term development of tourism. It will ensure that integrated policies covering transport, construction, the provision of loan funds and other areas affecting tourism will be pursued. It is important to realise that the great majority of funds benefiting the tourist industry are appropriated through other government areas such as the TDC, Transport and Works and Territory Parks and Wildlife. The Tourist Board vote basically provides funds to run the Tourist Bureau and for tourist promotion.

As a major initiative of the government last year, the Northern Territory Development Corporation was established to assist in the development of industry in the Territory through the provision of money, resources and advice. The opposition dwelt somewhat on the advantages of their package of benefits that they would offer through stamp duty and payroll tax dispensations and so on. I could take a little bit of issue because I think the words the Opposition Leader used "accurately directed aid" is not the name of the game as far as the Territory Development Corporation is concerned. We already offer most of the services that can be offered anywhere else in Australia. The Cabinet will look at any particular proposition that is offered to the government for pioneer industries. I note the use of the word "approved" in the Opposition Leader's speech.

In its first year of operation, the corporation operated predominantly as

a financial institution providing financial assistance to industry. Loans approved in 1978-79 amounted to $4,366,803 which, added to the carried-forward approvals of $924,515 from the former Primary Producers Board, amounted to a total commitment for the year of $5,291,318. Actual expenditure in 1978-79 on loans to industry totalled $2,805,357 and total expenditure, including administration, was $3,135,648. The release of funds against approved loans is subject to the registration of appropriate security.

As is the case in all lending institutions, there is a delay between approving loans and releasing funds after the completion of documentation. This delay, coupled with requirements on loan recipients to comply with other loan conditions and the release of some loans on a progress payment basis, results in the necessity for flexibility in funding. Accordingly, the Territory Development Corporation operates on a trust account allowing it to fulfil its commitments as and when required. The trust fund balance of $1,064,000 as at 30 June 1978 is committed against loans approved in 1978-79 but, for reasons that I have indicated, cannot be released before 30 June 1978. I might add that, during the corporation's first year of operation, no applications were rejected or deferred on the basis of funds not being available. Loans were provided to those engaged in the rural, fishing, mining, tourism and secondary industries. This gives the lie to the newspaper reports to the contrary.

Financial assistance to industry through the corporation in 1978-79 was provided purely by direct loans. The Territory Development Act provides for financial assistance to industry to be provided by way of direct loans and government guarantees. It has been decided that, in 1979-80, the government will make considerable use of government guarantees allowing industry developments to be financed by normal lending institutions and, where appropriate, backed by such government guarantees. These measures will be in addition to the continuation of direct loans where such guarantees are not appropriate. For example, finance to the rural sector, particularly through the rural adjustment scheme, will need continuing direct loan assistance. In 1979-80, the corporation is to have funds amounting to $4,264,000 available for release against direct loans approved. Of this amount, $1,640,000 is available through the balance of the corporation trust account and $3,200,000 by further appropriation. One of the aims of the corporation is to encourage the private sector to develop. There is no way in the world the Territory Development Corporation can provide all the funds that are needed for every project in the Northern Territory.

Talking about unemployment in the Northern Territory people should realise that, in the last 12 months, the movement of private sector money in the Northern Territory has been just phenomenal. Three hotels changed hands in Alice Springs in the last 12 months and there are hundreds of thousands of dollars being spent in that region. In addition to this, when the Master Builder's Association were asked what jobs they thought the Northern Territory government might undertake during the coming financial year, they said to me that they thought the private sector would pick up any slack that was envisaged. Of course, there has been no slack.

On 2 July 1979, the new administrative arrangements order provided for the extension of the activities of the Territory Development Corporation to include areas previously the responsibility of the then Department of Industrial Development. The principal areas of responsibility now listed in the administrative arrangements order are industry, trade promotion and marketing and industry assistance. In order to meet its new responsibilities, the corporation has been restructured and is now responsible for a range of services to industry including marketing and trade advice, financial assistance, small business advice, the provision of economic and industry data, industry promotion and investment attraction.

A major concern to the corporation, in conjunction with the Northern Territory Tourist Board, has been the development of an infrastructure for the tourist industry to serve the dramatic growth of tourism in the Territory. We presently face an acute accommodation shortage in the Territory, particularly at major tourist destinations. The corporation is actively pursuing further developments in this area to ensure the further expansion of tourism as a major industry of the Territory. In 1979-80, the emphasis applied by the Tourist Commission will be on domestic policies such as the provision of facilities.

Turning now to the Department of Transport and Works, I would like to place on record the excellent financial management the department achieved during 1978-79. With an appropriation of some $130m in the first year of self-government, the department was a major spender. In spite of statements in the press, the department did achieve its desired level of expenditure. The 1979-80 budget allocation for the Department of Transport and Works indicates the government's commitment to develop the Territory. This development will lead to more stable industries, improved employment opportunities, better government services and a growth in population.

The member for Tiwi spoke of fire brigade problems in her electorate. I refer her to question 623 and the reply I gave at that time. That is not to say that the department has lost sight of the need to be flexible enough to change and to accelerate policies. We are concerned with the area out there; there is a rapid movement of people and it may mean that the program will have to be altered somewhat.

The Department of Transport and Works is extremely important to the private sector in the Northern Territory. The cash provision for the capital works program is $90,600,000, an increase of $34.6m and will be spent primarily in the civil engineering field. I did not hear the member for MacDonnell throwing off at the civil engineering side of things. Associated contracts will instil public sector confidence in the Territory's future. The mining, pastoral and tourist industries will benefit from improved roads and maintenance while the shipping and fishing industries have already acknowledged that benefits will accrue from the present harbour developments in Darwin.

I would like to mention some of the specific benefits of the 1979-80 Transport and Works budget but, before doing so, I should perhaps touch on the sewerage problems raised by the member for Fannie Bay. It is a serious matter and I do not know if the problem can be remedied in the near future. I have asked the department to take up further engineering studies as to the distribution of fluids, taking into account that the water might be used for low-grade recreational purposes.

The government is continuing its commitment to improve the road network within the Northern Territory. Major new roadworks scheduled for 1979-80 include 33 kilometres of the Stuart Highway north of Renner Springs and sections of the Barkly Highway west of Wonarah and at Avon Downs. The total cost of scheduled national highway improvement is $6.6m. At the same time, several roads serving settlements and tourist resorts to Hermannsburg, Yirrkala, Bamyili, Warrabri and Spring Vale are due for upgrading. The sealing of the Plenty Highway will commence and this will eventually provide an improved access to the eastern states from Central Australia, a benefit to both the tourist and pastoral industries. Darwin will see the commencement of the Bagot Road-Stuart Highway flyover and other work on arterial road intersections designed to reduce the existing bottlenecks and therefore improve traffic flow.

A number of significant projects already commenced will be completed.

These include the Hayes Creek to Pine Creek section of the Stuart Highway, the King River Bridge on the Victoria Highway, the James and Rankin Bridges on the Barkly Highway, Jay Creek to Glen Helen Road in the south and the completion of the Fannie Bay connector road which will provide a much needed alternative access to the city from the northern suburbs. Overall, the government is providing an increase of almost $12m on road development, maintenance and sub-divisions for 1979-80.

The member for MacDonnell raised the point of the permanent road leading into the Uluru National Park. It will not lead into the Uluru National Park at all; it will lead directly to the Yulara Village. I have made note of his remarks concerning the Hermannsburg to Areyonga road.

The department is responsible for the operation and maintenance of the Territory's water and sewerage systems and therefore plays a vital role in the everyday life of most Territory citizens. The present budget makes a provision of almost $5m for these services. The government is continually upgrading water supplies throughout the Territory and has allowed cash provision in this budget for the following projects to either commence or continue during 1978-79. Once again, I noted the members for MacDonnell's and Victoria River's remarks in respect of bores. The Minister for Community Development made some reference to it. I would point out in this respect that it is not the size of the cash in the program but it is the considerations that have to be looked at: the quality and the fact that dry bores will be drilled. That will eat away at the allocation in that respect.

A new soft water supply for Katherine will be pumped from the Katherine River at Donkey camp some 10 kilometres upstream from the township. During 1979-80, $0.25m will be spent on this project. Duplication of the pipeline between Darwin River Dam and Berrimah will provide a better service to consumers especially during the heavy demand periods of the dry season. The water division of this department carries out the very important function of providing advice and assistance to both private landholders and government departments on water development. The budget provides $3.6m for the assessment, development and control of water resources throughout the Territory in 1979-80.

In the field of transport, firstly, the government is working towards acceptance of state-type transport functions early in 1980. These responsibilities will be in the area of marine and air. That means that control over all intra-Territory transport will be vested in the Territory at that time. In the acceptance of these functions, it will require further registration and there will be more work for the rest of us.

The Transport Group of the department is being expanded to provide the necessary expertise required for development of the important transport projects which are so vital to the future of the Northern Territory. These include the development of the regional airline, the maintenance of shipping links between the east coast of Australia and Darwin and between Darwin and Papua New Guinea and South-east Asia, the planning of a rail link between Alice Springs and Darwin and the future development of Darwin airport. Senior officers are south at the present time talking to officials and other people concerning the future of the Darwin airport, the planning of the rail link between Alice Springs and Darwin and the shipping service. It is very important that the requirements of the Northern Territory are taken into account in the development of these projects.

Turning to the bus service, the increasing number of patrons of the

Darwin bus service will benefit directly from this budget. Before Christmas, 14 new buses will be delivered to the Darwin bus service to replace old buses which are no longer economical. Since the service was revamped in December 1978, the bus service has accumulated an increased patronage of 31%. The support given to the bus service by the government is just one arm of the government's strategy to offset the effects on Territory residents of possible fuel shortages and, by encouraging public transport, the government is reducing the need to use private cars.

The department is responsible through its Public Works Division to design, construct and maintain the majority of public works and facilities within the Northern Territory. It has been given the heavy commitments of health and education in this field. A total of $32m has been provided as a cash outlay in this budget for public works. This surely indicates the government's commitment to private enterprise in the Territory as this sector will participate in the following projects during 1979-80.

The Museum and Art Gallery Complex will commence later this year at a cost of $6.4m. This is a significant cultural contribution to the Territory and one that this government is proud of.

The construction of an airstrip, a road and a powerhouse to service the Yulara Tourist Village at Ayers Rock will commence during this financial year. In fact, the whole Yulara Village concept will derive tremendous benefits for the tourist industry in the Territory and I have noted the remarks of the honourable member for MacDonnell concerning Aboriginal accommodation at the Yulara Village.

A number of schools will be completed this year and these include Sadadene, Dripstone and Nhulunbuy High Schools. In addition, a new complex for primary and pre-school children has been programmed for the new residential suburb of Malak.

New works to be undertaken during the year in relation to health include Dripstone and 10 houses will be built for medical personnel at the Casuarina Hospital and 5 will be built in Alice Springs. To answer the question from the member for Fannie Bay, if we are going to provide accommodation for specialists, then they have to be located near the hospital. It is a one-off housing program and is not something that the Housing Commission is involved with at the present time. In the future, the government will place all housing under the one roof if it is at all practical. There is provision for the second phase of the Darwin landbacked wharf. The Minister for Community Development has spoken at length about Aboriginal essential services.

Looking at the regional breakup, this is the area in which we received some unfounded criticism. The member for MacDonnell dwelt on it to some degree. The cash amounts spent regionally are: Katherine - $7.7m as against last year's $3.8m; Tennant Creek - $8m as against last year's $2.8m; and Alice Springs - $15.4m as against last year's $6.9m. These increases are fairly significant.

I do not believe that this is a Darwin budget. I think that the opposition are clutching at straws if they try to say anything that will have any impact at all about this budget. It is a very good budget. I think that the government will give preference to local contractors. Even with this preference, contractors still came from the south; for example, Roach Bros accepted the contract to build a connector road. They tendered a much lower bid but, in fact, they were not the lowest tenderer. The lowest tenderer just could not do the job. I make no apology at all for the program. I believe it is a good program and this is the best budget the Northern Territory has seen.

Ms D'ROZARIO (Sanderson): Mr Speaker, for a budget that the honourable member for Nhulunbuy said "spoke for itself", there has certainly been a lot of speaking on its behalf and against it. Other members have been most fortunate in being able to point to large increases in areas in which they are interested. That is something that I cannot share with them today.

Without saying whether the budget is a good one or a bad one, I wish to give an assessment of one particular aspect of the budget: the housing appropriation. I am sorry to have to say that, as far as the housing appropriation is concerned, there has been a very severe cutback this year to the Housing Commission as compared with last year. Therefore, I am not in the happy position of being able to give any kudos to the government for having increased this particular area of activity. Last year, the Housing Commission was allocated $46.6m in the budget whereas this year the allocation is only $38.8m. This is a very significant decrease; it amounts to approximately 17%. When one takes into consideration the increase in the cost of materials, which has been about 7% over the last financial year, and the increase in the labour component, I think it will be obvious even to the Treasurer that this is a very significant cutback in the housing program.

One of the reasons given for this contraction of the housing program is very good indeed. Before I take up that point, I would like to offer a few words of commendation to the Housing Commission. It has been remarked in this House before that there are not many words of commendation forthcoming to the Housing Commission and that members of this House and members of the public are generally very critical about the manner in which the Housing Commission operates. I would like to say to the honourable Minister for Lands and Housing, and I hope he will convey this to the Housing Commission, that, having gone through each of the explanatory papers, I found that the paper presented by the Northern Territory Housing Commission was the best. It is extremely detailed and attempts to provide some analysis of activities rather than just belting out figures. The Housing Commission quite honestly admitted that one of the major reasons for the contraction in the new public works program was the limited availability of serviced land. Whilst several members have spoken about over-the-counter land sales which we do not have in Darwin at the moment, and now this scheme will increase housing, I must say that the effectiveness of this policy is limited in the Darwin area because, as the minister said, there is insufficient supply of land.

The capital works program has been cut back very significantly indeed - in the order of $9.7m. I stress again that these are only money terms and not real terms. $3.5m was for cyclone expenditure. Even taking into account that there is no necessity for such a large component of cyclone restoration work, the cutback in the new works is still over $6m.

One of the matters which has been spoken about quite a lot since the Treasurer introduced his budget is a very new idea in the Northern Territory and it would be fair to say that there is a great deal of interest in this idea. I dropped around to the housing loans section of the Housing Commission the other day and I could scarcely find standing room at the counter. The housing loans scheme that the Treasurer has introduced in this budget has created a great deal of interest but it remains to be seen how effective it will be. Before I say a few words about that scheme, I would like to take issue with the honourable Treasurer regarding his statement as to the amount of money which has been set aside for housing loans.

The honourable Treasurer said that there was over $10m available for housing loans. When one reads the explanatory document, that is undisputed. The point that he failed to make was that not all of this money is available for loans. There will be 3 loan schemes operating from 1 October: the 6% housing loan scheme, which is a throwback from the post-cyclone period and was an

initiative of the Commonwealth government; the former trustee loans which are 9% at the moment; and the new loan scheme. The facts are that the amount of money set aside for the 6% loans is entirely committed. Applications to that scheme closed on 31 December 1976, so it is clear that there can be no further admissions to that particular loans scheme. Then we have the other home loans scheme of some $4.5m, popularly called the Home Finance Trustee loans. Here, I must confess, I am not quite clear as to what the intention of the Treasurer is. The explanatory document says the new home loans scheme is intended to replace this scheme so I have assumed that this $4.5m is also totally committed and not available to new applicants. New applicants will come under the new scheme which is to take effect in a couple of week's time. What we really have this financial year is a sum of $3.5m available for housing loans. If the honourable Treasurer has an explanation to give, I would be very pleased to hear it because there is a great deal of interest in these housing loans and many people are inquiring about the effect of the new loans and whether or not the entitlement to take up an old loan is still available to them. My interpretation is that it is not.

The new home loan scheme is described in the Commonwealth State Housing Agreement which has been entered into between the Commonwealth and the states. Since last September, I have been asking questions about the terms of this agreement and the minister has undertaken to provide these terms to this House but has not yet done so. However, I resort again to the explanatory document of the Housing Commission and I find there a statement that the Commonwealth Northern Territory Housing Agreement will be in substantially identical terms. I assume again that the honourable Treasurer, with very minor exceptions, is taking out this agreement as it now stands. I happen to have a copy of that agreement and, since this loans scheme is in precisely identical terms to a loans scheme described in clause 27(a) of the agreement, I assume that the Treasurer will soon have the terms of the housing agreement and will be able to table them in this House so that other members may also know the contents of the agreement.

The features of the new loans scheme appear on the surface to be most attractive and, in certain circumstances, they are most attractive. In a particular context, they are probably the best any government could do to increase home ownership. But I have a few reservations to express later on. There appears to be some confusion despite the pamphlets that have been letter-boxed to households throughout the Territory.

The new loans scheme is one that postulates a different starting interest rate or, as it is referred to in the Commonwealth State Housing Agreement, an income-geared starting rate and runs for the long term of 45 years. Here again, there seems to be some confusion as to what is the intention of the Treasurer in this regard. The explanatory document says that the sales of public housing will be on cash terms as does the housing agreement that I am looking at. At the same time, there is provision of a scheme whereby people can purchase a house with a low starting interest rate and over a period of 45 years. What it really means is that there will in fact be cash sales but these cash sales will be handled by another instrumentality within the Housing Commission and that the sales will be serviced by this new loans scheme. There is no issue to be taken with that. However, I do take issue with the statement in the explanatory document that the proceeds of sales will be channelled back into the construction program. That is a requirement of the housing agreement. However, if that money is to be used to allow low interest loans and if the amount of that money that can be channelled back into the construction program is limited by the amount of money which is repaid, clearly, the whole $3.5m will not be available for the construction program at all; it will be some lesser sum and I hope that the Treasurer can tell me what the estimated sum will be.

Another interesting feature of this loans scheme is that the interest rate will escalate by 0.5% each year until it reaches a particular level. As I mentioned, this scheme is intended to encourage home ownership which is a most laudable motive but perhaps the effectiveness of such a policy is again limited by how the scheme is actually going to work.

It is certainly the policy of the Labor Party to encourage house ownership, particularly amongst low-income groups. This scheme however does not postulate that low-income groups will be catered for. What it does in fact intend is what it says in this agreement: housing assistance will facilitate home ownership for those able to afford it but not able to gain it through the private market. Clearly, there has been some threshold set where people who cannot afford it are excluded and that might be quite a large proportion of the Northern Territory population. What we are really looking at is something which will help a segment of the people who would not have been able to afford housing but certainly it will not bring home ownership within the reach of low-income groups. The Treasurer and many members opposite have said that this scheme will bring home ownership within the reach of low-income families. I want to point out that that will not necessarily be the outcome of this scheme and nor is it the intention of the scheme under this particular agreement.

Of course, there are reasons for encouraging home ownership or, as I prefer to call it, house ownership amongst low-income groups. One very compelling reason is that relative advantage that owner occupants have over tenants. This is simply because, under most loan schemes or housing finance schemes, we have the situation where the household monthly repayments remain fairly stable in inflationary times but tenants' rents tend to increase with the cost of living. People who are able to take a loan over a long period - it used to be 42 years and at times it has been 53 years but now it is back to 45 - can get a significant cost advantage. The irony is that the cost advantage rarely comes the way of the really poor. The very poor continue to be excluded as they always have been in all public housing schemes. The honourable Treasurer will know that, in a very significant series of studies undertaken by the commission of inquiry into poverty in Australia, Professor Henderson and his team of very hard workers concluded that the very poor are simply not catered for in public housing schemes. It is just beyond their reach and it will be permanently beyond their reach.

I am not saying that nobody will benefit from the scheme; there certainly will be people who will benefit from the scheme. What I am saying is that the impression conveyed by the Treasurer and some of the members opposite that this scheme will bring house ownership within reach of very low-income groups is incorrect. In the pamphlets that have been letter-boxed to Territory households, the Treasurer has said that those people with an income less than $175 a week gross will not be elegible to take advantage of this particular scheme.

This loan scheme is a very good one in a certain context which I will now describe. That context is one of full employment. The details of this scheme have been known to the state housing authorities since July last year and indeed some of the states signed the agreement in August and September of last year. When I attended a conference in Sydney in August last year, it was well known to the participants what the terms of this agreement would be. The scheme is an extremely good one in times of full employment when people can have some guarantee that they will not be out of a job or come upon some unforeseen crisis of that nature. Unfortunately, the conditions that we have in the Territory at the moment will disbar a number of households from taking advantage of the scheme.

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One of the disadvantages of this particular scheme as opposed to ones that exist at the moment is the higher deposit requirement. The honourable member for Stuart, who apparently was provoked into speaking into this debate because he assured us yesterday that he had no intention of doing so, said this afternoon that this was a low-deposit scheme. The honourable member for Stuart rarely knows what he is talking about but I was surprised to have heard it from other members as well. Let me say that this scheme is not a low-deposit scheme at all. Under the present scheme, Housing Commission tenants can purchase their houses with a deposit of $500. The lowest deposit requirement under this new scheme is $1,000. That is not bettering the position but rather worsening it for many householders who will find that that deposit gap just cannot be overcome.

In Queensland, I heard an excellent proposal put by a Country Party backbencher last year. He said that, in order to assist householders to meet the deposit requirements for house ownership, the government ought to pay those householders the future value of accumulated child endowment payments. That was a most constructive idea because the deposit requirement is one of the largest setbacks to home ownership not only in the Territory but in Australia, particularly if we are looking at low-income groups. This gentleman said that governments ought to pay to households the future value of their child endowment payments. Instead of spreading them over a time, they should make a lump sum payment so that people could apply that payment towards a deposit for house ownership.

What we have in this scheme is an increase in the deposit requirement and certainly not a lowering of it. From that point of view alone, it is a significant setback to those people who will be attempting to avail themselves of the 4% interest rate. It does not stop there at all because, apart from the deposit requirement, the applicant must also find the transaction costs which have been itemised in the circular that the Housing Commission loans section is giving to applicants. These amount to a further few hundred dollars.

The third point to remember about the deposit requirement is that, although the Treasurer says that $45,000 is the usual cost of a house and land package in the Northern Territory, if he looks at the value of ordinary Housing Commission houses which are a few years old, he will find that they have a capital valuation of between $47,000 and $48,000. Households will not simply have to raise the $1,000 deposit plus the transaction costs but, more likely, will be required to raise $3,000 for a deposit because apparently they will not be looked at if they have a commercial sector loan as well. Perhaps the Treasurer can tell me whether that is a mistake in the scheme.

I have another reservation about this scheme. Some people, and this is not the fault of the Treasurer, are under the impression that, if they earn between $175 and $190 a week, they will be able to avail themselves of a 4% interest rate for the life of the loan. That is not so. The honourable Treasurer has made it clear in the brochure and indeed it occurs in clause 25 of the housing agreement that the interest rate will rise by 0.5% annually so that people will only have the benefit of a 4% interest rate for the first year of the loan and thereafter it will rise by 0.5% annually. This is a scheduled variation and, from that point of view, it certainly is superior to a variation which is unknown. However, it does presuppose - and the brochure reinforces this - that the householder's income will rise uniformly. We know that this does not always happen; it certainly does not happen in times of high unemployment. It is a very good provision in inflationary times but it does not happen in times of high unemployment.

Much work has been done on these alternative loan schemes. A lot of work has been done by people who do nothing else but specialise in the economics of housing finance. One such study has been done by Mr Carter of the Department of Regional and Urban Economic Studies of the University of Melbourne. Mr Carter has come to the conclusion that this scheme would only benefit householders who could look to secure employment and those low-income families who would be eligible for this scheme in the first place would find themselves in budgetry difficulties after 3 or 4 years of this loan. This is a very significant thing to bear in mind because not only are those householders going to be defaulters but they are probably going to lose on the deal in the end anyway if they have to terminate the loan. They will not only have paid out large monthly repayments, which are in excess of what they would have paid if they had been renters, but they would permanently forgo their ability to own a house.

Whilst this arrangement might look very good and, as the Treasurer said, the 0.5% increase in the interest rate should not present any problems because it would be accommodated by promotions at work and wage increases, I would just like to remind him that not everybody is in the position where he would be guaranteed promotions at work. There are some people who are in the same position for most of their working lives and indeed they are the people who may be laid off and be made redundant. These families will always be renters and they will always have the disadvantage of that form of tenure. They will have a significant cost disadvantage as compared with owner occupants.

Mr Speaker, one of the things which the Housing Commission should have been at pains to explain is the monthly repayments in subsequent years of their loan for particular income earners. What the Housing Commission has provided so far is a schedule of monthly repayments which only applies to the first year of the loan. We are told only what that family's monthly repayment will be for the first year of the loan. It says nothing about what those repayments will be in subsequent years. I think that this can be a reason why the loan scheme might not be effective. Some people will get into difficulties through not having that knowledge or, if they have the ability to work out what their monthly repayments will be, they might find that they cannot service the loan in future years.

It is interesting to note that, in 1975, the Federal Home Loans Bank Board of Washington put out regulations which would have accommodated mortgage instruments of precisely the type that we are speaking of. Those regulations were not able to be made because there was a very large outcry from consumer groups. The bank ended up allowing that type of loan scheme for multi-unit families, but not for single residential housing. The consumer implications of this particular scheme do bear thinking about, particularly in times of uncertain future employment.

Canada has 10 years of experience with these particular schemes because they introduced them in 1969. The experience there has shown that, unless you can explain to the consumer what his eventual monthly repayments will be, the consumer is in no position to make the decision as to whether or not he can afford house ownership. The difficulty simply is that, until the last monthly repayment is made, the consumer is unable to calculate the effective rate of interest. Whilst we are saying that the interest rate will be 4% in the first year, 4.5% in the second year and 5% in the third year, what the consumer does not know at the end of 45 years is what the effective interest rate over the term of the loan has been. The consumer lobbies are very strong in North America. They have Ralph Nader; we do not. There are many people who would be disbarred from taking advantage of the scheme simply because they would either not know what their repayments would be or they would think they know and get into difficulties after 3 or 4 years.

A very interesting relationship is spelt out in this scheme with the Commonwealth long-term bond rate. We have been told and the brochures have said that the limit to the interest rate will be 1% above the long-term bond rate and that may vary. We have 1% above the long-term bond rate whereas in other states the relationship between the long-term bond rate and the maximum interest rate is 1% below the long-term bond rate. I am asking the Treasurer why Territory house buyers will be disadvantaged by paying 1% above the long-term bond rate whereas their counterparts in the states will be paying 1% below the long-term bond rate.

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

Mr ROBERTSON (Education): In addressing myself to the budget, I would like to advise the House that, during the course of these sittings, I will be making a major statement on education which will cover budgetry matters. Accordingly, I will not take up a great deal of the House's time on that area. What I would like to do is generally touch on some of the new features of the education appropriation and deal briefly with some of the concerns expressed by honourable members on the proposed education allocations for this financial year. Thirdly, I would like to comment particularly on the concerns rasied by the honourable member for Fannie Bay in the appropriations for the Department of Community Development in grants-in-aid. Lastly, I would like to tackle the opposition's general approach to the debate and to the budget and what they purport to be an alternative budget.

The appropriation to an education department is rarely exciting or imaginative in the extreme. What you have is an on-going program which you must develop. Any changes to the education system must be gradual and planned. You simply cannot hurl money at it and expect it to tip itself upside down to absorb that money. What that would result in would not only be confusion among parents and students but also among professional staff. The government's attitude right from the start of the transfer of this most important and administratively difficult subject is to do it in a quiet and controlled manner. We have been very conscious of the fears which many parents had about any radical changes in direction and in funding methods. Consistent with the government's attitude of preventing upsets during any part of the education take-over in the Northern Territory, it has been a policy of business as usual with emphasis placed wherever we can on improving those programs that we have a great deal of faith in.

The department for the first time under the Northern Territory government has established a division of technical and further education. Honourable members will note that TAFE, which used to be a little sub-branch, has gone from an expenditure of about $53,881 to $140,000 for this financial year. The federal government, despite the tremendous enthusiasm of the federal Minister for Education for his own program on the education of unemployed youth, has kept it stable or has caused a slight reduction in expenditure in that area. That is unsatisfactory in the Northern Territory so the government has decided to increase by some $51,000 the appropriation for the education of unemployed youth. This is mainly by contract with the Darwin Community College which has its program in which the honourable Minister for Community Development has been very actively involved.

The government is also concerned with Aboriginal areas and with the adult education program and has seen fit to increase expenditure in that area by some $20,000. The government has decided to move into the area of secondary correspondence education primarily through the School of the Air. In order to provide adequate resources and materials in that area, an increase of some $60,000 has been made.

There is additional funding for libraries this year and it is rather remarkable that, when there was a cut of $100,000 last year, it brought the roof down around our ears. This year there is an increase of $180,000 with an all up expenditure of $0.25m and not one murmur of thank you very much or anything else from the Teacher's Federation. Never mind, I suppose ...

Mr Collins: Surprise, surprise!

Mr ROBERTSON: Yes, surprise, surprise; I quite agree Bob. Nevertheless, the effect of the $100,000 stoppage for one year, which was not a decision of this government, introduced a need for an additional $100,000 for the next year plus the $70,000 that was spent so that we needed $270,000 before we started. Nevertheless, with the resources available to us, the government has provided $250,000 for library software this year.

Another area which I thought one of the rural representatives would have mentioned is an initial appropriation of $50,000 for the stage 1 of remote area radio networks. As many members would be aware, the Department of Health has had these for some years as has the Department of Transport and Works. Quite obviously, remote schools need communication with their regional offices. $50,000 will not provide adequate transceiver equipment installations in the first year. It will probably cover about 50% of the most isolated schools and, in the next financial year, we can look forward to completing the program. At that stage, single band communications will be available to all remote schools. If anything makes life difficult out in those areas, it is the long delays between a problem arising and getting a solution through the normal pigeon system.

The other significant initiative of the government is the increase in assistance to the students. Isolated students, in particular, have been allocated an increase of $136,095 this year to $404,000. Those are just a few of the new initiatives proposed for education. The rest are moderate increases right across the board and illustrate a very good delivery of education in the Northern Territory.

I would like to now touch upon some of the queries raised by honourable members. The honourable member for Arnhem, among others, raised the matter of the allocation to the Community College of Central Australia and certain allegations in relation to consultation. Some of this information is totally false and has been transmitted by courtesy of the propaganda machine of the Leader of the Opposition.

I really do not know what one has to do to satisfy people that consultation has occurred. I had 3 formal discussions prior to the budget with the Alice Springs community college solely on the budget. The Director of Technical and Further Education made 3 specific trips from Darwin to Alice Springs. Those meetings were held both in my office and in the community college principal's office. We communicated by telegrams to the Chief Minister and to myself. We sat on the floor of the principal's office with papers scattered all over the place so that we could get a clear understanding of how the place operates and what it can possibly cope with. If that is not consultation, I would like to know what is.

The Leader of the Opposition seems to pluck out figures, does the most extraordinary arithmetic and then expects to come up with a conclusion. Pupil-teacher ratios were suggested as being 66 to 1. That is the greatest load of nonsense that has ever been perpetrated on the public. He took all of the part-time students, all of the hobby courses, all of the minor, weekly courses and counted each person as a fulltime student. The net result was complete

nonsense. The so-called cut of $500,000 from the Alice Springs community college was deliberately put that way to mislead people for political purposes. In reality, the Community College of Central Australia received an increase of about $210,000.

The figure of $1.41m, which has been bandied around by the Leader of the Opposition's press secretary in Alice Springs was a Cabinet submission which somehow fell off a truck. The Cabinet submission was purely a draft bid. In other words, it was not an allocation. That was the earliest draft bid. Subsequent to that, a series of negotiations were held with the Community College of Central Australia which gave rise to a figure which we believe is sufficient for them to achieve moderate growth within the rather appalling facilities which they have at that community college. I am the first to admit that it will require a major capital injection to make the Community College of Central Australia something of which the entire region - Tennant Creek to the South Australian border - can be proud. It is not just a matter of patching. The government will be looking for funds to improve plant and equipment. Their allocation is sufficient to maintain their equipment and provide some new equipment for trade courses but is insufficient generally. Compared with what the Darwin Community College has, it is rather tragic. I do not want to go too far on that theme because I will end up doing what the Leader of the Opposition did and that was to deliver the greatest slap in the face to the Darwin Community College Council that it has ever had.

The Leader of the Opposition is reported as saying that, since 1973 when the Alice Springs community college first started, the Darwin Community College Council had absolutely starved it. He almost said that they did it in a criminal way. I would suggest to the Leader of the Opposition that either he reads the stuff his press secretary in Alice Springs is putting out or he does not. If he does not read it,it shows his arrogance. If he does read it and endorses it, it shows his ignorance. The man is coming out with the most extraordinary statements. I assume, and I will give the honourable gentleman the benefit of the doubt, that he is not reading the stuff that is being put out in Alice Springs in his name.

I turn to some of the things that the honourable member for Arnhem was talking about. Might I say that this is another example of the totally reasoned and responsible approach that the honourable member for Arnhem takes to his shadow portfolio. He certainly has my thanks for the cooperation that we seem to have developed. The honourable member raised a number of queries which will take time to resolve. He has views in relation to the Aboriginal teacher training centre in Batchelor. The honourable member for Nightcliff has views in that area as well. The reality is that the honourable member for Nightcliff does not understand how it works. She obviously spends far too much time in Nightcliff commenting on Aboriginal affairs without going to the trouble of understanding what she is talking about.

Mrs Lawrie: I bet I have been there more often than you have!

Mr ROBERTSON: I bet you have not been there more often than I have!

Mr Collins: $5.00!

Mr ROBERTSON: Mr Speaker, there is no point in taking a bet you know you will never collect after you win it.

The training centre at Batchelor will come under the control of the board of governors of Aboriginal people. The first 2 years of the course for teaching assistants is conducted by the department. When formal qualifications become involved, the community college takes over - that is, year 3 for band 1

eligibility within the Commonwealth Teaching Service. Depending to some extent upon the report of Dr Penny, the Darwin Community College may proceed with a fourth year to give full accreditation to Aboriginal people.

The other point that seemed to be made constantly was that of the consolidation of the Darwin Community College campus. I could not support a more worthwhile objective than the Darwin Community College being consolidated on a single campus but, to say that money should have been spent on it this year indicates that the opposition has no understanding of planning. Even if we were to attempt to commit a cash flow to it this year, it would be lucky to go to tender between now and the end of the financial year. As I have previously indicated ad nauseam, the Department of Transport and Works will be working with the college council to provide a design for a facility by stages which would be within the means of any Northern Territory government to fund. The overall planning of the Darwin Community College runs into something like $70m. It would be equally irresponsible to say that that ought to be done because it will be beyond the resources of any government for many years. We are most concerned to see that the Darwin Community College is consolidated. Finally, I say that there would not be one student of the Alice Springs community college who would not give his left leg to have the entire Winnellie campus picked up and put in Alice Springs. They would think they were working in the Taj Mahal compared with what they have. Let us get our priorities right.

We also have the Katherine Rural Education Centre which works in a couple of demountables. I am quite sure, Sir, that you would be delighted to see the entire Winnellie facility placed in Katherine as a rural education centre. There are multiple demands placed on government. Within the resources available, one must identify what one can achieve and in what priorities. I know that questions have been raised about Winnellie in terms of its effect on accreditation. It is fully to the credit of the teachers who operate in the Darwin Community College that those accreditations are maintained and I am quite sure they will continue to be until the government can consolidate that campus.

The honourable member for Nightcliff mentioned a number of matters relating to furniture. I think it would be better if I speak with her on that privately later.

The honourable member for Fannie Bay seemed to have picked up the Community Development Department's appropriations and looked at page 3:27 and saw minus $385,915. She then did some sums and added to that $260,000, which is a one-off grant to the Darwin City Corporation, and accused the government of cutting grants-in-aid by some $115,000. That clearly demonstrates to me that, contrary to what I believe about some other members of the opposition, the honourable member for Fannie Bay can in fact read. The trouble is that she did not read far enough because she made no mention of the appropriation of $436,000 which appears on page 3:25. A sum of $380,000 was appropriated for the same purpose last year. Instead of putting all the eggs in one basket, grants-in-aid have gone into responsible departments. We must bear in mind that, at the time when I had community development as a ministerial function, we had no Department of Health nor Education. This meant that, if the Commonwealth did not assist worthy organisations with state-type grants, we felt the Northern Territory had to despite the fact that it was not our constitutional responsibility.

What has happened now is that the Department of Education has a special grants-in-aid vote of $30,000 which we have to add to this already increased figure. In addition, if the honourable member had taken the trouble to read everything in context, she would have found an increase in the Department of Health's allocation of $1.094m of which the Order of St John is the biggest

single recipient of grants. Grants made by the Department of Community Development in areas which are now within the Department of Health covered such things as $246,000 to women's centres and the Foster foundation for drug rehabilitation received $80,000. I approved personally $14,000 for the Darwin and District Alcohol and Drug Dependency Organisation. I had a rather furious argument with a person who read that through the pages of the popular press until he realised that they were getting government funds. This year, they will receive $64,000 which the honourable member for Fannie Bay conveniently overlooked. In addition, there is the Family Planning Association, the Natural Family Planning Organisation, Pregnancy Help Incorporated, the Childbirth Association of Australia - all of these are grants in the thousands and, before the transfer of this function, had to be paid as grants-in-aid from the Department of Community Development. I approved grants to the Northern Territory Spastics Association Incorporated and Crisis Line. Contrary to what we were led to believe by the honourable member for Fannie Bay, grants-in-aid have not been cut back at all but substantially increased.

The Leader of the Opposition made one major change this year from the approach he took last year. The change was that he read his speech and that is about the sum total of it. Quite obviously, he realised that he botched it up last year by doing it in an impromptu manner. I suppose his advisers, having seen his miserable performance on television recently when he was addressing a chartered accountants' conference, advised him very strongly never again to attempt to say anything off the cuff in relation to economics. Thus, he read his speech dutifully, no doubt on the instructions of the person who wrote it. It too was a miserable failure. Let us expose why.

The opposition started yesterday with yet another attack on a Northern Territory development proposal sponsored by this government. It finished its day off through the Leader of the Opposition with the most incredible admission of incompetence that I have ever heard in my life. The Leader of the Opposition put to the Northern Territory people a proposal as an alternative Treasurer. What is the proposal of the opposition's alternative Treasurer? The keynote of the opposition's alternative strategy was the re-allocation of only $10m in $516m. The whole contribution in new initiatives that the opposition was able to make was to truckle around with less than 2% of the budget. Remember that it was that 2% or $10m that the opposition said it would use to fund its grand initiatives that would revolutionise the economy of the Northern Territory. What absolute piffle!

Not only is the opposition expecting us to believe that they will solve unemployment by messing around with 2% of the budget, they cannot even do elementary arithmetic. I'll say that the honourable member for Arnhem can because he got it right. On page 4 of Hansard, the Leader of the Opposition demonstrates that he cannot even do simple division. He said: "Of course, if an allowance is made for the payroll tax provision which was not there on the last occasion, funds to education in 1979-80 increased by only 11% compared with the 1978-79 federal allocation". The true figure is 14.9%. The member for Arnhem got it right by adding up all of the others; the Leader of the Opposition could not see past the payroll tax.

What are we going to do with this $10m? We are going to scrap the proposal to build the Mary Anne Dam. We are going to use the $0.75m to fritter away in various parks and gardens proposals within the Tennant Creek town council with the same staff it already employs. I suppose we are going to do the same thing in Alice Springs. I can assure the honourable Leader of the Opposition that I will make as widely known as possible the opposition's attitude that recreation lakes are not desirable.

The philosophy of the ALP is exactly the same as Mr Hayden's philosophy when he created the Regional Employment Development Scheme and then scrapped it in 1975 because it was totally discredited. He has now put another coat of paint on it and, as this year's alternative federal budget, he has re-introduced the same tired, sad, unworkable, discredited policy. The Leader of the Opposition looks at what his mentor in Canberra has done and thinks, "Oh, good idea. We will have our own little RED scheme. We will put a lot of bricks on bricks". In other words, they will employ people on great monuments to their expected government. Of course one-off jobs will create short-term employment but what happens when the blasted building is finished? The policy of this government has been to let private enterprise do it and private enterprise is doing it. After building all these office blocks, I suppose he will build more multi-storeyed flats instead of coming up with policies that let private enterprise do that. This government spends its money in areas that make money for the private sector. When the private sector makes money, it invests it in on-going businesses and we do not have one-off jobs. You do not simply build something to take people off an unemployment list artificially and pay them while they are constructing a building, you direct your funds into those vital areas of private enterprise which establish businesses which will employ people and keep them employed.

What was the other grand suggestion that was going to be used to solve unemployment in the Northern Territory? We are to have a savings bank. Is that going to employ people? Agreed, with the policies of this government, progressive growth will occur and, in a number of years, there may be development funds available through a savings bank. In fact, this kite flying about a savings bank is not an expression by the opposition of a method of achieving employment; it is an expression of a socialist political ideology.

Mr EVERINGHAM (Chief Minister): Mr Speaker, after listening to the honourable the Minister for Education, there is really very little left for me to say. The other side of the debate has now exhausted itself. In view of the fact that I am responsible for 2 departments and a number of units of administration, I believe that I should pass some comments on the expenditure that is to be allocated to them. There has been criticism of the allocations for my department. At this stage, I should perhaps attempt to explain the allocations to honourable members so that people concerned with implementing what the allocations will permit can rest rather more easily.

Firstly, I must make it plain that I do not intend to speak at any great length on the items of expenditure but it should be noted that provision has been made in the Chief Minister's Department allocation for the commencement during this financial year of the rebuilding of the old Naval Headquarters as a heritage building to be used as offices in the future by the Administrator of the Northern Territory. The total project is expected to cost $700,000 and about $100,000 is expected to be spent during this financial year. This is a very interesting project. It is taking longer to get off the ground than I had expected simply because it is being done very thoroughly and in complete consultation with the Northern Territory National Trust and other bodies.

In the same line, design work will proceed during the year on the first stage of the rehabilitation of Government House. In consultation with His Honour the Administrator, it is planned to upgrade Government House, replace the old kitchen facility and generally make the residence a worthy centre for occupation by the Administrator. An expenditure of about $400,000 will be made on the first stage but work will not be far enough advanced this year for funds to be spent on construction.

A considerable amount is provided in the budget for the social infra-

structure of the town of Jabiru. This town is being built by the statutory authority which is in my portfolio and it represents a partnership between the government and the Ranger company at this stage. The Aboriginal Sacred Sites Protection Authority has been established. The appointment of members and the chairman was made by Executive Council recently and $80,000 has been provided for 1979-80 for the operating costs of this authority including the payment of staff salaries. The government decided to award a scholarship to a writer or writers to produce literary works relating to the history of the Northern Territory and a sum of $15,000 has been set aside for this.

Another history oriented project is the mammoth task of recording on tape the recollections of the pioneers of the Northern Territory. We must move as quickly as we can in this matter before the rich heritage of our past is lost with the passing of these pioneers. A fairly active committee is over-sighting this project; recording equipment has been purchased and interviewers are being employed. $40,000 has been set aside for that.

In relation to the office of the Public Service Commissioner, expenditure there this year is up. For the office of the Ombudsman, expenditure there is slightly up. This is a fairly stable operation. I do believe that there is a request in the pipeline for the confirmation of a couple of staff positions in that office that have been on secondment for some time and no doubt this will come forward in the next few months.

The police allocation has been increased by 17% and, in the time that the Northern Territory Executive and subsequently this government has been responsible for the administration of the Northern Territory Police Force, expenditure has increased from under $10m in 1977 to in excess of $17m at the present time. Emergency services in the past has been something of a Cinderella service - with respect to the director who is present in the gallery today - but considerable attention has been paid to it by the government. Certainly, not as much funding has been able to be given to the emergency services as they would like to see but a substantial increase in the order of about 30% has been given this year. This will enable it to commence the establishment of the sea search and rescue operation. Additionally, funds have been made available through the Department of Transport and Works in the budget for the upgrading of cyclone shelter facilities to make certain that all the facilities that are available to the public in Darwin are free of any hazard being caused by flying objects.

I might just refer to some of the areas taken up particularly by the honourable member for Nightcliff and the Leader of the Opposition. The honourable member for Nightcliff referred to consultants' fees and she criticised the expenditure of $171,000 on consultants. This is a fairly small amount when viewed against the expenditure on consultants by the Darwin Reconstruction Commission and one really has to determine whether one wants things done or not. There are many objectives of the Northern Territory government that cannot be catered for on an in-house basis for the simple reason that various expertise is not available in the Territory. For that matter, the government would not want to engage people on a long-term basis by appointing them as permanent public servants. Some projects are of a terminating nature and it is obviously much better to employ people on a contract basis for 6 months, 12 months or 2 years so that particular tasks can be achieved. The input-output analysis which the honourable member for Nightcliff criticised is part of a tripartite project to prepare a development strategy for the Northern Territory.

I have had some philosophical problems myself with the idea of fixed future plans although I have certainly taken the bull by the horns in relation to environmental health in remote communities. I believe that this government

must put together a 5-year plan to rectify the situation. Although there is very little chance that this government will not be returned at the next election, the problem is one of possibly committing a future government to something that they may not agree with. Nevertheless, I do believe that we should at least undertake the study. The input-output analysis will enable an understanding of the interrelationships between industries in the Northern Territory economy.

The economic structure studies are a translation of the mathematical description from the earlier study into words and a translation of estimates on impacts into words. Specific economic studies are directed at important industries as well and the development planning studies are using the results of the 2 previous studies to plan a development strategy for the future of the Northern Territory. This is an exercise on which the Office of Policy Planning is engaged at the present time and we require outside expertise of a terminating nature to assist us in the preparation of such a strategy. We have engaged a government co-ordinator at Jabiru on a contract basis and that person has already taken up his position.

The other items of consultancy fees related to a public relations counsultant at Canberra, the firm of MacIntosh and Parkes. In view of the fact that the Northern Territory government is substantially dependent on federal funding, the Northern Territory has 3 representatives in the federal parliament: 2 senators and 1 member of the House of Representatives. They cannot cover every aspect and it is very difficult for them to get in among the departments and the public service personnel who make decisions that have far-reaching effects in the Northern Territory. For this reason, the Northern Territory government has engaged these people to attempt to influence events in favour of the Northern Territory as far as is possible and to provide us with intelligence information on events that may be taking place within the bureaucracy that could have an impact on the Northern Territory's future. I believe that to pay $45,000 per annum to obtain the information, assistance and, to put it bluntly, lobbying that we receive from these people is worth more than the sum expended.

The honourable member for Nightcliff quite rightly said that we have people of considerable expertise in the Aboriginal Liaison Unit. Nevertheless, it was on their recommendation and on the recommendation of the Office of Policy Planning that the consultant in question, Mr Shel Lindner, was engaged. He was formerly employed by the United Nations Education Scientific and Cultural Organisation. He is engaged in a study to improve communications between the government and Aboriginal communities so that these communities do not feel that they are getting 9 different messages from the government. Mr Lindner's experience in this area is considerable. He has worked previously in a number of countries in the Far East and in New Guinea.

On the Darwin beautification program, Mr John Antella is the consultant on a part-time basis. He was a consultant to the Darwin Reconstruction Commission. The Northern Territory government, through the Territory Parks and Wildlife Commission Forestry Unit, is continuing with a very extensive program of urban beautification. That brings me to the criticisms made by the honourable member for Nightcliff concerning the Northern Territory Forestry Unit. She felt that the Parks and Wildlife Commission should receive more funding than the Forestry Unit. There are 10 people employed by the Forestry Unit at Murgenella. A number of these are Aboriginal people. There are 30 people employed by the Forestry Unit at Melville Island, Snake Bay, Milikapiti and Pickertaramoor and of these a considerable number are Aboriginal people. That is 40 people out of the total Forestry strength. At the very least, there are 60 perople employed by the Forestry Unit on urban beautification in Darwin.

That is where the bulk of the funding is going: for urban beautification in Darwin and Alice Springs.

There was criticism that Forestry was being allowed more for freight than the Parks and Wildlife Commission. I am told that the reason for that is that Forestry has to send heavy freight by barge to Murgenella and Bathurst and Melville Islands. The cost of this is considerably more than that required for the maintenance of the Parks and Wildlife Commission's establishments. The Director of the Parks and Wildlife Commission, Mr Tom Hare, has been the executive officer of the Northern Territory Reserves Board. I think it unlikely that he would allow his particular area of interest to receive what I would call an unfair shake.

The library for the use of ministers and members will be on the ground floor of the Chan Building. It is to assist in overcoming the lack of library facilities currently available in the Assembly but will eventually be located in the new Parliament House.

We then turn to the Office of Information which the honourable Leader of the Opposition referred to as a propaganda machine. One wonders how has the temerity to call it that after studying the figures being consumed by the propaganda machines of South Australia and New South Wales. They are truly propaganda machines although I believe the one in South Australia is limping very badly at the moment. Nevertheless, let us go through this allocation to the Office of Information. That office did not get all that it wanted either. It received $221,000. The staff is not substantially greater than it was at the time that the Northern Territory government took over the Office of Information from the Department of the Northern Territory - probably only 3 people.

The Leader of the Opposition had the breakup in front of him on page 44 but he still chose to call the Office of Information a propoganda machine. Set aside in that $221,000 is $32,000 for staff travel; $10,000 for the government directory; $27,000 for the Northern Territory Digest - great propaganda for the government; $25,000 for the Northern Territory Quarterly; $18,000 for the mining investment book; $7,000 for Who's What Where - that magnificent organ of government propaganda; $10,000 for displays at places like Darwin, Katherine, Tennant Creek and Alice Springs; $32,000 for miscellanous publications which certainly take in items such as the pamphlet on the home loans scheme; $20,000 for the purchase of photographic and audio-visual equipment which will be largely used in the office; $20,000 for audio-visual productions including cross-cultural communications and Aboriginal self-reliance films; $32,000 for a promotional film on the Northern Territory; and $5,000 has been allocated for freelance photography and journalism. You can see that, for $221,000, I will be able to establish an apparatus of propaganda that Doctor Goebbels would indeed be proud of.

That is the sort of misleading attack on items of budget allocation that the opposition has persisted with for this entire debate. The hypocrisy and the misleading statements have surprised me because surely they must realise it is so easy for us to point these things out. Nevertheless, they persisted. The honourable member for Sanderson, with her snakes and ladders mentality which is almost impossible for anyone to understand because it is so convoluted, had a go at the home loans scheme. She had the temerity to attempt to belittle that but I will leave that for my colleague, the Treasurer, to pick up.

The only point that I seriously bothered with in the speech of the Leader of the Opposition was his attack on the basic philosophy of our budget when he said that its underpinning was quite incorrect. For example, he said that a

vastly exhorbitant amount of money was being spent on roads. He said that budgets are instruments of public policy that governments must use for long-term planning and so on - the usual tendentious arguments. In the view of this government, transport in the Northern Territory is possibly the most important single item that we must concentrate on. Tourism is potentially the major industry of the Northern Territory. You do not attract tourists nor adequate transport facilities unless you have good roads. This year, funding is being provided that will have an immediate beneficial impact on the tourist industry that can only lead to the Northern Territory being much more highly regarded by bus operators than Queensland and Western Australia. We are sealing roads to Ayers Rock, to the Tanami, along the Plenty Highway to Queensland, the Mainoru Road, the Daly River Road and the road to Hermannsburg. In addition to assisting tourism, which we hope in the long-term will be the major industry of the Territory, the sealing of these roads will have an immediate impact on the pastoralists, rural industries and on the people who live in the country. When these roads are sealed, trucks will be able to travel more quickly without suffering damage. Generally speaking, this can only have a great impact on the man on the land.

The Leader of the Opposition told us that we should do everything we possibly can to encourage exploration for minerals and especially sources of energy in the Northern Territory. Since my colleague, the Minister for Mines and Energy has spoken, I thought I would take this point up. I do not wish to be considered critical of Aboriginal people when I say this but it is extremely difficult to encourage exploration at all in the Northern Territory when oil and gas deposits, such as those that Magellan discovered many years ago in Central Australia, have been frozen for all these years. Who wants to come in and spend money in the most speculative business there is when the chances are that any discoveries may be subject to an Aboriginal land claim and they may have to wait umpteen years to get at it? I am speaking of the reality. With situations such as that, it is exceedingly difficult if not wellnigh impossible to encourage exploration. Whatever the rights and wrongs are of the problem at Oenpelli and Nabarlek at the present time, how can we expect to encourage overseas investment? Queensland Mines has about $83m of Japanese money invested in it that, in the view of the Japanese, is now standing at risk. How can we expect people like that, who are pragmatic, even ruthless as far as getting returns for their money is concerned, to bring in more money to the Northern Territory? This is not a criticism of the opposition or of anyone but is a plain statement of fact. If people are serious in their views that there should be additional mineral and energy exploration and development, they should bear some of these things in mind because uncertainty and freezing of potential and of assets is something that no commercial operation, mining or otherwise, can live with for any length of time.

The honourable Deputy Leader of the Opposition told us that we ought to create employment by direct action. I am not quite sure what he meant by that. Perhaps he meant that we should immediately enrol everyone in the public service.

The honourable the Leader of the Opposition had earlier confused us by telling us to abandon the Mary Anne Dam scheme and give the $700,000 to the Tennant Creek council to spend as it wished. He told us that we should be giving more money to local governments for their programs. He did not tell us what programs and he did not tell us how local government was to spend it. He did not tell us how the Tennant Creek corporation was going to spend the additional $700,000 that it would get if the people of Tennant Creek had their recreation lake taken away from them. I believe that the Tennant Creek corporation is doing just about all it can at the present time. There are a number of civil works projects and roadworks going on in Tennant Creek. Quite

frankly, that was just another item in the Leader of the Opposition's speech which just did not ring true at all.

I certainly must thank the honourable member for Fannie Bay for bringing to my attention the matter of the leprosarium at East Arm. One tends to think of these people as extremely unfortunate and indeed they are but, if what the honourable member says is correct, then the situation certainly bears examination. She also concentrated on the fact that the health allocation was principally directed towards the cost of maintaining hospitals. I was not quite sure whether she was suggesting to the Northern Territory government that it should not proceed to open the Casuarina Hospital. If this is so, and it is quite possible, then I should be glad to hear that stated plainly. When one finds that one has an establishment of so many hospitals, what does one do other than maintain them? Certainly hospitals are needed and whether the Casuarina Hospital is entirely needed at this stage may be a matter on which the opposition has a different opinion to that of the government. I would be very interested to hear it.

Generally speaking, I think that this budget puts the Northern Territory in a fairly sound position for development because projects have been committed in the Northern Territory which will cost some $600m. This compares very favourably to other states in Australia such as South Australia and Tasmania. $600m will not be spent here this year but it will be spent over the next 2, 3 or even 5 years. That sum will burgeon as the years go on. We hear of new projects announced by private enterprise all the time. Yesterday, the Paspalis family announced projects in Darwin and there are also plans to build 2 new motels in Alice Springs. The whole Territory is ticking over 100%. I think this compares more than favourably with South Australia where the figures supplied to me indicate that they have projects committed totalling $300m - about half the total for the Northern Territory - and poor old Tasmania has about $95m worth of capital projects, private and government, on the drawing boards. The Northern Territory is moving into a period of considerable expansion and this government is planning to see that that expansion continues and that the future of the Northern Territory is the envy of the rest of this country.

Mr PERRON (Treasurer): It was interesting to read a press release by the Leader of the Opposition yesterday in which he said that a highly detailed alternative Northern Territory budget was delivered by the ALP in the Legislative Assembly. I thought that was fairly interesting when I reflected upon the words he used in the debate yesterday: "Because of the inadequacy of the Treasurer's budget papers, it is extremely difficult to do a detailed analysis of the government expenditure program". It seems odd that, in the 20-odd budget papers which contain thousands of figures and words of explanation, our explanations to the budget are not sufficient yet a highly detailed alternative budget was put forward by the opposition in 6½ pages of Hansard.

If we look into it a little further, perhaps the answer lies in the fact that, of the $516m that is being appropriated in the bill before the House, only 2% is being questioned by the opposition as money that they would see better spent in other areas. This seems to be a bit of a pat on the back for the government because obviously the other 98% of this budget has their full endorsement. They have not thought to change the rest of it. For a government to have 98% support from an opposition, we must have done a fairly commendable job. It seems that the views of the opposition and the government that the Territory needs to encourage businesses into the Territory, encourage existing businesses to expand, reduce unemployment and provide direction in the economy of the Northern Territory are somewhat the same. Where we differ with the ALP is in how we should go about achieving those aims. It was pleasing

to hear how a Labor alternative government would provide establishment grants and low-interest loans to businesses to attract them to the Northern Territory and to help them expand. That is exactly what this government is doing and that is exactly why this government established the Territory Development Corporation. The opposition would also offer a payroll tax and stamp duty holiday to certain approved businesses. I will touch further on that in just a minute.

Let us look at how ALP proposals will have the opposite effect of driving businesses out of the Northern Territory. Firstly, they would restructure electricity tariffs so that the more a consumer uses, the higher price per unit he pays. This is a direct reversal of nationally accepted practice which is based on the fact that only the big consumers justify the installation of very large generators which provide the cheapest possible electricity. That goes for any powerhouse whatsoever. If it was not for the big consumers, the average household in the Territory would be faced with an electricity cost in excess of $1 per unit which is what it costs to generate electricity in very small powerhouses to small numbers of consumers in the outback settlements in the Northern Territory. The Labor scheme would contravene the subsidy arrangement we have with the Commonwealth. I guess they do not worry much about those details when they are putting forward ideas to grab votes: "We will reduce your electricity account".

If we assume that such a scheme was adopted, what would be the effects on existing businesses and new enterprises? Their electricity accounts could be doubled or trebled. Labor would certainly need then their establishment grants, low-interest loans and tax holidays to keep businesses here, let alone trying to attract more or getting existing businesses to expand. Who are the biggest consumers of electricity? Who are those people who pay between $50,000 and $100,000 a year for their electricity account? They are the biggest employers. These are the very people that the ALP say they want to help so much and urge to take on more staff.

Secondly, they propose to have the Northern Territory Electricity Commission bulk-buy solar hot water systems for cheap distribution. That is a very fine socialist concept just as long as you are not in the solar hot water business. There are people in the Northern Territory in exactly that business. Why should the ALP care about a few capitalists who they believe are ripping everybody off anyway? Why stop at solar hot water heaters? Why doesn't the government bulk-buy stoves and fridges and sell them to the community and cut out the middle man? These are essential items in every household. Why doesn't the government bulk-buy insulation for homes? That is an energy saving device. Why don't we bulk-buy 4-cylinder cars and sell them cheaply? Surely we must do our bit for the energy crisis. It all makes a great deal of sense providing you are a socialist.

Other great schemes likely to drive private enterprise out of the Northern Territory are ones like a government takeover of energy reserves and the establishment of a chain of government hotels. We did not hear about the latter yesterday but it has been promulgated by a spokesman for the ALP in the Territory of late. The purchase of a regional airline has also been mooted and the opening of a state bank. Where will it end? I doubt that the businesses will flock to the Territory under a Labor government with philosophies like these.

Add to all that, their attitude and philosophy on uranium mining. We have heard the Leader of the Opposition say everyone knows the Territory government does not have control of uranium mining so they could not possibly enforce federal ALP policy which they are bound to implement given the opportunity. Let us not be fooled: while we do not have direct control over uranium in the Territory as all honourable members have seen through bills

passed through this House, the Northern Territory Minister for Mines and Energy has a great deal of influence and power in the uranium province. A Labor government could certainly make life almost impossible for mining companies. The Northern Territory government has control of ports, roads and will shortly have control of internal air services and an ALP government would be obliged to make life absolutely impossible in the uranium province even if they could not shut it down. They are part of a national party which has philosophies that they must follow.

It was a rather momentous occasion when we heard in the House yesterday that the opposition has proposed to offer tax concessions to local businesses. We are now in the second year of self-government. Surely honourable members recall the tragedy predicted 2 years ago by the opposition in their desperate campaign to stop self-government. "We cannot afford it", they told the people. "It is too soon; Territorians will be driven out by the tax burden they will have to pay for self-government". What do we hear now from those very knockers and opponents of self-government? An offer of tax concessions to people in the Northern Territory. What a turn-around! It is a tremendous shame that it took 2 years for them to wake up and tell the people of the Territory what self-government has to offer: local decisions by local people.

The opposition proposed a 5-year holiday for payroll tax and stamp duty on approved businesses. When looking at tax concessions and tax incentives, we have to be quite clear that they all cost money even if they are called holidays. The opposition is somewhat silent on how much this scheme will cost. It is silent on exactly who is to be eligible as an "approved" business. When you limit it to approved business, it could come down to 1 or 2 a year. It might only mean the foregoing of $10,000 in revenue or it could cost millions of dollars in lost revenue.

He has claimed that the scheme promoted by this government for the pushing back of the threshold so that a large number of existing businesses will benefit and new businesses be attracted will merely increase profits whereas their tax-holiday scheme will not increase profits but increase employment. Obviously, he is just playing with words. We all know that you cannot legislate to change commercial principles. People work for reward, be it businessmen's reward in the form of profits or employees' reward in the form of wages. They cannot be separated; the prosperity of business leads to unemployment being alleviated. The scheme put forward by this government has been costed. We all know exactly what it will cost - $1.1m in forgone revenue - and we all know exactly whom it will affect - 600 businesses within a certain range of annual payroll. There is nothing cloudy or shady about our payroll deal; there is certainly something shady about theirs.

The Leader of the Opposition got himself awfully tied up with the terms "civil works" and "capital works". He said: "The Treasurer has locked a civil works bias into his capital works program. Civil works are capital intensive". He simply does not understand the terminology at all. You will not find in any of the documents, including the capital works program of the Northern Territory for this coming year, the words "civil works" at all. "Civil works" is the terminology used by the Commonwealth to distinguish capital works which are non-defence works. He has said that we have a civil works program which will not employ people because it is capital intensive instead of being labour intensive. There was no real explanation as to what projects will not employ many people or what projects he would suggest be adopted to employ more people. What of those projects that we have listed? Is he going to go without some schools or health clinics or police stations or roads? If he is going to drop some of them, let him tell people in his alternative budget. Or does he propose - an option of a government but a crazy one - to leave the capital

works program as it is but make it more labour intensive? You could put in the contracts that cement must be mixed by hand and that foundations should be dug by hand. That would certainly employ many more people. Perhaps that is what the Leader of the Opposition meant because I and officers of the Treasury were not quite able to work out exactly what he was talking about in saying that we have "locked a civil works bias into the capital works program". I think he has his terminology completely confused.

The Leader of the Opposition also stated in his press release that Darwin's water supply problem had not been faced and that the city would continue to have low water pressure and the possibility of further restrictions. If he cared to look at the capital works program, there in big black letters is an allocation to alleviate some of Darwin's water problems. There is $1.8m for the duplication of the 750 millimetre rising main from Darwin River Dam. One presumes that that was either overlooked by the Leader of the Opposition or something he hoped we would not pick up.

Talking about private subdivision, the opposition were not really interested in our scheme to encourage private enterprise into subdivision. They were going to put some more money back into that system. On page 5 Hansard, he referred to private enterprise being involved in subdivision. "They do the work now. The only role to be transferred would be one of project management". He missed the entire point and the prime reason why government should not be in this area anyway: the funding of the private subdivision. The only thing he sees, the only difference between the government letting a contract for someone to build a subdivision and the thing being handed across to private enterprise is in project management. What about the $5m that it costs to prepare an average subdivision in a place like Darwin? The point was missed altogether.

On the subject of capital works and labour, I am advised by officers of the Department of Transport and Works that the direct labour content of most capital works projects is in the order of 35%. There are variations to this but the labour content of any project is rarely less than 30%. Obviously, with the very substantial capital works program that we have here before us, there is an enormous amount for salaries in those figures.

On the subject of local government, we heard this monstrous concern of the opposition that we must give local government enormous sums of money because this government has deprived them. This government, as a statement of its priorities, presented the first cheque printed by the Northern Territory government for $771,000 on day 1 of self-government to the Alice Springs corporation because they had been mucked around for years in their efforts to build a civic centre. We gave them a cheque to show our bona fides and where we stood as far as local government is concerned. The Leader of the Opposition went immediately to the press and said, "good luck to the people of Alice Springs but it shows financial incompetence on the part of the Northern Territory government". Yesterday, he told us that the opposition's heart goes out to local government. The government has been terrible because it did not give them enough money. Last year, we were giving it to them too soon and the terrible crime was that they were allowed to earn some interest from it. What a terrible, terrible crime! At least we put our money where our mouth was.

On the subject of housing, several members of the opposition complained that there were cutbacks to housing. With the exception of the honourable member for Sanderson, most of them totally overlooked the loan funds being provided for the housing program for the private sector. They all conveniently ignored the fact that in last year's housing program there was $3m for cyclone restoration. Surely they don't expect us to continue to give the Housing

Commission additional funds for cyclone restoration after the job is completed. The final stage of that money - $100,000 - happens to be in this year's budget.

The member for MacDonnell said the housing situation in Alice Springs was critical. The public service housing program for Alice Springs has been allocated $994,000 for the completion of 75 houses and 23 flats. New work will start this year on an additional 50 houses bringing the total government accommodation to be completed in Alice Springs this year to 125 houses and 23 flats. This will cost $2,144,000. I object to basing building programs on population ratios. I do not believe we should be hanging up one sector of the Northern Territory and saying, "Look what this got compared to this other end of the Northern Territory". Surely a government should be looking at the communities' needs and meeting those needs and not comparing who got more last year. Alice Springs has about a third of Darwin's population and they are getting exactly one third of the cash expenditure for the completion of houses for the general public. It is interesting to note that the current waiting times for 2-bedroom flats is 6 months in Alice Springs and 9 months in Darwin. For 3-bedroom houses, it is 9 months in Alice Springs and 12 months in Darwin. I did not hear any Darwin members screaming that we had a housing crisis in Darwin at the present time.

The honourable member for Nightcliff certainly was not the performer this year that she was last year when I had to describe her as the opposition and the ALP as the alternative opposition rather than the alternative government. She was dull and unimaginative. I was surprised that she did not offer many words on the housing loans scheme because she normally is very concerned for those people - and rightly so - on low incomes. She should surely be aware of the opportunities that this scheme has now opened up. She chose not to give any credit for that scheme and I do not mind not getting credit for it but I did feel that she would be fairer.

She mentioned that there were decisions that the government has taken - not only financial ones - that will affect industry and mentioned the decision to phase out elevated houses. The part I took exception to was where she said: "At least the minister was persuaded to scale down the implementation". The original decision was to phase out calling contracts for elevated houses. The big bubble was that everyone thought that this phasing out was going to take place overnight. There was never any intention of that and the minister was not persuaded to phase them out at all. We discussed with the industry the relevant and least damaging phase-out proposal. We have not eliminated totally any prospect of the government building elevated houses. If any builder submits projects to build elevated houses thatare much cheaper than the current houses being constructed by the government, then of course we will look at them. They were not phased out completely; we were simply phasing out specifying the construction of elevated houses. Also involved in the government's decision to phase out elevated houses and to build houses on the ground like the traditional Housing Commission house and to phase out staff housing over a period of years is the fact that we are leaning more towards helping people build their own homes and not come to the government for accommodation.

By the loans scheme and by the release of more land on the private market, we hope that people on the Housing Commission list might choose to build their own houses. It is part of this government's philosophy that they should have that choice. We do not intend to massively boost government housing construction and limit people's choices to 2 or 3 designs on a take it or leave it basis. We would much rather people went to builders to look at their designs and prices before deciding on what type of place they wanted. They will get far more flexibility by doing it themselves than they ever will through a Housing Commission system.

The honourable member for Fannie Bay asked why the Housing Commission is not involved in the construction of houses at the Casuarina Hospital. That is simply an individual decision. Similar situations exist with rangers, houses that are work related and belong to the Parks and Wildlife Commission. The police force has houses of its own scattered in various places throughout the Northern Territory which are set aside from the normal settlements where we have government housing programs in operation. These houses are normally administered by the department concerned and serviced by the Department of Transport and Works. We do not see that at all as derogating from the role of the Housing Commission.

The Leader of the Opposition really took licence when he produced a number of figures in this House and quoted the original appropriations by this House at the beginning of last year without having any regard whatsoever to changes in items of funding that have been tabled in this House and to the supplementary appropriation bill that was put through this House. He took the original appropriation and the final expenditure and then said,"In the Department of Community Development, development expenditure on salaries is 2,026% over the appropriated figure". If that is not licence in the extreme, I do not know what is. I think the man should be ashamed of himself for saying those things in the House. I will illustrate how blatantly wrong it is. Of the 2 figures he compared in the Department of Community Development, one was of 2 staff members for 1978-79 in Aboriginal essential services with 73 staff in 1979-80 in community services. Those were the 2 figures compared and that is where the 2,000% increase came from. The very same figures were used in a range of other areas. In community services, he made the same mistake by stating that the administrative expenses were 6897% over the appropriation figure. What a load of nonsense!

Roads was one area where the ALP was going to save money. The Leader of the Opposition said that we are over-committed to roads for the next 2 years. He was not prepared to say which roads would be dropped from the alternative budget of the ALP. I am sure he would have been on very thin ice if he had because I heard 2 of his colleagues say "not in my electorate please". Territorians would not accept the view that the government could spend too much on roads. This vast territory has so much inaccessible land and needs roads desperately. Where is the bulk of the road funds being spent? Not in those awful centres like Darwin and Alice Springs; they are being spent principally in the Northern Territory outback. Those funds are being spent to open up country for the tourism, mining and the pastoral industries. The benefits of those new roads and the industries that they bring to isolated communities hardly needs any explaining in this House. The ALP says, "Cut back on roads. You are wasting money."

There was an interesting point on roads which I must raise. In his second-reading speech, the Leader of the Opposition said, "It is the nature of road construction that 12% of the costs are incurred in the first year, around 78% of costs are incurred in the second year and the balance in the third year". What a load of rubbish! If you put to contract a section of road which can be constructed in a year and you call tenders in March or April for a commencement at the beginning of July, clearly you will spend the whole of your funds for that particular 5 miles or 25 miles in a single year. The honourable member simply does not understand the re-vote system whatsoever.

I am sure honourable members would be interested to hear about the advance to the Treasurer. The opposition proposed to cut the advance to the Treasurer and pick up about $8.5m out of that for use in their $10m re-allocation. The

honourable member for Arnhem said it is probably to patch up holes in the budget. May I say to him that the aim is quite the reverse. It is to prevent holes in the budget.

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

Mr ROBERTSON: Mr Speaker, I move that the honourable member's time be extended to allow him to finish his speech.

Motion agreed to.

Mr PERRON: Mr Speaker, the money appropriated to Treasurer's advance is for both predicted and unforeseen contingencies and to be able to accommodate those without disruption to existing appropriations. The opposition has made great play that we should lay down a budget and stick to it no matter what. The "no matter what" is really the question. Unexpected and unpredictable items do arise which should be able to be accommodated without going back to those items you have appropriated and cutting them to pieces and putting holes in the budget. The ALP proposed to lay down a budget with an absolute minimum of Treasurer's advance, something like $3m maybe $4m, and go through the year without any changes to their budget. They want to show the people that they have stability in their budgeting system rather than our flexibility. By sticking to a budget with an absolute minimum of Treasurer's advance, a government would have to come unstuck. Any adviser worth his salt would have advised the opposition of that.

Let me ask how the alternative government would cover matters like higher than expected inflation rates where they have to prop up departmental appropriations because expenses are running higher or because of sudden oil price increases which sometimes occur in the space of a few weeks. A 20% or 30% hike in oil prices could cost the government hundreds of thousands and even millions of dollars just to maintain its programs. What about a shortfall in anticipated revenue? Every government's revenue estimates are exactly that - estimates. If there is a significant reduction in expected revenue, you must either chop an appropriation or you must have a fund from which you can take money so that you can stick to your original appropriation. That is what TA is all about. What if there was a bushfire or a flood,destroying a number of homes and the government felt it was appropriate for ex gratia payments of compensation to be made to each home owner. I am talking about a disaster that is not of such proportions that one could declare a state of emergency and claim federal assistance. States have to handle these unforeseen matters. Should we appropriate for them in the House? If we did appropriate for a flood, we might get a fire and the opposition would criticise us for making a change in an item. An expensive rescue operation can be totally unforeseen. There may be worthwhile projects that come to light during a year that a government may wish to adopt. To say that you must conceive of every good idea at the beginning of a financial year and absolutely refuse to have any funds whatsoever to implement anything else is simply crazy.

The opposition were going to save $10m overall; $8m was going to be on TA. This government has in TA approximately $5m to cover national wage increases yet to be granted and a further $3m to cover inflation factors that are expected to flow through the system and affect government programs. $8m in TA is being held in kitty because we do not know what the national wage increases will be and there is no point in handing it on to government departments until it occurs and we can do a calculation based on the number of staff they have at the particular time. There is a whole range of matters which affects government programs. The capital works program alone has an inflationary factor. If contract prices start coming in above estimates because fuel prices

are up or timber prices are up, rather than cut the program that has been laid down, you use the TA reserve to top up the departmental appropriations so you can stick to your original bid. They have not got $8m; the most they might have is $4m. That $4m is set aside in our situation for the unforeseen items. One unforeseen circumstance would be a major breakdown in the water supply in some Northern Territory community. Some honourable members may be aware of a bore collapse at Ayers Rock a couple of years ago. It did not matter what problems you had with money; another bore had to be sunk quickly in order to alleviate a serious situation. In such circumstances, TA is availalbe. Increased activity for something like the Bush Fire Council. If the Bush Fire Council has a particularly serious season - and I cannot see many governments predicting these - that extends the activities of the council into more aircraft charters and more grader hire, funds have to be found. You can only do this by going back to your original appropriations and chopping them to pieces if you do not have a reserve.

Unlike the states, the Northern Territory is very heavily dependent upon the Commonwealth for the majority of its funding. It does not have the flexibility that states like New South Wales might have where, if times get really tough, they can scrape the bottom of the barrel by running around to all their statutory authorities and start digging into the reserves that these have been socking away for quite a while. We do not have such openings. In dire circumstances, we could appeal to the Commonwealth. However, we would not go to the Commonwealth with items of $200,000 or even $0.5m and plead poor when they have just given us an appropriation of hundreds of millions of dollars. We have to be careful in our budgeting for the Northern Territory. I will repeat for the honourable member for Arnhem's benefit that the TA is there to prevent holes in the budget not to patch them up.

In conclusion, I restate that the Northern Territory is in a position of active growth and excellent business activity. Almost every week we see announced, either by the government or by the private sector, some major new initiative or building project. We face an exciting year. This budget sets out the government's priorities to improve services and facilities to the private sector to try to enhance that development. Our major new initiatives of the payroll tax concessions and an innovative home loans scheme have been enthusiastically accepted by the public even though there are some reservations by the member for Sanderson which I almost overlooked. Since I have an extension of time, I will touch on them.

The member for Sanderson spoke at some length about how we would cut capital funds for the Housing Commission, but again did not consider that the $10m loan funds for various loans would be of any help at all. She also did not really acknowledge the existence of a large commitment last year to cyclone funds. There is money available for the new loans scheme. The money in the various loans schemes is flexible. The money set aside for the 6% home loan scheme simply has not been used up at anywhere near the expected rate. There are still many people eligible for that 6% home loan but the Housing Commission believes that many of them will never take up the option. Thus, we must bear in mind that there are probably considerable additional funds available to us there.

The system under the Commonwealth Northern Territory housing agreement is a revolving fund which revolves through 2 accounts: a home builders account and a home loans account. When houses are sold by the Housing Commission to its tenants, the purchaser has to pay cash which he borrows through the Housing Commission loan fund or, in some cases, some from the private sector. That

money immediately goes into the Housing Commission coffers to build another house for another tenant who may eventually purchase it. For every 100 houses you have sold, you have 100 houses programmed to be built. It is a very good scheme. All the time, you are picking up amounts of private sector money.

The most amazing point in the member for Sanderson's criticism of the scheme was that it introduced a minimum $1,000 deposit. She felt that this is a significant increase on the old system which exists at present whereby you can buy a Housing Commission house with a $500 deposit. That is true but there is a catch to that $500 deposit. I am sure she knows about it but she did not want to admit it. Despite the fact that you can legally buy a Housing Commission house with $500 deposit, your repayments must not exceed 25% of salary. People on low-incomes have gone to the commission with their $500 deposit. The commission has replied that to get the repayments down to 25% of salary, which is nationally accepted as a figure that most people can afford, they would have to pay a deposit of something like $8,000 so that the amount borrowed is reduced enough for the repayments to be less than 25% of salary. That makes a farce of the scheme that exists at present. It has stopped hundreds of people from ever having any chance whatsoever of buying their homes. In this scheme, we ask that they raise $1,000, which is not an enormous amount of money for someone who has employment. Certainly, they must have permanent employment in order to buy a house. They will be able to buy a house on repayments they can afford structured to be not more than 25% of their salary on $1,000 deposit. That has never been offered in the Territory before and any person who says that the scheme is not more beneficial than the one that operates at present simply has not examined them. If she does believe that the scheme that we are introducing is full of holes, she is the only person that I can find who believes that.

The Northern Territory government has demonstrated for a second year now that the Territory can manage its own affairs. We are concerned unequivocally that self-government has been all that the Country Liberal Party has ever described it would be despite the scare-mongering perpetrated by the opposition in their anti-self-government program 2 years ago and ever since from time to time when we hear this nonsense about imminent, huge taxation increases and double taxation. We heard them only a few months ago by ALP spokesmen. It is all a load of hogwash that I presume we will have to put up with as long as we have an opposition that has no credibility. I commend the bill.

Mr SPEAKER: Honourable members, this bill is subject to Standing Order 152 which prevents its being read a second time until 20 September 1979. The bill will remain on the notice paper until that day when it will be in order to put the question for the second reading.

ADJOURNMENT

Mr DOOLAN (Victoria River): Mr Speaker, I was delighted to hear the Chief Minister speak at length during his budget speech on the subject of mining exploration being a desirable thing at almost any cost. The Chief Minister also mentioned the reluctance of Aboriginal people to allow mining exploration to proceed. In case the honourable gentleman might have any lingering doubts that Aborigines are totally opposed to mining on their traditional land, I would like to read a letter in which he himself rates several mentions. The letter comes from Nardirri via Port Keats and is addressed to me. It says:

Dear Jack,

We write to you to express our concern about the issue of mining on traditional Murinjabin lands and to enlist your support. Our concern stems from a newspaper article in the Northern Territory News dated on or

about 11 July 1979. In that article discussing the Territory's energy requirements, a government officer was quoted as saying that negotiations regarding mining in the Port Keats region needed speeding up. As far as our own tribe is concerned, we do not understand how the government can hold out that negotiations are continuing.

As you are aware, the Northern Territory government has been very keen to investigate and exploit the mining potential of Aboriginal lands in the Port Keats area in general and in our tribal lands in particular. Paul Everingham and members of the government departments have already come to Port Keats to talk about mining with the people with a view to encouraging them to cooperate with possible mining on their lands. Soon after the arrival of the government men, our tribe made its view clear to Paul Everingham personally. Terrence Dumoo approached Mr Everingham and indicated to him that he wanted to talk to him privately. Then, to Paul Everingham's face, Terrence told him that our tribe had already done a lot of thinking about mining and that our tribe was opposed to mining on our tribal lands. We knew it was a serious business so that is why Terrence spoke to Paul Everingham personally. We thought the matter rested there.

With this newspaper article's information, we are worried that the government has not understood our point of view. Jack, we want you to know that we do not want mining on our country and we have told the government this. We have thought about mining for a long time now and after thinking about it have decided that it is not a good thing for our people. If the mining company comes to our country and digs up the ground, it will damage our country leaving big holes. Even if the company fills in the holes and puts those trees in the ground (like we were told in the film Paul Everingham's men showed us) who is going to bring the birds back? Nobody. Who is going to bring the wallabies back? Nobody. Who is going to bring our totem, the red kangaroo, back? Nobody. Our people need their bush tucker more than other people do. We want our countrykept the way it is so that the bush tucker is there for us and our children to eat. We want our country kept as it is now so that we can live in peace. Our spirit people do not want our land disturbed and that is important to we elders. Who is going to tell them that we looked after the country properly when we allow mining? As our member of parliament, we want you to know that we are firm on this point - we do not want any kind of mining by any group on our lands whatsoever.

This issue is very important to our people, Jack. What is at stake for our tribe is our whole future. We cannot get up and change our living patterns. We are part of our land, our land is our mother. If mining comes, we are worried that our people may be destroyed and degraded. To our knowledge mining operations have not contributed to the cohesion and integrity of any tribe of Aborigines in Australia. We understand the material benefits that may flow our way after mining comes but we are happy now even though we are poor in the white men's eyes. Our outstation is getting along quite well; we are a unified group with a prospect of a unified future in our own country. We are very afraid that mining and all that it brings will wreck our prospects of a happy future.

We are determined to make our view known and have in mind calling a meeting of all the tribes in Port Keats, Daly River, Peppimenarti region to discuss the mining issue. You will be notified of this meeting in due course. In the meantime, we would like you to express our deepest concern and opposition in the parliament, to obtain the support of your party for our cause. We want to let the people concerned with mining know that we do not

want mining. Could you please keep us informed of all developments on this issue which affect our land?

Jack, we do need you to help us as much of what is going on we do not understand. We would appreciate it if you would come to Nardirri with Fr Dodson as soon as you are able and discuss with us what is happening and what we can do to stop the mining.

Our general legal position has been explained to us so our request is not made from ignorance. We understand that we have the right to say no to mining but mining may nevertheless proceed if it is considered to be "in the national interest" (whatever that means). Mindful of this, we are immediately proceeding to have all our sacred sites protected under the sacred sites legislation. We make these comments lest you think we are completely unaware of some of the tactics involved in the possible forthcoming fight.

We have discussed this letter with Colin MacDonald our legal adviser and understand its contents. The draft of this letter was prepared by Colin under our instructions. It has been re-read to us in our own language and bears the amendments we wished to make.

We look forward to seeing you at your earliest convenience.

It is signed by a marksman, Roy Mullumbak, another marksman, Charlie Brinkin, another marksman Johnny Dumoo and in longhand by Terrence Dumoo.

This particular group of Murinjabin people are living in a most primitive community at the mouth of the Moyle River. They have shifted back to their own traditional tribal lands of their own volition because they have found the pressures of living in a large community at Port Keats intolerable. Their concern that mining will upset the ecology and drive away native animals which provide most of their food is very real and very genuine. Since the community was first established there 2 years ago or less, they have been extremely concerned by unscrupulous professional fishermen who have virtually raped the Moyle by closing off the mouth of the river with nets and throwing away dead fish and sharks to litter the area and rot on the beaches in front of these people's homes. The Murinjabin people have gone back to their homelands to get away from intolerable pressures and now they find themselves once again under pressure as they have said in a most clear and forthright manner because of their fear of mining taking place on their land and quite obviously through the stress, even though it might possibly be inadvertently applied, of visits by the Chief Minister and government officers trying to convince them that mining would be good for them. The films showing the good mining companies replanting trees and grass impressed them not one iota. The countryside around Nardarri is not particularly pleasing to the eye of most people but the Murinjabin love it as it is and have no desire to see it neatly landscaped. They own this land and the land owns them.

I think it appropriate to mention here the now famous and certainly very perceptive remarks made by Mr Justice Blackburn during the hearing of the Yirrkala people's objections to Nabalco's mining of bauxite on the Gove peninsula. Blackburn felt it was a matter not so much that the land belongs to the people but rather that the people belong to the land. To quote just a short extract from the letter that I read out: "We want our country kept the way it is so that the bush tucker is there for us and our children to eat. We want our country kept as it is now so that we can live in peace. Our spirit people do not want our land disturbed and that is important to we elders. Who

is going to tell them that we looked after the country properly when we allow mining?"

Those words came straight from the hearts of a people utterly sick and tired of pressures being applied on them by Europeans trying to change their lifestyle and to convert them and to convince them that our way is the best way of life. The honourable member for Arnhem said in an adjournment debate during the last sittings that Aborigines were sick and tired of being pressured by politicians and public servants and wanted time to think out their future. I endorse those remarks without any reservations.

I believe that it is time to think less about fossil fuels and look towards harnessing nature for energy. I think we should be trying to harness the winds, the tides and solar energy which are unlimited and infinite rather than cause the destruction of an Aboriginal race on their own land through our constant search for fossil fuels. They do not see land as we see it. If we deprive them of their traditional tribal lands, we take away their cultural life and persons without culture are persons without dignity, and that is their greatest loss. I am aware that the Minister for Mines and Energy has tabled an energy statement which says that coal deposits in the Port Keats area and the Gove area are not viable. I think that this letter does show very clearly that Aboriginals in this and other areas are deeply concerned at anything which even suggests that the face of the land might change and, in addition, they are heartily sick of the pressure that is being exerted on them from many quarters.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, it seems to be the day for reading letters into Hansard. I have received a letter from an elector in the constituency of Port Darwin. It is a story well known to the honourable Minister for Lands and Housing and what a pity he is not here to hear it. I have since been asked by the correspondent to please read the letter into Hansard and I do so without comment.

Dear Ms D'Rozario,

As opposition member for lands and housing, I wish to bring to your attention a most unsatisfactory situation existing concerning the B5 zoning in Darwin. This is classified as a tourist business zone which the Minister states involves the objective of promoting tourist related activities in this prime area of Darwin. Since the time the objective was first introduced by the Darwin Reconstruction Commission following the cyclone, there have been no further tourist related developments in this zone. The result is that a number of land owners already have had their property tied up for nearly 5 years with little prospect of ever utilising the land for such purposes.

Despite the fact that there were 4 acres of land available in this special business zone at the time the casino licence was being considered, the minister stated the area could not be considered as it was too small for what was needed and too much acquisition was involved. Both these statements are completely groundless and, in view of the manner in which the Mindil Beach site was granted, the public was prevented from lodging objections in this regard. In the May sittings of the Assembly, the minister stated he had received a great deal of criticism concerning zoning and that it was proposed his department undertake a review of the zoning with a view to perhaps coming up with interim use to which land in the area may be put so that severe economic loss to certain land owners in the area will not continue. I would like to emphasise the words "certain land owners" because, when the review was made, it was to the advantage of certain land owners only and amongst those land owners are

2 who have already legally established offices in the area and have had no action taken against them and the Chief Minister's company, P.A.E. Nominees Pty Ltd, which has a suitable building immediately available for office use. The draft planning instrument provides for an interim office use of 3 years and, as I have evidence of no follow-up system in the Department of Lands and Housing already, it is quite obvious that these land owners would finish up with permanent office use on their properties which has been denied to other land owners.

As far as I am aware this draft planning instrument is still under consideration by the department although it has not yet been formally exhibited.

This is not the first action taken by the government, which would assist P.A.E. Nominees Pty Ltd to utilise their property for office purposes, which is not a permitted use and not a tourist related activity. In December 1977, when the Chief Minister's company had already illegally established an office and no action was taken against them, his party introduced legislation which would have enabled him to legalise the illegal action. I refer to section 51 of the Town Planning Act (1974-78).

A further illegal office was established only in July this year and, although I lodged a formal complaint on 11 July 1979, no action has been taken against the owners. In fact, the draft planning instrument, personally circulated by the minister himself, assists those owners to legalise the action. Therefore, it would appear that this office was established with the full knowledge and consent of the government. Any other citizen taking the same action would be liable to a penalty of $5,000 and, in addition, $100 for each day during which the person continued to contravene or failed to comply with the legislation.

You are aware of the manner in which our application for change of zoning to enable office use on our property was handled and that it took 13 months to reach a final decision. It involved unnecessary delays, an erroneous legal opinion by the Crown Law Office, an attempt to prevent our natural justice in having our appeal heard and general maladministration on the part of the town planning authorities and yet every assistance is being given to those people who have already established illegal offices in the area.

Within a matter of months of our application being refused, the Chief Minister's company published a notice in the paper stating that they were making the same application as ours as it was intended to use their property for office purposes. I lodged very strong objections in this regard and have since been officially informed by the department that the application has now been withdrawn and the owners have requested the authority to prepare and exhibit a draft planning instrument in relation to their land. Subsequent to the application being made by the Chief Minister's company, the Planning Act (1979) came into force and it is therefore very confusing to see the solicitors acting on behalf of P.A.E. Nominees Pty Ltd again advertising an application for a change of purpose under a section which has been repealed by the 1979 act. If legal representatives are unable to follow the legislation, how can citizens generally be expected to do so?

I hold the Northern Territory Government entirely responsible for the fact that this area has not already been developed for tourist-related activities, with very little likelihood of it ever being used for such purposes, for the following reasons.

1. *The decision not to utilise the area for the casino complex when there was more than sufficient land available, no acquisition would have been involved and the Esplanade site would have been far superior to the Mindil Beach site.*

2. *The 2 actions on the part of the government in attempting to legalise the zoning of illegal offices in the area.*

3. *The approval of a home-unit complex which contravenes a number of provisions in the legislation which was grounds for refusing the application and so retain the objective of tourist-related activities. My objections in this connection were overruled.*

4. *When the tourist information centre is established, I understand it will not be in the special tourist business zone but in the shopping mall.*

5. *If the government had not permitted illegal uses in the area, there would have been 3 acres available for the museum and art gallery complex, thus complying with the objective of tourist-related activities and providing easier access to these facilities for the general public.*

It is now quite obvious from the actions of the government that I am not to be forgiven for lodging a complaint with the Commonwealth Ombudsman concerning Mr Everingham's company establishing an illegal office and then his government passing legislation which could have enabled him to validate that action. The Commonwealth Ombudsman advised me that, in view of the serious nature of the charges I made, he was undertaking a formal investigation but the only evidence I have of any result of this investigation is that P.A.E. Nominees Pty Ltd did not avail themselves of section 51, they did not proceed with the proposed sale and the premises were vacated.

I consider that an investigation into the full details of the written evidence I have available in connection with the B5 zoning since this government came into power would reveal immoral and corruptible actions as every attempt is being made to assist certain owners of land only and amongst those certain land owners is the Chief Minister's company and those who have broken the law and had no action taken against them, while other owners of land in the zone have had their land tied up for a number of years with little prospect, if any, of being able to develop it for tourist-related activities.

This letter is forwarded to you for whatever action you may consider necessary in the circumstances.

Yours faithfully,
(Mrs) M.R. Pott

Mr VALE (Stuart): Mr Speaker, this afternoon I would like to pay tribute to the late Dr John Hawkins whose tragic and untimely death occurred this week in the Northern Territory. He was a pioneer of surgery in Central Australia. Before he came to Alice Springs in 1961, there was no trained or experienced surgeon nearer than Darwin. Particularly, in the early years, he coped single-handed with a whole range of emergency and elective surgery with a breadth of competence rarely seen nowadays. In spite of his tremendous workload, on call 24 hours a day and 7 days a week, he still found time to play a major part in the life of the community. As a photographer of professional standard, he was

a driving force in the film society and, I believe, he was one of the founding members of that society. As a Rotarian, he did more than his fair share of community service. He was a member of the Medical Board of the Northern Territory and his common sense and wisdom will be sorely missed by that board.

Dr John Hawkins was honoured by Her Majesty the Queen by the award of the MBE in 1973 and elected to the fellowship of the Royal Australasian College of Surgeons in that same year. Of all the members in this House, with the possible exception of the Chief Minister and the member for Gillen, I knew Dr John Hawkins probably longer than most, nearly 15 years, and I was a member of the same Rotary Club as John Hawkins for quite a number of years. In addition to those points that I have mentioned, I believe Dr Hawkins assisted the ABC with the filming of various current event and news items over the years in the centre.

John Hawkins was a man of great gentleness and kindness with a lively sense of humour. He was a surgeon of rare quality and conscientiousness. In a very real sense, he is irreplaceable. My deepest sympathy goes to his widow, Kay, and to his family.

Mr TUXWORTH (Barkly): I too would like to join in the tribute this afternoon that the honourable member for Stuart has paid to Dr Hawkins. My first meeting with Dr Hawkins was in 1969 when there was cause for him to apply his surgeon's knife to a member of my family. From that time on, I developed a very great respect for the man as a professional and as a very kind, gentle and community-minded man. I believe that the Northern Territory, not just Alice Springs and Tennant Creek, has suffered a great loss. The honourable member for Stuart is quite right; we will never have another replacement that will measure up to John Hawkins. He was something special and I too offer my sympathy to his family.

I would like to touch on a few points that were raised this evening by the honourable member for Victoria River in relation to mining on Aboriginal land. It is a topic that is dear to my heart because I seem to work with it just about every day. I would like to say that I am not unsympathetic towards the problems and the feelings that Aboriginals have about mining on their land. I understand what they feel and why they feel it.

The point I would like to touch on this afternoon is the difference between mining on Aboriginal land and research and exploration on Aboriginal land. I believe they are 2 vastly different things. Often the word "mining" is used in the sense of exploration. I think it is an unfair application of the word to that particular expertise. I have said many times in this House that one of the important things we have to do as the Northern Territory government and as a community is to establish an inventory of our underground resources. This is never easy in any country throughout the world and geologists and geophysicists have spent lifetimes in just about every country in the world and they would not have scratched the surface yet on establishing the resource complement that each country has. In the Northern Territory, we would be further behind than many of the third-world countries.

The important thing is that we continue our research and exploration and gather as much information as we can about the Northern Territory so that an inventory of our underground resources can be compiled. This research and development has to take place over the whole of the Northern Territory and across our borders because the geology of the Northern Territory does not stop at the borders and it does not stop at the edge of Aboriginal land or on a pastoral lease or in a national park. The geology of the area runs from

one end of this nation to the other. Already, companies are now taking up off-shore oil search permits and are applying for adjacent areas of land to their permits so that they can do some basic geophysical, geological and geochemical exploration on that area to try and get some idea of the geology that they might be dealing with under the floor of the sea.

I would like to reject any assertion that has been made that I have been pressurising the people of Port Keats. I have spoken to the Port Keats people and I asked them whether they would agree to our carrying out basic geological and geophysical exploration. It does not involve disturbing or digging the land. In some cases, it involves flying an aeroplane over it; it involves photography, geophysics and geoghemistry which is done on the ground but there is no ground disturbance of significance at all. It may eventuate that there is absolutely nothing at Port Keats and that the people have absolutely nothing to fear because there is nothing to mine. The information collected from this research may help geologists and scientists to develop ore bodies in other places where they find similar rock formations.

We have heard often in this House reference to Roxby Downs in South Australia which is currently being held in a state of protracted animation because the government of the day does not want to move on it, which is fine. Within the Northern Territory boundaries, Roxby Downs geological formations have a very great significance because we have similar rock types in part of the Northern Territory that could have a similar ore body to the one at Roxby Downs. It may well be that there are no Northern Territory rock formations along the lines of Roxby Downs but the compilation and comparison of information will enable us to find out. So far as the department is concerned, we do not intend to force mining down people's throats but we are very keen to establish exactly what we have in the Northern Territory. To do that, we have to be able to go everywhere in the Northern Territory to collect our information because, as I said earlier, the geology of the Territory does not stop at one place or another but runs right through the whole of the Territory.

The Northern Territory probably has the greatest mineral potential in the Commonwealth. One of the factors that is most important in realising the wealth of this place concerns the cooperation of all the people that live in it to develop that wealth. If the people in any particular area, whether they are pastoralists, private land owners, Aborignals and people who operate national parks, have an objection to mining, that is fine. I think its absolutely tragic for the Northern Territory that any group can sit back and say: "Well, up anyone for the rent; we don't want anyone on our land at any expense because we don't want mining". It is quite a practical proposition for any of these groups to say: "We don't mind you looking but let's have a clear understanding from the outset that there will be no mining". That is a reasonable proposition on which any organisation, particularly a government geological bureau, could enter an area. I do emphasise that it is an absolute necessity for us, as a total Territory in a total community, to cooperate in the establishment of exactly what our underground resources are.

Mr OLIVER (alice Springs): I too would like to join the honourable member for Stuart and the honourable Minister for Mines and Energy in expressing a tribute to the late Dr John Hawkins. I knew him since December 1962 when he exercised his skill with the scalpel on me and I have had the greatest faith in him ever since, as has everybody else in Alice Springs, as a very good surgeon. He was indeed a kind and gentle man. He was a man of very great compassion and had a very great love for Alice Springs and its people. He devoted much of his time to Rotary and other organisations. The town will miss him both as a man and as a doctor. Already, there is that feeling of a slight loss of security that John Hawkins gave to the town. I would like to

express the sympathy of the Alice Springs people to his wife.

Mr EVERINGHAM: I would like to make some comment on the remarks in the letter read by the honourable member for Victoria River. That letter, which obviously was not prepared by a simple Aboriginal person as the honourable member for Victoria River suggested, seemed to me to rather stretch the bounds of truth. The simple fact of the matter is that, on one of my visits to Port Keats or Waderr, as it is known - I have been there 3 times - I met with the council and I suggested to them them the government was interested in exploring on some of their land to ascertain the extent of coal deposits. I offered to send people down to talk to them about it, to show them films and, if need be, take them to other parts of Australia where coal has been mined. At no time did any person approach me and tell me that he or she did not want mining to take place upon their land.

Far from pressuring the people, the offer I made was simply that people would come and talk to them about it and show them films and endeavour to explain what was required and what the effects of mining - if it ever took place - would be. As the honourable Minister for Mines and Energy said when the budget was introduced, the prospect of actually discovering viable coal deposits is rather unlikely. Nevertheless, in view of the Northern Territory situation, I believe these chances must be explored. However, there has never been any pressure exerted on these people and, quite frankly, I believe that the letter read out by the honourable member was politically motivated and I reject its contents in so far as it relates to a supposed record of any discussions with me. In the legal profession, such a letter would be called an "evidence-making letter" which usually retails facts. This one retails quite a bit of fiction in an effort to build up a case against the government of putting pressure on this group for mining. That is just not the case.

The requirements of the Northern Territory for energy, whatever the honourable member for Victoria River says about wind power and solar power which may be potentially good in the long term but are pretty severe in the short term, are such that, if coal can be located and exploited in the Territory, then the government has a duty to all the people in the Northern Territory to take reasonable steps to see that such exploration and, if necessary, exploitation is carried out.

We then heard the letter from Mrs Pott read out by the honourable member for Sanderson. Quite frankly, I sympathise with Mrs Pott because she and I are in exactly the same position. We both have blocks of land: in my case in Mitchell Street and in her case on the Esplanade. When the new Darwin town plan was adopted by the Executive Council, I was careful to absent myself because I had a vested interest through owning this block of land although I suppose everyone who owns a house has a vested interest in town planning. I certainly absented myself from the making of the Darwin town plan because I would have certainly liked to have seen the zoning other than what it is. I have not discussed this matter with my colleague, the Minister for Lands and Housing, on any occasion. I have always dealt through my former partner in Alice Springs, Peter Howard, with the town planning people or the Department of Lands and Housing in relation to rezoning.

I find it extraordinary that Mrs Pott can complain that I am taking steps that she has taken. Unfortunately, she has failed, and I suppose that, if she has failed, it is likely that I will fail. I certainly will not give up without trying because I agree 100% with her that the best economic use of that land is certainly not necessarily for tourist purposes. I sympathise thoroughly with her in her plight. She has her block of land on the Esplanade at some price in the order of $150,000 and nobody is interested in buying it at that price because they can only use it to put up a motel.

I was very surprised that the point was brought out about the home units because I believe that one of the purposes for which that zoning may be used is that of high-density housing. In fact, I was told that I could erect 38 home units on my block in Mitchell Street if I had the money. Unfortunately, I do not have the money to build the home units but I think it might be useful to give the history of the purchase of my block since the honourable member for Sanderson has chosen to read this letter into Hansard.

I purchased it after auction not too long after the cyclone. The auction was conducted by T.C. Waters Pepper and Co and there was a sign on it that it was suitable for commercial use. I purchased it on the clear understanding that it was zoned for and could be used as a legal office. I obtained permission for the plans and the building was renovated and set up as a legal office. I used it as a legal office for some time until I became Majority Leader in the Legislative Assembly. I severed the ties with the legal firm within some months and the firm ceased to occupy the building. At that time, the honourable member for Sanderson was a member of the planning staff of the former Lands Branch of the Departmeqt of Northern Territory but I do not recall receiving any letter telling me that I was using the building illegally nor have I ever received any inquiry from the Commonwealth Ombudsman on the matter. The Commonwealth and Northern Territory Ombudsmen are both welcome to investigate the matter as far as I am concerned.

I do not feel at all ashamed that I am exercising my legal rights in making an application under the Planning Act. Mrs Pott apparently seems to think that legislation was passed in 1977 or 1978 which would enable me to legalise the situation there. It is surprising that, if that legislation was available, she did not avail herself of it. Certainly, I am not aware that there was ever any such legislation available and I have not availed myself of it. I do sympathise with Mrs Pott and I would very much like to join with her in representations to the appropriate authorities that zoning be changed. She is rather desperate or frustrated because she seems to have exhausted all avenues and remedies available to her. Where people's vested interests are concerned, they do certainly have a great sense of frustration if they cannot change the purpose of land to the sort of use that they would require. I have an application through my solicitors for a change of zoning and I certainly propose to pursue that. If it is unsuccessful, like Mrs Pott, I too will appeal to the Town Planning Appeals Tribunal and will probably get as far with the Town Planning Appeals Tribunal as she did. I rather regret that, since Mrs Pott has reached the end of her tether, she seems to be swinging out at other people who are in exactly the same position as herself.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, I would like to speak on a subject this afternoon which is deadly serious out our way. If something is not done about it very shortly, some of us might even be "deader" than we are already. I refer to a reply given to me this morning by the Chief Minister. This is also connected with several incidents which have been related to me. I think the honourable member for Victoria River also expressed some concern although in a slightly different way. I refer to the subject of shooting in the rural area. I am concerned with indiscriminate shooting. The complaints which have been registered with me have not resulted from the actions of the people who live in the area but people who come into the area.

I have already written to the Chief Minister citing incidents that occurred on the Gunn Point Road at portions 1409 and 1507 section 411 next to the Howard Springs Reserve. These events took place some time ago. They concern shooting on this land where children ride their horses and engage in similar recreational exercises with dogs. The parents were very concerned about indiscriminate shooting which occurred during the goose shooting season some time ago now. It was quite legal to shoot the geese at the time but the people

who lived on Gunn Point Road were rather concerned because none of the locals were indulging in this shooting. The shooters were all strangers to the area and, because they were strangers to the area, they did not know it was the practice of the children to exercise their horses and dogs in that area.

Another incident concerned shooting on section 279 in the Howard Springs area. I have written again about this. This was only brought to my attention recently. It concerned the people who live at the end of Langton Road, one of whom is very well known to the member of Sanderson. This gentleman owns a property of 20 acres and, on this particular occasion, strangers appeared on his property with firearms and ammunition and they were loading prior to shooting. When this property owner remonstrated with them, he was told, in no uncertain way, what he could do with his remarks. I do not know what he did to the shooters but I know damn well what I would have done. Section 279 is Forestry land. One weekend, 303s were discharged on this land and the mother of a family that lives there was very concerned about the safety of her children. She recognises the firearms as 303s from their sound. She knew roughly the range of a 303 and she kept the children indoors all the time.

I assume the first incident at Gunn Point Road related to the shooting of geese. I don't know what the shooting on section 279 related to or what they were shooting at; it certainly wasn't the goose shooting season. I can only assume that they were shooting at marsupials there. This brings me to the answer that was given to me this morning by the Chief Minister. I am very concerned with the indiscriminate shooting of marsupials in the rural area. In most of the cases that have been brought to my attention, it is not being done by people who live in the area.

Of the 3 main marsupials in the area, 2 are fully protected. The one that I inquired about this morning was macropus antilopinus which is a wallaroo. There is also macropus rufa or megaleia rufa, the red kangaroo. Those 2 are both fully protected. Then we come to the agile wallaby which is macropus agilis agilis. This was classed as vermin up until the new ordinance in 1976. From 1976, it became an unprotected animal which meant that, in certain situations, it could be disposed of such as on pastoral properties where they had reached pest proportions. All vertebrates are protected in the Northern Territory with the exception of agile wallabies and certain game birds: the game birds at certain times of the year and the adult wallaby in certain situations.

I bet that the people who come out to shoot in the rural area would not know a red kangaroo from an agile wallaby. They think that they are all agile wallabies and they can shoot them. I have seen the young animals that have been brought in to Yarrawonga Zoo. I have also seen animals brought in to a friend of mine who lives in Nightcliff and who is one of the greatest authorities on the rearing of juvenile wallabies in the Northern Territory. These people come out shooting in the rural area and they blast away at anything.

I would like to cite an incident at Bees Creek that was told to me by a friend last night. The people in those areas know roughly the haunts and the paths of these animals, and what time they come around. If there are only a few, they do very little damage to pastures and the people leave them be. It is very nice to appreciate the bush animals. It is very nice for children to recognise them and learn something about their habits. A man who lives at Bees Creek saw a vehicle pull up. The chap pulled up and blasted away at a kangaroo. He jumped out, slit its throat, threw the tailboard down, put it in the ute and drove off. The man took down the vehicle number and notified the police but they were unable to catch him. Perhaps the chap did not go back into Darwin; he might have gone somewhere else.

I have also been told recently about somebody who went shooting a kangaroo down the Daly for cats' meat. I would say that the kangaroo that was shot at Bees Creek and the one shot at the Daly were both shot for pet meat. I greatly deprecate the fact that these beautiful marsupials are being shot to feed cats.

We have not had any instances of shooting around our own way recently. We ourselves do not shoot and, at some financial inconvenience, we have allowed these kangaroos and wallabies to eat our pastures because we like seeing them around. There are 2 local people who do shoot down at Bees Creek. These people are competent shooters; they shoot because they are interested in firearms. These people did not do damage to the marsupials. It only seems to be the people who blow in, blast off and blow out again.

I would like to cite another instance that happened down at Berry Springs Road. This was told to me by somebody who has a shop in Darwin. This shooter came down in a Holden which had a roofrack. The driver stopped the car and climbed onto this roof rack. He did not shoot marsupials; he shot some Shetlands in a nearby paddock. These Shetlands were just shot and left. It was probably good sport for him; the Shetlands did not shoot back.

In conclusion, as well as the 2 species of macropus that are protected, I would like to see the inclusion of the agile wallaby. I have made inquiries of officers in the Wildlife Division about this because this is our Australian heritage. If these animals are allowed to be indiscriminately slaughtered by people just for amusement or to feed their cats, it is going to be too late too soon. We have seen the lowering of numbers in our area in the years we have been there. I would hate it if the children of the future who live in the rural area could not find out something firsthand about these beautiful animals.

Mr COLLINS (Arnhem): Mr Deputy Speaker, having established my credibility beyond any doubt with the honourable Minister for Education, I will now proceed to destroy it once again with the honourable Chief Minister and the honourable Minister for Mines and Energy.

In order for Aboriginal people to have the slightest chance of retaining any shred of their identity, it will require such a radical change of philosophy and attitude on the part of politicians in the Northern Territory and in other places of Australia that I doubt really whether they have much chance of success at all.

One of the most dangerous philosophies and one of the most dangerous catchcries of the current government in the Northern Territory is that we are all the same. I have heard it so many times: we are all Territorians and we are all the same. To any person who has had any understanding of Aboriginal culture and lifestyle, that statement is patently untrue. Aboriginal people are so radically different from us that it cannot possibly be said that they are the same. It is not a physical dissimilarity that I am talking about; it is a very deep-seated mental dissimilarity. They think differently from us; they have different philosophies on life. Over the last 2 years, I have listened with great frustration and resignation to statements that have been made by many members on the opposite side of the House that show a total lack of understanding. They do not even attempt to look at things from an Aboriginal point of view, which I suppose is a perfectly understandable thing. I remember an extraordinary statement that was made by the honourable member for Tiwi who has a 50% Aboriginal constituency. She spoke about the poor Aboriginals who have led such a purposeless life until the advent of uranium mining and said that uranium mining was going to give the Aboriginal people for

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the first time a purpose in life. That shows a total lack of appreciation of an Aboriginal point of view.

We heard, once again, the tired old denigration of an Aboriginal point of view by the honourable the Chief Minister. Again, because Aboriginal people had the hide to employ a person to put a plea into a form of writing that would be acceptable to this Assembly and because it was read in formal, recognisable English instead of pidgin English or an English that the Chief Minister would obviously identify as being suitable to Aboriginal people, he completely disregarded and ignored it and, in fact, said as much. Because Aboriginal people had the hide to avail themselves of the things that the white citizens of this country do every day of their lives - I freely admit that an accountant does my income tax returns; I employ a solicitor for legal advice and when I want political help I go to a politician - it is decried immediately by members of the Country Liberal Party government. It was done again in this House this afternoon. I would have thought that we would have stopped hearing things like that from the honourable Chief Minister because he has been travelling extensively through Aboriginal communities over the last 2 years. That was obviously, as far as the Aboriginal people are concerned, a waste of taxpayers' money because everything they have said to that gentleman has obviously fallen on deaf ears.

I remember at Galiwinku that the president of the council said directly to the Chief Minister - he certainly cannot deny it because I was there - "do not go away from this meeting yet again and write off everything that we've said to you and say that because we happen to be saying something you might not agree with that it has been put in our heads by stirrers and by Europeans". And yet we had it again from the Chief Minister this afternoon: "Obviously the Aboriginals did not write that letter, so I just discount it completely". That does not auger very well for the political aspirations of the thousands of tribal Aboriginal people who can barely speak English, let alone read it or write it. So far as the Chief Minister is concerned, anything they might have to say and which they go to the trouble and expense to have put in language that this Assembly can understand - that letter would have sounded pretty stupid to us in the language from Port Keats - they are going to be totally ignored.

The Minister for Mines and Energy adopted the same attitude. He made another extraordinary press release when he talked about the opposition that the people of Oenpelli are giving to the Nabarlek people at the moment. He said that the people of Oenpelli were being openly supported by the member for Arnhem. "Racism" is not a word that I have used very many times in this House and I think the record will show that. I am disturbed by the inherent racism in statements like that because they are racist statements. What the honourable Chief Minister and the Minister for Mines and Energy are saying is that, when Aboriginal people adopt an attitude that is contrary to that adopted by the government, they do not deserve either legal or political representation - the kind of representation that white Australians avail themselves of as a matter of course every day of the week. If, for example, a protest group against the Fannie Bay Road availed themselves of the offices of their member, that would go without comment. The member for Fannie Bay would be supporting the constituency in her electorate. So what? That is what she is paid for. When the member for Arnhem does it, it is the subject of a press release from the Minister for Mines and Energy. Extraordinary! When Aboriginal people went to the trouble of employing a solicitor to put a plea into legal language and into easily understood English so that this Assembly could understand it, immediately that letter was publicly discounted by the honourable Chief Minister because it had obviously not been written by Aboriginal people. Disgusting!

I hope that before these sittings are concluded, I will be given the opportunity by the Oenpelli community - because that's the only reason I am not doing it now - of making public through this House the reasons behind the dispute at Oenpelli involving Nabarlek because I am sure it will be of great interest to all members of this House to know that it is not simply a pie-in-the-sky attempt to stop uranium mining or to stop Nabarlek. A serious injustice has been perpetrated on those people and they are protesting it. Because I do not want to prejudice any action that they may want to take, I will say nothing about it but I hope before the end of these sittings that I will be able to say something about it.

The Chief Minister and the entire CLP government have taken the attitude that the destruction of the Aboriginal identity is inevitable. We will throw them a few million dollars or a few hundred thousand dollars and, because in our terms that means they are going to be well paid for it, it will just have to happen. It is interesting that this philosophy has been with us ever since this country was first colonised although, occasionally, enlightened people have attempted to try to take an opposite point of view.

I would like also to read something into the Hansard this afternoon from material that I find fascinating concerning the early history of the Northern Territory. These 2 volumes that I have on the table are written by J. Lort Stokes, the Commander of the Beagle. This voyage, which is detailed in these 2 volumes, has scattered place names right across the Northern Territory. This gentleman was involved in fact in the removal of the very last Aboriginal people from Tasmania and he talks about it in this volume. He is talking about the very last Tasmanian Aboriginal:

> *What was the character of his thoughts, what importance did he attach to the promulgation of his life, cut off as he was from the world, a solitary being, with no future prospect of the enjoyment of society, with no hope of seeing his race continued, we cannot tell. But his fate at least must force upon us the questions - have we dealt justly with these people? Have we nothing to answer for, now that we have driven them from their native land, leaving no remnant, save one single individual, whose existence even is problematical? Without wishing to press too hard on any body of my countryman, I must say I regret that that page of history which records our colonization of Australia must reach the eyes of posterity.*

And he talks about the people that he has on board his ship.

> *I could not but sympathize deeply with the last 5 of the Aboriginal Tasmanians who now stood before me.*

He went on to say:

> *Having thus been engaged in the removal of the last of the natives to Flinders Island, I feel that it is incumbent on me to give a short account of the causes which led to it. In the first place, history teaches us that whenever civilized man comes in contact with a savage race, the latter almost inevitably begins to decrease, and to approach by more or less gradual steps toward extinction. Whether this catastrophe is the result of political, moral or physical causes, the ablest writers have not been able to decide; and most men seem willing to content themselves with the belief that the event is in accordance with some mysterious dispensation of providence; and the purest philanthropy can only teach us to alleviate their present condition, and to smooth, as it were, the pillow of an expiring people. For my own part I am not willing*

to believe, that in this conflict of races, there is an absence of moral responsibility on the part of the whites; I must deny that it is an obedience to some all-powerful law, the inevitable operation of which exempts us from blame, that the depopulation of the countries we colonize goes on. There appears to me to be the means of tracing this national crime to the individuals who perpetrate it; and it is with the deepest sorrow that I am obliged to confess that my countrymen have not, in Tasmania, exhibited that magnaminity which has often been the prominent feature in their character. They have sternly and systematically trampled on the fallen. I have before remarked that they started with an erroneous theory, which they found to tally with their interests, and to relieve them from the burden of benevolence and charity.

Those same points of view exist today except they are couched in other terms. Instead of shooting Aboriginal people as they did in Tasmania, we destroy them with legislation and with mining royalties in many cases. The first sad returns of the cash injections into Oenpelli have only become too obvious over the last few months and it is heartbreaking to see what it has done to that community. Aboriginal people have consistently said to Europeans: "You keep on telling us that you are compensating us for what you are doing to us by giving us money. We are telling you that that means nothing to us. We want to keep what we have got so we can maintain our sanity and our way of life". It has been consistently proven, not just in this country but internationally, that indigenous people are destroyed by such development yet, because of our philosophy, we are unable to accept the fact of an Aboriginal person standing on a mining deposit and saying to us: "I do not want you to dig it up and I will not take any money for it". We cannot accept that.

To conclude, I say again that I trust I will be able to make the facts about the current dispute at Oenpelli public. I would like to finish by saying once again that, despite what some people think, I am not an opponent of mining on Aboriginal land. I believe that, in many cases, it is of benefit to the people involved and I have quoted in this House before, in speeches that the other side prefers to forget about, the example which is being set right now in the Northern Territory of the cooperation between mining companies and Aboriginal communities by Gemco at Groote Eylandt. Just recently, a very successful dance festival was held at Angurgu, an event which looks like becoming an annual one. Once again, it was strongly supported by both the Kailis company on Groote Eylandt and Gemco. They are in the fortunate position of being a company which respects the fact that the land on which they are situated is not theirs but Aboriginal land.

Yesterday, the honourable member for Nightcliff spoke about the horrific slaughter of whales. The Prime Minister of this country made a statement regarding that. In announcing the government's decision, Mr Fraser said: "There is a natural community concern about an activity which threatens the extinction of any species, particularly when it is directed against a species as special and intelligent as the whale, and where there is a fear that the continued existence of these special forms of wildlife are threatened by continued exploitation". I say to this House and to the Prime Minister that there is another species - an intelligent and special species - of people in the Northern Territory, the Aboriginal people. They are being threatened on all sides by development and by pressure from the government - and let me say this again for the benefit of the Chief Minister because I have taken this up with him before - and what the Northern Territory government refuses and will not see, understandably enough, as pressure.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

REPORT FROM SENATE STANDING COMMITTEE ON SOCIAL WELFARE

Mr DONDAS (Community Development): Mr Speaker, I table a copy of a report from the Senate Standing Committee on Social Welfare entitled "Through a Glass, Darkly: Evaluation in Australian Health and Welfare Services".

This report results from terms of reference referred by the Senate in June 1976. It is just not another report to be tabled and shelved because it is creating a great deal of interest amongst politicians, administrators and the community where concern is expressed about the effectiveness of government spending.

"Through a Glass, Darkly" is not about health and welfare services as such but about their organisation and funding and the part evaluation plays in their provision. In order to have an efficient, effective and equitable health and welfare system, able to respond to a changing community, ongoing evaluation is essential. Evaluation is a tool to be used to help understand the requirements of the Australian community, to set objectives within the political and social context and to devise and assess programs with respect to efficiency and effectiveness against those objectives.

Complacency too readily develops with respect to services and programs of both government and non-government agencies. It is too easy to assume one is doing good if there is no requirement to spell out exactly what one is doing and what is meant to be achieved.

The report identifies numerous benefits of evaluation. I shall elaborate on some of these. Evaluation improves the decision-making process by providing a rational base from which judgments may be made. Evaluation enables the assessment of the need for new services, the performance of non-government projects funded by the government and the likely impact of the proposed programs. Ongoing evaluation allows health and welfare workers at the service level to evaluate their own services. Evaluation reveals deficiencies in present services and suggests alternatives.

The report spells out various components of the evaluation process. From these, honourable members will see the reasoning behind the claims the report makes. Firstly, it is necessary to determine the extent of the need in the community. Needs may be met or left unsatisfied by social process or specifically designed services and programs. Such a determination is an ongoing process which must be built into existing programs. This government has recognised this requirement by the establishment of the Northern Territory Board of Inquiry into Welfare Needs whose report was tabled this week. Secondly, the objectives of the organisations involved in health and welfare services must be set out clearly to assist in planning, operation and evaluation. The report suggests that government departments should have their own goals and objectives set out in legislation. Honourable members are no doubt familiar with the goals and objectives of the government in these fields; they are clearly set out in the party platform statement. Since its assumption of office, this government has been striving to elaborate on just such goals and objectives for its work in the Northern Territory. This is the activity for which we pursued self-government: to be able to set our own goals and priorities.

In conjunction with pursuing these objectives is the third element of evaluation - standard-setting. The government has a clear responsibility in the area of setting standards in regard to the quantity and the quality of

services delivered to all citizens. The optimal achievement of stated objectives for all Territorians must be pursued in terms of the quality and the quantity of service delivery. Those honourable members representing more remote areas will be particularly aware of this requirement and will no doubt concur with the government's emphasis on the Northern Territory-wide standards.

The final element of evaluation is that of a data base which is needed to indicate the health and welfare status of the population, to point to needs for programs of health and welfare promotion and control, to make the evaluation a success and to determine the adequacy of health and welfare measures that are instituted as a result of the determination of needs. At present, the policy planning and information branch in my department is developing this base at various levels including cooperative efforts with the Commonwealth and state governments.

My department is presently gearing its own programs to include an ongoing evaluation component and will be requiring organisation and receipt of government funds to evaluate their activity in a continuous and meaningful way. As a condition of the Northern Territory government funding, community organisations will be required to design ongoing evaluation components in their programs in conjunction with my departmental staff. The reports and statistics that these evaluation procedures yield will prove valuable to the government in evaluating policy and spending patterns.

In summary, "Through a Glass, Darkly" makes 35 recommendations relating to its subject matter. Many of these embody principles supported by this government and form a starting point for the development of the evaluation of health and welfare in the Northern Territory.

I commend the report to honourable members.

INTERPRETATION BILL
(Serial 291)

Continued from 17 May 1979.

Mr ISAACS (Opposition Leader): This is a small bill that was brought about mainly through the department's continual review of legislation and corrects a number of items relating to the Interpretation Act. The 2 amendments which have significance relate to the problems encountered when a piece of legislation has been passed by the Assembly and then subsequent legislation is passed to amend that legislation prior to the formal legislation having been presented to the Administrator. This particular bill overcomes any difficulties which may have existed before.

The other matter, in relation to the regulations as being part of the act, is also clarified. Even though it is only a minor amendment, the bill is of some significance and the opposition supports it.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

AGED AND INFIRM PERSONS PROPERTY BILL
(Serial 277)

Continued from 7 March 1979.

Mr ISAACS (Opposition Leader): This bill relates to the trusteeship of property of those people who, through age, disease, illness or mental or physical incapacity, need to have their interests catered for.

When the bill was introduced, it was clearly related to the Mental Health Bill. The original Mental Health Bill incorporated a section relating to the trusteeship of property of the mentally-ill. However, this particular piece of legislation goes further and caters for those other people that I mentioned.

The Board of Inquiry into Welfare Needs in the Territory remarked upon the Law Reform Commission that handled the property of the mentally-ill. Despite research on my part, I was unable to track that reference down. I am unable to say whether this particular bill complies with the recommendations of that Law Reform Commission. Maybe the Chief Minister can enlighten me.

The general trusteeship of the property of those people that I mentioned is overseen by the Supreme Court which has a great deal of discretion available to it to handle property. The Chief Minister said that the bill was practical and flexible. Having read the bill, and noting the powers of surveillance by the Supreme Court, I agree with that comment.

Where somebody other than the Public Trustee is acting as a manager of the property of these people, there is a further oversight in that the transactions taken by that manager must be referred to the Supreme Court. The Public Trustee will then examine those reports so there is a great deal of opportunity to ensure that the property is being handled in the proper way. The bill is a sensible attempt at looking after the trusteeship of property of those people who are incapable of looking after it themselves. The opposition supports the bill.

Mr HARRIS (Port Darwin): In rising in support of the bill, it has been necessary for some time now to have legislation introduced which gives protection to those people who for one reason or another are unable to manage their own properties or affairs. To achieve this, there is an invasion of the privacy of the individual. Whenever laws are made which infringe on a person's liberties, no matter the state of the physical or mental health of that person, there will be concern. The courts are very cautious about interfering with a person's liberties and dealing with matters of the disposal of a person's property. Whilst I feel that the legislation is needed, we must have a system that cannot be abused. We must have a system that protects the persons whom it is supposed to protect. The oversight of the Supreme Court over all actions gives us that protection.

There is one point that I would like to raise and this relates to the feelings of the aged and infirm. Any member of this House who has had dealings with old people will realise that legislation such as this can create all kinds of problems, not so much in the way the laws are drafted but in their administration. Clause 8 deals with the serving of notice of application for a protection order and the need for such notification to be handled in a very sensitive manner. The person who is being given notice that he is not able to control or manage his own affairs may not take kindly to being told that. Secondly, he may not take kindly to being told that a manager appointed by the court will carry out that particular function.

A similar problem may be created under clause 9 which deals with the examination of a person over which a protection order has been issued. I point out that I am not talking about the law itself but the problems relating to the method of examination and the method of serving applications. Far too often, senior citizens are pushed around by younger people and others.

This bill relates not only to the elderly but to younger people as well. A person who receives an injury as a result of a car accident may be unable to manage his affairs or property and a protection order could be granted by the Supreme Court over that person. I believe this legislation is much needed in our society which has increasing numbers of con-men and complicated modern management. However, I ask that, where the aged and infirm are concerned, we treat them with dignity and respect. I support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I rise to support the bill. All human institutions are fallible and the rough and ready methods of early common law sometimes fell short of the ideals of abstract justice that inspire men's minds. Despite or because of its practical outlook, the common law tended to become circumsribed by its own precedents. As the machinery of justice became more elaborately organised, the doctrine of the ideal "where there is a right there is a remedy" was apt to degenerate in practice into the realistic "where there is a legal remedy there is a legal right".

Too close an adherence to legal formality led sometimes to a denial of justice. This was particularly so for the weak who could not help themselves. Feeble-minded persons were tricked or cajoled into legally signing away their property. Infants were unconscionably treated by guardians who, having got legal custody under a will or something similar of the infants' inheritance, refused to honour their solemn trust. Borrowers having delayed beyond the date fixed for the repayment of the loan, found themselves deprived under the strict terms of the mortgage deed of property many times more valuable which they had pledged only as a security. For such cases as these, the common law courts provided no remedy since the victims had suffered no actual illegality. Petitions were sent to the King begging him to right such wrongs. The question of redress was delegated by the King to his chancellor. The chancellor had no direct power to revoke or interfere with the decisions of the royal judges by depriving the oppressive party of the property he had legally acquired. He could insist that the party should not enjoy such acquisition unconscionable for his own sole advantage. The defaulting guardian, though he continued legally to hold the infant's property, was compelled to use it for the infant's benefit. The oppressive creditor, who had legally obtained possession of or sold the debtor's of estate, was permitted to take out of the proceeds the amount of his loan with reasonable interest and expenses but had to return the balance to the debtor. Thus, the chancellor administered a kind of abstract justice based upon the promptings of conscience and not on legalistic rule.

In dealing with problems arising out of human behaviour, we cannot plan with certainty. New knowledge and experience of new methods may lead us to abandon principles which seemed well established or techniques that have held great promise. We must always be ready to experiment and to adjust our thinking realistically according to the outcome. That is exactly what this legislation sets out to do. Our government is adjusting its legislative decisions to the present day community thinking especially as it affects this bill dealing with the aged and infirm persons' property. We have seen how old legislation no longer is applicable or fair so new legislation has been considered.

In this bill, the first clause to draw comment is clause 52. In clause

52(a), the particular situation is dealt with before a protection order is made. In clause 52(b) there is reference to after the protection order is made and clause 52(c) refers to the property in the Northern Territory irrespective of where the person lives.

Clause 73 states that the Supreme Court may, of its own action, act and is not obliged to wait for someone to start proceedings. This action is in a way a little like the European court system where all things are initiated by the courts. In the Supreme Court initiating its own action, as in clause 7, and specifying, in clause 8, who these people may be, it can be seen that allowances are made for any relevant, but up to that date not known, people to be advertised for and encouraged to come forward with helpful information.

Clause 12 (2)(b)(ii) seems to present a little difficulty in theory in that the words "liable" and "undue" could be construed as too subjective. I would hope that, in reality, real objectivity and common sense would prevail. I queried clause 13(2) initially regarding the manager perhaps being asked to put up a security. I understand that administrators of estates may also be asked for bonds so the 2 cases seem to be in parallel.

Clause 20(3) states that people are protected against protected people if the people acted in good faith and not knowing the protected people were protected people and that everything seemed fair and above board at the time.

Clauses 24 and 25 seek to have an honest system of accountability which must also be cross-audited to give complete accountability. In clause 24(4), the public trustee is really in the poisition of a watch-dog, which is very commendable, while in clause 25(2), it is made clear that an audit is necessary to find out if the manager's bond would be called on. I believe incorporated associations and lawyers trust accounts have to be audited too. I fully support the bill.

Mr EVERINGHAM (Chief Minister): I thank honourable members for their support of this bill. To lay at rest the Leader of the Opposition's fear that we have not had regard to the Law Reform Commission's recommendations on the disposition of aged and infirm persons' property, this legislation is very similar to legislation in South Australia. As we know, that is a place where people on the other side of the House think that things are pretty rosy.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr EVERINGHAM: I move amendment 109.1.

This amendment plugs what might otherwise have been a small gap in the jurisdiction of the Supreme Court. As long as proceedings are started before a protected person leaves the Territory, the court can exercise jurisdiction even if the protected property is situated outside the Territory and the protected person has actually left at the time when an order is made. In the Territory, facilities for looking after aged and infirm persons can be improved so it is quite possible that people, from time to time, will have to be taken away from the Territory for treatment. This power would enable a manager, who knows that a protected person is about to leave the jurisdiction, to seek directions from a court as to whom he should pass the responsibility for administering the protected estate. This clause, as amended, will give the

court jurisdiction to make, vary or rescind a protection order if a person is or was at the time of commencement of proceedings a resident of the Territory or his property is situated here.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

Mr EVERINGHAM: I move amendment 109.2.

The amendment removes any doubts that an adopted child may apply for a protection order. This clause, as amended, sets out who may apply for a protection order and it distinguishes between those who may apply as of right and those who must seek leave of the court to apply.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 109.3.

This proposed amendment removes any possibility that subclause (1) could be construed as requiring an applicant for an order to serve notice on himself.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 109.4.

This corrects an obvious technical error.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 109.5.

This gives the court a narrow discretion to dispense with a requirement that notice be given to the person whose estate is proposed to be protected. It might, for instance, be undesirable or pointless to give notice to a person who is mentally disturbed. The clause, as amended, provides that, unless the court otherwise directs, notice of applications or proposals to make protection orders must be served on persons whose estates are affected and may be served on other interested persons.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9:

Mr EVERINGHAM: I move amendment 109.6.

The reason for substituting "may" for "shall" is that it would not always be possible for the court to personally examine someone who lived in an outlying area or interstate.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 109.7.

This makes certain that the clause covers cases where the court proposes to make an order of its own motion.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 and 11 agreed to.

Clause 12:

Mr EVERINGHAM: I move amendments 109.8 and 109.9.

They are both to correct technical errors.

Amendments agreed to.

Mr EVERINGHAM: I move amendment 109.10.

This omits subclause (3) because evidence of treatment under mental health legislation can be more easily and informally drawn to the court's attention in a written report of the minister under clause 10.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clauses 13 to 16 agreed to.

Clause 17:

Mr EVERINGHAM: I move amendment 109.11.

The reason for this amendment is that the use of the word "beneficial" in existing subclause (1)(g) is too restrictive. The subclause has been redrafted to ensure that a manager can lodge as wide a range of caveats on behalf of a protected person as any other person could to protect his interests. The clause, as amended, will set out the powers which are automatically vested in every manager unless a contrary contention appears in the protection order.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19 negatived.

New clause 19:

Mr EVERINGHAM: I move amendment 109.12.

This inserts a new clause 19. The reasons for this are that the clause has been redrafted to omit any reference to the consequence of failure by one

or more managers to concur in doing something in relation to a protected estate. The reasons for this are twofold. Firstly, it is undesirable that a transaction should be made invalid simply because only one manager has concurred. The transaction may in fact be in the interests of both the protected person and the person with whom the single manager has contracted. Secondly, if the consequences of failure to comply with the requirements are left open, courts can adopt a more flexible attitude and apply common law or equitable principles. Thus, a person who contracted with one of several managers, and knew that the other managers had not concurred, might well find his contract upset. On the other hand, a person who entered into a contract bona fide for valuable consideration with one of several managers, and did not know there were other managers who had not concurred, would probably be protected.

Mr ISAACS: Mr Chairman, I listened carefully to what the Chief Minister said and frankly I just did not understand it. I can't see a great deal of difference between the meaning in the original clause 19 and the proposed new clause 19. It simply seemed to be a redraft. Perhaps I may have missed something which the Chief Minister said. It seems to me that all managers of the estates, if there is more than one, still have to concur on anything discussed.

Mr EVERINGHAM: The purpose of the amendment is to omit the consequences of failure by one of the 2 managers to concur in doing something in relation to the protected estate. In clause 19 as it stood in the bill, any action taken in respect of a protected estate for which there is more than one manager shall not be valid and effectual unless all the managers concur in taking the action or doing the thing as the case may be. In the new clause 19, where more than one manager has been appointed in respect of a protected estate, all the managers of the estate must concur in every act, matter and thing done in relation to the estate by a manager of the estate. It still requires concurrence but it does not say that it shall not be valid and effectual. In other words, it leaves the option to the managers of deciding for themselves whether they will take advantage of an act done by one manager of disavowing the act. For instance, the one manager may have done something by himself in a time of crisis that is of advantage to the estate and it leaves that open.

New clause 19 agreed to.

Clauses 20 to 29 agreed to.

Clause 30:

Mr EVERINGHAM (Chief Minister): I invite defeat of clause 30.

The new Supreme Court Act includes a very wide power for the court to make rules and so it is unnecessary to make separate provision in this legislation.

Clause 30 negatived.

Clause 31:

Mr EVERINGHAM (Chief Minister): I move amendment 109.13.

This amendment is consequential upon the omission of clause 30.

Clause 31, as amended, agreed to.

Title agreed to.

Bill passed remaining stage without debate.

HUMAN TISSUE TRANSPLANT BILL
(Serial 292)

Continued from 17 May 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the opposition supports this bill. The principles on which it has been based have already received the endorsement of this Assembly in its earlier debate on the Law Reform Commission's report on human tissue transplant. It is necessary for the Northern Territory to pass this legislation in order that uniformity within Australia will be achieved in this fairly important area.

It is a very significant bill in a moral, medical and legal sense. It is unfortunate that there has been little, if any, public interest in it because it does contain some significant things - for example, the new definition of "death" in clause 23 which reads: "For the purpose of the law of the Territory, a person has died where there has occurred: (a) irreversible cessation of all function of the brain of the person; or (b) irreversible cessation of circulation of blood in the body of the person". Obviously, the stoppage of the heart and the cessation of circulation is a traditional method of determination of death. It is now found that it is indeed much more important to relate the time of death to the cessation of brain function and a great deal of thought and time has gone into how to define this. In one of the appendices of the Law Reform Commission report, there are interesting reports from the Harvard Medical School, from the World Medical Assembly in Sydney in 1968 and from other learned bodies as to how this is defined.

Undoubtedly, those recommendations will be followed in the Northern Territory when this becomes law. The purists might say that it is unnecessary to incorporate in the definition the reference to cessation of blood circulation because, when that happens, you do get cessation of brain function. However, I suppose it has been included from a point of view of tradition, if for no other reason.

It is a shame that there has been so little interest in this bill. Perhaps this is because its title is Human Tissue Transplant Bill and we know that the Northern Territory will not become involved in this very technical and complicated area, apart from perhaps corneal transplants. It is a most complicated process and we do not have the resources or indeed the population to support it. Further, it is unlikely that, in the foreseeable future, we will collect organs for transportation to other places for transplantation there. From that point of view, it is not particularly relevant to us. However, some factors are such as the definition of "death" and the new law relating to post-mortems.

Despite this, there is much interest in tissue transplants. Kidney transplants in particular is a field in which Australian doctors and technologists have done a great deal of work. Australia was one of the first places to achieve this successfully. Unfortunately, Australians also have a habit of wrecking their kidneys very readily by taking too many analgesics. There has also been much public interest in heart transplants. This field has absorbed an enormous amount of interest, money and effort. I sometimes wonder why since it has saved or prolonged the lives of very few people. Heart disease is a problem of affluent western societies. We have given a great deal of thought to heart transplantation for very little obvious result at a time when we still have about 15 million children in the world dying each year unnecessarily from preventable diseases such as malnutrition and diarrhoea. Be that as it may, heart transplants will still continue.

Post-mortems are referred to in the bill and I would like to mention this briefly. I think it demonstrates that, in laws of this nature, it is not so much the letter of the law that matters as the spirit of the people who administer it. I am not in the habit of criticising Darwin Hospital; my experience with it has always been very good. I think it provides a very commendable service to the people. Nevertheless, I was involved with a situation once at the Darwin Hospital involving a post-mortem. An elderly lady had died in hospital of a heart attack somewhat unexpectedly and her husband, also an elderly gentleman, was quite distressed. It seemed that the doctors wanted to perform a post-mortem. Of course, there were forms to be filled out for the husband to sign. The doctor did not explain to the husband why he wanted the post-mortem or anything like that. The relatives received a phone call from a member of the clerical staff of the hospital: "Dr X wants to do a post-mortem on Mrs Y's body. Please get Mr Y to sign a consent form". There was no explanation, not even the courtesy of a personal phone call from the doctor concerned.

I give that as an example of why, with laws of this kind, it is not so much the letter of the law that counts but the spirit in which it is enforced. The opposition supports this bill and I am sure that the rest of the Assembly support it also.

Mr OLIVER (Alice Springs): Mr Speaker, I rise to support the bill. I spoke to the report on human tissue transplant in March last year and I supported the legislation recommended in that report. It is most important that, with our fast growing population and our new modern hospitals, the issue of human tissue transplant has legal support and backing. I know that we do not envisage that the Territory will be involved in human tissue transplant in the immediate future, but it is quite possible that an emergency could arise and we could well be left to our own resources, "small as they might be" according to the honourable member for Fannie Bay. It could well be that we might have to do human tissue transplants as a matter of urgency.

The bill is necessary too to legalise the removal of tissue from the bodies of deceased donors for use in other states. If there is ever to be a national tissue fund, then most certainly I feel the Northern Territory would wish to become involved in that. I disagree with the remark of the honourable member for Fannie Bay on sending tissues to the other states. If they are needed and we can provide them, I see no reason why we should not be involved in that particular aspect.

I am pleased to see that the clause relating to the definition of "death" has been included in the bill. I spoke quite strongly on this during the debate on the report. As I recall, the clause received unanimous approval at that time. I support the bill.

Mr BALLANTYNE (Nhulunbuy): I rise to speak on this bill. I welcome its introduction into this House. Other states have legislation on the transplanting of human tissue and we can now join them in that. There has been excellent work done by the kidney transplant team in Victoria and New South Wales. I believe that this team is eminent in this field and are probably leading the world in their research. Their skill has saved the lives of many people both old and young.

The Law Reform Commission report set the guidelines for this Assembly to produce the bill. Up until now, there has been no specific legislation in the ACT and the Northern Territory on this. I believe that this legislation will greatly assist the medical and science fields in the Northern Territory and, moreover, be of great assistance to the people who require some form of

tissue transplant. Look back at the development of the human heart transplant by Dr Christian Barnard of South Africa in the late sixties; that attracted world-wide attention and amazed the world by what can be done. Since then, there have been great advances in the fields of open-heart surgery and transplants brought about by techniques that were developed in that era.

Of course, there are other forms of transplant such as mechanical devices, plastic valves in hearts, pace-makers. All these do a marvellous job giving people life. One can look at the wonder of eye tissue transplants in humans, particularly the grafting of corneas. On one occasion, I had the opportunity of meeting a young person who had been gradually losing his sight for 2 years. He underwent a cornea graft. From that time, his eyesight was restored and now he is able to enjoy a much happier life. I thought at the time of the wonder of that operation. There are various types of complicated operations in the world of human tissue transplants which would astound us if we knew their full technical content.

I dare say that there are lot of people who have some objection to the transplanting of human tissue and I respect those people. I think one of the things that worries people is the definition of "when death occurs". I agree with that definition which was taken directly from the recommendations of the Law Reform Commission which has done a tremendous amount of work in research and in contacting all the eminent people in the field of medical science.

I associate myself with the contents of the bill. I believe that if there is any hope of saving human life by the transplanting of human tissue such as the skin, kidney, heart, lung, cornea, bone, marrow from the bone or cartilage, it should be done with the utmost respect and dignity and with all the professional skills associated with it. I have much pleasure in supporting this bill.

Mrs PADGHAM-PURICH (Tiwi): In keeping with our government's forward thinking and legislative planning for the future of the Northern Territory, this bill relating to human tissue transplant must rank as one of the foremost for consideration. It was only in 1967 that the first successful transplant of a human organ was performed which was mentioned by the honourable member for Nhulunbuy. That involved a heart transplant from a previously healthy young accident victim to a middle-aged recipient. It was performed by Dr Christian Barnard in the South African hospital of Grooteshuur. In that case, the patient did not live very long because of the fatal complications that developed. Even so, it was the start of something new and wonderful. It promised longer life and new hope to some unfortunate people who otherwise were doomed to an earlier death. The transplant of parts from one human to another also caused legal problems which were very difficult to overcome without a great deal of consideration. "How dead is dead" was one question asked. Is death from natural causes following an accident or sickness the same as death following the withdrawal of life-support mechanisms? Who owns a dead body? Whose wishes are paramount in body disposal? It could be the nearest relative or person who was left the body by spoken word or in a will. These questions are not just philosophical but deal with actualities and must be answered if we are to continue with the life-giving practice of human tissue transplant.

Strong theological views have been expressed by a small section of the community regarding human tissue transplant. These views must be considered keeping in mind both the means and the end. They must also be considered with the views of other community groups if legislation is to represent the majority view and to be in step with accepted outlooks and practices of our country today.

Part II, division 1, thoroughly considers regenerative and non-regenerative

tissue donation, who may donate and who may not and, very importantly, allows for an escape clause in 8(2) and 9(3): if there is a change of mind between the decision to donate and the actual planned time of removal of the part from the donor's body.

Clauses 11, 12 and 13 in part II, division 3,are good safeguards to ensure that no mistakes are made and no doubt exists as to the donor's intention from points of view of the donor, the medical practitioner issuing the certificate and the medical practitioner performing the operation.

Part II, division 4, covers the donation of blood and is straight forward. Blood donations and the disposition of donated blood are simply done, not difficult to legislate for and are understood easily by ordinary people because of the very nature of the substance involved, its use, its regeneration and the length of time this practice has been going on.

In part II, division 5, I would have liked to have seen the revocation of consent being allowed to the nearest senior relative in addition to those people mentioned in 16(2)(a). Perhaps they may be included if they are found necessary.

Part III deals with the donations of tissue after death. This part has to be written clearly to be understood by all concerned. With the proposed donation of tissue from a living body, the donor is alive all the time and can give permission, revoke permission, express views, talk to relatives, medical practitioners and the proposed recipient of the tissue. The whole situation is straight-forward. If the donor is dead, so many other things have to be considered. No one would argue with clause 17 except perhaps a previous legal spouse. As the donor in life could have taken his body from the care of that spouse and given it into the care of a de facto spouse, then the de facto spouse is the one who should have the right of disposition of the donor's body in death.

Subclause 18(1) and (2) deal with the 3 main reasons for taking tissue from recently dead bodies: transplantation, necessary medical tests or scientific reasons. There are references in 22(c) and (d) which include anatomical reasons of education. 18(3) states in some detail that, if there are no stated objections in life from the donor or any senior relatives, the person in charge of a hospital may grant use of parts or the whole body under 18(1) (a) and (b).

Subclauses 18(4) and (5) state that an objection by the senior next of kin can override the permission given by the others but not the actual donor's wishes. This is also mentioned in paragraph 19(2)(b). Clause 20 covers the decisions to be made by the coroner in relation to the dead body.

Clauses 21 and 22 state quite clearly that the medical practitioners who declared the cessation of life and the person in charge of a hospital who authorised removal of tissue cannot be the medical practitioner who actually removes the tissue. There could be instances when this would have to be waived. I see these steps in the proceedings not as hindrances but as safeguards against over-exuberance on the part of the medical profession.

The definition of "death" in part IV is a direct take from the Transplantation and Anatomy Ordinance (1977),of the act which was quoted in the Law Reform Commission report No 7. There are other major parts of this ordinance which we have incorporated in our bill. One of these deals with donations of tissue by living persons but we intend to exclude donation of tissue by living children. As a model, we have used the sections dealing with consent, blood transfusion, donations of tissue after death etc.

Part VI deals with the prohibition of trading in tissue and is easily understood. We give and receive blood directly and through the Red Cross for no monetary consideration unlike some other countries where blood is sold and bought. This practice can lead to certain abuses. It is not hard to think of numerous dishonest dealings that could develop from this practice.

I fully support this bill not only for humanitarian reasons but also for reasons of conservation. All honourable members have spoken in this House about general conservation of resources. This bill engenders the ultimate in conservation: the conservation of the human body.

Ms D'ROZARIO (Sanderson): This bill is very important because it deals with very complicated issues. It is a pity that there has not been a great deal of public feedback on the implications that this bill will have when it becomes an act and when we can have recourse to some of its provisions.

I would like to correct a misunderstanding of the honourable member for Tiwi who states quite categorically that in 1967 the world witnessed the first organ transplant performed by Dr Barnard. If the honourable member for Tiwi reflected for a moment, she would realise her error immediately because she was talking about open heart surgery transplant and, in fact, organ transplants have occurred for many years prior to 1967. The reason that so much interest was created in 1967 was because of the type of organ and the new method of surgery. Kidney transplants and bone grafts etc have occurred for many years prior to 1967.

It will be some time before the Northern Territory can avail itself of the provisions of this bill. We have not yet the expertise in surgery to perform transplants, particularly of organs as opposed to other tissue, in the Territory at the moment. Whilst it brings us into line with current thinking on the tissue transplant issue, it will be some time before we can avail ourselves of the provisions of this legislation.

I would like to raise a matter with the honourable Minister for Health that has already been mentioned by the honourable member for Tiwi: the exclusion of live donors under 18 years of age. This is certainly a controversial matter but the whole issue of tissue transplant is very controversial, particularly for some sectors of the population. The reason that I am concerned about these exclusions is because they apply uniformly not only to non-regenerative tissue but also to regenerative tissue. What the bill really says at the moment is that it would be impossible for a live donor to donate even things like bone tissue or skin. For paired organs, perhaps the age of the donor ought to be 18 although, in some cases, there may be a case for reducing this age of consent to 16. We have in the bill at the moment an absolute prohibition on the taking of tissue from a live donor who is under the age of 18 years. This could perhaps set back those areas in which the Territory might be able to have recourse to these provisions, particularly in the area of skin transplants which is not so complicated a matter as the one of organ transplants. I would ask the minister to consider that particular point because I feel there is some scope for using it. It is particularly important in the case where a donor is sought from amongst family members. In these cases, it is very likely that the donee's only option might be a relative whose medical characteristics match his characteristics and that particular relative might be under 18. What we are doing is cutting off absolutely the only option that that donee might have. This particular point does have to bear thinking about because, if we are looking to a higher standard of life for the donee, then certainly we ought to look to those cases where the only person who might be able to be a donor might be a person under the age of 18. Those remarks are made specifically in relation to regenerative tissue. I do not intend them to apply to the non-regenerative tissue which is specified in

clause 9 of this bill.

Similarly, there would be cases where a person in reasonable health who is under 18 but perhaps over 16 might be in a position to donate one of his paired organs - I am thinking particularly of a kidney - without any serious setback to his future health. With a moderately constrained lifestyle, it is possible to function quite well on one kidney. It depends of course on how you have been living before. Particularly in the case of a live donor, this might be the only option available to the donee so I wonder perhaps whether the minister could consider that particular issue.

The honourable member for Nhulunbuy mentioned that this matter is extremely controversial to certain groups of the population. This is so but the bill is very commendable in that it provides for consent to be given or for consent to be known by close relatives or those living with the person who proposes to be the donor. It is absolutely desirable that all such transplants should take place with the maximum of dignity and respect. There is no compulsion on donating tissues and I hope that it never comes to that even with the best will in the world about conservation of human tissue. There are groups, particularly in this community, who would be very averse to this and, unfortunately, I have not heard from any of them. I do know that there are some religious cultures which have a requirement that the body be interred or disposed of in an entire state. This is a very important cultural issue to certain groups who are represented in the Territory. There is a provision in this bill which simply requires the knowledge that a person has not expressed a desire not to be a donor rather than expressly indicating that he would be prepared to be a donor. I hope that,where it is a requirement of various cultural groups that the body be disposed of in an entire way, human tissue donations would not be taken from members of those particular groups.

The honourable member for Tiwi also raised the interesting question of trading in tissue. I can assure her that it is not only just blood that is traded in some parts of the world. In some of the third world countries, it is a common practice among the very impoverished to trade in actual cadavers. When I was quite young I had the most unpleasant experience of visiting a medical teaching hospital and going through the morgue in which all the bodies that had been donated for use by medical students had come from impoverished families who could not afford to dispose of the body even by the usual method of cremation. In the very poor countries of the world, not only is blood traded freely but so are the parts and even entire cadavers. I am very pleased to see that there is to be an absolute prohibition on trading although I do not think the penalty is high enough.

With those few comments on this bill, I would like to express my support, along with other members of the opposition, for this particular bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise to speak briefly in support of the bill. I find quite unacceptable any thought of objection being raised to this legislation just because some particular religious group would not approve of it. As the honourable member for Sanderson finally concluded, there is no compulsion anywhere in this bill. Those who find it unacceptable do not have to participate. I think the reason this bill has not excited great public interest is because the legislation is lagging behind public opinion. Human tissue transplant is a well accepted practice not only medically and scientifically but also in the minds of the general public. Certainly, the historic operation performed by Dr Christian Barnard in 1967 gave some impetus to this but I think even more well-known is the kidney transplants and the major advances made in that field. They are totally accepted and the recognition in the Northern Territory of the prevalence of kidney disease has in fact led people to ask when such legislation would be introduced. They would

certainly not oppose it when it is introduced.

Another reason of course for the lack of opposition is because it is reasoned legislation based largely on the findings of the Australian Law Reform Commission which received advice from all sections and strata of the Australian society. Their report, when presented, was well debated.

The only reservation I had was adequately expressed by the honourable member for Sanderson regarding the prohibition on the taking of human tissue transplants from minors who are deemed to be those under 18 years unless they have been married. That raises an interesting point. Marriageable age for a female is 16 years. She can be married above the age of 16 if the consent is given by parents or guardians as the case may be. I see no reason why, in certain circumstances, particularly with regenerative tissue, the age cannot be lowered to 16 where there are safeguards, full knowledge of the action taken and guardian consent. There is a precedent in the Marriage Act. These days one is deemed to have reason at the age of 16. If the person does happen to be married, his consent can be given anyway. I would ask that the honourable sponsor of the bill consider the point raised by both the honourable member for Sanderson and myself. Other than that, the bill has my total approval.

Debate adjourned.

ELECTRICITY COMMISSION BILL
(Serial 310)

Continued from 31 May 1979.

Ms D'ROZARIO: Mr Speaker, this bill gives effect to 2 matters both of which the opposition supports. The first matter, which is quite important, is the increase in the size of the commission from 3 members including the chairman to 5 members including the chairman. When the original Electricity Commission Bill was introduced in this House, the opposition supported a commission of 5 members rather than of 3. We are pleased that the minister now agrees with the opposition. In fact, practical difficulties have arisen with respect to the existing size of the commission and that is another reason for increasing the size from 3 to 5. We appreciate that, since the commission has been in operation, the commissioners have had a very high workload and it has been very hard for leave to be taken because of the commission's small size. The increase in size will certainly overcome some of those problems.

The second point of this bill is to absolve the commission from any liability for irregular power supply. Although this might not completely satisfy certain consumers, particularly those in the business sector, it is a little difficult to see how the commission could possibly be responsible for irregular power supply. I am speaking of the commission as a legal entity rather than the conditions that apply at the power-station from time to time. We have no objection to this bill and we are very pleased indeed to see the size of the commission increased.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Mines and Energy): I move that the third reading of the bill be taken forthwith.

Motion agreed to; bill read a third time.

POWERS OF ATTORNEY BILL
(Serial 265)

Continued from 7 March 1979.

Mr ISAACS (Opposition Leader): This bill reduces to statute the powers incorporated in common law in relation to powers of attorney. It does contain a number of useful amendments which, by and large, protect the donees of a power rather than the donors of a power. It is not a criticism but cases have arisen where people have exercised a power of attorney notwithstanding the fact that the donor had made other arrangements. The bill contains a number of useful amendments to protect against the exercise of that power.

If I might just say by way of an aside, Mr Speaker, I received the amendments which were circulated by the Chief Minister less than 20 minutes ago yet the bill has been with us for some time. I would ask - in the same way that he asked us in relation to the Electoral Bill - that, if he is going to move amendments of a reasonably significant nature, we get some warning of them. However, I have been through them and I do not seek to postpone the committee stage.

I would like to raise the matter of the public registration of powers. Powers in relation to the conveyancing of land must be registered. The Chief Minister said that many of the powers were of an intermittent nature and it would be somewhat impractical to register all powers. He said that a voluntary system would operate at this stage. I would like to see the public registration of the powers but I believe that the proper course is to scrutinise the manner in which the system operates and, if there are any problems, perhaps amendments might be brought in later. The opposition supports the bill.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr EVERINGHAM: I move amendment 112.1.

This makes it clear that the act will cover all transactions and not just transactions dealing with land.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

Mr EVERINGHAM: I move amendment 112.2.

The Registration Act establishes a land titles office and a general registry office. The amendment removes any doubt that powers of attorney are to be registered in the general registry office and not the land titles office.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clause 7:

Mr EVERINGHAM: I move amendment 112.3.

The amendment brings this clause into line with the parallel provisions of the Real Property Act. The clause, as amended, provides that powers of attorney must be registered if they are used for the purpose of dealings in land other than short leases.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8 agreed to.

Clause 9:

Mr EVERINGHAM: I move amendment 112.4.

This inserts a new subclause to ensure that the effect of executing an instrument in pursuance of a power of attorney is, as far as possible, the same whether the power was created before or after the commencement of the act.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 112.5.

This inserts a substitute paragraph (b) redrafted to take account of the fact that a power can be registered at any time and not just when it is first created.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 12 agreed to.

Clause 13:

Mr EVERINGHAM: I move amendment 112.6.

The reason for omitting the words "by the donor of the power" is that there is no reason why an enduring power should not be capable of being executed at the direction of the donor as well as personally by him.

Amendment agreed to.

Clause 13,as amended, agreed to.

Clause 14:

Mr EVERINGHAM: I move amendment 112.7.

This seeks to substitute the words "dealt with" for the words "charged or otherwise disposed of" on the grounds that the latter words are too restrictive. There are of course ways of dealing with property without charging or disposing of it.

Amendment agreed to.

Clause 15 agreed to.

Clause 16:

Mr EVERINGHAM: I move amendments 112.9 and 112.10.

These simply cure technical defects. An enduring power of attorney must obviously be revoked by the legal incapacity of the attorney. The clause, as amended, sets out how and when enduring powers are revoked.

Amendments agreed to.

Clause 16, as amended, agreed to.

Clause 17 negatived.

New clause 17:

Mr EVERINGHAM: I move the amendment 112.11.

This new clause 17 is substantially the same as the old clause but has been redrafted in simpler terms.

New clause 17 agreed to.

Clause 18:

Mr EVERINGHAM: I move amendment 112.12.

This seeks to include a new subclause meaning in substance the same as the old one but again redrafted in simpler terms to accord with the redrafted provisions of the previous clause.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 112.13.

This inserts a new subclause (3), the purpose of which is to give the court power not only to revoke absolutely but also to partly revoke or vary the terms of a power of attorney given to secure a proprietary interest. This discretionary power will enable the court to do justice between the competing interests of an aged and infirm person and those of an attorney to whom some interest or obligation is owed. The clause, as amended and subject to a discretion in the courts to revoke or vary a power of attorney under the proposed Aged and Infirm Persons Property Act, reaffirms the common law rule that, where a power of attorney is given to secure a proprietary interest, it is irrevocable.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 21 negatived.

New clauses 19 and 20:

Mr EVERINGHAM: I move amendment 112.14.

This inserts a new clause similar to defeated clauses 19 and 20 but different in one important respect. To ensure the integrity of the land titles register, the new clauses propose that the 30-day protection period otherwise afforded attorneys and third parties who do not have actual notice of revocation should not apply with respect to dealings in land. No substitute for defeated clause 21 is proposed because third parties are adequately protected under clause 20.

New clauses 19 and 20 agreed to.

Clause 22:

Mr EVERINGHAM: I invite defeat of clause 22.

The new Supreme Court Act includes a wider power to make rules of court as I mentioned in committee on the Ages and Infirm Persons Property Act. It is now unnecessary to make separate provision in this legislation because the Supreme Court Act will come into effect from 1 October.

Clause 22 negatived.

New clause:

Mr EVERINGHAM: I move amendment 112.15.

This inserts a new general regulation-making power.

New clause agreed to.

Schedule agreed to.

Title agreed to.

Bill passed remaining stage without debate.

JURIES BILL
(Serial 293)

Continued from 23 May 1979.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the bill. There are a number of qualifications to that support and members will note the circulation of amendment schedule 111 in relation to the bill.

The Juries Bill simplifies the proceedings somewhat. It removes the exemption rights for certain people and that is a policy which the opposition wholeheartedly supports. We agree with the government that jury service is an obligation on the community. If we support the principle of a trial by our peers, we ought to ensure that juries are as representative of the community as possible. It is interesting that the bill seeks to withdraw the exemption from so many classes of people. It might be of interest if I read into Hansard the classes of persons who will lose their exemption rights. They include pharmacists, veterinary surgeons, school teachers, quarantine officers, bank officials, journalists and printers, fire brigade employees, armed servicemen, mariners, flying doctor ground staff and telecommunication workers. Members should realise that quarantine officers and servicemen remain exempt from jury service by virtue of federal law.

In so far as the list that remains is concerned, there is one other class of people whom the opposition would also seek to delete and I will be moving for that at the committee stage. It is one which we raised on the last occasion that we considered exemptions from jury service: permanent heads of public service departments. The Chief Minister indicated on that occasion that, when he was practising, one of the first people he sought to strike off the list were heads of public service departments. That may be his pet election but others may not agree.

Mrs Lawrie: Would you want me?

Mr ISAACS: Well, never mind the personalities of it. I think that that is the important principle to be looked at. It is not a question of who one likes or dislikes because there are likes and dislikes in all classes of people who attend for jury service. It is a matter of principle and we do not believe that a departmental head warrants an exemption. We do not see the point at all. I understand the problem in relation to employees of the department of law but I do not think a public service department will grind to a halt because the head of the department is absent on jury service. If that is the case, the public service is in a very sorry state indeed. I think there ought to be a principle behind exemptions being granted as there clearly are for practising barristers. If practising medical practitioners were not exempt, we would be depriving the community of a very significant service. I am not saying that heads of departments do not provide a significant service; they do. I do not see the point of principle in exempting them from jury service. In the committee stage, I will be seeking to strike that exemption from the list.

The second area which concerns me relates to the principle agreed upon by the government and the opposition that juries ought to reflect the community at large. If members care to look at proposed section 10(3), they will notice that amongst those people who are disqualified from jury service are those people who are unable to read, write or speak the English language. Frankly, I do not consider that to be a proper disqualification. It is quite correct that persons who do not understand English ought to be disqualified from jury service because they would not be able to make up their minds as to what was fact or otherwise. To provide a qualification that they must be able to read and write English as well seems to be a bit beyond the pale. It is quite true that, in some cases where you have trial by jury, documents are passed around for people to look at. I do not know that those documents are passed around for the purpose of ensuring that the people comprehend them. It might be a photograph in which case there is no need to be able to read or write English. I believe that proposed section 10(3)(c) ought to be amended to read "is unable to comprehend the English language". In that way, the appropriate qualification that a person can adequately serve as a juror is included and the stipulation that a juror should be able to read and write is removed. That raises the other question of how is the sheriff to determine whether a person is able to read, write or speak English. Perhaps there will be a resurrection of the famous dictation test. It is common sense that jurors should be able to comprehend English but I do not see the requirement of their being able to read or write it.

The third matter, and this is a point to which I moved an amendment, is found in clause 8 in the amendment to section 11(a) of the principal act. Currently, the position is that women have the right to opt out of jury service. Surely, we all agree that we are all not only equal in the eyes of the law but also in our obligations to the community. It is on that point that the Chief Minister has turned his attention to redrafting that particular section. I do not believe that this proposed section removes discrimination.

In proposed sections 11A(1) and (2) , quite different provisions are provided. The proposed clauses discriminate between males and females. For a male to be able to be granted an exemption, he has to be a sole parent. For a mother to get the exemption, it is there of right. I believe that the exemptions ought to be without discrimination and should apply, as the principle intended, to sole parents. It is for that reason that I have circulated the amendment which is a redraft of 11A(2). It is de-sexing clause 11A(2) and appropriately alters clause 11A(2). In that way, it removes any discrimination which still exists under the Chief Minister's proposal.

The opposition supports the principles enunciated by the Chief Minister and will be moving those few amendments at the committee stage.

Mr HARRIS (Port Darwin): In speaking in support of this bill, I will start by commenting on the withdrawal of certain sections of our community from the exemption list. There is no doubt in my mind that eventually this had to come. However, it is important that those people who have been withdrawn from that list realise that the decision was made to enable them to take part in a very important process. The selection of men and women as jurors was never meant to create hardship or loss to anyone. If you could show to the court that your restriction from performing a particular function would cause hardship to yourself or to someone else, you were allowed an exemption from jury service.

There are certain circumstances where perhaps the decision handed down has been a little tough. I can remember some years ago when another person and I were called up for jury service. This person owned a particular business and he put forward the argument that it was necessary for him to be at that particular business for it to function. He was asked what he did when he went on holidays and replied: "I close the business down". He was then told to close the business down and he did not receive any exemption. I believe that, in those circumstances, the decision made was a little tough. We all realise that we have a duty to society and that, whenever possible which is not very often, if we are on a jury list we should make the effort to be available.

The major reason given for reducing the list of those exempted from jury service was that juries are in danger of becoming unrepresentative of the community at large. I would like to say at this point that, apart from the lack of representation, there has also been a need for a greater number of people to be placed on jury lists. For a number of years now, a large proportion of our population has lived outside the city limits. These people work and play in the Darwin area and, if we are looking to providing a fair representation and introducing more people from which jurors can be drawn, we must include these people from the rural areas which surround the city of Darwin. The current jury list for Darwin comprises 9 electorates. It would have been far better to have a situation similar to the one in Alice Springs where they select within a certain radius of the court-house. I am aware that the Electoral Act will have a bearing on the lists from which jurors are drawn. I ask the minister to make sure that the jury lists not only include those people who live within a certain radius of Darwin itself. The releasing of more people from which jurors can be chosen by withdrawing certain sections of our community from these lists and by including people who live in the rural areas will indeed help us solve the problem which we have today.

Moving from the area where we have realised the need to make more people available for jury service to an area dealing with persons not qualified to serve as jurors, I too could not understand why it was necessary for a person to be able to read, write and speak English. I feel a person should not fail

because of the inability to write. I can understand why it is necessary for a person to be able to read but, then again, you have the problem of how to determine whether a person can read. Obviously, exhibits would be passed around. You may have someone on the jury who does not want the others to know that he cannot read so he goes through the process of appearing to be able to read. He may also give the impression that he is able to understand and, based on that impression, he then gives his decision. I believe that this is a dangerous situation. It is also necessary to express oneself by being able to speak the English language. I would like the Chief Minister to tell me why it is necessary for someone to be able to do all three: to read, to write and to speak the English language. Perhaps there is a good reason, Mr Speaker.

The bill has many good points but there are 2 that stand out in my mind. First, I applaud the provision for the relief of single-parent fathers. Very few jurisdictions in Australia have attempted to give some form of relief to single-parent fathers in the same way that mothers have obtained relief in the past. The second point is the involvement of women on our juries. We have moved away from the provisions provided in one form or another in many other jurisdictions in Australia where women are either automatically exempt from jury service or they are entitled to claim exemption as a right. These 2 points indicate the Territory government's continued interest in providing legislation to meet modern needs. The involvement of people is so important today - I am talking about the public at large and not just individual groups. Their involvement is essential if government, private enterprise and law are to operate in a manner which is acceptable to our society. This bill provides for greater involvement by all sections of our community and also allows exemption from attending jury service if there is a genuine need for that exemption. I support the bill.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I enjoyed the speech of the honourable member for Port Darwin. It is not often that I agree with everything he says but I did that time. I was particularly pleased with his example of the hardship that is caused to small business people because I am aware of this problem as well. It is a fact that the courts tend to be fairly strict in granting exemptions to people. It is not easy for managers or owners of small businesses to get exemption even though they frequently have a genuine case. Compare the case of the heads of government departments. They are the heads of large organisations which are structured in such a way that there always should be somebody to step into another person's shoes. Heads of government departments are frequently absent attending conferences etc and the deputy steps into their shoes.This is not the case with small businesses which often rely on the knowledge, expertise and time of only 1 or 2 people. Attendance at jury service may be something of a hardship for those people. I think that it is most unfortunate that the exemption is continued for heads of government departments in this bill whereas it is not available to other people. I do not support that.

I also support what the member for Port Darwin said about rural communities. Obviously, the intention of this bill is to make the membership of juries as broad as possible and that is admirable. Also, the inclusion of the residents of the rural communities who are outside the area from which juries in Darwin are presently drawn would be a good thing. I have never been on a jury; I think I would find it quite interesting. I cannot be on a jury now and, since I intend to be here for quite a long time, I know that I will not be in a position to be on a jury. I do not think people would find it a particularly onerous responsibility and I think that many members of the rural community would be prepared to do their duty in that way.

There is an amendment circulated by the opposition relating to clause 8 which provides exemption for people who have children in their care. Clearly, this is desirable but I do not understand the reason for the circuitous drafting of proposed subsections 11A(1) and (2) which distinguish between a man caring for a child and a woman caring for a child. Obviously, it is desirable for someone who is caring for a young child to be exempt and the circulated amendment allows that. The law in the Northern Territory at the moment does not stipulate whether the male or the female parents is the guardian. They have equal responsibility and that is the way it should be. The inclusion of proposed section 11 will make a distinction in law between the responsibilities of a woman and a man towards the care of their children. I think that would be most unfortunate from a practical point of view. The provision would exclude working women who normally would be able to attend juries because other people care for their children during normal working hours. We have moved from the situation where women were absolutely excluded to a situation where they could be excluded if they chose to be to a situation where they are excluded if they have children under 12 years of age. That just does not seem rational at all. I hope that all honourable members will see the virtue, the simplicity and the justice of the circulated amendment from the opposition.

Mrs LAWRIE (Nightcliff): Mr Speaker, I am pleased to rise and support the Juries Bill with some proposed amendments. I have a particular interest in juries. As the Chief Minister said some time ago, the original inclusion of women on juries was brought about by a bill introduced by the first woman member of the Legislative Council, Lyn Berlowitz. She made it optional. Women could opt to go on the jury list; there was no compulsion. I thought this was wrong in principle. Trial by jury really means trial by one's peers. If 50% of one's peers were to be excluded or admitted only by application, I felt that to be quite wrong.

I am very pleased to see that, in his introductory speech, the honourable Chief Minister said: "My government believes that the right to trial by jury is a fundamental and most important part of our criminal justice system. If the jury system is to continue to command the public confidence, juries must be representative of the community at large". Mr Speaker, I am pleased to totally support the concepts put forward by the Chief Minister in that context.

I introduced a bill in the Legislative Council which automatically put women on the jury roll with the provision that they could apply for exemption. When I first bruited abroad this idea, I met with considerable opposition, not within the Chamber but from people outside who foretold my immediate extinction as an elected member of any body. They said that women would not stand for it, that it was political suicide and other such gory prophecies that failed to come to pass. The 50% of the population who happen to be born female acknowledged their responsibility toward society in the matter of serving on juries the same as the male population did. Nevertheless, the legislation I put forward at the time was the only legislation that had any hope of getting through the House.

I agree with the concepts now put forward, particularly the amendment that all persons, except those who are automatically exempted, will be on the jury list and that, in certain circumstances, certain persons may apply for exemption. I believe that the attitude of the Chief Minister and the Leader of the Opposition is one and the same; I simply think that it is better expressed in the proposed amendment.

I have been in close contact with an organisation known as Parents Without Partners in Darwin and have made overtures to the Federal Minister for Social Security about the horrendous problem facing single parents who happen

to be male. There is no less disturbance to family because the one parent left to succour the family is the male rather than the female. I am also aware of a Territory law which the previous member for Port Darwin introduced, and which I supported, to amend the Guardianship of Infants Act so that both the mother and father, where married, had joint guardianship and control of dependent infants. That was a most significant piece of legislation which pre-dated the Family Law Act and one for which I thank the previous member for Port Darwin. I think insufficient attention is sometimes paid to his efforts in the matter of law.

If one carries the argument to its logical conclusion, one would expect that any single parent, who can be demonstrated to have a particular responsibility for young children, would have the same necessity for claiming exemption. It does not matter whether it happens to be the mother or the father. It is a demonstrated need; they have to show to the judge that it is necessary for them to be excused. I make an earnest plea to the Chief Minister to accept the proposed amendments of the honourable Leader of the Opposition.

I must now apologise to the Chief Minister because I am going to propose to him an amendment which I have not done formally but which I had not considered until a couple of weeks ago. Part of the exemption schedule reads: "a person who is blind, deaf or dumb or otherwise incapacitated by disease or infirmity from discharging the duties of a juror". Within the last couple of weeks, I have come in contact with persons who are physically dumb. It is a very simple, physical disability which in no way affects their ability to comprehend or to communicate. They are well able to communicate by means of the written word. I ask the honourable Chief Minister if he will accept a formal amendment deleting the words "or dumb". I would say that a deaf person would suffer a gross disability as a juror because everything would have to be transcribed for him. Perhaps a blind person would also be at a disadvantage in understanding the evidence and the demeanour of the people involved in a particular court case. However, a dumb person does not suffer that disability; he simply lacks the ability to talk. Perhaps there are those who wish that 18 members of the Assembly were dumb and they alone had the means of oral communication. It is not a facetious point; I do think it must be considered in committee.

When we talk about employees within the meaning of the Public Service Act, we talk not only of departmental heads but also persons in the Department of Law. All public servants in the Department of Law will be exempt under the provisions of this legislation. I do not have any particular quarrel with that; I think it is a fairly reasonable provision. If the honourable the Chief Minister examines the rationale behind it, he may well wish to extend it to senior officers of the Legislative Assembly, particularly the Clerks at the Table and the members of Hansard who are also intricately bound up with the processing of law through the Assembly.

I again apologise to the Chief Minister for not having advised him earlier of these thoughts. However, I ask that he give due weight in committee to what I have suggested. The legislation has my support.

Mrs PADGHAM-PURICH (Tiwi): Honourable members have spoken this afternoon about juries but nobody has mentioned the origin of juries. I was not able to find out much about the origin of juries but I understand they originated in Norman times and no doubt came to England at the time of the Norman conquest in 1066. From England,they came to Australia.

This bill to amend the Juries Act is long overdue, especially its

provisions relating to women. In relation to the existing position of women, I can cite my personal case. In the late 1960s, I made application for my name to be put on the jury list. I had to make application at that time. To try to be fair, one can only surmise that the gallant gentlemen who were making the laws in those days - it was always the men who did it, with few exceptions - thought they were shielding their fragile females from possible ugly aspects of life. They little realised, understood or appreciated that it was the women who in reality saw the ugliness of life because it was the women who were concerned with detailed living and knew there could be a great gap between lofty sentiments expressed in hallowed halls by men and the putting into practice of these ideals by women. When I made application for my name to be put on the jury list, I was refused because I did not live in the right place. I lived too far out of town which at that time was the 1945 acquisition boundary at about the 11-mile.

This bill sets out to reverse the previous legislation relating to women. Previously, women were automatically off the roll unless they applied; now they are automatically on the roll except in certain situations. I may sound like the oldest inhabitant but I clearly remember the in-depth public discussions that transpired when the inclusion of women in juries was suggested in 1962. In the Legislative Council on 6 April 1962, Mrs Lyn Berlowitz was deprecating the fact that no facilities were proposed for females in the new law building. She also hoped that the legislation would be for the future and not the present. In all seriousness, the objector said that the inclusion of women on juries could not go ahead because there were no toilet facilities for them. The same argument was advanced when Mrs Lyn Berlowitz herself entered the Legislative Council. Men really thought they were looking after women and women's interests in those days, unaware that their objections were transparently obvious. I am very pleased to see that this bill seeks greater equality for women and, as such, I support it.

Mr EVERINGHAM (Chief Minister): In reply, I must say that I agree with the principle in a number of points that have been raised. I certainly accept the principle of what the Leader of the Opposition has said although this amendment, as it is drafted, may not be entirely acceptable because it is inadvertently restrictive and actually militates against his intentions.

This bill is proposing to reform a system of selecting people to make decisions regarding the liberty, and previously the lives, of their fellows. It really is a very serious matter. When the Leader of the Opposition said that he believes that people who cannot read or write English or perhaps cannot speak English but at least can understand English, should be on juries, I wonder what we are at. Are we concerned with the liberties of our fellow citizens or are we concerned with fairy-floss and persiflage to pander to ethnic people? I sincerely believe in giving immigrants of non-English background as much participation in community activities and civic rights as possible. This jury system affects the rights of people and the law of Australia is administered in English. With great respect to the Leader of the Opposition - and I feel sure his motives are quite pure - it is abhorrent to me that someone who cannot read or write English and perhaps cannot understand English should be allowed on a jury where he can put away one of his fellow citizens for the term of his natural life and, if some people have their way, will be able to swing him from a tree. It just does not make sense to me.

With great respect to the honourable member for Nightcliff, the matter of putting dumb people on juries does not make sense either. I am very sympathetic to these people in their infirmity. In the matter of ordinary, everyday communications, they can communicate with people who understand their finger language. Are we going to incorporate a thirteenth person who is not of

the jury but who is an interpreter for the people who cannot speak? We are dealing with a very complex criminal justice system. Whether we like it or not, that is the way it is and, even with the best will in the world, it will remain that way. The complexity of modern civilization is such that it will not get better; it will get worse. The legislators are the people mainly to blame for its getting worse, by and large, because they keep passing millions of reams of legislation and, the more legislation, the more complex the system becomes. Our ancestors were able to make do with common law, the law of custom, but we are cleverer and need tons of legislation.

One could refer to any number of trials throughout Australia but I wonder how the recent Huckitta trial would have gone if we had had 3 people on it who could not read, write or understand English, and perhaps 1 dumb person. I can see the Leader of the Opposition scribbling away. He is probably going to say that it would have been a good idea to have had a few people on the jury who could speak the tribal language of these people. The simple fact of the matter is that the criminal justice system is administered in English and interpreters are engaged for defendants or witnesses who cannot speak that tongue. I can foresee nothing but chaos. If we were to deviate from this principle, the result would be chaos. It would simply foreshadow a great array of appeals, mistrials and prerogative writs. The very idea cannot be contemplated.

Whilst I readily accept that permanent heads of departments should be excluded from the exemption list and whilst I readily accept the principle of the Leader of the Opposition's proposed amendment, although I have had as much notice of it as he had of my powers of attorney amendment, I seem to remember someone complaining about the hardship that jury service causes to small business people who are required to serve. What are we about? We are engaged in determining the freedom of our fellow citizens. Unless our fellow citizens are prepared to engage in the system themselves, how can it work? The whole purpose of this bill is to increase the number of people available for jury service. That being so, we cannot exclude persons engaged in small business. Many people regard them as the very backbone of our society but where do we stop? If English speaking people throughout the world want to retain the jury system - and I believe that it must be retained in all circumstances and in many ways I would like to see it restored in civil trials - sacrifices have to be made.

I believe that the jury system cannot operate properly if we include persons who do not understand, read or write our language. The Leader of the Opposition said that photographs are sometimes passed around. Regularly, in the criminal courts in Darwin and Alice Springs, lengthy confessions and records of interview are passed around. Sometimes they run for 20 pages. How can someone who cannot read and write English, who does not have a colloquial understanding of the language, deal with these transcripts? They are prepared by policemen and are taken from people who are under pressure. Supposing a person who has something on his conscience is pulled into a police station and is interrogated for hours. To do justice to that person, a juror would have to be able to understand English. That is the thing that I am concerned about: doing justice to the accused in the dock. I am concerned only peripherally with the people outside; it is the bloke in the dock who matters and we must keep our system as perfect as we possibly can by avoiding anything trendy.

The honourable member for Port Darwin said that in Alice Springs people were selected from within a certain radius of the court-house. In theory, this would be a good idea for Darwin but it would be inconvenient for people

at Cox Peninsula and in certain parts of the Tiwi and Victoria River electorates which are within a certain radius of Darwin as the crow flies but are quite a long way from Darwin by normal modes of transport. Alice Springs is a different proposition.

I say unequivocally that I am prepared to accept the deletion of departmental heads from the schedule. The Leader of the Opposition has picked up an area where we were being perhaps unnecessarily protective and I accept the principle that he spelt out. We just need to tidy it up a little bit before the committee stage. The bill will be adjourned and later we will give him a look at our proposed amendments based on his.

In the committee stage, I will propose that judges' wives be included in the exemption category. I think that is a good provision and not just because the 4 judges in Darwin are males. Actually, my wife was summoned for jury service a week ago and I thought it would be rather embarrassing for the accused if the Attorney-General's wife was on the jury. When my wife sought advice from me, I said "You go along and see what happens; they will probably stand you aside". As it transpired, the radio announced that the jury was not required so we never found out. I do not think spouses of members should be exempted.

Mrs Lawrie: I was referring to the Clerk at the table.

Mr EVERINGHAM: In relation to the Clerk at the table, he has a deputy like a permanent head has and I think we should let his deputy try his wing occasionally. I am not sure how often the Clerk has been summoned for jury service over the years but I think it is extremely unlikely that we will lose his services.

Those are my points in reply to this debate,and in all sincerity,I commend to the Leader of the Opposition my viewpoint in relation to the people who cannot read, speak and write English.

Bill read a second time.

Mr ROBERTSON (Manager of Government Business): I move that the committee stage be later taken.

Motion agreed to.

STOCK (ARTIFICIAL BREEDING) BILL
(Serial 290)

Continued from 23 May 1979.

Mr VALE (Stuart): Like anyone interested in taking all possible means to further safeguard the health of our livestock herds which are a vital national resource, I rise to support the bill. In my view, it is long overdue and I was heartened to note that it is so wide-ranging.

I would particularly like to direct some of my remarks to the Central Australian region. In Central Australia, artificial insemination is not widely practised. I believe that this is a direct reflection on the high standard of breeding stock and cattle in Central Australia. If the stringent artificial breeding controls outlined in the bill were not there, on the surface it would bear little relevance to Central Australia. However, that may not always be the situation. Accordingly, the timing for the passage of this

legislation is most appropriate and I believe it will receive the whole-hearted support of the pastoralists in the Northern Territory. Artificial insemination is now widely used throughout the world as an inexpensive, highly effective and rapid means of improving animal quality.

We should bear in mind the comments of the honourable minister for Industrial Development who pointed out that AI, as the industry refers to the practice, can have its disadvantages. These disadvantages only have a real potential in the absence of the legislation before us now because, without adequate controls and safeguards, disease and hereditary effects may be transmitted throughout continents virtually unchecked.

My principal concern in the implementation of this legislation is that pastoralists will not find their programs delayed or bogged down by their adherence to these provisions; for example, only a limited number of licensed artificial inseminators will be avilable in a given region at a given time. However, apart from minor frustrations that may be experienced by individuals, I feel certain that, on the day that the need for such controls will be recognised in the Northern Territory, the pastoralists will applaud.

The Territory is late in dealing with this matter because all Australian states and many other countries have already legislated in this area. To date, all we had were the lesser provisions contained in the Stock Diseases Act. Major defects existed in that legislation and we were waiting for the day when the transmission of disease by artificial insemination revealed the previous inadequacy of our preventative measures. Even with the controls and standards contained in this bill, there can still be a risk but I venture to suggest that such a risk will only exist for operations outside the legislation.

What pleases me as much as anything else in the bill is the provision for the establishment of what might be termed a new "sub-industry" in the Territory. This could occur in relation to licensed artificial breeding centres and enable our pastoralists to make major inroads into the interstate and foreign market for semen from some of their most outstanding stock. It can easily be seen that this bill promises to protect and benefit the Territory in several ways. I support the bill.

Mr DOOLAN (Victoria River): I have some small criticisms to make. I believe that "minister" should be defined. Again under definitions, "sire" is defined as an entire male of any species of stock. I can see no reason for the word "entire" because a half-castrated male can still produce viable sperm.

In subclause 4(3), we find: "Subsection (1)(c) does not apply to or in relation to the use, with the written approval of the chief inspector, of semen collected from a sire, not being an approved sire, for the artificial insemination of female stock of the owner of the sire". I can see no reason why a private owner should have to have the written approval of the chief inspector to do this. It would be far less disconcerting for the private owner to do his own and I believe he should be able to do so without interference.

Subparagraph 5(1)(a)(ii) reads: "has reported in writing to the chief inspector that the sire is free from disease and that the health, general condition, conformation, pedigree and results of a performance test of the sire...." I think that "venereal" should be inserted before "disease". It is covered later but it is impossible literally for an animal to be completely free from disease.

Clause 6(2) reads: "On the owner of a sire being informed under this

section that the sire is no longer an approved sire, he shall immediately inform every person to whom semen collected from that sire has been sold within the preceding 12 months that the sire is no longer an approved sire". I do not think that is good enough and I believe that "inform in writing every person" should be inserted. The same amendment should be made to clause 6(3), that is "inform in writing every person". I believe that to be a reasonable request.

Clause 9(1)(c) reads: "shall be restricted to one species of stock". I would like to know why. If the reason is not a good one, it should be deleted.

Clause 10(2)(c) says: "an inspector may enter and inspect any land, building, premises or place which he reasonably believes is being used for the collection, storage or packing of semen for sale or for the artificial breeding of stock". I feel that that is quite unfair; the inspector should need a warrant and he should provide proper identification. He should also be required to supply a printed copy or a summary of this act. Regarding the whole of clause 10, in my opinion, liability should exist against the government for acts under that clause which are later shown to be either unreasonable or unnecessary because big money could be involved in, for example, seizing and ruining semen from top overseas sires.

Clause 12: "Where the collection, storage, dilution, chilling, freezing, processing or use of semen from a sire, which is not an approved sire, is not prohibited by this act ...." This is a case only for an owner doing his own stock. If this is his own stock, surely there should be no interference to him. The same applies to clause 4(3). Clause 12 finishes up by saying: "a person aggrieved by that decision of the chief inspector may appeal to the minister who may conclusively vary, rescind or confirm the decision of the chief inspector". I would like to see added: "and pay compensation if applicable". Conclusive appeal should be able to be made to a court and not just to a minister.

Mrs LAWRIE (Nightcliff): I only have one comment to make on this bill and that is to do with clause 10: "the chief inspector or any veterinary surgeon authorised by him may enter any licensed premises at any reasonable time ..." This inspector may "enter and inspect any land, building, premises or place which he reasonably believes is being used for the collection, storage or packing of semen for sale or for the artificial breeding of stock ... enter and search any vehicle, boat or aircraft used for the transportation of goods or persons which he reasonably believes is being used for the conveyance of semen". It is only to be consistent that I mention this clause because, in so many acts these days, authority is given to people to enter other persons' premises for the purposes of apprehending or for stopping some unlawful action. Under the old Wildlife Ordinance, enforcement officers who took certain action had to report in some detail as to the reasons for their action and on what eventuated. During the last sittings of this Assembly, this requirement was watered down to a considerable degree. There is intense public concern at the numbers of people being authorised to enter other people's private property for what are, to all intents and purposes, reasonable motives.

I am not suggesting that any member of this Assembly would countenance an illegal trade in the importation or deportation of unlicensed semen, particularly when we are worried about the introduction of exotic diseases. However, I do think that, when an inspector has acted under clause 10 in what he believes to be a reasonable manner, the very least that can be expected is for a report to be forwarded to the chief inspector and then to the minister. It would be a safeguard against harassment and it would allay the public concern that too many people are given the right to enter private property.

I do not wish the minister to be under any misapprehension; I am not defending people who act in an unlawful manner and I appreciate the enormous difficulties faced by inspectors who have to police this particular legislation. However, the public fear must also be laid to rest and no amount of words in the Assembly will suffice. They want to know that, when a person has acted under clause 10, he will be forced to report to a more senior person.

A person aggrieved by the decision of the chief inspector may appeal to the minister. The honourable member for Victoria River feels that should be to a court. Be that as it may, the minister must have in his possession documentary evidence of the reason for any search under clause 10. It is a simple requirement and I believe it would work to the advantage of the department and for the protection of the inspectors and it would do much to enhance the policies of the present government because, at the moment, they are seen as allowing anybody who has "a reasonable excuse" to enter another person's private property. What might appear reasonable to us and to the chief inspector and to the minister does not appear reasonable when it is taken in concert with all the other varieties of people who are similarly licensed to enter. With that very large reservation, I support the legislation.

Mrs PADGHAM-PURICH (Tiwi): In rising to support this bill, I would like to comment later on different points raised by the honourable members for Victoria River and Nightcliff. This bill which seeks to regulate the artificial breeding of stock is most comprehensive in its content. It seeks to deal with the artificial breeding of stock in a similar way to artificial breeding legislation in the states which has been formulated on guidelines laid down by the working party on animal breeding. This group consists of delegates of the chief veterinary officers of all states, representatives of the Australian Association of Artificial Breeders, a geneticist, the Australian Bureau of Animal Health and the Commonwealth quarantine officials.

I think I am correct in saying that artificial insemination has not been used extensively in the Northern Territory. There is only one licensed centre in the Northern Territory at present and it is situated near Alice Springs. It is privately owned and the owner is licensed and operates under conditions which I understand have been laid down by the Animal Industry Branch to mesh in with similar conditions laid down by primary industry authorities for licensed centres in the states. At present, artifical insemination is being done, or thought of, mainly with cattle for obvious reasons. These are the main stocks for consideration having regard to past pastoral practices relating to the favourability of stock for financial returns. Now more and more people are thinking of artificial insemination with horses following an upsurge of interest in their use. I know of some dog owners who have used artificial insemination on their bitches. It is being done with poultry, pigs and deer and I was told only recently that it is even being done with bees. Perhaps there will be a different story about the birds and the bees in future.

Before going further, I think it should be said that any breeder who uses artificial insemination solely because of the inability of the male to perform normal breeding is certainly not doing the particular breed he is interested in a service. Probably legislation cannot be introduced, even by regulation, to stop this sort of thing and I know it is going on with dog breeding. It is highly undesirable but certainly not illegal.

In any performance-testing, this unsatisfactory trait of the male not being normally capable of mating is definitely an unsatisfactory trait. When I read clause 6, I was initially of the opinion that the legislation was too

subjective and relies on the opinion of the chief veterinary officer far too much. I understand that the regulations under this bill will incorporate a schedule of specific traits and deformities which are known to be heritable and which are known to impede fertility and reproduction. I have been told that this schedule is based on guidelines of the working party on animal breeding.

I would like to comment here on something the honourable member for Victoria River said. He was talking about the definition of a "sire" in which a sire had to be entire. If a sire is not entire, that is definitely an unsatisfactory trait. Although a cryptorchid and a monorchid can breed, it is definitely unsatisfactory if the animal is not entire. It is the same as if another part of his body were missing.

Whilst recognising that animals and humans do not have, except in exceptional circumstances, deep communication and being aware of signs as commented on in clause 6(1)(d), I maintain that one must not take notice of signs in solo conditions without regard for the fact that they may not always point to a certain sequential condition. Unless great care is taken in the interpretation of signs, we could have an over-zealous regard for the regulations being shown. Here I would like to say that the Division of Agriculture and Stock has a group of reproductive specialists who will be responsible for assessing the suitability of sires for artificial breeding on a scientific basis.

The question could arise of a sire being temporarily infertile. The situation is that, at any time a sire is not fertile up to the required standard, he will cease to be an approved sire. This is to protect the purchaser against unwittingly buying infertile semen.

Clause 7 says that the chief inspector may approve of the sale in the Territory of semen from outside the Territory if he is of the opinion that the health, general condition, conformation, pedigree and results of a performance test of the sire from which the semen was collected and the conformation and records of production of ancestors, related animals and progeny of any other sire are satisfactory. At first reading, it makes it appear as if the chief inspector is going to be God Almighty. Depending on what the minister declares as stock - which could be animal or bird - it seems on first reading the the chief inspector would be required to have knowledge of all sires, breeds and animals that would be coming from overseas. This would be entirely impossible to police. However, I understand that this clause must be inserted to fit in with federal laws and the chief inspector in that case would be acting on the recommendations of the Assistant Director-General of Health. It is also put in to protect the buyer of the semen in Australia because some years ago, as you would know Mr Speaker, when people first took up the idea of breeding from double-muscled cattle and semen was being imported into Australia from the breeds that suddenly became fashionable - such as simmentals, chianina and charolais - much of the semen that came into the country was of inferior quality because standards were not high enough then to prohibit the importation of this semen.

I was rather concerned with clause 9(1((c) in that every licence for artificial inseminating premises would be restricted to one species of stock. However, I understand that this will not extend to separate bos indicus and bos taurus semens. I understand the restrictions are forced on us in the Northern Territory by the requirements of potential importers. Clause 9(1)(e)(iv) seemed at first to be far too restrictive and against free choice but I

understand the provision is in similar legilsation in all the states as a consequence of industry pressure to ensure the economic viability of competing artificial insemination centres. With the one centre near Alice Springs at present, can we expect a mushrooming of artificial insemination centres in the Northern Territory to make this provision a necessary insertion?

In clause 11, paragraphs (a) and (b) are very important. They allow an owner to use semen from anywhere to have his females inseminated if they are done by a veterinary surgeon or an approved person. The owner may be a veterinary surgeon or the owner may be an approved person. These 2 sorts of people can inseminate females with semen from males either from an approved centre, the next property, the kennels in the next suburb - that is, if the minister declares dogs to be stock, which he can under this legislation - or with semen from males on the same property. However, a non-approved person can only inseminate his females with semen from males owned by the owner of the females. I have been told that the reasoning behind this is to ensure that the semen from the licensed premises is used properly by the veterinary surgeons or the authorised people. This is not to say that the unlicensed operator will not use it properly but it will try to protect the good name of the licensed premises and its products, namely the semen, as much as possible. It has been put to me that this is taking the idea of being one's brother's keeper too far. Only time will tell.

The definition "stock" means all stock or any animal or bird which the minister declares to be stock. Clause 6 talks about undesirable deformities or unsatisfactory traits. It was put to me that perhaps multi-para stock should not be included in this definition of "stock". I refer to pigs, cats, dogs or anything that has multiple births at the one time. There is often a runt in the litter. Sometimes the runt lives and sometimes it dies. If one was taking clause 6(1)(c) very strictly, one could say that that was an unsatisfactory trait and, therefore, if that sire throws litters like that, he would be considered unsatisfactory. However, I think that reason would prevail there.

Mrs Lawrie: A one-off is not a trait.

Mrs PADGHAM-PURICH: Runts in litters usually are not one-offs. If semen is bought as coming from an approved sire but the sire is declared non-approved before the actual insemination, then the notation on any pedigree would be that the sire was non-approved. If the sire was declared non-approved after the owner had bought approved semen and after the insemination was done and if, in all good faith, it was used as coming from an approved sire, the pedigree would be noted accordingly that the sire was an approved sire.

I understand that the Stock Diseases Act and the brucellosis and tuberculosis compensation scheme cover the question of diseases found in females which could be attributable to faulty semen used in an insemination. The honourable member for Victoria River was only concerned with venereal diseases that are carried by semen but there are other diseases that can be carried by semen. The whole subject of artificial insemination in such a large degree is a totally new concept to farming in the Northern Territory. As the honourable member for Stuart said, if artificial insemination becomes very popular up here, it will extend past the pastoral industry. It is a totally new concept in farming in the Northern Territory and, as such, there is not a lot of realisation of all the ramifications that the use of this act will entail. I sincerely hope it will work to the bettering of animal production and animal husbandry in the Northern Territory for all the species of animals it will cover.

Mr BALLANTYNE (Nhulunbuy): I rise in support of the bill and I have every confidence that its introduction is a step forward in assisting the beef cattle industry and the dairy industry in the Territory. Quite frankly, I cannot help wondering why it was not introduced before in this Assembly and I was pleased to learn that there has been some work done in Central Australia. In other states, particularly Victoria, artificial insemination has proved very successful for owners of dairy herds. It has helped them to obtain well-balanced herds and, in many cases, has assisted in the eradication of diseases. Moreover, it has raised the milk output and, after all, that is why they are in the business. It has also raised the overall health standards of the stock.

Dairy farmers have had to go to large expense over the years if they wished to raise the standard of their stock. Well-bred, pedigree sires cost thousands of dollars these days. Sometimes the sires are not always as good as they are thought to be and do not produce results. Naturally, that would depend on the size of the industry, particularly the size of the property and the herd, and other factors operating in the dairy.

Artificial insemination will assist in raising the standard of the beef cattle industry in the Territory as it has in other states. It could cut costs for the breeder. In his second-reading speech, the Minister for Transport and Works said: "Artificial breeding of commercial animals and domestic pets is widely used throughout the world as a cheaper, quicker and more effective method of improving stock genotypes". We should do anything we can to raise the quality of our stock and to try to eradicate some of the stock diseases which are prevalent in the raising of cattle. I am sure that, by applying the stringent regulations on disease, we will eradicate many of our problems.

I can envisage a better overall quality of stock for the Territory. As we are bordering on a new era of sending more cattle overseas, this will help to increase our export markets. The cost of transporting well-bred sires to the Territory, and other costs, have a big bearing on our prices. If we can set up these artificial insemination centres, we could help to reduce the cost of beef. It is not all that easy to sell stock. The main point is that, if you have the quality there, you can always sell the stock. Experimental work can be done on the various types of beef cattle in the Territory, particularly the exotic types. In the long term, by using semen from overseas, we may be able to develop even bigger and healthier animals than in the past. This legislation paves the way for another industry.

Clause 4 states that there shall be no sale or collection of semen for artificial breeding purposes unless the sire has been approved and such approval must come from the Chief Inspector who must be a very highly qualified person. I am sure the inspectors that we have in the Territory are highly qualified.

The use of imported semen is laid down in clause 7. This is very important to the breeding industry, particularly where there is some doubt about the quality. This will give us protection from unsatisfactory imported semen.

Clause 8 allows for the issuing of licences to persons who collect, store, pack, dilute, chill or freeze and process any of the semen for sale. This is one of the most important clauses in the bill because this will ensure that we have the best quality semen supplied to the people who are breeding the stock. It is very important that those people who are registered will be subject to very strict inspections to ensure that regulations are observed. As the minister said in his second-reading speech, without adequate controls

and safeguards, there is the possibility of the transmission of both disease and congenital abnormalities through semen dilution processes. The strict controls seem to be the most important aspect of the legislation.

Any person who does not comply with the provisions of the act may be subject to a penalty of $2,000 or imprisonment for 6 months. This is not a very big fine but it seems to be in line with the normal fines today. However, there could be havoc if some undesirable person did not stick to the rules and bred stock which introduced some exotic disease throughout the whole Territory and perhaps other states.

I support the bill and look with interest to see what results from it.

Mrs O'NEIL (Fannie Bay): I indicate my support for this bill. The general principles are supported by the opposition. It is an area which I have followed at a distance for some time. I had a lecturer in reproductive physiology at university who was a veterinarian with some expertise in this area. I have watched the advances in the area with some interest. It is undoubtedly true that the techniques, when well applied, can be of great benefit to many industries but there are also great risks if it is not well managed. In the Northern Territory, it will be particularly applicable to the beef industry. The member for Nhulunbuy mentioned dairy cattle. I am not sure whether there will be much commercial interest there but it will be of benefit to horse breeders, pig breeders, dog breeders and perhaps even dingo breeders. I certainly support the bill.

Mr OLIVER (Alice Springs): I was not going to speak on the bill but I have been involved myself with artificial insemination in the sheep industry and I can appreciate its importance to any stock industry. As has been pointed out, one of the most important things is the stringent control on the collecting, storing and handling of the semen and also the approving of the appropriate sire. The original concept of artificial insemination was to increase or improve the quality of the sheep herds. It could not have been done economically with a great number of rams so they brought in artificial insemination whereby one ram could inseminate a large number of ewes. If there is any doubt or problem relating to a sire that is not approved being used, then it virtually boils down to a matter of fraud. This is why I endorse these stringent controls.

I do endorse the right of entry onto any place where the semen is stored or handled but I do support the honourable member for Nightcliff when she says that the person carrying out the inspection should submit a report of some description. As the honourable member said, I think there could be harassment or unnecessary entry. I do think there should be some control on that. Apart from that, I really do support artificial insemination and the bill.

Mr EVERINGHAM (Chief Minister): I rise to comment on a remark by the honourable member for Nightcliff in relation to this bill. I think this bill is a great advance. I notice that the honourable member for Nightcliff is concerned that there is no provision in clause 10 for inspectors to report to the chief inspector if they enter any licensed premises. Honourable members have commented on the necessity for stringent controls. Clause 7 provides for the use of imported semen. We know the sort of diseases that Australia is trying to keep out of its pastoral industries - blue tongue, foot-and-mouth etc. The sponsor of this bill is far better qualified than I to inform honourable members of the dangers but we have had some practical experience of these in the Northern Territory.

Clause 10 simply authorises the inspector to enter any licensed premises

at any reasonable time. Generally speaking, it is all in relation to the people who have applied for one of these licences. In other words, they are obtaining a privilege. I believe that the sort of people who will be applying for these types of licences will be well able to write letters themselves to people if they are aggrieved by the actions of any of these inspectors. Quite frankly, I think in these circumstances, in any event, it is an unnecessary provision.

Mr STEELE (Industrial Development): The members certainly had a fair bit to say about artificial insemination. Obviously, it is something new to some of the members. I am pleased it is so well supported. I am very sorry that I did not pick up all the remarks that the honourable member for Victoria River made. I will try and cover what I could catch.

His point relating to the minister in clause 3 would be covered in the Interpretation Act and also in the administrative orders. I think that clause is fairly straight forward.

In respect of his remarks about the entire male, I think that is a necessity. It is a description that is used in all sorts of other material relating to stock. I think one would find it in the AJC journals and I do not think it is untoward to have it included in this legislation.

I must pay tribute to the member for Tiwi who answered many of her own questions. I commend her for the interest that she has shown in this particular legislation. She has sought consultation with the officers concerned and I am pleased that she has satisfied herself to a large extent on most of the provisions of the bill. Certainly, she has an electorate where people are interested in this type of legislation. I do not think that we are proposing to go beyond bovine species at this stage. However, if there are problems in any other respects, we would have to turn our attention to those at that time. There was representation from the private veterinarians and the honourable member for Tiwi dealt with that when she spoke about multiple births. I think she covered it quite ably.

The honourable member for Victoria River remarked on clauses 5(1)(a)(ii): "has reported in writing to the chief inspector that the sire is free from disease". Inspectors under this act will be virtually the same inspectors who administer other acts such as the Stock Routes, the Brands Act etc and the diseases specified in those acts. I do not think there will be any trouble with that.

The honourable member for Victoria River referred to clause 6(1)(d). He asked that the owners be informed in writing. I think that is covered there but I can assure you that, if the inspectors wish to obtain a prosecution, there will be no chance they will be able to get it on evidence that does not contain something in writing. I think they will be telling these people in writing exactly what they require.

The form of the licence took up some time. Clause 9(1)(c) states that the licence "shall be restricted to one species of stock". Once again, the member for Tiwi more or less answered her own question. I think this is for simplicity as much as anything else. I cannot see any problems with it myself.

The members for Victoria River and Nightcliff spoke about clause 10. The Chief Minister has indicated his interest in the legislation on this matter. I will say that, as the minister responsible for fisheries, I am notified in writing of incidents that occur from time to time; for example,

people pulled up in possession of unexplained fishing gear. You would be tickled pink with some of the names that appear in front of me from time to time. All our inspectors are gazetted under the act and no doubt they would have identification on them. It does not say in the act that that is called for.

Mr SPEAKER: Order! I think members, particularly the ministers, ought to listen to the honourable Minister for Transport and Works.

Mr STEELE: Mr Speaker, they are probably interested in the real thing rather than the artificial insemination side of it.

Mr SPEAKER: I think that remark was uncalled for too.

Mr STEELE: Are you asking me to withdraw the remark?

Mr SPEAKER: Yes, I direct you to withdraw it.

Mr STEELE: Mr Speaker, in that case, I withdraw the remark.

The Chief Minister went on to talk about the importance of the legislation as far as the government is concerned. We are introducing something that requires more inspectorial powers and more bureacracy. It is very important legislation which we believe will benefit this country. We support the legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr DOOLAN: Mr Chairman, I would like subclauses 6(2) and (3) amended to include the words "in writing" after the words "immediately inform". I accept the minister's explanation that that procedure is normally followed but I think it should be specified in this bill.

Mr STEELE: I have no other explanation to offer. The scope of the legislation will relate to only a couple of approved people at this time. It will expand over the years but fairly slowly. As the Chief Minister indicated, those people will be granted licences to operate licensed premises. To obtain a prosecution, it would have to be in writing.

Clause 6 agreed to.

Clauses 7 to 9 agreed to.

Clause 10:

Mrs LAWRIE: The Chief Minister did not answer the queries I raised on clause 10. I specifically direct my query now to the sponsor of the bill.

Under clause 19(2), an inspector "may enter and search any vehicle, boat or aircraft used for the transportation of goods or persons which he reasonably believes is being used for the conveyance of semen and may, where in his opinion an offence has been committed against this act, take possession of any semen, package or container and require any person to hand over to him any documents or papers relating to that semen, package or container and

provide such information as he requires in relation to that semen, package or container". This is not just a simple matter of dealing with one licensed premises; it is the same provision as that in the Customs Act and other legislation where we place controls on people. I am not opposing the right of inspectors to enter in certain circumstances but "any vehicle, boat or aircraft" is very broad. I believe that, having taken that step, it is in the public interest and indeed in the government's interest to have that inspector report in writing to his minister.

I point out that the penalty for failing to comply with any provision of this act, that is, if a person refused to hand over any document as required under those sections, is $2,000 or imprisonment for 6 months. This is not a light matter and I am not treating it lightly. Obviously, the government regards the policing of this legislation as a serious matter because the penalties are extremely heavy. Acknowledging the wide scope of the powers of an inspector, it is surely not unreasonable to ask that he prepare a report in writing through the chief inspector to his minister. It goes far beyond simply entering licensed premises; he can enter any aircraft, boat or vehicle where he has reasonable cause to believe that semen is being carried.

Mrs PADGHAM-PURICH: I would like to draw to the attention of honourable members an incident that happened in southern Queensland about 12 years ago. This incident involved a person who illegally imported semen. This semen was eventually used on a property in southern Queensland but the story did not end there. It ended in stock from many properties being destroyed.

The honourable member has said that it is a very serious matter but I do not think any person who is interested in the industry would have any objection to an inspector demanding to have any semen, which he believes is illegally imported, handed over to him together with any papers related to that semen. If they know they are in the right, they will be only too happy to hand the semen over. If they know they are in the wrong, of course they will not be interested in handing papers over.

Any person who illegally imported semen would have some knowledge of stock, would have some knowledge of the workings of the animal industry branch and would have some knowledge of the officers of this branch. Ideally, it would be desirable for inspectors to carry identification but anybody who has anything to do with the animal industry branch knows the inspectors. If they do not know them personally, they know of them and identification would not be necessary. As I said earlier, if everything is on the up and up, the person would be only too happy to hand over papers and, if it is not on the up and up, they deserve all they get.

Mr DOOLAN: I rise to support the honourable member for Nightcliff in everything that she said. I would also like to see something inserted regarding liability because there could be big money involved if you have semen from overseas sires and expensive sires in Australia seized and ruined. There is no provision whatsoever for compensation in a case where semen is wrongly taken and destroyed. The government admits no liability and I would like to see some protection given to a person who holds semen that is wrongly seized.

Progress reported.

STATUTE LAW REVISION BILL
(Serial 297)

Continued from 23 May 1979.

Mr ISAACS (Opposition Leader): This is another of the bills which were a result of the legislative drafting section going through the statutes of the Northern Territory and making required amendments without changing the import of the law. I have had a member of my staff go through the amendments and we concur that they ought to be made. The opposition supports the bill.

Mr DONDAS (Community Development): I will confine my remarks to provisions that relate to the Child Welfare Act and the Social Welfare Act. The proposed amendments to these 2 acts are similar to that applied to other acts in this legislation. They transfer the accountability of the Director of Child Welfare and the Director of Social Welfare from the Administrator to the Minister for Community Development.

I am sure that all honourable members will recognise that this legislation is part of the continuing move towards self-government for the Northern Territory. Examination of similar legislation in the states reveals that these amendments make the Northern Territory Child Welfare Act and Social Welfare Act basically congruent with the states where directors administer the acts subject to the direction and control of the minister.

This legislation will ensure that a continuum of responsibility for the administration of the Child Welfare and Social Welfare Acts flows from the community, through this Legislative Assembly via my office as minister, to the director. I am sure that honourable members agree that this procedure is based on the concept of the accountability which is the backbone of the relationship between parliament and the public service. I support the bill.

Motion agreed to; bill read a second time.

In committee:

Mr EVERINGHAM: Mr Chairman, before the committee commences, I advise that I have 2 amendments of a fairly insignificant nature. They have only just come to my notice and I do not have them in writing. I do not believe that it is necessary that they be reduced to writing. First, I will be inviting the defeat of clause 9. Secondly, in clause 35, I will be seeking to add the words "twice occurring" after the words "Administrator in Council" which is a fairly formal amendment.

The reason for inviting the defeat of clause 9 is that, when the Statute Law Revision Act (serial 297) was introduced, the Conditional Release of Offenders Act 1978, which is the large amending act, had not been commenced. Clause 9 relates to the Criminal Law (Conditional Release of Offenders) Act. It has now been commenced and we should therefore amend the Conditional Release of Offenders Act, as amended by the 1978 act. Rather than attempt to do it here and now, I will be inviting defeat of this clause and I expect to introduce a further statute law revision bill before the end of this sittings.

Clauses 1 to 8 agreed to.

Clause 9 negatived.

Clauses 10 to 34 agreed to.

Clause 35:

Mr EVERINGHAM: I move an unscheduled amendment.

This is to insert the words "twice occurring" after the words "Administrator in Council" in the second line of clause 35.

Amendment agreed to.

Clause 35, as amended, agreed to.

Bill passed remaining stage without debate.

ADJOURNMENT

Mr TUXWORTH (Mines and Energy): I move that the Assembly do now adjourn.

Mr PERKINS (MacDonnell): I rise to raise a couple of matters of concern in my electorate. I think the first matter which I am about to raise will be of interest to the Minister for Health. The second matter will be of interest to the Minister for Transport and Works. I will deal with the second matter first.

This concerns the issue of a causeway at Heavitree Gap in the Alice Springs area. No doubt the minister is aware of this matter because I raised it with him in a press statement earlier this month. The other day, in his answer to a Dorothy Dix question, the Minister for Transport and Works suggested that I was really uninterested in this matter and that I ought to be interested in it because the causeway is in my electorate. I would like to assure him that I am concerned about the matter because it was raised initially with me by my constituents on Emily Gap Road, in particular those people responsible for the Pitchi Ritchi Sanctuary, Heavitree Gap Caravan Park and also Mr David Simpson who hopes to establish an antique auto museum in an area near the Pitchi Ritchi Sanctuary.

It is obviously untrue and misleading for the Minister for Transport and Works to suggest that I am not interested in this matter because I raised the matter with him earlier in the form of a press statement on the subject. Unfortunately, after I put out that statement, I did not receive a reply from the minister. I do want to place on the record of this House that it is a matter of concern to me. In the press statement, I suggested to the honourable the minister that he arrange for a public meeting in the Alice Springs area, particularly with those people who will be directly affected by the proposal for the new causeway to ensure that they are consulted. The proposal is to establish a new causeway further down from the present causeway. The concern is that the people who will be directly affected by the proposal were not consulted in the first place. Their reaction was to have the matter raised and seek some further details. I understand that almost 500 people in that area have signed a petition which indicates their concern about the causeway.

It was interesting to note that, in the answer which the Minister for Transport and Works provided to the member for Stuart, he suggested that they were moving the causeway to Emily Gap. As my authority for that, I use yesterday's Hansard. I would suggest that he ought to check his facts because, if he is suggesting that they remove the causeway to Emily Gap, the people in that area would be at a more severe disadvantage than they would be under the proposal to establish the causeway further down the Todd River.

I am pleased to note, however, that the minister for Transport and Works has answered my call for a meeting and that he has arranged with officers of

his department to consult with those people in my area who will be affected by any plan to remove the present causeway. As I understand it, the people responsible for the Pitchi Ritchi Sanctuary and the caravan park in that area would like to see the present causeway continue to be used even though a new causeway may be established further south. The major reason why they want to see the present causeway continue to be used is because their business houses depend upon the causeway and other members of the public depend upon the use of that causeway to get from the west side of the Todd River to the east side and to go to other locations on Emily Gap Road and to places such as Amoonguna Aboriginal settlement.

It is important that the Minister for Transport and Works should take into account the views of my constituents in that area and ensure that the present causeway is upgraded to a standard whereby it will be used for future traffic flow and that the people in the area will not be adversely affected by the proposal to set up the new causeway. A fair compromise would be to upgrade that particular causeway to a suitable standard as well as establish the other causeway which will be further south. In that way, we would be able to satisfy the needs of all constituents in Emily Gap Road. I hope that the meeting in Alice Springs between the officers of the minister's department and my constituents will be fruitful and to their advantage.

The other matter concerns the honourable Minister for Health. Recently, I went down to Docker River in my electorate which is near the Western Australian, Northern Territory and South Australian border. In fact, it is about 18 miles from the Western Australian border and about 150 miles west of Ayers Rock. Whilst I was there, I had a look at the new health centre which is now in operation. I would like to commend the Health Department for being able to get that health centre operational at last and also on the high standard of its operation at the moment.

I also had occasion to talk to the 4 Aboriginal health workers who are employed at the health centre at Docker River. In particular, I spoke to Neville Leslie and his wife Lillian. I understand that the health workers are classified as public servants and that each of them is paid about $295 a fortnight. It is important to note that they work in the Docker River community and that they also work at the health centre where they are involved in assisting the Health Department sister and the visiting doctors with outpatient and surgery work. I also noted that Mr and Mrs Leslie are able to attend regular health courses in Alice Springs. In most respects, they are treated like all the other government workers with the exception of housing. This is the particular matter that concerns me.

The unfortunate situation which I noted is that the 4 Aboriginal health workers who are employed in the Aboriginal health centre are not provided with adequate housing. On the other hand, the government is able to provide airconditioned housing for sisters and other officials in that area. Incidentally, I have some photographs which I would like to pass on to the Minister for Health in order to show him what I am talking about in relation to this matter. The Leslies live in a humpy yet they have the income to maintain regular rent payments. On a previous occasion, they have asked for a house to be built to accommodate them and the other Aboriginal health workers. However, it would appear that housing for the health workers was not included in the recent building program. I believe that this is most unfortunate.

I was advised that, on each working day, they have to use the shower facilities at the hospital. They also eat at the hospital because there are no adequate cooking or ablution facilities at the camp. I would like to emphasise that I believe the Aboriginal health workers at Docker River

deserve to have houses provided. I know that they are keen to rent housing. They are aware that they are employees of the government and they cannot understand why they are not provided with housing accommodation as are the other public servants in the area. They have indicated to me that they would like a home close to the hospital so that they can enjoy the same facilities enjoyed by other people employed by the government.

It is most important that the Minister for Health use his influence and his authority to ensure that something is done about the inadequate housing conditions of the Aboriginal health workers in the Docker River area. I do understand that housing accommodation is also provided for Aboriginal health workers at some other Aboriginal areas in the Northern Territory. This is a good thing. In this particular case at Docker River, housing is not provided and I believe that it should be. I will hand over these photographs to the honourable Minister for Health so that he can see the appalling conditions under which his Aboriginal health workers are living out at Docker River. He can then compare them with the very good facilities which exist in the new health centre so he can see for himself the problem that exists. He will then be able to judge for himself the seriousness of the matter. The Aboriginal health workers are concerned to see something done about this matter. I hope that the honourable Minister for Health will take the matter seriously and give me some indication, perhaps at a later stage, as to what action can be taken to overcome their housing problem.

Mrs PADGHAM-PURICH (Tiwi): For some time now, different people in my electorate have expressed their concern for the conservation of natural resources and the energy situation. Individuals and groups of people have approached me with ideas. One man wanted to know what the government was doing to advise people on how to conserve resources. Other people have put forward ideas on how to conserve resources. One gentleman has extensive knowledge on the generation of gas. There are several people in my electorate with down-to-earth ideas on how to conserve natural energy resources.

This afternoon, I would like to read from 4 letters which I have been waiting on for some time. These letters show that this group of people is very conscious of the progressively worsening situation regarding the use of fossil fuels. They have put forward concrete ideas on how this problem can be alleviated in their area or at least investigated.

The first letter is written to the Nguiu Shire Council Town Clerk by Mr Max Dryer, the Commissioner for the Northern Territory Electricity Commission. It relates to a previous letter that the Nguiu Shire Council had sent to him concerning the use of tidal power in Aspley Strait. Mr Dryer replied:

> *The initiative shown by your council in suggesting a possible energy source which is not dependent on diesel oil is indeed commendable. We trust that it may be an indication of increasing awareness of communities, and the public in general, of the urgent need to seek alternative naturally renewable resources of energy.*
>
> *Dr Schneider's concept of using horizontally disposed hydrofoil or aerofoil sections on a vertical endless band to provide rotary motion to a generator is certainly novel and would seem to hold possibilities for utilisation of low-level hydro resources. It is noted that Dr Schneider received a substantial grant in 1978 for continuing development of his concepts and it may be some considerable time before operationally approved equipment could be utilised in Aspley Strait. Nevertheless, I am actively pursuing the idea as follows:*
>
> *1. Inquiries have been directed to the internationally renowned hydro-electric consulting engineer in California who we think may be able to obtain documentation-related work in that American state.*

2. *The Australian Patent Trademarks and Design Office has been requested to provide a copy of the patent.*

3. *Inquiries have been directed to South Korea where, as reported in the article, model tests have been carried out.*

4. *I shall be visiting California and shall make every attempt to inspect a scale model device which was to have undergone tests in California.*

I will be pleased to keep you informed regarding the results of our inquiries.

Following the receipt of that letter on Bathurst Island, a letter was sent to Mr Dryer in which thanks were expressed for his letter and which queried the possibilities of using hydro-electric power in the Northern Territory and, in particular, at Bathurst Island:

Additional to the vertical endless band mentioned, revolving paddles on propellors could be used to cross Aspley Strait to provide rotary motion to a generator. The use of diesel fuel would then be minimal. It may well be that some relevant data should now be collected in respect of tidal flow velocity. Your consideration and advice about how this information could be gathered would be appreciated.

The next letter is from Mr Dryer to the Nguiu Shire Council:

We still await replies to our requests for information from America and Korea and would suggest that you may care to wait for our assessment of whatever information we receive before you embark on further investigations. The type of investigations you envisage are very expensive, involving onshore offshore detailed surveys and the acquisition of synthesisation of tidal data etc. However, if you wish to proceed with such investigations, a firm of consultants, having much experience in offshore hydraulic surveys, is Maunsell and Partners Pty Ltd.

A very pertinent part of this very interesting effort on the part of the Nguiu Shire Council comes next in the form of a letter written to me by the Town Clerk:

With regard therefore to Maunsell and Partners of Melbourne, the council would suggest that the hiring of this firm would be for the Northern Territory government to consider and maybe Aspley Strait would be included in the overall survey that would need to be made of tidal data. Nguiu Shire Council would have no funds for the total survey but, for their own part, they would have to include in their budget for essential services in 1980-81 an amount to meet the cost of the survey.

The last part of that letter is very pertinent. Here is a group of people, like other people in my electorate who have voiced similar views, not asking the government to do anything. They are asking for some government help but they are also prepared to do something for themselves. This cannot be commended too highly.

Recognition is made of the fact that there is an increasing deterioration in our supply of fuels, which most sensible people realise. First of all, a realisation of the situation has to take place and then people must think about what they can do because unless everybody gets down to it and really thinks about what he can do, I do not think any government effort is going to be 100% successful.

On my last visit to Bathurst Island, realisation of the increasing shortage was expressed. A rationalisation of the use of vehicles was being considered so that less fuel would be used to overcome the cost of the fuel and possible future shortages. I look forward to seeing the results of this survey in the Aspley Straits.

Mr OLIVER (Alice Springs): I wish to say something about the Alice Springs Show and the problems experienced. The show society operates on the southern side of Traeger Park sports reserve. We hold around 300 acres of land under a special purposes lease. From the Tuesday before the show until the Monday after the show, 18 acres of Traeger Park are made available to us by the corporation. This means that, for all of that period, the playing fields - football, baseball, hockey and soccer - are not available for training purposes and this disrupts various programs. The show itself is not small; it would be the biggest even in Alice Springs and, with all due respects to the Royal Darwin Show, is as big if not bigger in many respects than that is.

The estimated value of exhibits at the show this year - that is, the horses, cattle, vehicles, commercial, industrial etc-was in excess of $3.5m. In addition to that, in excess of 30 charitable and sporting organisations used the show for their major fund raising efforts for the year. What the benefit of the show would be to the town in that sense would be almost impossible to evaluate. This year, there were over 150 individual exhibitors which reflected in general the produce of Central Australia and the goods and services that are available in that town.

The exhibition of cattle, locally-produced stud stock and livestock is recognised to be equal to that of any country show in Australia in quality and numbers. This year, there were over 300 exhibits in the cattle section alone. The horse section this year totalled some 850 entries and, as the Darwin equestrians well know, the quality of the top horses in Alice Springs provides pretty tough competition to visitors.

The attendance at the show over the last 3 years has averaged about 16,000 people and, in that confined area, it is a pretty tight squeeze. We have reached the stage where we can accept no more exhibitors to participate in the show. This is definitely against our policy so therefore something will have to be done. Overall, the show society has assets totalling an estimated $300,000. Unfortunately, a large proportion of the buildings are not movable so when we move they will be a bit of a wipe-off.

As an indication of the size of the show, this year it cost in excess of $65,000. Normally, it is a viable proposition but this year, because of the large capital outlay, we might break even. I do not have the final figures because they are being audited. They should be available early next month. In view of the lack of space and disruption to other sporting bodies, the time has come for the show to move to another venue.

The show itself comprises 17 sections covering almost every conceivable activity of a normal-sized town. These sections in turn are divided into some 700 different classes. So you see, the activity of this show is fairly broad. The show is run on a voluntary basis by a council consisting of about 30 people. At show time, there are dozens of people assisting who are entirely voluntary. The only paid helpers we have are 2 general hands who work for about 3 weeks before the show.

We have made an application to the Department of Lands and Housing for an area of land adjacent to Blatherskite Park which is currently controlled

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by the trustees of Blatherskite. It is on this reserve that the Alice Springs pony club, the saddle horse club and the Apex rodeo conduct their operations. It is envisaged in the medium to long term that, once we get our piece of land there - we have applied for under 80 acres - and we have some development, we will be able to incorporate the whole lot under one park so there is no duplication of areas. We are very hopeful about getting this land but we have no results yet. I just thought I would give you this basic information so that, when we get the land, I can give you more information so that you can further appreciate our requirements.

Ms D'ROZARIO (Sanderson): I wish to speak about a matter today which perhaps the honourable Minister for Transport and Works will give some thought to. It concerns the lack of facilities incorporated in public buildings for the physically handicapped. Generally, the standard of architecture in the Northern Territory is not very high. This remark applies both to domestic and commercial architecture.

Although there are not many physically handicapped people in the Territory, there are nevertheless a significant number. I think that something ought to be done to assist them to gain access to public buildings. What I am suggesting to the honourable Minister for Transport and Works is that, in buildings in which the public does business with the government, perhaps he could ensure that such things as toilets, ramps and sliding doors etc were provided for the physically handicapped to make their lives a little bit easier. There are some buildings in which facilities have been incorporated in the design; for example, the TAA building has toilets which are equipped for use by physically handicapped people. Where government departments open for business with the public, they ought to have these features to enable the physically handicapped to conduct their own transactions with government departments.

I notice there has been one small move towards this even though it is probably not the intention to assist the handicapped people specifically. I refer to the move to the so-called shop front type of government office whereby people who make regular payments or who receive regular payments from various government instrumentalities can deal with these instrumentalities at ground level. An office of the Department of Community Development has recently been opened in the Rapid Creek Shopping Centre which is at ground level. The Electricity Commission office in Cavenagh Street can also be entered at ground level and, more recently, the Minister for Lands and Housing has established a ground floor office in Palmerston House for people who deal regularly with this department. These are all commendable moves.

When you look at the design of buildings such as block 8 and blocks 1, 2 and 7 - I cannot remember their new names - these buildings are extremely difficult to enter if one happens to be in a wheelchair or something of that nature. If the government can set an example by incorporating these elements in the design of public buildings, perhaps other commercial builders might also incorporate such elements in their designs. I ask the Minister for Transport and Works to give that some consideration.

The second matter that I wanted to talk about concerns a specific location in my electorate - the Leanyer Dump. Dumps are not pleasant things to live beside and there are occasions when there are inexplicable, offensive odours emanating from these dumps. It is very difficult to explain to people that nothing can be done for them. In the case of Leanyer Dump, something can be done in the long term. In fact, the Minister for Transport and Works will know that a very extensive study was done in 1977 by the then Department of Construction outlining the management steps and the long-term rehabilitation of this particular area. Whilst there is some long-term plan,

there is also a management plan drawn up for the time during which the dump is in operation.

It is particularly worrying to note that, even though large numbers of families are now settling in the Malak district, nothing much has been done in the way of implementing the recommendations of the 1977 report in respect of management practice of the dump. I think the honourable Minister for Transport and Works ought to sympathise with the people who are living in this district and who have to put up with these offensive odours. I am told that on some occasions people actually have to go down the track camping for the weekend for they find that staying in the house is just intolerable. I quite appreciate that the management of the dump is currently under the control of the city council but I think the long-term future of that dump is well within the portfolio responsibility of the Minister for Transport and Works. I would ask him to let me know what recommendations of that report, if any, his department intends to implement.

Mrs O'NEIL (Fannie Bay): I also wish to bring an electoral matter to the attention of the honourable Minister for Transport and Works. It concerns the intersection at East Point Road and Ross Smith Avenue. A number of my constituents and also other people, including some engineers, from other areas of Darwin have contacted me and said they believe the design will be dangerous. It is a similar design to the infamous Bagot Road-Trower Road intersection. I know that this contract was theoretically the responsibility of the Corporation of the City of Darwin but the minister's department was involved in its design and is also involved in related contracts in the area. The minister obviously indicates that he has had approaches on this matter too and I would like him to keep it in mind and do what can be done to reduce any problems in the area. Obviously that intersection is now designed but there are other intersections in the area between Playford Street and East Point Road which will be created and we certainly do not want any more problems in that area.

I have had a number of people coming to my office. I had a letter again today from a constituent who wrote about near misses that have happened to her in that area. A man rang me at 7 o'clock yesterday morning about an accident that very nearly happened the night before. People are obviously concerned. Another resident of north-west Fannie Bay came to see me last week and said, "I am sure we will need traffic lights in that area if we are going to get out of north-west Fannie Bay, that is the Georges Crescent/Bayview connector road coming in off Playford Street".

I would also once again draw the minister's attention to the problem of children going to Parap school. I mentioned it yesterday and I would like him to give it some attention and indicate what can be done. Children in that area do not have a school bus and, even if one is provided in the future, there will still be many other children who will be riding bikes. They will have to cross the main stream of the connector road traffic to get to school and clearly some special crossing or other means will need to be provided for their safety. I ask the minister to give those matters consideration and perhaps indicate what he thinks can be done.

Mr COLLINS (Arnhem): I wish to continue for a few minutes with the remarks I was making yesterday, mainly for the benefit of the honourable Minister for Mines and Energy. I finished yesterday by saying that quite often governments do not see as pressure what Aboriginal people see as pressure. I will expand upon that in a moment.

My personal attitude towards mining on Aboriginal land is not one that everybody finds satisfactory because I am not totally opposed in principle to any mining on Aboriginal land. For me to take that attitude would be to take a stand of dictating to Aboriginal people in my electorate what they should or should not do. I am quite prepared to accept that there are Aboriginal people, in fact I know some of them personally, who are in favour of mining on their land. Should that be the case, I will certainly give every assistance that I can offer them. As the honourable Minister for Mines and Energy and the Chief Minister know full well, the majority opinion, certainly in my electorate at the moment, is opposed to mining. To make it abundantly clear yet again, although I am not opposed to mining on Aboriginal land, I am most certainly opposed to the kind of mining development which will occur in the area adjacent to Oenpelli.

As I said yesterday, an example does exist in the Northern Territory of a successful cooperation between a mining company and several Aboriginal communities. Naturally it is not a complete success. There are many problems associated with it, not the least of which is the quite serious and worrying number of offenders who appear regularly before the courts at Groote Eylandt, particularly the juvenile offenders. It is quite a horrific number of people. By and large, the arrangement does work to the benefit of both groups. The Kailis Company on Groote Eylandt has also shown and continues to show a spirit of cooperation and indeed good fellowship with the Aboriginal people who live on the island. However, the kind of development which already is occurring and certainly will occur at Jabiru - I have no doubt at all from what I have seen over the last few months - will result rapidly in the total destruction of the Aboriginal way of life existing at Oenpelli at the moment. There is not the slightest doubt of that. It will take an act of God almost to achieve some sort of change in the direction that things are going out there at the moment.

There are significant differences which are worthy of note - and no doubt some sociologist will gain a PhD by writing on it in years to come - between a mining development on Groote Eylandt and one at Oenpelli. Groote possesses many advantages that Oenpelli does not. The most obvious one of course is the fact that it is an island and access to the island can and is tightly controlled. Secondly, the extent of the mineral reserves is known precisely and certainly the non-Aboriginal propulation on Groote Eylandt is likely to remain static. Thirdly, the development is a comparatively small one and it developed slowly. Fourthly, and probably as important as all the others, is the attitude that has been shown by the management of Gemco towards the Aboriginal communities on Groote Eylandt. That is the only kind of mining development that I believe Aboriginal communities have some prospect of surviving.

At Jabiru, we have a boots-and-all approach to development. Time and time again in this House, we have heard it echoed by the other side that it is the kind of development that they welcome. The only thing that they are interested in is how much can be invested in the Territory and the extent of the market for the product. The human issues do not come into it at all. It is no secret at all that the proposed size of Jabiru will not be 3,500 people. We heard clearly expressed in this House a few sittings ago by 3 members of the front bench that there should not be any limit to the size of Jabiru at all. In fact, one minister talked about having it developed as a regional centre. I know that there are plans afoot - certainly proposals are being kicked around to have motel accommodation in the town for tourism - to have the town develop as a normal town would. On the surface, there appears to be nothing wrong with this proposal except that it runs completely contrary to undertakings and promises that have been given to the Aboriginal people in the area. Now that the agreement has been signed, sealed and

delivered, those promises are considered to be very unimportant as compared to the commercial interests involved.

Yesterday, the honourable Minister for Mines and Energy made some statements about differences, as he perceived them, between exploration and actual mining development. He said: "The point I would like to touch on this afternoon is the difference between mining on Aboriginal land and research and exploration on Aboriginal land. I believe they are 2 vastly different things". He went on to say: "I would like to reject any assertion that has been made that I have been pressurising the people of Port Keats. I have spoken to the people of Port Keats and asked them whether they would agree to carrying out basic geological, geophysical exploration which does not involve disturbing or digging the land". Although the Minister for Mines and Energy and the Chief Minister see this as being a perfectly reasonable thing, in fact, as the Chief Minister knows full well, Aboriginal people have just as reasonable a point of view in the opposite direction.

It was not my intention to raise this matter in the House but, because of the comments made yesterday by both the ministers concerned, I will do so. The particular incident I am going to discuss was a mining survey done in the Liverpool River area at Maningrida. This matter was brought to a satisfactory resolution by the honourable Chief Minister himself and I thank him for it. For the benefit of the Minister for Mines and Energy particularly, I would like to detail some of this story to bring that gentleman to an understanding that, from an Aboriginal point of view, the exploration that is being carried out - not 20 years or 10 years ago but right now - does involve disturbance to their land. It is disturbance which a European would consider trivial but which Aboriginal people in fact consider so serious that it could result in a loss of life.

A mining survey was carried out by Gutteridge Haskins and Davey under contract to the Department of Lands and Housing a short time ago. Applications for permits were made under the name of the Department of Lands and Housing although in fact - and this has now been confimred by correspondence - the survey was being carried out for the Department of Mines. A telegram which contained no information at all was sent to the Maningrida Council. It simply said: "We wish to apply to come to the Liverpool River to carry out a survey for the Department of Lands and Housing". The Mines Branch did not even get a mention in the correspondence. Subsequently, current sacred sites, which are being used right now by over 100 people in the area, were trespassed upon, were pegged and taped and the dreaming area of the traditional owner, who is still living, the most sacred site, the site that contains the man's very soul and being, was pegged and taped. This resulted in that man becoming extremely ill and everyone in the area feared that he would die. It was not until the damage was repaired and the tapes and pegs removed that he recovered. I have been in the unfortunate position just a few years ago in another place in Arnhem Land of seeing a man, under similar circumstances, actually die despite all the efforts of the people in the Darwin Hospital.

There was some correspondence on the matter subsequently from the Department of Mines and Energy and I will quote from it. This letter is from Mr Vern O'Brien: "Reference is made to your letter of 24 July concerning the activities of a survey party from Gutteridge Haskins and Davey who are working in the Liverpool area for this department. We are most concerned that this party intruded on a sacred site in the course of this work. We have discussed this matter with the party leader and understand that discussions were held to avoid such occurrences but apparently some communication difficulties led to a less than perfect understanding..." In the final paragraph, which is the significant one, it talks about the survey continuing into its second stage: "We would be pleased to have you or any of the traditional

owners accompany the departmental field group when it is in the area. The work is presently scheduled for 24 August 1979". The thing to note about that is there is absolutely no mention anywhere in this letter of consultation or discussion with Aboriginal people as to whether the mining people could come back. It is just a bald assumption that they will and, if the Aboriginal people want to tag along, they can. That sort of thing in 1979, after the amount of land rights legislation that has passed through this House, is not satisfactory at all. Another letter from Mr O'Brien says:

> *This department recently received a complaint from the Outstation Resource Association Maningrida concerning an intrusion onto a sacred site by a survey party under contract to this department. This incident occurred because of communication difficulties between the different groups involved. We are most concerned that this happened as it is very much our policy to avoid any disturbance to traditional owners... I am sure that with improved communication such incidents can be avoided in the future.*

I have discussed this personally with the Chief Minister, and I am sure he understands that Aboriginal people have been hearing for many years, "look we are very sorry; it will not happen again", but it does happen again and again and again. It has just happened again with a subsequent apology. The damage was done just a short time ago. For the benefit of particularly the Minister for Mines and energy, I would say that Aboriginal people have very reasonable grounds for being healthily suspicious of exploration work as well as the actual development. I would suggest to the Minister for Mines and Energy, although I hope he is already familiar with this particular incident, that in future more care be taken. I have not the slightest doubt that had the department gone about this in the proper way, the survey would have been carried out with no harm done. As it was, the people in the area were so upset that I know they even went to the extent of removing many of the pegs and tapes from the trees. In one case, this was done for the preservation of life because, if those survey pegs and tapes had not been removed from the dreaming site of the owner of the area, I have no doubt, given the fact that he is an old man and a very traditional man, he probably would have passed away.

Aboriginal people really are getting tired of apologies after the event and assurances that it will not happen again because it continues to happen again. I do really feel that even a slight change of attitude and philosophy on the part of members of the front bench would go some way towards ensuring that it may not happen again.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

SABAH PARLIAMENTARY DELEGATION

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of a delegation from the Parliament of Sabah under the distinguished leadership of Datuk Lim, Minister of Communications and Works. I have the greatest pleasure in welcoming, on behalf of all members, this delegation from a country which has shown its faith in the future of the Territory by making a substantial investment here and which seeks to make even more firm the bonds of friendship existing between our countries by sending this delegation on a goodwill visit. I extend to them a very warm welcome.

Members: Hear, hear!

CENSURE MOTION

Favoured treatment to John Holland Constructions Pty Ltd

Mr ISAACS (Opposition Leader): I move that this House censure the Northern Territory government for giving favoured treatment to John Holland Constructions Pty Ltd in the construction of a small ships repair facility in the port of Darwin.

Before I speak to the motion, Mr Speaker, may I say that we tossed up very seriously whether or not to proceed with the censure motion at this stage in view of the presence in the gallery of the Sabah delegation and the words of sincere welcome which you made to them and which the opposition sincerely endorses. However, the allegations which I will be making in this House this morning are so serious that I believe it is important that the censure motion be brought on forthwith.

The charge which the opposition will be levelling at this government is that it gave favoured treatment to John Holland Constructions Pty Ltd for the construction of a small ships repair facility in the port of Darwin in the expectation of receiving a kickback to CLP funds. We have evidence, which I will table, which establishes a secret commission on the strength of John Holland Constructions getting the small ships repair facility contract. A legal opinion which I have obtained indicates there could well be a breach of the Secret Commissions Act. I will be suggesting at the end of my address the need to establish a royal commission into the whole affair.

The small ships facility notion has been around for some time. In 1969, Maunsell and Partners indicated to the then administration that the port of Darwin needed a great deal to be done to it to encourage shipping. Nothing was done. In 1974, Evans Deakin, a company used to making developments in ports, ship repair and ship building, gave a document to the Northern Territory Port Authority in which it indicated that a small ships facility was required in the port of Darwin. Indeed, that report indicates that a synchro-lift is the best proposal but indicated also that the amount of money required for the establishment of a synchro-lift did not justify the investment because the return would be hazardous in the extreme. A comment was made by Evans Deakin in its 1974 submission that government assistance was required. In 1978, we saw the beginning of the current saga of the small ships repair facility for the port of Darwin.

We have been told by the minister, in press releases and in answers in

this House, that advertisements were placed by the Port Authority early 1978 seeking interested parties to comment on a ship repair facility. In the words of the minister few companies were interested. The government, in justifying the favoured treatment given to John Holland, has always said that 2 things stood out: there was a need for haste to get the repair facility completed by November this year and, secondly, that only John Holland were interested in providing them with this particular facility. Both of those claims are untrue. It was quite obvious, almost from the beginning, that November this year would be well and truly gone before the ship repair facility was in operation. In fact, it is quite clear that it will not be in operation until March or April next year. The fire which broke out on the dredge recently will delay it for only 2 or 3 weeks according to the project manager. That cannot be held responsible. I do not believe it was ever really imagined that the ship repair facility could be completed and in operation by November this year.

Secondly, the claim that John Holland Constructions were the only company interested would have to be false. Evans Deakin indicated in 1974 that they were interested in proceeding with a ship repair facility but only on the basis of extreme government activity and assistance. I am quite sure that Evans Deakin would have been interested in this particular proposal in 1978. I would be most surprised if they were not.

Now we come to the arrangement. John Holland were interested in the Navy slipway as well. Thus, the deal had a great deal of significance for them. They had in their sights the construction of the Navy slipway on which there has been a Public Works Committee hearing. They proposed at that Public Works Committee hearing the same proposal which was first mooted to this government - a fast track proposal. Quite obviously, Holland wanted to be able to assure the Public Works Committee that they had a successful operation under their belt already. Secondly, when it was first mooted in February this year, the NT government wished to have some kind of an election gimmick up its sleeve. That is why the so-called haste was required to get the ship repair facility completed by November.

The Northern Territory government agreed to give favoured treatment to John Holland. First, the government would pay for the dredging which, as the Minister for Transport and Works indicated in the House the other day, was totally necessary for the viability of the operation. Secondly, it would give John Holland exclusive rights to private vessels unless its slipway was fully occupied. Again, according to the Chief Minister, this would cost the Port Authority some $40,000 in lost revenue. In addition to the lost revenue, the Port Authority would be up for $80,000 in maintenance and general administration of the new port facility.

I would like to make it quite clear at this stage that something like this had to be done. Evans Deakin had indicated that the money required in a ship repair facility did not justify the investment on the basis of the hazardous return. It is quite clear that the government had to intervene and assist significantly in order to get a ship repair facility off the ground. Having said that, it must also be said that all interested parties ought to have been given exactly the same chance. I imagine there would have been others apart from Evans Deakin. Local contractors, who had the same kind of expertise that John Holland has, would have been interested in tendering for a contract for which they knew the government was going to be supplying by far the bulk of the money required. Public tenders were not called. The significant question is why not?

The Minister for Transport and Works said in a press release when he made public the heads of agreement document: "John Holland put to us an unusual but pleasing proposal". Unusual and pleasing indeed! The unusual nature of

of the proposal - the "kickback" as I called it at the beginning of my address - is the matter which deserves censure of the highest order. Before I go into that particular little episode, I would like to enlighten honourable members of the procedure which applies within the Master Builders Association because this whole arrangement required the active and close cooperation of 4 parties: the government at its most senior level, John Holland Constructions, the Master Builders Association and, finally, the Country Liberal Party.

The Master Builders Association is a registered organisation under the Conciliation and Arbitration Act. It is an industrial organisation representing the interests of many businesses.It is an organisation which has a significant history in the industrial relations scene in Australia. It provides a most important service to building companies, to electrical contractors and the like, not just in industrial practice but in contractual matters as well. It is the usual practice of the Master Builders Association, certainly in the Territory, to levy its members 0.15% of the value of any publicly tendered contract for which a member is successful. Where the contracts are negotiated but still over the $1m no levy is raised. For example, in relation to the recently announced $5m venture in which Paspalis Investments and Civil and Civic negotiated a total package and no public tender was called, quite clearly the MBA would not levy. The same should have applied in this case. There was no public tender and therefore the MBA ought not to have levied John Holland on the small ships facility.

In order to effectively launder the kickback to the CLP and also to deceive the head office of John Holland Constructions, the agreement was that the MBA levy would be used as a means of ensuring the money reached its target. The idea was that the Master Builders Association would levy John Holland Constructions on the total value of the operation - $3.6m - on the normal basis of 0.15%. On the $2m of government money, 0.15% would go to the MBA in the supposedly normal fashion - although as I indicated this was not normal because it was not a publicly tendered contract - and, secondly, 0.15% on the $1.6m, the John Holland contribution, would go to the CLP.

Mr Speaker, with your permission, I seek leave to table a handwritten document; it is the handwriting of Mr Merv Elliott, the Executive Director of the Master Builders Association. I know this handwriting well because I dealt with Mr Elliott for 4 years in relation to building and construction industry awards. It may be said that this document is a forgery. I would be very interested to find out from people who work with him and members opposite, who must have received letters from him in 1974 when he was a campaign director for the Country Liberal Party, whether or not it is correct that it is his handwriting. I seek leave to table the document. I have sufficient copies here for honourable members.

Leave granted.

Mr ISAACS: That document, headed "Small Ships Facility", indicates the divvy of the $3.6m. The Australian Federation of Constructing Contractors will get its normal share and the MBA will get its normal share. The final line says CLP on $1.6m - $2,400. I do not know whether CLP is an acronym for the city of Liverpool players but I would guess that most members of this House would recognise those initials immediately. They stand of course for the Country Liberal Party. This document shows an intention on the part of the Master Builders Association to take part in an agreement which will send money from Holland through to the Country Liberal Party on the basis of the agreement reached with the Northern Territory government.

It took some time for the contract to be actually signed and, finally, we were informed by the Chief Minister in the August sittings that all contractual

details had been completed. As a result, the MBA stuck to its agreement and invoiced John Holland on the basis of the 2 separate arrangements: the money to the MBA and the money to the CLP. Mr Speaker, again I seek leave to table 2 documents relating to those invoices.

Leave granted.

Mr ISAACS: The first invoice is on the Master Builders Association of the Northern Territory letterhead: invoice no 4917 dated 28 August 1979. The invoice is for a contracts and industrial service fee and is charged to John Holland Constructions Pty Ltd - small ships facility, 0.15% on $3m - $3,000. Quite obviously, the amount invoiced was 0.15% on $2m. $3,000 is most certainly the deal if you look at the first document I tabled. Notice that that invoice is on the MBA letterhead and it is numbered 4917. The second invoice is from the Master Builders Association of the Northern Territory - dated 28 August 1979 - to John Holland Constructions Pty Ltd. It has no number and one wonders why the MBA would have sent John Holland Constructions an unnumbered invoice. It is for a contracts and industrial service fee - small ships facility, balance, 0.15% on $1.5m - $2,250. That is the kickback which I spoke of earlier.

One wonders why the second document is unnumbered. If it were a genuine invoice and if it were genuinely a balance then, quite obviously, it would have had a number on it. Why would the Master Builders Association, after recognising that they had made an error on no 4917, send a second invoice with the balance? Why not just send a new invoice which was numbered so that it was capable of being audited? The clear reason was to ensure that, once the balloon went up, as it undoubtedly has now, evidence of this sort could be put through the shredder. Make no mistake about it: those photocopies are of genuine documents. Those invoices have been sent. I am unaware at the moment whether or not the money has been paid. There can be no doubt that that represents $2,250 and, with the handwritten note in a handwriting that I know well, confirms the kickback arrangement in regard to the small ships facility. This is not just an ordinary everyday common or garden censure motion. I am making charges of a very grave nature. It seems to me there is a need to establish forthwith a royal commission to check the validity of what I am saying because I believe that this government is in it up to its neck.

There has been a history to this small ships facility contract. Early this year, Mr Rettie, a senior employee of the Industry Development and Trade Promotion Section of the Industrial Development Department resigned. At first, we were told that he resigned because he had tennis elbow. Recently, we were told by the Chief Minister that he left under a cloud. A tennis elbow does not relate to a cloud. Mr Rettie's name was besmirched in this Assembly. We were accused of raising it when we asked the simple question. In his usual apoplectic fashion, it was the Chief Minister who besmirched the name of Mr Rettie. Mr Rettie told one member of this Assembly that the reason he left was because the small ships facility was lousier than Watergate.

There are other crazy things about this particular arrangement. The Minister for Transport and Works indicated in an answer the other day that no checks had been made of the sort of charges that would be levied by John Holland for the small ships facility. The government went into a proposal giving exclusive rights to John Holland's slipway facilities without bothering to check what charges will be raised. That's most extraordinary! I believe that members of the Master Builders Association will be most distressed when they see what their organisation has been up to. Without question it has been used as a laundry for Country Liberal Party funds. The MBA has always been proud to say that it is a non-political organisation and a free-enterprise organis-

ation. Who could forget its free enterprise advertising in the 1974 Assembly election? Good luck to them. There is nothing hidden about the attitude of the trade union movement and its support of political parties and I do not criticise the MBA when it perceives that it is in its interests to support a certain political persuasion. However, it is most important that industrial organisations, employer or employee, see themselves independent of the political process to the extent that they can deal with governments of any particular hue and they can represent members of any particular political creed. The same cannot be said now of the Masters Builders Association when it has allowed itself to be used in this fashion.

I said at the beginning that this particular operation, this "unusual but pleasing" proposal, to use the words of the Minister for Transport and Works, required the cooperation of all 4 parties: the Northern Territory government, John Holland Constructions, the Master Builders Association and the Country Liberal Party. Indeed, Holland was so moved by this close cooperation that it thanked the Development Corporation for the favoured treatment it received. I believe that this shows corruption of the worst sort. Companies in the Northern Territory and outside the Northern Territory must be secure in the knowledge that they deal with a Northern Territory government without the sort of kickback made notorious in the Lockheed scandals and the Victorian land scandals.

The newspapers have compared this particular saga with the Willeroo proposal and indeed there are some similarities. The Willeroo proposal was an excellent idea. Share-farming on a property outside of Katherine had the support of everybody. We were branded the "Willeroo wreckers" because we dared to question the government's handling of the establishment. However, we were vindicated by the effect of the validation motion which this government moved in September of last year. But, at all times, it was made perfectly clear that we did not believe that any money had changed hands or that there had been skullduggery. Without question, it was botched and we hope - and this was said publicly - that the government would learn from its mistakes. The same cannot be said of this particular charade.

I believe the evidence which I have put to the parliament today reveals a great incapacity of this government. It is a blot on this parliament and it is a blot on the people of the Northern Territory. I do not imply that every member of the Country Liberal Party knew about the deal. Quite the contrary; I am certain that most of them did not. Make no mistake about it: those documents are genuine. If you do not believe that or, if you are somewhat sceptical about them, then you most certainly would require a royal commission in the manner I have described to ensure that your government is not corrupt as, indeed, these papers indicate. I appeal to members opposite on the backbench because I am certain they knew nothing about this particular slight of hand, this particular bit of laundry work. I do ask that you check the documents so you recognise the handwriting involved. You must know the way the Master Builders Association levies its members for public contracts. The deal hangs together only because of the close and active cooperation of senior people within the organisations I have mentioned.

It is a blot on the people of the Territory that this government acted the way it did. The only way that we will be satisfied that justice will be done and that the truth is established is by appointing a royal commission, filing these documents with the Department of Industrial Development and then bringing people who are obviously connected with the allegations before the royal commissioner for questioning. Only then will this very grave allegation be put to rest.

I believe in the veracity and integrity of these documents; I believe

that such a deal was on for a miserable $2,250 kickback to the CLP. Do not let it be said that, if it was more, it would be somewhat praiseworthy. It shows just how arrogant the members opposite are. They laundered the $2,250 through the MBA by slight of hand with unnumbered invoices so that not only the people might be confused but also so that the wool would be pulled over the eyes of senior executives of John Holland Constructions in Melbourne. As I said, this was done with the active cooperation of all 4 organisations. I appeal to members opposite and to my own colleagues to study the documents carefully and to realise that the only way to clear the government would be by establishing a royal commission.

Mr EVERINGHAM (Chief Minister): The Leader of the Opposition seeks to condemn the government for entering into a contract with John Holland Constructions to construct a small ships facility in the port of Darwin. We know that this facility has been required in this port for many years and the government, right from the outset, has acted with complete propriety in entering into the arrangement with John Holland.

I do not deny that the Master Builders Association supports financially the activities of the Country Liberal Party. In the same way, of course, union members are levied to provide financial support for the Australian Labor Party. I do not think that many people have ever questioned the right of union members to pay funds to support their political party nor have people questioned the right of the Master Builders Association, if it so wishes, to pay funds to support the activities of the Country Liberal Party. However, I can say without equivocation that no member of this government knows what the financial transactions of the Country Liberal Party are and never in my term of office have I solicited a donation of any amount from a member of the public or, more specifically, from John Holland Constructions Pty Ltd.

We are asked to accept as evidence these 2 documents that the Leader of the Opposition has spoken about. We are asked to accept a copy of a handwritten document that may or may not be in the handwriting of Mr Elliott. We are asked to accept 2 documents with the letterhead of the Master Builders Association of the Northern Territory, one of which is numbered and one of which is not, that are both dated 28 August 1979. We are asked to accept that these documents have been sent to John Holland and we are asked to accept that this is evidence of a kickback. Mr Speaker, the documents do not even tally in themselves. The first document says 0.15% on $3.6m - $5,400. It then proceeds in the breakup that the Leader of the Opposition has mentioned. Two documents are dated 28 August and the other document is undated. We do not know where it is from or what it is about. The 2 dated documents state: "small ships facility, 0.15% on $3m - $3,000" and "balance 0.15% on $1.5m". Those 2 figures add up to $5,250 so the 2 figures themselves do not even tally. We are asked to accept that they interlock and interrelate and that they are evidence of a conspiracy between the government, presumably the ministers of the government, John Holland, the Master Builders Association and the Country Liberal Party to get what would be a pitiful rake-off,if we were in the business of rake-offs,when the sum involved in the contract is something like $3.5m. If I was in the business of putting the squeeze on people, I certainly would not be putting it on in such a pitiful way.

I am not in the business of putting the squeeze on people and I think that, instead of being given these unverified documents and being asked to make a judgment on them, members should be told something of the chronological history of the transaction that actually took place between the government and John Holland Constructions. It is suggested that we have given John Holland Constructions favoured treatment and one of the companies that was mentioned by the Leader of the Opposition was Evans Deakin Pty Ltd. The Leader of the Opposition said that he was sure that Evans Deakin Pty Ltd would be interested in the proposal because it had been interested previously. I can say categor-

ically that a copy of the feasibility study on the small ships facility was sent by the Department of Industrial Development to Evans Deakin as well as others and that no response was received.

I will mention the companies to whom the copies of the feasibility study were sent: Rendel and Partners who are expert consultant engineers in the construction of port facilities and who have built almost every port in newly-emerging countries and along the Queensland and New South Wales coasts for some considerable time; Brookeades in Western Australia; Evans Deakin; John Hickman, the Chairman of the Fishing Industries Council; a gentleman by the name of Jean Pierre Rodda of Singapore who has expressed some interest to the Senior Trade Commissioner at Singapore; V.B. Perkins Pty Ltd, another lessee in the port area; Civil and Civic; and various other engineering and consulting companies. We are told that there was favouritism in giving the contract to John Holland.

Let me just try to take us through the transaction on a chronological basis so that we can see that this government acted with complete propriety in awarding this contract to John Holland. I do not think that there is any dispute that the small ships facility will provide a service to the owners of a great many vessels along the north Australian coast. It will be the only such facility between Broome and Cairns and it will be of enormous benefit to the economy of the Northern Territory. Because of the importance of the project, the government has accorded it priority and we have attempted to ensure that it will be built as speedily as possible. I certainly would not seek to deny that I am very proud of the fact that we have got this project on the road after 60 or 70 years of Commonwealth government inactivity.

In June 1978, the Northern Territory Port Authority sought by public advertisement applications from companies experienced in ship repair work to establish ship repair facilities in Darwin. The advertisement stated that further information could be obtained from the Port Authority. It appeared on 2 June 1978 in the following papers: The Advertiser in Adelaide, the Age in Melbourne, the Courier Mail in Brisbane, the West Australian in Perth, the Daily Mirror in Sydney, the Sydney Morning Herald, the Cairns Post, the Daily Bulletin in Townsville and the Northern Territory News. Before I go on, Mr Speaker, may I raise a point? In letting contracts by tender, the Department of Transport and Works, since 1 July 1978, has put advertisements in the Northern Territory News and, should the contract be of interest in other areas of the Territory, it has called tenders in the local papers such as the Centralian Advocate. In this case, we did not only advertise in the Northern Territory News as we would have if the contract had been going to tender. The Port Authority sought Australia-wide interest.

Five companies, including John Holland Constructions and one other Northern Territory-based company, responded to the advertisement. A letter from one of the southern companies stated that the company was not in a position to tender for the establishment of the facility but sought a list of tenderers because the company was interested in supplying timber. The port engineer had preliminary discussions with the Darwin manager of John Holland Constructions and wrote to the other 3 companies giving some further broad details of the proposal and concluding the letter by saying: "If you wish to discusss the matters concerned in the letter, would you contact the port engineer after 17 July". So far as I am aware, and I am assured of this, only the Northern Territory company and John Holland made any contact with the port engineer expressing firm interest in the proposal. It would seem, even at that stage, that the need to invest as much as $250,000 of their own capital - a figure mentioned by the Port Authority - discouraged further interest from the other companies. An inquiry was received from Mr Rodda in Singapore and the Secretary of the Department of Industrial Development wrote to him and, as far as I know,

did not hear from him again.

On 3 August, a feasibility study by Mr Peter Anderson was commissioned by the Department of Industrial Development. There is little point in recounting all the details set out in the feasibility study but perhaps I might select a few of the points committed to writing by Mr Anderson. In the 3 years to 1977-1978, the fishing fleet increased in size by more than 75% with an estimated concomitant increase in aggregate vessel value of 120% to cover $52m yet problems related to inadequate wharf facilities and, particularly, the very poor provision of industrial and facility support for operators wishing to slip vessels for maintenance combined to yield a situation in which usage of the port of Darwin by the fishing vessels and consequent spin-offs for local industry and production in employment terms have been nowhere near full potential. In early 1969, when the fishing fleet was less than a quarter of its present size, Maunsell noticed the serious congestion caused by small craft using existing cargo berths due to the lack of alternative facilities.

In October 1970, a report by the federal parliamentary Standing Committee on Public Works noted that the lack of port facilities was severely hampering the development of the prawning industry and recommended the establishment of a small ships facility in Frances Bay to cost $4.06m and to be completed by mid-1973. Of course, we know that was not done. In 1975, a Bureau of Transport Economics report highlighted port congestion and the lack of appropriate facilities for small ships and stated that some form of small ships facility must ultimately be provided. Despite the above ensemble of strong recommendations, no developmental work of note in the Frances Bay area has been implemented save for sections of the Frances Bay access road. Facilities for vessels using the port of Darwin are largely unchanged from those analysed by Maunsell in 1968.

In relation to the Port Authority slipway, Mr Anderson comments that tide movements restrict the slipway to taking one vessel only every 10 days or so and the adequacy of the strength of the supporting cradle has been questioned by some operators. The Royal Australian Navy owns an adjacent slipway and neither of the above slipways has a side-slipping capacity or workshop facility of any substance.

He talks about the facilities outside the Territory and he then comes eventually to a conclusion that a small ships maintenance and repair facility in the port of Darwin is long overdue and benefits would accrue not only to the prawn trawler operators and other fishermen but to the community at large as a result of multiplier spin-offs for local industry. At first glance, given adequate planning, preparation and co-ordination of parties, a slipway and related facilities for 5 trawler-class 400-500 tonne capacity dimensions appears to be a potentially favourable operation. That feasibility study was sent to all those companies that I mentioned. In fact, it was given even wider distribution but the then Secretary of the Department of Industrial Development cannot remember the other parties to whom the feasibility study was given.

A formal proposal was made to the Department of Industrial Development by John Holland Constructions on 14 December 1978. The company proposed to finance, design, construct and operate a small ships repair facility at Frances Bay provided that the government would work together to construct a public sheltered harbour and small ships wharf adjacent to the repair facility. In November 1978, a Northern Territory company consulted the port engineer that their proposal appeared to be for a small boats marina rather than a facility contemplated by the government. In December 1978 and January 1979, discussions were undertaken between ministers and departmental heads as to whether the project should go to tender but it was decided that, since only one serious

contender, namely John Holland, had emerged and was willing to invest $1.5m or more of its own money after such a length of time, it was decided to continue to negotiate with John Holland in an endeavour to secure the construction of the small ships facility.

I think that this is the point on which it all turns: had the government done enough to try to attract interest from other parties? I believe that the government had done more than enough. It advertised nationally, it sent copies of the feasibility study all around Australia and overseas and, at that stage, it was left with only the John Holland company showing any interest. We know of all the other concerns that had come in over the years, shown interest and then gone away again.

In January 1979, the Department of Industrial Development prepared draft heads of agreement and thereafter continued to negotiate with John Holland. On 19 January, Cabinet made a decision. Firstly, Cabinet approved the construction of the private facility by John Holland; secondly, it authorised the Department of Industrial Development to negotiate with John Holland for the construction of the public facility on a lease-back basis; thirdly, it directed that the final agreement for the construction of the public facility by John Holland be referred back to Cabinet for approval; and, fourthly, it authorised the Department of Industrial Development, the Northern Territory Port Authority and the Department of Transport and Works to be responsible for acceptance of the scope of work and design and continuous monitoring of the project to ensure that the government obtained the required facility at the best price.

Comment has been raised as to whether the heads of agreement, the agreement in principle that was signed between the government and John Holland, was an open-ended commitment to John Holland Constructions. I believe that I have already answered that question in this House: the government is committed to John Holland Constructions for no more than $2m in building the small ships repair facility. I understand that John Holland have already found that the dredging work to be carried out by them at the expense of the government will run them into a cost of something like $2.4m because of the unexpectedly hard rock that they have encountered. The government, however, will not have to bear any additional increase in cost. The government has negotiated an agreement with John Holland that committed it to expending $2m and $2m only.

I rebut and I refute any reflection on the conduct of members of this government in their dealings with John Holland Constructions. I rebut and refute any suggestion that any member of this government has at any time engaged in any conspiracy to secure funds through the awarding of contracts to any one at all. I reflect again that, if one is dealing in terms of $3m with a possible future revenue of millions, would one stoop to seeking to squeeze someone for $2,000? Mr Speaker, the very argument itself is ludicrous.

I say again that I believe the length gone to by the government to secure an interest in the construction of the small ships facility is far greater than was necessary. I believe that we have absolutely nothing to fear in having awarded the contract to John Holland and I believe that the government emerges from this transaction with the support of all members of this House who can view the transaction in an unbiased way. This government has gone to great lengths to secure all possible public interest and the contract went through more stringent measures than any contract would have received had it gone through the normal tender procedures.

Mr COLLINS (Arnhem): Mr Speaker, if the no doubt majority of honest

people in the Country Liberal Party had been looking for some reassurance from the Chief Minister that these documents were false and that the story that the opposition has presented this morning was not true, then they were disappointed. In the 15 minutes or so that the Chief Minister has been explaining his government's position on this matter, what he did not say was certainly far more interesting than what he did say.

We have had occasions before in this House on which the Chief Minister has defended the integrity of his ministers. I remember particularly one occasion involving in fact the same minister, the Minister for Industrial Development. I am quite sure that every public servant in the Northern Territory remembers it also. The Chief Minister advised this House that there was certainly nothing wrong with his minister and it was simply the public servants who were working for him who were at fault. From what the Chief Minister said this morning and the very clear direction in which his defence was aimed, I anticipate that the eventual defence of the government will be that it cannot be held responsible for the over-zealous actions of some Country Liberal Party supporters in raising money for the party. I think that that will hold about as much water in the Northern Territory as a similar claim did in the United States. One of the interesting things that I have found about Watergate, after reading the many documents associated with it - and I do not intend to draw any particular comparisons between that affair and this - was the quite incredible wealth of material that people left lying around. Somebody appears to have been a little lax in this direction also in the Northern Territory.

I was interested - and I look to other ministers for further reassurance - that the Chief Minister confined his remarks and his defence entirely to members of the Country Liberal Party who are sitting in this House. There was no denial whatever that the CLP itself, the party machine, was not involved in this transaction. The Northern Territory is such a small place, with so few people in it that the connection between the party machine and the parliamentary wing of the party is intimate and close. I do not imagine that is any different in the CLP from what it is in the ALP. I think it would stretch the gullibility of anybody to believe that this transaction could have taken place without the full knowledge of at least some of the people sitting on the front bench in this House.

There certainly can be no more serious charge levelled against the government than the one we have levelled this morning. I must say that I would not be - and I make this statement without fear - taking part in this debate if I did not believe absolutely in the authenticity of the documents that have been tabled this morning.

When this matter was first raised with me, quite frankly, I did not believe it- not because I did not think that there were people in the CLP who were unprincipled enough to do it but because I just did not believe that there was anybody stupid enough to do it. I entered into an investigation of this matter very carefully and with the strongest possible bias not to believe this story; that can be testified to by the honourable Leader of the Opposition. Because the opposition is not in the same business as the Chief Minister so often is - dragging personalities onto the floor of this House and massacring them - I will not go into the way in which these documents came into our possession other than to say that, if I personally was not utterly convinced of the authenticity of these documents, I would not be taking part in this debate. I know that these documents are authentic, I know that they condemn the CLP and I know that, unfortunately, to the great detriment of the Northern Territory, they will cast a shadow of disrepute and suspicion upon every transaction that will be entered into in the future by this government.

The Chief Minister said - and it was the only defence I heard him muster - that if he was going to be bought off, he would not go so cheaply. That particular argument was the one which encouraged me to think that this story possibly was not correct and these documents were not authentic. I do not think that anybody would believe that the ALP, and certainly the Leader of the Opposition, would go to such lengths as to forge these documents or forge the handwriting of Mr Merv Elliott. I do not think anybody would believe that.

There are a great many speakers left on the other side of the House who can take part in this debate and I look to them to fill in the gaps that the Chief Minister left. A number of things that the Chief Minister did say are worth taking up. Apart from the tedious monologue of the details of the feasibility studies that nobody was particularly interested in listening to, he gave very scant attention to the charges that have been laid in this House. He talked of the lengths to which the government has gone to obtain interest in the project by distributing copies of the feasibility study to various companies. What the Chief Minister glossed over, what he did not bother telling anybody is that the feasibility study to which he is referring and which gained such wide distribution was a study that recommended that this project should go ahead with no subsidy whatever. I would put it to Territorians generally that it is not much of an argument to say that the government has distributed a feasibility study recommending that a project should get off the ground with no government subsidy and subsequently sign an agreement with a company that has an initial private investment of $1.6m and a government subsidy of $2m. I know for a fact that there are companies in Australia which would have been extremely interested in competing with John Holland on this particular project had they known that. In answer to a question last week as to what extent the viability of the small ships facility depends upon the dredging operation, the honourable minister replied, "totally". Of course that is absolutely correct but, in the copies of this study which have been distributed Australia-wide and internationally, there was no mention of even the possibility of a sweetheart deal with the Northern Territory government whereby the government would put up $2m of taxpayer's money to make this project viable. As has been said before, Evans Deakin, a firm with considerable expertise in the small ships field, found that the project would not be viable without a government subsidy and yet the feasibility study, which the Chief Minister is so proud of saying was the government's action to draw attention, recommended that this project should go ahead without subsidy. In fact, the project, as we now have it, is the very project which Evans Deakin said would be the only way this facility would get off the ground - with a combination of private capital and public capital.

From the beginning, I found this entire business to be quite extraordinary because if you go through all of the answers given so far in this House - and most of the questions were ignored - you find no answers at all to any of the questions. In fact, what you do find is a government on the run and a government extremely rattled by this matter even being raised in this House. I think that, publicly, the man who was most rattled, as he well should be, having already had Willeroo behind him and now perhaps this in front of him, is the honourable Minister for Industrial Development. The government's record in handing out government contracts and public money is a dreadful one. In fact, I received an answer from the minister just the other day in response to a question which I asked him about the $150,000 of public money that was laid out on Willeroo. The answer came back that that money is still outstanding and I have no doubt personally that the Northern Territory will have to whistle for it.

The honourable minister, in reply to a question from the Leader of the

Opposition, said - and this sounds more pathetic every time we read it: "I propose to raise the matter in the adjournment this afternoon to answer those questions asked of me yesterday. It strikes me as fairly strange that the Honourable Leader of the Opposition directs all of his questions to me. He seems to have run out of guts as far as asking the Chief Minister any questions". The honourable member for Nightcliff interjected and said, "It is your responsibility". The minister replied: "I know it is my responsibility but, if you keep a very careful watch on what happens in this House, you will notice that he is really scared of the Chief Minister". I think that even an unbiased view in the House that morning would have given anyone the impression that this was a government on the run, a government running scared, a corrupt government which knew that it had something to hide.

One of the problems with a matter such as this, where there is conclusive evidence that a kickback of $2,250 has taken place as a result of the favoured treatment that one company has received in the form of a large amount of public money as a subsidy for its operation, is that this information is all that we have been able to find out so far. We do not know how much more there is to find out. There is only one way in which the government can possible clear itself before it signs any agreement for even one more dollar of taxpayers' money in the Territory: establish a royal commission to make these files public, to question the people who are involved with these documents and to have people in fact deny under oath their authenticity. Otherwise, this government stands condemned forever and renders itself totally incapable of entering into any further agreements with any company on behalf of the people of the Northern Territory.

It was interesting to listen to what the Chief Minister said this morning. In the United States of America, when a government was exposed as being corrupt for receiving kickbacks into party funds that were subsequently used for an election, the president had one defence to offer that, in the finish, availed him nothing. His defence was to do precisely what the Chief Minister did this morning: to stand up, look the television camera right in the eye and say, "I am not a crook". That is precisely the only defence that the Chief Minister offered this morning: "I did not do it; nobody else did either".

I want to conclude by referring once again to these documents because it is important that people understand their significance. Having worked for many years in the public service in the Northern Territory, I am well aware of the care with which people have to look after public money. During the many years that I worked for the Primary Industry Branch, I was not able to spend more than $20 of public money without getting quotes from at least 3 people. I had to do that if I wanted to buy something that cost $21 and that is the way it should be. When you sit on the Treasury benches in a parliament, you have a heavy responsibility. I found it quite unsupportable that the government could enter into a contract involving more than $3m without that contract going to tender. The government said that it did not have to go to tender because it advertised widely and sent out copies of a feasibility study. Mr Speaker, I reiterate that the feasibility study that was sent out to all of those people bears absolutely no relationship whatsoever to the kind of deal that was finally entered into by the Northern Territory government. They are 2 entirely different things. The Chief Minister is talking about a feasibility study which recommended that this should proceed with no subsidy at all and that is what the companies actually had to make up their minds about. In the deal that has taken place, the taxpayer will be footing most of the bill. It is totally unsupportable of the Chief Minister to use that as a defence; it is no defence at all.

Turning to these documents again. We have a piece of correspondence in

the handwriting of Mr Merv Elliott. Without going into any more detail in this House, I am personally convinced of the authenticity of this document otherwise I would not be speaking now. It gives the breakup of the 0.15% commission paid out on this deal. The terms upon which such a commission is paid to the Master Builders Association were outlined by the Leader of the Opposition. The commission is paid only in the case of contracts which go to public tender. It is clear that this did not happen in the case of the small ships facility. Nevertheless, the money was still paid and not on one invoice but on 2 separate invoices. One of these was numbered and, therefore, accountable and subject to audit whereas the other one had no number on it at all. It was absolutely tailor-made for feeding into a shredder should the need arise. This second invoice is the keystone that ties in with the first document detailing the breakup to the AFCC, the MBA and the CLP of $2,250. It has no number on it and has the same date as the first invoice document. If there had been a genuine balance to be paid - in fact, it should not have been paid in the first place because there was no public tender - then obviously there is only 1 business procedure that can be adopted and that is to have a properly numbered invoice that is accountable. After all, the amount of money, despite the Chief Minister's attitude, is considerable. There is no number and it needs only to be fed into a shredder to be gone for ever.

Mr STEELE (Industrial Development): Mr Speaker, the Leader of the Opposition introduced certain documents that this side of the House was unaware of. The Chief Minister has certainly refuted the allegation that we have knowledge of this. There is no need for this side of the House to adopt election gimmicks. The CLP has its runs on the board. The fact that the Leader of the Opposition is starved for something to fill the newspaper with this week after his mate's downfall in South Australia on Saturday is well recognised. It is not surprising that he should raise this debate on this particular day because he was given plenty of warning that the matter would be brought to light by the government this week. The fact that he issued 2 funny little press releases over the weekend to take the heat off the Australian Labor Party and the fact that the Australian Labor Party in the Northern Territory is a branch of some federal organisation which has nothing very much to do with the Northern Territory is the reason why this debate has been brought on in such a hurry.

As far as the documents are concerned, this government had no knowledge of them. I am not a thief and I refute any allegations to that effect. The CLP is well aware of the Maunsell proposal and the Evans Deakin proposal. We are well aware of what our feasibility report contains. If we had not commissioned that feasibility report, we would not have attracted anyone and there would be no small ships facility. The report was widely circulated. The fact that people like Evans Deakin were too dull to come back up here and talk about it is one of the reasons why one company has put forward a better proposal than the others. There is no doubt about that in my mind.

Many expressions of interest were received for various reasons. Obviously, none of them wanted to hit the tin; none of them wanted to put his hands in his pocket. The other companies did not want to put their money in but John Holland did. As I said, expressions of interest were received and the report was circulated fairly widely. I do not think that these people stay on top in a very hard commercial world if they do not make their own interpretations of feasibility studies and facts that are put in front of them. They must have known that there was a progressive go-ahead government in the Northern Territory and that we would consider all proposals.

The Opposition Leader touched briefly on Mr Rettie who was a very good friend of mine and did an excellent job while he worked for this government.

If it had not been for David Rettie's presence on the last trade mission, I think we would have been in some difficulty. He had a lot of experience and did a lot of good work for the government. I have nothing to say against the man at all. Where this spurious suggestion that police were sent out to his place to pick up files came from, I will never know; it certainly had nothing to do with this government and I refute any allegation to that effect.

I reiterate that no one on this side of the House had any dealings with the MBA in the matter of raising funds. To endorse what the Chief Minister said, I have no knowledge of the fund-raising activities of the CLP. I have not been in the CLP's central council structure for a couple of years and I have no idea what they do, where their money comes from or who even puts it in. I think that it is just another smoke-screen.

The Department of Industrial Development and the Cabinet made decisions along the way. There were several Cabinet decisions taken in support of the information that came to light to the government in the course of proceedings. I will not be specific on the dates of those Cabinet decisions but that information is certainly documented and we know exactly where we are. The Department of Transport and Works checked the figures. We were advised that we were competitive in accepting a set of financial statements and we checked the contract before it was finally signed. We have been assured that we reached a competitive position and the amount that the government will contribute to the proposal is not open-ended.

I found the remarks of the member for Arnhem to be fairly sinister. Certainly, he is trying to support his leader who is flagging a little but he is trying to create a smoke-screen. They are putting the whole of the emphasis on 3 pieces of paper which are an indictment of this government as they see it. We do not believe they are an indictment of this government at all. In fact, those 3 pieces of paper have nothing to do with this government. However, it seems that the whole thrust of their argument today is to debate those 3 pieces of paper. They raise, as an aside almost, a few details in respect of the proposal and we are not frightened to discuss them.

The member for Arnhem said that the Chief Minister defended his minister. So he should. He neither defended the MBA or the CLP and he does not have to defend them. Why should he have to defend them in this House? We have never seen the piece of paper before. How can we defend something of which we have no knowledge? In fact, the Chief Minister challenged the documents when they were put before us.

This debate today results from many questions raised last week in the Assembly about minute details of the John Holland proposal. In fact, the honourable member for Arnhem referred to that minute detail as a tedious monologue of the details no one showed any interest in.

Mr Collins: That is not what I said.

Mr STEELE: I have it written down. That is what you said. The government made the decision to subscribe to the facility, and I do not believe we have to apologise for that facility. As I have said before, it is not an election gimmick; it is there for the benefit of Territorians. Certainly, it will attract much-needed business into the Northern Territory from ships which currently go to places like Cairns and Fremantle and even to Singapore for their bunkering and provedoring. This will provide access for them to spend their money in the Northern Territory and it will mean they will not have to leave and go somewhere else. I personally have taken this as a personal attack in that I have been singled out. The innuendo and suggestion is that I have accepted money somewhere along the line. I cannot believe that anybody

would really believe that. However, I believe that this is implicit in the remarks made by the member for Arnhem and I refute them.

Mrs O'NEIL (Fannie Bay): The Leader of the Opposition tabled documents in this Assembly which clearly illustrated an arrangement for payment of money in relation to the small ships facility from John Holland to the Master Builders Association and through the association to the Country Liberal Party. The Chief Minister and the Minister for Industrial Development have not denied those documents or the facts contained in them. They cannot deny them because the evidence is clear: invoices from the Master Builders Association - one numbered and one significantly unnumbered; and a document that is clearly in the handwriting of Mr Elliott, the Executive Director of the MBA and a leading member of the CLP. The ministers and the government have denied all knowledge of it. If they had no knowledge of this arrangement which has been clearly demonstrated by the documents this morning, why was John Holland given favoured treatment in the agreement to construct a small ships repair facility in the port of Darwin? The government has not explained that.

The government's only defence this morning was that John Holland was the only firm that was really interested. John Holland, in the words of the Minister for Industrial Development, was prepared to "hit the tin". The Chief Minister put it so eloquently last Wednesday in response to questions when he was feeling rather happier than he is today: "John Holland had the guts to put their money where their mouth is".

The agreement entered into between the Northern Territory government and John Holland Constructions bears absolutely no relationship with the terms of the feasibility study which, as the Chief Minister has said and which we know, was widely distributed in Australia and overseas. There was no mention in that study of the degree of government investment which this Country Liberal Party government was prepared to put into the project. As it turns out, more than half of the money - $2m of public money out of a total of $3.6m - will come from the government. The other firms did not know that the government was prepared to do that; they were not told. Evans Deakin had discussions with the Port Authority at the end of last year and the Minister for Industrial Development has indicated his awareness of the earlier Evans Deakin proposal. Evans Deakin had no idea of the sort of financial backing that the government was prepared to put into this facility - $2m out of $3.6m for a private facility. That is very nice indeed for John Holland in response to "hitting the tin".

The Minister for Industrial Development said in his speech this morning that the ministers and the government checked out the competitiveness of the John Holland proposal and they believed it. There is one sure and, in fact, proper way for a government to check out competitiveness of a proposal and that is by calling for tenders. That is what the government did on earlier occasions. If we remember back to the case of the Tennant Creek meatworks, Barkly Tablelands Export Meat Company spent $30,000 of its own money on a feasibility study. Despite the effort of that company, the government had no compunction in calling for competitive bidding for the Tennant Creek meatworks and, as it turned out, the contract went to another company. It was proper of the government to do that. When we are talking about public money, there is no such thing as being too proper. The government should have called tenders; it could have called tenders and it did not call tenders because it clearly had an arrangement with John Holland that was very favourable to John Holland and for which the CLP gained some reward.

The Chief Minister said, "Oh, that can't be true, although I don't know anything about it of course. We are not that cheap; we would want more than

$2,250". The fact of the matter is that that is really the only way that a donation could come from John Holland in the Northern Territory without it becoming obvious to other people and, in particular, the directors of John Holland in the south. They were prepared to take it presumably. This is a very grave matter, a matter of the utmost seriousness to this Assembly and to the people of the Northern Territory. Evidence has been produced in this Assembly that John Holland received favoured treatment for the construction of a small ships repair facility in the port of Darwin and, as a result, money was agreed to be paid to the Country Liberal Party, the political party of which this government's members are part.

There are too many questions which were asked in this Assembly last week and which have been raised again today and which have not been answered by the 2 ministers who should know the answers. They have not been answered in this Assembly and the people of the Northern Territory have a right to know those answers. If government members believe that there are answers and that there are no problems in this arrangement, then they should have no compunction in supporting the proposal of the opposition that a royal commission be established to investigate this most serious matter that any government can face. If they believe that the behaviour of their ministry and their government is beyond suspicion, I anticipate that government members will have no problems in supporting the proposal of the opposition. It will be interesting to see how they vote. We have given the matter most serious consideration. As my colleague, the member for Arnhem, has said, we have not embarked on this course lightly but we have received evidence upon which we must act in the interest of the people of the Northern Territory. Mr Speaker, I support the motion that the Northern Territory government be censured for its behaviour in this matter.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I rise to take up several of the points made this morning and to speak against the motion of the Leader of the Opposition. The Leader of the Opposition began by alleging that this government has dealt with John Holland for a consideration. He went on to say that there was a possible conspiracy in that a kickback was involved, that the whole thing smelled of Watergate and that it was a shame on the government. I would like to say that I totally reject the allegation made by the Leader of the Opposition that this government had anything to do at all with John Holland receiving favoured treatment for a consideration.

The Leader of the Opposition also tabled some papers that came into his possession. The first thing that came to my mind when I looked at them was that they did not add up. I did not make any false allegations about it but I still do not know why they do not add up. I would suggest that the only way anybody will ever know why they do not add up would be to ask the people who compiled the papers. I would also put it to honourable members opposite that it may not be necessary to have a royal commission to get the answers they want. They have automatically assumed guilt. They have tried everybody they have wanted to hear. They do not want to hear the truth; they are only interested in their own assumptions. They do not worry about anything else; they just want to get on with the smear. I want to deal particularly with my alleged involvement in this as it has been reported by the Leader of the Opposition and the speakers that have supported him. I have allegedly supported favoured treatment for John Holland and also a kickback. I will deal with the issue of favoured treatment first.

As the Leader of the Opposition said himself this morning, the issue of a small ships facility for Darwin has been kicking around since 1969 when even the Department of the Northern Territory recognised it. By God, Mr Speaker, if they could see it, it must have been obvious to the whole world that there was a desperate need. One of the things that they were not able to do in the ensuing

years was to attract to the Northern Territory the development that we wanted. I think it is to our credit that we have been able, at this stage, to attract somebody to the Northern Territory who is prepared to embark on this proposal. Perhaps it was not big enough for Evans Deakin or the other people involved. We do have a company that is prepared to put up its money and to work in conjunction with the government to provide a facility that will be well used in this part of the world and is definitely needed. It is no secret that the former department and this government advertised widely for people interested in this particular project and, as the advertisements were responded to, it became patently obvious that there were many people interested but not many people were prepared to take out their wallets and back it with some of their own money.

In the advertisement, the government was looking for a contribution of $225,000. We could not get any starters and riders for $225,000. When a company comes along and says,"We will put in a million or two million plus and we would like to talk to you about it", immediately there is a scandal, a conspiracy and a kickback. I can only reject that allegation, Mr Speaker. The follow-up discussions revealed that no companies were prepared to inject their own money. It is fair to say too that some of them had some good proposals. Some of them were not exactly small ships facilities but they were worthy of comment. Subsequently, John Holland won a design-and-construct contract which was complemented by a limited contribution by the government for ancillary works that relate to a sheltered harbour and wharf. There is nothing improper about the design-and-construct tender and the main consideration in the tender is whether you are getting value for money. It is interesting to note that, in Western Australia this year, all the schools are being contracted on a design-and-construct basis because, from the government's point of view, it is a better tender arrangement than the historically cumbersome one that they have had in the past. As a private individual, I would prefer a design-and-construct arrangement if I was using my own money because it has many advantages. It does not automatically mean that there is something improper about it because somebody becomes interested, particularly a government.

As it has transpired, the people who are alleged to have done so well out of it at the government's expense are about to lose $400,000 because their estimates were not quite sharp enough. That is the game. If the company thought that they were in for such an easy ride, I am not sure that they would have been involved in any sort of arrangement for a couple of thousand dollars when they stood to lose $400,000 by a mere miscalculation. I do not accept for a minute that there is any impropriety. There is no doubt in my mind that the assessment by the Department of Transport and Works indicates that the whole job shows value for money. I do not think that the opposition is suggesting for one minute that there is not value for money in the job. What they are suggesting is that somebody got the job because of a favour. I will come to that in a minute.

The opposition has said that the final design-and-construct arrangement and the associated works attached to it should have gone to tender. One could argue that they should go to tender but that is what design and construct means. You do not ask somebody to design and construct and then, the moment he designs, tenders and constructs, you put the whole thing out for the public to have a gnaw on. You are relying on that man's particular expertise to efficiently design and construct as cheaply as possible. For the love of Mike, I just cannot see why the opposition believes that this principle has been abused. Our main concern as a government has been to ensure that we received value for the dollar. That is our prime concern so far as the people's money is concerned. Nobody has yet tendered a shred of evidence or suggested in the debate today that what we are getting with the small ships facility is not value for the dollar. I think that has to be a part of the argument.

The Leader of the Opposition went on to say that there has been a kickback. He has 3 pieces of paper which suggest to him that there may have been a kickback. I totally deny that I have ever been involved in it. I cannot work out their arithmetic and I cannot see how anybody gets a kickback out of it because it does not add up. What I am saying is that I deny emphatically from my own point of view and from my discussions with my colleagues that there has ever been any suggestion of John Holland getting any favour at all from this government for any consideration. Our only involvement has been to ensure that we received value for money. If the honourable members of the opposition are suggesting anything to the contrary that involves me, I would welcome it because I would like to discuss the matter further.

The Leader of the Opposition said he would like to table these documents. The first one was pencil-written on a plain piece of paper alleged to have been written by the executive officer of the Master Builders Association and he said: "There! What about that?" Then the honourable Leader of the Opposition said: "Here are 2 more! By our process of deduction, the people in the Country Liberal Party have had a kickback. Deny it!" I found the whole thing pretty hard to deny. Firstly, I could not recognise the executive officer's handwriting if I saw it. I read the pages and I still cannot work out the arithmetic on one particular page. I noted that one page did not have an invoice number and that is something that perhaps should be cleared up by the Master Builders Association. Perhaps they should be given an opportunity to do that. I do not necessarily suggest that calling a royal commission or trotting off to court is the way to do it.

I think it is a pretty rough proposition for the Leader of the Opposition to say: "If you do not deny these 3 pages, then you are crooks!" I deny the 3 pages because I cannot work them out; that does not make me a crook. I do not claim that I have any knowledge of them and I do not know what they mean.

Mr Collins: What have you been doing since 11 o'clock?

Mr TUXWORTH: The honourable the Member for Arnhem has asked what have I been doing since 11 o'clock this morning. I did not run home and ring up the Master Builders Association to ask them what they meant.

Mr Collins: Well, you should have.

Mr TUXWORTH: The honourable member suggests that I should have. The honourable member came in here with his colleagues, threw 3 pieces of paper on the table, made spurious allegations about them and, because I did not rise to the bait and run to do something, I am a crook. I have no knowledge of their allegations and what I am saying to them is that they ought to do something about it themselves before they go off half-cocked. Government speakers to follow me will have something to say about going off half-cocked. I do not accept the proposition that it is reasonable to deduce automatically that there is impropriety on this government's part because we cannot read the 3 pieces of paper the way they want us to. I cannot accept that.

Mr Speaker, the Leader of the Opposition has trotted out this morning a series of allegations that I regard as pretty serious. The honourable member for Arnhem said that he felt so badly about it that he would not have spoken if he was not sure of the facts. It is pretty obvious that he did not do a great deal about finding out which led me to wonder what it was all about. I can only assume that the honourable member for Arnhem and the Opposition Leader are involved in a little exercise that is designed to take the spotlight away from the inadequacies of the ALP. That is fair enough but, given the problems

that the ALP have at the moment with their rejection in South Australia, their troubles in Queensland and their problems in Tasmania, this sort of exercise will not take the spotlight off anything.

I would just like to repeat again for the benefit of members of this House who may not have heard or may not have wanted to hear that I totally reject any suggestion that this government, and particularly myself, has been involved in the letting of any contracts to anybody for any favour.

Ms D'ROZARIO (Sanderson): Mr Speaker, I do not think it is quite understood by the ministers that this censure motion put forward this morning by the Leader of the Opposition has nothing whatever to do with the merit or otherwise of having a small ships facility in the port of Darwin. What it has to do with is the capacity of the government to use the awarding of lucrative contracts as a means of swelling the election coffers. That is what this censure motion is about. It has nothing to do with whether or not the people of Darwin ought to welcome a small ships facility, whether or not there are any other such facilities between Cairns and Broome and whether or not it will do anything to assist the economy of the Northern Territory. That this is not the point at issue has completely evaded the ministers opposite. It is a serious allegation that the government opposite has used a contract in order to receive a favour from a construction company.

The Minister for Mines and Energy said that, during the luncheon adjournment, he had not rung up the Master Builders Association to find out what this was about. Well, he might not have but somebody from the government side did because the Executive Director of the Master Builders Association, Mr Merv Elliott, was observed at 1.10 pm alighting from his car outside Block 8. If the ministers opposite wished to distance themselves from what the MBA is doing, who invited Mr Elliott to meet with one or more ministers in the luncheon adjournment? It was certainly not the opposition.

We have heard ministers opposite give a pretty pathetic explanation of what the 3 pieces of paper are about. The honourable Minister for Industrial Development gave the most pathetic performance of all. He said that it was clear that John Holland knew that this was a progressive, go-ahead government and that this was why they decided, to use the words of the Chief Minister, "to put their money where their mouth is". We do not mind John Holland putting money into development projects but we rather do mind them putting money into the CLP by improper methods.

Much has been said about the feasibility study and its alleged circulation. It rather amazed me that the Chief Minister had a list of people to whom he said this document had been circulated and then, a few minutes later, he went on to say that the then secretary of the department could not remember other parties to whom it had been sent. On such a large and important project, it strikes me as being extremely poor practice not even to recall who the other interested parties might have been. The Chief Minister said that the department responsible for the feasibility study could not recall all the parties to whom it had been sent. I find that a very strange way of attracting industry to the Northern Territory.

Much has been said in an attempt to minimise the significance of the 3 documents presented this morning by the Leader of the Opposition. We heard the Chief Minister say that, if he were in the business of accepting rake-offs, he would not do it in such a pitiful way. The fact is that the Master Builders Association, presumably with the connivance of its executive director, allowed itself to be used in this utterly disgusting transaction. The mechanism by

which it allowed itself to be used is quite clear if you know something about the tendering procedures and the bylaws of that association. It does appear that the MBA levies its members 0.15% of the total contract price for what it is pleased to call "a contract and industrial service fee" and that that fee applies to all contracts in excess of $1m. The Master Builders Association is in the habit of writing to its member companies that tender for contracts telling them that they will be subject to this fee and telling them also that they should make provision for this levy in their tenders. The honourable Chief Minister says, "We would not have done it for so little". I say to the Chief Minister that, having regard to the bylaw, that is the only sum his government could have received from John Holland. It does appear that the Master Builders Association was prepared - I do not say that every member of the MBA knew of this action on the part of the executive director - but certainly the senior officers were prepared to allow the Master Builders Association to be the intermediary between John Holland the ministry opposite.

We find that 0.15% of that portion of the project which was to be financed by the government, and which amounts to $2,250 - for the benefit of those members opposite who have not been able to follow the debate so far - was to be paid into the Master Builders Association and from thence to the CLP. It was as simple as that. Much as they might like to distance themselves from this particular transaction - and I am sure that not every member of the government knew about this, in the same way that I am sure not every member of the MBA knew about this transaction - that was certainly the intention. We do not know whether this sum has been paid but, for all I know, it will not now be paid because the Leader of the Opposition has exposed this rotten deal. Nevertheless, it does appear that, in return for favoured treatment, John Holland was prepared to pay to the CLP that levy which it normally would have paid to the MBA if it had tendered competitively.

We know, as apparently ministers opposite do not, that this project was not a simple matter. There were many reservations expressed to the government about this project and there are many public servants who, if they were called before a royal commission, would be compelled to answer questions relating to their advice to the government. We know that Mr David Rettie, a senior officer of the Department of Industrial Development, expressed grave reservations about this project. He expressed reservations in respect of the potential rate of usage of this facility. He also expressed reservation about the ability of the government to raise a loan outside Loans Council approval. All these matters have apparently been glossed over and, despite these reservations of senior public servants, the government saw fit to kick in $2m to enable John Holland to obtain this contract.

The question which we were asking is not whether the facility is a good one or a bad one. We are not here to evaluate the merit of this proposal; what we are talking about is whether or not this government is prepared to receive funds from construction firms who have an interest in government projects. That is the point we are trying to make. It is known to us that Evans Deakin, who put up the original proposal, were in the Territory in November-December last year. In fact, the contract that has now been awarded to John Holland was very similar to the proposal put by Evans Deakin, but that company we are told was not sufficiently interested to "put its hand in its wallet" or some such phrase which has been used by the minister opposite.

As has already been pointed out by the honourable member for Fannie Bay, the government has put to public and competitive tender proposals for which feasibility studies have already been done by private firms. The government did not hesitate at all in the case of the Tennant Creek meatworks. Now we have the honourable Minister for Industrial Development saying, "Of course,

we had to give it to Holland because they have done all the work". Long before Holland ever evinced any interest in this proposal, Evans Deakin had already done the work. We are asking why this contract was awarded without going to competitive tender.

Last week, members of this House will recall, the opposition attempted to find out the answers to some of these questions. We did not receive many answers to any of these questions. We received a lot of disgruntled rhetoric from the Chief Minister and a lot of pompous rhetoric from the honourable Minister for Industrial Development, but we did not receive any answers. It is clear that, if the ministers opposite had answered the questions that we were asking - why was this project not done competitively and why were no other tenders sought - then this motion would never have been introduced. It does appear now that the honourable ministers opposite were reluctant to answer these questions and we have now discovered the reasons for their reluctance. I certainly support the proposal of the Leader of the Opposition that the only way to clear the air on this issue is to have a royal commission. If the ministers opposite say they know nothing about their zealous friends of the CLP who are prepared to make these contributions to their funds, nothing about the activities of the MBA and nothing about where the funds come from and that they themselves have not been involved in the central council of the CLP for 2 or 3 years, the entire community of the Northern Territory may well believe that if this whole sorry affair should be subject of a royal commission.

Mr DONDAS (Community Development): Listening to the member for Sanderson is just like listening to an echo reverberating throughout the Chamber. That is all that honourable members opposite can do. The point that is being driven home hard by the opposition is that we gave a contract to John Holland for a kickback. Members on this side of the House are saying that we do not know anything about it. Three documents were presented to us by the Leader of the Opposition which do not add up. I cannot make head nor tail of them and I think that I could forge that handwriting myself quite easily.

Mrs Lawrie: Are you saying it is forged?

Mr DONDAS: I am not saying it is forged but it would be easy handwriting to forge. It does not add up to a levy of $5,400. On these invoices, the levy should be something like $7,000. I am sure that other members will pick it up.

Apart from the mathematical errors in the documents and the smear campaign by members opposite in an attempt to paralyse the government in its endeavours to get the Territory going, I feel that I could be the next person in line because I have recently participated with the Minister for Industrial Development and the senior judge of the Supreme Court, Mr Justice Forster, in running a design competition to decide who will build a museum and art gallery. The successful applicant ended up being John Holland. Are members opposite saying that John Holland got that contract because they were being favoured despite the fact that not only did we have a panel of judges but we also had a Sydney architect assist us with the evaluation of the proposals for the museum and art gallery building. This man is a life fellow of the Royal Australian Institute of Architects.

Mr Collins: We are not talking about the museum, Nick.

Mr DONDAS: You are talking about John Holland and the kickback. If John Holland gave one kickback, aren't they going to give more? Isn't that what you are saying? Didn't you say earlier that every contract that this government has entered into could have a smell about it? Didn't you say that yourself

this morning? You said that and I am just clarifying something else.

Mr Collins: You are losing your cool, Nick.

Mr DONDAS: No, I am not.

Nevertheless, we did employ a consultant to give inexperienced government members advice on what should be built as a museum and art gallery building. The point that I am trying to make is that innuendos are being made that for every contract that John Holland receives, there is a kickback to the Country Liberal Party. That is all the member for Sanderson is saying about John Holland being favoured for that small ships repair facility. I can use the museum and art galleries contract that we signed with John Holland in the same context. Are you going to brand the panel as favouring John Holland so that the Country Liberal Party could get a kickback? That is what you have said and that is what you have insinuated.

Ms D'Rozario: I did not say that.

Mr Collins: That is what you said, Nick.

Mr DONDAS: No. Am I to be the next minister in line because we did not go to tender on that contract for $5.6m either.

Mr Speaker, I think that the opposition hate this small ships facility. Whilst they have not really knocked the proposal, they have been trying to create confusion for anybody that wants to put a penny into the Northern Territory. They have come up with all sorts of arguments which have no bearing on the matter and hold no water at all. John Holland was prepared to invest $1.6m of its own money. There were other people interested in the initial stages after the feasibility study had been circulated. At that time, Mr Anderson did not really say what the level of government funding was to be. He gave no indication. How did the other people know that the government were going to be involved? The opposition hates any kind of development that this particular government is proceeding with. They hated the idea of the Territory Insurance Office getting off the ground. They hated the idea of a casino getting off the ground.

The member for Arnhem is fond of semantic exercises. In his remarks this morning he said that in a press release the Minister for Transport and Works used the words: "John Holland Constructions had put an unusual but pleasing proposal to the government". The member for Arnhem thought that we should all be intrigued at the use of that word "unusual".

Mr Collins: I didn't say that. It was the Leader of the Opposition.

Mr DONDAS: You read Hansard: you are always telling us to read Hansard. In his usual style of taking things out of context so that they might bolster his argument, he withheld from the House any reference to succeeding paragraphs which aptly demonstrate what the minister meant by "unusual". I quote:

> *"The company has said that it wanted to expand its activities into the ship repair and maintenance industry by becoming the operator of a portion of a project once it was completed. Naturally, Holland therefore thought it had an entitlement to build the complex itself. When private enterprise offers to provide upwards of $1.6m that the government would otherwise have needed to raise itself, the solution is very easy", Mr Steele said.*

"There was no other company in the whole of Australia interested in an arrangement of this type and we know this by failing to attract serious alternative expressions of interest through public advertising to all states. Holland's competitiors in the construction industry would agree with this".

The member for Arnhem also said that the feasibility study bore no resemblence to what finally happened. I can play semantic games too to the extent of suggesting that the feasibility study has nothing on earth to do with the brunt of the opposition's interest in these matters which now appears to be largely centred around the documents tabled earlier by the Leader of the Opposition. If it does help the honourable member to talk about that study, let me point out that neither did it talk about some sweetheart deal nor about private enterprise necessarily footing the entire bill. As I understand it, capital sources were not at that time Mr Anderson's concern. His was a feasibility study and not a prospectus. The report told no one, not even John Holland, how the project would necessarily be funded. Unlike the others, to any appreciable extent,Holland had the enterprise to contemplate that aspect of the project and the company's own commercial judgment told it that it would be wise not only to want to build the facility but also to invest in it.

The particular point that I would like to stress is that there is no subsidy. The government is providing a public facility backed up by a private facility. I do not support the motion.

Mr DOOLAN (Victoria River): Mr Speaker, I would like to assure the honourable minister for Community Development that the opposition does not hate new projects. It does not hate new development but, in fact, it welcomes it. It does not hate the idea of a small ships installation but it does detest the way this government goes about things.

The only contribution which I intend to make to this debate is one of a personal nature which concerns a conversation which I had with Mr David Rettie a few days before my discharge from Darwin Hospital. Mr Rettie was employed at that time by the NT government as the Director of the Industry Promotion and Trade Delegation Division. Mr Rettie, with whom I had become quite friendly and whom I greatly admired, visited me on several occasions, twice when I was seriously ill and twice when I was well on the way to recovery and fit for discharge. On his last visit, Mr Rettie spoke of his disillusionment with his position as director. He told me that he felt that he could no longer work with people so corrupt as his employers and intended to resign.

The particular thing that was causing him such distress was the John Holland deal over the small ships installation. Mr Rettie said that, if I believed that the Willeroo scandal was bad, it was nothing in comparison to what was happening over the John Holland deal which he thought was a minor Watergate. The real reason that Mr Rettie resigned and left the Territory and Australia to return to Britain was because he was a fundamentally honest person who felt that the dictates of his own conscience would not permit him to work with a group of people whom he believed were doing things both illegal and immoral. I stress that Mr Rettie did not name any particular person as corrupt.

Mr Speaker, last week we listened to the Chief Minister launch a diatribe against Mr Rettie and indulge in a complete character assassination of Mr Rettie which I deplored but which seems to be par for the course for the Chief Minister. This morning, I was pleased to hear the Minister for Industrial Development praise the obvious ability of Mr Rettie and not malign him in the way that the Chief Minister did. David Rettie was certainly the most experienced and capable person on the last trade delegation. I would be prepared

to make a statutory declaration on oath regarding the substance of the conversation held between Mr Rettie and myself. I am certain that the documents produced this morning by the Leader of the Opposition are merely the tip of the iceberg and only a royal commission is capable of disclosing the enormities of the corruption which has taken place in the John Holland small ships affair.

Mr PERRON (Treasurer): Mr Speaker, in May this year, I made some fairly serious charges in this House against the Leader of the Opposition relating to how he practised his particular brand of politics in the Territory. I said then that the Labor strategy was fairly clear: to discredit the government through a sustained mudslinging attack in the hope that some of it would stick. Today, we have seen just another step in that same campaign. As recorded in Hansard, I said: "The record of lies, half-truths, distortions and misrepresentation over 2 years calls into question the credibility of the Labor leadership and demands an answer as to whether or not that leadership has been acting in the Territory's interests".

Today, we see another attempt at wallowing in the gutter and an attempt to drag with them one of the Territory's largest employers. The question surrounds 2 items: the way the government went about obtaining for the Territory a small ships facility and, secondly, allegations relating to a private organisation. First, I will look very quickly at the situation that has existed to date as far as slipway facilities are concerned in Darwin because it is important that we look at the need for such facilities. I appreciate that the opposition has not said that they oppose the construction of the facilities but it is important to realise just how very important it is to obtain better facilities very quickly.

The slipway that the Port Authority has had is an excuse for a slipway. It is hardly even an apology for a ship slipping facility. I have had some personal experience of the Port Authority and the slipway before I entered politics. The facility consists of a slip to pull out vessels of up to 100 feet and park them on a slope slightly out of the water. At high tide, the water even laps under the vessel even though the vessel might be a foot or so out of the water. It makes it fairly difficult for people to work on them. That facility was available from time to time. The Port Authority vessels had first priority and that is probably not unreasonable. The Navy had the next priority and, after that, if you booked a year or more ahead, you could get your boat on the slipway. You could only use it when the tides were just right, depending on the size of your vessel and its particular draught.

You kept your fingers crossed while the vessel was coming out of the water. I had many very anxious moments watching a vessel, valued in the vicinity of $0.25m and for which I was responsible, being pulled out of the water when the cradle was in such a state that it could have collapsed at any time. However, no manner of appeal to the Port Authority would make them fix it. This went on for ages and ages. In fact, I believe one vessel did fall off the cradle at one stage and caused a great deal of expense for the owners because, before they used the slip, they had to sign an indemnity form that they would not lay any charges against the Port Authority. I am going back a number of years. Once you are on the slipway, there is a very limited time to do the work because, if you did not catch the tide to get off the slips, you could be up there for another week until the next spring tide came in and that is pretty expensive when you are talking about boats that cost many thousands of dollars a day to keep out of service.

Once you got up on the slipway and wanted to do some work - whether you were changing props or cleaning the hull or having Commonwealth marine inspections for certificates - you were faced with a sloping floor which could be

covered by the tide. There were no facilities whatsoever. You could not even lock up a compressor nor any tools or paints that you might want to use from day to day. There were no lights or toilets, no facilities for workers to have their smoko or lunch and no rain shelter at all. If it rained, you just had to sit back and wait. On top of all this, you had an unlevel surface to work from and you had to get your own trestles and ladders because the Port Authority did not have any. At best, if you were very lucky, you would be able to borrow a hose from them. This generally made life pretty difficult. This situation has existed in Darwin probably since the war and, as a result, hundreds of complete services and refits have been carried out on vessels outside the Northern Territory because the government did not have the sense or ability to encourage someone to build a proper small ships facility or, indeed, to build it themselves.

We raised the question when we came into office of whether we wanted a facility or not. The answer was that we wanted one as soon as humanly possible because every day lost is a very substantial loss to the Northern Territory. How many individuals and companies have come to the Territory over the years and, after looking around and fighting departments, left saying that if that is the attitude - procrastination and stalling over every proposal put by a developer to the Territory administration - then they would take their money south and put it where it was wanted. That was the atmosphere that existed.

The feasibility study showed that the small ships facility was a viable proposition and should have been built years ago. For years, trawlers, tugs and coastal vessels could have used that facility. Everyone admitted that we needed it in a hurry. Part of the dispute today seems to be on how a government should go about such a facility.

Let us look at what the Opposition Leader said in this regard. To summarise his waffle, he said that the government claimed only John Holland were interested. He claimed that this was not so. The Leader of the Opposition also used the phrase: "All interested parties should have been given the same opportunity". All interested parties were given the same opportunity and there were many opportunities. As a matter of fact, one could almost accuse the government of delay in this regard.

In June 1978, the Northern Territory Port Authority advertised Australia-wide for expressions of interest. I do not know whether the opposition thinks we should have also written to every possible company that might have been interested. Maybe we should have but it is normally sufficient, when either calling tenders or inviting expressions of interest in major projects, to merely advertise. From that advertisement, we received 5 responses including John Holland but excluding Evans Deakin, the big ship repair company in Brisbane. From the time of advertising to the time that the contract was signed giving John Holland the go-ahead to order the major materials required to establish the facility as soon as possible was something in the order of 9 months. There were 9 months for people to find out what the government was on about, to draw up proposals and conduct feasibility studies of their own. We are talking about people in big business, not cheapskates or people who normally sit back and say, "You must do all the groundwork for us because we do not have the resources".

However, it was felt that to encourage people to really take an interest in the small ships facility, the government should undertake a feasibility study which in effect was merely to lure companies to consider this proposal seriously. We did that and the results were distributed widely. It was also

distributed to Evans Deakin who expressed no interest when we advertised. We finished up with just one company that continued to deal with the government: John Holland. What does the opposition expect us to do? It seems they have the impression that the government only has to mention a proposal to get inundated with offers by people begging to spend their money and build if only they are given a lease on a bit of land. That simply is not so. We have a reputation to wear down that was left to us by past administrations. People do not come to the Territory with armfuls of money any more as they did in the past. We have to attract them back here again.

The member for Arnhem said that he knew of companies elsewhere in Australia which would be extremely interested. That is a marvellous statement, an inferred allegation from which the government is supposed to gain. Why didn't they apply? Why haven't they been to see the government? Couldn't they afford an air-fare or even a phone call to the minister to find out if it was worth coming up here to discuss the matter? The member for Arnhem was outraged that the final proposals which were accepted differed from those in the original feasibility study. We did not adopt the attitude that the government knew best, that its engineers knew what would be the greatest facility for Darwin, how it should be constructed, how big it should be, how many slips or cranes it should have and whether it should have floating docks etc. We believe that private enterprise, if it is interested, can come up with those proposals. The fact that the final proposal did not accord exactly with the feasibility study is beside the point. The feasibility study was an exercise based on the size of the market and the potential charges.

There is nothing new in a government not calling public tenders for certain projects. In the Northern Territory, one could take as an example the contract to build the new museum. This was let on a design-and-construct basis and not strictly by calling for public tenders. Certain companies were selected and given a brief to prepare from which an evaluation was done and a decision made as to who had the best proposal as far as the interests of the people are concerned. One could say that the casinos, whilst not strictly involving government funds, concerned the government in the sense of granting an exclusive right to a company. We invited expressions of interest, we assessed the proposals on merit and credibility and we made a choice. There is nothing unusual about that.

The member for Fannie Bay spoke about the Tennant Creek abattoir. Her facts are really quite wrong because the Tennant Creek abattoir was not on an open tender; it was 2 interested parties submitting proposals. One of these looked better than the other and was accepted. There is nothing unusual or immoral about that. It was announced recently that a major development will be built in Smith Street at a cost of $5m for a well-known Territory family by a particular company. They have not called tenders but you can be very sure that, when a private enterprise company awards a contract without calling tenders, it has its own interests and its own dollars at heart. The fact that tenders were not called bears absolutely no relevance at all. I am sure that it has been done plenty of times by Labor governments.

The Leader of the Opposition spoke about what he believed to be the most serious part of the allegations: the practice of MBA levying its members. This was really the crux of the argument put forward by the opposition. He quoted what he believed to be - and my information is that he is very wrong - the MBA system of levying its members. The levies are to support the activities of the Master Builders Association inasmuch as all organisations need money to run. The Leader of the Opposition said that the MBA, in this instance, went outside its usual practice, arranged to levy John Holland for the small ships facility job and passed the money onto the Country Liberal Party. This is

where the opposition's argument completely comes undone. There is no foundation for the entire load of nonsense that they have perpetrated here this morning.

The MBA's standard practice is to raise its service fees from members on a percentage of the turnover of jobs over $1m. Of course, there are many of those. It does not matter whether the particular member has a government contract, a private contract or, indeed, a contract which he funds himself - the levy still applies. Because the facility that we proposed to be built in Frances Bay was open to the public MBA, regarded it as an open job that was available to any of its members. It did not even matter that John Holland was funding something in order of $1.5m of the work itself or that the balance of the work, that for the public facility associated with the small ships repair facility, was being funded by the government. The MBA system provides that Holland shall receive 2 bills for the levies. We have had tabled here today alleged copies of MBA invoices for 2 different jobs: one at $1.5m and one at $3m. Irrespective of which MBA member was selected to build the small ships facility, under the particular conditions - that is, the job was open for everyone to tender for - whether it was wholly funded by the contractor himself, by the government or half and half, the same levy would apply from the builder to the MBA. It is a practice which probably exists all over Australia through that organisation and I do not think that there is very much wrong with it.

What we are really getting down to is not what John Holland paid to the MBA because that is a standard fee application. We then come to the question of what the MBA does with its income from this facility, from the facility being built for a private family in Darwin or from the facilities likes the casinos being built in Darwin and Alice Springs. Funds will flow to the MBA and it will disburse them. Maybe the MBA does do some things with its money that we might not like. I do not think it should be of any concern to this House. It might pay its staff or directors too much. It might have a very flash bar; perhaps it supplies big cars to its executive directors. I have no idea and I do not see that it is of any great interest. It might even donate to the Irish cause for all I know. We are talking about the internal administration of an organisation and what it does with its income. We have already seen that it obtained its income in this particular case as legitimately as it has from any other exercise in the Territory.

Like hundreds of other organisations within Australia, I guess the MBA donates to political parties. I do not know whether it donates to our political party because I do not know the donors to our political party and I am not particularly interested in finding out. Assuming that it does donate to political parties, the CLP is only one possibility. There are a number of private enterprise parties to which it may donate. Some organisations no doubt donate equally to all major political parties. The ploy there is to deal even-handedly with everybody.

Mrs LAWRIE: It is called hedging your bets.

Mr PERRON: Covering your bets is fair enough. If that is the MBA's internal policy, as far as I am concerned, that is fine. I do not feel that it is of interest to this House and I do not think it relates to this debate at all.

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

Mr ROBERTSON (Education): I would just like to add to the very valid arguments put forward by my colleague, the Treasurer. Without any question at all, he has hit the kernel: it is a matter of internal arrangements within the

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MBA as to what it does with its money. The allegation was that there had been a direct kickback. It was imputed that, as a result of that kickback, the Northern Territory government granted a certain contract to John Holland Constructions Pty Ltd. As part of the evidence for this, the opposition raised the question of the apparent difference between the feasibility study and the nature of the actual contract let to John Holland. Of course, the feasibility study did not indicate that there would be no government involved and it did not indicate that it would be unnecessary to have any government involvement.

I will read from the feasibility study: "1. 20% of return on capital outlay per annum is required for the facility, maintenance and amortisation in profits (ignoring the cost of any wharf-harbour construction)". Any person in business would realise the implications of that and the necessity to go to government having read these words. "At first glance, given adequate planning, preparation and co-ordination of all parties, a slipway and related facilities is viable". That quite clearly indicates that the company will not need to regard the necessity of deepening the harbour and providing other harbour facilities which are part of the public side of the government's contract. The argument advanced by the opposition that the government is involved in some sort of underhanded deal by leading all other interested parties to believe that there would be no government contribution falls down on the very words contained in the report itself.

The so-called evidence provided by the opposition to indict the government then relates back to the 2 invoices and the piece of paper containing some handwritten notes. Certainly, the government was most anxious to speak with the principal parties involved in this: Mr Merv Elliott and the political wing of the Country Liberal Party. The consequence of the discussions with those gentlemen and with the incumbent President of the Master Builders Association is that those 3 people have provided separate statutory declarations which I will now read and table in this House and which will put finally to lie the allegations which have been launched by the opposition on the government. The most serious and quite baseless allegation levelled by the opposition is that sums of money have been paid to the Country Liberal Party. The honourable member for Sanderson of course had an each-way bet on it. Having said that funds had been paid to the Country Liberal Party, she then said that, if they have not been, they probably will not be now. She is the only person who suggested that they have not been paid. I will read these 3 statutory declarations into the record.

I have a statutory declaration from the Chairman of the Northern Territory Country Liberal Party, Mr Barry Edward Wyatt of 3 Seale Street Fannie Bay in the Northern Territory of Australia who solemnly and sincerely declares as follows:

1. *That I have been the Chairman of the Northern Territory Country Liberal Party since May 1978.*

2. *That the said party has not received any payment from the Master Builders Association of the Northern Territory on behalf of John Holland Constructions Pty Ltd or any member of that association or of the association itself during the period in which I have been the Chairman of the Northern Territory Country Liberal Party.*

3. *That I have no knowledge of any offer of any payment to the Northern Territory Country Liberal Party by the Master Builders Association in respect of the awarding of the small ships facility contract or in respect of any other contract.*

The other people who would have an intimate knowledge of the so-called underhanded deal would quite obviously be the senior officers of the Master Builders Association. I will now read a statutory declaration declared before a Justice of the Peace by Mervin Robert Elliott whose name has been bandied around here as part of the continuing smear campaign which the opposition seems to think that this side of the House engages in but at which they are past masters. The declaration is as follows:

I, Mervin Robert Elliott of 23 Grevillea Circuit, Nightcliff in the Northern Territory of Australia, Executive Director, do solemnly and sincerely declare:

1. *I am the Executive Director of the Master Builders Association of the Northern Territory.*

2. *That the association bylaws provide for a levy against all members in respect of projects in excess of the value of $1m.*

3. *That the invoices tabled and shown to me are standard invoices in the form normally issued by the Master Builders Association in the recovery of fees under the association's bylaws.*

4. *The invoices issued reflect standard procedure in invoicing separately for a government contract and a development contract of $2m and $1.5m respectively.*

So much for some sly reason for the Master Builders Association issuing 2 invoices. That declaration from the executive director indicates that it is quite standard practice.

The third statutory declaration is from Brian Norman Hewett of 6 Bremer Street, Fannie Bay, Darwin, in the Northern Territory of Australia, Company Manager. He declares:

1. *I am the President for the time being of the Master Builders Association of the Northern Territory and as such am familiar with the procedures of the Master Builders Association especially in relation to the levying of fees for member companies.*

2. *I have seen 2 invoices both dated 28 August 1979 from the Master Builders Association of the Northern Territory to John Holland Constructions Pty Ltd. One is for an amount of $3,000 and the other is for an amount of $2,250.*

3. *The first statement is for $3,000 and relates to the levy on John Holland Constructions Pty Ltd for the value of its contract with the Northern Territory government to build a public wharf facility at Frances Bay in Darwin. In fact, there appears to be a typographical error and "0.15% on $3m" should read "0.15% on $2m". The amount of the invoice in any event is for $3,000 which is for 0.15% on $2m.*

4. *The second invoice for an amount of $2,250 is on the value of the small ships facility being built by John Holland Constructions Pty Ltd which represents the levy on the estimated cost of the works to be built by John Holland Constructions Pty Ltd and on its own behalf.*

5. *The Master Builders Association of the Northern Territory levies*

members fees at the rate of 0.15% on all contracts in excess of $1m.

6. *I understand that there has been comment that, of the 2 invoices previously mentioned, only one is manually machine-numbered. As far as I am aware, this is nothing more than a clerical error.*

7. *I have been an executive member of the Master Builders Association since January 1978 and President since July 1979 and, to the best of my knowledge, in that time no money or funds whatsoever have been sent to the Northern Territory Country Liberal Party by the Master Builders Association of the Northern Territory.*

Each of the statutory declarations was declared in Darwin today.

That last declaration completely, in my view and in the mind of any reasonable person, destroys the allegations in relation to a manipulation of those invoices. I seek leave to table the 3 statutory declarations and provide sufficient copies to be distributed among the members if they so wish.

Leave granted.

Mr ROBERTSON: We see by those statutory declarations that there is no knowledge by any member of the Northern Territory Country Liberal Party about the payment of any amount of money and, more importantly, no offer of any payment of any money. The chairman of the organisation has absolutely no knowledge of it whatsoever. That chairman is also a former president of the Master Builders Association. It is quite simple logic that, if there was to be any arrangement between the MBA and the CLP, they would use not only the chairman of that organisation through whom to make contact but also a person who was one of their own members and is indeed chairman of the Northern Territory Country Liberal Party itself. Quite clearly, there has been no knowledge, no offer, no acceptance of any money whatsoever in connection with John Holland Constructions, the Master Builders Association or any connection with any of those organisations and this government.

It then comes down to the handwritten note which the Leader of the Opposition so gleefully distributed. It is open to any member of the Master Builders Association who happens to be a member of the Northern Territory Country Liberal Party - he was a campaign director of the Northern Territory Country Liveral Party's very successful elections in the past - to quite rightly and properly, as a supporter of this political party, make a proposal to his committee for a donation to this organisation. It is quite normal and quite ordinary practice. Every union executive would do it and I see nothing wrong with that whatsoever. They clearly declare themselves as allies of the Australian Labor movement. If that is the case, then fair enough. It is to be remembered that the Opposition Leader indicated that he had no objection to organisations such as the Master Builders Association making donations to political parties.

The fact of the matter is that what we have had distributed this morning is nothing more than the personal doodlings of a gentleman who happens to be the executive director of the MBA. It is just something he has written down on a piece of paper for his own memory to be taken up, I would assume, with his executive at such time as the Northern Territory Country Liberal Party may be looking for donations. There is nothing sinister about it; it is not on any letterhead; it has no official status; it is undated and unsigned; and it is on a plain piece of paper in his own handwriting. If there was anything surreptitious or machiavellian about this, surely a man of the

intelligence of Mr Elliott, dealing in such a sensitive matter as the bribery which we are being told has occurred, would not leave around pieces of paper written in his own hand. That would be absolutely, mindlessly stupid. The gentleman is not stupid and I am sure no one on the other side of the House would even suggest that he is. It is a note written for his own benefit as a proposal, I assume, that he may have been thinking of putting eventually to the executive of his organisation. There is no evidence to suggest anything to the contrary whatsoever.

Mrs LAWRIE (Nightcliff): I think that some of the honourable members opposite would have done well to remain firmly seated in their chairs because some of them only reinforced the feeling which some members on this side of the House have had that all is not well. I had no idea that this debate was coming on until I was informed as a matter of courtesy by a member of the opposition at approxiamtely 7 minutes to 10 this morning. I had none of the background knowledge which was available to the members of the Australian Labor Party and I have been listening to the debate and making decisions purely on the evidence presented in this House.

It is interesting that the Minister for Community Development began by saying that he felt he might be the next in line regarding the contract let to John Holland for the building of the museum and art gallery. I guess that is what is known as prescience. I will say no more at the moment. He also said that the opposition "hate" and the opposition "feel". He used the plural, acknowledging publicly that the opposition in this House is not a singular entity but at least a double entity. It may well be a treble entity but I cannot speak for the honourable member for Alice Springs. The Minister for Community Development was quite right in using his words so precisely. Having listened to the debate, the opposition is a double opposition. There are members of the Australian Labor Party who have their own particular method of attacking a problem and who present, as political parties do, a united front but, in this particular debate there is another opposition in the form of the member for Nightcliff who supports the call for a censure of the government and for an inquiry into the whole business.

That call is supported on the basis of what I have heard today and on the basis of the various circulated documents, including the statutory declarations kindly circulated by the Leader of Government Business within the last 5 minutes. I cannot make the point too plainly that the Minister for Community Development was so precise and so correct in speaking of the opposition in the plural. Because of that, I have to repeat the statement made by a member of the Australian Labor Party that there is no hatred of the development of a private small ships facility. There is no hatred on my part of developments which will advantage the people of the Northern Territory. In fact, I am well aware that the small ships facility is about 15 years overdue. Besides yourself, Mr Speaker, I would be the only person present when the original results of an inquiry dealing with the urgent need for the upgrading of the wharf facilities in Darwin were tabled in the Legislative Council. That was in approximately 1972. I must assure the House that there is no hatred in my heart for this development. I think that it is an excellent one, but I am certainly concerned about the way in which the contract has been let.

The Achilles heel which seems to be plaguing the government - besides the documents to which I shall address myself in a moment - is the feasibility study which, one is led to believe, was circulated widely. No government member has been able to satisfy me on the most important point raised by the opposition: the feasibility study gave the reader to understand there would be no government funds available. Certainly, it did not state that such a shared arrangement would be considered. Many speakers have talked about

"government" money and, of course, there is no such thing. It is taxpayer's money. It is my money and everybody else's.

Some time ago, the Leader of the Opposition put forward a motion that there be a public accounts committee in the Northern Territory to safeguard the public interest. If ever I have seen a reasoned argument in favour of a public accounts committee, it is the debate which is taking place at the moment. The public has to be satisfied that its money is being spent in its best interests. We are all well aware now that $1.6m is being put in by John Holland and $2m by the taxpayer. Sir, it would not concern me if it was John Holland or Evans Deakin or the Bullamakanka Mining Company, if it could be shown to be competent, who was putting in the $1.6m but I do need to be assured that my little part of the $2m is being spent with the utmost wisdom and the utmost propriety. The Chief Minister, in one of his poorer efforts, spoke of the propriety of the government's undertakings in this regard but I do not feel that anything that I have heard today has given me that assurance.

The Minister for Mines and Energy said, in discussing the circulation of the feasibility study and the response or lack of it, "perhaps it wasn't big enough for Evans Deakin or other companies to be involved" I wonder what was not big enough. At the time, they did not know the amount of public money which was likely to be contributed to what is now a joint undertaking. When he is not speaking on his portfolio, the Minister for Mines and Energy waffles and wastes the time of this House. He is one of the members who would have done a lot better to have remained seated if he wished to serve his cause today. He did not allay any disquiet; he only added to it.

The Minister for Industrial Development, who is obviously sitting in the hot seat, unfortunately was the second minister to speak. I say "unfortunately" because, although all the information should be at his fingertips, I would have been better satisfied to have listened to the various points of view put forward and to have heard the concluding address from the government benches coming from the minister ultimately responsible - the Minister for Industrial Development. As it was, he had to put his case without knowledge of the debate and was only able to answer the charges as he saw them. It is a pity that the Manager of Government Business had to sum up the debate. He is very good on his feet defending his colleagues and his government but, in this case, it is not ultimately his responsibility but the responsibility of the Minister for Industrial Development. I would have preferred him to have listened to the entire debate and to have answered each query as it was raised. Members of the Australian Labor Party raised various points which were not adequately answered.

The most important thing in dispute at the moment is our system of parliamentary democracy and our system of ministerial responsibility. When the Melbourne cut the Voyager in half and she sank, the minister, Bert Kelly, lost his portfolio. Not even with the wildest imagination could anyone say that Bert Kelly was in any way responsible for that very sad event. Nevertheless, he was Minister for the Navy at the time and he was the chap who, to use a colloquialism, was in for the big drop.

The Manager of Government Business, who had to finally defend the government in this most important debate, spoke about a smear campaign. I listened very carefully and I think that the opposition did not attempt a smear. It was a fairly reasoned debate. They certainly had some cogent arguments and some incredibly volatile material to circulate to the House. If we are to start talking about smear campaigns and the manner in which debates are conducted in this House, it is the Chief Minister who explodes on various occasions and who uses such words as "poltroon" to describe another politician. He is the one who descends to that level and I am rather pleased that the debate has not

been so debased today. By and large, it has rested on the circulation of the feasibility study to various companies and the lack of wisdom, which is debatable of course, in the calling of public tenders for the constructions of this facility. After what I have heard today, if I felt disquiet before, I am more than ever convinced that public tenders must be called to protect everyone's interest, including the government of the day. The business of selective tendering or inviting a particular company to do a feasibility study actually works against any government because of the public disquiet it raises.

The Treasurer also said that project viability is just what we are talking about. We are indeed but no one in the ALP opposition, despite what government frontbenchers would like to assume, ever questioned the need for this facility. Unless my wicked, old ears deceived me, no one in fact denied that there may be a need for taxpayer's money to be involved. What they were saying was that, where there is such involvement and it is not purely a private facility, the utmost discretion has to be assured to protect that public interest. Not only is the taxpayer's money involved in the construction of this facility but also in its administration. From answers to questions, I now understand that there will be a monopoly for this facility for some time. I am not even going to quarrel with that, given certain undertakings, which I have not yet received, on the safeguarding of the public interest in its involvement not only in the construction but also in the operation.

As for the documents circulated by the honourable the Leader of the Opposition and disregarding the semantics referred to by the honourable Minister for Community Development, the 2 invoices stand. However, no member of the government has adequately explained away the first document circulated: "0.15% on $3.6m - $5,400". We have the AFCC, the MBA and CLP on $1.6m - $2,400. I have the copies of the statutory declarations in front of me. One is from Merv Elliott and the points he attests to are interesting: firstly, he is the executive director of the MBA - no one will dispute that; secondly, "the association bylaws provides for a levy against all members" - we have all agreed to that; thirdly, "the invoices tabled and shown to me are copies of standard invoices in the form normally issued by the MBA in their recovery of fees under the association's bylaws" - I thought that was the whole point of the argument and no one is disputing that; and, fourthly, "the invoices issued reflect standard procedure in invoicing separately for a government contract and a development contract of $2m and $1.5m respectively". There is no mention at all of the "0.15% of $1.6m - $2,400" marked "CLP". There is no reference to that in this statutory declaration. That statutory declaration does not tell me anything that I did not already know.

The same applies to Barry Wyatt's statutory declaration. He has been Chairman of the CLP since 1978. "The said party has not received any payment from the MBA of the Northern Territory on behalf of John Holland Constructions Pty Ltd or any member of that association or the association itself during the period in which I have been the chairman of the Northern Territory Country Liberal Party". The honourable Manager of Government Business picked up the point that the honourable member for Sanderson raised - I guess it is still coming. This statutory declaration still does not answer the query raised in my mind by the circulation of the previous document.

Mr Robertson: What about "offer"?

Mrs LAWRIE: "I have no knowledge of any offer of payment to the Northern Territory Country Liberal Party by the MBA". I believe that. I know Barry Wyatt; he has put his name to a statutory declaration signed in front of a Commissioner for Oaths - it is not of course in the form of an affidavit in case anyone does not know the difference between a statutory declaration and

an affidavit - so I accept it at its face value. If Mr Elliott had said that he did not know about that offer and he had referred to his handwritten note, this series of documents would have meant a little more but they do not really mean very much at all. Likewise, the statement of Brian Norman Hewett is almost analogous to that made by Barry Edward Wyatt. The intention is the same.

I do not dispute the veracity of these documents nor of the persons making the declarations. The most interesting one is from Merv Elliott and, again, I do not dispute the veracity of this document but I do say that the information it contains does not relate directly to the handwritten document relating to the breakup of the $5,400. I want to make that quite clear because I get very angry when people sign statutory declarations and other people say, "It is only a statutory declaration, don't take any notice of it". The honourable member for Community Development will know what I am talking about and I will not anticipate another debate dealing with dogs. I accept these statutory declarations but the most interesting one from the Executive Director of the Master Builders Association does not contain the information necessary to refute the ALP allegation that there has been a kickback. Now, if there has not been, if all is above board, surely a commission of inquiry, as called for by the Leader of the Opposition, will clear up this matter.

One of the most important issues was raised in the first half hour of this debate by the member for Arnhem who said that, until this matter is disposed of satisfactorily - and to my mind it has not been yet - other contracts entered into by the government necessarily will be called into question. The government represents the people of the Northern Territory and the people must be satisfied that all these contracts are entered into in the most proper manner. Until there is that satisfaction, the people of the Northern Territory will be ill-served.

I believe that censure of the government on this issue is due and I support the call for a royal commission into this affair, given that it will have the power to call witnesses and documents and the whole business can be cleared up one way or another to the satisfaction of the people of the Northern Territory. We are not in the business of defending ourselves because personal interest is of no importance in a debate like this: it is the people's interest which is of paramount importance.

Mr OLIVER (Alice Springs): Mr Speaker, the opposition is perhaps not quite as plural as the honourable member for Nightcliff would have us believe. This debate seems to evolve around 2 questions: that John Holland Constructions received favoured treatment for the small ships facility and that there has been a kickback to the Country Liberal Party. I will not go into the background of the whole affair because that has been thrashed out fairly well on the government side. I accept what the government has said about the manner in which John Holland gained the contract. As the honourable Treasurer has said, quite often these things are done without tendering; they are done by advertising for interested parties to indicate their interest. This was done and there was also a feasibility study over which there seems to be a great fuss. To my mind, a feasibility study is more or less a possibility study. Is the thing feasible along certain lines? There is no reason why a feasibility study should be adhered to as strictly as perhaps a firm contract or something like that. It would seem that the government had 5 responses to its advertisements. The company most interested and the one which put in the most detail apparently was John Holland. I feel that the government was quite proper and correct in selecting John Holland for the job.

Going on to the so-called kickback, I find this very interesting. I have

heard a lot of emotive talk over it but, accepting the statutory declaration by Mr Mervin Elliott that the manner of raising funds is to rate their members at 0.15% over a $1m contract, then I think that we do have to accept the 2 invoices. As has been pointed out, the fact that one is numbered and one is not is a clerical error. The total sum apparently is $5,250 and, as has been said, there is a separate invoice for a government contract to that for a development contract. I see nothing wrong there, nor do I see anything there that implicates the government one iota.

Apparently, the most important thing is this little bit of scribble or, as the Manager for Government Business said, this bit of doodling on a piece of paper. There has been great play made on the fact that the arithmetic is wrong. The honourable member for Nightcliff could not work out the line relating to the CLP where it says "on $1.6m - $2,400". The top line refers to the AFCC. Since I come from Alice Springs, I am not quite certain what that means. It doesn't matter very much anyway. It says that, on $2m, the sum is $1,000 and, on the MBA's line for $2m, it is $2,000. We all know Mr Elliott's intelligence and, to my mind, those figures in the middle just do not mean a thing because they add up to a total of $5.6m. The thing is so completely incorrect that you could not pin any faith on it whatsoever. Again, there is no implication whatsoever of the government in this piece of handwritten paper. The only reference to the government here is, "CLP $2,400". As the Manager for Government Business said, that is purely and simply the concern of the Master Builders Association.

We heard the Leader of the Opposition say that he had no objection to the MBA giving funds to the CLP nor trade unions giving funds to the Australian Labor Party. Here we have funds coming in from the Master Builders Association. Possibly, Mr Elliott was trying to work out a distribution of those funds for his executive body. I think the whole thing is a storm in a teacup; it is just something dragged up by the members of the opposition to discredit the government once again. I oppose the censure motion.

Mr HARRIS (Port Darwin): Mr Speaker, I rise briefly, first of all, to deny any knowledge of these particular documents. The member for Arnhem this morning said that, if he did not believe the content of the opposition's allegations, he would not take part in this particular debate. I say that I would not be taking part in this debate if I felt that any of my colleagues had acted in any way other than in a responsible and in an honest manner. Whether or not a person or an organisation supports a particular party does not really matter because that is entirely up to those people. In many cases, those people are well-known to others in our community. The government has been successful in keeping the Territory on the move by having projects such as this carried out as quickly as possible. These projects create employment and the government has gone to the public in relation to just about everything it has done; it has not been underhand in any way whatsoever.

The member for Nightcliff said that she was a little disappointed that the Minister for Transport and Works will not be closing this debate. Might I say that it was intended that the Minister for Transport and Works would give a statement on this whole issue. If this had been the case and that statement had been debated, then he would have been able to answer any questions that had been raised. I do not believe the government has shown any favouritism at all to John Holland. It would indeed be unfortunate if the government has to move totally to the tender system. As long as you are honest and open in your approach, then I feel you have nothing to fear.

Mr ISAACS (Opposition Leader): I will be reasonably brief in my summation of the debate. The charge which we levelled against the government was a most serious charge and I think everybody would have to be amazed at the level of

response from the government. It is quite obvious that, when we first raised the matter, the government was caught unawares that we had these documents in our possession. It took them until the afternoon to get their act together as to just how they would properly answer the charges that we made. Indeed, the Treasurer and the Minister for Education got their act together by speaking to representatives of the MBA and the CLP. That is perfectly proper and perfectly reasonable. One would imagine then that, after discussing it with these people, they would put up the best possible case. That is fair enough.

We look at the statutory declarations as a reflection of the response. So far as I know, Mr Hewett is an honourable fellow, the manager of a well-known Northern Territory building company in Alice Springs which has played a very significant role in the development of the Territory. He filled out a statutory declaration, the contents of which I am certain he conscientiously believed to be true. He said in item 6 of his statutory declaration: "I understand there has been comment that, of the two invoices previously mentioned, only one is manually machine numbered. As far as I am aware, this is nothing more than a clerical error". I am quite certain that is the position. How would he know? He is the president of the organisation; he is not involved in the day-to-day running of the organisation. The person who would know, and I am sure was asked by members opposite, would be the executive director, Mr Elliott.

We then go to Mr Elliott's statement to find out what he says about the unnumbered invoice - nothing. How does he explain the handwritten note? He does not. We have the assurance of the Minister for Education that he supposes that it is doodlings of the executive director. "Doodlings" is a perfectly acceptable word. I wonder why Mr Elliott did not write that down in his statutory declaration. The fact is that those statutory declarations, to use the words of the member for Arnhem, say more in what they leave out than in what they say. I believe that those statutory declarations only add fuel to the fire which has been created in relation to the call for a royal commission. There is no doubt that those statutory declarations attempt to cover up what those documents mean. If it were simply Mr Elliott putting down, at some time, some possible divvy-up to the CLP for some possible election at some future meeting, then why didn't he say so in his statutory declaration in the interests of clarifying the position, not just for this Assembly, not just for the people of the Territory but for his own membership?

I find it quite extraordinary. I am sure it is admitted, from what the Minister for Education says, that it is Mr Elliott's handwriting; I recognised that correctly. A piece of paper is headed "Small ships facility" - that is a bit of doodling - "0.15% on $3.6m - $5,400". That is not only doodling but those figures are correct. Where the doodling part relates to the John Holland's own proposal, it does not say AFCC, MBA, which is what you would expect, it says CLP. I would have been far more impressed with the statutory declaration if Mr Elliott had explained that particular document because there was some doubt about its authenticity. Somebody suggested that it may even have been a forgery. Quite clearly, it is not a forgery. It is quite clear that it is written in Mr Elliott's handwriting and it is quite clear that the intention of that piece of paper is not mere doodling. I would have thought that Mr Elliott was capable of explaining in his statutory declaration precisely what that piece of paper meant.

The opposition has raised a very serious charge of corruption against this government. What sort of response have we had? The Chief Minister, eager to distance himself as far as possible from the deal, said that he knows nothing. The Minister for Transport and Works enlightened us on the fact that he

is not a thief, which is information that we are delighted to hear. He said that he knows nothing except that no one else was interested. To quote from his speech this morning, he said: "The report was widely circulated, as the House has been told. The fact that people like Evans Deakin were too dull to come back up here and talk about it was one of the reasons why one company has put forward a better proposal than the others. There is no doubt about that in my mind". The minister knows that that statement is incorrect. He knows that Evans Deakin did come here late last year. As mentioned by the member for Fannie Bay, they did come here and they did talk to officers of the government and, as I understand it, to officers of the Northern Territory Port Authority. They were interested but they were not told about the sort of deal which the government had in mind - the sort of deal which it was proposing only to John Holland and no one else. That is the crux of the issue.

It appears that the Minister for Mines and Energy put the best argument forward for the holding of a royal commission. He certainly convinced me that what he was saying was correct. He said that the business about the unnumbered invoices was a bit strange and did require examination. He thought that that were some matters there which ought to be looked at. He did not think that a royal commission was the appropriate way out. He also was very quick to point out to everybody that he was not guilty. Whatever part others might have had, he certainly was not guilty. I am pleased with that. I am pleased also with the remarks he made in relation to how to overcome these obvious discrepancies and how to answer the question which we asked on Tuesday and Wednesday of last week and which we have raised in the debate today and which still has not been answered.

The Minister for Community Development and the Minister for Education both thought that there was no public assistance by way of dredging so far as the small ships facility was concerned. On this occasion, the Minister for Transport and Works was right and those former 2 ministers were wrong. The public funds for the dredging is most important. It is paid for by the government and it completes the total viability of the operation. It is absolutely essential that the dredging be done for the viability of the small ships facility and the government is paying for it.

It has been said by every member of the opposition in this debate that no one has suggested that the proposal for the construction of the small ships facility is a bad one. On the contrary, it is required. In 1974, in a published document, Evans Deakin said that government funding was required. Nobody is criticising that; nobody is quibbling at that. What we are quibbling at is the fact that the John Holland company appears to have been the only one which was told that the government was prepared to put in that sort of money. In seeking to wrap up the debate, the government went through 2½ hours of speeches without coming up with one single answer. Finally, it got its act together with the Treasurer and the Minister for Education. They said - it is simply an internal arrangement of the MBA - just a matter of a political donation. I appreciate that the CLP is more progressive in picking up political donations than the Australian Labor Party. It is true too that they know far in advance of us when an election is to be held.

I am just wondering why Mr Elliott took to doodling on this particular occasion - we do not know when it was and he did not tell us - in relation to a proposed donation to the Country Liberal Party. Nobody on this side of the House has said that the Master Builders Association ought not to be free to make political donations when they see fit. They have been doing it, as have trade unions, for many, many years. Look at it the other way around. When one tries to differentiate this business of its simply being an internal arrangement of the MBA rather than this serious charge which we have levelled

- that there is a hookup between the government, John Holland, the MBA on the basis of favoured treatment in return for a kickback to CLP funds - one wonders what would be the response given to an ALP government that was given a donation by the Miscellaneous Workers Union that was pipelined through that well-known legal firm of Waters, James and O'Neil. Would members opposite have said, Isaacs did not know about it? I would know about it and you people would know about it as well! There can be no question whatever, given the inextricable weaving of government and the political party, that senior members of government, senior members of the CLP, senior members of Holland and senior members of the MBA all knew what was going on.

Mr Speaker, I do no resile for one second from the remarks make this morning. I believe that the documents which were tabled, the answers which have been given by the government and the answers which have not been given support the contention that this government is corrupt. That being said, there is only one answer and that is a royal commission. I believe that a royal commission would be able to clarify the matter and would be able to test the validity of these statutory declarations. I do not think that we have heard the end of those statutory declarations either. A royal commission would clear the name of the Territory government for good and would bring everything back to an even keel. The members for Nightcliff and Arnhem have both said that contracts awarded by the Northern Territory government from now on will have a taint about them until this is cleared up. We are not suggesting that the Minister for Community Development or his fellow judges on the Museum and Art Galleries Board are corrupt or have taken a sling. It amazes me how people can manufacture complaints and then answer them. It would have been much better for the government to have answered the complaints which we raised and not the ones which they raised themselves. The only way to clear the name of the Northern Territory government is by the convening of a royal commission. From this side of the House at least, we will be doing what we can to ensure that such a royal commission is convened.

I believe that the motion censuring the Northern Territory government has been substantiated. The case has been effectively argued; the answers have been totally ineffective. I ask the House to support the motion.

The Assembly divided:

Ayes 7	Noes 12
Mr Collins	Mr Ballantyne
Mr Doolan	Mr Dondas
Ms D'Rozario	Mr Everingham
Mr Isaacs	Mr Harris
Mrs Lawrie	Mr MacFarlane
Mrs O'Neil	Mr Oliver
Mr Perkins	Mrs Padgham-Purich
	Mr Perron
	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

VISIT TO PAPUA NEW GUINEA

Mr EVERINGHAM (Chief Minister) (by leave): Honourable members will be aware that I made a brief visit to Papua New Guinea from 20 to 26 July 1979. Whilst the primary purpose of thevisit was to attend the Standing Committee of Attorneys-General meeting in Port Moresby, opportunity was taken to have

discussions with the Prime Minister, Mr Michael Somare, the Minister for Finance, Mr Barry Holloway, the Minister for Minerals and Energy and senior officials. Also a visit was made to the North Solomons Province and the West New Britain Province.

I am sure that honourable members will be interested in several aspects of the visit and Northern Territory government proposals being developed as a result of the visit. Might I say at the outset, the Papuan New Guinea government gave us every assistance and we were received in all areas in a very courteous and friendly manner. The Prime Minister, Michael Somare, received us even though he had just returned from overseas less than 24 hours earlier. He was very interested in the Northern Territory and the common social and economic advantages and problems which the Northern Territory and Papua New Guinea share. He offered us every assistance in exchanging views, information and people. I found him to be a very positive and capable leader who was well equipped to handle the many serious and complex problems facing a country going through the difficult phases of growing up.

We were especially interested in the system of community government in Papua New Guinea and also their village court system. There is a developing system of local government which, in recent years, has been widened to area authorities and provincial government depending on the requirements and the stage of development in various areas. The system introduced in 1950 provides for indigenous local government bodies with authority to keep law and order, finance, organise or engage in any business enterprise for the good of the community and carry out works or provide any public or social service for the good of the community.

Area authorities were established as a means of giving each of the provinces greater say in the planning of the province. Each area authority draws its members from local government councils in the province and also has representatives from the areas that have no local government councils. The provincial commissioner and the members of parliament of the province are ex officio, non-voting members. The main function of these authorities is to advise the central government on development priorities and to allocate rural improvement program funds to the councils and other organisations. They do not raise their own revenue and their expenses are met from grants. Area authorities are being superseded by provincial governments.

The central government has begun decentralising administration and plans to establish provincial governments in each province. It proposes to transfer specified functions at regular intervals following these basic principles: one national public service; a clear division of responsibilities between national and provincial levels; and financial powers delegated in step with such responsibilities. Some planning decisions have yet to be taken on the details of achieving these objectives. In 1977, provincial governments were operating in the Eastern Highlands, North Solomons, East New Britain and Central Provinces. Four more have been declared since then: New Ireland, Northern and East Sepik and the Simbu. The remaining provinces have formed constituent assemblies to look at the possible establishment of provisional provincial governments. The provincial governments will be given revenue grants and may apply provincial taxes.

The Papua New Guinea village court system has now been operating for some 3 years in parts of Papua New Guinea. These courts deal only with minor offenders and the magistrates are selected from the home community in which they will work. They have undergone an intense training course in law administration but there is no attempt to give village court magistrates an exhaustive knowledge of western law as it applies in Papua New Guinea. In fact, it is

the traditional law that counts in the village court. By adjudicating in village and community disputes and minor offences, the village magistrate is able to settle the differences before they take a more serious turn.

I need hardly tell honourable members the value that a similar system may have for the Northern Territory where our visiting magistrates are limited by the confines of a system designed for Britain, adapted for Australia and often thoroughly inappropriate in seeking to preserve peace and administer justice in a dispute which may involve cultural values simply not recognised by Australian law. I must emphasise that I am not speaking of serious disputes, repugnant to humanity, such as spearing or murder. It has been the Papua New Guinea experience that, where minor offences - such as the breaking of cultural taboos or an intrusion onto property or privacy in the community and traditional or civil matters - can be resolved at village court level, the matter then rests there. The village community is satisfied and the minor offence need not escalate to proportions which require intervention of provincial or supreme courts.

In Papua New Guinea, the village court lifts the workload from the higher courts and, in the context of "justice must be seen to be done" is appropriate to the community where it operates. I should add that village court decisions can be reviewed by local or district courts. I believe that a lot can be learned from this village court system and much of it could be beneficial to the administration of justice in Aboriginal communities. As the policy on Aboriginal communities announced in the May sittings is developed, I hope that we can utilise the experience of Papua New Guinea.

All this had led my government to believe that there would be mutual benefit to both Papua New Guinea and the Northern Territory if an exchange scheme on information and people could be developed. Already, an officer from the Department of the Chief Minister has visited Papua New Guinea to observe operations of mobile polling booths in a national by-election. I have also submitted a proposal to the Minister for Justice for the establishment of an exchange scheme for legally qualified officers of both countries. We have offered to take an officer from the Protocol Section of the Department of the Prime Minister in our Ceremonial and Hospitality Unit for a period of 6 months. We are currently developing a proposal to exchange information and personnel on community government with the government of the North Solomons. This could well extend to include the development of trade in timber and cattle between our 2 countries.

Papua New Guinea has gone through phases of growing up which we have not yet experienced. I firmly believe that the establishment of a liaison system with Papua New Guinea so that our people can visit them and exchange views and information and also so that Papua New Guineans can visit us on the same basis will be to our mutual benefit.

ADJOURNMENT

Mr STEELE (Ludmilla): Mr Speaker, I move that the Assembly do now adjourn.

Mr VALE (Stuart): Mr Speaker, several weeks ago, during one of the many visits to Central Australia by the Chief Minister, I discussed with him the present condition of the gum trees on the banks and the bed of the Todd River. I suggested to the Chief Minister that possibly the high amount of salt in the river had caused the loss of white colour in the trunks of trees and the lack of foliage. I promised at that time to talk to a very well-known Central

Australian, John Blakeman, about the condition of the trees and report back to the Chief Minister. I spoke to Mr Blakeman and he has advised that there are a number of reasons for the present poor condition of those Todd River gums: The high salt content in the sand, the high water level in the river and also the age of many of the trees that line the river and make it, in normal conditions, so attractive.

Mr Blakeman suggested actions that could be taken to restore the beauty of the Todd River of which many people in Central Australia are so proud; the immediate replanting of gums by the Forestry Department along the banks and the bed of the river; and the declaration of the entire Todd River, the banks and the bed, from the Telegraph Station down to the rear of Mount Blatherskite or the Old Timers Home as a national park.

I would urge that those suggestions should be taken up. The replanning should be done immediately so that full advantage can be made of the coming spring and growing season in Central Australia. He has stated that, if 2½ ft river gums such as those presently held by Forestry are planted this season, then in 2 to 3 years we will have fairly well established gums of some 20 ft to 25 ft in height. I am aware of the problems with the counil. I am certain the council has an interest in any proposal to develop the Todd River and the banks as a national park. However, I think those discussions on who is to control the banks and the riverbed can come after the river gums have been planted this spring season. I do urge that the government seriously consider Mr Blakeman's suggestion.

Mrs PADGHAM-PURICH (Tiwi): This afternoon I would like to speak about a reply to a question given to me by the honourable Minister for Transport and Works regarding the Howard Springs turn-off. I do not really want to speak about the answer he gave me but rather about the state of this turn-off, the dangers that I see existing there and the urgent consideration that should be given to this very dangerous turn-off. The Howard Springs turn-off is at the 16-mile down the Stuart Highway and it is a right-angle turn to the left. This is a very well used road. The road that turns off the Stuart Highway is the Howard Springs Road which is a bitumen road. I cannot say that the actual right-angle bend is all bitumen. You do not really see its state until you get out of your car and walk over it.

It has been said that the strength of any chain is as strong as its weakest link. In relation to this road, I would say that the width of any road is as wide as its narrowest part. According to my measurements, the narrowest part of the Howard Springs Road, where it immediately joins the Stuart Highway, is 24ft 5ins which, if you say it quickly, sounds enough when you consider the ordinary width of a car. However, when you consider the traffic that uses that road, it is certainly not what it should be. The Howard Springs Road, when it leaves the Stuart Highway, goes up over the pipeline but, before it goes over the pipeline, it also goes over a culvert. Beside the pipeline at the side of the road you can see white ants' nests, rubbish, bits of concrete and everything else. There has been rubbish tipped there since God knows when. I was not able to estimate exactly the height to the road from the ground level but my friend helped me measure it by using myself as a measure. It came up to about the middle of my back.

I would just like to comment briefly on the people who use this road. In reply to a question I asked him regarding the proposed sanctuary at Berry Springs, the honourable Chief Minister said that 80,000 people used that road every year to go to the Howard Springs Reserve. The Howard Springs Road is also used to go to Koolpinya Station and it is also used by all the people who live on the Gunn Point Road. It is also used by prison officials and other people who go to Gunn Point Prison Farm and by Forestry workers who go up the road to work on

the Forestry project on Howard Springs Road and also at Gunn Point. It is used by all the people who come in and out of that particular area to go to the Howard Springs shopping centre. It is used by school buses and sand trucks and it is the only road into one of the Northern Territory's biggest poultry farms. Finally, it is used by all the people in Howard Springs; I would estimate the number of people there to be about 5,000. All of those people and all of those vehicles use that road. I was there for 7 minutes doing my measurements at 1.30 one afternoon. This is not a very busy time; I would say it was a pretty dead time. Half past one was the time we left. In that 7 minutes, 12 cars, including one sand truck, passed over that road. That shows how busy it is.

I come back to a description of this very dangerous crossing. The side that goes into Darwin gets by far the most traffic. I have said already that there is a culvert before you get to the pipeline. This is scrappily built up either side. If you are turning from Darwin into the Howard Springs Road, you must take it extremely carefully. You cannot swing too widely because you are just as likely to sideswipe something that could be coming to the same point at that time. There is a 2½ ft drop from the gravel on the left side to the centre of the bitumen just before you reach the pipeline. That is where the bitumen has probably eroded away. Not only do you have a right-angle bend, you have gravel under the left-hand wheels of the car and bitumen under the right-hand wheels. You have to be careful going over the pipeline, careful-going over the culvert and careful that you do not sideswipe somebody coming the other way as well as looking out for sand trucks, buses and everthing else. When you are just getting over the pipeline, there is a 2ft drop in the shoulder of the road to add to all the other hazards. They just seem to mount up and up.

If you are coming onto the Stuart Highway from the Howard Springs Road, there is a sign that says "80". I would assume, as everybody else would, that you go 80 kilometres an hour. Just before you get to the Stuart Highway, there is a sign thatsays that you must stop and, just before that, there is a sign that says that the speed limit is taken off. That means that you could really take off. It has been known in the past that some cars have taken off. They have come tearing down Howard Springs Road, have taken off from the level of the pipeline, gone across Stuart Highway and ended up across the other side of the road. I do not know whether it was low flying or what it was at the time.

There is a further point I would like to make about the danger of this turn-off compared to other sections of the Stuart Highway. Completely unasked-for renovations were done on the Stuart Highway at the 19-mile turn-off and also on the same side of the highway opposite the 19-mile pumping station. To my certain knowledge, and I have asked other people who live out there, the previous turn-off from the Stuart Highway was safe. There had been no dangerous accidents and no fatal accidents at that turn-off because it did not come out at right angles to the Stuart Highway. It came out in a slightly baffled way so that one had to really slow down before one came to the highway. This turn-off was cancelled and a new one was put in that was never requested. On top of that, nothing has been done about the very dangerous Howard Springs turn-off. In talking about the 19 mile turn-off, I asked the bitumen be extended along to the first corner, which is called Janides Corner, because of the sand trucks on the road. Evidently, the bitumen could not reach that far. Finally, I would like to reiterate that it is an extremely dangerous situation and it is now very urgent that something be done about it for the safety of all the people who use that road.

I have not been able to find out why 3 particular roads in the rural area have had their names changed. Yesterday and today I tried in vain to get in

touch with the Place Names Committee to find out exactly who was on that committee. The person who answered the phone was not able to give me the names. There is a road in the rural area which used to be called McMinns Bore Road. Everybody knew where it was and everybody knew where it went to but that was changed some months ago to Girraween Road. The Place Names Committee probably had good reason for this because there is a swamp nearby that has the same name. The committee probably said: "This is history. The swamp is there so we will call the road by that name". It was also for historical reasons that it was called McMinns Bore Road.

It seems to me that somebody is making decisions for people who are already living in the area and who have been given no opportunity to voice their opinions on road names. It is different if a place has not been established because somebody has to make a decision on what the road should be called. When people who do not live in the area make decisions for people living in the area without the people in the area having any say in the matter, I think that it is not very fair.

Two other roads across the highway have had their names changed: Wells Creek Road became Henning Road and Stow Road became Virginia Road. Once again, people may argue that it is for historical reasons that it should be called Virginia Road because it relates to an old subdivision that existed there many years ago. It is also for historical reasons that it was called Stow Road. It began being Stow Road right out by Howard Springs Road and continued right across the Stuart Highway. Again, to my knowledge, the local people were not consulted about this. I would like to see this practice stopped. I would like to see some input asked from the people in the area regarding the naming of their roads.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer) (by leave): I move that so much of Standing Orders be suspended as would prevent 2 bills relating to motor vehicles and motor accidents compensation being presented and read a first time together and one motion being put in regard to respectively the second readings, the committee report stages and the third readings of the bills together and the consideration of the bills separately in the committee of the whole.

Motion agreed to.

MOTOR ACCIDENTS COMPENSATION BILL
(Serial 340)

MOTOR VEHICLES BILL
(Serial 339)

Bills presented and read a first time.

Mr PERRON (Treasurer): I move that the bills be now read a second time.

These 2 bills are primarily designed to reflect undertakings made to extend the coverage of the motor accident compensation scheme to cover accidents involving registered vehicles off the road and to designate the Territory Insurance Office as the nominal defendant in accidents where unidentified vehicles or unregistered interstate vehicles injure visitors. This latter aspect, in particular, gives rise to the need for retrospectivity even though I am not aware of any reported cases in this small category.

I remind honourable members of the statement made in this place by the Chief Minister on 22 May which foreshadowed significant amendments to the original no-fault legislation that was before the House. Part of the Chief Minister's statement reads: "The eligibility for compensation generally will be restricted to death and injuries arising out of accidents on public roads. My government is prepared to look towards expanding the scheme in future off public roads upon payment of some suitable but perhaps lower contribution by owners of unregistered vehicles and will look forward to positive suggestions by interested organisations in this regard". That quote from the Chief Minister was based directly on the recommendation on page 64 of the report of the Bradley committee of inquiry: "It is therefore recommended that the scheme be limited to injuries on public streets and places open to and used by the public".

The effect of the legislation implementing this recommendation is that the right to bring an action for specific damages is removed for accidents on public streets in favour of the no-fault benefits scheduled in the act. In places off public streets, the full right to sue remains. Thus, if an accident occurs on enclosed private property, the injured person has a right to sue the other party and succeed if negligence can be shown. The resulting award must be paid by the negligent party and, without compulsory insurance, this could easily exhaust his resources. Under the old third-party system, a negligent driver would have been indemnified by the compulsory insurance which related to his vehicle.

One of the main advantages of a no-fault scheme is that neither the status of the vehicle nor the circumstances of the accidents affects or delays the

benefits paid to the victim. On the road, if a vehicle is unregistered, the driver may be exposed to a fine for that reason, but that is a separate issue.

Every registered vehicle has a contribution paid in respect of it and that pool of money is used exclusively to relieve costs of hardship and rehabilitation. The more unregistered vehicles there are, the less fairly is the burden of cost-sharing spread.

Extending the scheme off public streets considerably increases the ratio of accidents involving non-contribution-paying vehicles; for example, tractors on farms, trail bikes, dangerous old wrecks and so on. Tasmania has this exact problem and the Motor Accidents Insurance Board there has reported that it is paying out substantial amounts in respect of accidents where no premium-paying vehicle was involved.

People injured by actions of a negligent driver of an unregistered vehicle off the road could, in the past, have the damages awarded underwritten by the statutory nominal defendant. The nominal defendant was in turn funded compulsorily by part of the premiums paid by owners of registered motor vehicles despite the fact that those owners might never leave the road let alone allow their vehicles to run out of registration. To quote from the Bradley report again: "In some of the states of Australia, the nominal defendant is only required to pay compensation in respect of matters which arise on public streets. The reasoning behind this is that that is the only situation where the motorists generally should be required to contribute. At present in the Northern Territory, the nominal defendant is required to pay even in respect of accidents on private property arising out of the use of a private motor vehicle. Although designed and capable of going on the road, it is not registered for that purpose".

Honourable members may recall that the situation was becoming generally so bad that adverse comment was being made on the generosity of the third-party system at the expense of the prudent motorist within the committee of management of the nominal defendant itself. To extend a no-fault scheme to cover every accident, wherever occurring, would not only bring those cases back in but also extend benefits to the most blatant cases where injury is caused by reckless or careless action in unroadworthy vehicles in the bush and thus further water down benefits to genuine accident victims. An example here might be the situation of a buffalo shooter's vehicle that is unregistered and, in some cases, clearly unroadworthy, which has been extensively modified for its purpose of carrying people, often at high speeds, over some terribly rough terrain. It is totally unfair that the average motorist should be required to contribute to an insurance scheme that covers such situation.

Clearly, the present coverage hinges on the definition of "public street". This is much wider than most commentators have suggested. It means, and I quote from the Motor Vehicles Act: "Any street, road, lane or thoroughfare, footpath or place open to or used by the public and includes a road on land at lease under the Special Purposes Leases Act for use as a road". Thus, parks, carparks and even informal tracks on crown land could be said to be included. In summary then, to extend the compensation scheme off public streets, introduces a potentially high expense to the scheme as a whole. The scheme would then embrace casualties from both registered and unregistered vehicles, and perhaps defective vehicles, driven in conditions where risk is substantially increased by choice.

The Chief Minister has indicated the government's willingness to study constructive solutions to the funding of off-road accident risk. I repeated this assurance in a special news release on 16 July but, to date, no specific suggestions have been received. It is still our intention to move to full

Territory coverage. We stand ready to do this as soon as a fair premium arrangement for unregistered, off-road vehicles is settled upon. We remain receptive to ideas. In the meantime, this amendment goes as far as possible without creating inequity.

Turning now to the Motor Accidents Compensation Bill,the definition of "accident" is expanded by clause 4. That definition is a key to this act as it is only from an accident as defined that benefits and protections to both casualties and drivers flow. In the act as it now stands, the word "accident" includes only occurrences involving vehicles and places where such vehicles are legally required to be registered. Where such an accident occurs in the Territory, the compensations system applies whether or not the vehicle is in fact registered. Outside the Territory, it applies only to accidents involving vehicles which actually carry Territory registration. The amendment in this bill broadens "accident" to include off-road occurrences where vehicles carrying local or interstate compensation insurance are involved. Unregistered vehicles off the road are covered.

Section 6 is amended to provide indemnity in a situation where a Territory resident is awarded pain and suffering damages against another Territory resident where the latter was driving an unregistered vehicle owned by a non-Territorian on a public street. This is an unusual circumstance but one which needs to be covered in case the negligent party has no capacity to satisfy the judgment. Whilst the victim will be fully protected by the Territory Insurance Office paying the award, the Territory Insurance Office has the right to seek the amount back as a debt from the negligent party under an amendment to section 38.

Turning to clause 8, Territorian accident casualties are entitled to automatic benefits without regard to fault. Section 38 shields and conserves the money in the scheme by allowing the Territory Insurance Office to recover payouts from certain classes of people who have a responsibility for accidents without worrying the victim. It is reasonable that the amount which can be sought in this way is no more than the amount paid out reduced by the degree to which the injured person was himself responsible for the occurrence. The substantial effect of the amendments in clause 8 is to introduce the shared responsibility concept. It will be vital to our relationship with the state authorities who will hardly support using their third-party scheme money to pay the full cost of an accident where the vehicle from their state was only perhaps 10% to blame.

Clause 9 introduces a new section 40 under which visitors can sue the Territory Insurance Office as a nominal defendant where their injuries are caused by either an unregistered interstate vehicle or an unknown vehicle in the Territory. Visitors are not covered by the automatic no-fault benefits and must rely on such negligence claims if they are to be compensated at all. The act already quite clearly states that, where visitors are injured through the negligence of Territory vehicles or registered interstate vehicles, they are assured of compensation either under section 6 or through the third-party insurer.

The motor vehicles bill introduces a $10 contribution payment in association with the issue of temporary permits. There are many of these issued to enable unregistered vehicles to move about for legitimate reasons. It is reasonable that they contribute to the insurance scheme while they are at risk.

Clause 4 of the bill inserts a proposed new section 107B which provides a substantial penalty for driving a vehicle on a public street without there having been paid a contribution to the compensation scheme. I have already

pointed out that the victim is protected in any case through the no-fault style of benefits. He is protected at the expense of law-abiding motorists who share the cost of road casualties. Vehicle owners, including this government and its authorities,join together to pay the expenses of the scheme. Those who avoid contributing affect us all and should face heavy consequences.

This package of amendments does not include any increase in the contribution premiums under the scheme. Until proper statistics of off-road accidents involving registered vehicles are available, no proper estimate of the cost can be made. Its significance will be assessed actuarially when present premium rates are looked at after 1 July 1980.

This legislation is particularly complex and, should any members of the House wish to receive a briefing from the relevant government officer on this particular matter, I will be happy to arrange it. A certificate of urgency has been applied for to the Speaker in regard to this particular legislation. I commend the bills to honourable members.

Debate adjourned.

FIREARMS BILL
(Serial 336)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

The existing Firearms Act does not meet current needs of the control of ownership and the regulation of use of firearms in the Northern Territory. The act dates from 1956 and, although amended on a number of occasions, does not adequately reflect a number of factors: increasing population which is characterised by the large growth of some urban centres with closer settlement by rural areas; changing community attitudes to conservation of fauna; development of the tourist industry and greater mobility of the population generally; and the increase throughout the world in recent years in the use of firearms for criminal and terrorist activities.

The aftermath of Cyclone Tracy revealed a large number of firearms of all types which had never been registered or licensed. Increased population together with improved roads has resulted in a much larger number of urban-based sporting shooters having improved access to rural areas. Irresponsible elements have done much to antagonise landholders and have also been responsible for indiscriminate shooting of wildlife and damaging road signs and other property. With the large number of campers, tourists and others in the bush for various reasons, the danger to human life through reckless and indiscriminate shooting has increased markedly.

There is a need to achieve a balance between restrictions on possession and use of firearms necessary to protect persons, property and fauna and a general expectation in the community that firearms will be accessible for sporting purposes. There is a need to accommodate public expectation with regard to the availability of firearms for sporting purposes whilst severely restricting the availability and use of weapons which are particularly dangerous or which are essentially anti-personnel in nature and to provide an effective means for enforcement of laws relating to ownership and use of firearms including heavy penalties and clear powers to withdraw privileges of ownership or use in cases of serious breaches. The prerequisites necessary for obtaining a licence are such as to ensure that persons know the law and

are fit and proper persons to possess and use firearms.

There has been increasing pressure for provisions to be updated in line with legislative provisions in other states. A number of meetings have been held between representatives of community groups and the Commissioner of Police and his representatives from which there was an indication of substantial acceptance of the proposals in the bill. All kinds have been carefully considered and taken into account.

Because of the considerable changes necessary to revise the act and make it appropriate for today's conditions, it is proposed to repeal the act and replace it with this more modern legislation. The bill provides for the licensing of shooters for the use of firearms included in one or more of 4 classes. These classes are: firstly, rimfire rifles not being automatic or semi-automatic; secondly, shotguns not being automatic or semi-automatic, air rifles and pistols; thirdly, concealable firearms not being pistols and the lengths of which are less than 70cm, firearms constructed primarily as anti-personnel weapons, firearms capable of discharging drugs or tranquillisers and firearms proclaimed by the Registrar in the Gazette; and, finally, all other firearms including, for example, automatic and semi-automatic rifles and shotguns.

The criteria in respect of the third and fourth categories is the need and, except in the case of basic sporting weapons, fit-and-proper person considerations. The bill provides for the registration of all firearms. It provides for temporary permits for visitors to the Northern Territory to use their firearms whilst in the Territory subject to the conditions under which they are authorised to use them in their home state. It provides penalties including heavy fines, cancellations of licences or forfeitures of firearms depending on the nature of the offence. It provides for considerable discretion to be given to the registrar in respect of, for example, the issue of licences for more dangerous classes of weapons, approval of dealers' and armourers' premises.

I now turn to an explanation of the particular provisions of the bill.

Part I of the bill contains the preliminary provisions. These include a number of definitions necessary for interpretation and explanation of words and phrases in a complex piece of legislation.

Part II concerns administration and permits the Commissioner of Police to delegate his powers and functions and to appoint registrars to keep registers of all firearms and permits.

Part III deals with the registration of all firearms within the various classifications previously mentioned and, in particular, in the criteria prior to registration, it deals with the requirement amongst others that the applicant be the holder of the licence authorising him to possess the firearm. In effect, that means that a shooter's licence has been previously issued in the interim to obtain a particular class of firearms for which registration is now sought.

Part IV concerns licences in general: dealers' licences, armourers' licences, collectors' licences, shooters' licences, purchase permits and temporary permits.

Part V empowers the commissioner to revoke a licence, permit or registration of a firearm in various circumstances. It provides for appeal to a court of summary jurisdiction by any person who was aggrieved by the decision

of the commissioner.

Part VI relates to restricted areas and empowers the minister to declare an area of land to be a restricted area in respect of the presence and use of firearms in that area.

Part VII provides, amongst other things, for offences in relation to firearms such as alteration of firearms generally, alteration of identification marks, shortening barrels of firearms, conversion of toy guns, security of firearms, unsafe firearms, offences in relation to restricted areas, silencers, machine guns, carrying firearms in public places, discharging of firearms on certain land, persons under the influence of alcohol or drugs , delivery of firearms to unlicensed persons and false statements.

Part VIII contains general provisions including the power of police to request names and addresses, production of licences, search and seizure without warrant where reasonable grounds exist to believe an offence against the act has been committed, forfeiture of permits, disposition of seized firearms and authority for the administrator to make regulations.

The bill incorporates a number of innovations which have resulted from community inputs and a reassessment of the police situation compared to the present legislation. Whilst not all suggestions have been incorporated, the bill represents an amalgam of the interests of all concerned parties so as to best represent both their interests and public policy.

There was considerable public discussion on the subject of fees. I suppose that it would have been anticipated that any move to substantially increase fees would attract criticism. The government holds the view that the fees should cover administrative as opposed to law enforcement costs. Nevertheless, there may be a case for the reassessment of the style of fees; for example, a fee of $200 for dealers' licences was recommended because it was thought desirable to discourage backyard dealers. However, a closer examination of the situation revealed that many dealers are operating on a low or almost non-profit basis to service the specific and real needs of clubs of which they are members. Additionally, there are some small dealers operating in remote areas. These people sell so few firearms that they would need to load prices to recover the fee. This may be undesirable and these factors will be taken into account when determining the fees to be prescribed.

The bill does not seek to control the sale or supply of firearm ammunition as such controls would be likely to be ineffective. Whilst creating considerable hardship for small retailers, station properties, stores and the like, the bill will allow the making of regulations giving the commissioner discretion to reduce or waive fees. This discretion will be used to minimise the impact of high fees resulting from multiple registrations and licence fees during the implementation phase; for example, a collector could face a daunting licence fee. It is our intention to have all firearms properly held in the Territory registered as soon as possible and, if concessions of this nature will achieve that aim, the fees forgone will be money well spent.

The time terms of licences will facilitate the scheduling of renewals to reduce workloads and, at the same time, provide incentives to the public to obtain their licences early in the implementation period. We are aware that existing collectors' provisions have been abused by some as a means of circumventing prohibitions on ownership of certain classes of firearms, especially pistols and high-powered rifles. Concern is felt that there is a potential for even greater abuse than under the original legislation. In that regard, the bill creates an antique firearms class for pre-1900 weapons to which the act will not apply. This should satisfy the legitimate desires

of many genuine collectors without increasing the risk of the genuine public and, secondly, provides a definition of "collector" as suggested by a recognised collectors group which should cover the needs of genuine collectors as against firearms users.

The question of whether or not councils should be able to write bylaws in respect of firearms that cover essentially the same matters controlled by this act was considered in the formulation of this bill. The whole question of firearms controls could become confused if councils were to move unilaterally in this area without reference to the commissioner. A complementary amendment to the Local Government Act in relation to a community government area council contains a provision that a council, before it makes any bylaw for or with respect to the sale, display, possession, hire-purchase or presence in the use of firearms under section 476 (1) (e) of the Local Government Act, shall advise the Commissioner of Police of its intention to make these bylaws and the proposed terms thereof. I emphasise that this will not inhibit councils from obtaining restricted areas by utilising the relevant provisions of the Firearms Act.

The government considers that there would be considerable merit in providing a limited amnesty during the implementation period of the proposals in this bill to encourage the registration of firearms currently unregistered under present legislation, particularly in relation to high-powered firearms and pistols. The terms of such an amnesty might be extended to the non-prosecution of persons seeking to register firearms which are not stolen property.

Mr Speaker, this bill results from a critical examination of Territory firearms legislation and that of the other states and incorporates, where appropriate, the views of many persons and groups who contributed to the formulation of its principles in the preliminary stages. I believe that it will achieve a more balanced approach to the ownership and use of firearms, where such ownership and use is justified, as well as the better security of citizens from the illegal or illicit use of firearms. I commend the bill to honourable members.

Debate adjourned.

SPECIAL PURPOSE LEASES BILL
(Serial 350)

Bill presented and read a first time.

Mr PERRON (Minister for Health): I move that the bill be now read a second time.

This bill is designed to amend the Special Purpose Leases Act so that direct grants of land outside municipalities may be made at market value or a proportion thereof as the minister sees fit. The current situation within municipalities, where direct land grants are made under the Darwin Town Area Leases Act or the Crown Lands Act, is that the grantee pays the market value as determined by the Valuer-General. The Direct Grant Scheme was of course introduced to foster initiative and to encourage developments throughout the Territory. The intended policy outside municipalities is to make direct grants of vacant crown land at market value. In cases where the new lease is to be excised from an existing rural lease, the price proposed is one half the market value of the new lease less the market value of the relevant portion of the existing lease.

Under the current Special Purpose Leases Act, direct grants can only be made at a low, nominal or zero premium and with an annual rental which may

be up to 5% of the unimproved capital value. This system is unwieldy and expensive to administer, leads to frustrating delays for applicants and is quite inappropriate in the direct grant policy.

The proposed amendments to the act will allow for a once-only payment for a lease that is satisfactory to both the government and the lessee. The proposed amendment also allows for greater flexibility in dealing with the needs of social and sporting bodies, particularly in isolated communities. It is necessary for the minister to have the right to set terms and conditions because the object of direct grants is to encourage development. I commend the bill to honourable members.

Debate adjourned.

TRANSFER OF POWERS (LAW) BILL
(Serial 335)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

A Transfer of Powers (Law) Bill to amend the Law Officers and Legal Practitioners Act was passed late last year and the bill was expressed to come into operation on 1 January 1979. However, the Commonwealth Attorney-General refused to agree to the act receiving assent on the grounds that it included, by reference, an amendment to the Sheriffs Act which was not a transferred function. The problem could have been easily overcome if the Commonwealth had been prepared to accept an undertaking that the Northern Territory would not exercise 1 or 2 limited powers without prior consultation. However, the Commonwealth refused to cooperate. Their unhelpful attitude has made necessary the introduction of this bill. The bill seeks to delete the commencement clause in the Transfer of Powers (Law) Act. Once the bill has been passed, the original proposed law can come into operation on assent. I commend the bill to honourable members.

Debate adjourned.

TRAFFIC BILL
(Serial 303)

Continued from 30 May 1979.

Ms D'ROZARIO (Sanderson): Mr Speaker, it should come as no surprise to members that the opposition supports the bill. We see this bill as but one approach to the very serious problem of road safety in the Northern Territory. I might say that this bill has not gained universal acceptance within the Territory. There are still some sections of the population who are unhappy with the idea of random testing, a critical feature of this bill, and there are still many people who have accused this legislature of being irresponsible in its attitude to road safety. I wish to make it clear, and I speak on behalf of the Labor Party in the Assembly, that I disassociate myself from that particular view. This bill is not the total answer to reducing the road toll but it certainly is a major contribution and it is aimed at the largest contributory factor to road accidents in the Northern Territory. However, there are still sectors of the population and prominent people in this community who have used the press in order to denigrate the legislation with a view to having it withdrawn. We are happy to support this bill and we have given this matter extremely detailed consideration, unlike some who have just assumed that the bill will do certain things which it is not intended to do.

In June this year, the House of Representatives Standing Committee on Road Safety sat in Darwin. The lack of interest shown by the self-same critics of this proposed bill to that committee's presence in Darwin was amazing. Very few members of the public attended the hearings. I think that it is fair to say that, apart from myself, the only other people who attended were those directly connected with the House of Representatives committee or those who were giving evidence to the committee. I certainly saw none of the local critics of the random breath testing present as witnesses or simply as interested members of the community.

For our part, we have attempted to explain in detail the effects that this bill will have on drivers and some of the rights of those drivers who might be constrained by the operation of this bill. We have tried to overcome the objections that many sectors of the population have raised to this particular bill. In doing so, we hope that our contribution to this debate will go somewhere towards making this bill work in the Territory and thereby reduce the road accident rate. This bill is an attempt to strike at the major contributory factor to road accidents; it is not meant to provide a solution to all other factors which contribute to road accidents. It is not aimed at speed, vehicle safety or any of those other matters that have contributed to road accidents in the past. Basically, the bill is aimed at modifying driver behaviour, particularly in respect of drinking and driving.

I was pleased to hear Superintendent McNeil give evidence on behalf of the Traffic Services Directorate to the House of Representatives Standing Committee on Road Safety on 27 June this year. More recently, that branch of the Police Commissioner's office has started to put together accident statistics and to analyse those statistics in a way that has not hitherto been available. Superintendent McNeil gave evidence that, in 1977, 58% of accidents in the Northern Territory were alcohol related. In 1978, this percentage was 60%. We can see from the statistics that have been collected and analysed by the Traffic Services Directorate that alcohol is indeed the most significant contributory factor in road accidents.

This legislature is the second in Australia to attempt this type of legislation. The bill does more than just introduce random breath testing; it streamlines the procedure for breath testing and the taking of breath samples for apprehended drivers and it also increases the penalties. The major public debate has been directed totally to this legislature's decision to deal with a bill which will introduce random breath testing to the Northern Territory. Much has been spoken about that point only. Some people have totally forgotten that we already have breath testing in the Territory. They are under the impression that what we are doing here is something new. What we are attempting to introduce is random breath testing in the hope that some drivers will be deterred from driving after consumption of excessive amounts of alcohol.

The chairman of the House of Representatives committee gave some indication as to what his committee's thinking was in June 1979. He said that the committee's attitude was stiffening towards random breath testing legislation and that he expected the committee's recommendations to be tough in this regard. He also commended Superintendent McNeil and said that the Northern Territory approach to this problem was refreshing. No doubt, the chairman of the committee had heard many of the sorts of criticisms and arguments that have been raised against this legislation in other states of Australia.

One of the complaints that has been raised is that it will prevent drivers from drinking. It is my personal hope that this legislation will have that

effect. But, that is not what it is intended to do at all. It is intended to prevent drivers from drinking to the extent where their blood-alcohol content would be greater than 0.08%. Despite the misrepresentations of the legislation which have been given by the critics, let me say that the Traffic Services Directorate presented evidence that the average blood-alcohol content of the apprehended driver was between 0.15% and 0.2%. That is certainly not what you might call a minimal consumption of alcohol. What this legislation aims to do is to deter the drinking driver from consuming an excess of 0.08% and then getting behind the wheel of a car. The people who say they will be prevented from drinking entirely are incorrect. I certainly hope, as do many other members of the community, that that will be the effect. However, that is not what this legislation attempts to do.

One of the points on which the honourable minister and I attempted to sell this legislation to the public was that the legislation is to have a definite cut-off date. Presumably, the reason for putting a definite cut-off date in the bill - that is, "sunset legislation" or, as the member for Arnhem would have it, "twilight legislation"-was that the honourable minister had told the public that we were to experiment with this particular legilsation. In any public forum that I was invited to address, I certainly said that this legislature would gauge the effect of the legislation after a specified period of operation to see whether in fact it had had the effects that we hoped it would have. Naturally, I am most disappointed to see that an amendment has been circulated by the honourable minister which, in effect, removes the particular subsection which contains the cut-off date of operation. The amendment will remove proposed section 8D(2).

This particular amendment has not been well publicised and I feel that, in this small respect, the minister has not kept faith with the community. As recently as last week, before I saw the amendment, I was still saying to critics of the legislation that we were going to see how this would work and, if their worst fears came to pass and it could be shown that the road toll continued to increase, there was a cut-off date and we would have to direct our attention to other means of reducing the road toll. Many members of the public were satisfied that there was a definite cut-off date and that this legislation was meant to be experimental. Now that the honourable minister has an amendment which removes that cut-off date, I think we will certainly lose some public support for the legislation. The minister may say that it is always open to this legislature to repeal the legislation, and that is so, but the fear of many in the community is that there are far too many laws which remain in operation long after they have outlived their usefulness and that these laws may still be applied against citizens.

Although I certainly do not agree with them, the arguments that have been raised against this legislation are valid arguments in the sense that those putting them forward conscientiously believe that they are the correct ones. One of the arguments relates to civil liberties. Incidentally, the Northern Territory Council for Civil Liberties supports this legislation and they are not the people who raised this argument. The cry about constraint on civil liberty is raised against every method that is introduced to reduce the road accident rate and, predictably, it is raised again on this legislation. I felt that we could have overcome much of that objection by simply saying that, if the legislation was shown to be ineffective or caused inconvenience or any of these other things that have been raised against it, then there was a definite date after which it would not apply. I urge the honourable minister to withdraw his amendment. I must say also that the police intended to collect stastics which would demonstrate or fail to demonstrate the effectiveness of this legislation by 30 June 1981. We would have some basis for seeing whether

or not the legislation was effective.

Much has been said about the manner in which random breath testing will take place. Some people, who are against this legislation, have concluded that it will cause large queues to form beside the testing stations, that it will unduly inconvenience motorists, that it will cause delays, that it will affect people's medical conditions and any number of other things. None of these objections is in any way justified. I must commend the minister and Superintendent McNeil for the large amount of public explanation that they gave on the precise details of how this scheme will operate. I heard Superintendent McNeil on the commercial radio station and read his press releases. I commend him for the very good work that he has done in explaining to those elements in the community who are completely against this legislation that their objection to the manner of taking breath samples cannot be substantiated.

We heard from the minister the method by which the breath testing stations will be set up. I refer him again to his amendment which will remove subsection (2) of proposed section 8D. Not only will that amendment remove the cut-off date of operation of this legislation but it also may have some effect whereby a breath testing station cannot be set up. I ask the minister to look at that because, in my careful reading of that section, it does appear that there will not be a breath testing station if he removes that particular subsection.

Much has been said about whether or not this legislature should introduce this bill. Many of the arguments that I have already spoken about were canvassed in the report on the motor accidents compensation scheme. There are still elements in the community that say that this will not be the answer to this problem and certainly no one here can categorically say that it will be. For our part, we see this as but 1 prong of a multi-pronged attack on reducing the road toll. We have pledged our support for this particular bill and we would certainly like to say at the end of 30 June 1981 that the objectives of this bill have been achieved. There is no other way that we can implement this legislation other than by a cut-off date which is most important for those people in the community who are still not cooperating with this particular legislation.

Mr Speaker, I certainly do not want to go through all the arguments as to why we should have this bill. Suffice to say that one influential group in this community, the Darwin District Alcohol and Drug Dependence Foundation gave evidence to the House of Representatives committee that this bill would do nothing but increase penalties and punish drivers. In that organisation's view, punishment is not the desired method of dealing with the drink-driving problem. I must say that I concur that punishment is not the desirable method of dealing with drink-driving. In my view, this legislation is aimed at deterring people from driving after drinking.

There are too many people in this community who do not wish to do anything unless they are in possession of all the facts, have made lengthy research and are absolutely certain that what they are saying is right. I think that the road toll is now so severe that we must take those measures which are available to us and we must not baulk simply because we are not in possession of all the information regarding the behaviour of drivers.

Mr HARRIS (Port Darwin): Mr Speaker, before speaking to this bill, I would like to make reference to the comments that the public have made in general about the proposal to introduce random breath testing into our system. It is quite obvious by some of the comments made by these people that they have not sat down and looked at this serious problem of drinking

and driving without disallowing their personal feelings from taking control. Of course, personal feelings must come into the debate but in most cases they have allowed them to take over completely. Unless you are able to view a particular problem with an open mind, I feel that the responsible input required is not forthcoming. The longer we continue ignoring the problems we have in our society, the greater those problems become.

It is also clear that many people have confused the issue and have slipped back into the argument of 0.08% being the level at or above which a person is constituted as driving under the influence of alochol. The 0.08% issue has, since its introduction, created a lot of attention and I believe that it will continue to draw a great deal of attention in the years to come. I personally have reservations about 0.08% being the basis on which to gauge whether a person is able to responsibly control a vehicle. The variation of the amounts of alcohol consumed to reach 0.08% in different instances is enormous. When carrying out tests relating to blood-alcohol content, a person's ability to drive a vehicle in the first instance will have a marked effect on such a test. I do not wish to debate the 0.08% issue; I realise that we must have a base on which to work. I believe that everyone in our community has a similar approach. I have raised the point because I think it is unfortunate that those men and women who are responsible are caught up in the need to have blood-alcohol legislation introduced into our system to protect people from those who are less responsible.

Some people have the impression that blood-alcohol legislation assumes that alcohol alone is the prime contributing factor to our road statistics. No doubt, the combination of both alcohol and speed is a deadly duo. Again, it should be made clear, as the member for Sanderson mentioned, that we all realise that there are other factors relating to road accidents: weather conditions, the age of the driver, the physical condition of the driver etc.

Some people also had the view that random testing was introduced to raise money. I can assure those people that this was not the case. We have a serious problem with drinking in the Northern Territory and people have to be made aware of this fact. Legislation such as this makes people aware.

It was also mooted that the police would be setting up road blocks and stopping everyone who passed a particular point to ask them to breathe into the bag. This is not correct. It has been made quite clear that vehicles passing a legally constituted random breath testing station would be selected at random.

Mention has also been made of the fact that most of our accidents occur on the open roads. I have never heard anyone query that particular point. The bill before us allows for breath testing stations to be established on streets or roads that are used by the public and indeed the public have been informed that random testing stations would be set up further down the Stuart Highway. To say that urban dwellers will be the only ones subjected to testing is not right. Again, it must be stressed that it is to be on a completely random basis.

In his second-reading speech, the Minister for Transport and Works said: "Let me repeat for the benefit of the news media and the audience that random breath testing stations will be extremely conspicuous". He went on to say: "For random testing to serve its stated objective of being a drink-driving deterrent, testing stations must be visible. In fact, in Darwin, police will use a conspicuously-marked caravan. All testing locations will see police wearing white reflectorised clothing. There will be large road signs bearing

the words 'breath testing station ahead' and there will be appropriate lane-marking devices placed on roadways to direct motorists where to stop".

The Chief Minister said on his radio talk to his electorate on 22 July: "Signs reading 'breath testing station' measuring 3 feet by 2 feet will be used to identify the police operation. One of these signs will be posted at approximately 40 metres along the roadside towards the oncoming traffic. If a caravan is used as a breath testing station at night, it will be very well illuminated and, if police vehicles are used, their blue flashing lights will be activated at all times". He also went on to mention, in regard to vehicles from the main stream of traffic, that the police will merely form a laneway using at least 3 flashing strobe lights and the police on duty, who will be wearing white reflective sleeves and vests over their uniforms, will ask 2 or 3 drivers at a time to divert into the breath testing station. Those quotes clearly illustrate that the whole intention of this exercise is that these testing stations will be conspicuous and that people will know that they are set up in a particular place.

Some members of the public believed that random breath testing will be an intrusion on civil liberties. I point out that random testing has, in one way or another, been carried out for many years. There have been random checks carried out in supermarkets and in relation to passengers travelling on aircraft. On a particular flight, everyone is required to undergo an inspection of his bag. Random checks have also been carried out for customs purposes. These checks have been going on for a long time. I believe that, where it could be argued that there is an intrustion on a person's civil liberties, we should attempt to surround a particular act by as many safeguards as possible without interfering with the desired aim.

I am very pleased to see circulating at the moment an amendment which I asked for that amends clause 57 of the principal act which makes provision for regulation-making powers. In the bill, there is a great deal left to good faith and I feel it is necessary for us to have this power in the bill itself. It is very important to spell out to the public how these tests are to be carried out. An open approach is, in my opinion, the only way in which random breath testing will be accepted by our community.

Another concern of mine has been the proposed new section 18 which has been withdrawn. This could have been misleading and had people querying whether or not a breath testing station was legally constituted if the vehicle on or near which a sign was placed was not parked in the correct position. The amendment circulated introducing a new part III under the heading "random breath testing" will correct this situation.

There was a case recently where a person was stopped whilst driving along the Stuart Highway near the Berrimah turn-off and asked to blow into the bag. This he did and the crystals changed colour. He was then asked to accompany the police officers to the Casuarina Police Station where he underwent a further test on the breathalyser machine. It was then found that he was under 0.08% and told that he could leave. The only trouble was that the police officers would not take him back to his car and this poor chap was left stranded at the Casuarina Police Station. I only bring that up because incidents such as this just cannot be allowed to happen. I realise that, in the Darwin situation, a caravan will probably be at the site where a testing station is to be set up and that 99% of the time the police and the public get on very well together. However, it only takes that 1% of bad public relations to destroy the impact of this whole bill.

The member for Sanderson mentioned that we were removing from this

legislation a cut-off period. The way I read this bill and the amendments circulated is that there has been included a new part under proposed amendment 110.17 which does in fact say that a member of the police force may, on or before the second anniversary of the commencement of part III of the Traffic Act, require a person to submit to a test etc, so there is provision for this bill to come back before the House. I believe that this is responsible legislation. I have asked the minister whether it would be possible for him to produce a brochure to explain to the public exactly what random testing is all about. Perhaps in his reply the minister will be able to tell me whether this is being done or not.

While I do not enjoy being partly responsible for introducing random breath testing into our system, I do feel it is necessary and, providing the testing stations are conspicuous and people are told what the legislation means, I believe it will be accepted. I support the bill.

Mr ISAACS (Opposition Leader): Mr Speaker, not surprisingly, I support the legislation. As indicated by our spokesman on road safety matters, the opposition is very concerned about the loss of life and the loss of resources which occur as a result of the death and accident toll on our roads. Road safety is not just stopping people from being killed; it is ensuring that people can drive on the road with assurance and safety and in the knowledge that other people on the road have the same sort of awareness of their responsibilities.

The random breath test legislation is merely part of an overall approach which has to be taken in regard to road safety. One of the pleasing features of this parliament is the bipartisan approach taken on matters of road safety and the determination of both sides of the parliament to take action where it is required. I believe also there is a determination by both sides of the House to be practical, to not impose severe penalties but instead to take preventative action. For that reason, we support the random breath test legislation and other measures which will be taken to curb the road accident toll.

The opposition has made a number of suggestions, which have been taken up in one form or another, relating to problems associated with people who drive after they have neen drinking. I refer to such matters as courtesy police squads - the proposal of the member for MacDonnell - and bags being placed in hotels so that people may know whether they have had too much to drink. The "you drink; we drive" scheme has been suggested and we hope that the government will look very seriously at that.

The most common argument in regard to random breath testing does not necessarily relate to whether or not people ought to be able to drive after they have been drinking. Most people are forced to recognise the overwhelming statistical evidence which says that people who have a blood-alcohol content in excess of 0.08% are not as capable of driving a motor vehicle as those people who have less than that particular level of alcohol in their bloodstream. The argument comes down to one of civil liberties: whether or not we ought to allow our civil liberty to drive on the road unimpeded to be taken away and whether we should be asked to blow into a bag when we have not committed any other offence. It surprises me that the proponents of the argument are often people who have not been great civil liberties supporters in the past yet the traditional supporters of civil liberties are coming out in favour of the legislation. For some years now, the Northern Territory Council for Civil Liberties has supported random breath test legislation. It is surprising that the Chairman of the Automobile Association of the Northern Territory, Captain Milner, is coming out as a champion of civil liberties.

Perhaps it would be a good idea to look at that particular argument. I think it comes back to the point I made at the beginning: people ought to be able to drive on the road in the certain knowledge that people, who have passed a test which permits them to drive on the road with safety, are not in a condition which prevents them from driving as capably as when they obtained their licence. Simply put, it means that people ought to be able to drive on the road with the assurance that others will exercise a certain amount of care and attention towards them. There are a number of clashes of civil liberties. There is the right to drive on the road with some safety and some assurance and there is the right which has been taken away in regard to random breath testing. We are forced to come to the conclusion that it is worthwhile denying the community that one liberty which relates to random breath testing in order to ensure that people are able to drive on the road with safety.

I do not particularly want to canvass the argument about whether or not you drive safely over 0.08% or whether your heritage is an agricultural one and you can handle your grog better than those who do not have agricultural roots. That has to be the greatest anthropological theory that I have ever heard. Captain Milner put that one forward and I would not be at all surprised if, after evidence was obtained, it was found that the Aboriginal people, whom he was referring to in a very guarded way, are able to hold their grog better than we can. I make that as a passing comment.

The real argument is one of civil liberties. This has been canvassed within branches of my party which certainly has a history of pursuing the civil liberty argument. Despite some muted protestations, it is true to say that we have received no complaints or criticism of this particular legislation within the party. It is a matter of competing liberties and we come down on the side of ensuring that people are able to drive on the road with safety.

I would like to support the comments of the member for Sanderson in relation to the police traffic section. I believe that they have shown a very commendable approach to the subject. They have not sought to browbeat but rather to explain, and they have done it extremely well. I would hope, given the attitude of both sides of the parliament to this matter of random breath testing, that at the second anniversary of the bill coming into effect, or whenever the cut-off date may be, we might be able to do away with random breath testing. It may be that we cannot; it may be that the attitude taken would be that it is so successful that it ought to remain. The most important thing is community acceptability. Whilst there is common accord in this parliament, I believe we will be well on the way to achieving community acceptability and that will depend very much again on the attitude taken by the police.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise only to speak briefly on this bill and to indicate my support as I am not a member of the official opposition. I have been aware of the rather unusual campaign which has been conducted through the press by certain sections of the community who regard this piece of legislation as the greatest inroad into civil liberties this century or some such nonsense. That assumes that one has a divine right to drive a car, an attitude that I have consistently resisted. One does not have the divine right to obtain a motor vehicle licence simply on attaining the age of 17 years and, in fact, most members have supported moves in other debates for strengthening the requirements to obtain that licence so that a higher degree of skill is necessary.

When motor vehicles first came on the roads, there was a man walking in front waving a red flag to warn everybody of the danger of coming vehicles. Times have certainly changed since then. With the increased horsepower of

cars and the vast developments in design technology, the handling of motor vehicles has developed to quite a fine art in many cases. I do not believe it is a reasonable proposition that, immediately upon production of evidence of having attained one's 17th birthday, one should be issued automatically with a licence. It is not a matter of civil liberties because it is not a civil right. To drive on the road, one needs a licence and that is an entirely different proposition. I reject the argument that to require a person so licensed to subject himself to a random test is therefore an invasion of his privacy and his liberty. It is not at all.

In previous debates, many members have addressed themselves to the need for other road safety standards to be improved and they are quite right. The member for Sanderson raised some points today and, to my mind, one of the most important issues is motor vehicle design and safety standards. Many of the members tease me about driving a little red MG; they say I am an elitist among other things. One of the reasons I drive my little red MG is because I guarantee that it is a damn sight safer in construction and design aspects than any of the other cars driven - with the possible exception of a Porsche - by other members of this Assembly. It is light on fuel and it has magnificent handling qualities. Suffice to say that it is more than the ability of the driver to handle the consumption of alcohol and then to get behind the wheel which is relevant to the safety on the roads. Vehicle design and the competence of the person driving, with or without alcohol, is also of supreme importance.

This legislation indicates that only a permissible level of alcohol will be tolerated before one can drive. There seems to be, in some of the propaganda filtering through the press, an assumption that we are trying to outlaw drinking. That is not so; we have even removed public drunkenness. This legislation has nothing to do with the right of people to get themselves paralytic. What we are saying is that, having achieved that state, we do not believe it is tolerable for that person to get behind the wheel of a motor car and take to the roads. That is the point that seems to be lost in the public press.

I have received many representations by people, some of whom are my constituents, objecting to the legislation. They are not objecting to improved safety on the roads but they are objecting to the fact that, if they have had a few drinks, they are likely to be pulled up by a policeman and subjected to a test. I have not received many representations from single members of the electorate regarding this so-called invasion of privacy. Most of the complaints have been directly related to their right to drink and their right to drive. I agree with the other 18 members of this legislature, or the 17 because I have not heard from the other independent yet, that that is not a right. We cannot countenance people under undue influence of alcohol who assume that they can drive on public roads because it is the view of society that they are a menace and put other innocent people at risk.

There is obviously going to be some debate about the intricacies of the bill in the committee stage but I join with the other members of this Assembly in supporting this legislation through the second reading. I do not believe it is unfair or unreasonable and if people want to get drunk everyday they still can but they cannot drive at the same time.

Mr TUXWORTH (Mines and Energy): I too rise to support the bill. As I listened to the debate, I felt that I had been along this road once before. It was only a few years ago that the former members of this House sat here and debated a report called "the Darwin Drunks Report" by Gerald Millner. While Mr Milner's report covered many aspects of alcoholism within the Darwin scene,

it did touch quite extensively on measures that had to be implemented to try and reduce the road toll in the Northern Territory. The road death toll in that particular year, 1975, was about 45. There are a few things that have changed since then and one of them is the annual number of fatalities on the road. However, there has not been much change in the legislative approach to reducing the road toll.

I would just like to read a paragraph that came out of that debate: "One of the measures that will need to be acted upon is a recommendation in Dr Millner's report that drunk-driving offences be recorded when a person has an alcohol content in his blood of 0.03%". As honourable members are well aware, there was no support for such a proposal in those days. I am not sure there will be much support now but the efforts that are being made by this legislation are at least a step in the right direction.

Honourable members have all canvassed the need for Legislative Assembly involvement in amending the Traffic Act to try to restrict the amount of drink-driving that goes on in the community. The only solid argument that I have is that, if we managed to increase our number of road deaths in 4 years from 49 to 68 last year - I believe the total looks like being more this year - that is more than enough reason given the fact that 60% of those deaths were related to alcohol.

The next question is obvious. What do we do? Some of the members in the last Legislative Council would do nothing because this subject is politically hot and sensitive. I think we have passed that stage and we have to do something. We cannot supress the figures; we cannot hope to do anything except control the excesses of alcohol consumed by people intending to drive.

I am well aware of the words, "infringement of civil liberties" that have been bandied around by many members of the community. I have been confronted myself by people who feel that their civil liberties will be infringed upon by such legislation. I find it interesting to note that many of the people that have raised this argument with me have quite a history of coming out of the club at night pretty well charged and hopping into their car and going home. Whether it is an infringement of civil liberties or a foreshadowing of things to come is a matter that time will tell. We all have liberties and every individual looks at his liberty in a different way. I regard my civil liberty as being something that is important. I regard it as being able to drive on the roads in the Northern Territory without the fear of some maniac behind the wheel, with a skinful of grog, veering out to the right and wiping me out.

The only consolation we have about the fatality figures for 1978 is that we are not amongst them. For a Territory of 100,000 people to clock up 68 road deaths in a year, of which 60% were related to alcohol, is a pretty formidable accomplishment and one that we should be trying to reduce every year.

I am also a supporter of the concept that once a person has been pulled over to a station, he should have the right to a second opinion and to go to the station to have a test on a proper machine or to a hospital to have a blood test. If the individual has that right, there can be very little argument on the civil liberties angle.

One other thing that I am particularly pleased to see in the bill is the principle of taking blood samples from all persons that are involved in road accidents. I know of an accident that happened about 5 years ago that involved several youths: they rolled their car, 2 of them were sober, the third one

was under the influence of alcohol but, by the time somebody arrived to help at the accident, they had all changed seats. The offending party thought it was extremely funny to be able to get away with it. I think that the concept of blood-sampling everybody who is involved in a road accident is a good principle.

I support the bill because I think it is a preventative measure rather than a curative measure. We will not completely stop folk who like to drive home without any responsibility towards anyone else; there will always be those people in the community. However, I do think it will have a restraining effect on people who have treated the matter rather lightly in the past. From the figures that have been taken from Victoria, where such legislation has been in operation for some time, it would seem that we can hope for improvement.

The honourable member for Sanderson raised the point about this legislation being "twilight legislation". I think that is a principle that could well be tried in this case. I have no information from my colleague that this will not be "twilight legislation" and I think that we should still try to adhere to that particular principle so that, whatever we learn from this exercise in 12 months or 2 years time, we will have some basis for continuing the legislation if we wish to.

Mr COLLINS (Arnhem): Mr Speaker, I will be brief. For the benefit of the honourable member for Nightcliff and others, I will not talk about the St John Ambulance Brigade. I would like to join other speakers in commending both the government and the officers of the police department for the way in which they have participated in the considerable public debate on this piece of legislation. I have received more representations on this piece of legislation than on any other piece of legislation that has come before this House with the exception of the Education Bill. These were from Darwin people, not from people in my electorate who will be substantially unaffected by it.

I would like to comment very briefly on some of the comments made by the honourable member for Port Darwin because I believe that they are worthy of being mentioned again. The principal objection to this legislation appears to be that of the invasion of civil liberties. I do not believe it is an argument that can stand up to very close scrutiny. I agree with the honourable member for Nightcliff that driving a vehicle is not a God-given privilege but something one must earn and continue to earn for the safety of everyone else who uses the road. I would not object at all to being pulled up by the police at any time if it appeared to a police officer that my vehicle had bald tyres or was defective or dangerous in some way. In the same way, I believe it is even more important that the competence of the driver as well as the condition of the vehicle be checked regularly.

The honourable member for Port Darwin stated that there are many examples of random checks and impositions placed on members of the public and which are accepted without question. He spoke about the checks that people have on their baggage at the airport. We all appreciate that this is an inconvenience but I have never heard anybody question it; everyone appreciates the reasons why it is being done. The customs and immigration checks are extremely inconvenient. I understand some people from Sabah found them inconvenient just recently. These are all a part of our lives and I believe that, even after 6 months, random breath test units will become an accepted thing around Darwin and other places. People will become used to them and accept them.

I do not believe that the main value of random breath check stations will come from imposing restrictions on people or imposing heavy penalties on people. In practice, the most valuable contribution these will make to life in

the Northern Territory, at least in the first 12 months, will be as a huge exercise in adult education. They will make people aware that they cannot continue to regard the question of drink-driving in as light and as humorous a vein as people have tended to in the past. It will bring home to people in a very public way that drink-driving is not a matter to be treated lightly.

I have spoken to many people on this issue and I was particularly interested in speaking to a number of visitors from Victoria where this legislation is in effect. They have told me - and I admit it is only a small number of people - that they are all drinkers and that people in Victoria are well aware of the danger of drinking and driving because they have to run the gauntlet of random breath check stations. All of those people advised me that it resulted in a change in their personal attitude towards drinking and driving. Before the introduction of random breath tests, they had never thought twice about it. They went to a party, drank as much as they liked and then drove home afterwards without thinking about it. Now that random breath tests have commenced, people say that it is not worth the risk. Nobody gets hot under the collar about it; it is simply accepted by the majority of the community in Victoria that they have to be responsible about their driving for the sake of other road users. They take a taxi home or are driven home by someone else. That appears to be the effect that the legislation has had on the general public in Victoria. I have no doubt that, after 12 months, it will have the same effect on the public in the Northern Territory.

I believe that the success or failure of random breath tests in the Northern Territory will depend utterly on the implementation of this legislation. Public relations in regard to this issue are absolutely vital. I was interested in the story related by the honourable member for Port Darwin about the gentleman who was taken to the Casuarina Police Station. It would be very interesting to check that story out. If it is true, and I have no doubt that it is, that was a most unfortunate incident which can do nothing to improve police public relations. I am sure that the police department will take great care to instruct the people who man these particular stations that courtesy and cooperation with the public is absolutely essential at all times even though their patience may be somewhat strained at times. In order for this random breath test legislation to be a success - and I believe it is in the interests of all of us that it is a success - the conduct, the courtesy and the behaviour of the people who man the stations will be absolutely vital.

Debate adjourned.

CATHOLIC CHURCH IN THE NORTHERN TERRITORY BILL
(Serial 289)

Continued from 23 May 1979.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, the opposition cannot see any necessity to debate this bill at length. It appears to be a simple bill which formalises the legal position of the Catholic Church in the Northern Territory. Few people would dispute the role which the Catholic Church is playing in the history of the Territory. The Lutheran, Catholic, CMS and Methodist Churches - I believe in that order - were the original pioneer missionaries in the Northern Territory and Australians, particularly Aboriginal Australians, will always be in their debt both for their work as pioneers and as missionaries. I am reminded of a doctorate thesis which I once read concerning the establishment of a mission by the Jesuits. Their original mission house was almost exactly where the Rapid Creek squash courts are at the moment. Later, they established 3 separate missions on the Daly River at Unia, Hermit Hill and New Unia in the 1880s and 1890s. The hardships which the missionaries endured

were almost unbelievable; it is a most interesting document.

I had the pleasure of knowing such remarkable pioneers and men of the cloth as Bishop Gsell, Fr Henschke, Fr Docherty and Fr McGrath, all of whom were Missionaries of the Sacred Heart. I feel that my life was enriched by knowing such men. I would like also to pay tribute to Fr John Leary who has been a great personal friend of mine for some 20 years. In my experience of nearly 3 decades of working with Aboriginal people, I know of no European, whether he be an anthropologist, linguist or long-term field officer, who has a greater understanding and feeling for Aboriginal people than Fr John Leary. It was Fr Leary who re-established the Daly River Mission over 20 years ago.

I am pleased to see that His Lordship Bishop O'Loughlin is in the gallery. Bishop O'Loughlin arrived in Darwin not long after I did and, without doubt, he has made a significant contribution to the Territory. He has always been known as a person of great astuteness and integrity. I know that His Lordship may not always agree with some of my opinions and ideas but I know also that we have many things in common, chief of which perhaps is that we both have the interest and the future of the Northern Territory at heart.

Similar bills in relation to other religious denominations have been passed during my time as a member without much dissent. The opposition supports this bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, I too would like to relate a little of the history of the Catholic Church in north Australia. I have a few more figures to give. The bill before the House is perhaps not of great import to everybody in the Northern Territory but it certainly is important to the conduct of the interests and the activities of the Catholic Church in the Northern Territory.

In 1846, at Port Essington, the first instance of a Catholic priest administering his flock, was recorded. This was Don Angelo Confalonieri. The first significant numbers of Europeans came to the Northern Territory roughly around the 1870s with the overland telegraph. However, before this was finally put through, many Europeans came from Adelaide in 1860 to prepare for the passage of the telegraph through the Northern Territory. With these came the clergy to minister to the Catholics who happened to be with that influx of Europeans into the Northern Territory. I also mention the establishment of presbytery at Rapid Creek in 1882. My Lord Bishop has told me thatthe mango trees there are a memento of that time. This was established by the Jesuits together with an establishment at the Daly River from 1886-1899 and Palmerston from 1882-1902. I read a newsletter put out by a boys school regarding the activities of the Jesuits at the Daly River and I think I am right in saying that they were one of the first group of people, long before any active recognition was given to Christian proselytising within Aboriginal communities, to recognise the importance of translating the ideals of Christianity into something that the Aboriginals could understand. They gave translated Christian teachings and they held Catholic ceremonies that were also translated so that Aboriginals could understand.

The next figures that I have to mention relate to the establishment of the members of the Sacred Heart in Darwin in 1906, Bathurst Island in 1911, Alice Springs in 1929 and Tennant Creek in 1936. Bishop Serra, who belonged to the Order of St Bernard, was the Bishop of the Diocese of Victoria which is synonomous with the Diocese of the Northern Territory. This was at Port Essington in 1848. He was followed by Bishop Salvado who also belonged to the Order of St Bernard in 1849. He became the auxilliary in the Archdiocese of Perth but he never came to the Diocese of Victoria; that is, the Diocese of

the Northern Territory. Bishop Salvado's name is very well known to Western Australians connected with the monastery at New Norcia. From 1888-1902, Father Strele, a Jesuit, was the apostolic administrator who took over from Bishop Salvado when he died. Monseignor Gsell, who was a member of the Sacred Heart Order, was here from 1906-1938 as the apostolic administrator. From 1938-1949, he was the Bishop of Darwin. Bishop O'Loughlin, who is in the gallery today, first came to the Northern Territory in 1949.

In 1938, the Torres Strait Islands were part of the Diocese of Darwin but they were given to the Diocese of Cairns about 10 years ago. The area of the Diocese of Darwin is about 0.5m square miles. It does not quite encompass the whole of the Northern Territory. It goes down to the 25th parallel but the Northern Territory border goes to the 26th parallel. I do not know why this is different but it is. In 1848, the Diocese of Victoria was taken from the Archdiocese of Melbourne and, together with the Archdiocese of Sydney and the Diocese of Maitland, were declared separate organisations.

I thought some figures relating to the Catholic population in the Northern Territory were relevant: 28% of the population of the Northern Territory follows the Catholic faith; there is a primary school at Alice Springs catering for about 500 children; there are 3 primary schools in Darwin catering for about 500 children each; there is a secondary school in Darwin catering for more than 700 children; and there are mission schools at Bathurst Island, Port Keats, Daly River and Santa Teresa catering for primary and upper primary school children.

In giving my full support to this bill, I would like to say that the legislation under which the Catholic Church operates at the moment is not quite satisfactory in view of the large scope of interests and activities of this particular religious organisation and this is why new legislation has been introduced. I fully support it.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EVERINGHAM: I move amendment 90.1.

This is to insert in the definition of "bishop" after "includes" the words "an administrator apostolic and". Upon the death or resignation of a ruling bishop, a vicar capitular is appointed by the Vatican to rule a diocese until a new ruling bishop is appointed. However, when a ruling bishop is sick or on leave, whether he remains in the diocese or not, a different procedure is adopted. Under canon law, the ruling bishop may in these circumstances appoint an administrator apostolic to temporarily rule the diocese. The definition of "bishop" as amended ensures that it will cover the person who is at any time ruling the diocese.

Amendment agreed to.

Clause 2, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

In Assembly:

Bill reported; report adopted.

Mr ROBERTSON (Education): Mr Deputy Speaker, the few words I have to offer did not seem to be appropriate in the second reading which, by convention, seems to be a reading to accept the legislation.

The area which I would like to very briefly touch on in the third reading is that of the role of the Catholic Church in the education of Northern Territory children. I merely wish to place on record my gratitude to the Catholic Church and the Catholic education system itself and to say that the government acknowledges the work done by Fr Fyfe, the Director of Catholic Education in the Northern Territory. I am sure that the honourable member for Arnhem would endorse these words. The Catholic Church operated a number of schools over a long period in the history of education in the Northern Territory. The member for Tiwi named the various mission schools.

I would just like to say a word about a school that I am becoming more and more familiar with: Our Lady of the Sacred Heart in Alice Springs. Only recently, it has been brought to my attention that that school is catering for Aboriginal and deprived children who are unable to provide to the school the normal fee structure which a private school would normally expect. I was rather surprised to learn that, for a long time, that school provided very special facilities for those children without any suggestion of payment from the government or anyone else. It was only when it was brought to my attention by Fr Meaney and by Sr Mary Batchelor that the government set about to do something. I recently approved a grant for $10,500 to subsidise the loss of revenue. I hasten to point out that it is only because we approached the school and not because they approached us. I think that is Christianity in education if ever we have had an example of it. I suppose that I might be accused of some prejudice and I have declared this prejudice on a number of occasions because I am a product of the Catholic education system myself.

I would like to place on record the gratitude of the Northern Territory government and, I believe, the gratitude of the taxpayers of Australia and the Northern Territory for the tremendous value for the dollar that the taxpayer gets out of the education facilities provided throughout the Northern Territory by private schools. We are currently paying no more than 20% of the taxpayers' national average towards the subsidy per capita in private schools in the Northern Territory. It is the earnest desire of the Northern Territory government to lift this to 20% of the Northern Territory average. I think that every member here would have very clearly in his or her mind the difference between the national average of educating children and the average in the Northern Territory. It is a matter which the Northern Territory government has under examination and every endeavour will be made, as soon as possible, to increase the subsidy to private schools particularly so that the Catholic education system can continue the good work it is now doing.

Bill read a third time.

HUMAN TISSUE TRANSPLANT BILL
(Serial 292)

Continued from 17 May 1979.

Mr TUXWORTH (Health): Mr Deputy Speaker, in closing the second-reading debate, I would just like to thank honourable members for the support that they have indicated for this bill. However, there are a couple of points that

I would like to touch on that were raised by honourable members during the debate.

The member for Fannie Bay stated that the Northern Territory would not become involved with the technical and complicated areas covered by the bill. Human tissue transplants cover a wide range of procedures such as heart and kidney transplants, corneal grafts and bone marrow implants. Skin and bone grafts are distinct from the former in that they do not usually involve donations from another person. Human tissue transplants involve highly intensive technology and the human and other resources for such transplants are only economically viable in large areas of population. However, the hospitals located in the major cities of the Northern Territory have general facilities for such procedures once the population builds up to make such a venture viable.

The honourable member went on to discuss the question of post-mortem examinations. I would like to mention at this stage that it is my intention to move for the defeat of the clauses of the bill relating to post-mortem examinations. I have since given this aspect of the bill further consideration and I believe that the whole subject of post-mortem examination should be dealt with in separate legislation. It is my intention to bring down a bill dealing solely with this important area.

The honourable member for Sanderson stated that it would be some time before the Northern Territory could avail itself of the provisions of the bill and that we have not yet the expertise in surgery to perform transplants. With the exception of corneal transplants, the organ transplants are not performed in the Northern Territory at present. This is not to say that these procedures are beyond the ability of our surgeons but they would require the build-up of a specially trained team before we could establish such a unit.

The honourable member for Sanderson also referred to the exclusion of children up to the age of 18 years from being human tissue donors of bone or skin tissue. As I have said, bone and skin are usually from the patient himself but, in any case, I do not believe that live children should be used as a source of transplant material. On the question of age of consent, it is agreed that this is a complex matter for which there is no easy answer. The age of 18 years is considered to be the earliest at which the person concerned could have attained sufficient maturity to enable a reasoned decision to be made and I do not agree that the age of consent should be reduced.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr TUXWORTH: I move amendment 91.1.

This amendment has the effect of making the spouse of a child who is married the next of kin for the purpose of the definition of "senior available next of kin". The definition of "senior available next of kin" provides an order of priority for relatives who may consent or object to the removal of tissue from a deceased person.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 23 agreed to.

Clauses 24 to 27:

Mr TUXWORTH: I move that clauses 24 to 27 be defeated.

These clauses deal with post-mortem examinations and were based on recommendations of the Law Reform Commission Report No 7 on Human Tissue Transplants. Since this bill was presented to the Legislative Assembly, I have received advice that most pathologists in Australia oppose the recommendations in so far as they relate to post-mortem examinations. I understand that the procedures are likely to be adopted by most states. The Law Reform Commission's proposals do not take into account the special problems of the Northern Territory and may not be appropriate for our needs. As I indicated earlier, we will be introducing separate legislation to cover post-mortem matters.

Clauses 24 to 27 negatived.

Progress reported.

JURIES BILL
(Serial 293)

Continued from 23 May 1979.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 118.1.

Section 5 of the Criminal Law Consolidation Act imposes a mandatory penalty of life imprisonment for murder. The new definition of "capital offence" is based on the same concept; that is, an offence for which the penalty is mandatory life imprisonment. Section 6(1)(c) of the Criminal Law Consolidation Act qualifies section 5. It provides that, where an Aboriginal is convicted of murder, the judge has a discretion as to what penalty to impose. In trials for capital offences, the Juries Bill provides that majority verdicts cannot be entered nor juries reduced below 12 in number. The addition of the words "and includes murder" to the definition of "capital offence" ensures that Aboriginals charged with murder can take advantage of those sections of the act which relate to majority verdicts and reduced juries notwithstanding that they do not face mandatory life imprisonment.

Amendment agreed to.

Mr EVERINGHAM: I move amendments 118.2 and 118.3.

These are both purely formal amendments.

Amendments agreed to.

Mr EVERINGHAM: I move amendment 118.4.

The words "of the Northern Territory of Australia" are redundant as the meaning of "Supreme Court" is defined in the Interpretation Act. No definition of "judge" is required as this is also covered by the Interpretation

Act.

Amendment agreed to:

Clause 6, as amended, agreed to.

Clause 7:

Mr EVERINGHAM: I move amendment 118.5.

The amendment cures a typographical but important error. It was intended, as is made clear by other clauses in the bill and as I informed honourable members last week, that a person should be disqualified from serving as a juror unless he is able to read, write and speak the English language. The clause, as amended, sets out the persons disqualified as opposed to being exempt from serving as jurors.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 117.1.

The amendment seeks to substitute a new proposed section 11A which has been drafted in consultation with the Leader of the Opposition. I thank him for his cooperation and contribution. The new proposed section is, in terms of who may claim exemption, more restrictive than the previous clause and properly so. It also has the merit of simplicity and makes no distinction between men and women. It provides that no one is entitled to exemption simply on the ground that he or she ordinarily looks after a child. To gain exemption, it must also be shown that hardship would otherwise result.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 12 agreed to.

Clause 13 negatived.

New clause 13:

Mr EVERINGHAM: I move amendment 118.6.

The new Supreme Court Act includes a wide power to make rules and therefore it is unnecessary to make separate provision in the Juries Act.

New clause 13 inserted.

Clause 14:

Mr EVERINGHAM: I move amendment 118.7.

This inserts the spouse of a judge in the list of those persons who are exempt.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 118.8.

This has the effect of omitting departmental heads from the list of those exempt.

Mr ISAACS: It is still the case that the head of the Department of Law is exempt as long as he is an employee within the meaning of the Public Service Act. Is the head of the Department of Law an employee within the meaning of the Public Service Act?

Mr EVERINGHAM: I will seek advice on that. I believe the Solicitor-General would be an employee within the meaning of the Public Service Act because he is also the departmental head of the Department of Law. I will seek to postpone consideration of amendment 118.8.

Mrs LAWRIE: Included in the exemption lists are officers of the Department of Law which would cover the departmental head by a different exemption.

Mr ISAACS: We are now going to delete the second last item of the schedule on page 6 of the bill and insert instead words to the effect that people exempt from jury service include an employee within the meaning of the Public Service Act who is in the Department of Law. If the head of the Department of Law is not an employee within the meaning of the act, then he is not exempt and we would like him to be exempt.

Mr EVERINGHAM: I understand what you mean.

Mr ISAACS: I was just trying to clarify it for the member for Nightcliff.

The DEPUTY CHAIRMAN: We will postpone consideration of amendment 118.8.

Mrs LAWRIE: I move amendment 113.1.

This will insert in the proposed seventh schedule under "a member of the Legislative Assembly" the words "the Clerk or any other person declared by the Speaker by notice in the Gazette to be an officer of the Assembly". This will extend the exemption provisions to those persons. These words are used in the definition of "officer of the Assembly" in the Legislative Assembly Powers and Privileges Act. That act provides in section 6 that a member or an officer of the Assembly is not required to attend as a witness in any court or tribunal on a sitting day of the Assembly or one of its committees or one of the 3 days preceding such a day. It would be inconsistent to have the protection of the Assembly's operation nullified by the absence of staff on jury service. If the staff of the Assembly were to be absent for jury service on a sitting day, the operation of this Assembly could be quite disadvantageously affected. I point out that they may have to appear daily at the courthouse for a period of up to 1 month and, even if they were not empanelled, much time would be lost and the preparation of legislation of this Assembly would be affected.

Just as officers of the Department of Law are to be exempt, those persons who may be notified in the Gazette by the Speaker as being officers of the Assembly should similarly be exempt. The sponsor of the bill is well aware of my belief that as few categories of people as possible should be exempt. I think this is a reasonable inclusion to the exemption list.

Mr ISAACS: I would have thought that right now, as the member for Nightcliff moves this particular amendment, we are witnessing the very denial of what she is saying. The Clerk of the Assembly is absent and I believe we

are proceeding as smoothly as we would if he were here, with the greatest respect to all people concerned.

Officers of the Assembly, not just clerks, are involved in the legislative process. I would have thought that the reason that employees of the Department of Law were exempt was for the same reason that people in legal firms were exempt. It is not just a matter of involvement in the law; it is a question of involvement in cases. Regarding officers of the Assembly, I believe the Assembly will operate just as smoothly as it is now with or without them and I do not see the logic behind the amendment. I wanted to listen very carefully to the member for Nightcliff but I do not agree with her.

Mrs LAWRIE: It is a pity that the Leader of the Opposition did not listen. He completely missed the point of everything I said. He picked up the one subservient issue that the operations of this Legislative Assembly could indeed be quite severely affected if gazetted officers were to be absent for a continued length of time. The honourable Leader of the Opposition seems to think that things are proceeding smoothly at the moment. I am not going to argue on the small issue of this particular half hour which has elapsed although I do not think that things are proceeding so smoothly. I point out that the officers of this Assembly have to work closely with the printing office staff to ensure the processing and the pringing of notice papers, minutes and the Restricted Hansard. If they were to be continually absent perforce during the sittings, these most important operations could not be undertaken as smoothly because there are not sufficient numbers of people attached to the Assembly.

The honourable Leader of the Opposition completely missed the reason for my amendment. I will say it again and I hope he is listening this time. My amendment is to insert "the Clerk or any other person declared by the Speaker by notice in the Gazette to be an officer of the Assembly". Those are the words used in the definition of "officer of the Assembly" in the Legislative Assembly Powers and Privileges Act and that act provides in section 6 that a member or an officer of the Assembly is not required to attend as a witness in any court or tribunal on a sitting day of the Assembly or of one of its committees or on the 3 days preceding such a day. It will be inconsistent if we put forward the legislation without my amendment to bring the 2 acts into a parallel situation.

Mr EVERINGHAM: I ask the honourable member for Nightcliff whether she has known, in the years that she has been a member of the Legislative Assembly and before that the Legislative Council, the operations of the Assembly to be affected or disadvantaged by any person having been called up from the service of the Assembly or the Council for jury service?

Mrs LAWRIE: The answer is no because they have not been called up. I am trying to ensure that they are not called up in the future.

Mr EVERINGHAM: I ask the honourable member for Nightcliff how long she has been a member of the Legislative Council and subsequently the Legislative Assembly?

Mrs LAWRIE: I am now in my eighth year of service to the electorate of the Northern Territory; quite a deal longer than the Chief Minister and I shall be here quite a deal longer than he ever will be.

Mr ISAACS: I think we are getting somewhat carried away. The Legislative Assembly does not sit every day of every week; it sits on very infrequent occasions. If one of the officers of the Assembly is called for jury service

and the situation arises that the member for Nightcliff forecasted, then I would imagine that the officer will be able to apply under section 16 and, if it is of special urgency, I am sure the judge will see it the right way.

Mrs LAWRIE: The Leader of the Opposition has still not answered the particular point I am raising. If we are to have regard for the proper order of the statute book, and that is what the Assembly is all about, surely we must be striving for consistency. We have passed amending legislation time and time again to ensure that the acts run consistently. The Leader of the Opposition still has not replied to my proposition that it would be wrong to have the 2 acts, that is, the Legislative Assembly Powers and Privileges Act and this act, not in accord. I would think that the Chief Minister would be the first person to defend consistency throughout Northern Territory legislation.

Mr EVERINGHAM: I think the question has been argued thoroughly and I subscribe to the views of the Leader of the Opposition.

Amendment negatived.

Mr EVERINGHAM: I move postponed amendment 118.8.

By definition, "employee" includes a departmental head and therefore the Solicitor-General is covered.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 and 16 agreed to.

New clause 17:

Mr EVERINGHAM: I move amendment 118.9.

This adds a new clause 17. Section 21 of the Juries Act provides that a new jury list shall be made every 3 years. The next one is due in October this year. This amendment inserts a new clause to provide for an extension of time beyond October to ensure that the new list includes all those from whom exemption is now being withdrawn.

New clause 17 inserted.

Mr EVERINGHAM: I move amendment 118.10.

This is purely a formal amendment.

Amendment agreed to.

Schedule agreed to.

Title agreed to.

Bill passed remaining stage without debate.

HUMAN TISSUE TRANSPLANT BILL
(Serial 292)

Continued from page 2012.

In committee:

Clause 28:

Mr TUXWORTH: I move amendment 88.1.

This amendment is consequential on the removal of part V from the bill and simply deletes references to post-mortem examinations from clause 28. The clause itself makes it an offence to trade in human tissue and declares any contract or agreement relating to such trade to be void. Provision is made, however, for the minister to exempt specific cases from the general provisions of the clause and for trade in preparations containing processed tissue. There is also provision made for the reimbursement of expense necessarily incurred by a donor. I have been advised that processed tissue can be things such as blood and insulin by definition in the act.

Amendment agreed to.

Clause 28, as amended, agreed to.

Clauses 29 and 30 agreed to.

Clause 31:

Mr TUXWORTH: I move amendment 88.2.

This amendment is consequential on the removal of part V from the bill. It deletes references to post-mortem examinations from clause 31. The clause itself provides penalties of $1,000 or imprisonment for 6 months for the removal of tissue except as provided under this bill or any other law of the Territory. Similar penalties are also provided for related offences such as providing false certificates.

Amendment agreed to.

Mr TUXWORTH: I move amendment 88.3.

This is related to the deletion of references to post-mortem examinations from clause 31.

Amendment agreed to.

Clause 31, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stage without debate.

STOCK (ARTIFICIAL BREEDING) BILL
(Serial 290)

Continued from 13 September 1979.

In committee:

Clause 10 (on reconsideration):

Mr STEELE: When we were discussing clause 10 last week, the honourable member for Victoria River raised the matter of compensation for people who have been dealt with wrongly in respect of seized items. Semen imported into Australia must satisfy all the conditions of the Commonwealth Quarantine Act as to certification, documentation, transport and the point of entry. If it does not satisfy these conditions, it is an illegal import and is destroyed under the Quarantine Act. Semen imported into the Territory or transferred from centre to centre within the Territory must be certified and fully documented. If there is any suggestion that documents have been lost or mislaid, then the seized semen will be properly stored in liquid nitrogen containers and held until officers have checked with the Commonwealth, state or licence centres to determine its legality. Semen which is legal will be released or returned. Semen which is not legal will be destroyed. There should be no question of compensation.

Turning to the amendment to clause 10, the honourable member for Nightcliff raised a question that any action taken under clause 10 be reported to the minister through the chief inspector. This amendment seeks to provide this.

I move amendment 114.1.

Mrs LAWRIE: I am perfectly satisfied with the proposed amendment and thank the minister for the consideration he gave to my proposal. I am in some difficulty now because I am attempting to speak on behalf of the member for Victoria River. It was my understanding, and I could be wrong, that he was referring in his request for compensation not only for any semen destroyed - and I think the minister explained reasonably the attitude which would be taken on that - but also for any damage done to property as a result of the entry onto premises to inspect when it is later found that no unlawful act had been committed against this legislation. In other words, if an inspector had cause to enter and inspect a building or premises or a boat and he had to use fairly violent means to obtain entry - it could be the breaking down of a door, done in good faith - and it was subsequently found that there was no illegal action, I think the honourable member for Victoria River was hoping to ensure that there would be compensation for the damage to the property. The Chief Minister might say that action at law can be taken under some other act but I believe that the member for Victoria River wanted the proposal that I have just outlined to be considered.

Mr STEELE: The honourable member for Victoria River said: "I rise to support the honourable member for Nightcliff in everything she said. I would also like to see something inserted regarding liability because there could be big money involved if you have semen from overseas sires and expensive sires in Australia seized and ruined. There is no provision whatsoever for compensation where semen is wrongly taken and destroyed. The government admits no liability and we would like to see some protection given to a person who holds semen that is wrongly seized". I think I have covered that question. I have not addressed myself to the other question and I do not have any special knowledge of how that particular question and action is catered for. As with other inspectorial powers used under other acts of the crown, I presume there is some way of taking that matter into account.

Mrs LAWRIE: I accept the argument. I would only ask him, as the minister responsible to whom these reports will be made, to remember the context of this debate. If he feels that there is a need to amend the legislation in the

future, I hope that he will bring in an amending bill. He will be well aware that, given my particular interest in this matter, I will be asking him questions at some future date about how many reports he has received and how often this action was taken.

Amendment agreed to.

Clause 10, as amended, agreed to.

New clause 10A:

Mr STEELE: I move amendment 114.2.

This is fairly self-explanatory clause which was asked for by speakers in the debate.

Mrs LAWRIE: The proposed amendment satisfies all the reservations I had about this particular section of the bill.

New clause 10A agreed to.

Remainder of the bill taken as a whole and agreed.

Bill passed remaining stage without debate.

PLANT DISEASES CONTROL BILL
(Serial 304)

Continued from 30 May 1979.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, I support the need for careful legislation to control noxious diseases affecting plants but I also feel obliged to point out that, in some areas, the bill needs clarification and that the penalty section may cause serious infringements of civil rights if it is not amended.

Regarding clause 6, the Minister for Industrial Development has stolen my thunder because I was going to comment on "fruit" not including "flesh" but I see that an amendment covers that. Again in clause 6, "packaging" means "any covering, container, package, case, box, bag, wrapping or packing of any material or description that is being or has been used to cover or contain a fruit or a plant". I wonder what would happen if somebody was carrying diseased plants or fruit on the back seat of a motor car. It is in contact with the car. Would the motor car be destroyed?

Clause 12 relates to notifiable pests or diseases: "(1) The Minister may, by notice in the Gazette, declare a pest or disease specified in the notice to be a notifiable pest or disease. (2) A person who discovers any food or plant affected by a notifiable pest or disease shall - (a) immediately notify the chief inspector of that discovery; and (b) furnish him such information as is within his knowledge in relation to that discovery as the chief inspector may, by notice on that person, require. Penalty: $5,000 or imprisonment for 12 months". In that case, it seems that the person has to bear all costs. I believe that mention should be made that costs can be recovered from or borne by the government if the disease or pest is not introduced by a wilful act of the owner.

Clause 12 (3) says: "The owner of an orchard in which there is any fruit or plant affected by a notifiable pest or a disease shall be deemed to have

discovered that the fruit or plant was so affected unless the contrary is proved". That seems a bit rough to me. It would appear that the person is guilty until he presents any evidence to the contrary and I object to that. In clause 14(1) and elsewhere, it says "an Inspector may with or without assistance". I would like to see "assistance" defined. It is a very open-ended thing. Clause 14(1)(a): "enter into or upon any land, premises, vehicle, train, aircraft, vessel, carriage or conveyance on or in which there is or he suspects that there is any fruit ..." I think that "suspects" is quite inadequate; it would be preferable to insert "has reasonable grounds to suspect" rather than just "suspects". I believe also that an inspector should have a warrant from the magistrate.

Clause 14(2) includes the words "who requests to see it". In my opinion, the inspector should be obliged to produce an identification whether or not the person who has diseased fruit or is suspected of having diseased fruit asks for it. He should also make an approved summary of this act available to all owners who request it.

Clause 15(3) states: "A person shall not interfere with any mark or notice made or erected under this section". I would like to see "wilfully" inserted so that it would read, "persons shall not wilfully interfere". It is possible that the sign could be interfered with without intent.

Clause 19(2): "A person served with a notice under subsection (1) may appeal in the prescribed form within 14 days of the date of service of the notice served on him". The information that a right of appeal within 14 days does exist should or, preferably, must be made available to the owner at the time. The owner should also be provided with the prescribed form.

I do not like clause 21 at all. Clause 21(1) says: "No liability shall attach to an inspector for anything done by him in good faith and without negligence in the exercise or the performance, or purported exercise or performance, of his powers or functions under this act". Once again, I believe that liability against the government must apply to the actions of its servants acting under the draconian provisions of this bill.

Clause 22: "No person shall obstruct, hinder or impede an inspector, or person acting in good faith assisting an inspector, in the exercise or performance of his powers or functions under this act. Penalty: $2,000 or imprisonment for 6 months". I think that "person acting in good faith assisting" is very wide. I would suggest that liability for the actions of the inspector's offsiders should exist as in clause 21.

Clause 23: "The chief inspector may recover from a person in a court of competent jurisdiction, as a debt due to the Territory, the amount expended by the Territory resulting from the contravention or failure to comply by that person with a provision of this act or the regulations". The liability of the government surely must exist because the cause of the problem may be, and is most likely to be, well outside the control of the owner. It could very likely be a national problem. In such cases, for example, TB and brucellosis eradication, compensation must be available. This is most necessary if we are to ensure public cooperation.

Clause 26 says that the Administrator may make regulations not inconsistent with the act. I agree. However, the points I have raised should not be rejected by saying that they will be sorted out in regulations.

Finally, I think there is an error in clause 26. It says penalties

not "including" $1,000. I think that should read "exceeding". We support the bill in principle on the grounds that it seems to be an attempt to control or eradicate noxious diseases. If we can do that, it will be very good. I would like the minister to take note of some of the suggestions that I have made.

Mr HARRIS (Port Darwin): I rise to speak in support of this bill. For a number of years, it has been necessary for us to look to updating the Plant Diseases Control Act and to regulate the movement of plants not only from other states into the Territory but also within the Territory itself. I have been disappointed by the lack of consultation that has taken place in the drafting of this bill. In the past, the government has shown that it is willing to go to the people whom legislation will directly affect. I feel that this is one area in which perhaps more consultation could have taken place. There was consultation on the liquor and education legislation and I feel that it was necessary to have people who are working in this particular area to have input into this legislation.

I am of the firm opinion that agriculture and horticulture in the Northern Territory has a tremendous future. There is no doubt that we are able to produce crops and produce of a high quality and we should look to protecting ourselves wherever possible from the introduction of plant disease. In the past, the controls have not been sufficient and we have been very fortunate indeed not to have had an outbreak of serious disease. Our climatic conditions, whilst they are conducive to plant propagation, are also conducive to the spreading of disease. It must be recorded that the powers given to both the chief inspector and the inspectors themselves are enormous. I am not complaining about that because it would be a very serious situation to have an outbreak of disease.

The people who are appointed to those particular positions must be well trained and highly qualified in tropical pests and diseases. The fiasco of the oriental fruit-fly and the recent blue tongue scares were caused mostly by inexperience and, to some extent, by incompetence. Many of the problems which arise with overseas quarantine result from personality clashes because the people involved are not able to deal politely with the public. These inspectors must be senior enough to be able to deal skilfully with people so that they can effectively deal with any outbreak of disease. It is useless to try to apply regulations if a person on the receiving end has been put offside in the first place by officious behaviour. If we are to deal effectively with any outbreak of disease, we must have cooperation from the public.

I mentioned the lack of consultation earlier because the Northern Territory Nurserymen's Association have introduced the Clean Scheme which has the same basic aim as this legislation. The scheme will be introduced on 1 January 1980. It is unfortunate that no mention was made of that scheme in this legislation. If the Clean Scheme is to have any real benefit, it must be backed by legislation and not just left to personal honesty. Only in this way will effective control of the movement of plants in and out of the Northern Territory be achieved. At this stage, the movement of plants is not controlled. We only had to witness the phytopthora scare, phytopthora being a very dangerous fungus disease - perhaps one of the most dangerous in the world. Provision must be made to ensure that the movement of any plant material in the Territory must originate from an approved, certified source. In other words, nurseries or other places where plants are propagated should be checked.

Not only must the plant materials be checked but also the area in which the material is grown. Many of the most severe diseases do not show symptoms until they have reached the terminal infection stage. Prior to this, the

material may look quite normal but it could still serve as a deadly vector for the spread of the diseases. Conversely, some plants have built up an immunity or a part-immunity to certain diseases. One example of this is soil borne fungi although this disease may be fatal to a wide range of plants in a different environment. The lack of diseases such as phytopthora or bitter pith make the northern part of the Northern Territory and the northern part of Western Australia potential large-scale producers of crops such as avocados which are susceptible to phytopthora and grapefruit which is susceptible to bitter pith. If these potentials are ever to be realised, we must ensure that these pests are kept out of these areas.

After the cyclone, there was free movement of orchids from the eastern states to the Northern Territory and, through that movement, the dendrobian beetle and the orchid mozaic virus were introduced. Both of these diseases are under control now but if anyone wants to start in the orchid business, they have to deal with these pests which have been introduced.

It is very important that we educate our people in regard to certain diseases so that they are able to identify them and to notify authorities when they see these diseases in their particular area.

I mentioned the need for an approved source of plant material. This approved source must practise growing media pasteurisation, must grow plants out of contact with the soil and must be subjected to 6-monthly inspections.

I listened with interest to the member for Victoria River but we are dealing with a big industry in the Northern Territory. The nursery industry is worth between $12m and $15m. We should ensure that there are severe penalties for any breach of this particular act.

Although I have dealt mainly with the nursery aspect, I would like to emphasise once again the need for inspectors to be highly qualified in their particular field. Some years ago I went into the banana business. I had 1,000 bananas growing and, after a period of months, the plants started to look a little sick so I asked the Department of Primary Industry for advice. A person inspected the plantation, took a sample and told me that this particular crop was afflicted with saratoga disease. I asked how I could eradicate this particular disease and I was told. I then went ahead and did what I was told to do and, after a couple of weeks, the situation deteriorated further. I became a little annoyed and kicked over one of the plants which came out of the ground and revealed that the cause of my crop failure was white ants. If an officer of the department had informed me correctly, I could have saved my banana crop and also a lot of money.

I asked for several amendments to be included in this legislation and they have received consideration. I have only just received the amendments which have been circulated and I see that some of mine have been included. I welcome this bill because it will give protection to what I consider will be in the future one of the Territory's major industries. I support the bill.

Mrs LAWRIE: Having heard the honourable member for Port Darwin, I am very glad that he is not the minister in charge of this legislation. I listened with some interest to some of the remarks he made and I hope I will not misrepresent him but I understand that he wants anybody engaged in the propagation of plant material to do so out of contact with the soil and to undergo 6-monthly inspections of their property.

The member for Port Darwin mentioned the Nurserymen's Association which has obviously made a representation to him. I have been waiting for such statements to be made in this House because the popularity of small scale

propagation of plants and sale for profit is a somewhat burgeoning cottage industry in the Northern Territory at the moment. One only has to go to the Rapid Creek flee market, the Stuart Park Primary School, the Nightcliff Primary School, the Jingili Primary School or any other primary school to see the propagation of plants for sale for profit on a fairly large scale. Many of the people who are doing this as a sideline are pensioners who are only allowed to earn a very small amount above their pension without losing that entitlement. It is a rather pleasant little cottage industry to be involved in and these people are doing it most successfully.

It has not escaped my notice that, with the influx of people from South-east Asia, we are getting some very clever amateur nurserymen. I say "amateur" because of the scale of their activity even though they are selling for profit. The variety of plants offered has become a source of pride. It is also true to say that, as it is a market place, prices in some areas have dropped. The skilled nurseryman does not have a great deal to fear. People who want an assured product will go to a nurseryman because they have some guarantee. To say that we are going to legislate against people who operate small plant stalls and who do not offer any such guarantee to the many people who merely like to browse and buy the odd pawpaw or mango tree would, I think, cause a great deal more public concern than the breathalyser legislation ever will. I do not agree that any person, without restriction, engaged in the propagation of plant material for sale should be subjected to the same rigorous checks as the honourable member for Port Darwin would have us believe.

He also spoke about the necessity of these inspectors to be skilled in tropical diseases. That will not do them much good if they are operating in Alice Springs; the Territory does not end at the town limits of Darwin. I assume that the member for Port Darwin meant that they needed expertise in their particular field.

Although it is under the control of the same minister, there is a significant different between the drafting procedures adopted for this bill and the artificial insemination bill even though they are broadly analogous. In the bill as presented, the inspector must produce identification if requested. That is under clause 14(2). I approve of such a measure. In the context of preserving the excellent controls which we have just seen passed with the artificial insemination bill, I would ask the minister that, when these rights of entry are used under clause 14, he agree to a report again being forwarded to him. It is logical to assume that the destruction of goods which will apply under this bill will occur more frequently than under the previous act because not many people are engaged in the importing and trafficking of semen whereas the movement of fruit and horticultural products is on a fairly large scale. This is not only for profit but for amateurs. It may well be that the inspectors will need to use the powers under this legislation fairly frequently. Because of the risk of disease to plant life in the Northern Territory, I do not oppose the exercise of those powers but, where the rights of entry are used - with or without assistance as the honourable member for Victoria River pointed out under clause 14 - it would be a safeguard and would allay public disquiet for a report to be made to the minister through the chief inspector.

I also ask the minister to explain why the penalty for failing to state the name and place of residence under clause 20 is $5,000 or imprisonment for 12 months whereas the penalty for obstructing, hindering or impeding an inspector under clause 22 is $2,000 or imprisonment for 6 months. That is a dramatic difference in the penalty which can be applied by the courts and this is an indication of our concern but I cannot understand why a refusal to give a name is worth $5,000 as against an obstruction, hindrance or impedance which are only worth $2,000. It certainly seems inconsistent.

The honourable member for Port Darwin also said that, in the exercise of their functions, the inspectors are to be expected to act in a reasonable manner. I think that goes without saying and the minister who has responsibility for this act will certainly be questioned in the House and called to account for persons within his department who acted in an unreasonable manner. That is why legislatures of this type always try and ensure that the persons who have these wide powers are as well trained as possible. I did detect in the honourable member for Port Darwin's comments perhaps a slight censure of procedures at airports dealing with the importing of goods and quarantine.

Mr Everingham: You can't do anything about it.

Mrs LAWRIE: The honourable the Chief Minister interjected "you can't do anything about it". I would not expect him to even try. I have travelled overseas many times and I have no objection at all to people asking the most searching inquiries of me on entry to this country in relation to quarantine procedures. Immigration does not normally concern me as I am an Australian citizen and only returning to my country of origin. Customs regulations do not concern me either. I appreciate they have a difficult job to perform. I am not a drug smuggler but they cannot necessarily take me on face value and it may be that they have to search my luggage. I do not really mind that; it is just an inconvenience. However, I am really annoyed by people who attempt to evade the quarantine regulations of this country and I don't care what their status is. I do not care whether they are Joe Blogs in the street or a federal minister; they must be subject to the same strict regulations. All persons coming into the country, whether they are learned visitors or persons of diplomatic status, should be subjected to the same stringent quarantine requirements. I will not accept criticism of those requirements. I think the member for Port Darwin would be the first one to have a screaming fit if someone brought in an exotic plant disease. He would be asking where the quarantine officers were on the day in question and why didn't they pick it up.

Given the amendment which the minister sponsored for the previous legislation, he may well agree to incorporate a reporting provision under clause 14. My other request was for further information regarding the imbalance of the penalties proposed under clauses 20 and 22. I support the legislation.

Mrs PADGHAM-PURICH (Tiwi): The first thing which comes to mind when looking at this bill and comparing it with the Stock (Artificial Breeding) Bill is the fact that this bill deals with a much larger section of the community. It sets out to provide legislation which will deal with the machinations of little old ladies together with nursery owners which encompasses a wide cross-section of the community whereas the artificial insemination bill deals with a very specialised section of the community.

I think it is very important that legislation like this is introduced especially considering the increased air traffic in the north. Exotic diseases can come into Australia with increased air travel and legislation like this is very important so as to deal with these things as strongly as possible.

Another point in favour of this legislation is the fact that the nursery industry is still in its infancy and could develop to be something big in the Northern Territory with quite large markets. It is very important that any stock sold, propagated or put on the market, here or anywhere, is in a healthy state. This legislation seeks to provide that propagated plants and material that is used to propagate plants is in a healthy state when coming into or leaving the country.

Agriculture is in its relative infancy up here; it is just getting its

spurs on. The remarks that apply to the nursery industry also apply to the agricultural industry in that there must be legislation to protect against any untoward happenings and any untoward hindrance to the growth of this industry by an outbreak of disease.

The member for Port Darwin mentioned that inspectors must be competent people. I agree with that but, more importantly, they must have competent technical and professional staff to back them up. It is no good having a competent inspector just go and inspect and then say a plant is infected or affected or it is or it is not when he has not the technical and professional backup staff to give an accurate estimation of the situation.

Some members were present at the opening of the virology laboratory at Berrimah Farm on Saturday. This proves what I said. The main reason for the building of this laboratory was the outbreak of blue tongue some time ago. Increasingly, we are being brought closer to our northern neighbours and, while they themselves are very nice, there are some rather undesirable plant diseases up there which we do not want brought into the Northern Territory.

If there are restrictions in the Northern Territory, it is most important that the other states know of our rules, regulations and laws pertaining to the passage of materials and animals over state borders. When I went to Perth recently I made arrangements to purchase some guinea fowl. Guinea fowl are not considered poultry in the Northern Territory; they are considered game birds and, as such, it is not necessary for them to come from pulorun-free premises. It was requested of me by the veterinary officer up here that I obtain a certificate of general health from the agricultural department in Perth. In ringing up to make inquiries about the sale, I made another phone call to an inspector in the agricultural department and was told that the guinea fowl had to come from a pulorun-free establishment or a hatchery. I did not think that this particular establishment had been tested because it is not a general poultry breeding establishment. I stated to him the rules up here and there was a little bit of an argument over the phone. I suggested that I ring Darwin for this particular man. When I rang back, he relented and said that they did not have to come from a pulorun-free establishment; they just had to be tested for external parasites. If the policies on the entry of game birds into the Northern Territory had been made known to the department in Western Australia, things might have been a little bit easier.

I will relate the next story with a degree of cynicism. It took place some years ago and is connected with mangoes. It was in the height of the mango season and we had some beautiful Bowen mangoes. I decided to send 4 down to Perth to a child attending a boarding school. I inspected these mangoes myself because I considered myself competent to do so. They were completely free of disease or pests. I then took them into the agricultural department where they were further inspected and again declared to be beautiful, disease-free, everything-free Bowen mangoes. I sent them down to Perth and, like the fond mother that I sometimes am, I waited for a letter of thanks from the child but it did not come.

When I next saw this particular child, I told him in no uncertain terms what I thought about his ingratitude. Then he told me that he had not received the mangoes and, a short while after he came home, a letter arrived from the Department of Agriculture in Perth to say that the mangoes had been declared unsuitable for sending so they had been destroyed. As I said, I tell that story with cynicism because I wondered if they were destroyed in the way that was suggested to me.

The honourable member for Nightcliff brought up the fact that there are a lot of amateur plant propagators in the Territory and I agree. On the one hand,

it would not be desirable to impose strict inspections on pensioners but, on the other hand, to prevent any disease being brought into the Territory these people must be considered together with the nurserymen; in fact, these inspections must apply to us all. I also agree with the member for Nightcliff who said that anybody who comes in through the Darwin Airport should be treated the same. Several people and I went overseas on a trade mission before Christmas. The fact that we had official passports probably meant that our baggage was not inspected but it should not have meant that we were any more honest or civic minded than a group of agricultural scientists or nurserymen who just happen to come to the Northern Territory. I fully agree with the member for Nightcliff that everybody should be treated the same.

The honourable member for Port Darwin made mention of the fact that there was no consultation. In my electorate there are 6 nurseries, either retail or wholesale. I do not think that any other electorate has that many. I made it my business to take this legislation to all these people so that they were made fully aware of it. I was told verbally that the Nurserymen's Association was also made aware of this legislation.

In clause 6, there is a fine distinction between "infection" and "affection". Other honourable members have not picked it up but I think it is very important and I am glad to see it included.

I received some amendments just before I got up to speak. Although I have not been through them all, I wish to query the definition of "fruit". It seemed to be lacking in something. Obviously, this legislation is meant for ordinary people who do not have extensive knowledge on the subject but there seemed to be a bit of the fruit missing. I see in the amendment that "flesh" has been included. If you really wanted to be botanical, you could define "fruit" as the exocarp, the endocarp, the pericarp, the testa, the cotyledons and the endosperm but that might be a bit too technical.

I would like to make another distinction here because I think the legislation has been written for the lay-person with which I fully agree. In the strict botanical sense, a vegetable is a fruit. To people who do not know much about botany, it is better to have a vegetable differentiated from a fruit because it makes the legislation easier to understand. For this reason, I agree with it.

I was pleased to see that, in the definition of "plant", the amendment seems to be more clearly written. Perhaps I do not have the botanical knowledge I thought because it defines "plant" as a piece of dead material being used for propagation. How dead is dead? Usually, if something is dead, it is finished. Perhaps the minister could tell me what dead propagation is.

The next query I have relates to clause 8(1)(d) where it says: "packaging in which any fruit or plant, affected by a pest or disease, has been or is contained or packed or any goods with which the packaging fruit or plant has come in contact". This is probably stretching the point a bit but a lot of other things could come in contact with the diseased material. People and clothes could; I do not know what the minister would do about them.

In clause 9: "the minister may specify a place through which host fruit, plants or packaging may be introduced into the Northern Territory". I would like to see that clearly spelled out because, while thoroughly agreeing with the provision that a place must be specified where certain host fruit and host plants may be introduced into the Northern Territory, I cannot see why it is necessary to define a place where packaging may come in. I would like the

minister to explain that because it would be new packaging and, as such, would be free of disease. Perhaps it is because it is fruit packaging for vegetation and would have been in an area where there is no vegetable matter around.

In clause 10: "the minister may, by notice in the Gazette, declare any place or area to be a quarantine station in which fruit or plants may be treated etc". I agree with that but to get from the place where the plant material is picked up to the quarantine station - I imagine the quarantine station would be away from the airport or the port - necessitates the material to be transported somehow. Perhaps that will be covered in regulations but quarantine considerations must be given to the vehicle transporting the infected material.

I would like to consider clause 9 together with clause 12 because the legislation is dealing with the general public. There must be extensive notification given to the general public about these things. There must be good public relations from the public service inviting the cooperation of the public. I have travelled with little old ladies and it is very easy for little old ladies to put seeds in their bags. I do not think little old ladies' handbags are often inspected. It is very important that the public be actively invited to cooperate in this matter.

Clause 12 states that a person who discovers any fruit or plant affected by a notifiable disease shall do certain things. Again, the active support of the general public must be sought. To say that a fruit has a notifiable pest or disease in it requires sound botanical knowledge or the minister will be inundated with telephone calls or messages from people who are a bit worried that some plant material in their possession may have a notifiable pest or disease. In that case, garden clubs and other such clubs will have to work in close cooperation with the inspectorial section of the Primary Industry Branch.

Referring to clause 12(3), I agree with the honourable member for Victoria River that it does seem a little hard that the owner of the orchard is considered guilty until he is proved innocent. It states that the owner of the orchard shall be deemed to have discovered that the fruit or plant was so affected unless the contrary is proved. There has been no mention of wind borne diseases such as fungi. I think this is being extremely hard. Perhaps the minister may have something to say about that.

By subclause 14(3), an inspector "may disinfect, treat or cause to be disinfected or treated, any fruit, plant or any packaging or goods in or with which the fruit or plant has been packed that he finds to be affected by a pest or disease". To make it perfectly clear, "infected" could be added there and in subclause 14(4). Further, in subclause 14(4), I would like the minister to consider adding "come in contact with".

I agree with the honourable member for Victoria River's remarks about wilfully interfering with any marks .

Clause 16 states that the inspector may erect at or near a quarantine station a traffic sign approved by the chief inspector. No doubt, the size of the sign and where it will be put will be covered in the regulations of the Department of Transport.

Clause 19 has an amendment but the clause states that the chief inspector, if he is satisfied that the orchard has been neglected for 2 years, may serve a notice on the owner of the orchard. I hope it will be effective. If the

orchard has been uncultivated for 2 years, it is quite possible that the owner may not be there or may be rather hard to find. The serving of the notice may be done but that might be the end of the matter because no further action could be taken.

Clause 19(3): "Where an appeal is not lodged within the period referred to in subsection (2) or an appeal under that subsection is determined adversely to the appellant, the chief inspector shall cause the plants specified in the notice to be destroyed". The word that I am interested in is "destroyed". How, where and when are these to be destroyed and at whose expense? If they are to be destroyed by fire, will any chemicals be used and who will pay for them? Will they be destroyed in situ or will they be taken to a quarantine area? If the latter is the case, the vehicle would need to be included in the quarantine area. When they would be destroyed would be a matter of common sense, although it may not necessarily be as soon as possible. Considering the life cycle of the pest, it may be desirable to wait until a certain part of the life cycle has been completed.

I was very interested in clause 21 which relates to liability. I would like to mention an incident which happened 8 years ago concerning an outbreak of tropical rust in peanuts. Two or three farmers had 50 acres of peanuts. At the time, I understood that these were just destroyed but I made inquiries later and found that the farmers were paid the market value of the crop. In this particular case, the crop was ploughed in. It is only fair that farmers should be paid compensation.

I imagine that common sense will determine how this legislation will be effected. If crops have to be destroyed, any implements used would have to be disinfected and all of these matters would have to be discussed. I would hope that they would be discussed and treated in a commonsense way. With those remarks, I conclude my discussion on this bill. On the whole, I support it.

Debate adjourned.

POLICE AND POLICE OFFENCES BILL
(Serial 305)

Continued from 31 May 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the intention of this bill is to remove a possible source of danger to children. It has the support of the opposition and, I imagine, of all members in this House. The problem that it deals with is not one that frequently causes the death of children in the Northern Territory. However, we have heard many stories of children being caught in abandoned refrigerators in other places and, if we can prevent that happening here, this bill will be very worthwhile. In earlier debates, this Assembly has indicated its concern for the safety of children and I am sure that any actions of a similar nature will be supported by members in this House.

There are a number of other dangerous areas which come to mind and which are being investigated in Australia. The methods of packaging drugs is currently being researched by the National Health and Medical Research Council and the safety of playground equipment is subject to investigation at the moment.

There is one particular matter which I would like to raise while we are talking generally about the safety of children. This has been covered in the legislation of at least 2 other states. I refer to child restraints in cars. The member for Arnhem has expressed his concern at seeing unrestrained children

on the front seat of motor cars. I have had the unfortunate experience of seeing what can happen to children involved in car accidents when they are unrestrained on front seats. If honourable members had had that unfortunate experience, I am sure they would agree that legislation covering that problem would be more than welcome in the Northern Territory. Car restraining devices for children are covered by the Australian Standards Association rules and most new cars have child restraint mountings in accordance with Australian design rules. It would be very wise to look at legislation such as that in New South Wales and Victoria which prevents children from being carried in the front seats of vehicles and which demands that they are restrained appropriately. Our current Traffic Act says that people must wear safety belts. This theoretically applies to children but, in fact, we know it does not. Ordinary seat belts in cars are not suitable for children and the legislation is unenforceable, at least for children under the age of 8.

The opposition supports this bill and will support other reasonable attempts to improve the safety of children in the Northern Territory. The Minister for Community Development has recently circulated some amendments. The change in the title from the Police and Police Offences Act to the Summary Offences Act is consequent upon earlier changes to the legislation in this Assembly and is obviously necessary. The volume of the compartment or article which will be covered by the legislation has also been covered in his amendment. I raised briefly with the minister the fact that 42.5 cubic centimetres is a very tiny area indeed. The volumes substituted in the amendment are 40 litres or 40,000 cubic centimetres and are much more realistic. That has the support of the opposition. The deletion of the word "unfenced" is also supported by the opposition.

Mr HARRIS (Port Darwin): When this bill was first introduced, I was pleased to see that at last provision was being made to protect children from the actions of those who leave containers such as refrigerators where they are easily accessible to children. It was pleasing also to note that the legislation would deal with the whole of the Northern Territory and not just the areas under some form of local government. However, there are a few points that I am concerned about and I hope that the minister responsible will take note of them.

There are cases where refrigerators or the like seem to be abandoned but in fact are being stored. These refrigerators could create the danger to life which we are trying to remove. I understand the bill itself was taken from the New South Wales legislation but I have not been able to compare one with the other. I do not know whether the New South Wales legislation related to urban or rural areas. In Darwin, we have a number of vacant blocks and a large area of vacant land surrounding the town. These areas are ideal for abandoning things on. The situation in regard to vacant land in the Northern Territory is completely different to that in New South Wales and we must bear this in mind when we draw up legislation.

By placing the word "abandoned" in the bill, we spell out exactly what type of container we are looking at: one that has been given up. In Darwin, refrigerators are being stored on vacant blocks and, whilst these do appear to be abandoned, they will in fact be restored to their original condition and sold. These refrigerators present the same potential danger to children as abandoned refrigerators. It is my opinion that we should not allow this practice to continue. Articles or containers such as refrigerators, of their very nature, are able to withstand long periods without deterioration. If we are to provide protection to our children, we should do it properly. What is the use of having laws which we can abuse? I can place a refrigerator on a vacant block

of land and, provided that I intend to use that refrigerator in 5 or 6 years time, I have not abandoned it. If I abandoned a refrigerator on a block and shoved 4 pickets and 4 strands of plain wire around it, that would be all right. I have placed this useless fence around it but that has not changed its accessibility to children.

I feel sure that the original intention of this bill was to ensure that people were unable to leave refrigerators in a position where they could be dangerous to children. I am not talking about refrigerators under houses; I am talking about refrigerators placed in positions as laid down in this bill.

There needs to be provision to have any such offending containers removed. If a refrigerator is abandoned, the danger does not go away unless the refrigerator is taken away from the area or the doors are taken off as is outlined in this bill. Some years ago, the same thing happened with abandoned cars. There was no provision to have these vehicles removed.

Not a great many people will be affected by this legislation but it is always better to stop temptation. I can see no reason why refrigerators, abandoned or not, should be allowed to remain in the position as outlined in the bill. I believe there is a need for this legislation and I hope that my remarks are taken up by the minister.

Mr DONDAS (Community Development): I thank members for their remarks on this legislation. I have circulated some amendments and I would just briefly like to speak to those.

Since the Police and Police Offences Bill was introduced, the title of the principal act has been changed and it is therefore necessary to have the bill amended to take note of this. There was also a mistake in the reference to the volume of the containers dealt with in the bill and an amendment will take care of that.

To pick up the point that the honourable member for Port Darwin made in relation to refrigerators and other such articles being stored on private property, I have asked the draftsman to have a look at that particular request. He said that it was covered in part of an amendment to proposed section 65A which at present is too restrictive because these items are equally as dangerous whether abandoned on fenced or unfenced vacant land. The purpose of the amendment is to remove that restriction. In some cases, if such articles are placed on fenced properties, there must be an owner and we have an opportunity of contacting him and requesting that they be taken out to the dump or at least made secure from children.

In my second-reading speech, I said that we are all aware of the number of accidents or near deaths that are caused each year throughout the world because of people's neglect in providing proper safety precautions for small children. I would undertake to present further amendments to this legislation if the member for Port Darwin feels that the present bill and amendments do not cover the situation that he is worried about. I thank members for their support.

Motion agreed to; bill read a second time.

In committee:

Clause 1:

Mr DONDAS: I move amendment 121.1.

This changes the reference to the principal act.

Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2:

Mr DONDAS: I move amendment 121.2 for the same reason.

Amendment agreed to.

Mr DONDAS: I move amendment 121.3.

The reference to the capacity of refrigerators or ice-boxes was obviously wrong. We have now deleted 42.5 cubic centimetres and substituted 40 litres or 40,000 cubic centimetres. It also deletes "unfenced".

Amendment agreed to.

Clause 2, as amended, agreed to.

Title:

Mr DONDAS: I move amendment 121.4.

Amendment agreed to.

Title, as amended, agreed to.

Bill passed remaining stage without debate.

ABORIGINAL LAND BILL
(Serial 312)

Continued from 31 May 1979.

Mr PERKINS (MacDonnell): The opposition welcomes the Aboriginal Land Bill. Although I have only had a brief opportunity to examine the amendments which have been circulated under schedule no 119, it would seem that the amendments are in order.

I had a brief opportunity to discuss the amendments with the sponsor of the bill but, first, I would like to talk about the bill as introduced. As I understand it, the bill is the result of negotiations between the Northern Land Council, the federal government and the Northern Territory government in relation to the means of enforcing entry permits and the conditions pertaining to entry permits on Aboriginal land. There has been much conern among Aboriginal traditional owners and other Aboriginal people, particularly those in the central region, about this problem. Although areas have been declared Aboriginal land, in recent times some people have entered without entry permits. This has caused some problems.

Where there is legislation that provides for entry permits onto Aboriginal land, it is important that those persons who do enter Aboriginal land have entry permits and that they are properly authorised. It is more important that there is the means to enforce the system pertaining to entry permits and

the conditions relating to them. I am happy to see that the sponsor of the bill has taken this action as a result of the negotiations. It is a response to the desires of those Aboriginal people who are concerned about this problem.

Clause 11 of the original bill gave a member of the police force the power to require a person, who is on or is about to enter Aboriginal land other than an open area declared under clause 11, to produce a permit and to state his name and address. You will also notice that the police will have the power to stop a person and any motor vehicles or animals in or on which a person is riding. This is very important. It is an offence also to actually refuse to produce a permit and the details required by the police.

I notice in the amendments that the sponsor of the bill is quite rightly including closed seas. In the original bill, there is a reference to only Aboriginal land. Of course, the powers that are given to the police ought also to apply to the seas, particularly closed seas which have been declared as such.

I would now like to turn to the amendments. I received them at 2 pm and I have had a brief opportunity to look at them. The amendments add extra dimensions to the principal act in that there are additions to the government employees who may be issued with permits on certain conditions. These are members of the personal staff of a minister, the Leader of the Opposition or the Deputy Opposition Leader. I commend the sponsor for having these particular amendments included.

Recently, we have appointed a ministerial officer in the Alice Springs area who is attached to myself as Deputy Opposition Leader. That person is not really a public servant although he is a ministerial officer under a particular contract of employment. On those occasions when he has had to accompany me on visits to Aboriginal communities on declared Aboriginal land, we have had to go to the Central Land Council to get an entry permit for him to enter onto Aboriginal land. This was no problem of course; we were able to get these entry permits. In some cases, we have been able to take a member of his family. Recently, this person approached the Chief Minister's department and indicated that he would like to obtain an entry permit to enter onto Aboriginal land, particularly in my electorate. I understand that there were some problems involved because, in his case, there was no provision under the principal act. However, I am pleased to see that this particular situation has been provided for in the amendments which have been circulated today. It will mean that the ministerial officer will be able to make an application to the Chief Minister for an entry permit to go onto Aboriginal land.

I also notice that the amendments provide that the entry permits will include the immediate family of the applicant. I think this is a sensible solution. However, if members of the families of those employees wish to go onto Aboriginal land, they must be made aware of the conditions which pertain to their entry onto Aboriginal land. I note also that these entry permits will also apply to closed seas and not only to Aboriginal land.

As I have indicated, the opposition welcomes the Aboriginal Land Bill. I do want to take this opportunity to bring to the attention of the sponsor of the bill that I understand that some public servants and government employees in the Northern Territory have encountered some difficulties in relation to their applications for entry permits onto Aboriginal land. I refer to difficulties in the sense of delays. I understand that each entry permit has to be signed by the Chief Minister. Everybody knows that the Chief Minister is a very busy man and delays have been caused because officers of his department who require entry permits did not want to bother him because he was tied up on other matters. Therefore, there have been delays. I suggest that the

sponsor could perhaps examine alternative means for authorising entry permits. He might be able to delegate his authority in some way so that the applications are expedited. That problem has been brought to my attention.

We welcome the bill and the amendments circulated today. I hope that the sponsor of the bill will give some attention to the points which I have made this afternoon.

Mrs PADGHAM-PURICH (Tiwi): My remarks on this bill will be of a general nature but I will pick up several points in the legislation. It is very important that we have legislation in line with the requirements of the people and situations which are affected by the present lack of relevant legislation. We must remedy this undesirable default situation and that is what this legislation and the amendments set out to do. The law says that there are such things as Aboriginal land, closed seas, entry permits etc. For the competent interaction of these things to give satisfaction to those most intimately concerned with them, there must be introduced certain regulatory legislation. That is what this bill and amendments set out to do.

What the members of the police force shall do to enforce this legislation is mentioned in the amendments. The police are the most logical group of people to be considered for this sort of work. They are already a disciplined group. They are a community entity which is recognised as such by everyone in the community. The police are a uniform group and they exert discipline on every community in the Northern Territory except for perhaps a few remote ones. People, by tradition, are used to accepting police instructions. For the satisfactory carrying out of this legislation, and it must be carried out, the police are the most competent. I fully support the bill.

Mr EVERINGHAM (Chief Minister): In reply, I must say that the honourable Deputy Leader of the Opposition surprised me by referring to delays in the issue of permits because, quite frankly, the signing of these permis is the bane of my existence. They regularly come in hundreds and I normally do not delay their signature by more than some hours. I would say that, in the whole time that I have been signing them, none have remained on my desk for more than 48 hours. Some are brought to me on an urgent basis and these are signed immediately. I dare say that it is possible that going through the usual channels might take some days from the point of entering the department to getting onto my desk. I can assure honourable members of this House that, as far as I am aware, the permits are all processed as speedily as possible and we receive what I would consider many rather unreasonable requests for permits on an urgent basis when people must have known for quite some time that they would be requiring them. However, I will certainly cause the situation to be investigated and I will also consider delegating authority for signing the permits although I thought that I was obligated to perform that task.

Referring to the amendment schedule which has been circulated today and which I propose to move to the bill in the committee stage, the amendments amount to virtually a rewrite of the bill and, whilst I apologise for that, I believe that there are good reasons. The subject matter of the original bill is now covered in proposed clause 9. In the bill as presented, the right of a member of the police force to require production of a permit was restricted to entry onto Aboriginal land. Such a power should obviously exist in respect of entry into closed seas as well and the clause has been expanded to include such a power. However, the clause then needed to be moved from that part of the act relating solely to Aboriginal land to a part which could be related to both Aboriginal land and closed seas. This has been done by inserting it in part IV and renaming that part from "offences" to "general".

Additionally, the opportunity has been taken to expand the provisions relating to the issue of permits to enter and be on Aboriginal land. The issue arose following the request for the issue of a permit under section 6 of the act to a member of the staff of the Leader of the Opposition. The act provides for such an issue only in respect of persons employed under an act and that would not include a member of the staff of the Leader of the Opposition. I accept that it is a reasonable exercise of the powers under section 6 to issue permits to the staff of the Leader of the Opposition and his deputy so that they may perform their necessary duties. The issue could also relate to the staff of ministers because they are not all seconded public servants. Accordingly, proposed clauses 3 and 6 will enlarge the powers of the minister to enable him to issue permits to enter Aboriginal lands or closed seas to members of the staffs of ministers, the Leader of the Opposition and the Deputy Leader of the Opposition.

A new clause 6A is to be inserted to provide that a permit issued to a person required, in the performance of his duties, to reside on Aboriginal land - and I draw this point to the attention of the Deputy Leader of the Opposition who appeared to think that any permit issued entitled that person to bring his family or dependants onto Aboriginal land with him whereas it relates only to persons required to reside on Aboriginal land in the performance of their duties-shall be deemed to also cover his spouse and children.

Clauses 6 and 6B make minor corrective amendments to the act. I commend the bill and proposed amendments to honourable members.

Motion agreed to; bill read a second time.

In committee.

Clause 1 agreed to.

Clause 2 negatived.

New clauses 2 to 9:

Mr EVERINGHAM: I move amendment 119.1.

The details of the amendment were set out in my reply earlier.

New clauses 2 to 9 agreed to.

Title agreed to.

In Assembly:

Bill reported; report adopted.

Bill read a third time.

LOCAL GOVERNMENT BILL
(Serial 311)

Continued from 31 May 1979.

Mr DONDAS (Community Development): I seek leave to withdraw the bill.

Leave granted; bill withdrawn.

ELECTORAL BILL
(Serial 327)

Continued from 12 September 1979.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition welcomes the opportunity to debate the Electoral Bill. It has been said on a number of occasions in this House that the electoral legislation underpins the whole democratic procedure. I am pleased that the Chief Minister, in his opening remarks to this particular bill, made it clear that the purpose of introducing electoral legislation at this stage was to ensure that the regulations could be drafted and that those people who are not compulsorily enrolled would have a chance to do so and that the various education programs could be carried out. I endorse those remarks and commend the Chief Minister for making them. I trust, Mr Speaker, that the discussion on this particular Electoral Bill will be slightly longer than the discussion on the bill which I introduced some time ago.

I would like to discuss a number of principal provisions of any electoral legislation and marry those remarks to the particular bill before the Assembly. I have already said that electoral legislation must be simple and fair. It ought to provide that anyone who is entitled to vote is able to exercise that right with the minimum of fuss and with everything afforded to enable him or her to make a valid vote. To a very great extent, this particular bill which is an improvement on the previous one presented to this Assembly, goes a long way towards coming to grips with those principles which I have enunciated. I indicate that the opposition will be supporting the bill but will be moving a series of amendments which will be circulated in the very near future.

If you look at clause 3(2) and clause 84 of this particular bill, you will find that the government is proposing a system of compulsory preferential voting. I noted that, with the withdrawal of the Local Government Bill, the government clearly is going to make consistent its electoral legislation and, presumably, the Local Government Bill to be introduced tomorrow will have compulsory preferential voting in it. The gleeful look on the minister's face indicates that I have hit the mark. There is a difference of opinion between the opposition and the government in relation to the method of voting. In pursuit of the principle which I outlined at the beginning, it seems to us that the simplest and fairest method of voting is optional preferential voting. I remind the House again that those comments are not simply from the Australian Labor Party, both here in the Northern Territory and nationally, but it was also the view of the Chief Australian Electoral Officer in 1974 when he made a submission to the Joint Parliamentary Committee on Constitutional Change in the Northern Territory. He indicated that a single member optional preferential method of voting was the best method for elections in the Northern Territory. He said those words not withstanding that he obviously was the statutory office holder of the Australian Electoral Office and knew that, in Australia, by far the most widespread system was full preferential. He was the guardian of the Commonwealth Electoral Act and he said that, for the Northern Territory, optional preferential voting was the best method. He said that taking into account the distances, the sort of people who comprise the Northern Territory electorates and so on. Those are comments which we wholeheartedly endorse.

We could easily get into a philosophical debate about optional preferential and full preferential but perhaps it is simpler to sum it up this way. I have met people who have said to me:"Why do I have to vote for that so and so?" I tried to convince them that they were not really voting for them but they did not like putting a number against a person that they just did not wish to record a vote for. The optional preferential voting system accounts for those

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people. If they do not want to put a mark against a candidate, they do not have to but, as long as they mark one candidate as the first choice, that vote is formal. It means too that it is an uncomplicated system. It means that, as long as a person knows the candidate of his choice or her choice, he can put a mark against that name and the vote will be valid. He does not have to then go through the rigmarole and say: "Well, I do not know so-and-so or whatever". It seems to us that, in accordance with the Chief Australian Electoral Officer's comments, optional preferential voting is the best method for the Northern Territory. We also take the view of course that it is the best method for Australia as a whole but that is another argument. Certainly, so far as the Territory is concerned, we will be pursuing the matter of optional preferential voting and amendments circulated in my name will bear that out.

So far as full preferential voting is concerned, it is pathetic to see the number of informal votes which clearly come from Aboriginal communities where the number of people on the ballot paper is large. I did not scrutinise the vote at the last Territory Assembly election because I was a candidate. I have been a scrutineer at the House of Representatives and Senate elections and it was distressing to count the Senate returns in both 1975 and 1977 from Bathurst and Melville Islands, for example, because something like 170 votes were informal simply because the inhabitants could not mark 10 numbers in a row. That is not a criticism of those people. That is not to say that they are not worthwhile voters. The simple fact was that they tried to get it right but, for those 170 people, it was an impossibility. In fact, one of the most distressing ones was from a person who marked his Senate paper just with strokes so that the candidate of his choice, who just happened to be the CLP member because they were the first on the ballot paper, received one stroke and then 2 strokes and so on. The eighth box was totally cluttered up with strokes and the ninth and tenth boxes contained too many strokes to be legible. That elector, who wished to record his vote, had it mucked up at the last simply because he did not understand our counting system. The simpler the method of voting is, the more democratic it is.

Nobody has yet proved to my satisfaction that the optional preferential method is undemocratic. Indeed, until tomorrow, local government elections have always been on the optional preferential method and nobody has ever said that it was an undemocratic method. Maybe some people have not understood it - like town clerks who reckoned it was a full preferential method of voting but an optional preferential method of counting. That aside, nobody has yet said to me that the optional preferential method is undemocratic. It is simple and it takes into consideration the peculiarities of the particular differences of the Northern Territory community. I commend to honourable members the amendment which I will be circulating in relation to it.

The next item that I would like to discuss in relation to electoral legislation is the tolerance of electorates. As members would know, the self-government act sets a quota of electorates by dividing the number of electors by the number of electorates and sets a tolerance from that quota of 20%. In other words, the size of an electorate cannot exceed the quota by more than 20%. It might be appropriate at this stage to seek the leader of the Assembly to incorporate in Hansard a table which lists the enrolment figures supplied by the Australian Electoral Office on 27 July 1979: the size of the electorates, the total enrolment, the average size of electorates, the range within the 20% tolerance and those electorates which are outside that 20% tolerance. I seek leave to have that document incorporated in Hansard.

Mr Everingham: Can we see it, Mr Speaker?

Mr SPEAKER: I have inspected it but you certainly can.

Mr ISAACS: It is not a terribly incriminating document, Mr Speaker.

Mr EVERINGHAM: Mr Speaker, I am not able to verify all these figures without reference to the Electoral Office and, therefore, at this stage I would prefer that the Leader of the Opposition deferred his request to seek to incorporate this document into Hansard.

Leave denied.

Mr ISAACS: Mr Speaker, I am not going to waste time by reading the document into Hansard. I am not in the habit of forging documents and I might make some comments about that later on.

We are discussing tolerance of electorates and, when members have a look at the document which I have sought to have incorporated into Hansard, they will find that 6 electorates right now are outside the 20% tolerance established by the self-government act. The argument is whether or not the tolerance ought to be 20% or 10%. It is interesting, noting the allegiances of the Country Liberal Party, that they have moved from outright allegiance to the Country Party to the present situation where they are partly with the Country Party and partly with the Liberal Party. We are told that they are moving more and more towards the Liberal Party. Liberal Party philosophy is that tolerance of electorates ought to be 10%. The Commonwealth Electoral Act, which was amended by the Labor government in 1975 but not amended any further by the current government, is that tolerance of electorates ought to be 10%. Again on the question of fairness of the democratic system, one person's vote ought to be equivalent to anybody else's vote and that is enshrined in the system of tolerance of electorates. If you have a look at the table, and I am sorry that members opposite are deprived of its content, you will notice, for example, that Sanderson has an enrolment of 3,813 whereas the seat of Stuart Park, which is the smallest seat in terms of numbers, has an enrolment of 1,821. The seat of Sanderson is more than double the size of the seat of Stuart Park. The worth of an elector's vote in Sanderson is half the value of an elector's vote in Stuart Park. That is no reflection on the calibre of the members. That being so, clearly we have an unfair system. The Australian Labor Party and the Liberal Party of Australia support a system whereby the tolerance ought to be 10%. We have tried to come to grips with the problems of the self-government act, where it says that the tolerance shall not exceed 20%, in the amendments that we circulated. For enrolments of a 20% tolerance, the ranges are from 1,905 to 2,857 given the total enrolment effort to 27 July. So far as the 10% tolerance is concerned, the range is 2,143 to 2,619.

The Chief Minister, in introducing his first bill, said that obviously this would mean that the people of Tennant Creek and Katherine would lose a seat each. I do not think the Chief Minister is going to be on the distribution committee and it is quite obvious that the distribution committee has the distribution of electorates in its hands and not the Chief Minister's hands. Quite obviously, even with a 20% tolerance, you could arrange a situation where the towns of Katherine and Tennant Creek were deprived of a seat of their own. If that is the level of argument against the question of tolerance, then it just founders. Of the major parties, only the Country Party sticks out for a 20% tolerance. In terms of fairness and in terms of one vote one value, the 10% tolerance is the most equitable method.

This particular bill does not mention the question of tolerance at all; it relies solely on the fact that 20% tolerance is contained in the self-government act. Quite obviously, the distribution commissioners are not going

to be able to distribute the electorates with a greater than 20% tolerance because of the overriding self-government act. The fact is that the tolerance level ought to be stated in the Electoral Bill in clause 14 where the matters to be considered by the distribution committee are set out.

While I am talking about tolerance and distribution, I would like to talk about the distribution committee itself. Fundamental to any electoral system is the fairness and independence of the whole electoral system. It is important therefore that the Chief Electoral Officer be a statutory office holder not subject to direction by any minister. It is interesting in that regard to look at the comments of Judge Smith who presided over the Court of Disputed Returns in the West Australian Supreme Court after the election of the Kimberley seat in Western Australia in 1977. In that particular election, the Chief Electoral Officer of Western Australia was, and I use the word advisedly, persuaded by the minister to issue instructions to presiding officers. It was the minister who prevailed upon the Chief Electoral Officer to do as he was bid despite the fact that the Chief Electoral Officer considered the instruction, which he was to deliver, to be incorrect. He believed that the minister had control over him so he obeyed.

I would like to read from page 38 of Judge Smith's decision. But, by way of preface, the Chief Electoral Officer, Mr McIntyre, was given a draft by the Minister for Justice set out in these terms: "Chief Electoral Officer, I am attaching a form of advice addressed to all presiding officers in the Kimberley, Gascoyne, Pilbara and Murchison electorates. This has been examined by the Crown Solicitor and I request that this be conveyed to all appropriate officers prior to the commencement of the poll on Saturday 19 February. Signed, Minister for Justice". I will read from the decision:

> *The draft was received by the Chief Electoral Officer at approximately 9.30 am on 18 February 1977. Mr McIntyre was opposed to the dispatch of the telegram being apprehensive of the possible confusion which its contents would cause presiding officers. He sought advice from the Crown Solicitor as to whether he was obliged to send it. He was advised that he had no alternative other than to obey the instruction of the minister and the telegram was sent at approximately 11 am on that day. To my mind, it was not only an instruction which Mr McIntyre was not obliged to obey but one with which, in the circumstances, he should not have complied. It was no part of the minister's function to usurp the exercise of the statutory discretion which the legislature had invested in the Chief Electoral Officer.*

There we have a decision at law by a court of disputed returns making a very significant statement about the independence of the Chief Electoral Officer and I am pleased that a similar provision prevails here.

Now we come to the Distribution Committee. Again, it is fundamental to the system that the Distribution Committee be as independent as it can. Subclause 9(2) describes the composition of the Distribution Committee: the Chief Electoral Officer, a statutory office holder who is unable to be prevailed upon by any minister; the Surveyor-General; and a third person appointed under subclause (3). Subclause (3) reads: "The Administrator may, by notice in the Gazette, appoint a person to be a member of the Distribution Committee". We find that that person appointed by the Administrator will be the chairman of the Distribution Committee. It is quite obvious that, if the people of the Territory are to have faith in the electoral process and the processes of the Distribution Committee, that committee must be seen to be independent. The 3 people on it must be of absolute integrity, unable to be persuaded or prevailed

upon by anyone. There are provisions in the bill relating to anybody who attempts to persuade them.

However, not only does justice have to be done, it has to be seen to be done. To have a person appointed by the government to act as the chairman of the Distribution Committee will not be seen to be fair unless that person is seen to be absolutely beyond reproach. For that reason, the opposition will move an amendment which will ensure that the third person to be appointed will be a judge of the Supreme Court of the Northern Territory and that person shall be the chairman - that is the only good way of ensuring the independence of the Distribution Committee. It is not without precedent for a judge to head a distribution panel. In New South Wales, a judge is the chairman of the Distribution Committee. My suggestion would ensure that the committee will be seen to be beyond reproach and will act accordingly. I commend that suggestion to honourable members.

To complete my remarks on the redistribution of electorates, it seems to the opposition that there ought to be a requirement that redistribution be carried out when a certain percentage of the seats exceed the tolerance. Currently, 6 seats out of 19 exceed even the tolerance of 20%. Thus, 6 seats out of 19 are out of kilter. If the tolerance were 10%, 10 of the seats would be out of kilter. I do not believe that that is a fair system at all. It is the opposition's view that, if more than 25% of the seats exceed the tolerance from the quota, then there ought to be a redistribution. Before somebody says, "We will have redistributions every day", the amendment that I have circulated will have the effect that if between the twelfth and the sixth months before an election it is apparent that more than 25% of the electorates will exceed the tolerance, a redistribution will have to be carried out. It seems to us that that is a very fair system.

I would like to turn to the voting and the electing procedures. Honourable members would be aware of the Kimberley election and the court of disputed returns that arose out of that election and they would recognise that one of the major features of that election was a denial to Aboriginal people of their right to vote. It was denied in a number of ways. I use those strong words not simply because I have any antagonism against the people who perpetrated it - although I do have - but because they are the words of Judge Smith himself. He took a very dim view of people seeking to deprive other people of their right to vote.

One of the issues raised concerned those people who were unable to read or write English. Judge Smith had very significant things to say on that. The method used to overcome people's incapacity to read, write or speak English was to issue them with how-to-vote cards and satisfy them that that was the person they wanted to vote for because it had a photograph of the candidate of their choice. The elector then presented it to the presiding officer, saying: "That is the person I want to vote for". Honourable members who take an interest in elections, and I know the member for Stuart does, would be aware of the plan, as it was called, which was implemented by the Liberal candidate, Mr Ridge. The plan was to harrass these people and deny them the right to use these how-to-vote cards as a method of indicating which way they wished to vote. Judge smith had a very pertinent comment to make upon this and I would quote from page 48:

> *To my mind, the presentation of a list or a how-to-vote card by an illiterate elector is a proper direction by such an elector, both as to the marking of his first and his subsequent preferences, provided that the presiding officer takes the precaution of reading what is written on the list or card to the elector and, by that or other means, satisfies himself*

that the card reflects the wishes of the elector before he marks the ballot paper. The ability to read or a full and complete knowledge of the preferential voting system are not among the qualifications of voters.

They were very pertinent remarks indeed. We are seeking to insert in this particular bill the use by electors of how-to-vote cards or a similar list. So long as the presiding officer is satisfied that the presentation of that list indicates the intention of the voter, then the presiding officer will follow the how-to-vote card. Again, it complies with the principles which I enunciated earlier in relation to simple and fair elections.

I am pleased to see that the Chief Minister has deleted from this bill the use of harrassing questions which scrutineers were able to ask and are still able to ask under the Commonwealth Electoral Act. I am very pleased to see that those questions may not be asked of voters and I think that is a most progressive step indeed. I believe that, where it is left in for those section voters, it is a natural and proper thing that those questions ought to be able to be asked to identify the person.

I turn now to the matter of the ballot paper. The opposition will pursue its aims of having on the ballot papers the photographs of the candidates, the political affiliation of the candidates and to have the candidates' names listed at random. I would be very interested indeed to hear comments from members opposite on what is wrong with a procedure whereby one can identify easily the candidate of one's choice. If you have an illiterate voter, he will most certainly recognise the photograph. If you have a person who wants to vote for the Country Liberal Party, he can find out who the Country Liberal Party candidate is. Having the names placed at random will remove the advantage that the person has by having his name commence with "Aa" and will not have the ridiculous situation of people changing their names simply to take advantage of alphabetical rule. Amendments will be moved to have photographs and political affiliations with the names chosen at random included on ballot papers.

I am very pleased that the Chief Minister and his government have agreed to the proposition that enrolment be compulsory for all Territorians. I commend the government wholeheartedly for that step. It is a most progressive step in Australia's history. It always amused me that, when we discussed the enrolment of Aboriginal people, we said, "How can we enrol them when they don't understand the system?" Yet we compulsorily enrol non-Aboriginals. I wonder just how many of the latter understand the voting system. I am very pleased indeed to see the Chief Minister incorporate the provision that enrolment will be compulsory for all people who are 18 years of age and over and are Australian citizens or British subjects.

One other matter raised some comment since the initial bill was introduced: postal votes and the witnessing of postal vote applications. I am pleased to see that the government has acceded to the commonsense approach that authorised witnesses of postal votes ought to be the same as authorised witnesses of postal vote applications. It can be a pretty sticky position when, in order to actually record a postal vote, one had to find a Justice of the Peace or an officer of Her Majesty's defence forces or whatever. The government has seen the sense of not only the witness having the same qualifications but that those witnesses need only be electors.

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

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that an extension of time be granted to the Leader of the Opposition.

Motion agreed to.

Mr ISAACS: I thank the House; I'll be very brief.

The other matter relates to mobile polling booths. Again, the government has taken up the suggestion which operates very successfully in NAC elections. It means that the use of automatic postal votes by people in outback or remote communities will be limited to a very great degree. It is important that, when people wish to record a vote, they are able to record it at a polling booth or polling station. It is pleasing to see this innovation introduced into Northern Territory elections.

One other matter in relation to people in the outback raised some comment: the closure of the polls at 6 pm. I realise that our electoral bill also had the polls closing at 6 pm. We have reflected on this and although the 6 pm closure does not seem to create such a problem for urban electorates ...

Mrs Lawrie: That's your story.

Mr ISAACS: Well, you can speak for yourself.

It is true that the 6 pm closure may deprive people in outback communities of the right to vote. It may well be that people are out on their stations mustering and 6 pm is too early for them. I will leave that argument to the member for Victoria River but it does seem that it may be advisable to not have the poll close at 6 pm. To have it close at 8 pm may be slightly more practical.

The only other matter which I would like to raise is the time between the issuing of the writs for an election and the holding of the election itself. Clause 45 is almost precisely the same as the one included in the opposition bill. However, it is quite clear that an election can be held only 2 weeks after the issuing of the writ. There is no way in the world that the Electoral Office will be able to organise an election in that time regardless of whether or not it is considered appropriate that an election be held a fortnight after the issuing of the writs. The time between the issuing of the writs and the election itself ought to be at least 4 weeks. I ask the government to have a look at clause 45 notwithstanding the fact that it is the same provision which appeared in our bill. It seems to me not only impractical but probably wrong in principle to be able to have an election only a fortnight after the issuing of the writs.

The Electoral Bill is the most important piece of legislation in our whole democratic system. I commend the government for the approach it has taken in the construction of its Electoral Bill. The amendments which I will be circulating very shortly will enhance the bill and make it even more appropriate to the Northern Territory.

Mr TUXWORTH (Mines and Energy): I rise to support the bill. I have had a close interest in elections over the years. Since 1969, I have been involved in about 7 polls of one sort or another and I have found the election process in the Northern Territory to be very interesting. During that time, I have had quite a bit to do with polling booths in remote areas. I can appreciate some of the problems that people in those areas encounter when they must go to the poll. I certainly appreciate the difficulty that the Electoral Office has in moving postal votes to and from remote areas.

I would like to touch on a few points made by the Leader of the Opposition because I think they are particularly relevant to the debate even though they

may highlight some philosophical differences. He felt that it was important that the legislation be simple and fair. I would go one further and say that it should also be democratic. The words "simple" and "fair" and "democratic" mean many things to many people and it is at this point where the philosophies of the opposition and the government may diverge, particularly on the method of voting: compulsory voting, compulsory preferential voting, optional preferential voting or first past the post.

I am not an advocate for first past the post. At first glance, it would seem to be a very practical way of choosing a successful candidate. Consider a situation where 1000 people go to the polls and there are 3 candidates who each pick up 300 votes. It would be very difficult to establish who received half the votes and who is the democratic winner. There is no democratic winner if they all come up with a third of the vote. I think we all accept the fact that first past the post is not an option for us in this particular exercise.

This leads us to the consideration of optional preferential voting and compulsory preferential voting. I can see the logic in having compulsory preferential voting or having first past the post but I cannot see the logic in optional preferential voting. Perhaps opposition speakers will be able to elaborate on this for me. We are pushing a philosophy of compulsory preferential voting which gives an opportunity for everybody in the community to indicate his preference for candidates. The only way to get everybody's option is to make it compulsory. Without that, there will be a mixture of first past the post and preferential voting which will not give the required result: somebody to win with a majority. I think we all want a candidate to win with a majority of votes. I cannot see that achieved by optional preferential voting. I do not accept that optional preferential voting is uncomplicated. It does not give a true reflection of the whole electorate and the preference for people on the ballot paper.

The Leader of the Opposition touched on the issue of tolerances. It is interesting to see that some electorates may have 2,000 on the roll and others may have 3,000. The guy with 2,000 on the roll may have another 5,000 constituents who cannot get on the roll for one reason or another but they still need the support of the government and the support of the member. They still need to be represented but that is not reflected. You may have a situation where electorates are reasonably well-balanced both in the country and in the city. What is fair and what is reasonable for every elector? The elector in the country, as the honourable members for Arnhem, Victoria River and Stuart would know, does not have equal access to his member or to the activities of government. His vote should not be worth any more than anyone else's but I firmly believe he should have equal representation. He does not have equal representation when his member has to drive around the bush for 12 weeks at a time and sees him only every now and then. There is a big difference between that and picking up a phone and making a 10 cents phone call to your member.

One vote, one value can mean many things to many people. If you are in the city and you think that your seat has more people in it than a country seat and somebody else's vote in the country has more value than yours, then I can see why people would be upset. If you are in the country and you never see your member and you cannot get representation because of the great distances, I can see why country people should feel they are on the wrong end of the stick.

The Leader of the Opposition made a comparison between Sanderson and Stuart Park. That is a fine example of 2 city seats that are out of balance. Stuart Park could have a couple of thousand people who have representation from their member but, for one reason or another, cannot be on the roll. They are still entitled to representation. Do we say to these people ...

Mr Collins: Why can't they be on the roll?

Mr TUXWORTH: They might not be Australian citizens.

Mrs Lawrie: What is so different with Sanderson?

Mr TUXWORTH: The honourable members are supporting my argument. They cannot be on the roll for one reason or another but they are there and they are entitled to representation because they are citizens. How many of us grab the book to check whether Fred Nurk is on the roll before we take up his case if he has a problem.

Mrs Lawrie: Sounds like you do.

Mr TUXWORTH: Not at all. Not at all, Mr Speaker, but it does put to rest this rhubarb of one vote, one value. It can mean anything to anybody.

Mr Collins: It should be on the number of residents.

Mr TUXWORTH: Well, the honourable the member for Arnhem says it should be on the number of residents. I have no particular grievance with that either. That would be a much more reasonable proposition to me. I would reckon that my electorate would be double the size if I had the number of residents in it on the roll.

Mr Speaker, the Leader of the Opposition raised the issue of the independence of the Distribution Committee and the need for its members to be removed from political or ministerial control or direction. I would not argue with that at all. I think it is fair to say that, in the last election for the Northern Territory Legislative Assembly, we had a situation that was similar to the one today. We had a Chief Electoral Officer, a Surveyor-General and 1 other person who happened to be a supporter of ours and who was selected from the community by the minister of the day in Canberra. The man did not particularly have any political influence and, if he did, it did not show up in the way the boundaries were drawn up. It does not matter how careful one wishes to be with the formulation of a Distribution Committee, the importance or the success of the thing is going to come from the political masters. The last Distribution Committee that we had in the Northern Territory was a fine example. I think there were very few complaints about the boundaries that were drawn up. They could not have been fairer and the results of the election testified to the independence and the integrity of the commission.

The Leader of the Opposition also raised the point that there should be a part in the bill which suggests when a redistribution is required. He suggested that, when you have 25% of the seats out of balance, that would be a good time to have a redistribution. I have a belief that we are going to have a redistribution every 4 years for the next 10 years in the Northern Territory because the place is changing and growing at such an enormous rate and it is going to be virtually impossible to maintain the electoral balance that you would normally have in a more stable community. You only have to look at the development that is going on now to get an idea of the way imbalances can arise. I do not particularly see that having as a criterion a certain level of tolerance is the way to do it.

One thing that I am particularly in favour of is the Distribution Committee considering any projected developments that are likely to affect boundaries in the coming period and for them to be able to make allowances. If they can see it coming, they can make an allowance for it. It is a much more reasonable proposition to do that than to be running around every 3 or 4 years, behind the events, straightening up boundaries and trying to keep electorates in some sort of balance. I do not have a particular formula to put forward to

honourable members on how this may be done. It could well be that it will be left to the government of the day to decide because it is going to occur, whether we like it or not, every 3 or 4 years.

The honourable Leader of the Opposition also touched on voting by illiterates and the use of how-to-vote cards for such people. One of the interesting things about working in remote area polling booths is that one comes across a lot of people that do not have much knowledge of the political system when they vote. They do not particularly have a great awareness of the candidates or the parties. They are there to fulfil their citizen's role and one of the most extraordinary things that I have witnessed is the difficulty that the people from the electoral offices have had establishing the names of particular persons that come to vote. Trying to get an address to decide whether a person is entitled to enrol has been extremely difficult. I am not pointing the finger at anybody but I just think it is a situation that will continue for a few years until our electorate becomes more sophisticated. It is a reality and it is something that should be borne in mind.

The Leader of the Opposition said that, if you give an illiterate person a how-to-vote card and he puts that on the table, that should suffice as his vote. I have seen that done in remote area polling booths by the consent of both scrutineers and the election officers and I have seen people put the card on the table with the plain side up and not having the faintest idea of what was on the other side. It makes it very difficult to say that a person has had a legitimate vote because he has put a card on the table. I do not know the answer; I do not know whether you should say to the person: "You are not aware of what you are doing so you should not vote". I do not think that is a reasonable proposition either. I do not know whether you should say to that person: "Because that card is upside down, that is an informal vote". It is something that we should address ourselves to because it is a reality in remote areas. As we go through the countryside with mobile polling booths and pick up more of these people in the remote areas — I can assure you that they are not all Aboriginals - we will have to devise a method to enable people who do not have a great knowledge of the system to vote and for that vote to be recognised. There has to be an agreement on what is an acceptable level of assistance to be given to a person voting. I can recall one occasion where I was at a polling booth at Warrabri - this would have to be about 10 years ago - which was pretty basic. Not very many people had an idea of what was going on and, by agreement between the scrutineers and the election polling officers, pictures of the candidates were placed on the table and, if a guy could come up and identify the candidate he wanted, that sufficed. The polling officer filled in the paper, the scrutineers watched him and that was a legitimate vote. By consent, they also agreed that, if the fellow did not fill in or did not touch the second and the third picture of his own volition, it was not a vote.

Mr Collins: Rafferty's rules.

Mr TUXWORTH: Well, Mr Speaker, the honourable member for Arnhem says Rafferty's rules.The alternative to that is that the people might not have had a vote at all. Quite a few of them were quite happy to take their ballot paper, put it in their pocket and go. There is no blame cast on the people for that at all. Voting practice for electorates is a very difficult subject and, having experienced the things that I have in the bush, I do not really know how the use of a how-to-vote card with a picture on it is going to suffice at all.

The honourable the Leader of the Opposition also raised the issue of ballot papers incorporating photographs and party affiliations in alphabetical order. I think that the ballot paper should be as plain and as simple as possible. If a person comes to vote, it is not unreasonable to suggest that the person has taken a little trouble to know what his order of voting is going

to be on the paper. I cannot see the need for going to the trouble of photographs or party identifications on ballot papers. As for the alphabetical order, that has been with us for a long time and is not likely to change.

The Leader of the Opposition also raised the issue and complimented the compulsory enrolment of Aboriginals. I must say that I too felt that it was high time that Aboriginals took their part in the community and in the election process just like everyone else. It is not extremely difficult for many of them to get on the roll, particularly those living in areas that are serviced by settlements or are adjacent to settlements or major centres. It is not an unreasonable practice for any Aboriginal to be asked to be put on the roll. With the aids that are available to them now through the Department of Aboriginal Affairs and through the education processes of the Electoral Office it is not an unreasonable or a difficult exercise for them. I think that it is probably one of the most progressive moves that has been embodied in the legislation.

The issue of postal votes is one that I believe has been solved to a certain degree. In the past, there has been great play about how postal votes have been manipulated by one side or another, in one way or another, and I would think that there has been truth on both sides of the story over the years. Mobile polling booths will serve a very useful purpose in areas such as large stations and communities but the postal vote is going to be needed to complement the mobile polling units because it is not always possible for people on the stations to be at a particular place on a given day because they all have their work to do. While it is nice-sounding stuff to say that we will advertise that the polling booth is going to be at station Y on a certain date for a certain number of hours and everybody should be there, in practical terms, I do not think it will be foolproof and I think we should have a mechanism for people, who are likely to be out on the run looking after their cattle, to be able to lodge a postal vote. I think that there are some places in the Northern Territory where it will not be practical for a team of electoral people to go in for 3 or 4 votes. I think that the system should provide for the mobile polling booths to pick up the major rural centres and the automatic postal votes should apply in remote areas.

The Leader of the Opposition said he was pleased with the success of mobile polling units in the NAC elections. In some areas, the mobile polling units were particularly successful. In others, they did not do a great deal to help at all. In my own home town there were a lot of derogatory remarks made about the fact that, in one particular NAC election, the boxes were in a DAA ute which was parked outside a hotel and that is where the votes were cast. I do not think that that operation did a great deal of credit to any of the people who were involved and I am not sure that those who voted under those circumstances were very happy about it. I just make the point that, while some sections of the election were very good, there were others that did not quite measure up.

The Leader of the Opposition also raised the issue of the 8 pm closing time. I am a firm supporter of the 6 pm closing time. I cannot see that that will have any bearing on my people in the rural area because, if the mobile polling booth is used, that will be advertised for fixed hours indicating a given time on a given date and will move off at the end of that period to another station. So far as the town is concerned, I think that people are so mobile today that, if they cannot vote between the hours of 8 in the morning and 6 at night, then to all intents and purposes they are not particularly interested in voting. Many years ago, when transport and communication was not as free as it is today, I could understand how the extra 2 hours at night would have been a big help. I can recall when we were kids - there were only 1 or 2 elections in my electorate during my youth because the candidates stood unopposed on

several occasions - that a Saturday outing had to be transferred to a Saturday night outing and combined with the late closure of the polling booth so that the kids could do what they wanted to do and the parents could also make their own arrangements because we lived out of town and we did not have transport laid on to go and do the things we wanted to when we wanted to do them. On that basis, I accept that there was a good cause for keeping the booths opened till late at night but today I cannot see that it is all that important.

I support some of the concepts of the bill, particularly mobile polling booths. I think they will be very successful in the Northern Territory. They do not have a lot of application in other states. I think they do here but only time will tell. I hope that in practice it works out as well as it sounds in theory. I support the bill.

Mr PERKINS (MacDonnell): In rising in this debate on the Electoral Bill, I would like to thank the honourable the Minister for Mines and Energy for his contribution because I was given a bit of an insight into the philosophical differences between the Country Liberal Party and the Australian Labor Party. I was also confused a bit and I thought that the honourable the Minister for Mines and Energy himself was a bit confused because, at one stage, I thought he was coming around to the ALP position on the question of tolerance.

I would like to fully endorse the arguments which have been put forward here this afternoon by the honourable the Leader of the Opposition. Basically, I support this Electoral Bill but I believe that the basic purpose of the bill would be improved and enhanced if honourable members were to take into account the amendments which have been proposed by the Opposition Leader. I too would like to deal with each of what I believe are the important items within the electoral legislation under consideration in this House.

I would like to talk about the method of voting. Like the Opposition Leader, I also reject the compulsory preferential method of voting which is provided for in this electoral legislation. I would like to support the contention that the optional preferential system of voting is in fact the simplest and fairest method of voting. I would go even further and say that it is also the system of voting which is democratic. I believe that any election system that is established in the Northern Territory has to work for the interests of the voter, has to be the simplest electoral system, has to be the fairest electoral system and has to be the most democratic electoral system. In that way, the voter will be able to exercise his franchise. I believe that the optional preferential system of voting is a democratic system because it offers a choice to the voter. If he or she wants to, he or she can vote for one person or for any number of persons who appear on the ballot paper. I would completely endorse the argument that was put forward by the Opposition Leader that, in some situations, particularly Aboriginal situations, people are only interested in voting for one particular person. They may not know the other people on the ballot paper and therefore would not wish to vote for those persons or exercise any number on the ballot paper in favour of those particular persons. In relation to Aboriginal people, to migrant people and to other people in the Northern Territory, the optional preferential system of voting is the best system.

If you look at the opinions which have been given, Mr Speaker, you will find that the former Chief Electoral Officer, as indicated by the honourable the Opposition Leader, recommended that the optional preferential system of voting was the best method of voting for the Northern Territory. I would also like to draw the attention of honourable members to the recommendations of the joint committee of the federal parliament on the Norther Territory which also thought that the optional preferential system of voting would be the best method of voting in the Northern Territory. We can see then that there is a body of

opinion which believes that the optional preferential system of voting is the best system for the Northern Territory. Unfortunately, I do not think that this wise advice has been able to penetrate the minds of the CLP because, under this legislation, they are actually providing for the compulsory preferential method of voting. I do not think that that is a fair system of voting when one takes into account that up to 25% or more of the population of the Northern Territory are Aboriginal people who deserve a far simpler and fairer system of voting in the Territory - along with migrants and other people.

I was rather bemused to note also that the honourable the Minister for Community Development had withdrawn the Local Government Bill here this afternoon because it would seem that it is on the cards that the method of voting in local government elections will be changed from optional preferential to compulsory preferential. We will wait to see what happens tomorrow. Had they gone ahead this afternoon with that bill, then we would have had a system of voting in local government elections which would be quite different from the system of voting in the Territory elections in relation to the Legislative Assembly. Obviously, the two would be quite inconsistent and even more confusing for people of the Territory.

I would like to emphasise a matter that was touched on by the Opposition Leader. I fully support the notion that there ought to be an impartial chairman of the Distribution Committee and that that chairman ought to be a judge of the Supreme Court. I noted also that the third member of the Distribution Committee would be appointed by the government and would be the Chairman of the Distribution Committee. It is important that the Chairman of the Distribution Committee ought to be removed from politics and impartial in order to ensure that the distributions are carried without any interference or any suggestion of interference on the part of the government or any other political parties in the Northern Territory.

Another matter which I would like to comment on is the question of voting procedures. I would like to endorse the arguments put forward by the Opposition Leader on that particular subject. I was amazed to note that, in the elections in the Kimberley area, many Aboriginal people were denied a vote because all sorts of questions were asked of them. In many cases, there were deliberate attempts to frustrate the Aboriginal people who voted. Aboriginal adults were asked all sorts of questions: "Are you a British subject? Are you 18 years and over? Are you an Australian citizen?" That sort of question does not mean much to Aboriginal people when you consider that many Aboriginal people identify within their own particular tribal grouping or within their own language group. Therefore, in many cases, it is not likely that you will get an answer. This technique has been used not only in the Kimberley election in Western Australia but also in the Northern Territory when there have been people who wanted to deny Aboriginal people a vote. They threw all sorts of questions at them under the electoral legislation.

One means of simplifying the electoral system in the Northern Territory, particularly the voting procedures, would be the use of how-to-vote cards by electors and the acceptance of how-to-vote cards as the intention on the part of the voter as to how he would like to vote. It is important that Aboriginal people, migrants and others in the Territory have an opportunity to enter a polling booth with a how-to-vote card and say to the officer: "I want to vote for Joe Blow". That ought to be accepted as the intention of the voter and recorded accordingly by the polling officers.

Another means of simplifying voting procedures would be to ensure that there are photos of all the candidates on the ballot paper and that the candidates are not listed in alphabetical order. In outback areas, there are many Aboriginals who are able to identify the candidate on the basis of the

photograph on the ballot paper. They will see the photograph and immediately recognise that person. They may not immediately recognise the names on the ballot paper but they will recognise the photos and, having recognised those photos, they will then be able to exercise their vote accordingly.

I was happy to note also that, when the sponsor withdrew the original Electoral Bill, he indicated that it was because of the public criticism which he had received. I would like to commend the sponsor for his attitude in this particular matter because other honourable members would be aware that there was was an outcry about certain provisions. Further, I understand that various Aboriginal groups advised the sponsor that they thought it was about time that enrolment for Aboriginal people in the Northern Territory was compulsory. The Council for Aboriginal Development and the National Aboriginal Conference, the body which represents Aboriginal people nationally, advised the federal Minister for Aboriginal Affairs that enrolment and voting ought to be compulsory for Aboriginal Australians as it is for other Australians. Their concern is based on their desire to see Aboriginal people treated on the same basis as other Australians. They would like to see us do away with the welfare mentality and the paternalistic mentality of days gone by. I am sure that these desires are in accord with their expression of self-determination and self-management. Aboriginal people with whom I have discussed these matters have indicated that they believe it ought to be compulsory for Aboriginal people to enrol and to vote not only in the Northern Territory but in Australia at large. I was happy to note that the Minister for Mines and energy supported this proposition and that the sponsor was able to incorporate this particular desire in the legislation.

However, it is important to emphasise that I think that the Northern Territory goverment ought to go further than this. Having made provision for the compulsory enrolment and voting of Aboriginals, it should ensure that education programs are implemented. I was very pleased to read in the media recently that the sponsor of the bill called on the federal Minister for Administrative Services to arrange for the voter education team, which is operating among Aboriginal communities in South Australia and Western Australia at the moment, to come to the Northern Territory to carry out a voter education and enrolment program among Aboriginal people. I believe that such programs ought to be implemented before the next election. Since this legislation will take us into the next election, we ought to ensure that Aboriginal people have had the opportunity to benefit from enrolment and voter education programs.

I believe that the compulsory enrolment that has been provided for in this legislation is a progressive step. I was interested in the comments by the Minister for Mines and Energy who said that he really did not know the solution to the problems that arise on election day in relation to the illiterate voters. I suggest that one way to overcome these problems would be to ensure that the non-literate, adult people have the benefit of the voter education and enrolment programs.

I would like to support the concept of mobile polling booths which has been provided for in the legislation. I believe that this is a progressive step. It is an innovation with which I am pleased. There are many Aboriginal people in outstations in my electorate who would be able to exercise their franchise either on or before election day because of the mobile polling booths. It is important that people in isolated areas do have an opportunity to vote and this is one way of ensuring that.

The opposition basically supports the bill. I would like to commend the amendments which have been proposed by the Opposition Leader. The amendments are very constructive and are not aimed at frustrating the electoral legislation

in any way but only at enhancing it. They will ensure that the people of the Northern Territory will have the benefit of the best, simplest and fairest electoral system in Australia.

Mr BALLANTYNE (Nhulunbuy): I would like to speak on the Electoral Bill and its contents. Many speakers have spoken about some of the same subjects that I have chosen but they are the main changes in our act which varies from the Commonwealth act that we have been used to in the past. When we look back, we can see the problems we have had in relation to that act in the past. The Territory is a very vast area and only had 2 electoral offices. The vast distances from those offices meant difficulties in communication and very little feedback coming to the centres. The distance between the polling booths has been always a big problem. The elections in 1974 and 1977 proved this. An innovation was brought in by the Australian Electoral Office for the National Aboriginal Conference election and that has been taken up by this government.

I am happy about the postal voting. We had a ludicrous situation in Nhulunbuy whereby people at Wallaby Beach, only 6 miles away from the town, used to have postal votes sent out to them. There was quite a bit of confusion. Now that we have extended the distance to some 20 kilometres, it should alleviate that problem. The people will be able to come into town and vote rather than rely on postal voting. With postal voting, no real information is given to those people. New people who arrive in that area have to seek information from their neighbours or come into town. Where do they go? There is no place where they can really go except on polling day.

Another initiative was taken in regard to electoral rolls. We have had difficulty in the past with electoral rolls. Recently, I rang up to see if I could obtain an updated one but they do not print them between elections. They update them in their own office but they do not have the reprinted ones. We need reprints rather than receiving sheets and then having to update our own electoral roll. Hopefully, in the future, we will have more reprints.

I believe that the display of the photographs of candidates in each polling booth will overcome a great problem. This has resulted from Aboriginal voting procedures. I have a poster relating to the National Aboriginal Conference election. They had a little dossier on each person. I think it is a little bit unfair that some of the candidates did not have their photographs included. In any election, they should have equal opportunity to have their photographs displayed. One of the biographies states: "Married, four children, station hand". I believe the Aboriginal Affairs Department had a lot to do with that and I commend them for it.

When I was going around the electorate in 1977, I saw these posters stuck up in the windows of the local shops. This helped illiterate people to understand what was happening. They will see a photograph and they can perhaps recognise someone more readily. I believe that this only need be done in a polling booth. I do not believe in the idea of having photographs on ballot papers because it will only clutter up the system. If you have too many of these things, you will cause confusion. Many people say that Aboriginal people cannot understand things. Aboriginal people can understand and I do not think we should treat them in any special way.

The mobile polling booth is a great innovation. The minister can proclaim any motor vehicle, aeroplane or boat to be a polling place. This is a very good innovation for people in outstations or remote areas where they may be able to get on a circuit and fly into these places on the day. In the larger areas, they would probably have to stick to the normal system of postal voting.

Most people in the Territory will be happy with the new innovations.

There will probably be some flaws but, until you try something, you do not really know what it will be like. I commend the Chief Minister for the work which has been done and the way in which he has received the amendments. There has been much discussion on it and many good ideas have been put forward. When we have the next election, whether it is a federal or a Territory election, we will see the results of this very good work. I support the bill wholeheartedly.

Ms D'ROZARIO (Sanderson): Mr Speaker, I want to take up a few points relating to this bill. It has had a great deal of discussion and, as the honourable Leader of the Opposition has mentioned, the opposition is particularly pleased to see that the Chief Minister took up so many of the points that were made by various groups in the Territory, particularly in respect of remote area communities.

There are a couple of matters that I wanted to speak about because I think that some members opposite threw a slightly different light on these particular points. One such matter is the question of permitted tolerances. It appears that the federal Liberal Party and the federal ALP consider that the acceptable tolerance should be 10% of the average electorate size. In this bill, there is a 20% tolerance from the average size of the electorate.

I was interested to hear the discussion presented by the Minister for Mines and Energy in respect of electorate size. He said that one of the factors that had to be taken into consideration when you consider whether there is one vote, one value is the fact that members representing rural or remote electorates have less ready access to their voters and the voters have less ready access to members. That point is well understood, particularly by those members who represent remote areas.

The example that the Leader of the Opposition gave was quite significant: the relative sizes of the Stuart Park and Sanderson electorates. Sanderson electorate is by far the largest electorate in terms of enrolled voters and Stuart Park is the smallest. We find that the next largest electorate after Sanderson is Casuarina, another urban seat. The second smallest electorate is Port Darwin, again an urban seat. What the Leader of the Opposition was trying to emphasise is the divergence in urban seats. The Minister for Mines and Energy paid some attention to that point and he hazarded that perhaps this was because some urban electorates might have large numbers who are not eligible to be on the roll. If the Chief Minister had permitted the table compiled by the honourable Leader of the Opposition to be circulated, members opposite might understand better what we are trying to say. It is significant that the 2 smallest electorates - Port Darwin and Stuart Park - are what we might call inner-city electorates. It is also significant that the 2 largest electorates - Sanderson and Casuarina - are outlying districts in the Darwin area. If the Minister for Mines and Energy reflected a bit, he would find that what we have here is a most common phenomenon in Australia urban areas and that is a gradually decreasing population in the inner city and a migration of population to the outlying areas. I do not think that the member for Stuart Park has any larger proportion of persons ineligible to be on the electoral roll than I have in my electorate. What I do think, however, is that the honourable member for Stuart Park has in his electorate a large proportion of changing land use. He has, for example, the entire district of Winnellie which is an industrial area rather than a residential area and so we can assume that he has less residential population in that particular district. He also has an increasing conversion from residential land use to non-residential land use. The same goes for the electorate of the member for Port Darwin. I do not think that the honourable Minister for Mines and Energy thought this particular problem out very well. He gave rather facile explanations of the breakup of

the present districts. It is, as I say, simply a reflection of the gradually decreasing populations in the inner urban areas and the increasing populations in the outer urban areas.

The Minister for Mines and Energy also gave some attention to the composition of the Distribution Committee. The composition of the Distribution Committee is outlined in clause 9 of this bill which says quite clearly that 2 of the people on this committee will be there by reason of their office. I do not wish to reflect in any way adversely, I hasten to say, on the present incumbents of the offices of the Chief Electoral Officer or the Surveyor-General. The honourable Minister for Mines and Energy said that the success of the Distribution Committee would depend upon who is on it. Well, Mr Speaker, in 2 of the 3 cases, the government will have no choice of who is on it. Two people will be on it by virtue of their position. The government will have the choice of only 1 person and that person happens to be, according to this particular bill, the chairman of the committee. We suggest that that person should be a Supreme Court judge. This is simply to remove any suggestion that the Distribution Committee can be manipulated by the government of the day. Whilst I agree that, if we had an open choice of the 3 members, the success of the Distribution Committee would depend on who was on it, I think that the honourable Minister for Mines and Energy must concede that, in 2 of the 3 cases, there is no choice about who will be on it.

The Leader of the Opposition spoke at some length about the proposed methods of voting. We have not really had any valid reasons why the proposals put forward by him should not be adopted for this bill. What we are suggesting is that there be optional preferential voting. That was certainly a key point in the submission of the Leader of the Opposition. The Minister for Mines and Energy said that, if we have this system, we will then have a mixture of first past the post and compulsory preferential voting. I do not think that that is a significant point. What we are trying to do is to afford every eligible voter the right to exercise his vote with the minimum possibility of having that vote rendered informal. Our entire submissions rest on making voting easy for eligible voters. To follow that point, we have also suggested the lengthening of the polling hours and the government itself has taken up the proposal to introduce mobile polling booths. All these suggestions are aimed simply at making voting easy for those people that are eligible to cast a vote. The fact that a voter might decide to stop at one candidate rather than going from 1 to 10 should be the prerogative of the voter. Similarly, he could stop at 4 and vote in order of preference for 4 of the 10 candidates. That should also be his right. To insist that a voter should, in order to have his vote counted as formal, mark his ballot paper consecutively from 1 to 10 is an unnecessary imposition and also could lead to a large proportion of votes being made informal because of our high proportion of immigrants and Aboriginals.

The Minister for Mines and Energy said that it was very difficult to accept votes on how-to-vote cards because a person might render a card that is upside down or blank face up or something of that nature. Again, what we are saying is that, if a voter has given a clear intention of the manner in which he wishes to vote, that intention ought to be accepted. If we took up the suggestion of the opposition to have photographs printed on these how-to-vote cards and on the ballot paper, then a large part of the Minister for Mines and Energy's objection would be overcome because, even if a person is unable to read, he would certainly be able to see whether a photograph is upside down or right way up. People do not often have their photographs taken while standing on their hands so the voter would be able to recognise the person that he wishes to vote for and, if he gives a clear indication to the polling clerk that that is the way he intends to vote, that should be accepted as his vote.

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Illiteracy, as the Leader of the Opposition has pointed out, is not a disqualification to being an elector. If the government is saying that some of these proposals cannot be implemented because of alleged difficulties, then what in fact is happening, quite apart from the prescription in this bill, is that the government is virtually suggesting that illiteracy in some cases ought to be a disqualification. I think this is a denial of the rights of voters. If there is some means, such as by photographs or by presentation of how-to-vote cards, whereby these voters can be accommodated, then that ought to be done.

We are also suggesting that the hours of polling remain as they are at the moment: from 8 am to 8 pm. Again, this is merely to allow that extra 2 hours to make it more convenient for people to vote. The government has gone so far as to propose the introduction of mobile polling booths and that is a measure to be commended because it would certainly make for more convenient and easier voting in remote areas.

With those few remarks, I would ask the government to again look at the amendments that have been presented by the Leader of the Opposition with a view to supporting them.

Mr HARRIS (Port Darwin): Mr Speaker, in rising to speak in support of this bill, it is obvious that, by enabling the original bill to be circulated throughout the Territory, many comments came back from Aboriginals and other people who were concerned by the original draft. It has been our aim not only to make sure that as many people as possible are enrolled but also to give them the opportunity to vote. As with other legislation that has passed through this Assembly, this Electoral Bill widens the area from which people are able to be enrolled. It will now be compulsory for Aboriginals to enrol and I believe this will be the first time in Australia, as mentioned by the Leader of the Opposition, that this has happened. Whilst some Aboriginals will not be happy with coming into our complex system, the government is to be congratulated on making such a provision. It shows that we recognise that all our people are the same. I can see problems arising in this area but they can be resolved by consultation with the people concerned.

The job of enrolment in this particular area is an enormous task and I would ask the minister to indicate how it is anticipated that this operation will be carried out. Once a person is enrolled, it is necessary to enable as many people as possible to be given the opportunity to vote. The Northern Territory, because of its large area and relatively small population, is faced with a formidable task to give everyone this opportunity. By the minister being able to authorise the use of mobile polling teams in a portion of a division, it is hoped that many people will find it a lot easier to vote than in the past.

There always appears to be comment made about the variation in the number of voters in a particular area. It is difficult to say just how many are eligible to be enrolled who do not appear on the electoral roll in a particular electorate. With our transient population, I feel we still have the numbers of people in our areas but, because of the movement from one electorate to another, perhaps they do not have the time to place their names correctly on the roll. Having small electorates is something that we should try to hang on to. It enables us to maintain a personal contact with our people. I do not believe that small electorates make a seat any safer. There are no safe seats if all the parties stand candidates in all the electorates. Comment should be made on this. Large divisions could destroy something that is unique in the Northern Territory and we should approach this matter of redistribution with care.

One point which will continue to crop up in our small House is the workload that is placed on ministers. Everyone who has looked into our system would realise the enormous duties that these ministers have; the enormous areas that their portfolios cover. I do not know how we will overcome this problem but it is a matter that should be looked at.

The setting up of the Distribution Committee and the method by which they are to go about their task is set out under part 111 of the bill. It allows for comment from the public, tabling in the Assembly and a penalty for trying to influence a member.

The member for MacDonnell went to great lengths to try to convince us that the best system was the optional preferential system. Perhaps I could just say that many parties, whilst being different in their philosophies, still represent a move either towards or away from certain ideals. With a full preferential voting system, we have a fair means of supporting not only the person we would like to see elected but also the opportunity to vote according to our ideals. I think this is very important for us to remember. We should never allow a situation to arise where through organisation the result of an election could change.

Mr Speaker, mention was also made by both the member for MacDonnell and the member for Sanderson about photographs being placed on ballot papers. Provision is made in this bill to have photographs displayed in the polling booths themselves and it would be an easy task to transmit onto a ballot paper who you wanted to vote for. All you would have to do would be to look at the photographs which were displayed next to the names of the candidates and mark your ballot paper accordingly.

Mr Speaker, it is important that the method in which elections are conducted is beyond reproach. We must aim at having a system where we give as many people as possible not only the right to vote but also place them in a position where they are in fact able to vote. By treating Aboriginals the same as everybody else and by making provision for mobile polling booths, the government has made this possible. I support the bill.

Mr DOOLAN (Victoria River): In speaking to the bill, Mr Speaker, I would say at the outset that I agree with all the remarks of the Leader of the Opposition. I also feel that a 20% tolerance, as mentioned in the Northern Territory (Self Government) Act, is far too great. A 10% tolerance is not only the policy of the ALP but is also the policy of the federal Liberal Party. I do not believe that, in the Northern Territory under our new system of self-government, a 20% tolerance should even have been considered. If this government persists with this absurdity, it will put us in line with the Queensland government which has become a laughing stock and an embarrassment to the rest of Australia because it no longer bears any resemblance to a democratic state. It is most important that the principle of one vote, one value be maintained so that it will present an opportunity for the Northern Territory to follow in the footsteps of more enlightened governments rather than adhere to the principles of the Queensland government's blatant gerrymander.

I believe also that it should be compulsory for all citizens of the Northern Territory, including people of Aboriginal extraction, to enrol after reaching the age of 18 years. It is quite ridiculous that, in this day and age when Aborigines are becoming better educated, more literate and more vocal, they should have a separate set of rules and regulations in relation to the elections. It has been said that Aboriginals comprise 25% of the population of the Northern Territory. I think it would go closer to a third of the population. I commend the government for introducing compulsory enrolment and

voting for all people over the age of 18.

Prior to the 1977 elections, the optional preferential system of voting was suddenly and somewhat mysteriously changed to full preferential voting. I could and still cannot see any reason for this change other than to disadvantage illiterate Aborigines most of whom are capable of marking one square but cannot even write the figure 2. At one particular centre, a scrutineer informed me that, out of 33 informal votes, 31 were marked with the number 1 for me. It is also my belief that, for any voter who has a personal reason for not wishing to record any preference at all for a particular candidate, it is unfair to expect him to give any preference to that candidate and to declare his vote informal because he has not done so.

Not only does the full preferential system disadvantage Aboriginal voters, it also must certainly disadvantage our large migrant population. Many of these people, as in the case of Aborigines, are either too embarrassed or ignorant of the law to request assistance at the polling booths. The single member optional preferential system, as the Opposition Leader pointed out, is not just a political decision but it is also the principle adopted and endorsed by the Chief Electoral Officer, Mr F.E. Ley, in 1974 before the Joint Parliamentary Committee on the Constitutional Development of the Northern Territory. That committee felt that such a system would best serve the needs of the Northern Territory. The present system - where scrutineers ask prospective voters questions such as whether they are over the age of 18, particularly in the case of some ancient greybeard as happened in the notorious Kimberley election in 1977, and whether they are British subjects - is quite ridiculous not only in the case of people who are illiterate but where there is a language barrier.

I commend the section relating to questions which the presiding officer shall put to persons wishing to vote and questions which the presiding officer may request any scrutineer to put to voters. This is more realistic and less likely to confuse and disadvantage those people who may not be of Anglo-Saxon extraction. Again, I commend the introduction of mobile polling booths. It is my belief that it is imperative that postal votes be cut down to an absolute minimum and the only practical solution is the provision of mobile polling booths, a system which was used in the elections of the National Aboriginal Conference. It is a system already proven to be successful in the NAC elections and particularly lends itself to outback communities and Aboriginal outstations.

The Opposition Leader touched on the subject of ballot papers incorporating a photograph of the candidate and the political party which he or she represents shown on the ballot paper. I believe this is to be an excellent suggestion and not only in relation to illiterate persons. There is an amazing number of people who leave polling booths and suddenly discover too late that they have inadvertently voted for a candidate not of their choice.

Again, I support the concept of abolishing the system of separate electoral system and separate electoral rolls. It seems totally unnecessary that both a separate office for returning officers of the Northern Territory and separate electoral rolls for Territory and federal elections should exist. Such a system can only lead to errors in recording names of voters. The change the opposition is suggesting has been tried and already proved successful in 4 Australian states.

In relation to the proposed hours of voting, that is, 8 am to 6 pm, I strongly disagree. If members opposite who have bush electorates with a number of Aboriginal voters give the matter some thought, they too will disagree. Aboriginal people traditionally go hunting on weekends and most settlements and missions are virtually deserted during the daylight hours on Saturdays and

Sundays. It is my experience that many Aboriginal people go hunting soon after daylight and return at dusk. Obviously, having become used to a polling booth remaining open until 8 pm, many of them are going to walk up to the polling booth after dusk and find the door shut. The same may apply to many other citizens who like to go driving or fishing on Saturdays and return in the cool of the evening. Someone is bound to say: "Why do they not go to the polling booth at 8 am?" Many people like to get away in the early morning and return late. I see no reason why they should not be able to enjoy a day's outing on polling day and still be able to record their vote upon their return. If someone tells me that few people vote after 6 pm, then I suggest they investigate voting habits on settlements and missions. I strongly support the sentiments of the honourable member for Sanderson who said that our aim should be to facilitate voting for people and we will certainly not be doing this by closing polling booths at 6 pm.

The opposition supports the bill in principle but would like to see the amendments proposed by the Leader of the Opposition included.

Mr VALE (Stuart): Mr Speaker, I would like to speak in support of the legislation before the House today. There is obviously quite a need for such legislation to ensure that future elections in the Northern Territory for the Legislative Assembly are carried out without prejudice and without problems. Past abuses of the Electoral Act, particularly in Central Australia, included damage to polling booths and enrolment of under-age voters. These may be prevented by the severe penalties incorporated in this legislation. I am certain that the penalties, severe as they are, are needed so that candidates, political parties and presiding officers can engage in these campaigns without the problems that have occurred in the past.

The ALP made much play of the optional preferential voting system and I am amazed that those chest-thumping Australian Labor Party members, who so often get up in this Assembly to express their concern about the Aborigines, have all inferred, almost without qualification, that the Aboriginals are dumb and do not know how to vote. The Leader of the ALP spoke about the high number of informal votes, particularly from Aboriginal communities, and stressed the need for the optional preferential voting system to be reinstated. Let us have a look at a couple of figures. In Yuendumu during the 1974 Territory Legislative Assembly elections, under the optional preferential voting system, of the total Aboriginal votes cast, 3% were informal. In 1977, under full preferential voting, the same community had 2.8% of the vote declared informal. In Warrabri in 1977, under full preferential voting, 5.2% of the vote was declared informal. In Warrabri in 1974, under optional preferential voting, 5% of the vote was declared informal. The Alice Springs electorate is basically made up of Europeans and, in 1977, that community cast 3.1% of their votes as informal. The Aboriginals understand the voting system, are concerned about it and want to participate. I do not think we should alter the law for 25% of the population; we should introduce more voter education systems.

The ALP also made much play of the optional preferential system being more democratic. There could be 4 candidates standing and, under the optional preferential system, it is possible for 1 candidate to be elected by registering less than 25% of the vote. Is that democratic? I doubt it.

The ALP discussed, amongst other things, the closing times for polling booths. I do not believe 6 o'clock closing for polling booths in bush electorates will affect those areas because, in the main, I have found - and I am sure the honourable member for Arnhem has also found - that Aboriginal communities and outlying areas tend to vote fairly early in the morning. If any effect is felt by early closing, it would be felt more in urban areas and

possibly on the Stuart Highway with people travelling from town to town and proposing to vote at a certain area on the way through.

The mobile polling booth will do away with a lot of the inferences about the manipulation of voters and past prejudices which have occurred. In that respect, I would like to comment on some of the remarks the Leader of the Opposition made in November last year when he talked about the pastoralists. He said that people believed that the automatic postal system was being abused by station owners. I would like to stand up for station owners who are always criticised and attacked by the ALP basically without foundation and without any recourse in here. They tend to be the silent minority in the bush who have no recourse to these unfounded attacks by the ALP. In 1974, there was one cattle station with a large number of Aboriginals that I did not visit. After the elections, someone reported to me that I did badly. The ALP candidate was known there and that was the way the Aboriginals wanted to vote. They indicated that to the pastoral people who were assisting them in filling in their ballot papers and that was the way their votes were recorded.

The Leader of the Opposition also talked about gerrymanders. It is interesting to note that he said: "People in Australia have a disregard for a gerrymander and the people of South Australia showed that very clearly". Judging by last Saturday's figures, I think the Leader of the Opposition, at least on this occasion, was speaking very accurately.

The Chief Minister introduced a bill and circulated it widely within the electorate. Because of the amendments proposed, he withdrew that bill and submitted a fresh one. I believe the new bill accurately reflects the wishes of the electorate generally and I support it.

Mr OLIVER (Alice Springs): I rise briefly to support the Electoral Bill. It seems to be a democratic and fair bill and, apart from a few points, apparently has the universal support of the Assembly.

I fully support full preferential voting. I believe it is essential because it reflects the widest spectrum of the people's wishes. As the honourable member for Port Darwin said, it indicates the ideals that people are looking for. With the first past the post system, it could just be a personal vote. I do not see why it should be particularly confusing to illiterate people now that we have the photos in the polling booth and the electoral officers can give full assistance to these people. With the candidates' photos in the polling booths, I do not see the necessity for photos on the ballot papers. This would be expensive and, if you have a large number of candidates, the ballot papers would be very large.

I applaud the decision to delete the references to Aborigines in the bill. I have never liked this discrimination in the law very much because we are all Territorians and we should all be included on the rolls and involved in the voting.

I feel too that the time allowed for voting on polling day - that is, between 8 am and 6 pm - is quite sufficient. Our towns are not that large nor polling booths that far-flung that people cannot manage to do this. The country areas will have mobile polling booths and postal votes so that will not make very much difference. I agree fully with the mobile polling booth concept. With our great distances and remote places, they are a definite must. I think that the watermarked ballot paper is also an excellent thought which will save some poor chap from initialling all day. Finally, I think the prisoners will now receive a pretty fair go, apart from those prisoners in jail for crimes against the state. We probably would not have many of those in our jails any-

way. The prisoners are entitled to have their vote. I support the bill.

Mr COLLINS (Arnhem): Mr Speaker, members have dwelt at some length on the difference between optional preferential voting and compulsory preferential voting. One of the ministers talked about first past the post as well. I also want to say something about the 3 systems of voting which are used in the Westminster system.

Yesterday, the member for Nightcliff said that, when the Minister for Mines and Energy talks about subjects other than those in his portfolio, he does not make much sense. That is absolutely true. Some time ago, the Minister for Mines and Energy and I had a long talk about optional preferential voting on a trip to Galiwinku. He made about as much sense to me on that day as he did today: no sense at all. The difference between the systems is clear cut. I agree with the Minister for Mines and Energy that first past the post certainly does not reflect the true opinion of the whole community. However, compulsory preferential voting has reached the stage in this country where it has become, on occasions, like something straight out of Gilbert and Sullivan: absolutely nonsensical.

I can remember elections in New South Wales when there were in excess of 80 names on the ballot paper. If voters wanted their vote to count for the person they wanted to vote for, they had to record a vote for every single one of those 80 names listed on the ballot paper. When compulsory preferential voting is carried to those extremes, as it must be if it is the system that we employ, it really does become ludicrous. The normal bloke can certainly exercise a choice of 4 or 5 candidates - a true choice, a democratic choice - but after that it just becomes a mechanical exercise of ploughing through the ballot paper in order to have your vote counted. It is a totally undemocratic way of casting a vote because the system compels you to give a preference vote for people you had no intention of voting for at all in order to have your vote counted for the person for whom you do want to vote.

As elections in the Northern Territory have shown - in fact, the last Legislative Assembly election - sometimes preferences low down on the card that you are very reluctantly forced to give are instrumental in causing people to win seats. I see the honourable Minister for Mines and Energy is nodding his head. It is undemocratic that a vote of preference that I am compelled to place on a ballot paper for a candidate I have absolutely no desire to see in parliament should be instrumental in having that member elected. The system that satisfies all objections and in which an absolute discretion and choice is given to the voter is optional preferential voting. If a person wishes to vote for 1 person, he does so and that vote is counted. If he positively does not wish to vote for any more than 1 person, and that often is the case, he does not have to do so in order to have his vote counted.

Some discussion has been had on the effect of compulsory preferential voting as against optional preferential voting upon Aboriginal people or non-literate people generally. I was not surprised to hear the remark from the honourable member for Stuart on that subject. It was a fairly ignorant remark and it did not surprise me at all. It is a state of mind and attitude that is well entrenched in the community where people equate intelligence with the ability to read, write and speak the English language. The honourable member for Stuart said that the ALP says that Aboriginal people are dumb because they have trouble handling compulsory preferential voting. We are saying nothing of the sort; we are saying that Aboriginal people and other illiterate people have trouble because of their inability to read and write and, in some cases, speak the English language. To equate that inability with lack of intelligence is ignorant indeed.

The Chief Minister devoted some attention to the subject of optional preferential voting and compulsory preferential voting at the electoral education conference at Galiwinku. He said that, on this matter, his party and mine would have to agree to differ. He said that figures showed that Aboriginal people did not have trouble in handling this system. I listened again to the exact words of the Chief Minister on the tape.

I will simply refer members to the last election. There really is a fascinating correlation between the percentage of Aboriginal voters and the informal vote and the number of candidates' names that appear on the ballot paper. There is not the slightest doubt - and I know this from personal contact with them - that Aboriginal people have trouble understanding the logic of compulsory preferential voting, as indeed I do. The more names that appear on the ballot card, the harder it becomes for them.

Let us have a look at some of the figures. In the urban electorates of Darwin, the informal vote ran out at between 1.5% and 2%. When you examine the rural electorates, which have a large percentage of Aboriginal people, you see that, in Victoria River, the informal vote was 2.2% and, in Arnhem, it was almost 6%. In Tiwi, where there were 7 names on the ballot paper, the informal vote was a whopping 10.9%. I should not have to point out to any members of this House that regularly governments stand or fall on 2% of the vote. In fact, the government opposite will stand or fall on 2% of the vote because that is precisely the percentage needed in the Northern Territory to bring that government down. To advocate a system where you have almost 11% informal vote in an electorate is just not supportable at all. The reason for that high percentage is not hard to find. The electorate of Tiwi has a large number of Aboriginal people voting and, at that election, a large number of candidates contested the seat. I know from speaking to the Aboriginal people at Bathurst Island and to the people who scrutineer the polling that the Aboriginal people had a great deal of trouble in handling that many boxes and names on that paper. As a result, we had an 11% informal vote. That does, in fact, effectively disenfranchise a great many people; people whose votes would be significant in an election.

On the subject of tolerance between seats, I will not canvass all the arguments again. What I will do, Mr Speaker, is read a table into Hansard. I have no doubt about the veracity of the figures because they have come straight from the Electoral Office. The table is headed "Enrolment figures supplied by Australian Electoral Office as at 27.7.79":

Alice Springs 2,411
Arnhem 2,160
Barkley 2,154
Casuarina 3,194
Elsie 2,277
Fannie Bay 1,934
Gillen 2,572
Jingili 2,702
Ludmilla 2,599
MacDonnell 2,094
Millner 2,119
Nhulunbuy 2,119
Nightcliff 2,355
Port Darwin 1,871
Sanderson 3,813
Stuart 2,919
Stuart Park 1,821
Tiwi 1,874
Victoria River 2,252

The total enrolment is 45,240. The average size of those electorates is 2,381. The range within a 20% tolerance is between 1,905 and 2,857. On those figures, the electorates of Casuarina, Port Darwin, Sanderson, Stuart, Stuart Park, Tiwi are outside of the 20% tolerance. If there was a 10% tolerance, the electorates of Fannie Bay, Jingili, MacDonnell, Millner and Nhulunbuy would be included in that list.

On the subject of tolerances, the Minister for Mines and Energy had some extremely strange things to say. He said that it does not matter what tolerances you have because it does not take into account all the people who are not enrolled in your electorate. He had an extraordinary story that there are larger numbers of illiterate people or people who are not Australian citizens in Stuart Park than in Sanderson. What the Minister for Mines and Energy did say - and which I agree with absolutely and will be prepared to vote for any time he likes to propose it in this House - is that all people, whether they are on the roll or not, should be equally represented and that, in fact, the number of people in an electorate should be the number of people who are resident in that electorate rather than the number of people who are enrolled. That is excellent Labor Party philosophy and I endorse it wholeheartedly.

There is one clause in this bill which I do find particularly unpleasant; in fact, I think it stinks. That is clause 9. To echo the sentiments of the honourable Leader of the Opposition - and I don't particularly care how many other states in Australia have this particular set-up - not only must justice be done, it must be seen to be done. Governments and their actions must be above reproach. The composition of the Distribution Committee is not supportable. For a government appointee to be the Chairman of the Distribution Committee is simply not on if the government is going to be seen to be fair and impartial. The suggested amendment of the opposition that the Chairman of the Distribution Committee should be a judge of the Northern Territory Supreme Court is one which should receive the support of all members of this House because it makes such obvious sense.

The question of how-to-vote cards received a great deal of discussion and some of the more illogical remarks were made by the Minister for Mines and Energy. I would like to draw once more the attention of the House to a court case which has become a classic landmark in Australian politics: the case of the Kimberley elections in Western Australia. I would like to read from the judgment of Justice Smith in that case on the subject of how-to-vote cards and their use. The logic in this judgment is pretty hard to toss:

> *To my mind, the presentation of a list or a how-to-vote card by an illiterate elector is a proper direction by such an elector, both as to the marking of his first and subsequent preferences, provided that the presiding officer takes the precaution of reading what is written on the list or card to the elector and, by that or other means, satisfies himself that the card reflects the wishes of the elector before he marks the ballot paper. The ability to read or indeed a full and complete knowledge of the preferential voting system are not among the qualifications of electors. It is trite to observe that a literate voter is at liberty to take the how-to-vote card of the candidate of his choice with him to the polling booth when he or she is marking the ballot paper to ensure that he or she completes a formal vote.*
>
> *It is worthy of note that polling booth workers for the respondent were enjoined to ensure that every voter had the respondent's how-to-vote card when he entered the polling place in the following terms: "There is only 1 way to simplify the issue - by getting supporters to follow the how-to-vote card exactly - so please take the trouble to greet every voter and then give the voter the card and say, for example, 'Good*

morning, to vote Liberal, please follow this card exactly'." I can see no reason in logic why a like privilege should not be afforded to an illiterate elector provided that the safeguards of which I have spoken are observed.

Again, I must say that the logic of that decision by the judge is irrefutable.

One of the features of the amendments that I was pleased to see is the deletion of the questions that have been referred to in the House previously. This was the keystone upon which the disenfranchisement of large numbers of Aboriginal people in the electorate of Kimberley was based and a disgraceful affair it was on the part of the Liberal candidate who did it.

The story of the Kimberley election bears examining in a little more detail on the subject of electoral legislation. At one stage during the election, the Liberal candidate flew a team of solicitors to the electorate to act as scrutineers and, in fact, to intimidate voters to the extent that they left the polling booth in disgust without being able to cast a vote. I quote from a publication called "Race Politics in Australia" by Professor Colin Tatz:

Peter Lloyd, one of the Liberal 5, demanded the Halls Creek presiding officer ask each of the questions of electors. The presiding officer was unaware of the section and declined to put the questions. He said he had identified the electors and given them ballot papers. Lloyd insisted, the presiding officer refused but his assistant agreed. To quote from the evidence given in court, "thereafter, throughout the day until late afternoon, a blanket-type of questioning of Aboriginal electors took place. The assistant found his task distasteful. He was aware that Aborigines could not understand the formal language and, when he tried to rephrase more simply, Lloyd insisted on using the language of the act. If an elector gave an incorrect answer to any question, Mr Lloyd would demand that the elector be denied ballot papers. It is not surprising that, in these circumstances, one scrutineer likened the atmosphere in this polling station to a police or criminal court while Mr Lloyd was present. 15 valid Bridge votes were lost at this polling station".

At another polling place in the electorate, the solicitor, the Liberal scrutineer, absented himself from the polling booth on the pretext that he was going to telephone the Chief Returning Officer to ask for a direction that how-to-vote cards should not be used to assist illiterate voters. He went away and made his supposed telephone call, something that was later proved in court never to have taken place, and succeeded in bluffing the presiding officer to go along with what he wanted. the Judge said:

I have no doubt that Mr O'Driscoll concocted the story which he told Mr Webb of the returning officer's change in procedure in regard to the use of how-to-vote cards as a medium of instruction. Equally, I have no doubt that his deception was to further the scheme to stultify the use of such cards.

A letter written by the Liberal Party candidate, Mr Ridge, after he defeated Ernie Bridge, the ALP candidate, to his scrutineer who performed this little stunt was produced as evidence in court. It said: "I didn't underestimate the value of your trick at Go Go on the 19th. We could have been in real trouble without the services of such a person as yourself as scrutineer".

Mr ROBERTSON: A point of order, Mr Deputy Speaker! The person the honourable member for Arnhem is referring to was a minister in the Western Australian government. He is casting aspersions upon a person in another parliament and I understand that we have some convention in relation to that.

Mr COLLINS: I am quoting from the transcript of a court case from the court of disputed returns.

Mr DEPUTY SPEAKER: There is no point of order.

Mr COLLINS: To continue the quote: "Ridge's lawyer claimed diverse meanings of "trick" - to do with games or a spell at the helm of a ship. The judge is reported to have said that there was no indication of card playing or naval activity. The court found that 29 Bridge votes were lost as a result of the trick".

In court, a letter was produced in evidence from the successful candidate Ridge to P.J. Quilty of Halls Creek:

> *It was a degrading experience to have to campaign amongst the Aborigines to the extent that I did and it offended me to know that, whilst I was concentrating my efforts on these simple people over the last couple of weeks, I was neglecting a more informed and intelligent section of the community. It is indeed a travesty of justice that a comparative handful of such ill-informed people who could be used like pawns in a game by unscrupulous opportunists should have the right of the power to determine the future of our state. You are possibly aware that on polling day we had 5 young solicitors fly up. As a result of their activities, I believe we have now enough evidence to try and convince people of the necessity for amending the electoral act in relation to illiterate voters. If this is not done, by the next election there could be in the order of 3,000 to 4,000 Aborigines on the roll and under such circumstances the Liberal Party would be doomed to failure. It is going to be difficult to get through any legislation which smacks of discrimination but I believe that we have an obligation to try.*

Mr Deputy Speaker, I say again that I commend the government and the Chief Minister for amending the legislation to remove the questions that were used as the base for this disgraceful activity in Western Australia. I would like to conclude by talking about the compulsory enrolment of Aboriginal people. Like the Chief Minister, I too have reservations about the implementation of this particular part of the legislation. I applaud its inclusion in the bill and I am looking forward to seeing how it is put into practice. I believe that it is vital because it gives positive emphasis to the fact that the voter education programs for Aborigines, and indeed all people in the community, need to be stepped up. The political education of Aboriginal people has been grossly neglected for a long time now. The fact it is now part of the legislation will give positive emphasis for this program to be stepped up and I know the Chief Minister has asked for this to be done.

I would like to say to the Chief Minister and to the electoral officers that a great deal of common sense, care and sensitivity needs to be applied to the way in which it is carried out. Some mention was made earlier today about the problems of the spelling of Aboriginal names. I would suggest to the Chief Minister that there is an easy, sensible and commonsense way of overcoming these problems: have the communities themselves carry out the enrolments. Obviously, communities where enough people with a sufficient degree of educational literacy to do it should have Aboriginal people as their clerks in identifying people and in getting the spellings correct. As the Chief

Minister well knows - if he did not before, he certainly knew after he had been to the Galiwinku conference - there are communities where Aboriginal people are perfectly capable of carrying this out. In fact, I would say it would be an extremely legitimate and very productive community exercise to be carried out by the councils.

On the same basis, and this was done successfully at the last election, Aboriginal people should be involved in the polling booth itself, if not as presiding officers - and I agree there are many communities where this would not be possible - at least as clerks to assist in the identification of voters so there is absolutely no problem attached to finding a name on the roll. This could provide translation facilities where such facilities are necessary and, in an Aboiginal polling booth, they frequently are necessary.

Again, I would like to commend the Chief Minister on the efforts he has made to amend this legislation. There is not the slightest doubt that, in philosophy alone, the bill before us now is a vastly different one from the one that appeared previously. I applaud the Chief Minister for it. However, there are provisions in the bill that can be improved by the amendments proposed by the opposition and I would ask all honourable members to give those amendments their support.

Debate adjourned.

ADJOURNMENT

Mr STEELE (Transport and Works): Mr Speaker, I move that the Assembly do now adjourn.

I would like to raise a couple of items. The first relates to a question I answered this morning concerning the Dussin contract. I indicated in my reply to the Leader of the Opposition that a letter had been sent to Dussin. I have since found out that we did not send him a letter. We contacted him instead and meetings are still continuing. I understand that the secretary, a senior official of the department, representatives of the subcontractors and the assistant secretary of the Miscellaneous Workers Union met this morning. Other officials will be meeting with Dussin on Thursday and the secretary will be meeting with him on Friday.

There is another matter that came to my attention only tonight and I thought I had best raise the matter in the House. I will read out this short statement that relates to fluoridation of the Darwin water supply.

I was informed this afternoon that the Darwin water supply has not been fluoridated for some 10 weeks. This lack of fluoridation does not contribute to any health hazards for Darwin residents. As members are aware, our water supply is treated with fluoride as a positive measure to control tooth decay. A short period without fluoridation will not have a major impact on this preventative program.

The cause of the lack of fluoridation is complex. Our present treatment plant, which has been operating for some 9 years, is being replaced by a new plant. Unfortunately, the construction of the new plant is behind schedule by some 3 months but will be ready to commence operations in 2 weeks. The existing plant has used an overseas fluoride powder supply of which supplies were ordered to cover the period up to July 1979 when the new plant was expected to be operating. The new plant has been designed to accommodate an Australian fluoride powder to support our local industries and improve the

availability of supplies. There are technical difficulties involved in using an Australian powder in the existing plant which is not justified for the short period.

The new plant will be operating within 2 weeks with an Australian powder and, in the meantime, I can assure people of Darwin that there is absolutely no health danger. I am not qualified on dental matters so I sought advice from the proper level on this aspect through my colleague, the Minister for Health. Dr Anderson, the Director of Dental Health Services in the Health Department, advised earlier this evening that the absence over some weeks of fluoride in water supplies is of no dental significance whatsoever. Incidentally, I have also been advised that, quite independently of my department, Dr Anderson's people regularly test the fluoride content of Darwin water to ensure that we are not getting too much or too little. So, through this avenue and also through inter-departmental liaison, they had 2 means some weeks ago of learning of the present difficulties and, in expectation of these being resolved very soon, there is no reason for concern.

I thought it important to bring this information before the House so that members might have the opportunity to pass it on as accurately as possible to the community. Fluoridation is a potentially sensitive matter and members may wonder why it has taken until this afternoon to learn about this. All I would say, by way of comment, is that officers of both the departments with an interest in this matter see no reason for this concern. I support them in this and my reason for making these remarks is to prevent unnecessary concern occurring within the community.

Mr ISAACS (Millner): Mr Speaker, I want to also be short but not so sweet. Yesterday, a number of statutory declarations were tabled in this Assembly and I want to make a number of comments about them and events which have transpired since. I will not transgress the Standing Orders by alluding to that earlier debate as somebody will stand up and say I am out of order.

Yesterday, a statutory declaration was made out by one Mervyn Robert Elliott and he said in passing that the invoices tabled and shown to me are copies of standard invoices in the form normally issued by the Master Builders Association in the recovery of fees in the association's bylaws. He further declared: "The invoices issued reflect standard procedure in invoicing separately for a government development contract of $2m and $1.5m respectively". He had the chance, I presume, to inspect the photocopies which were shown to him and he clearly took them as copies of standard invoices. Yesterday, the invoices according to the statutory declaration of Mr Elliott were bona fide copies.

Statutory declarations were also tabled that were made out by Mr Brian Norman Hewett who is the President of the Master Builders Association and he said:

> *The first statement for $3,000 relates to the levy on John Holland Constructions Pty Ltd for the value of the contract with the Northern Territory government to build a public wharf facility at Frances Bay in Darwin. In fact, there appears to be a typographical error and "0.15% on 3m" should read "0.15% on 2m". The amount of the invoice in any event is for $3,000 which is 0.15% of 2m.*

Mr Hewett went on to say:

> *I have seen 2 invoices, both dated 28 August 1979, from the Master Builders Association of the Northern Territory to John Holland Construct-*

ions Pty Ltd. One was for an amount of $3,000 and the other for an amount of $2250.

The second invoice for an amount of $2,250 is on the value of the small ships facility being built by John Holland Constructions Pty Ltd which represents the levy on the estimated value of the works.

From both those statutory declarations, it is quite obvious that the copies which were tabled in this House were genuine articles. In fact, the situation yesterday was that the invoices were okay but there was some problem about the handwritten notes; they were doodlings or something. Perhaps some members opposite saw Nationwide last night. I did not. I was at a function, as were a number of members opposite. Apparently a Mr Ollie, an ABC reporter, had spoken to Mr Elliott. I would be pleased to read into the Hansard a transcript of part of Mr Ollie's address last night:

The Manger of Government Business in the Northern Territory Assembly, Mr Jim Robertson, dismissed the note as nothing more than a personal doodling of a man who happens to be an executive director of the MBA, and thus appeared to confirm Mr Elliott as being author of that note. When I approached Mr Elliott and asked him if he had written the note, he replied and I quote: "I cannot determine it to be one of mine. I am not able to say yes or no". When I drew his attention to Mr Robertson's remarks in the Assembly, Mr Elliott expressed suprise and said he would have to have a word with Mr Robertson. Mr Elliott then said of the note and I quote, "Looks to be one of mine on the face of it". The MBA Executive Director pointed out, however, that what Mr Isaacs took to read CLP in the note might in fact be CIP or C/P. He could not say what either of these suggested alternatives might refer to, though. Mr Elliott declined to appear on Nationwide.

Yesterday, so far as the statutory declarations are concerned, the invoices were right but there was some doubt about the handwritten notes. Now we have a situation where Mr Elliott, not in a statutory declaration, says that the documents are forgeries, fabricated by the Australian Labor Party, but he has attested now that the handwriting is his. He has now remembered that CLP in fact stands for CLP. He was not sure about it last night.

There is something more important than that. The Northern Territory News has decided, as is its right, to put out a view that says that perhaps I have been misleading the parliament because these invoices are a concoction on the basis of what Mr Elliott says. They forgot, of course, that Mr Elliott has already attested in a statutory declaration that the invoices are okay. It goes a bit further because yesterday Mr Hall, the Manager of John Holland Constructions, put out this statement in regard to the small ships facility. I quote a paragraph of it:

As a result of today's allegations, I have checked with our accounts section and sighted the invoices. They are for standard MBA contract and industrial service charges which apply to all contracts over $1m.

When I did some logic, which was a fair while ago, you can't have it both ways. Either Mr Hall is right or Mr Elliott is right. The facts are these: Mr Elliott was right yesterday, Mr Hall was right yesterday, Mr Elliott today is wrong and he is lying. One can only assume that he is doing this for a particular reason. He is doing it only to further confuse the issue.

Mr Everingham: Go outside and say that.

Mr ISAACS: They are rabbiting on over there.

Mr Everingham: Say he's a liar outside the House.

Mr Tuxworth: He hasn't got the courage.

Mr Robertson: You're not game because ...

Mrs O'NEIL: Mr Speaker, I draw your attention to the amount of interjections coming from the other side of the House and I am having trouble hearing the speaker.

Mr DEPUTY SPEAKER: I remind the House that the Leader of the Opposition has the floor.

Mr ISAACS: The simple position is that the story today from Mr Elliott is quite different from his story yesterday. If anyone cares to read the front page of the Northern Territory News today, he will get the clear position: on the one hand, there are the statements from the statutory declarations which have an underlying assumption that the invoices are correct; secondly, Mr Hall's statement making it quite clear that the invoices are correct; and, finally, the statement from Mr Elliott today completely contradicting those invoices. I believe that the statements in the statutory declarations with regard to the invoices are correct. I can only assume that Mr Elliott is involved in some cover-up of the true position. It simply again makes the point which we made yesterday. There is only one way to clear up this business and to get to the truth; I repeat again my call for a royal commission into the matter.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the chair at 10 am.

MATTER OF PRIVILEGE

Mr ROBERTSON (Manager of Government Business): Pursuant to Standing Order 72, I rise to speak to a matter of privilege. On Tuesday 18 September, during the current sittings of this Assembly, the Leader of the Opposition moved a motion of censure against the government. That motion of censure, which was so determinedly put by the honourable gentleman, contained the most serious accusations. Those accusations were, in essence, that the government had accepted bribes or kickbacks from John Holland Constructions Pty Ltd in consideration of the awarding of a $2m contract to that company. The substance of this allegation was based upon the tabling of 3 documents as evidence. Two of those documents purported to be photocopies of 2 separate invoices dated 28 August 1979 and were alleged to have been issued by the Master Builders Association of the Northern Territory to John Holland Constructions Pty Ltd for fees on the awarding of a contract from this government and for the development project funded by John Holland Constructions Pty Ltd both of which undertakings are known as the Darwin small ships facility.

Mr Speaker, the whole of the opposition's case to convince the public and, more particularly, the parliament was based on the veracity and genuineness of those documents. The Opposition Leader went to great lengths to convince us and, through us, the public that those documents were what he said they were: actual photocopies of documents sent by the Master Builders Association of the Northern Territory to John Holland Constructions Pty Ltd. His words in reference to those documents were as follows: "Make no mistake about it, those photocopies are of genuine documents".

The Leader of the Opposition was supported by the honourable member for Arnhem in this attempt to convince the House that those documents were genuine and unadulterated documents. His most pertinent words in his statement were as follows: "I must say I would not be, and I make the statement without fear, taking part in this debate if I did not believe absolutely in the authenticity of the documents that have been tabled this morning". Further on in the debate in this House, the honourable member for Arnhem strengthened the above statement by saying: " I know that these documents are authentic". The documents tabled by the Leader of the Opposition were tabled as genuine photocopies of commercial documents. Since the debate, serious doubt has been cast upon the Leader of the Opposition's claim that the documents are genuine. Indeed, serious doubts have been cast upon the entire so-called evidence supporting the claim that these documents are genuine.

On the night of the Opposition Leader's allegation, the Northern Territory manager of John Holland Constructions Pty Ltd categorically denied each and every allegation of the honourable gentleman. It is to be remembered that the reasons for the 2 invoices between the parties, as suggested by the Leader of the Opposition, was that one was for the recovery of fees due properly to the Master Builders Association and the other unnumbered one was for the purpose of an alleged kickback to the Country Liberal Party. The manager of John Holland Pty Ltd emphatically denies the truth of that statement and therefore must cast doubt on the genuineness of the documents tabled.

Further in the public media, the Executive Director of the Master Builders Association, Mr Mervyn Elliott, stated without reservation that the documents referred to above were not what the Leader of the Opposition stated they were. The words of Mr Elliott over his signature in a press statement dated 19 September 1979 were in relation to the documents under discussion as follows:

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"I have had the opportunity of studying copies of the documents tabled in the Assembly yesterday. The invoices are not true copies of either the originals or duplicates of any document prepared by the Master Builders Association. They have therefore been fabricated by or on behalf of the ALP".

If the charges laid by the Leader of the Opposition on Tuesday were serious, as indeed they were, those charges pale by comparison to my charge which I now level squarely at the feet of the Leader of the Opposition. That charge is that the Leader of the Opposition has presented to this Legislative Assembly forged, falsified or fabricated documents with the intent to deceive this House. For the guidance of yourself, Mr Speaker, and honourable members, I respectfully draw your attention to page 141 of May's "Parliamentary Practice" in which it is stated: "It is a breach of privilege to present or cause to be presented to either House or a committee of either House forged, falsified or fabricated documents with the intent to deceive the House or a committee". When coupled with May's view on page 142 that the House may treat the making of a deliberately misleading or false statement as contempt, we see the seriousness of the charge which I have laid. Mr Speaker, I bring up May because our Standing Orders do not directly cover this type of offence and nor do the Standing Orders of the federal parliament on my understanding. Thus, the practice of Westminster, as defined by May, would apply.

The conflicting statements now before us demand an establishment of the truth. As a result of Mr Elliott's statements and evidence which I will shortly introduce, the most senior member of the opposition must be seen by many citizens of the Northern Territory to have been deliberately and consciously embarking on a complex and sinister plot to deceive this Assembly and must be suspected of having used falsified, forged or fabricated documents to further that deception.

I will table 3 documents separately, each of which may be familiar to honourable members. In fact, honourable members to date will have seen only one of them. I say "only one of them" because the photocopy of an invoice no 004917 and dated 28 August 1979 and alleged to have been transmitted by the Master Builders Association to John Holland Pty Ltd and tabled in this House last Tuesday by the honourable Leader of the Opposition, the one with which we are familiar, is a deceitful but clever composite of a copy invoice which is the property of the Master Builders Association superimposed over a Master Builders Association letterhead. Mr Speaker, when I am finished there will be little doubt of this. The only copy of that invoice retained by the Master Builders Association was on a blank piece of paper. The composite tabled in this parliament by the Leader of the Opposition was taken from that document. The only other copy in existence was one sent to John Holland Constructions.

The original copy to the Master Builders Association is marked in red with letter "C". I would ask the staff to distribute it to honourable members.

Mr SPEAKER: I think the honourable the Manager of Government Business is establishing a case which should be established before the Privileges Committee.

Mr ROBERTSON: Mr Speaker, if I may speak to that, it would seem to me that this case is of such a serious nature that you will have to weigh up evidence yourself before you can possibly make a decision as to whether or not to refer the matter to the committee. I am not attempting to pre-empt the decision of the committee because all of this evidence would be available to it anyway. What I am doing is presenting to you a case for your consideration as to whether or not the matter should be taken to the Privileges Committee. Without this information, I doubt there is any basis on which you can make that decision.

Mr SPEAKER: I concede that point.

Mr ROBERTSON: Mr Speaker, the document which has a Master Builders Association of the Northern Territory letterhead and is marked with the letter "C" and has at the top of it "Attention E.R.S. Hall" is a photocopy of the original invoice sent by the Master Builders Association to John Holland Constructions and I table that document for circulation.

The document marked with the letter "A" is an annex to a statutory declaration which I will shortly be presenting to the House. That document is the carbon copy on plain paper of an account to John Holland Constructions Pty Ltd and numbered 004917.

The document marked in red with the letter "B" is the one tabled in this Assembly and purportedly a genuine document as claimed by both the Leader of the Opposition and the honourable member for Arnhem for whom I feel sorry. I will pause while these documents are distributed.

It will be seen that the photocopy tabled by the Leader of the Opposition could not possibly have come from the original held by John Holland Constructions Pty Ltd which is marked with the letter "C". For one thing, the invoice numbers are manually applied in a different position. For another, the notations made by the MBA prior to posting, "Attention Mr E.R.S. Hall", is missing. For another, the bottom figure, $3,000 is in the wrong place. The only copy in existence under that letterhead that had $3,000 in the "total now due" column was that document and that is where it should have been. The composite fabrication tabled by the honourable Leader of the Opposition has that figure outside the bottom column.

Let us compare the copy as tabled in the House with the copy of the Master Builders Association, that is the copy without the letterhead marked with the letter "A". All of the numbers and amounts line up precisely including the most important number of all: the manually applied or damning invoice number 004917. With modern photocopying and printing equipment, such as may be found in the Master Builders Association or a certain newspaper office, perhaps it is a very simple matter to superimpose the letterhead invoice over an unheaded copy.

Finally, even if there was a letterhead copy in the possession of the Master Builders Association, which there was not, then that all-important, manually applied number 004917 would not line up precisely with the unheaded file copy but line up precisely it does. There can be little doubt that the document tabled in this Assembly and purported to be a genuine document by the Leader of the Opposition was a composite fabrication. He must have known that and he must know what course is now available to him. It will be noticed that both the copy and the original documents sent to John Holland Constructions Pty Ltd and the unheaded copy held by the Master Builders Association have had the incorrect figure of $3m altered to the correct figure of $2m. I am informed by both organisations that they did this when the clerical error was pointed out to them as a result of debate in this House.

Mr Speaker, I now table a statutory declaration from Mervyn Robert Elliott of 23 Grevillea Circuit, Nightcliff. It is properly declared and there are copies for everyone:

1. I refer to my statutory declaration of the eighteenth day of September 1979 the contents of which I hereby confirm.

2. That declaration stated at paragraph 3 of the said declaration:

"that the invoices tabled and shown to me are copies of standard invoices in the form normally issued by the Master Builders Association in the recovery of fees under the association's bylaws".

As stated in the said paragraph, the copy invoices shown to me are copies of standard invoices in the form normally issued by the Master Builders Association in the recovery of fees under the association's bylaws. Whilst those copy invoices are in the standard form issued by the association, the association did not issue the invoices from which the photocopies were taken. The invoices the subject of photocopies must as a consequence be fabrications.

3. Paragraph 4 of the said declarations stated:

"The invoices issued reflect standard procedure in invoicing separately for a government contract and a development contract of $2m and $1.5m respectively".

Whilst the photocopy invoices shown to me do reflect standard procedure for separate invoicing, the Master Builders Association accounts the invoices from which the photocopies tabled in the Legislative Assembly were taken were not issued by the Master Builders Association. The photocopy invoices tabled in the Legislative Assembly on Tuesday 18th day of September must, as a consequence, be fabrications.

4. The copy document annexed hereto and marked with the letter "A" is a photocopy of the carbon invoice account sent to John Holland Constructions Pty Ltd by the Master Builders Association. That copy bears no Master Builders Association letterhead. The Master Builders Association took by type imprint no other copies of the said invoice.

There is a typographical error here which I had not noticed before and it is quite obvious that the declarant had not noticed either. What that declaration says is that the annexed document here marked with the letter "A" is the only copy in the possession of the Master Builders Association and that the copies as tabled in the Legislative Assembly by the Leader of the Opposition must therefore have been fabrications.

Mr Speaker, pursuant to Standing Order 72 of this Legislative Assembly, I recommend that you take the matter up with the Privileges Committee in the following terms: (1) did the Leader of the Opposition table in this Assembly a document that was a composite fabrication made up of one or more other documents; (2) did the Leader of the Opposition table that document purporting it to be a genuine document; and, if the answer to (1) or (2) is yes, did the Leader of the Opposition's conduct amount to a breach of privilege of this House or amount to any other contempt of it? I table that letter.

Mr SPEAKER: Honourable members, I refer you to Standing Order 73. Pursuant to this Standing Order, I will consider the request and report back to the Assembly as the Standing Order empowers me to do.

PETITION

Indoor recreation facilities in northern suburbs

Ms D'ROZARIO (Sanderson): I present a petition from 2,662 residents of Darwin and other areas of the Northern Territory expressing their concern at the lack of indoor recreation facilities for use by young people resident in the northern suburbs. The petition bears the Clerk's certificate that it

conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly for the Northern Territory, the humble petition of the undersigned residents of Darwin respectfully shows that there is a lack of recreation facilities for use by young people resident in the northern suburbs of Darwin. Your petitioners therefore humbly pray that this Assembly support the establishment of an indoor recreation and community centre in the northern suburbs, and your petitioners, as in duty bound, will ever pray.

URBAN LAND TENURE IN THE NORTHERN TERRITORY

Mr PERRON (Treasurer) (by leave): Mr Speaker, the reform of the Territory's land laws is a matter of concern to this government and indeed is a subject which has occupied a great deal of attention. We have made advances but there is still much to be accomplished. We inherited a system which is archaic, complicated and confusing and a system which has acted against development. I think it is fair to say that the government is moving in the right direction. The reform of urban land tenure is a topic which I am sure will generate much discussion but, before moving on to that subject, I would like to detail some of the positive steps already taken by the government in the achievement of its land reform goals.

Our policy is designed to encourage and stimulate development throughout the community. There is recognition that it is a large and complex task requiring a great deal of legislative innovation and amendment. We have already extended the provisions of the Freehold Titles Act to include business leases as well as residential leases. The ability to convert business leases to freehold title in fee simple on the completion of development covenants places them on the same commercial footing as their counterparts in the states. It was a measure welcomed in the Territory. The government has doubled the time allowed for residential contruction from 2 years to 4. This is easing pressures on buyers and young couples, in particular, have a distinct advantage in having 4 years to build a home rather than 2.

Early in 1978, new guidelines for freehold subdivisions near towns were introduced allowing for development in a more orderly manner. The recently promulgated Lands Acquisition Act establishes a Land Acquisition Tribunal. It provides safeguards for private individuals and will determine whether the government has a valid need for compulsory acquisition. As an independent body, the tribunal will provide a valuable check and review point in the acquisition procedure and also will be charged with setting fair compensation for land acquired voluntarily and compulsorily.

The government would also like to see its policy of over-the-counter urban land sales implemented throughout the Territory. An adequate land bank in Alice Springs has allowed the introduction of the system there but, unfortunately, until land supplies in other centres improve, public auction will be the rule elsewhere. Auctions will be held in all centres from time to time for land which has distinctive or special characteristics.

Honourable members will be aware of the new scheme of direct grant of vacant crown land for non-rural use. Land may be granted at market value with certain provisions. A similar scheme has been introduced for the use of land on existing rural leases for non-rural purposes. Holders of rural forms of leases may surrender part of their lease in exchange for a special purpose

lease for the development of non-rural activities. The user of the new lease may be the original owner of the rural lease or may be another developer acting with the agreement of the holder of the existing rural lease. Applicants will be charged a price of one half the difference in market value in the new use compared with the old use of the land. Since their introduction in July, applications for speedy release have proved the popularity of this policy.

The new planning act has now been promulgated and is operative throughout the Territory. The Darwin area planning authority has met 4 times and the first meeting of the Alice Springs planning authority is scheduled for late September. In areas where there are municipal governments, it is a feature of the new town planning authorities that there are 3 members appointed by the government and 4 members appointed from applicants nominated by the local municipal authority. For the first time, this introduces a major local interest into the planning area.

To improve its service to the public, the Department of Lands and Housing recently opened a one-stop shop. Queries regarding land availability, zoning, building permits, surveys, maps, indeed any problem relating to land, are dealt with in the one location. An important new innovation allows immediate approval of building permits at the shop where the applicant provides an architect's or engineer's certificate indicating compliance with the building code.

A new area in land production on the Territory in the first instance is about to commence. In its commitment to fostering the private sector throughout the Territory, the government is looking to private developers to produce residential land within a framework determined by the government to ensure efficient, orderly creation of new suburbs. Initially, land developers will be operating in Karama and Leanyer in the northern suburbs of Darwin and, in the near future, they will be contributing to the building of Darwin east. The government is concluding with urgency the framework within which private developers will contribute to the growth of Darwin in a way which maintains its high quality, offers a wider variety of land and housing for residents and, through the introduction of the competitive factor, lowers the cost of land and housing production. The government anticipates major benefits to the people of the Territory from this system over the next few years.

I turn now to a number of innovations which the government wishes to introduce into land and housing development in the near future. For some time, the government has had under consideration a review of the urban land tenure laws of the Territory. At present, the means by which the crown can grant title to land in urban situations is government by a hotchpotch of laws that are most confusing and antiquated. Reference must be made to the Crown Lands Act, the Darwin Town Area Leases Act, the Church Land Leases Act, the Special Purpose Leases Act and other legislation, all developed over many years by a process of frequent amendment. They are all directed to a leasehold system of tenure but there is provision for individual proprietors to apply in certain circumstances to freehold their land under the Freehold Titles Act. The tenure for some blocks of land is derived from old common law grants of titles made prior to the surrender of the Northern Territory by South Australia to the Commonwealth.

The reasons why the land tenure law of the Territory has developed in this way is confusing and complicated. Perhaps someone may one day attempt an historical exercise on the subject, but I fear that few people would now have the knowledge and capacity to undertake such a task. Certainly the complexity of the system makes it a largely inaccessible field of law to all except those regularly engaged in the matter. As Professor Sykes is reported

to have said with obvious frustration, "The exploration of the property law of the Territory was not worth the perspiration involved".

Some time ago, the Else-Mitchell Report was debated in this House. Members will recall that basically it proposed a freehold system of title for residential land but a much more complicated system of title for other land uses. Many members who spoke in the debate expressed concern about aspects of the report while supporting its proposals for residential freehold. That report was commissioned by the Commonwealth but the advent of self-government has changed the position. The Commonwealth is no longer in a position to apply its particular philosophies on the subject of land tenure to the Territory, with the exception of national parks, as the responsibility for such matters has now passed to the Northern Territory. There is now a duty on the elected representatives of the Northern Territory public to consider what forms of land tenure are most suited to the Territory, free from the dictates and persuasions of persons not directly affected by the system.

With this duty in mind, the Northern Territory government resolved to seek advice locally on the matter. The person with perhaps the best knowledge of the history and development of land law in the Territory is a former member of this House, Mr Ron Withnall. Early this year, he was given a brief to report to the Territory government in the following terms: "To consider and make recommendations to the Northern Territory government as to the law relating to urban land tenure in the Northern Territory whereby land is alienated from the Crown, having particular regard to the relevant provisions of the Crown Lands Act, the Darwin Town Area Leases Act and other legislation, with a view to consolidating, simplifying and modernising the law to meet the needs of a self-governing Territory".

His report has now been received and copies will be circulated on completion of this speech. I circulate it on the clear understanding that the report is for discussion purposes only and it does not necessarily represent the concluded views of the Northern Territory government. I invite all persons concerned with or interested in the matter of land tenure to obtain a copy of the report as soon as sufficient copies are available for distribution and to make comments to me on that report. It is not proposed to introduce legislation on the subject until this opportunity for comment has been given and replies considered.

I would like to summarise very briefly the contents of the report. It consists of a narrative document, accompanied by a number of items of suggested legislation. The repeal in toto of the Darwin Town Area Leases Act, the Church Lands Leases Act and the Freehold Titles Act is proposed. Substantial changes to the Crown Lands Act are proposed as well as consequential changes to several other items of legislation. New registration procedures are proposed under the Real Property Act. A new Urban Lands Act is suggested, bringing all aspects of urban tenure under the one item of legislation. It is not, however, proposed that the Special Purpose Leases Act be repealed.

The narrative report outlines the basis of Mr Withnall's proposal. The key to the theme is that all urban tenure will be or will become based on freehold tenure. To enable some controls to be maintained on development, it would be possible under the proposals in appropriate cases to attach development and other conditions to a grant of land. These conditions would be memorialised on the register. It is in this respect that the proposals differ from a freehold system in force in the states. In other respects, the system of tenure would be substantially the same as in the states. It is envisaged that many of the covenants presently attaching to urban crown land leases, such as use covenants,

would disappear from title. The report proposes the new series of freehold title will be issued and that existing urban titles will be required to convert to this new form of title as dealings in the land occur. After 5 years, it is proposed that powers would be granted to compel conversion of all remaining titles.

One exception to the move to freehold tenure would apply in the case of large-scale subdivisions of crown land. In such cases, it is proposed that a development lease would in the first instance issue although, upon completion of the subdivision, new series freehold titles would issue for each individual lot.

To deal with disputes arising under the new legislation, a new lands tribunal is proposed to be modelled on the Lands Acquisition Tribunal. It is envisaged that this tribunal could perhaps acquire jurisdiction in other land matters such as the Land and Valuation Tribunal under the Valuation of Land Act. The proposal to create yet another tribunal is one that the Northern Territory government would wish to closely scrutinise to satisfy itself that its creation was justified. It may be that the matter could be handled adequately by the courts rather than by a tribunal.

The proposals have to commend them the attributes of simplicity and clarity. This is not to say that there would not be many matters of detail that would need to be resolved if they were implemented. At this stage, the government is more anxious to obtain comment on the broad philosophy behind the proposals and whether they would contribute significantly to improvements in the system of land tenure and the economic development of the Territory generally. In broad terms, the government is committed to move towards a freehold system of tenure in urban areas in the Territory. The question now raised is whether these proposals circulated today present the best method of achieving the government's goals or whether some alternative method or methods should be used. I invite all honourable members to consider the report and make constructive comments on it.

Ms D'ROZARIO (Sanderson) (by leave): I move that the statement of the honourable Minister for Lands and Housing and the report be noted and seek leave to continue my remarks at a later date.

Leave granted.

EMPLOYEES LEAVE OF ABSENCE INQUIRY

Mr EVERINGHAM (Chief Minister): I move that this Assembly, pursuant to section 4A of the Inquiries Act, resolve that a board of inquiry or a person be appointed to inquire into, report on and make recommendations to the Administrator concerning leave of absence for employees in the Northern Territory and in particular:

(a) minimum standards of leave of absence for employees where such standards are not provided for in awards, agreements, determinations or other industrial instruments;

(b) the adequacy of existing legislation in the areas of long service leave, annual leave, public holidays and sick leave;

(c) the adequacy of the Employment (Leave of Absence) Bill 1978 for that purpose;

(d) the extent to which legislation should be used as a means of

prescribing such leave of absence; and

(e) any other matters which, in the opinion of the board or person, are sufficiently connected with the provisions of minimum standards of leave of absence for employees.

Honourable members will recall that the government has been concerned to ensure that there are adequate minimum standards of conditions of employment for all employees in the Territory. The Administrator's speech, at the commencement of this Assembly, announced the government's intention to codify the leave of absence provisions scattered through various acts to provide a readily available comprehensive statement of minimum conditions to apply to persons who have no rights under awards or agreements to specific leave of absence.

Pursuant to that announcement, the Employment (Leave of Absence) Bill was drafted and presented to the Assembly. It is a complex bill and the drafting of the bill was a difficult task. The government had no employees with training and experience in industrial matters and, to some extent, the bill as drafted reflects that lack of experience. I may mention here that the government fully appreciated the need for an industrial relations unit. One of our early actions was to create such a unit and I am happy to report that employees have been recruited and the unit is now operating and able to offer advice and assistance in that important field. A number of representations have been made to the government since the Employment (Leave of Absence) Bill was introduced and a detailed study of the bill has been undertaken in the light of those representations.

The review to date has clearly indicated the need for considerable amendment before the bill could proceed. It has also raised disturbing questions on the extent to which we should legislate for industrial conditions as against the practice of determination of conditions by skilled industrial tribunals. Despite the assistance of the industrial relations unit, I am not satisfied that we have adequate skills in this field to determine effectively matters as important as conditions of service. For that reason, I sought expert advice on the problem. I made representations to Sir John Moore, the President of the Conciliation and Arbitration Commission, asking whether the commission could conduct an inquiry into this matter and give us the benefit of their skilled advice. Sir John Moore considered our request but advised that such an inquiry would be outside the charter of the Commission. He advised, however, that the honourable E.D. Taylor CBE, the Deputy President of the Counciliation and Arbitration Commission, would be retiring shortly and would probably be available to conduct such an inquiry. Mr Taylor has been approached and has indicated his willingness to undertake an inquiry of this nature and to recommend to the government the most effective means of giving effect to the government's wish to ensure proper standards for Territory employees. I consider that we are fortunate to be able to obtain the services of a person such as Mr Taylor who has had over 35 years experience in these matters and whose abilities are well known and appreciated by all persons concerned with industrial matters.

It is for these reasons that I move the motion. If it is accepted by the Assembly, I would expect early action to appoint Mr Taylor and would hope for an early inquiry and report so that we may proceed in this important matter. I repeat that we have not been able to come up with answer from our own examinations and we will rely heavily on the skills and experience of Mr Taylor to enable us to proceed. I commend the motion.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the motion and indeed welcomes the appointment of Mr Taylor to conduct the inquiry. Senior Commissioner Taylor, as he was in 1971, had a great deal to do with the establishment of the industrial relations network at Gove and he knows the Territory well. He was subsequently the public service arbitrator and I am sure that he will have the necessary expertise and knowledge to carry out this inquiry.

The question of employees who are not covered by awards is the issue at stake and it may be that, when the Chief Minister looks at the motion, he may feel it is somewhat deficient because it refers to leave of absence conditions for all employees. I believe that, when 20% of the workforce is not covered by an award, industrial agreement or determination, something has to be done by legislation to ensure that those people are given minimum standards. The establishment of an ongoing committee comprising employers, unions and government to continually monitor the level or the minimum standard of leave provisions within awards is necessary.

It is important to ensure that legislation does not act as a pace-setter in regard to conditions of service but simply provides minimum standards of service and conditions for those employees who do not have the protection of industrial award determinations. It has been suggested that one way of ensuring that an award covers all those people who currently are not covered by an award is to have a general long service leave award. My information is that that sort of proposition is not able to be achieved because, to establish an award of the Conciliation and Arbitration Commission, you have to establish a dispute in an industry. If you just have a general long service leave application, you must have employers in industry in which it is to apply.

I believe that the Chief Minister is correct in suggesting that a board of inquiry should investigate the matter. The gentleman who has been selected is an excellent choice. I am quite sure that he will offer very good answers to government in relation to providing these conditions of service for people not covered by awards.

The only matter that I would raise with the Chief Minister is the use of the terminology "leave of absence". I am quite sure that leave of absence does not really apply to such things as public holidays, annual leave and long service leave. Leave of absence generally applies to special leave conditions when an employee is absent for a couple of days. Nonetheless, I am quite sure that Mr Taylor will be able to conduct the inquiry in the manner required.

Motion agreed to.

MINING BILL
(Serial 351)

Bill presented and read a first time.

Mr TUXWORTH (Mines and Energy): I move that the bill be now read a second time.

It gives me great pleasure to present this bill, the purpose of which is to repeal the existing Northern Territory Mining Act and replace that act with updated mining legislation appropriate to the needs of modern government administration which fully recognises the technological advances made within the mining industry in recent years. Before proceeding with further explanation of the bill, I would like to briefly touch on the history of Territory mining

legislation and then emphasise to honourable members the philosophy underlying the drafting of the bill.

Prior to 1939, the principal legislation controlling mining in the Territory was the Northern Territory Mining Act of 1903 of the state of South Australia. In that year, the present mining law was introduced following an inquiry by Mr Telfer from the Mines Department of Western Australia. That inquiry was necessitated by a breakdown in the administration of the Mining Act of South Australia following the mining boom which broke out after the discovery of gold at Tennant Creek in 1932. The main recommendation made by Mr Telfer was that the 1903 act be replaced with a new ordinance based on the mining legislation of Western Australia which, although itself was first enacted in 1904, was in his opinion more suitable for the conditions existing in the Territory in 1939.

In 1939, the mining industry was still in the good old pick and shovel days and the present legislation was built around those conditions. It was designed to be administered by lay wardens and provision was made in the legislation for a warden to adjudicate, if he deemed fit, whilst sitting on a box under a banyan tree. There has been considerable technological change within the industry in the last 15-20 years and, taking into account various other important issues such as advanced land use techniques, environmental safeguards, Aboriginal land rights and the need for updated administrative procedures, Territory mining legislation has fallen way behind what can be considered to be proper and effective legislative control.

It is fully recognised that the Northern Territory has considerable mineral wealth. Many of our mineral deposits are of world significance and, in recent times, the mining industry has had an overwhelming economic importance in the development of the Northern Territory. My government believes that the future of the Northern Territory will continue to depend to a large degree on the development of our mining industry and that appropriate and responsible measures, such as review of our current mining laws, must be taken to encourage continued development for the benefit of all Territorians.

Although man is completely dependent upon minerals for his very existence, he tends, in his present affluence, to take them for granted. Few people relate the hundreds of metal objects they use, the energy they need to power their appliances and construction materials on which the world is built to the search and development of the minerals required to provide these. When proposed mineral activity is being related to the surrounding environment, the current trend is for public opinion to disregard the role of the minerals themselves and to concentrate on the relative worth to the community of the environment and the profit-motivated mining company involved. The correct comparison should be between 2 equally commendable ideals, the need to protect the environment on the one hand and on the other, the need to maintain an adequate availability of minerals for man's needs from both the national and international viewpoints. With this approach, it would be more likely that ways would be found whereby both objectives could be achieved so that the emphasis would be more properly on mining and the environment rather than on mining or the environment.

The question of preservation or protection of the environment has been one of the most emotional issues to affect mining in the industry's history. The controversy surrounding the issue has become very complex and it is difficult to find practical means of handling the problem. However, recognising the national importance attached to continued development of the mining industry, it is essential that practical and rational solutions be achieved. There is no denying that the Northern Territory mining law has left a lot to be desired in this regard and major provisions for protection of the environment have

been proposed for our new legislation. These will not place unrealistic or exhaustive obligations on miners but will ensure that mining and exploration activities are conducted in such a way as to minimise, as far as possible, disturbance to the environment.

Mining industry representatives have continually submitted to government that fundamental to the meaningful encouragement for exploration and development of mineral resources is a legislative system which provides for security of tenure with guarantee of the right to mine any discovery or alternative guarantee of compensation if government policy dictates that mining should not proceed. The underlying philosophy to the current proposals for a new mining act has been to establish legislative procedures which recognise this concept whilst, at the same time, providing the necessary safeguards for government control. Representative of the public interest in mining development proposals are protection of the environment and the consideration of other land use proposals.

The bill reduces the number of mining tenements presently available which, incidently, is in the order of 15 titles with 3 main titles of an exploration licence, an exploration retention lease and a mineral lease and with 2 further titles to cover the extraction of construction materials for the building industry.

I will deal with the provisions relating to exploration licences in more detail later and content myself with saying here that, as the title suggests, such a licence will confer the right to carry out exploration programs for minerals under prescribed terms and conditions. The exploration retention lease is a new innovation in Australian mining law and will form the basis for protection of discoveries made by holders of exploration licences prior to mining development proposals being accepted by the government. Essentially, the lease will confer on the holder the right to execute such works and perform such operations as are necessary to evaluate the development potential of mineral discoveries made during exploration licence activities but will not authorise the recovery of any mineral.

As honourable members will appreciate, before any determination of mining rights can be made, it is essential that the government give due consideration to environmental protection requirements and to a variety of other matters associated with mining development. This invariably leads to substantial lapses of time between applications for mining rights being submitted and the approval of mining development proposals. Whilst these delays are not unduly critical in cases where applications for mining leases have been made by applicants who have not previously undertaken major work in the area concerned, in the cases of leases applied for as a result of activity conducted under an exploration licence, severe hardships are being experienced. The persons involved in such situations have spent substantial sums of monies and effort in discovering mineral deposits of possible economic potential and, with the expiry of the exploration licences as is now often the case, find themselves without adequate protection for their exploration expenditures or the authority to continue with the assessment of their discoveries pending the determination of negotiations for mining rights. The proposal for the introduction of exploration retention leases will alleviate the situation and will also be of considerable benefit to the government as applications for mining rights will not be determined without there being greater appreciation of the mining project under consideration by virtue of the feasibility and other assessment work undertaken under the terms of this lease.

Turning to mineral leases, the revised proposals contained in the bill

will overcome the continuing and present absurd situation of long-term leasing arrangements, presently of the order of $1,000 to $1,500 per year, being applied for and granted on the flimsiest of prior exploration endeavour and primarily to allow further exploration work to be undertaken. In a number of cases, where mining leases have been granted in the past, actual mining development followed long after a lease had been issued and frustrated any government attempts to regulate the mining development taking place. The new proposals contained in the bill will require the minister to consider the issue of mining rights only to proven development projects. This will ensure greater participation by the government in determining the conditions under which mining will proceed and bearing in mind environmental protection needs as well as the most effective means of developing our mineral resources and associated mining structures such as smelters, townships, roads, transport facilities etc.

The system proposed for obtaining construction material - that is, sand, gravel, rock and the like - will provide similar planning opportunities to those indicated on mineral leases particularly in the controversial circumstances of development proposals in or near urban areas.

Consistent with the philosophy of ensuring greater security of tenure and thereby reducing the risk associated with investment in the industry in the Northern Territory, provision has been made in the bill for the payment of compensation where mining rights applied for by the holder of an exploration retention lease cannot be granted due to government policy consideration. Compensation is to take the form of reimbursement of exploration, development and evaluation expenses incurred under the lease plus an additional payment assessed on a prescribed rate of return on capital that would have been obtained had the company invested the exploration expenses elsewhere. The value of mineral deposits discovered by the lessee would not be taken into account in assessing the compensation to be paid. Also, compensation will not be paid where refusal of mining rights was made on the grounds associated with unsatisfactory performance by the lessee under the retention lease or in circumstances beyond the government's control such as the withholding of consent by Aboriginal landowners.

As I have mentioned before, the proposed new mining legislation will give increased security of tenure to exploration companies expending money in the Northern Territory by ensuring that the companies who discover mineral deposits can reasonably expect to develop their discoveries. Within this same philosophy, the government has been seeking to develop a system of royalties that can be incorporated into the new mining legislation. The introduction of a general system of royalties announced in advance of exploration expenditure and applicable to all mining ventures would reduce further the uncertainties associated with mining investment. It is not a simple matter to develop a system of royalties that is suitable across the wide range of circumstances in the Territory and, consequently, a task force comprising representatives of the Department of Mines and Energy, the Chief Minister and Treasury was established early in July and is presently preparing a report on royalty policy for consideration by the government.

The preliminary royalty system that the government has in mind would charge mining companies a reasonable price related to the value of minerals in the ground but will be designed to avoid discouraging exploration expenditure preventing development of economic mines, rendering uneconomic the premature closing of mines and discouraging expansion of mines. When the report has been completed, it will be submitted to Cabinet for consideration with the intention of making a government policy statement for comment early in the new year. In the bill before the House, it is not intended to include specific

details of amended royalty rates in the act but to provide for the setting of such rates in the regulations to the new mining act. In the meantime, I would like to give some further indication of the lines on which the government is thinking on royalty policy.

The Northern Territory government has been granted constitutional rights over minerals on behalf of the Northern Territory people and, in granting private companies rights to explore for and to mine mineral deposits, the government will be guided by the single criterion of providing the maximum benefit to the Northern Territory people. As we see it, our attempt to maximise the benefits from mining has 2 aspects. Firstly, we wish to encourage a high level of exploration activity to ensure that our policy facilitates the development of economic mineral deposits and to ensure that all economic ore is mined. Secondly, we wish to ensure that the Northern Territory community receives a reasonable price for minerals which are made available to mining companies. To achieve these ends, our royalty system will need to have the following features. The royalties should not prevent the investor receiving a reasonable return on his investment and this reasonable return must take into account the high risk of exploration and mineral investment. Accordingly, there will be generous provisions for the recoupment of exploration expenditure and a substantial risk premium before payment of a royalty. The royalty system will also provide for the recoupment of capital expenditure with a reasonable return on investment before the royalty is applied.

Before proceeding with precise explanations of the various parts of the bill, I would like to emphasise 2 or more important points. These are the provisions which have been made in the bill for consideration of exploration and mining rights over Aboriginal land and within the boundaries of Territory national parks and reserves. In the bill, provision has been made reiterating the fact that the grant of mining and exploration rights over Aboriginal land is subject to the restrictions and obligations imposed by the Aboriginal Land Rights (Northern Territory) Act of the Commonwealth. Further provisions call for advance notice of all applications received to be given to the appropriate land council responsible for the area in which the land applied for is situated and the minister cannot grant any such applications without prior approval of the Administrator in Council. With respect to land reserved or dedicated for the purpose of Territory national parks and reserves, provision is made in the bill to enable the grant of exploration and mining titles within such parks and reserves provided the proposed exploration or mining activity is in accordance with the plan of management relating to that park or reserve, the written approval of the minister for the time being charged with the administration of land or of the trustees or other persons in which control and management of the land is vested has first been obtained and the Administrator has approved of the proposed grant and the terms and conditions subject to which it is to be granted.

Parts I and II deal with the legal requirements in connection with the introduction and proclamation of the new act, the definitions to be used and the appointment of responsible officers under the act such as mining registrars and wardens and procedures for the creation of mineral fields.

Part III sets out the procedures for the issue of miners' rights which will authorise the holders thereof to enter upon crown land and prospect for minerals or fossick for gold, gem stones and other semi-precious stones without the need to obtain any further authority under the act. A miner's right will be issued in a certificate form similar to a driver's licence and, as prescribed throughout the bill, will be a pre-requisite to applying for exploration and mining titles under the act. A miner's right will be issued on demand by a warden or mining registrar on payment of the prescribed fee and may be taken out for multiples of one year up to a maximum of 10 years.

Under part IV, exploration licences will be issued to authorise large scale exploration for minerals and the performance of such works and operations as are necessary for that purpose. An exploration licence may be issued over crown land, private land or Aboriginal land and will be in force for a maximum term of 5 years. An important feature of the proposed licence provisions is that, in future, the area to be granted under an exploration licence will be determined on a prescribed block system with individual licences issued in respect of a maximum combination of 500 blocks, which is approximately 500 square miles, with a maximum of 5,000 blocks being allowable to any one person under separate licences throughout the Territory. This system replaces the present practice of issuing exploration licences with boundaries determined in relation to co-ordinates of latitudes and longitudes which have little meaning to the general public when notices of application are being made and advertised in local newspapers. In future, it is proposed that applications will be advertised, with application areas shown in the advertisement, by way of a plan indicating the boundaries of the area applied for in relation to known geographical features or other existing landholdings such as pastoral leases.

In order to prevent the tying up of substantial areas of land and to ensure that exploration companies pursue continuing geological programs, the holder of an exploration licence will be required to reduce the area of this licence by 50% after the first 2 years of the licence term and thereafter by a further 50% on each of the following 2 years. This will mean that, during the fifth and final year, the licence will be down to a little over 10% of the original area granted.

The bill spells out other rights, restrictions and conditions involved in the grant of an exploration licence and ensures that genuine exploration activities will be undertaken by the holder without material disadvantage to other land users and with as little damage to the environment as possible. The holder of an exploration licence has, while the licence remains in force, priority over any other person to have granted to him mining leases within the area of the licence and this is an important component of a security of tenure concept.

Part V of the bill deals with the issue of an exploration retention lease. This can only be applied for by the holder of a current exploration licence over the subject land. An exploration retention lease can also only be applied for and granted where the minister is satisfied that there exists on the subject land an ore body or anomalous zone of possible economic potential. The maximum term for which the lease may be granted is 5 years with provision for 1 extension of the term for a further 5 years. Whilst the lease is in force, it will authorise the holder to carry out geological programs and other operations and works as are necessary to evaluate the development potential of any mineral ore body occurring on the land, including the carrying out of mining feasibility studies, metallurgical testing environmental impact studies, marketing studies, engineering or design studies.

An important feature of these lease proposals that I did not mention to honourable members when speaking earlier in general terms to this new form of title was to indicate that there will be no ministerial discretion attached to the grant of an exploration retention lease; that is to say, providing an applicant complies with the legal requirements of the act and the minister is satisfied that there exists on the land an ore body or an anomalous zone of possible economic potential, the minister must grant the lease. Bearing in mind the concessions which have been made in providing for the grant of exploration retention leases as of right, in order to ensure that this sytem of leasing is not abused or does not lead to prolonging the development of otherwise viable mineral products, provision has been made for the minister

to be able, at any time during the term of the lease, to direct the holder of the lease to substantiate grounds for continuation of the lease. Following consideration of submissions made by the holder, if the minister believes that mining development ought to proceed, he will have the power to direct the lessee to apply for mining rights or suffer cancellation of the lease. On the other hand, if the minister is not satisfied that the lessee is using the lease for the purpose granted he will also, in those circumstances, have the power to cancel the lease. The maximum area in respect of which an exploration retention lease can be granted is 200 hectares which, for those not yet fully conversant with the metric system, is approximately 500 acres. There will be a general limitation of 4,000 hectares allowable under retention leases as any one exploration licence.

Part VI deals with the procedures for the grant of mineral leases for a mining development and for the sale and disposal of minerals. The maximum area of a mineral lease is 4,000 hectares, that is,10,000 acres, and there is to be no restriction on the number of leases which may be held by any one person. A mineral lease will have an initial term of 25 years and may be renewed for a further term of 25 years at the minister's discretion. Notification of applications for mineral leases will be required to be given to owners or occupiers of land that will be, or is likely to be, affected by the granting of any proposed lease. The applications will be required to be heard by a warden in an open court hearing.

An important feature of this procedure is that the warden will have the power to adjourn the hearing of an application and request the applicant to report on particular aspects of the environment likely to be affected by the proposed mine development, the particular measure intended to be taken to protect the environment or a specified element of the environment, the detrimental effects of the mining development and ameliorating effects of proposed or specific actions and the cost of carrying out proposals or actions for the amelioration of the effects of the proposed mining development. On completion of the public hearing, the warden will make recommendations to the minister for the grant or refusal of the lease as the case may be. A mineral lease issued under the act will be subject to prescribed terms and conditions controlling the mining development and ensuring the protection of the environment. Provision is to be made for directions to be imposed on the lessee from time to time during the life of the lease to prevent abuse or rehabilitate damage caused on the surface of the land by mining operations.

Within the terms of the act, a mineral lease may be either issued for the mining of a particular mineral and for all purposes necessary to conduct that mining operation or separately for any ancillary purpose in connection with the mining of a mineral such as: the erection of machinery, conveyor apparatus, plant, buildings or other structures to be used for or in connection with the treatment, processing or refining of a mineral; the erection and use of residential premises or recreational facilities for persons engaged in mining activities; the impounding and retaining of waste resulting from mining treatment and processing; and the construction of water retention systems and roads and the pumping and raising of water.

Leases will be required to be surveyed prior to their issue and, in relation to private land, the mineral lease cannot be granted until such time as there has been paid to the owner or occupier a compensation for: being deprived of the use of the surface or part of the surface of the land; damage to the surface of the land through mining activities; being deprived of the use of improvements on the land; the severence of the land from other land owned or occupied by him; and all other damage to the land or improvements on the land arising out of mining or other work under a mineral lease.

Part VII deals with the procedures associated with the grant of mineral claims which have been provided for essentially to meet the exploration and mining requirements of small prospectors. The grant of a mineral claim may be made over land in respect of a maximum of 20 hectares for a term not exceeding 10 years and will confer on the holder the right to carry out exploration and mining for minerals on such conditions and work as are necessary for the purposes. A mineral claim will be granted subject to prescribed terms and conditions and will have identical provisions regarding notice to other land users, wardens court hearings and granting restrictions and requirements as those proposed for mineral leases. At the expiration of the initial term, a claim may be renewed for further terms not exceeding 10 years at the minister's discretion.

As the mineral claim is essentially to be a small prospector's exploration and small-scale mining title, minerals recovered and sold from the claim area will not attract royalty payment. However, to prevent instances of substantial mining operations being carried out where royalties and more specific mining conditions would be applied, provision is made for the minister to have the power to direct the holder of a mineral claim to convert his holding to a mineral lease at any time during the term of the claim. On receiving a direction from the minister under this provision, the holder must comply with that direction or suffer forfeiture of the claim.

Part VIII deals with provisions relating to the grant of an extractive mineral lease which will confer on the lessee the right to mine construction materials - sand, gravel, crushed rock etc - and the right to carry out ancillary works in connection with the mining of those materials. The lease will be subject to identical legislative provisions that I have indicated for mineral leases with the following exceptions: the lease will be granted over a maximum area of 20 hectares; it will be for a maximum term of 10 years, with the renewal for further terms of 10 years at the minister's discretion; and it will be subject to such conditions as the minister determines.

Division 2 of this part deals with the issue of extractive mineral permits. Such permits will be granted for short-term operations involving the recovery of sand, gravel or soil and will only be issued in respect of crown land. The permit will be mainly used for operations to supply government road contracts and for other similar short-term supply operations. Long-term mining operations will not be allowed under this system and will be catered for under the provisions relating to the grant of extractive mineral leases. An extractive mineral permit will be issued for a limited term of 12 months and the maximum area that may be granted is not to exceed 100 hectares. The permit will be granted at the discretion of a mining registrar and will be subject to mining rehabilitation and environmental conditions.

Part IX: under these provisions, where a mining tenement ceases to exist over any land and the former holder leaves upon the land any tailings and other mining material and does not, within 3 months, remove from the land those tailings and other mining materials, those tailings etc shall become the property of the crown. On the application of a miner, the minister is to have the power to issue a tailings licence which will authorise the licensee to remove or treat tailings and other mining materials which have been abandoned by a former tenement holder. A tailings licence will be made in force for a period not exceeding 12 months and be subject to such terms and conditions as the minister determines. A licence may be renewed for a further 12-month period following the expiration of the initial term. Advice of the tailings licence application is required to be given to an owner of private land on which the tailings are situated and the minister cannot grant a licence until he has

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considered any objections made.

Part X deals with the declaration under the act of land to be set aside as fossicking areas. Fossicking for semi-precious stones and mineral specimens has become a very popular pastime in the last few years and, as a result, contributes an important input into the tourist industry in the Northern Territory. Due to the increasing public interest, tour operators have been active in promoting the opportunities to collect stones or pan for alluvial gold as part of the attraction in bus touring to such places as the Alice Springs region. Unfortunately, our existing mining laws have made access to potential areas difficult for fossicking purposes and there has been a long-overdue need to include appropriate provisions in Northern Territory mining law to cater for the amateur gem collector.

Under the provisions contained in part X of the bill, the minister will have the power to declare an area of crown land as a fossicking area and to determine, by notice in the Gazette, the conditions to be applied to the removal of substances in the area. Whilst the declaration of a fossicking area remains in force, the holder of a miner's right, subject to the gazetted conditions, may search for and remove gem stones or semi-precious stones. The minister shall not declare land held under a pastoral lease to be a fossicking area unless prior notice has been given to the pastoral lessee and the minister has taken into account any objections or other representations made by the pastoral lessee. Whilst the delcaration under this part remains in force, the minister cannot grant an exploration licence or mining tenement in respect of that land.

Part XI deals with special controls relating to the issue of exploration licences and mining tenements in respect of Aboriginal land. These provisions do not derogate from the general provisions of the bill concerning the granting of exploration licences and mining tenements but are complementary to those requirements. They do substantiate the right to grant, subject to the Aboriginal land Rights Northern Territory Act of the Commonwealth, exploration licences and mining tenements in respect of Aboriginal land. Under this part, a person cannot enter into negotiations with the land council for consent to the grant of an exploration licence unless that person has first lodged an application for the licence with the minister and except in accordance with the consent of the minister.

This provision has been made to ensure that land councils are only called upon to assess exploration proposals from an applicant who is likely to succeed in obtaining the grant of exploration rights. In this way the council can be assured that the mining company is reputable and has undergone the government review relating to the technical competence of the applicant, the financial resources of the applicant, the past exploration history of the applicant, the suitability of the proposed work program, the program's environmental effect and the environmental requirements needed to minimise any detrimental effects.

Additional provisions restrict the minister from making more than one offer for the granting of an exploration licence over a particular area unless any previous offer has lapsed by reason of the land council and Minister for Aboriginal Affairs having withheld consent for the grant of an exploration licence the subject of the former offer. This proposal will ensure that an applicant, who has commenced negotiations with the land council by reason of an offer in writing from the minister, is given every opportunity to conclude those negotiations before any authority is given to another party to negotiate similar exploration rights.

Further provisions require notice to be given of all applications

received for exploration licences and mining tenements to the relevant land council responsible for the area. Also, a person shall not apply for or be granted a mineral lease over Aboriginal land unless, at the time of application for the lease, he was the holder of an exploration licence or exploration retention lease in respect of that land. This provision will assist in the orderly development of the mineral resources on Aboriginal land by ensuring that all applicants from mineral leases have gone through the exploration screening process before being in a position to apply for a mineral lease. This restriction is not to apply to a person who has made an application for a mineral lease before the land became Aboriginal land or to the traditional Aboriginal owner of the land.

Part XII establishes the wardens courts, the procedures and jurisdiction of the court and the powers of the warden.

Part XIII sets out general administrative provisions relating to exploration licences and mining tenements not prescribed elsewhere in the act. I do not propose to discuss the provisions of this part in detail because most deal only with registration practices and procedures and dealings with mining titles. I will touch on the more important issues.

By virtue of this part, all applications received for exploration licence and mining tenements, other than exploration retention leases, are required, as soon as possible after such applications are received, to be advertised in a newspaper printed and circulated in the Northern Territory. The advertisement is required to include particulars of each application relating the name of the applicant, the type of title involved, a plan of the area applied for and must stipulate the date after the publication of the notice on or before which objections to the grant may be lodged.

Provision is also made that, in addition to any terms and conditions prescribed elsewhere in the act, all exploration licences and mining tenements are granted subject to the following: that the holder will carry out his exploration and mining programs and other activities on the land in such a way as to cause as little disturbance as possible to the environment and comply with reasonable written directions to take such action as is considered appropriate to minimise the disturbance or make good any damage already caused by the holder including the rehabilitation of the disturbed surface of the land; allow an inspector or any person authorised in writing for that purpose to enter the land to which the licence or tenement relates and examine the activities of the holder thereof; where a condition of an exploration licence or mining tenement requires the holder to do anything in relation to the licence or tenement area and the holder does not, within the time provided in the conditions or within such further time as he is allowed to do that, the government representatives may enter on the licence or tenement area and take whatever action is necessary to rectify any breach of conditions and the cost incurred in carrying out this work shall be a debt payable by the holder whether the exploration licence or mining tenement is still in existence or has been cancelled, forfeited, surrendered or expired.

Under this part, the minister is to have the power to cancel an exploration licence or to forfeit a mining tenement where the holder contravenes or does not comply with a condition of the licence or tenement, a direction given under the act or the regulations or under a condition of the licence or tenement, or a provision of the act or the regulations relating to the licence or tenement.

Part XIV of the bill relates to miscellaneous provisions incidental to the orderly development and control of exploration and mining activities and I will only touch on the more important provisions of this part. As honourable

members will be aware, the Northern Territory government has been granted constitutional rights to regulate mining development of all minerals other than prescribed substances within the meaning of the Atomic Energy Act of the Commonwealth.

In recognition of the Commonwealth's continued ownership of prescribed substances, provision has been made in this part requiring that, notwithstanding anything contained elsewhere in the act and in respect of prescribed substances, the minister shall exercise his powers in accordance with and give effect to the advice of the minister of the Commonwealth for the time being administering section 41 of the Atomic Energy Act and shall not exercise his powers otherwise than in accordance with such advice. This provision is not to operate to prevent the minister from acting without advice with regard to the issue of exploration licences which are granted under the act in respect of all minerals.

Under this part, the minister is to have the power to reserve, by notice in the Gazette, any land from occupation under the act and to authorise a corporation created by statute of the Territory, an authority established by the Territory or a person who has entered into a contract with the Territory relating to the exploration or development of the deposits of particular minerals to occupy that land for exploration or mining purposes for such period and on such conditions as he thinks fit and the person, corporation or authority so authorised may occupy that land accordingly.

Part XIV also contains power for the minister to make regulations prescribing all matters required or permitted by the act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to the act. There are also transitional provisions to cover the rights of holders of existing exploration licences and mining tenements and their retention under existing legislation or conversion to titles under the new act as the case may be.

The bill is a most important and complex piece of legislation replacing the existing 40-year-old Mining Act with legislation designed to meet the needs of a modern mining industry whilst providing, at the same time, adequate protection for other land users and for the protection of the environment generally. The measure provides substantial changes to present mining procedures and, for this reason, I wish to advise honourable members that it is the government's intention to leave the bill on the notice paper until the first sittings in the new year to afford interested parties ample time to examine the bill and make submissions to me on any aspect of concern.

In conclusion, I would like to make a small commendation to an officer of the Department of Mines and Energy, Mr Higgins, who has been working on this particular piece of legislation since 1977 and who has put a great deal of time, effort and personal research into the compilation of the bill now before the House. It is a credit to the department and to the individual officer. I commend the bill to honourable members.

Debate adjourned.

PLANNING BILL
(Serial 356)

Bill presented and read a first time.

Mr PERRON (Lands and Housing): I move that the bill be now read a second time.

Since the introduction of the Planning Act earlier this year, some difficulties have arisen in relation to a number of appeals which were in progress under the old act when the new legislation came into operation. The difficulties are of a technical, legal nature and it is desirable to ensure that, so far as is possible, the rights of those few appellants who are caught up in the change-over of the legislation are not prejudiced by the introduction of the new act. The proposed amendments make it clear that appeals on development applications under the old act continue to be heard with a minimum of fuss under the new act and that appeals on rezoning applications can be heard by the Planning Appeals Committee and be determined in much the same way as the old town planning appeals committee would have determined them. In this way, the rights of those appellants will be preserved and the powers of the Planning Appeals Committee in relation to those appellants are clearly spelled out.

The other amendments are designed as minor corrective measures and also to allow for a reduction in the amount of public notice which is to be given in relation to draft planning instruments. It has been estimated that the current provisions may increase the time taken on minor rezoning to something like 2 months and the proposals allow sufficient flexibility to ensure that notice, adequate and appropriate to the size and scale of the rezoning proposed, is given to the public.

Honourable members should be aware that none of the proposals in the bill deals with the rights which are given to persons to make submissions and objections in relation to draft planning instruments. The government fully supports the policy expressed in the Planning Act of allowing a wide range of public and local input into planning decisions.

I advise the House that it is proposed to pass the bill through all stages during these sittings. I have applied to the Speaker for a certificate of urgency.

Debate adjourned.

DOG BILL
(Serial 348)

Bill presented and read a first time.

Mr DONDAS (Community Development): I move that the bill be now read a second time.

This bill introduces legislation to repeal and supersede the Registration of Dogs Act. It is a subject which will no doubt evoke considerable emotive response. The aim of the legislation is to provide for the registration and control of dogs in the Northern Territory, something which has seen considerable public comment in the past few years. I believe that all members of this Assembly will agree that there is a dog problem in the Northern Territory. It is a growing problem associated with an increasing dog population and an increasing number of uncontrolled dogs. The government introduces this bill as one step towards a solution of this intractable problem. I say "one step" because I believe that legislation will not of itself solve the problem. There are other factors which will be equally important in this respect.

There are a number of organisations in the Northern Territory which, through mutual interest and self-regulation, provide a valuable contribution to the control of dogs in the Territory. Without the efforts of these organisations and other people who do act responsibly in their ownership of dogs, the problem would be much greater. It is unfortunate that the valuable

efforts of these people can be negated by the negligent and the uncaring dog owner. Legislation must be supplemented by education of the public on the responsibility which a person must accept when he acquires a dog - responsibility for a dog and responsibility for the members of the community. It is such organisations, many of which provide owner education, whose cooperation and assistance in the wider education of the public will aid in the reduction of the dog problem. As legislation can only provide a base from which the problem can be tackled, the support of these organisations will be of considerable importance in the implementation of the intention of the legislation.

The task of the government is not an easy one and, obviously, it is neither possible nor practicable to please everyone. It is not the intention of government that responsible owners should be singled out to be penalised. In any legislation of this nature, however, it is necessary that provisions of a general application be included if the uncaring owners are to be brought to task and compelled to accept their responsibilities as owners of dogs.

The dog problem is not confined to the larger urban communities although it is probable that, in these areas, the manifestations are most obvious. Many of the smaller communities in the Northern Territory are similarly affected and, consequently, the legislation must be broad enough to give the means for controlling dogs in those communities. This need presents difficulties in itself because of the necessity to cater for the variation of conditions and tolerance which exists throughout the Territory. In the small communities, the facilities and services available in the larger urban community cannot be provided and alternatives must be considered.

As many members will be aware, I have had a direct interest in the welfare of dogs in the Northern Territory over a period of years. It is this background that has made me aware of the difficulties associated with producing suitable legislation to deal with the question of dog control. It is with these difficulties in mind that I deemed it necessary to circulate a draft bill for comment. A copy of this draft was forwarded to all members of this Assembly as well as many other organisations and members of the public. It is a measure of the concern felt by the community about the welfare of dogs and the overall dog problem that there has been such a prompt and constructive response to my request for comments and I wish to thank those people for the assistance that they have provided, in particular the legislative draftsman and officers of my department who have worked hard to prepare this legislation for introduction at this sittings.

Comments have varied and suggestions have been taken up in many of the provisions. Some of the comments have dealt with matters of law and other matters which may be prescribed by regulation once this bill becomes law. The other comments have been carefully considered and, together with discussions held with individuals and representatives of many organisations associated with dogs, have meant that the bill now before the Assembly is a better bill than it could have otherwise been. I am sure that many of those who have offered constructive comment will find that the bill does take heed of their suggestions. Undoubtedly, many further suggestions will be received in the period between this and the next sittings of this Assembly and I assure you that these will be given full consideration.

It is the aim of the government to produce legislation which will be acceptable to the community. At the same time, it must be recognised that the government has a responsibility to ensure that the legislation has sufficient force to be effective in its aim of reducing the dog problem. In this respect, it is important that we do not lose sight of this objective when considering the provisions of the bill in a later debate.

I turn to consider some aspects of the bill more directly. I am aware that there have been many complaints in the past about the administration of the previous legislation. This present legislation provides for the administration of the act by local authorities where they have been established and by the minister's appointees where those authorities do not exist. In the past, the government had an overall responsibility, in the absence of local authority, for the administration of this law. The regulation and control of dogs, however, is essentially a function of local authorities and this legislation is in line with the expressed policy of this government to devolve relevant powers on those authorities which will include community government councils when established. It is considered that these authorities should have the responsibility for administering the act in their areas. These authorities are responsible for the communities they serve and provide a readily accessible forum for community comment.

In addition to this avenue, the legislation provides for appeal from the decision of registrars appointed to administer the act. The local authorities will have the power to make bylaws under this legislation to enable them to carry out their function.

As there have been a number of matters included in this bill as a result of the suggestions made by interested parties, I would rather members have the opportunity to consider the bill in greater detail than comment on individual clauses at this stage. By introducing this legislation today, members will have an opportunity to consider it. I commend the bill to honourable members.

Debate adjourned.

MATTER OF PRIVILEGE

Mr SPEAKER: Honourable members, I have considered the request of the honourable J.M. Robertson, Minister for Education and Manager of Government Business, that I refer to the Committee of Privileges certain questions relating to a document tabled in this Chamber by the Leader of the Opposition during the course of the debate on a censure motion against the government on the morning of Tuesday 18 September 1979. I have decided that the questions should be referred to the Privileges Committee and the members of that committee have been informed accordingly.

PERSONAL EXPLANATION

Mr ROBERTSON (Manager of Government Business) (by leave): Mr Speaker, on today's ABC news coverage of the statements this morning, the news used the following words and I have a transcript of this: "Outside the House, Mr Robertson said that the government did not have or know the whereabouts of the second unnumbered invoice". It continued: "A few moments ago, the Manager of John Holland, Mr Hall, told our political reporter, Terry Hartney, he had given copies of the invoices, both the numbered and unnumbered ones,to members of government last night. Amongst those present were the Education Minister, Mr Robertson, and the Chief Minister's press secretary". I can well understand the good gentleman's confusion because this whole affair is extremely complex.

The document I was referring to as not being in the possession of the government was the property of the Master Builders Association, a copy without letterhead. That is the copy which is missing to the best of my knowledge. I can only make certain assumptions as to its whereabouts. The copy which has a letterhead on it, that which was sent to John Holland Constructions Pty Ltd, is currently in my possession and will be made available to the committee if it so wishes, as will all the other original documents which I possess.

ABORIGINAL LAND BILL
(Serial 355)

FISH AND FISHERIES BILL
(Serial 313)

Bills presented and read a first time.

Mr STEELE (Industrial Development): I move that these bills be now read a second time.

As members are aware, the government's policy is to develop the fishing industry as a major economic base for the Territory. The growth of fishing and the development of the fishing industry has overtaken the capacity of the present legislation to allow for further development. The Fisheries Bill will repeal the existing Fisheries Act, the Pearling and Pearl Culture Act and the Spear Guns Control Act. It will bring together all legislation relating to these matters and will provide new legislation for a number of critical areas relating to fish and fisheries.

There have been a number of administrative problems with the present Fisheries Act which has been the subject of federal criticism. For example, in 1976, Mr Justice Muirhead, when handing down a judgment in the case of Lindner versus Wright in the Supreme Court of the Northern Territory, remarked in relation to the Fisheries Act: "That, unfortunately, is something of a hotchpotch and it is unfortunate that errors and inconsistencies have appeared which should not be perpetuated". He also said: "Legislation designed to protect wildlife and fish and to regularise the fishing industry must, in important measure, depend upon the effectiveness of its sanctions which in turn require simplicity in procedure and method".

Much of the machinery of the present legislation is embodied in the act rather than in regulations under the act. This makes administration extremely inflexible. In many cases, minor amendments to the strategies for regulating fisheries have required changes in the act itself. The current penalties for fisheries' offences are insufficient to deter illegal activities and, furthermore, there are cases where a significant offence attracts a lesser penalty than a less serious infringement.

The Pearling and Pearl Culture Act was designed to regulate the pearl fishing industry which is now quite small. A considerable part of the act dealt with the protection of employees against health hazards and personal exploitation in a harsh year. These provisions would no longer be required if the Fisheries Act were extended to cover cultured pearl and pearl-shell and the regulation of the pearl fishing that occurs off the Territory coast.

The present Fisheries Act contains a large number of provisions which, by the nature of their detail, leave legal loopholes and are not sufficiently comprehensive to adequately manage the Territory's developing fishing industry. An example of this inflexibility is that, when circumstances may warrant the control of the activities of amateur fishermen, this cannot be achieved except by a complete ban on the taking of specified fish by either amateur or professional fishermen. Honourable members will be aware that such controls have been recently imposed on the barramundi fishery.

Sportfishing is the most important recreational activity for Territory residents as well as providing a major tourist attraction. It has been found that, in the management of the barramundi fishery, the activities of amateur fishermen is a significant fact which must be taken into account. The

management of other amateur fisheries may similarly be warranted as the population and tourist industry develop.

There is also a need to curb the activities of semi-commercial fishermen masquerading as amateurs. The control of the importation for sale of exotic fish in the Northern Territory is not adequately covered in the present act. Although a licence is required for the importation of exotic fish and it is an offence to liberate them within the Northern Territory, it is not an offence to possess certain species which could pose a serious threat to the local environment. The present legislation provides for fishing reserves but it does not provide for the creation of marine parks which it is considered are necessary for conservation and protection purposes in certain areas of the Territory coast.

The definition of "fish" in the present act does not, for example, include coral, pearl-shell, shells, oysters, trochus or beche-de-mer and cannot therefore provide for their management or protection. The government sees a need for the establishment of a fishing industry research and development trust fund to provide finance for research and development projects which would benefit the Northern Territory fishing industry. When established, such a trust fund would also attract an allocation of monies by the Commonwealth to its own fishing industry research trust account on a dollar for dollar basis. A number of projects of local significance including the Northern Territory CSIRO barramundi research project have already been financed from the Commonwealth trust account.

The existing act hardly touches on fish processing. The buying and selling of fish together with the control of quality and of processing premises is needed for products destined for the domestic market as distinct from products for export. The continuing development of the fishing industry and the more recent advent of foreign fishing projects operating off the Territory coast will require shore-based facilities that are properly planned and controlled in conjunction with a fishing port and the service facilities that will emerge. It is quite likely that certain activities associated with processing facilities will not fall within the Commonwealth export regulations. We should provide for these matters now rather than amend our fisheries legislation at a later date.

The principal clause of the bill is clause 13 in division 1 of part III. It embodies the new licensing philosophy and sets out the classes of licences to be introduced together with the activities that may be carried out by those granted these licences. Class A licences relate to a taking of fish for commercial purposes and may be of 2 types. Class A1 licences largely cover owners of commercial ventures, the use of commercial fishing boats and may also relate to the use of a fixed fish trap. Class A2 licences are for employee fishermen who assist class A1 licensees. Class B licences are for fish processing and for fish trading. Class C licences are for fish culture, including pearl culture, and for the regulation of the trade in live fish. Class D licences are to regulate the amateur fishery.

To allow for maximum flexibility, the conditions and limitations will be specified on the licence according to the regulations which apply in each particular case. The regulations may provide for standard conditions which will be used to administer the fishing industry generally by regulating the types of fishing equipment which may be used and the methods of use. The power to make these regulations is expressed far more broadly than in the present act so it will not be necessary to amend the act every time these fisheries problems arise.

A class B licence will be required for any person who buys fish from a

class A1 licensee for the purpose of processing or for resale. A double check will be provided in that class A1 licence holders must provide statistics of their catch and class B licensees must provide statistics of their fish purchases. One of the weaknesses in the present act is that it is difficult to obtain evidence when the legal fisherman sells his catch to a hotel, restaurant or fish shop whereas the new act would make it possible to require statistics to be supplied by the buyers. It will also be an offence under the new act to purchase fish illegally as well as to fish illegally.

A class C licence will be required by a person who cultures or keeps fish for sale or commercial purposes or for the purpose of exhibiting them for profit. Live fish in this case will include live eggs, fry or larvae. The holder of this licence will be allowed to process the fish that he has cultured. This will provide for the situation where pearls are extracted by the licensee on a pearl farm. It also provides for restaurants to sell live fish to their customers.

Class D licences will be required by amateur fishermen who wish to take prescribed fish from prescribed areas. The immediate intention of this provision is to provide for such controls as bag limits. An amateur fishing licence will also be required for the taking of fish using fishing equipment that has not been prescribed under the regulations. The intention is to allow an amateur fisherman to use spears, spear guns handlines, rods, cast nets, pots and dillies without a licence. However, the fisherman must have a licence if he wishes to use more than one pot or dilly and he will be required to licence bait nets. There will be some restrictions on the use of spear guns. For example, amateur fisherman will only be allowed to use this equipment in the sea and he will not be allowed to use it in close proximity to other swimmers.

Clause 15 allows for a tourist operator to obtain a licence for persons who enjoy his hospitality. This may be either a licence for an assistant to a commercial fisherman or an amateur licence. However, if a tourist operator obtains a commercial fishing licence, he will only be allowed to use amateur gear.

Clause 16(2) legalises a practice to be carried on by the crew of prawning vessels who sell in their own names fish other than the prawns that are taken during trawling operations and are given to them by the owner.

Clause 11(1)(c) provides for flexibility in the activities which may be conducted under the licence. A person who obtains a commercial fishing licence for a particular prupose and then wishes to change his activities may do so by applying for a variation in the endorsement on his licence rather than by applying for a new licence.

Clause 11(4) allows for a temporary licence or a temporary variation or transfer of licence. This has been included to cover emergency situations. For example, if a freezer filled with prawns breaks down in a vessel, it may be necessary to tranship to a nearby vessel to avoid loss. The other vessel may not have the appropriate licence to receive the prawns. This provision allows for the granting of a suitable temporary licence by radio or telephone as well as by conventional means. The administrative provisions relating to the granting of licences are contained in division 6 of part III. Normally, you would expect to find them in division 2 immediately following the description of the licences that will be available as set out in division 1. This bill has been set out in the order in which a fisherman would be likely to read it rather than the order in which a fisheries officer would wish to administer it.

Clause 49 is an important provision in division 6. It sets out the various factors that the Director of Fisheries will take into account when considering applications for a licence or an endorsement to a licence. These factors are intended to be wide-ranging. Particular ones that may be of interest to members are paragraph (d) on the desirability of encouraging owner operators and small businesses, (e) concerning the dependence of the applicant for his licelihood on his activities under licence and (g) which addresses the interest of amateurs, special groups and the licensees.

Clause 55 allows for the making of regulations to maintain adequate control over licensees if it should necessary. Division 7 of part III allows for the granting of leases of land for fish culture. A lease will only be granted to a licensee and control over the activities carried out on the lease will be affected by the licence.

Clauses 63 and 64 will enable the lessee to control trespass on his lease. The lease will provide security of tenure for a licensee to engage in fish culture.

Under the provisions of clause 66, a lease cannot be terminated except after reasonable notice is given to the lessee. This will enable sufficient time for the lessee to complete his current operations and remove his equipment.

Division 2 of part III deals with offences under the bill. They are set out in the order in which they are most likely to be read by fishermen. Clause 17 prescribes severe penalties for offences by an amateur fisherman with the provision that, if he can establish that the sale of fish for financial gain was not intended, the penalty will be reduced. A clear target here is not the genuine recreational fisherman but the person who claims to be an amateur who sells his catch. The burden of providing that he is a true amateur will rest with him.

Clauses 20 to 23 control the activities of commercial fishermen using boats. Employees on boats will be required to hold class A2 licences. The name of the skipper will normally be endorsed on the class A1 licence relating to the boat and the skipper must remain in control of the fishing operations and be present in the vicinity of these operations except under prescribed circumstances. These provisions are of particular significance in the barramundi fishery where tender boats are used and nets set at a number of different points and employee fishermen may be involved. The evidentiary provisions of clause 73 also relate to the significance of the controls necessary under those types of operations.

Clause 32 provides that a person shall not sell fish with intent to deceive the buyer as to the true identity of the fish. One of the intentions of this provision is to stop the practice of selling other species as barramundi or as some similarly high-priced variety.

Division 3 of part III controls the introduction, sale and culture of exotic and other fish. Very severe penalties are prescribed for offences under this provision. Subclauses 35(4) and (5), for example, permit a fisheries officer to destroy a fish that has been brought into the Northern Territory illegally. A court may impose on a person who commits the offence an order to pay for the cost of searching for and destroying that fish and its progeny if they are released.

Division 4 part III is intended to indicate that the regulations may cover the total ambit of the fishing industry. The present act is too narrow

in the limits of the situations which its regulations can cover.

Provisions for the establishment of a fishing industry research and development trust fund is made in division 8 of part III. The intention of this trust fund is to assist in the provision of funds for research into all matters that are relevant to fisheries and the development of the fishing industry. All endorsement fees, a prescribed percentage of licence fees, moneys which may be appropriated out of the consolidated funds and any other appropriate moneys will be paid into the fund. A committee composed of both industry and government members will be set up to advise the minister on the disbursement of the funds.

Division 1 of part IV will raise eyebrows. These provisions are contained in other fisheries legislation and they are necessary because of the difficulty in obtaining proof of fisheries offences. Clauses 71 and 72 are the clauses most likely to cause concern and they have been drafted in order to narrow their scope as far as practicable. Clause 71 provides that, if a person had a fish in his possession under certain circumstances, it is evidence that he took that fish. If a person had an item of fishing gear in his possession, clause 72 provides that, under certain circumstances, it is evidence that he was fishing with that gear.

The remainder of the bill is largely taken from the existing act, but I draw members' attention to clause 76 which provides for inspection of a licensee's premises by a fisheries officer at any reasonable time. Clause 75 provides that any place may be inspected at any time but only where the fisheries officer has reasonable suspicion that an offence has been committed.

The general regulation-making power under clause 89 provides for the licensing of persons such as hoteliers, restauranteurs and retail fish shop owners. It is not intended that these provisions will be used at the present time as the regulation-making power also contains provisions for requiring these people to keep and supply records. It is hoped that this simple provision requiring these people to maintain a receipt book showing their purchases will be repealed by the new Fish and Fisheries Bill. The Aboriginal Land Act will need to be modified to make reference to this new legislation. I commend these bills to honourable members.

Debate adjourned.

STATUTE LAW REVISION BILL
(Serial 353)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

This bill is part of the continuing program being carried out by the Department of Law to revise and update the laws of the Territory. All of the amendments proposed in this bill are minor ones and do not effect radical changes to our laws. The amendments include correcting references to the Administrator-in-Council and references in statutes which were not caught when the major self-government exercise was carried out last year. Other amendments are designed to remove sections setting out parts of acts in consequence of the method which is being adopted to reprint the act by printing a table of provisions at the front of the act.

Finally, the bill removes a couple of references to administration of

acts and statutes since, as I explained in relation to the last Statute Law Revision Bill to pass through this House, such references should not appear in an act but should be dealt with by means of the Administrative Arrangements Order published from time to time by His Honour the Administrator.

Debate adjourned.

PHARMACY BILL
(Serial 346)

Bill presented and read a first time.

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

The purpose of this bill is to alter the composition of the Pharmacy Board in accordance with the wishes of the board's pharmacist members. At present, section 7 of the principal act provides that the Pharmacy Board shall consist of the Chief Medical Officer as chairman, a registered medical practitioner as deputy chairman and 4 members, each of whom must be a registered pharmacist. The functions of the board essentially are to assess the qualifications of persons seeking registration as pharmacists and to exercise control over the professional conduct of registered pharmacists. It is considered therefore that we should move towards making the board a function of the Northern Territory pharmacy profession itself.

As a move in this direction, the bill seeks to replace the second medical practitioner member by a pharmacist while retaining, for the time being, the position of the Chief Medical Officer as board chairman. The bill therefore amends section 7 of the principal act to provide that the board shall consist of the Chief Medical Officer as chairman and 5 registered pharmacists to be appointed by the minister. It provides also that, if the chairman is not present at a meeting, the members present shall elect an acting chairman.

It should also be noted that the amendments incorporated in the bill require at least 2 of the 5 pharmacist members of the board to be resident outside of Darwin, thus ensuring adequate representation from other parts of the Territory.

This bill is based on recommendations submitted by the Pharmacy Board and I believe will provide a membership on that board which will be better qualified to fulfil its functions. I commend the bill to honourable members.

Debate adjourned.

CROWN LANDS BILL
(Serial 341)

Bill presented and read a first time.

Mr PERRON (Lands and Housing): I move that the bill be now read a second time.

The purpose of this bill is to amend the Crown Lands Act and provides for the processing of a subdivision of an area under a town land subdivision lease which has been declared an excluded subdivision under the Planning Act. I emphasise that neither the Town Planning Authority nor the government intends to generally exclude from the provisions of the Planning Act subdivisions subject to town land subdivision leases. This bill merely makes provision so that a subdivision may proceed in the eventuality that circumstances should

occur which would seriously jeopardise a major project.

A major contributor to costs to developers of serviced land throughout Australia is the delay in obtaining necessary statutory approvals. Developers are very conscious of this and, if we are to attract the best companies to the Territory to undertake the task of servicing and selling land for housing, commerce and industry, it is essential that they know that, providing they are genuinely endeavouring to get on with the job of providing an attractive variety of land at reasonable cost, they will not be unduly delayed or hindered by any authority. Private development in the Territory is planned in Darwin in the first instance. The responsible town planning authority for this area has already demonstrated that it is conscious of this problem and has recommended an appropriate delegation to ensure speedy processing of applications where there are no major problems. The government applauds this attitude on the part of the authority and the Corporation of the City of Darwin. I commend the bill to honourable members.

Debate adjourned.

LOCAL GOVERNMENT BILL
(Serial 329)

Bill presented and read a first time.

Mr DONDAS (Community Development): Mr Speaker I move that the bill be now read a second time.

This bill replaces the Local Government Bill (Serial 311) introduced in the May sittings and now withdrawn. The bill is designed to apply the same form of preferential voting as provided in the government's new Electoral Bill as well as to clarify the directions to voters as they appear on the ballot paper for the election of mayor and aldermen. The bill provides for an amendment to the fourth schedule which makes it clear to the voter that, in addition to showing his first preference for a candiate, he must show his preference for all remaining candidates. Members will know that there have been complaints in the past about the instructions shown on the ballot paper concerning their inconsistency with a description relating to an informal ballot paper in another section of the act. This has now been removed by a repeal of that section and the substitution of a new section 98 contained in the bill.

To the list of offences under the act in connection with the ballot paper has been added that for the marking of a ballot paper other than one issued by the presiding officer. This is also an offence under the provisions of the new Electoral Bill.

The electoral provisions for the Local Government Act still tend to create a confusing situation because of the different voting system that exists for the different elections and a need is present for a total review of the electoral provisions. For instance, in a supplementary election for one alderman or the mayor or for one alderman and the mayor, the system is preferential. Where, however, in a supplementary election, there are 2 or more aldermen to be elected, then the elections are decided on a first past the post basis. This latter system also applies to the ordinary triennial election of aldermen. A review by my department is proceeding on other areas of the act that need revision and amending legislation will be introduced when prepared. I commend the bill.

Debate adjourned.

AVIATION BILL
(Serial 338)

Bill presented and read a first time.

Mr STEELE (Transport and Works): I move that the bill now be read a second time.

Over the period since 1 January 1977, we have seen transfers to the Northern Territory government of most state-type powers previously vested in the Commonwealth government. There has been a marked improvement in the administrative development of those areas transferred and the bill I now present to the House provides for the important area of control over intrastate air operations to be brought into state-type responsibility within the Northern Territory.

Members will recall that, in my transport policy statement to the House on 27 February this year, I indicated that the Northern Territory government was engaged at the time in the process of identifying policy and legal and administrative requirements in order that the Northern Territory might assume state-like responsibility for air matters. This was being done so that the Northern Territory would be able to take over appropriate elements of air responsibility in due course.

In that statement, I outlined the Commonwealth's role and responsibilities in respect of international and interstate air services and for air safety throughout Australia. In particular, I mentioned the fact that consultative arrangements already existed between the federal Minister for Transport and myself in the area of air service licensing for intra-Territory air services. Whilst these arrangements have been workable as a temporary measure, they at best provide only a stopgap solution since there are inherent difficulties in a situation where legal powers relating to commercial air operations in the Northern Territory rest with the Commonwealth but where, concurrently, the Northern Territory government has responsibility for development of the Territory's economy overall.

In a further statement to the House on 30 May during which I tabled a summary consultant report entitled "A Study of Air Transport Policy for the Northern Territory", now known widely as the Gallagher Report, I mentioned that Minister Nixon and myself had reached agreement for the establishment of suitable arrangements between our governments to enable air licensing powers to be transferred from the Commonwealth to the Northern Territory. Members will be aware that, in his report, Mr Gallagher held the view that the Northern Territory government should assume state-like responsibilities for the operation.

The Commonwealth exercises control over all air safety and navigation efficiency within Australia under the provisions of the Air Navigation Act and Regulations. It also exercises full powers over international air operations and has a range of powers with respect to interstate air operations. This bill provides for the vesting of powers over intra-Territory commercial aviation, other than safety and navigational efficiency issues, in the Northern Territory government. By way of explanation, air operations covered in this bill include the whole field of aircraft activities other than private flying. Thus, aerial work operations, charter services and regular public transport services are all operations that will be the subject of controls as set out in this bill.

The bill sets out in general terms the requirements necessary for intra-Territory operations and matters to be taken into consideration before applications for licences for the various type of air activities are allocated, renewed or varied along with conditions to be attached to any licence given.

This bill identifies different forms of air activity including aerial work, charter work and regular public transport services to facilitate oversight of the different but related interests of each so that the government can use its powers under the bill for the ultimate benefit of the community. In particular, in the fields of charter work and regular public transport, the government believes it has a responsibility to monitor licence applications and determine them after full consideration of the issues involved.

It should be understood clearly by all members that, notwithstanding any licences that may be issued by the Northern Territory government under this legislation, ultimately, the final approval for an applicant to operate an aircraft will continue to come separately from the Commonwealth Department of Transport in accordance with those powers laid down under the Air Navigation Regulations by which the Commonwealth exercises overriding responsibility in respect of aircraft safety.

Members of the House will note that applicants will be required to submit a full range of details as may be appropriate to the particular type of air service they wish to operate. I envisage a method of operation that will provide for close and continuing contact between officers of the Department of Transport and Works and the applicants themselves during the process of evaluating an application. The aim is simply to ensure that such evaluations are carried out in a spirit of cooperation between the members of the general aviation industry and government officers and that, by this means, all applications will receive the fairest possible hearing and the most searching valuation. As part of this process, government officers will be required to have consultation with user groups within the community, as necessary, to evaluate the consumer needs for air services. The bill will allow for members of the industry, government offices and user groups to remain in close contact rather than exist at arm's length. I believe that all members of the House will therefore see this bill as providing for a high level of cooperation between government and industry. The benefit of the consumer and the community at large is its paramount objective.

I said earlier that this bill has been specifically drafted to reflect operating conditions and requirements within the Northern Territory. The same conditions make it necessary to have and to be able to apply strong enforcement provisions if an efficient aviation industry is to exist here. The aim of the enforcement provisions of this bill is not merely to punish offenders under the proposed act but rather to provide clear and ample warning that the government intends to set in motion an effective piece of legislation that will allow for proper development of aviation in the Northern Territory.

This bill places a licence readily within the grasp of any operation who makes a genuine application and, in so doing, provides for rational development of Territory aviation. It is my belief that Territory development overall depends as much on planned development of the total transport infrastructure as on any other factor. This bill is only part of a much wider thrust that has included the construction of the Darwin landbacked wharf, the upgrading of the regional road system, maximising the value of the Tarcoola-Alice Springs railway due for completion next year, investigations into upgrading of Darwin Airport facilities and so on. In the field of air transport, the government has been strenuous in its effects to see a viable regional airline established without delay.

Rather than take time reciting the history of negotiations between Connair and other airline companies vying for the takeover of that airline, I will refer them to the comments made in this House by the Chief Minister on 11 September in which he reaffirmed the government's interest in seeing a soundly-

based, regional airline established against a background of our insistance that such a move be made with one object in mind: that the people of the Northern Territory benefit. A better deal for the people of the Northern Territory is the cornerstone of the government's air transport policy and the bill now before the House is a direct reflection of this.

The government proposes that the bill will be brought into force in January 1980 and, in this context, discussions are continuing between the Northern Territory and Commonwealth governments over essential changes necessary to the Commonwealth Air Navigation Act and Regulations as well as other aviation-related legislation in order that the government's timetable may be met. Within this framework, I conclude by commending this bill to members as a sound, constructive way for the government to exercise its responsibilities and enhance the development of the Northern Territory.

Debate adjourned.

SUMMARY OFFENCES BILL
(Serial 342)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

The purpose of the bill is to provide a means of action against the making of those noises which disturb or offend persons. As all honourable members will appreciate, noise within a community is a constant source of complaint and requests for legislation to prevent noise are made to every member. It is not an easy matter to deal with. Although it is possible to make objective measures of noise levels, it is difficult to apply those measures to people. Different people react differently to different noises and individual reactions to noise can vary in a person because of mood or circumstance. When happy, a noise can be less disturbing than when angry. The noise from a party can be a happy background to a participant but, if he were a neighbour not invited to the party, the same noice could be offensive. A considerable amount of work has been done on examination of noise control legislation, including that relating to scientific measurement of noise. We have not been able to come up with anything yet that would seem to be effective and applicable in Territory circumstances. A consideration of the noise problem, however, reveals a fairly common pattern of complaint and the areas of concern can be identified. Most complaints are concerned with noisy parties, mechanical or construction work in residential areas, domestic noises, noisy vehicles and noisy animals. This bill relates to the majority of such noise. The Minister for Transport and Works will be introducing a Motor Vehicles Bill which will, amongst other things, take up the aspect of noisy vehicles. The Minister for Community Development has introduced a Dog Control Bill which will provide, amongst other things, for action against dogs which are a noise nuisance.

This bill provides firstly for the noisy party situation. There are provisions in the Summary Offences Act relating to noisy parties but they have been shown to be inadequate. The bill proposes to repeal and replace section 53(2) to (6), the present relevant provisions. They provide for complaint in respect of noise from premises after 1 am for a warning period of half an hour and for action against the person in charge if the noise is not abated. Those provisions have been criticised on the grounds that 1 am is an unreasonably late time and, when the half hour warning period is included, it means that no action would be possible until 1.30 am at the earliest. In practice, this probably means about 2 am as the offence is only related to the person in charge

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and there are difficulties in identification and also the possibility exists that the actual person in charge is not even aware of such warning. Of course, the responsibility for undue noise cannot all be sheeted home to the person in charge and the amendments I propose take notice of this. I propose that a complaint may be made in respect of undue noise from premises any time after midnight. If satisfied that the complaint is reasonable, a member of the police force may direct persons on the premises to cease or abate the noise. If the noise does not cease within 10 minutes after the direction, all persons participating will be guilty of an offence.

There are noises from premises other than late parties which cause real disturbance to people; for example, panelbeating in the yard, domestic disturbances, noisy animals and unreasonable use of power tools. I propose to insert a new provision, clause 53(a)(i), to enable action to be taken in such circumstances. The offended person may complain to the police and a member of the police force may direct the person responsible to cease or abate the noise. If he does not do so within 10 minutes after such direction, he will be guilty of an offence. There are also very disturbing noises made on unoccupied land and the use of trail bikes in certain areas is the best example of that. Proposed section 53A(2) provides similarly for complaint and action in respect to those noises.

All of these provisions relate to continuing noise which unduly disturbs other people and which can be heard by a member of the police force responding to a complaint. There are other noises, however, which may be made with sufficient frequency to cause distress and disturbance to nearby residents and which, by their irregularity or intermittency, are not subject to action under these sections. A person tuning cars on his premises, for example, may often cause distress by loud revving of motors. If a complaint is made, it is likely that there will be no noise when a member of the police force responds. For such circumstances a new provision, proposed section 53B, will enable offended persons to complain to a justice and, if satisfied that the noise is unreasonable, the justice may issue an order directing that the noise be stopped or abated or confined to certain hours. Failure to comply with such an order will be an offence.

Finally, the bill will insert a general regulation-making power and also a specific power in proposed section 92(2) to prescribe hours for the use of specified tools, equipment or machinery. That sort of power has been used in a number of states to restrict the hours in which motor-mowers may be used.

I believe that the provisions of the bill will provide a means of relief in respect of the most common complaints of disturbance by undue noise. I am concerned that it is necessary to make legislation of this nature. Noise is an inevitable feature of urban living. Normal neighbourly relations can often resolve problems without the need to resort to legislative sanctions. In many cases, a person offends with noise without being aware of it. Whilst the law is necessary for protection against anti-social uncaring behaviour, I would hope that people offended by noise would first try talking to those making the noise and so seek an amicable resolution. Recourse to the legislation should only be a last resort.

These are the government's proposals to cure this particular situation. I will be very interested to hear proposals that honourable members opposite might have to put forward and welcome comments from the public on what is proposed because this problem causes a lot of irritation especially in Darwin and Alice Springs. Many people make complaints but not too many of them propose solutions. I commend the bill to honourable members.

Debate adjourned.

HOSPITALS AND MEDICAL SERVICES BILL
(Serial 345)

Bill presented and read a first time.

Mr TUXWORTH (Health): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to enable charges for hospital and medical services to be determined by the Minister for Health by notice in the Gazette rather than by regulations under the Hospital and Medical Services Act as at present.

Honourable members will be aware of the spiralling costs of health services and of the difficulties all governments face in trying to contain those costs. One of the unfortunate consequences of those spiralling costs is the need to frequently review the charges made for health services to maintain reasonable relativity between costs and charges. The procedures involved in having charges amended by regulations are inappropriate and cumbersome and cause considerable revenue to be lost. In all cases, the charges are based on well-established costing principles and there is every reason why the minister should be empowered to apply those principles directly and so enable charges to be varied with the minimum of delay.

I am well aware of the arguments against transferring such powers to individuals merely to achieve administrative convenience, however, I believe that it is warranted in this particular case and I can assure honourable members that there is no intention to use such powers to introduce charges which are not strictly in line with established policies. I commend the bill to honourable members.

Debate adjourned.

FINANCIAL ADMINISTRATION AND AUDIT BILL
(Serial 349)

Bill presented and read a first time.

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

Mr Speaker, the Northern Territory (Self-Government) Act of the Commonwealth authorises the Territory and its authorities to borrow monies otherwise than from the Commonwealth and provides that the Territory may give security for the repayment of the amounts borrowed and the payment of interest by the issue of securities of such kinds as are prescribed under a law of the Territory.

When the Territory's financial administration legislation was being drafted, the terms of the Northern Territory (Self-Government) Act were not available. Furthermore, it was not anticipated that the Territory, in the early stages of self-government, would be entering the loan market as a borrower on behalf of its authorities in the same way as the Commonwealth and state instrumentalities fulfil their loan programs, that is, by the public issue of securities such as inscribed stock. In the current financial year, however, the Electricity Commission, the Housing Commission and the Jabiru Town Development Authority have a combined requirement for loan funds of almost $32m. The Australian Loan Council has approved a Territory borrowing program of that order. A program of that dimension can best be achieved by providing the potential lenders with negotiable and marketable securities that can compete

in the market place with the stock of semi-government borrowers. This measure therefore is designed to provide the legislative machinery for the Territory to become a public borrower in the Australian semi-government loan market along with the instrumentalities such as Telecom Australia, state electricity commissions, public works authorities and many others.

I will deal with the provisions of the bill. Clause 3 removes from the principal act definitions which are already contained in the Interpretation Act 1978 and are therefore superfluous in the Financial Administration and Audit Act. This is a piece of legislative spring-cleaning.

Clause 4(1) introduces into section 31 of the principal act the concept of the Territory issuing securities for its loans in its own right and provides for regulations to be made prescribing the form of security to be issued to protect investors. This provision is fundamental to the raising of public loans. Subclause (2) has distinct purposes. Firstly, it clarifies the intention of section 31(4)(a) and (b) of the principal act which, as I mentioned, was drafted before enactment of the Northern Territory (Self-Government) Act and the meaning of that provision is, in light of sections 46 and 47 of the Commonwealth act, somewhat obscure. Secondly, in the new paragraph (4)(c), it enlarges the circumstances in which a suitable account with a trust fund can be used to receive and disburse loan moneys.

This provision is aimed at the purposes of the current year's loan-raising program of $32m which will be in the form of consolidated loans, raised in the name of the Territory, and then lent to the Electricity Commission, the Housing Commission and the Jabiru Town Development Authority. As section 31 of the principal act now stands, such loan monies would need to be credited to the consolidated fund and then appropriated from that fund before they could be then lent to the authorities on whose behalf the loans were raised. Such an effect would be contrary to the purposes of loan raisings as approved by the Loan Council. It would be a result not intended when the original subsection 31(4) was drafted and would cause an artifical inflation on both sides of the Northern Territory budget. This provision will enable the Treasurer to specify that the purpose of a loan by the Territory is to raise money for a particular authority or authorities and, when the loan monies are received, to credit them to the trust fund and pay them out to the authority as a loan. The old subsection 31(4) provided such machinery but only when the Territory was borrowing from the Commonwealth.

Clause 5, which amends section 33(2)(c) of the principal act, is intended to remove a certain convolution of interpretation in the present wording caused by the phrase "on a security on which the Treasurer may make that loan". This seems to require that not only must the person or body be authorised by an act of the Territory to borrow from the Treasurer but must also be capable of issuing to the Treasurer securities in the form of, for instance, Commonwealth or semi-government inscribed stock. It is difficult to see how a loan would be of benefit to a borrower in those circumstances. Clause 5 will state the situation quite simply by providing that, where a body such as a statutory corporation has legislative authority to borrow from the government, the Treasurer can use his investment powers,for example, to provide temporary accommodation or bridging finance to that body.

Clause 6 corrects an anomalous situation which arises when, as is intended, the Territory makes loans to prescribed statutory corporations. As subsection 63(3) now stands, the Territory would, in those circumstances, be both the lender and the guarantor. This is an absurd situation.

Clause 7 introduces into the regulation-making powers of the principal

act specific matters relating to loans and investments. In particular, it provides for regulations to be made governing the issue of prescribed stock as security for loans and for the management of registries of inscribed stock including the receipt of subscriptions and the transfer of redemption of stock.

The bill is complementary to the existing legislative authority to borrow monies on the public credit of the Territory. It provides the means of issuing negotiable and marketable securities to subscribers to loans as envisaged in subsection 47(4) of the Northern Territory (Self-Government) Act of the Commonwealth. By the issue of such securities, the borrowings of the Territory can be covered by a Commonwealth guarantee pursuant to subsection 47(4) of the Northern Territory (Self-Government) Act. I commend the bill to honourable members.

Debate adjourned.

LOCAL GOVERNMENT BILL
(Serial 337)

Bill presented and read a first time.

Mr DONDAS (Community Development): I move that the bill be now read a second time.

As the Chief Minister has indicated, this bill is complementary to the Firearms Bill which was introduced during these sittings. Under part VI of the Firearms Bill, the responsible minister may declare an area to be a restricted area for firearms. However, if the area forms a whole or part of a community government area, the minister is required to first consult with the community government council where that council has bylaw-making powers in respect of firearms. The Local Government Bill provides for a reciprocal consultation with the Commissioner of Police in the case of the community government's council intention to exercise its powers to make a bylaw with respect to firearms. I commend the bill to honourable members.

Debate adjourned.

MOTOR VEHICLES BILL
(Serial 343)

TRAFFIC BILL
(Serial 344)

Bills presented and read a first time.

Mr STEELE (Transport and Works): I move that the bills be now read a second time.

In my statement on road safety in the House on 29 November last, I foreshadowed legislation that provides for defect notices on vehicles to empower police vehicle-testers and transport inspectors to place a label on a defective vehicle and require it to be produced for inspection when the necessary repairs have been carried out. These 2 bills do just this.

Similar legislation exists in Western Australia, South Australia, New South Wales but the need, if anything, is greater in the Northern Territory because there is a high incidence of interstate vehicles not subject to normal registration checks and because Northern Territory conditions contribute to

significant extra wear. Approximately one third of the vehicles inspected for registration are in fact unable to meet normal registration safety requirements. The issue of defect notices is therefore an essential move to complement our annual registration inspections.

The Motor Vehicles Bill contains provisions necessary to introduce defect notice legislation and basically provides for the police or transport inspectors to issue a defect notice and label when faults are found which requires the persons to have the fault remedied. The notice may also specify the circumstances under which the vehicle can be moved for the purpose of having the faults remedied. This is particularly important when the fault could endanger the safety of the person or another road user. The bill provides that defect labels may only be removed after the vehicle has been officially inspected for compliance. Illegal removal of a label will incur a penalty.

The Traffic Bill is a consequential amendment to the Traffic Act to include an on-the-spot penalty where a defect notice has been tampered with without authority.

I consider the introduction of these bills another major step in this government's constructive approach towards enhancing road safety throughout the Territory and a measure that the conscientious motorist should welcome. I commend the bills.

Debate adjourned.

INDUSTRIES TRAINING BILL
(Serial 352)

Bill presented and read a first time.

Mr ROBERTSON (Education): I move that the bill be now read a second time.

The Industries Training Bill will provide impetus to the government's developing program of providing the necessary and sufficient background to ensure that those able and willing to undertake training for industry may do so. The bill provides for the establishment of a commission to be known as the Industries Training Commission. Even though this second-reading speech might not be short, the bill is a relatively short and flexible one for the contribution it is expected to make to the industrial training in the Northern Territory.

There are 5 parts to the bill of which the more significant are part II, which provides for the establishment of an Industry Training Commission, part III which establishes certain principles on which the arrangements for industry training are based, and part IV dealing with the apprenticeships. At the outset, I wish to assure members of the intention to retain, at least for the foreseeable future, apprenticeship as the centrepiece of training for industry. Whilst there will be significant upgrading of the image of apprenticeship, the course syllabuses and the physical training arrangement it is considered that the apprenticeship system should be retained. Nonetheless, there is an evident need to make arrangements to meet training needs in the fields of skilled and semi-skilled trade areas not covered by apprenticeships.

Where apprenticeship training falls short of Territory needs for vocational skills, the commission, in addition to its responsibility for apprenticeship, will be required to develop, supervise and co-ordinate training to meet the needs in liaison with the Post-School Advisory Council and training agencies. After much deliberation, the government resolved to establish a

commission as a separate statutory authority. A commission is preferred for the following reasons: the statutory status and formal responsibilities of the commission are likely to encourage the appointment of a higher standard of industry representation and result in more responsible employers, unions and regional committees; there is likely to be more effective implementation of decisions because the involvement of formally responsible representatives of industries and unions will result in minimal resistance and dissension between the administrative body and industry and also between sectional interests within industry; and the commission would continue to build on the existing representative arrangements that apply to apprentice training in the Territory and be consistent with the procedures introduced in recent years in Victoria, Western Australia and, more recently, placed before the Queensland parliament. Similar developments are under consideration in New South Wales and South Australia.

Turning now to the bill itself, clause 9 deals with the commission membership. It is proposed that the new commission be comprised as follows: 1 chairman to be appointed from 2 public service representatives; 2 employer representatives; 2 employee representatives; and 1 person with appropriate qualifications or experience in post-school education. An important principle adopted in forming the commission is that, whilst it will be representative of the relevant training interest groups in the community, it will be a small body. Clause 25 states that this group will be small in number and of an ad hoc arrangement, appointed on a representative basis to advise the commission on matters relating to its functions.

This legislation will enable the commission to appoint specialist trade advisory committees to assist the commission. These committees will be establsihed for the specific purposes of regional areas and, for example, will examine particular industry manpower requirements and training needs, formulate, in conjunction with training agencies, a trade syllabus of instruction for use of the training agency, examine the requirements of training and train personnel in particular geographic regions of the Territory and consider applications for cancellation and disciplinary problems.

Clause 26 states that each committee would be under the chairmanship and/or direction of the chairman and the recommendations of such committees would be submitted to the commission for ratification, except perhaps in the case of a cancellation or disciplinary problem when it would act on a specific delegatory authority from the commission.

Clause 34 contains legislative provisions relating to training arrangements for non-apprenticeship occupations. They form a separate part of the bill and will not be as comprehensive or of such a compulsory nature as apprenticeship arrangements.

Clause 38 provides power for the commission to exempt persons in specific situations from the provisions of the act. The reasons for that will become clear later on. By clause 38, the commission will have a general power to exempt persons, in certain circumstances, from the compulsory nature of the provisions of the act and thus permit them to be employed as unapprenticed juniors in an apprenticeship trade.

Some important new provisions regarding apprenticeship are included under clause 46 such as improved administrative procedures for the indenturing and assignment of apprentices, including those deemed to be indentured after a specific period of employment with an employer.

Clause 55 is designed to streamline the indenturing process. The present requirement is for 4 copies of an indenture to be filed and the proposal under

this new clause will be for 1.

Clause 52 states that the probationary period should be 3 months on commencement of apprenticeship and 3 months in the case of a transfer to a new employer. However, in order to overcome delays in processing the indentureship forms, it is proposed that, 30 days after the expiration of the probationary period in each case and if the probationer is still employed, the probationer will be deemed to be apprenticed to the employer irrespective of whether the employer has in fact signed the indenture. The reasons for that should be fairly obvious to honourable members. An apprentice should not be disadvantaged because the employer does not sign the apprenticeship document and yet continues to employ the person in that capacity for an undue length of time. This type of deeming provision, if we can use that term, should protect probationary apprentices' employment where employers have been tardy in returning signed forms. The 3-month probation period is meant to be the assessment period for either party. Continued employment in the trade by the same employee after this period signifies acceptance of the person as an apprentice and the deeming provisions would operate after 4 months of employment. Indenture papers would still be signed but the apprentice's employment would be protected.

Clause 74 provides a power to suspend an apprentice's indenture for certain reasons. In some cases, where an employer suffers temporary work shortage and is unable to keep an apprentice gainfully employed, it may be desirable to suspend the apprentice's indenture for a period rather than cancel until the work situation improves and the employer would be bound to re-employ the apprentice. Another innovation is the concept of group apprenticeships whereby an apprentice can be indentured to an association of employers. Group apprenticeship schemes can be utilised in cases where employers are unable to provide sufficient training for an apprentice either because of lack of work or a narrow range of skills performed.

It has been considered necessary to provide cover for the commission to approve employers' training centres or establishments as premises for the conduct of training courses under the act. Some employers have their own training centres which are very well equipped and, rather than have apprentices or trainees travel to central educational institutions, the commission may approve the employer's facility for the training course. This situation is particularly relevant to the conduct of industrial training course in the non-apprentice occupations. I might mention the excellent work that Nabalco do with the training of apprentices within their own industrial set-up. They have their own industrial, apprentice-training officers.

In support of the foregoing provision, the commission and committee members, as well as trained supervisors and apprentice inspectors, will have power to enter premises to inspect the training facilities. For the commission to be able to approve employers' facilities and training centres as suitable for the conduct of job training, it will be necessary for such facilities to be inspected initially by the training supervisors but occasions may arise when the commission or advisory committees will also need to be able to enter premises and inspect the facilities.

It is proposed to re-title apprentice inspectors as training supervisors. I suppose it sounds less dictatorial. The reason given is because they will have training functions as well as supervisory functions. The training supervisor will have the responsibility to interview apprentices, trainees and employers to ensure compliance with the provisions of the act and to ensure the best deal possible for the apprentice.

The commission needs the flexibility to be able to issue a completed

indenture to an apprentice who has completed on-the-job training but has not been able to attend a trade course and therefore cannot qualify for what used to be the final certificate. The present legislation is too rigid in that an apprentice has to complete his period of apprenticeship and the trade course to qualify for the final certificate, otherwise known as trade papers. In some cases, a trade course is not available for an apprentice to attend or there may be special circumstances why an apprentice cannot complete a trade course to qualify for a final certificate.

Within clause 39, an important provision relates to persons under 21 years of age. The bill provides that a person shall not, except with the approval of the commission and subject to such terms and conditions as the commission thinks fit, employ anyone below the age of 21 years in any declared apprenticeship trade unless the person so employed is a probationary apprentice, an apprentice or a person who has completed an apprenticeship in that trade. This has been a contentious matter because some believe that it appears to deny job opportunities to young persons. However, there has been similar provisions in the existing Apprentices Act for years. I am not aware that it has caused any loss of jobs or employment opportunities. The aim of the provision is to ensure that a skilled workforce is created from within the Northern Territory to meet the emerging needs of the Territory's industries and to stabilise the local workforce as an alternative to importing skilled labour.

By clause 34, the commission will have powers to endorse courses of training in non-apprenticeship occupations and supervise the standard of on-the-job training. Persons successfully completing this type of training would then be given accreditation by the commission. It is about time that we did this sort of thing. In conjunction with industry, the commission's role would be to identify the particular industry's training needs, arrange courses, including the training syllabus to meet those needs, oversight the standard of training and issue accreditation on completion. For example, where industry requires a number of highly-skilled aluminium welders who are familiar with using the argon arc technique, it is unnecessary to train someone for that type of industry in the full range of trade certificate welding courses. We will move into trade training which is more relevant to the needs of industry.

Such powers relate not only to apprenticeship trades but to various occupations in industry where the commission and industry considers there are needs for training and it is desirable that such training be under the umbrella of the commission. The courses may take the form of pre-apprenticeship or pre-vocational courses, adult training or retraining courses, training in semi-skilled occupations or in the commerce sector and will also include Aboriginal vocational training. It has not been easy to write into the legislation precise definitions of skill areas which will stand the test of changing technology. The intention of the government is that the commission will not involve itself in professional and scientific vocational training. I commend the bill to honourable members.

Debate adjourned.

LOCAL GOVERNMENT BILL
(Serial 347)

Bill presented and read a first time.

Mr DONDAS (Community Development): I move that the bill be now read a second time.

This bill is introduced to complement the bill relating to dogs. In that

legislation, powers were given to local authorities to make bylaws in regard to some aspects of the legislation and also to appoint registrars who will administer the act itself. There is no longer a need for the provisions in the Local government Act giving powers to municipal authorities to make these sorts of bylaws and, consequently, this bill makes the necessary amendments to that act. I commend the bill.

Debate adjourned.

TENANCY BILL
(Serial 328)

Continued from 23 August 1979.

Ms D'ROZARIO (Sanderson): Mr Speaker, this is quite a simple bill which seeks to establish an office of commissioner of tenancies. From that point of view, the opposition has no objection to it. However, there are points that I would like to raise in connection with this matter which I hope the Treasurer might note.

Firstly, it is already known that an office of commissioner of tenancies already exists and there is a public servant acting in that position and, indeed, has been acting for some weeks now. In the August sittings, a question without notice was asked about the reasons for the transfer of the administration of the Tenancy Act from the portfolio of the Minister for Community Development to that of the Treasurer. We were told by the Treasurer that one of the reasons for the transfer was that it was his intention to establish all matters relating to prices within one umbrella organisation. He also informed us that even the administration of the Price Control Act had been moved to his own portfolio.

On the face of it, these might seem to be normal administrative procedures and there should be no argument with them. We certainly do not argue with the right of the Chief Minister to put in train such administrative orders but this particular one does bear some comment. The Treasurer's reasons would have been quite acceptable if more commodities and more premises were the subject of rent and price control. Members will know that there are only a very limited number of commodities which are subject to price control and that the rent control situation has changed under the new Tenancy Act. It is not necessary for all premises or even all residential premises to be subject to rent control. The economic picture the Treasurer is attempting to put together will certainly be incomplete in quite significant ways.

Apart from the Treasurer's objective not being met by this particular transfer, one significant effect that will occur is the shift in emphasis from purely economic aspects to those which might, in the economic sense, be referred to as welfare aspects. I point out that we are not talking about welfare in the social security sense but rather in the economic sense.

The control of rents, which is to be the job of the Commissioner of Tenancies established under this bill, is a matter in which the community has quite a deal of interest, particularly in those centres of the Territory where rental residential accommodation is in short supply. The job of the Commissioner of Tenancies will be to arbitrate between disputing landlords and tenants on the matter of rent control. The matter of rent control in the Territory is only incidentally a matter of supply and demand. Clearly, the entire reason for rent control is to ensure that some landlords are not exploiting some tenants. If we wanted to have purely demand and supply factors

determining rent, there would be no need for rent control. We would simply say that those market factors had come into play and that would be the end of it. However, the very recognition that we must have rent control or that we should have rent control in some circumstances leads us to believe that the government does intend to inject some welfare aspect into the matter of the level of rents. The unfortunate effect of the transfer of rent control from the portfolio of the Minister for Community Development to that of the Treasurer is that this aspect will now have less emphasis placed upon it.

We do not oppose the setting up of an office of commissioner of tenancies. It is certainly a good office to have and I hope that the commissioner might be able to do a few more things in respect of tenants such as holding bond money. I raise that matter again for the consideration of the honourable Treasurer.

Mr ROBERTSON (Education): Mr Speaker, I have had a long interest in rent control and in landlord and tenant relationships in the Northern Territory. The honourable member is quite right that, if you are talking about pure rent control, the supply and demand curve is only incidental. I must take some issue with her comment that rent control has a greater emphasis on the welfare side; I believe it does not. The welfare sector relates to tenants' difficulties in being unable to pay rent, being evicted and so on. By definition, rent control is controlling the rents as to the value of the property or as to the value for money. For this reason, the Chief Minister, quite properly, has placed it within the area of government most expert in assessing value and in assessing things in monetary terms. We should never lose sight of the human side of people occupying premises owned by someone else. I think the setting of levels of rent does not have and never has had regard to the question of hardship in the commercial sector. Perhaps a different political philosophy might say it should but the control of rents is a formula of economic consideration. I have never seen provision in any legislation for the commission to take into account the hardship caused in setting a rent even though this may be desirable.

Mrs LAWRIE (Nightcliff): A very interesting philosophy. If we are to discuss in which particular portfolio the commissioner should reside, perhaps it should be with the Chief Minister because the complaints that I have received over the last few months have dealt with grossly improper practices of landlords trying to unlawfully evict tenants. These grossly improper practices have included parading outside the premises with a shotgun, illegally entering the premises and throwing people physically into the street, making threats and putting undue duress upon tenants. In certain circumstances, the tenants have been behind in the rent. Sometimes this has been through absolutely no fault of their own and, on other occasions, it was by wilful intention.

The problems of tenancy are twofold and relate to both the tenant and the landlord. My experience has been that the problems being experienced in Darwin at the moment are more of a quasi-judicial nature rather than of a financial nature. If one is to apply the particular philosophy espoused by the honourable Manager of Government Business, the whole problem should rest with the Chief Minister and not with the Treasurer.

Mr PERRON (Lands and Housing): I agree with the honourable member for Nightcliff that there is at least one other portfolio that this act could be reasonably administered under the law portfolio. However, I think that it is unfair to assume automatically that a commissioner of tenancies would act differently according to whether he happened to be working in the Treasury Department, the Department of Community Development or the Attorney-General's Department. In each case, I am sure he would have proper regard to the humane

aspects of administration. On this side of the House, it is the prerogative of the Chief Minister to allocate functions within portfolios as he so chooses and, in this instance, I am quite satisfied that the officer who will eventually be appointed when this amendment is made will be able to administer the act as well as any other officer in the government irrespective of which arm of government he may come from.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I understand it is the intention of the government to proceed with the passage of this bill and I seek your ruling on whether that can be done. Standing Order 152 says that a bill shall not be read a second time before the lapse of one month unless urgency is sought. The Acts Interpretation Act defines "month" as a calendar month. A calendar month, Mr Speaker, as you well know, is not a lunar month. A lunar month is 28 days whereas a calendar month is the period from one date in one month to the same date in the next month. This bill was introduced on 23 August and must therefore not be read a second time until 23 September. Mr Speaker, I seek your ruling on this matter so that the Standing Orders of this House may be properly observed.

Mr SPEAKER: We have been working on a basis of 4 weeks of 7 days. The necessary time has elapsed to allow this bill to be read.

Mr ISAACS (Opposition Leader): I do not know what will happen if it is found at some later stage that we have contravened the Standing Orders. It strikes me that the argument from the member for Fannie Bay is pretty convincing and that, if the courts of the land interpret a "month" as a calendar month, I would have thought that the parliament would also.

Mr SPEAKER: I would draw to the honourable Leader of the Opposition's attention that this is a superior legislature to the courts.

Mrs LAWRIE (Nightcliff): A point of order, Mr Speaker! The Acts Interpretation Act does in fact define a "month" as a calendar month and not as 28 days. This is well known in the operation of all kinds of acts. One with which I am very familiar is the Marriage Act and I can assure you that the definition of "month" is calendar month and I have a letter from the Attorney-General of Australia telling me in no uncertain terms that I am to abide by a calendar month and not any other form of month. I only offer that for your consideration as it comes from the Attorney-General.

Mr SPEAKER: The Attorney-General is not here to adjudicate on this but my interpretation is based on my advice from my Clerk.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

PAYROLL TAX BILL
(Serial 317)

Continued from 23 August 1979.

Mr ISAACS (Opposition Leader): The opposition supports the Payroll Tax Bill. It was one of the budget items and raises the threshold of payroll tax for businesses. The Treasurer has indicated that it will assist some 610 small businesses. Those 610 small businesses are certainly going to be very pleased. The bill takes effect from 1 July. The opposition is happy to support the passage of this particular bill to give that kind of relief to small businesses.

Mr HARRIS (Port Darwin): I also rise in support of the Payroll Tax Bill. Incentives such as the raising of the threshold whereby payroll tax is payable are very important to small businesses in the Territory. It makes more money available immediately not only for development purposes but also for employment opportunities. Whenever more money is made available to business, the opportunity for employment is increased.

Apart from raising the threshold, as the honourable Leader of the Opposition mentioned, this bill also backdates the commencement of its provisions to 1 July 1979. I have said before that small businesses have played and will continue to play a very important role in the development of the Northern Territory. It is hoped that, whenever possible, we continue to offer incentives that will encourage this development. I support the bill.

Mr PERRON (Treasurer): I wish to touch on one point in closing the debate on this bill. I obviously expected all honourable members to support the bill.

The Leader of the Opposition said earlier that the payroll tax scheme that was proposed by the opposition - that of providing a complete payroll tax holiday to some companies - would do more to alleviate unemployment in the Territory than the scheme the government has provided. I would just like to reiterate the point that any form of tax reduction or monetary concession will make the beneficial company more profitable. Once a company is more profitable, it can consider expanding or employing more people. I would just like to put to rest the nonsense that was perpetrated earlier by the opposition that this scheme will not really generate any employment whereas their alternative approach to payroll tax would. In fact, both schemes do exactly the same thing: reduce the costs to business.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MOTOR ACCIDENTS (COMPENSATION) BILL
(Serial 340)

MOTOR VEHICLES BILL
(Serial 339)

Continued from 19 September 1979.

Mr SPEAKER: Honourable members, I am satisfied that the delay of one month provided by Standing Order 152 could result in hardship being caused. Therefore, I declare these bills to be urgent bills.

Mr ISAACS (Opposition Leader): Mr Speaker, I would like to thank the Treasurer for giving me a copy of his second-reading speech when he introduced the bill. I was able to obtain some advice on the effectiveness of the 2 pieces of legislation which basically give effect to the government's desire to compensate those people injured as a result of off-road accidents. On the advice given to me I am satisfied that the bills will achieve the desired result and the opposition supports them.

Motion agreed to; bills read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the bills be

now read a third time.

Motion agreed to; bills read a third time.

PLANNING BILL
(Serial 356)

Continued from page 2087.

Ms D'ROZARIO (Sanderson): Mr Speaker, I understand that the honourable Minister for Lands and Housing has sought urgency for this bill. I would have been appreciative, therefore, if his second-reading speech had given us a clear indication of the intention of this bill. Although he provided me with a copy of his second-reading speech yesterday, I must say it did not make a lot of sense to me until I read the actual bill. I am not absolutely certain that he is doing what he said he would be doing.

I understand from the minister that the reason for seeking urgency is that certain people, who instituted appeals proceedings under the former Town Planning Act, are somewhat disadvantaged by the provisions of the present Planning Act which came into force on 3 August this year. I have some reservations about what we are passing here and I have not had time to establish who might be disadvantaged. Perhaps if I pose certain questions to the minister, he might be able to answer them.

The honourable minister said that existing rights will not be affected by this particular bill. That may be so for the various parties who instigated appeals proceedings - the minister may know the details - but the way the bill is written, existing rights may well be affected. I draw the honourable minister's attention to clause 9 of the bill which contains 3 proposed new sections. He made a distinction in proposed section 180 between an application made under section 38A of the former act and one made under section 38B of the former act. In doing so, he has made the distinction between applications for rezoning and applications to the former Town Planning Board for consent to use land for one of the specified purposes. The 2 parts of that proposed section are inconsistent. Subclause (1) in effect says that a person who had instituted an appeal against an application under section 38A or 38B may continue with it. Subclause (2) refers to a clause in the new act under which this appeal will take place. The difficulty is that, under the former act, the parties to an appeal may have included objectors who wished to appeal. If any objector was aggrieved by a decision of the former Town Planning Board, that person could appeal. The section that we refer to in subclause (2), which is section 114 of the present act, only gives the right to an applicant to appeal. Therefore, some people's rights may have been cut off by these proposed amendments.

The same has occurred in clause 180A. Again, an attempt has been made to distinguish between development applications and rezoning applications. Once again, objectors who were aggrieved by a decision of the board would have been entitled to appeal. Under subclause (1) of clause 180A, only an applicant is entitled to come before the appeals committee. If the minister has a list of all the appeals and all the parties to the appeals, and if none of those parties were objectors under the former act, there would be no problem. However, I gather that there are because the minister had made it quite clear that there are different provisions applicable to the different applications under sections 38A and 38B.

There is a further question that I would like to put to the minister that I would normally ask in the committee stage but, if he can answer the questions

now, there will be no reason to take us through the committee stage. Under the proposed new section 180B, why has the appeals committee now been given the option of referring an application back to the minister? Members who followed the passage of the former bill will know that the appeals committee is supposed to be the party to determine appeals by applicants aggrieved by a decision of the town planning authority. However, it says in subclause (5) of clause 180B that the appeals committee can only determine an appeal instituted under the former act in one of 2 ways. One of those ways is to confirm the decision of the former board. In other words, the party would still be aggrieved. The second way is to ask the authority to submit the application back to the minister. The question arises as to what happens to the application because it does not say that the minister must then determine it. I find this rather strange because there must be some case in this little bundle of cases that the minister knows of where it will be advantageous for the minister to determine the appeal rather than the appeals committee. I am asking him why that is so.

Those are the reservations I have about this bill. If the honourable minister could provide us with the answers, there will be no need to raise the questions again in the committee.

Mr ROBERTSON (Manager of Government Business): I move that the debate be adjourned.

Mr SPEAKER: Before I put the question, I indicate that I am satisfied that the delay of one month provided by Standing Order 152 could result in hardship being caused. I therefore declare the bill to be an urgent bill.

Motion agreed to; debate adjourned.

TERRITORY DEVELOPMENT BILL
(Serial 330)

Continued from 23 August 1979.

Mr DOOLAN (Victoria River): A couple of comments which I had intended to make on this bill have been rectified by a circulated amendment. The principal purpose of this bill is to strengthen and enhance the position of the chairman and ensure that he does not suffer, through his appointment as chairman, in matters such as conditions and pay that he enjoyed as a member of the public service. It deals also with fees and expenses and I can see no point in debating it at any length. Only time will tell whether or not this is creating a position which will be a sinecure. The opposition supports the bill.

Mrs PADGHAM-PURICH (Tiwi): I rise in support of this bill. The purpose of the bill relates to the employment of staff of the TDC and the employment of a full-time chairman. At present, the staff of the TDC is employed by the Division of Primary Industry and the chairman changed over recently from being a part-time chairman to a full-time chairman. The establishment of the Territory Development Corporation in the Northern Territory showed foresight on the part of the government. I have heard nothing but good reports from the general public on the work it is doing and how it is fostering the development of the Northern Territory. Anything we can do by way of legislation will be appreciated by everybody in the community.

By clause 5, the TDC will employ its own staff and manager. Certain detractors have said that this might be construed as empire building. I think that the TDC must have a certain amount of autonomy and I feel sure that, in any general situation, the means as well as the end will be considered. I fully support the bill.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

MENTAL HEALTH BILL
(Serial 334)

Continued from 23 August 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, Winston Churchill said in 1910 that the mood and temper of the public with regard to the treatment of crime and criminals is one of the unfailing tests of the civilisation of any country. I believe that we would all agree that the same could be said with regard to the treatment of mentally-ill people. The mood and temper of the public with regard to the treatment of the mentally ill is also one of the unfailing tests of the civilisation of any country. The public in the Northern Territory has indicated its dissatisfaction with the existing Mental Defective Ordinance and the resultant treatment of mentally-ill people. In that sense, we should all welcome the introduction of this new Mental Health Bill. It is the third draft that we have seen in this Assembly and there may have been more that have not seen the light of day.

We must welcome many of the new initiatives contained in this bill which have been taken from various reports and inquiries held in Australia and elsewhere. In particular, there is the problem of the definition of "mental illness". That is something that has occupied for some time the minds of many people involved in this area. In Australia, the Edwards Mental Health Review Inquiry was held in New South Wales in 1972. I am very happy to see that the recommendations of that inquiry and those of the Chief Justice of New South Wales, Mr Justice Street, with regard to the definition of "mental illness" have been followed in this bill. The definition provides that "no person shall be considered to be mentally ill for the purposes of this act by reason alone of political opinion, sexual deviance or promiscuity or drug taking". It also requires that the person concerned is likely to cause death or serious bodily harm to himself or another person. Mr Speaker, that is a very great improvement on the old situation here and the law as it exists in many other places.

Another great improvement in this bill over the existing legislation is the ease with which persons taken into custody can be released once it is appropriate. One of the problems of the existing system is that, once people are caught within it, it is very difficult to get them out again. Hopefully, that will not be a problem under the new system. There is also a requirement for a 6-monthly review by a magistrate. That is certainly an improvement.

Another commendable aspect is that referred to by the honourable the Minister for Health when he introduced the bill: the decrease in the involvement and decision-making powers of the police and others in the legal system and the consequential increase in decision-making by people within the health system.

There are also some safeguards regarding treatments and operations. There must be authorisation by a magistrate and they must be allowed by the senior medical officer. I will have more to say about that later. Nevertheless, that is an improvement on the existing situation.

Having said that the bill is an improvement and that it has many excellent and commendable aspects, I have grave reservations about some aspects. It accepts the deplorable lack of facilities and staff which we have in the Northern Territory. It has been frequently said that this is a result of our

small population and that we have to accept it. Only last week, the report of the board of inquiry into welfare needs in the Northern Territory was tabled. I do not want to pre-empt the debate which will take place on that report but I do not think we should consider this bill without looking at the recommendations of that report relating to the mentally ill. The report has a very substantial section, chapter 12, on mental health. Some of the recommendations in that report are:

1. The present Mental Defectives Ordinance be repealed and that new legislation be introduced incorporating modern practices especially in regard to protection and committal to care of the mentally ill.

2. Steps be taken to ascertain the incidence of mental disturbance in the population of the Northern Territory; first priority to be given to a survey of school children.

3. A study be undertaken to find out what community resources and needs in the area of mental health are required for the provision of a mental health program.

4. The services of a consultant be obtained to undertake the above survey and study and to provide recommendations regarding the provision of a complete mental health program with special emphasis on the school age population.

5. Training programs be initiated to provide all personnel associated with welfare services with information about skills associated with handling mentally disturbed persons.

One of the problems with the bill is that it accepts the situation of our lack of resources. In particular, it accepts the fact that we do not have enough psychiatrists in the Northern Territory. Treatment and other matters are determined by medical officers who do not have the special qualifications considered necessary in other places. The board of inquiry clearly considered that we should look at the situation and see what can be done. If this bill accepts the inadequate situation which now exists, that is most unfortunate. Even before the report on the welfare needs is debated, we would be rejecting some of its recommendations. That would be most unfortunate.

I suggested to the Minister for Health that debate on this bill be deferred until November and that was one of the reasons which I gave. I know that there are grave problems with the existing legislation and the delay of 2 months will be unfortunate. Nevertheless, this new bill will perhaps last us for a long time and it would be dreadful if the legislation itself reflected an assumption that the existing inadequacies of the mental health services will continue, despite the clear recommendations of our own board of inquiry that they should be examined and improved.

If the government does not accept that, I would put a second suggestion to it. I believe it would be appropriate to guarantee that this bill will be reviewed after the recommendations of the committee of inquiry have been examined and endorsed. We were in the process of establishing a precedent the other day in relation to the Traffic Bill of having what I think is called "sunset legislation". It would have been a good thing, as a compromise, to have that in the Mental Health Bill so that we were forced to look at the inadequacies of the system and their acceptance in this bill as it is drafted.

Another area of great concern is the question of treatment. One of the admirable aspects is that, in many cases, there is this cross-check by a

magistrate authorising a treatment and the Chief Medical Officer allowing a treatment. Nevertheless, that is easily circumvented because the bill does not provide that protection in the case of what it refers to as "standard medical treatment". In the field of psychiatric treatment, it is very difficult to know what standard medical treatment is; it is very subjective. Further, we have a situation whereby we cannot even assume that we will have qualified psychiatrists determining that matter.

Not very long ago, standard medical treatment included electroconvulsive therapy. This did not happen in the Northern Territory; perhaps there are some advantages in having inadequate services because you are saved from some of those things. That is no longer happening but it was standard medical treatment. Standard medical treatment today tends to depend very much on certain sorts of drug therapy. We are all aware of problems when some drugs are used extensively by the medical profession as standard medical treatment and then found to be unsuitable. I bring to your attention, Mr Speaker, that very grave defect in the bill. The problem has been recognised in other places in legislation where it distinguishes between different types of treatment. They have A-type treatment and B-type treatment. In certain cases, it is not just a question of providing standard medical treatment. I have not been able to provide amendments but I would like the government to consider this very seriously before it insists on the passage of this bill today.

Because of the complex legal nature of the bill and the short 4 weeks since it was first introduced, I have been unable to have amendments drafted to provide something which would be very desirable in the bill and which, I am sure, would have the approval of the public - a review tribunal. This is something that has been recommended by inquiries elsewhere, for example, in Mr Justice Street's recommendations in New South Wales. The tribunal which I would like to see provided would consist perhaps of a medical officer, a lawyer and one other person. I see many advantages in having such a tribunal. There is reference at the beginning of the bill to voluntary patients. Once people become voluntary patients, they have none of the protections which apply to other persons under the bill except in the matter of medical treatment itself. They certainly do not receive any consideration from the courts. It might be said that, if people are voluntary patients, there is no need for court involvement. The fact of the matter is that this bill covers not only genuine voluntary patients but also children who may not be voluntary at all. Children who are handled as voluntary patients would not necessarily have their circumstance reviewed by anybody at all and I think that is most unfortunate. I would like an independent tribunal established which would have the power to review cases like that and any other cases dealt with under this bill.

There are provisions for review such as the requirement for orders to be reviewed by a magistrate every 6 months. Unfortunately, a magistrate might review an order which he himself made 6 months before. There is no provision for a fresh, independent look. The bill provides for appeals to the Supreme Court. Once again, that is dependent on people knowing that they have that right to appeal. I believe the establishment of a tribunal would be welcomed by the magistrates who have a very onerous job in deciding who is mentally ill under this act even though they have the report of the Chief Medical Officer before them. I think it would also appease the very real community concern about the processes of the law with regard to mentally-ill people. The minister said that the intention of the act was, as far as possible, to remove these matters from the courts and place them into the area of health where they belong. If we removed the power of review from the courts and gave it to a board of independent community members, the government would further achieve its aim in this matter. Where necessary, the right of appeal to the Supreme Court would still be allowed.

Clause 9 in the existing bill relates to persons who are taken into custody without a warrant. As the bill now stands, the Chief Medical Officer is informed but, when a person is taken into custody without a warrant, there is no requirement for the magistrate to receive a report from the chief medical officer before that person is dealt with and perhaps committed for a period of 6 months. I am sure that that was not the intention of the bill. My amendment to clause 9 and the consequential amendment to clause 12 will ensure that, when a person is placed into custody without a warrant, the magistrate must receive the report of the chief medical officer before he makes a decision.

I have a further amendment to be inserted after clause 19 which requires that persons taken into hospital be informed of their rights. The existing bill has a number of provisions protecting the rights of individuals but there is no provision that ensures they are informed of those rights. They are permitted to see a copy of the warrant but only if they ask. They can appeal to the Supreme Court but, once again, only if they know. They may request that relatives or legal advisers be notified but it is not required that they are told that they have that right to request. My amendment will correct that situation and I am sure it will receive the support of honourable members.

Clause 29 of part VI refers to procedures before the courts and it states that a magistrate may decide that a person does not need legal representation. I am prepared to accept that there may be urgent cases, perhaps in the middle of the night, that would require temporary orders to be made and when it would be impracticable for a person to have legal representation. I do not believe that there should be a blanket allowance for magistrates to decide that legal representation is not necessary. I believe that substituting "practicable" for "necessary" would overcome that problem without causing any undue complexity in the operation of the act.

I would like to have clause 31 amended to re-insert provisions which existed in the earlier draft: "A legal practitioner may require the Chief Medical Officer to cause a person whom the legal practitioner is representing to be examined by such person and in such manner as the legal practitioner may specify". That inclusion would ensure in cases where there is dispute, that proper examination could take place by a qualified person such as a psychiatrist. That amendment would also allow the legal practitioner to inspect the records of the chief medical officer. That is desirable.

My amendment to clause 36 allows for the insertion of new provisions relating to research. Clause 37, which relates to research, says that the person in charge of a hospital shall not allow experimentation or research to be carried out using a patient if he is convinced that it would be detrimental to the interests of the patient. The fact is that, relating to research, there are none of those protections which I referred to earlier whereby the magistrate has to authorise it and the chief medical officer has to allow it. It seems very strange, when we are saying that that should normally happen with particular treatments and operations, not to provide that very basic protection in the hair-raising matter of experimentation and research.

Clause 38 allows the chief medical officer to be the guardian of persons in hospitals. I have given a great deal of thought to this and I am prepared to hear the arguments of other members. I would like extra time to investigate it but I really cannot see why it is necessary. The chief medical officer will be provided with very extensive powers by this bill. He will be able to make all sorts of decisions relating to people in his care. It is very disturbing to see that he may also become their guardian. I would like to have clause 38 defeated unless somebody can convince me that it is absolutely necessary.

I would like to run through some of the provisions of the bill which, as they stand, are very much more onerous and restrictive of the liberties of people affected by this bill than members and perhaps even the minister realise. Under clause 9, a person may be taken into custody without a warrant. The chief medical officer may be informed but he does not necessarily have to do anything about it. Under clause 13, a magistrate may hear an application for custody and may decide without hearing medical evidence that a person might harm himself if he is not in custody. The magistrate may then determine that a person may be held for 6 months. In 6 months time that order will be reviewed by a magistrate, maybe even the same magistrate. Under clause 29, the magistrate may determine that that person does not need legal representation. His next of kin and his lawyer may be notified or the person may apply to the Supreme Court for a review of the order but only if he knows that he has those rights. There is no provision requiring that he be informed of them. The person may be searched or prevented from communicating, whether by sealed mail or otherwise, with any other person and he may not be allowed to receive visitors. Finally, the person in charge of the hospital may authorise experimentation on the person in custody if it is his opinion that it is not going to be detrimental to that person.

I am prepared to give the benefit of the doubt to the minister and the people who prepared this bill. I do not think that that is what they intended. I know some people will say that those terrible things will not happen and magistrates, members of the police force, doctors and lawyers will all do their best. Nevertheless, it is our duty to ensure that no law which we pass allows for such gross intrusions into the rights of individuals in the Northern Territory.

Mr Speaker, I welcome the decision of the government which has just been indicated by the Chief Minister to delay passage of this bill. While a delay of 2 months will be inconvenient, I think that, after a fresh look at this bill, we will end up with an act which overcomes those problems which I outlined and which will have the support of the people of the Northern Territory.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I rise to support this bill. I am pleased to see the inclusion of part IV of the bill which will enable the courts considerable discretion in dealing with offenders who are suffering from mental illness. There is little point in simply locking these people up for the duration of their sentence and then expecting them to become responsible citizens when they are released. By recognising the fact that the underlying cause of their offence may be their mental condition and allowing that condition to be treated, surely the chances of their ultimate rehabilitation will be greatly improved.

The layman's knowledge of mental illness is very scant but in the medical field there is a lot known about it. Over the last 10 years, there have been great strides in the rehabilitation of people who are mentally ill. Mental illness covers a wide range of conditions of the mind and it is said that almost everyone has some minor disturbance of personality or behaviour. These include periods of depression, worry and bursts of unjustifiable anger. However, these disturbances usually do not stop a person from living a normal life. The medical field does not regard these minor disturbances as illness unless of course they are severe and frequent.

There are 2 classes of mental illness: organic and functional. Organic mental illness results from defects which occur in the brain before birth or when the brain is permanently damaged. Functional mental illness involves no apparent physical change to the brain yet the mind does not work properly.

Most mental illness is functional. There are various kinds of mental illness and many forms of treatment. It must be understood that mental illness can afflict almost all people and can be treated just like any other ailment.

I am also pleased to see restraints placed on the use of unorthodox forms of treatment. The original Mental Health Bill required a magistrate's approval for all forms of treatment except in emergencies. I agree that this would be unreasonable and could be to the detriment of the patients concerned. In most cases, a straightforward medical decision is needed on the proper form of treatment. It seems entirely appropriate that such cases should be the responsibility of the chief medical officer. In those few cases where more extreme forms of treatment - such as lobotomy, electroconvulsive treatment and so on - are indicated, I agree that it is appropriate for a magistrate to determine whether such treatment is justified.

There will be differences of opinion on the time limits imposed in each case. Whilst noting that the time limits have generally been extended from those provided in the original bill, I accept the minister's advice that the new time limits are more appropriate to conditions in the Northern Territory. I would hope that those responsible for taking action recognise the fact that these are maximum times and not provided just for administrative convenience.

Another pleasing feature of the bill is the requirement that legal representation should be provided for persons coming before a magistrate. It is important that the people who are unfortunate enough to be brought before the court under the provisions of this legislation are entitled to have their interests fully protected. The best way to achieve this is to ensure that they are legally represented.

The bill also includes a provision which would enable a wide range of interested persons to seek a review of any order issued by a magistrate under the act. I think that is a very important provision and means that friends or relatives could seek the release of a patient at any time if they believed that that patient's condition had improved sufficiently to warrant such release. All parties, including the chief medical officer, can then present their views on the matter to the Supreme Court so that a proper decision can be made.

The bill also contains provisions which will allow for the temporary release of patients so that persons whose mental health is improving can benefit from short period away from hospital. This could help patients to readjust to normal community life and may accelerate their recovery. Provision is made for magistrates to direct patients to attend outpatient clinics instead of committing them to an institution. This is a welcome alternative and will give magistrates more scope to deal with borderline cases.

I agree with the minister that this bill is a major reform of our social laws and I congratulate him on bringing it before this House. I support the bill.

Mr DOOLAN (Victoria River): As the Minister for Health mentioned in his second-reading speech, the existing NT legislation relating to mental health, the Mental Defectives Act, is an anachronism and is long overdue for review. It is pleasing to see that action has been taken to rectify what was really a fairly barbaric Mental Defectives Act. All in all, I believe that this Mental Health Bill is a far better attempt at producing something which is in line with modern thinking on the subject. Nevertheless, there are parts of it with which I disagree and, in some cases, very strongly.

In this community, mental health is a subject which causes considerable

embarrassment and avoidance. People are basically afraid to come to grips with such an unsettling question despite the fact that one third of us, in our lifetime, will have close contact with, or ourselves be somewhat exposed to, some kind of psychiatric treatment. However, it is very important not to evade the issues involved. When one considers the matter, the only people with as little self-determination as the mentally-ill are children. There is an indication of this in subclause 15(2)(a) of this bill which says that "another person may exercise the power of a parent in relation to that person" and it goes on "as though that person were a child". Clause 38(1) confers the power of a guardian on a CMO. Mentally-ill people are in fact basically regarded not only as invalid but as "invalid".

Virtually anyone who has been a psychiatric patient for any of the vast range of reasons for which people may end up in such institutions covered by this bill would testify to the feeling of powerlessness and ineffectuality which can automatically occur in these situations. It is indisputable that "One Flew Over the Cuckoo's Nest" could have been set in Australia. It is a legislature's duty to see that people do not end up becoming deprived of basic rights which others, liable to different kinds of detention, are automatically assumed to have in British law. The assumption of total invalidity of a person is unfortunately built into this bill as an underlying assumption and is manifested in a number of places. This is probably because community awareness has not yet caught up with the general debate about mental illness which has been conducted in various areas of the medical profession for some years. There are some good intentions and workable safeguards included in this bill; for example, those in clause 34(2), (3) and (4)(a). Nonetheless, the bill does not provide sufficient safeguards for people who are to be not only deprived of their liberty but possibly also exposed to alterations of their minds and bodies by drugs, electrotherapy or surgery.

Despite the most basic and important provisions of clause 4(2), I am reminded of a minor who was involuntarily committed to an institution in another state and given treatment abhorrent to her. She was committed by her parents whose views of her future and her lifestyle differed from her own. She subsequently escaped with the assistance of her school teachers and her friends who recognised her as a mature young adult with certain difficulties arising out of a hostile home environment. She eventually won recognition as to her sanity and her right to reject treatment for the crime of being herself. I also cannot forget the large number of women discovered in 1972 or 1973 in mental institutions in Britain, including maximum security prisons. Some had been there since the 1920s and many for 20 to 30 years. They were victims of prevailing social attitudes. Their crime had been to become unmarried mothers at a time when this was not socially acceptable in lower and middle-class English society, if indeed it is now.

Closer to home, I suspect that many migrants and Aborigines have come under notice and been institutionalised because of cultural misunderstanding and reaction to cultural pressures. Institutionalisation is often used as a means of social control for people who may be reacting to intolerable stresses. If their means of expressing their difficulties is different from what is accepted as the norm in a community or if they do not cope with the mechanisms of the community, they are labelled mentally deficient or bad or both. They do not need to be dangerous to themselves or others for this to happen. There is not much doubt in my mind that many people in this category, placed under incomprehensible and unjustifiable restraint, react by trying to assert their own dignity and integrity thereby confirming diagnoses.

In at least the 1920s and 1930s in the Northern Territory, some initial diagnoses of sanity or lunacy in Aborigines were made by policemen in isolated

areas. The subjects of these diagnoses were placed under restraint and - I could be wrong - were sometimes even committed to an asylum at either Parkside or Glenside in Adelaide without ever having seen a doctor. Even when eventually a doctor was called in, it was often after a long period of treatment. The trauma of all this naturally led some people to violence against their restrainers which, in turn, was taken to confirm the diagnosis.

I turn now to specifics rather than generalities. I have had separate legal opinions on this Mental Health Bill. They do not agree in all areas but, on one particular point, they come out loud and clear: the extraordinary amount of power which devolves upon magistrates. They also agree on one other point - and I hate to disappoint the Minister for Health - that it is a very badly-drafted piece of legislation. I will read one short paragraph from a document from a lawyer and I believe this is pertinent:

> *There is no other jurisdiction, whose legislation I have looked at, which nowadays leaves the decision as to whether or not a person should become a compulsory patient to a magistrate. As I have raised in both my criticisms of the previous 2 bills, this decision is still being left to magistrates rather than creating a mental health review tribunal consisting of persons with a range of expertise, including that of a medical practitioner and a legal practitioner.*

Clause 5(b) says: "ensure that the person has been psychiatrically examined by 2 medical practitioners, acting independently of each other, whether the examination took place before or after admission". I do not feel that 2 general practitioners would be necessarily competent to assess whether or not a person is mentally ill. What I would like to see inserted is "at least one of whom shall be a specialist psychiatrist". A general practitioner, even a specialist in some other field, may not be sufficiently skilled in assessing whether or not people who appear to be mentally ill are, in fact, suffering from mental disease. It is not inconceivable that a trained psychologist may be far better qualified to assess the mental condition of a patient than a general practitioner. I am not attempting to denigrate the ability of general practitioners but, if I get a blocked drain, I do not get a carpenter to fix it.

Clause 9(1)(a) reads: "a medical practitioner who is performing duty in or in the vicinity of a hopsital; or a member of the police force". There is no restriction whatsoever placed on the member of the police force. It does not say that he has to be on duty. I am also perplexed as to why the medical practitioner has to be performing duty in or in the vicinity of a hospital.

Clause 9(2) says: "Where a person takes another person into custody under this section, he shall, within 24 hours or as soon as possible thereafter...". I would like to see "within 24 hours or as soon as possible thereafter" deleted and "forthwith" inserted.

Clause 10(4) reads: "Nothing contained in this act requires a person to keep another person in custody if, in the opinion of that first-mentioned person, the second-mentioned person no longer requires observation, care, treatment or control in a hospital as a mentally-ill person". It is my feeling that the person discharging the person taken into custody should make a report of the circumstances of the discharge to the magistrate within a specified period.

Clause 11(3) reads: "Where a person is held in custody under this act whether so held for a period of 6 months or less or for a period longer than 6 months ...". I believe that, under no circumstances, should a person be held longer than 6 months without the matter coming up for review before a magistrate.

In clause 13(3), I would like to see the words "at any one time" deleted. The liberty of the subject is at stake and the chief medical officer should be in a position to present a case to the magistrate within 14 days. If unable to do so, the person in custody should be released. The present bill does not provide for any adjournment beyond 14 days.

Referring to clause 14, I am most disturbed that the terms "treatment", "operation" and "method of control" are not defined. It would be better to say that the chief medical officer "shall not allow such treatments, operation and method of control as shall from time to time be listed in regulations made under this act". Under paragraph (f) of that clause, a magistrate's permission is not required in cases of emergency. Whilst it will be necessary to ask doctors about this point, I believe that some procedures are so serious that there should be special safeguards. I refer you to section 19 of the south Australian Mental Health Act 1976:

19. (1) Subject to this section, a person shall not administer psychiatric treatment to which this section applies to a patient detained in an approved hospital -

(a) unless -

(i) in the case of category A treatment - the treatment has been authorized by -

(A) the person who is to administer the treatment; and

(B) two psychiatrists (at least one of whom is a senior psychiatrist),

who have each made an independent examination of the patient; or

(ii) in the case of category B treatment - the treatment has been authorized by a psychiatrist;

and

(b) unless the consent in writing -

(i) where the patient has sufficient command of his mental faculties to make a rational judgment on the matter - of the patient; or

(ii) in any other case - of a guardian or relative of the patient,

has been obtained.

It is a bit long to read the whole section out but I urge that members read it.

Clause 19 of this bill is too restrictive. There should be a duty on the person taking or holding another person in custody to inquire whether that person wishes his next of kin or person having legal custody or guardianship of him or any other person to be notified. As it is drafted, the clause is useless unless the person detained knows those rights and wishes only the next of kin only to be notified. The "or" between subclauses (a) and (b) should be deleted and the word "and" inserted.

Referring to clause 20(1), any restriction on a person's right to

communicate freely is a breach of his civil liberties and should be taken very seriously. There should be a right for the person in custody to apply to the mental health review tribunal and, failing that, to the magistrate for a review of this decision. It follows from this that the person in custody and his lawyer, if any, must have the right to inspect clinical records. However, I would commend clause 22 relating to offenders and disorderly persons. I have some comment to make on part VI division 1. It concerns clauses 29, 30 and 31. Legal opinion which I had on this says: "I have not seen similar provisions in any other jurisdiction actually forcing a person in custody to be legally represented. This even goes as far, in clause 31(2), as restricting the right to apply for revocation of an order. I would much prefer to see the magistrate have his or her time wasted by a few disturbed persons making useless applications for the revocation of an order than the serious restriction of a person's right to act in person if he wishes. This is not to say that I do not support the right of a person in respect of whom an order has been made to have free access to legal representation if he so wishes". I agree with those sentiments.

Clause 37: "The person in charge of hospitals shall not allow experimentation or research to be carried out using a patient, whether or not he is a voluntary patient, who is in that hospital for observation, care, treatment and control of the mentally-ill person unless that person in charge of the hospital is satisfied that the experimentation or research will not be detrimental to the best interests of that patient". I believe that this section should include the consent of the person in custody.

I said initially that this bill is a vast improvement on the existing legislation but, nevertheless, I did feel obliged to criticise the bill in many respects. I accept that no legislation is likely to be perfect and that this bill is an honest attempt to improve existing anachronistic legislation. Nevertheless, I would ask the Minister for Health and all honourable members to give serious thought to the points which I have raised and perhaps consider a further draft. I do support this bill and the amendments proposed by the honourable member for Fannie Bay which will certainly enhance it. As a final word, I would like members to consider, before it is enacted, that we are not dealing with impersonal medical files but with real people whose lives and existence may be at stake because they do not conform with what society considers the norm. Someone once said: "If a man cannot keep pace with his companions perhaps it is because he hears a different drum. Let each man step to the music which he hears". I believe that people who do not conform are not necessarily insane. The opposition supports this bill. It is a vast improvement on existing legislation, but I would like to see the bill redrafted and more amendments added.

Mrs PADGHAM-PURICH (Tiwi): When legislation was first introduced on the subject of mental health, there were some people in the community who passed very adverse comments about it. As I read in the newspaper, the adverse comments were directed not at the legislation that was introduced at the time but at previous legislation. It is the shortcomings in the existing legislation that this bill seeks to remedy.

The first point I would like to make relates to clause 4(3) where a person may not be subject to this legislation by reason of what he does but by the result of what he does. This is a fine distinction that is worthy of comment.

Having regard to all situations in the Northern Territory, especially long and difficult distances, I wondered why "3 days" was mentioned in the previous bill. In clause 7(1) of this bill, the time has been extended to include weekends and public holidays.

In clause 7(2)(a), time is of importance. Within one day, a copy of the warrant must be served or caused to be served on the CMO or his deputy. This could be arranged to be done by radio-telephone from a remote area. I hope it proves to be a practical period, especially in the wet, having regard to the very poor reception that radio-telephones have at most times of the day and night.

Clause 8 relates to the making of an application to a magistrate for a warrant by telephone. This would cater for emergency situations and long distances. If a person was in Finke or Borroloola and felt it his duty to take another person into custody, he could telephone the magistrate because the impracticability of long distance travel to obtain a warrant in person could be to the grave detriment of all concerned. Once the person has the warrant from the magistrate, either verbally or actually, he must, by clause 7(2)(a), telephone to cause a copy to be served on the CMO. By clause 8(2), as a safeguard, the magistrate also causes a copy of the warrant to be served on the CMO.

In clause 9(1)(a), there seems to be a restriction on where a medical practitioner has to be in order to take a person into custody. He has to be "in or in the vicinity of a hospital". I suppose, from a practical point of view, this is good because the hospital is there in which to put the person in custody. There is no restriction in clause (7)(1) that a medical practitioner must be the person to take another into custody.

Clause 9(1) refers to a medical practitioner or police officer as persons who may take persons into custody. Clause 9(2) says that they must ensure that the CMO makes an application for an order to a magistrate that the affected person be kept in custody. The interesting word in this clause is "ensure". The medical practitioner performing duty in a hospital is of a certain rank in the Health Department hierachy and, no matter what rank it is, it is junior to the CMO. This would have to be taken into consideration when considering the word "ensure".

Division 1, relating to the taking of persons into custody, has ample provision for double safeguards. Clauses 7, 8 and 9 take into account cases where people other than the CMO take affected persons into custody. The custodial person is obliged to notify the CMO. In clause 11(2), relating to the transferring to the Northern Territory of someone who is already in custody, the time referred to is not inclusive of Saturdays, Sundays or public holidays. If the affected person is undergoing treatment continuously, one or two days is not of the essence.

When I first read clause 11(4), I was of the opinion that it would be extremely difficult for the CMO to have to rely on someone else interstate to report to him on a patient's state of mental health before he could make a report to a magistrate. In reality, this is what the CMO would have to do about a mental patient in the Northern Territory anyway as, in all probability, he would not be the particular medical practitioner involved but would have to rely on the latter's reports to make his judgment.

By clause 14(1), the magistrate may make an order relating to the treatment, operation, control, procedure or removal of an affected person in a hospital or from a hospital. By clause 14(2) the CMO has some latitude to act also. One would hope that, for all practical purposes, the magistrate and the CMO would make harmonious decisions. This would also apply to subclause 15(1) and (2).

Clause 17 says that a member of the public may give assistance. Unfortunately, it seems there are not usually many public-minded persons to help the police keep law and order in public places. It would be different in private situations of course. I wonder now about the case of a person taking another person into custody. Is the public permitted to assist him or is it assumed that this will always be a private situation so the public will not be there?

Clause 18 is written ostensibly to include the case where dangerous weapons may be in the possession of the affected person. If there is potential danger of damage to self or others by the affected person, the custodial person may use parts of the person's clothing to restrain him. Clause 19 and 20 are inserted to be reasonable and fair.

Clause 21 relates to letting a person out of hospital but not out of custody. This could refer to an affected person being put in the care of a friend or relative. Clause 15 states that a friend or relative can also have an affected person in his care after release from custody. Clause 23(1) is very humanitarian and conditions surrounding the occasion are itemised.

Subclauses 24(1) and (4) have the safeguard of the CMO and the secretary of the department responsible for the custody both being obliged to submit reports on the affected person's progress and/or condition. Subclauses 25(1) and (2) should ensure that decisions of the magistrate and CMO are made equally and considered in detail. Clause 14 was spoken of earlier and refers to similar conditions but with the affected person considered slightly differently.

Clause 25 is in part IV which is concerned with offenders and disorderly persons. It refers to the removal of mentally-ill people from the Northern Territory to a state. Again, we see concern that there be concurrence between the magistrate and the CMO.

Part VI refers to legal representation for a mentally-ill person in custody. I recognise and respect the reason for its inclusion but I wonder about the communication of instructions from client to legal representatives in some cases.

All in all, my comments on these few clauses show clearly my belief that this legislation is indeed far-sighted and far-reaching and will do much more in the future than was done in the past for those unfortunate people who are the subject of this bill.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I move that the debate on the bill be adjourned. We have all had a very illuminating few minutes listening to the last 4 speakers. I suggest that the government will probably offer no opposition to the concept that this should be "sunset legislation" to be looked at again in 2 or 3 years' time. We would be quite prepared to see the debate on the report referred to by the honourable member for Fannie Bay. I think everyone's interests will be best served by the bill being stood over until the November sittings so that a fresh look can be taken at some aspects.

Debate adjourned.

PLANNING BILL
(Serial 356)

Continued from page 2113.

Mr PERRON (Lands and Housing): Mr Deputy Speaker, I have sought some information in answer to the questions raised by the honourable member for Sanderson. She raised a number of details about the savings provisions. I would like to read a short explanation of section 180 and then touch on the 2 particular points she raised. What I am about to read certainly should have been included in the second-reading speech but it was prepared as a committee note.

Section 180 of the Planning Act is a short section and it may be of concern that the bill seems to replace that short section with 3 lengthy and different sections. When the Planning Act was first drafted and even when it was passed earlier this year, sections 38A and 38B and the former Town Planning Appeals Committee had not been in existence for very long. There were practically no applications or appeals at that time. However, by the time the necessary preliminary administrative work, including the drafting of lengthy regulations, had been completed and the Planning Act commenced, a number of applications and appeals were in the pipeline. It was discovered that the present section 180 was not appropriate to save all aspects of those applicants' and appellants' rights as they stood at the commencement of the Planning Act. It is therefore necessary to make detailed provisions in relation to those rights.

The effect of the 3 sections proposed to be substituted for section 180 is that the Planning Authority determines those 38A and 38B applications and people who could have appealed to the old Town Planning Appeals Committee can appeal those decisions on their applications to the newly constituted Appeals Committee. The sections also make it plain that appeals which were in progress when the Planning Act commenced continue to be heard by the Appeals Committee and that, where the appeal is about a rezoning matter, the powers of the Appeals Committee are much the same as the powers that the old Town Planning Appeals Committee would have had. The short effect of the lengthy new sections then is to put, as far as possible, applicants and appellants in the same situation as they would have been if the Planning Act had not commenced and to confer on them, as far as possible, the benefits of the more liberal provisions of the Planning Act.

I will touch now on the items that the honourable member for Sanderson raised in particular. She mentioned section 9 of the amendment which provided for preserving the rights of persons appealing under 38A and 38B. She rightly pointed out that objectors had a right to appeal under the old act whereas they do not have that right under the new bill. She felt that 180(2) may have taken that right of an objector to appeal away because it refers to section 114 in the Planning Act which speaks of an applicant having a right of appeal. I was referred to the words in section 182: "An appeal under subsection (1) in relation to an application made under 38B of the former act may be heard and determined as though it were an appeal under section 114". In other words, the objector in this particular case may appeal and will be deemed to be an applicant. That provision certainly protects the rights of persons who formerly had a right to appeal.

Her second query was in relation to section 180B(5) in the amendments. She rightly pointed out that the amendments really mean that the Appeals Committee, having looked at an appeal that has been saved, can only do one

of 2 things: approve what the Town Planning Board or the planning authority decided or direct the authority to submit the application, along with their recommendation, to the minister. By subsection (7), the minister has certain rights under sections 60 and 61 of the act. By section 60, the minister "may accept, subject to alteration or reject a planning instrument". By section 61, where the minister has accepted it, he will put recommendations to the Administrator's Council for bringing that decision into law.

The real difference here is that the old Town Planning Appeals Committee could override the Town Planning Board and arrange for matters to go before Executive Council for confirmation. That system was instituted before self-government and that was the only way it could operate because we did not have ministers in the true sense. Under a self-governing system, the authorities themselves do not have a direct line of submission to Executive Council but rather through a minister. In that situation, the minister has certain powers. This is not inconsistent with the systems of planning in the Australian states where most of the control is under local government and they submit their final decisions and plans to a state minister. Perhaps some of them even go as far as the state Executive Council.

In that particular section, we have provided that the Appeals Committee may hear an appeal which was in the pipeline before the commencement of this act. It can either confirm the planning authority's decision or it can alter it. If it alters it, it directs the planning authority to submit the matter to the minister along with the reasons for the decision. If the minister agrees with it, he submits it to Executive Council.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 8 agreed to.

Clause 9:

Ms D'ROZARIO: I am partly satisfied by the honourable minister's explanation. He has conceded that, in fact, under the existing section 114, only applicants have the right to appeal. It is to be hoped that those few objectors who might be caught in this interim period will be afforded the right to appear before the Appeals Committee. The matter relating to the minister being able to act as an appeals authority is still not quite clear to me. He said that the authority may be directed by the Appeals Committee to refer the matter to the minister with its recommendation. This is clearly not so, if he looks at the wording of his amendment, because the Appeals Committee is not permitted to recommend anything. The Appeals Committee must ask the authority to refer that matter to the minister with the reasons for its decision. The point I was getting at is: what set of circumstances would compel the Appeals Committee to take this course? Clearly, they have no right to make any recommendation; they only have to forward it on.

My second question is: why is the Appeals Committee not permitted by this section to upturn the decision of the town planning authority or the former board? The Appeals Committee here is only entitled to do one of 2 things: confirm the decision of the board or refer the matter back to the authority for forwarding to the minister. Why can't the Appeals Committee upturn the decision of the board and uphold the appeal?

Mr PERRON: I do not think there is very much disagreement with this. Section 180B(5) means that the Appeals Committee, if it does not want to

uphold the board's decision, makes its own recommendation on the appeal. It makes its recommendations and directs the authority to submit them to the minister. The minister would normally pass that matter on to the Administrator-in-Council who actually makes the change itself because this particular section refers to rezoning. I do not see what the honourable member for Sanderson is getting at. Subsection (5)(b) seems to allow the Appeals Committee to make recommendations other than those put to it by the planning authority and have them submitted to the minister for confirmation or rejection without the Planning Board having a second bite or interfering with the Appeals Committee's decision in any way. As a matter of fact, subsection (6) says the authority shall comply with any direction of the Appeals Committee given under subsection (5)(b).

Clause 9 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

NORTHERN TERRITORY TOURIST COMMISSION BILL
(Serial 331)

Continued from 23 August 1979.

Mr PERKINS (MacDonnell): Mr Speaker, the opposition welcomes the legislation to establish the Northern Territory Tourist Commission. Indeed, the establishment of such a commission is part of the policy platform of the Labor Party in the Northern Territory. I am pleased to see that the Northern Territory government has taken the opportunity to replace the old Tourist Board.

Clause 8(1) states that the chairman of the Northern Territory Tourist Commission will be a public servant. I presume that means that the chairman will be a full-time chairman and that the government considers that the appropriate person would be a public servant. I would hope that the honourable sponsor of the bill will be able to enlighten me on that particular clause. The government may have considered the alternative of appointing a person as the chairman of the Northern Territory Tourist Commission who is not a public servant of the Northern Territory. The sponsor of the bill may be able to clarify that particular situation.

Clause 17 of the Tourist Commission Bill relates to the functions of the new commission. The opposition agrees with those particular functions. Subclause 17(a) states that the function of the Tourist Commission will be "to encourage and foster, inside and outside of the Territory, the development of tourism in the Territory". I believe that this is a most important function which obviously ought to be the function of any tourist commission.

Subclause 17(b) indicates that a further function of the Tourist Commission will be to establish and operate the tourist bureaus. Obviously, this is a function which was and still is carried out by the Tourist Board of the Northern Territory.

According to subclause 17(c), the function of the new commission will be to advise the minister on matters relating to the promotion of tourism. I believe that that is quite in order and it is obvious, from that particular provision, what the role of the commission will be. Subclause 17(d) is merely an administrative provision in that the new commission will manage and control its own affairs and property for the purposes of carrying out its functions. I

do not think that those particular functions vary drastically from the functions of the Tourist Board of the Northern Territory.

Under part III, clause 23, there is a provision for the establishment of a tourism advisory council. Clause 25 details the functions of that council which are to "advise the minister and the commission on those matters relating to tourism in the Territory and on proposals to assist and to develop the growth of tourism" and also to "examine and report to the minister or the commission on any matters relating to tourism referred to the council by him or it, as the case may be". I am particularly interested in the second function of the Tourism Advisory Council.

When we were debating the Education Bill, we talked about the functions and the powers of the Education Advisory Council. A very positive proposal was put up by my colleague, the member for Arnhem, in relation to whether that advisory council would be able to initiate its own matters for examination and then advise the minister. I would like the minister to consider whether it could be appropriate for the advisory council to initiate its own matters for consideration in relation to tourism in the Northern Territory and have the power to be able to refer such advice to the minister of the commission. Under clause 25, there is a restriction in that the Tourism Advisory Council can only consider those matters referred to it by either the minister or the commission. I think that, in the interests of tourism development in the Territory, it would be appropriate to allow the Tourism Advisory Council to initiate its own matters for consideration and then advise the minister or the commission accordingly. I am sure that there will be people on the Tourism Advisory Council who will want to consider other matters of interest in relation to tourism in the Territory.

I would like some indication from the minister as to how many members the government proposes to appoint to the Tourism Advisory Council because, under subclause 23, it states: "The council shall consist of not less than 6 and not more than 15 members". I would like to know what the criteria for appointment of members to the Tourism Advisory Council will be because it was obvious that some of the appointments to the Tourist Board of the Northern Territory last year were politically motivated. It is important that this House receive some indication as to the real criteria which will be adopted by the government in the appointment of members to the Tourism Advisory Council. I would particularly like to know whether the appointments will be based on regions, on the industries involved in the tourist industry or on the regional tourist associations and whether there will be Aboriginal representatives on the council. Just what will be the major criteria in the composition and the appointment of members to the Tourism Advisory Council? It is important that those members of the Tourism Advisory Council will be people who have an interest and an active involvement in the development of tourism in the Northern Territory and that they will be people who are able to make worthwhile and constructive contributions which can only serve to enhance the future of tourism in the Northern Territory.

There is no doubt that tourism is the second most important industry in the Northern Territory. I understand that tourism has taken over as the number 1 industry in Central Australia. Last year, we had an influx of 135,000 tourists into Central Australia and in the coming year we can expect 150,000 to 180,000. This is an obvious indication that there are important developments in the tourist industry in the Northern Territory. Obviously, the government has taken this into account before presenting legislation before the House to establish the Northern Territory Tourist Commission. This is a positive move and can only mean that tourism in the Northern Territory will be enhanced.

I believe also that it is a practical measure to have a Northern Territory commission because it will improve upon the performance of the Tourist Board of the Northern Territory. I understand that there were difficulties in the operation of the Tourist Board of the Northern Territory in that some of its members were rather parochial and able to see only the interests of their particular region and did not have a proper regard for the future of the tourist industry in the Territory as a whole. However, that does not mean to say that all members of the board have that particular inclination. There are some members of the Tourist Board of the Northern Territory who are particularly interested in the positive development of tourism as a whole in the Northern Territory and they have made a worthwhile contribution. The current chairman, Mr Reg Harris, has worked for many years to ensure that tourism in the Northern Territory has been enhanced for the best interests of the Territory. He has worked hard over the years to ensure that the tourist potential of the Northern Territory has been realised by active promotion in other states and overseas. No doubt, there are other members on the board who have been responsible for major developments in the tourist industry in the Territory over the years.

I understand that there was a problem with the relationship that the board had with the management side of tourism in the Northern Territory. I understand that this particular bill will clarify the situation between the authority responsible for laying down the policy guidelines and the body which will be responsible for administering that policy.

I have not had much opportunity to look at the legislation in greater detail but I hope that I have been able to give some indication of the concern of the opposition in relation to this bill. I raised those concerns not to frustrate the passage of the bill through this House but merely to obtain some indication from the sponsor of the bill as to what the attitude of the government is on those concerns. I would like the sponsor of the bill to give them some attention and to give us his opinions either in these debates or in the committee stage. As I have indicated, the opposition welcomes the bill and we will be cooperating with the passage of the bill through the committee stage.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this bill is, in essence, dealing with the mechanics of establishment of the Northern Territory Tourist Commission. It is similar to other legislation dealing with similar bodies. The requirements in this bill run parallel with requirements in other legislation.

The Tourism Advisory Council is to consist of not less than 6 and not more than 15 members who may be appointed by the minister. This is good because it will give a broad base of interest to the Tourist Commission on which to base its decisions. I imagine the minister will appoint these people from all walks of life both from within the industry and from without industry. I envisage the Northern Territory Tourist Commission regularising the working and control of the industry in a forward-looking way having regard to the future and the immense potential of the tourist industry in the Northern Territory.

Already we have seen what the burgeoning tourist industry has brought to the Northern Territory in the form of increased building of hotels and motels and increased transport facilities. It has also given a fillip to resorts, camping on pastoral leases, increased safari operations, recreation lakes being established, boat and plane trips being organised by operators and tourists camping on properties. Also, what are ordinarily thought of as souvenir shops are growing like mushrooms around the Northern Territory. All

of this has stemmed from people investing in the tourist industry and the spin-off that this has caused in all the other industries. Our government has shown support to the tourist industry, as well as the pastoral and other industries, by its interest in extending and upgrading the road network throughout the Northern Territory. I support the bill.

Mr OLIVER (Alice Springs): Mr Speaker, coming as I do from the major tourist centre in the Northern Territory, I am obliged to speak to and support the bill. As we all know, tourism is a major industry in the Territory that is still more or less in its infancy. With better communications coming to us through the Tarcoola railway line and now, through the changed situation in South Australia, the sealing of the South Road, we can see ahead of us massive growth for the tourist industry.

At the risk of being repetitious, I think it is very important to repeat what the honourable member for MacDonnell said: "The main function of the tourist industry is to encourage and foster, inside and outside the Territory, the development of tourism in the Territory". With that in mind, it is imperative that the Tourist Commission consist of members who have a very intimate and a very broad knowledge of the tourist industry both inside and beyond the borders of the Territory and, most importantly, an intimate knowledge of the tourist industry within the Northern Territory. Tourism is a most fragile industry that deals with all sorts of people. Generally, people are most receptive to good treatment and proper facilities. When I use the word "facilities", I use it in its broadest sense encompassing accommodation right through to transport. However, people react adversely when even the most minor situation is not to their satisfaction. The commission must be very careful in what it does. It has a most important role to play in that aspect. I am sure the minister will keep that in mind when the commission is selected.

I do not have very much to argue about with the bill itself. My comments could perhaps be described as nit-picking. In subclause 6(2), we read that the minister may appoint a person to be a member of the commission. It might be a play on words, but what if the minister does not appoint any person? I feel that the word "may" should be replaced by "shall". I know we have had this situation in other bills and it has been explained to my satisfaction. Perhaps the minister can clarify this for me.

In clause 8, the minister "shall" appoint a person who, among other things, will be a chairman. I have no argument with that. Turning to the Tourism Advisory Council, we find that the minister "may" appoint a person to the council. However, in his second-reading speech, the minister qualified that by saying that the position would be advertised publicly. Thus, I accept the use of "may" there. The word "shall" would be inappropriate in view of response to advertisements; it could be too binding on the minister.

Whilst commenting on the advisory council and without wishing to pre-empt the reply of the minister, I would like to pick up the remarks of the honourable member for MacDonnell who seemed to query clause 25 which relates to the functions of the council. Clause 25 reads:

> *(a) advise the minister and the commission on matters relating to tourism in the Territory and on proposals to assist and develop the growth of tourism;*
>
> *(b) examine and report to the minister or the commission on any matters relating to tourism referred to the council by him or it, as the case may be.*

My understanding of that particular clause is that, under subclause

(a), the council has the wide powers necessary to advise both the commission and the minister on any aspect of tourism without having it referred to it. I think it is slightly different to the Education Bill about which he spoke.

Apart from those few points, I have no argument with the bill. I think the bill is a good one and its implementation can do the tourist industry nothing but good. Speaking of commissions, there is another commission of vital concern to the tourist industry: the Liquor Commission. It is my hope that the Tourist Commission and the Liquor Commission will establish a rapport, as indeed I have no doubt they will, for the benefit of the tourist industry. Tourism is a most important industry and must be nurtured and developed along sound and orderly lines. I am confident that the commission will do that.

Finally, Mr Speaker, I would like to join with the honourable member for MacDonnell in paying tribute to Mr Reg Harris and the other members of the Tourist Board for the magnificent job they have done over the years. I support the bill.

Mr STEELE (Transport and Works): Mr Speaker, some explanations have been asked for by honourable members. Advertisements have been authorised for the selection of a chairman/general manager of the Tourist Commission. This position will carry the E5 salary level which is around $30,000. It is still some distance below the equivalent in the states but is certainly a vast improvement on the situation that existed whereby an officer on the E2 level was asked to undertake fairly high policy decisions and fairly large responsibilities. Opportunities will be given for persons to apply for that position which we hope to fill very soon.

Clause 8 provides that a public servant may be appointed as the chairman. When someone is recruited to the position, that person can then become a public servant. I think that answers the member for MacDonnell. Of course, 2 other commissioners will be appointed. Those commissioners have not yet been considered and there are no appointments in the offing.

Turning to the Tourism Advisory Council, I think we can answer most of the questions raised. Certainly, this will be filled by advertisements. The advertisements will prescribe the qualifications or industry background of those persons required for that council and 15 people will be appointed. Those people will come from tourist promotion associations, city councils and various industries. For example, Tennant Creek and Nhulunbuy would have a representative and 2 people would come from Katherine - 1 from the Tourist Promotion Association and 1 from the city council. Aboriginal representatives would be invited to come from the 3 land councils. The Territory Parks and Wildlife Commission and the Transport and Works Department transport section would be represented. The TDC will be represented through Mr Peter Anderson who will also chair the Tourism Advisory Council. He is the government member on the Business Advisory Council and, for that reason, we feel that he would be best able to liaise between the government and the commission. The chairman of the commission will also be on the council.

We have given the matter a lot of thought; it is very hard to put everybody on the council who would like to be there. It might avoid what the honourable member for Macdonnell described as the parochial, political problems that he thought were experienced in the past. Certainly, there were no problems as far as I was concerned. My relationship with the old board has been quite good. Unfortunately, it has never been as close to the administration as this new entity will be. The problem with the previous

legislation was that it did not really allow for any government input over and above the appropriation and approval of the board's budget. In future relationships, I would make certain that the government would have some input into the decision-making at a certain level.

The Tourist Board's record over the past year has been quite significant. They have opened offices in Adelaide and Brisbane and they have certainly promoted tourism as it should be promoted inside the Northern Territory and Australia. There will be a greater concentration on the domestic policies during the coming year. Obviously, the Tourist Commission will only accept a budget which is currently being spent by the Tourist Board. There will be a need for some further positions in the policy and project development areas and I think that the whole arrangement will benefit all concerned. The total government spending thrust in this budget term will be in the order of $12-13m. That will be for tourist roads, Territory Parks and Wildlife development projects and the Territory Development Corporation. Studies are being done on the future requirements of the domestic traveller and, as a result of those, certain tourist facilities should start to improve.

I would like to pay tribute to board members and the staff of the board for their patience during the awkward transitional period from the Department of the Northern Territory to the situation where they now answer directly to the minister. They have been very patient and they deserve the highest acclamation for that.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it is strange that the honourable member for MacDonnell should ask what provision will be made for Aboriginal people to be represented on the new Tourism Advisory Council when in fact there are already 2 Aboriginal members on the Tourist Board and there are Aboriginal members of the Territory Parks and Wildlife Commission, the Liquor Commission and the Territory Development Corporation. I think you will find that there are persons representing Aboriginal interests on most statutory authorities.

It was a shame that the honourable member for MacDonnell saw fit to make a vague - his whole speech, of course, was pretty vague and amorphous - attack on some members of the Tourist Board who according to him remained anonymous while other members had done a reasonable job. I think the Northern Territory Board over the years - and I was a member of it for a very short time many years ago - has done a very good job in promoting tourism. I think it is recognised that Tasmania and the Northern Territory have by far the 2 most active and go-ahead government tourist promotion organisations. I am certainly proud of my short association with the Tourist Board. I believe the staff have worked very hard and selflessly and, to my personal knowledge, their public service positions and pay ranges are certainly not commensurate with the hours, effort and dedication that most of them have put in over the years. They certainly are people who have the interests of the Northern Territory at heart and I hope that the new structure which will have to be worked out by the Public Service Commissioner will make some recognition of the efforts of these people in the past.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

APPROPRIATION BILL
(Serial 315)

Continued from 12 September 1979.

Motion agreed to; bill read a second time.

In committee:

Schedule 2:

Mr ISAACS: Mr Chairman, I have a series of questions which relate right through the schedule. I think I can probably save time by indicating to the Treasurer a number of areas on which I seek further information. Clearly, he will not be able to provide them to me now but I ask that he provide them at some later stage.

The first relates to staffing numbers. I note that, on this occasion, a document relating to proposed staffing numbers was not presented to the House. I wonder if the Treasurer would make available a breakdown of the comparison of staff numbers as at 31 July 1979 for each of the various departments and statutory corporations with those staff numbers budgeted for the year 1979-80 for the same departments and statutory corporations.

The second item relates to travel and subsistence comparisons. These are scattered throughout the various explanations to the appropriations. I do not ask for travel and subsistence comparisons right down to the last division but for a general analysis from each of the departments to enable a comparison of actual expenditure on travel and subsistence for 1978-79 with the amount budgeted for in 1979-80.

The third area relates to the use of consultants. Again, I would seek a breakdown of the expenditure of consultants for 1978-79 as compared to the amount budgeted for 1979-80. Quite obviously, the amount budgeted for 1979-80 is in the explanation but it would be an easy table for the department to prepare. If the Treasury could supply that information to me, I would be much obliged.

Mr PERRON: The information that the Leader of the Opposition requested can certainly be obtained and I will provide it during the recess of this Assembly or during the next sittings. We will do the best we can to comply with the requests he has made but I foreshadow some difficulty in comparing last year's figures with those of this year because the section switched from the control of one department to that of another during the settling down period of self-government. We have inherited the health function and the education function only recently. Where a group of public servants is transferred from one area to another, the travel, subsistence and, in some cases, consultancy figures are also transferred. Therefore, there may not be a lot of relevancy in year comparisons unless they are closely looked at. However, I will certainly supply that information.

Mrs LAWRIE: Mr Chairman, I would ask the Minister for Education to reply to a query I raised in the second reading. I refer to "Grants-in-Aid" in division 70, subdivision 4, item 06. It is a new allocation of $30,000. The explanatory note says that it is a nominal provision made to enable grants-in-aid to be made to an educational body, group etc for specified projects. Quite a number of people are particularly interested in this allocation. I would ask him to describe in more detail the purpose for which this money is being set aside.

Mr ROBERTSON: One of the roles of the Community Development Department prior to the transfer of both the health and education responsibilities was that of provider of grants-in-aid across the range of matters which would normally be the responsibility of the Departments of Health and Education. At that time, we were anxious to ensure that people of the Northern Territory, notwithstanding that those 2 functions had not yet transferred, had access to

their government for special allocations. Examples are: for replacement of uniforms, additional sporting equipment, isolated instances of hardship and travel. There might be a group of 8 music students who wish to travel to Adelaide and it is found that 2 students cannot afford the fare. A grant-in-aid could be made in a situation like that. In other words, it was for minor areas of aid. The level of aid sought last year from the Department of Community Development was $20,000 to $30,000. The amount is therefore to cover those things that we used to attempt to do with the Department of Community Development allocation.

Mrs O'NEIL: I have 2 questions for the Minister for Community Development. The first relates to the East Point Reserve Trust. It was remarked during debate that funds available to that organisation have been cut from $86,000 to $68,000 and I wonder whether he would provide an explanation for that reduction. The other relates to the reference he made during his second-reading speech of the $700,000 payment from the Local Government Section of his department to the Corporation of the City of Darwin for the loss of the Mindil Beach Caravan Park. I wonder whether the minister can provide me with information to the effect that the sum has been received from the casino developers.

Mr DONDAS: In answer to the member's first question relating to the East Point Reserve, the actual expenditure for 1978-79 was $86,000. The draft estimates for 1979-80 totalled some $70,000. However, some $68,000 has been approved. Until such time that we could clarify the final situation regarding East Point, it was decided that we would curb the activities of the Trust. For 1979-80, operational running costs are indicated as being $67,850. For 1978-79 the actual running costs worked out at $86,250. They also have other sources of income. Last year, they received about $1,000 from the golf course which is not a lot of income. Nevertheless, it was decided that, until such time as the council can give us an indication as to what their intention is out at East Point and until such time that a decision is made on the vacant crown land, my department would at least keep the East Point Reserve Trust going with the nominal amount of $68,000 which is not bad.

While we are on the subject of trusts, it might be an idea to give honourable members an indication of what is happening throughout other parts of the Territory as far as reserves are concerned: Blatherskite Park in Alice Springs - $10,000; Batchelor Recreation Reserve - $3,000; Adelaide River Race Course Reserve - $1,000; Pine Creek Recreation Reserve - $4,250; Freds Pass Reserve - $60,000; Olive Pink Reserve - $6,000; Mataranka Reserve - $7,000; Daly Water Recreation Reserve - $4,000; Pine Creek Race Course and Recreation Reserve - $20,000; Daly River Hall Reserve - $20,000; Adelaide River Oval - $10,000; Renner Springs Race Course Reserve - $13,600; and Aileron Race Course Reserve - $3,000. A total of $242,000 is going to reserves this year with a contingency for other reserves of about $10,000. I hope that answers the honourable member's first question.

I am not sure that the $700,000 has been given to us from the Federal Hotels people. Only the Treasurer can answer that question and I would ask you to redirect it to him.

Mrs O'NEIL: Mr Chairman, I am more than happy to redirect the question to the Treasurer about the receipt of the $700,000 from the casino developers.

Mr PERRON: Mr Chairman, I can assure honourable members that we did not take the matter of $700,000 lightly. The government collected the money some time back.

Mrs LAWRIE: Mr Chairman, I have a further query that I direct to the

Chief Minister. This was raised in the second reading but it was not answered to my satisfaction. It concerns a particular allocation of $66,000. According to the explanatory notes for sub-item 14 on page 37 of the explanations to the appropriation bill under the Chief Minister: "The main function of this unit is to provide library and research facilities for ministers, members, support staff and research officers - $66,000". I asked the Chief Minister where this lovely facility was to be located and on page 52 of Wednesday's Hansard he replied: "The library for the use of ministers and members will be on the ground floor of the Chan Building. It is to assist in overcoming the lack of library facilities currently available in the Assembly but will eventually be located in the new parliament house".

Mr Chairman, we cannot even agree where the new parliament house is going to be sited at the moment.

Mr Perron: We have not even met on the subject.

Mrs LAWRIE: I do not see it being resolved in the foreseeable future, Sir. I have some very specific reservations about the sum of $66,000 for these facilities being put aside when they are to be located in an area which is normally secured. I ask the Chief Minister to advise just what access honourable members, other than ministers, will have to this $66,000 facility. Is it to be only between the hours of 8 am and 4.21 pm because I believe that would be unacceptable? Honourable members on this side of the House often use what meagre facilities we have at weekends. To whom will the people starting this facility be responsible? Will they be Legislative Assembly staff? What grading will they have? Are they to be librarians? In other words, if this is to be a facility, as outlined by the Chief Minister, for the use of all members, I think that the location should be re-examined. I also ask for clarification about the persons staffing this facility.

Mr EVERINGHAM: All I can say is that the honourable member for Nightcliff may well end up without the facility at all if she wants it relocated. I cannot think of where it could be put other than where it is at the moment. If I can be informed of where there is space to locate this facility in congenial surroundings other than where it is located, I will be pleased to hear of that. Due inquiry was made by my department before it was decided to locate this facility on the ground floor of the Chan Building and have access to that building in normal business hours. The facility is staffed by Mrs Souter who is a qualified librarian. That is the story.

Mr COLLINS: As far as I am concerned, the story is not good enough. Perhaps the Chief Minister could state categorically then - the inference was certainly there - that when this facility is relocated to the Chan Building, members will not have access to research facilities outside of normal business hours.

Mr EVERINGHAM: The Legislative Assembly library will remain in the Legislative Assembly building. These other facilities are located in the Chan Building because there is a lack of space here to put in any additional library facilities. The building over there is open to honourable members and their staff during normal working hours. This is an additional facility over and above what is already available in the Legislative Assembly. It seems to me that it is an improvement on the existing situation and that honourable members opposite are cutting off their nose to spite their face.

Schedule 2 agreed to.

Remainder of the bill agreed to without debate.

Bill passed remaining stages without debate.

TRAFFIC BILL
(Serial 303)

Continued from 19 September 1979.

Mr STEELE (Transport and Works): Mr Speaker, I think that there is not much to be said in reply. Certainly, some questions have been asked and I will try to answer those. Members have taken a bipartisan approach on road safety matters and, in particular, the matter of random breath testing and I congratulate them on that. The Road Safety Council itself is still vitally concerned with many other parts of the package of road safety policies which have yet to be implemented. Some are in the throes of being implemented and there is always more to be done. Matters that still worry the Road Safety Council include riding on the backs of vehicles, driver training centres, internationally accepted road signs, increased safety measures for buses and seeking interstate support for the national adoption of warning labels on packaged alcohol. Of course, today we saw the introduction of legislation dealing with defect notices and on-the-spot fines.

Representations have been received from the public on this legislation. Members have addressed themselves to the questions of civil liberty raised in those representations. Certainly, the representations I have received have been around the 50-50 mark. The Opposition Leader said that there were no representations from within the Labor Party on this. Perhaps if he went into the Parap Hotel on a Friday afternoon or the Leagues Club on a Sunday, he might find the situation quite different. Some of the happy hours that are held in the sheds at the 2½-mile would take the skin right off your back. That is where the representations are made and I take a lot of notice of them. These are ordinary people who will be affected to a large extent by the provisions of this legislation.

There has been concern about the activity of the breath-testing stations in other centres. It has been said that the police, in the administration of this legislation, will perhaps overdo the use of the random breath-testing stations in the city areas. I do not believe that the cities will be singled out. People are aware that many of the accidents occur in the country. Travel on the roads is more dangerous than it was years ago; if one had driven a road train between Timber Creek and the Katherine meatworks in 1963, one would have to agree with that.

People have said that, in places like Alice Springs where there are 4 roads into the city, the random breath-testing station would be set up and the people would feel, after a short time, that the police were overdoing what is probably a very simple procedure. In a very small place, I would imagine that people could feel like that and I think the police should take that into account in their operation of random breath-testing stations. If the random breath-testing stations were overused, I think the public in due course could rise up in arms against them, particularly those who have had nothing to drink yet are pulled up time and time again.

The member for Port Darwin asked for the production of an information booklet to be distributed to the general public. I hope this information paper will be distributed to coincide with the assent to the legislation. It is very important that there is a general distribution of this booklet throughout the Northern Territory so that people can be given information about the legislation before they themselves wind up in court.

The member for Sanderson mentioned that the "twilight" provision had been omitted from the bill. As the member for Port Darwin pointed out, this is covered in the amendments which place random breath testing in part III of the bill. Similarly, the bill allows for the establishment of a breath-testing station.

The honourable member for Arnhem and the Leader of the Opposition discussed the attitudes of the public in Victoria and recognition there of the merits of random testing. What they did not mention was that initially the Victorian legislation was "sunset" legislation which has since been permanently renewed in the statute books - by repealing section 3 of the Breath Testing Station Act.

The member for Port Darwin suggested that a brochure be produced and I covered that earlier. The failure to understand the effect of drinking and driving in the context of this legislation might be sufficient grounds for the registrar to reject an application for a licence. That point has not been raised and it is probably worthy of consideration.

Honourable members clearly stressed the point that the way in which the legislation is implemented by police will be of paramount importance in gaining public support and in changing drivers' attitudes. We are all in agreement on that.

The last point that I would like to make is that the amendment schedule will divide the bill into separate parts and therefore place the random breath-testing provisions and the drink-driving provisions separately in the bill. This approach will allow the necessary regulations for these 2 provisions to be drafted separately and will ensure that the commencement of one part of the bill will not be delayed pending the final regulations for the other part of the bill.

Motion agreed to; bill read a second time.

In committee:

New part heading agreed to.

Clause 1 agreed to.

Clauses 2 and 3 negatived.

New clauses 2 and 3:

Mr STEELE: I move amendment 110.2.

This inserts new clauses to replace the defeated clauses. New clause 3 provides a different part of the act may be commenced at different times by separate Gazette notices. If one part of the act is commenced before another part, the principal act stands amended by that part only until such times as a further part is commenced.

New clause 2 expresses the meaning of the term "principal act" in a way which allows commencement of one part of the act before another.

Ms D'ROZARIO: Just as a matter of interest, I ask the honourable minister when we can expect part III to come into operation. This is the part specifically relating to random breath testing.

Mr STEELE: I am advised that it will be several weeks before the regulations are available.

New clauses 2 and 3 agreed to.

Clause 4:

Mr STEELE: I move amendment 110.3.

This amendment varies the savings provisions in connection with breath-alysers as dealt with in part II of the bill only. Part III of the bill seeks to introduce random breath testing as a new measure to prevent death and injury on the roads. There are no previous offences and no savings are necessary.

Amendment agreed to.

Clause 4, as amended, agreed to.

New part heading agreed to.

Clause 5:

Mr STEELE: I move amendment 110.5.

Breath-testing stations will be dealt with in part III only. A definition of this term in this part is therefore unnecessary.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

Mr STEELE: I move amendment 110.6.

The proposed new section 8C(1) provides how the results of one or more blood tests or breath analyses carried out on a person within 2 hours of an accident shall be interpreted. The amended section deems the person to have had a blood-alcohol level not less than the lower result.

Amendment agreed to.

Mr STEELE: I move amendment 110.7.

The proposed new section 8D(2) deals with the administering of breath tests at or near breath-testing stations and should therefore form part of part III. It has no relevance to this part and should be deleted.

Ms D'ROZARIO: I rise only to abjectly apologise to the honourable minister for virtually accusing him of not keeping faith with the public in removing the cut-off date. I withdraw my previous remarks.

Amendment agreed to.

Mr STEELE: I move amendment against 110.8.

New paragraph 8D(3)(b) is omitted and the same provision is reinserted

in the form of clear, short subparagraphs in order that the subclause may be read more easily.

Amendment agreed to.

Mr STEELE: I move amendment 110.9.

This amendment changes the wording from "carrying out a breath analysis" to "completing a breath analysis" to indicate that a test must be finalised before a statement showing the results may be issued.

Amendment agreed to.

Mr STEELE: I move amendment 110.10.

It is sufficient to say that the person carrying out the analysis shall sign and deliver a statement. It is intended to prescribe the exact format of such a statement by regulation.

Amendment agreed to.

Mr STEELE: I move amendment 110.11.

The proposed section 8G(4) provides that blood samples taken shall be the property of the Commissioner of Police. Amendment 110.12 seeks to vary this by inserting a new subclause (5) subject to which subclause (4) would then apply.

Amendment agreed to.

Mr STEELE: I move amendment 110.12.

The insertion of a new subclause (5) provides that half of the blood sample may be given to the donor for use as evidence for his own behalf if he sees fit. This new subclause aims to protect the unconscious person from whom a blood sample has been taken.

Amendment agreed to.

Mr STEELE: I move amendment 110.13.

This amendment provides that a member of the staff of the hopsital may take a blood sample from an unconscious person. If this is not permitted, the gathering of evidence for any court case arising out of the cause of accident may be inhibited.

Amendment agreed to.

Mr STEELE: I move amendment 110.14.

The proposed new paragraph 8H(2)(d) provides that a staff member of a hospital does not have to take the blood sample of a person whom he believes to have been a pedestrian at the time of the accident and when he believes that the blood sample taken from that person would not be tested.

Amendment agreed to.

Mr STEELE: I move amendment 110.15.

It is already provided in the bill that a certificate showing the results

of a breath analysis or the results of a blood test carried out by an authorised analyst shall be sufficient prima facie evidence in court for the percentage of alcohol in a person's blood. The manner in which such tests shall be conducted and containers sealed and labelled can be prescribed by regulations. To avoid complicating procedures, it is proposed to omit the subclause 8J(2).

Amendment agreed to.

Mr STEELE: I move amendment 110.16.

The proposed section 8B provides for setting up breath-testing stations. This removes proposed section 8N which has no relevance to this part of the bill. A later amendment will insert this provision in part III where random breath testing is dealt with exclusively.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 and 9 agreed to.

New part III:

Mr STEELE: I move amendment 110.17.

This part seeks to amend sections of the principal act in order to introduce the whole new concept of random breath testing. It is contained in a separate part, part III, to enable commencement of those provisions at a separate time from the commencement date of the remaining provisions of the bill. A comprehensive set of regulations which will lay down the finer details of random breath-testing procedures will have to be carefully considered and drafted before part III of this bill can be commended.

In a nutshell, the random breath-testing provisions will operate as follows: a conspicuously-marked vehicle, most probably a caravan, will be parked in one lane of a road facing into the direction which the traffic flows; signs containing the words "breath-testing station" in letters easily identifiable to motorists will be erected near this vehicle; and a member of the police force may ask a person travelling in the direction to which the testing station is facing to stop his vehicle and to submit to a breath test. Under no circumstances, will vehicles travelling in the opposite direction be diverted or stopped for the purpose of random breath testing.

Clause 12(1) limits the operation of random breath-testing provisions to a period of 2 years from commencement. Thereafter, a thorough review will be made to see whether random breath testing in fact has achieved the desired reduction in the number of people killed or injured in motor accidents on Territory roads.

Amendment agreed to.

Title agreed to.

In Assembly:

Bill reported, report adopted.

Mr OLIVER (Alice Springs): In the amendment that we affected to the

Traffic Act this afternoon, there is a word rejoining the part II heading; "breathalyser". A breathalyzer is a corruption of the words "breath analysis" or the machine that does a breath analysis. I have always spelt analysis, analysising, analyser with an "s" and not a "z". Could I have an assurance that, when these amendments do go in the Traffic Act, the word is spelt with an "s" and not a "z".

Mr STEELE (Transport and Works): I hate to be offensive but whatever the legal wording is and whatever is required for the most expeditious working of this legislation is what will be inserted in the bill.

Bill read a third time.

PLANT DISEASES CONTROL BILL
(Serial 304)

Continued from 19 September 1979.

Mr STEELE (Transport and Works): Mr Speaker, the points raised by honourable members have been referred to the people who were responsible for preparing the bill and I hope I can adequately answer the questions from what the officers have provided. Certainly, further amendments have been prepared and I think they will go a long way towards satisfying the requirements of members. Members will note that some points have been taken up in the separate schedule now before them. I would like to comment generally on the points raised.

A query was made of the relationship between dead material and propagation in clause 6. Dead material is often used in propagating plants; for example, peat, rice husks and coconut fibre.

On occasions, it is necessary to specify the point of entry for packaging and such provision has been made in clause 9(1). Not all packaging is new; we often find second-hand sacks and bags which can be infection vectors.

The members for Victoria River and Tiwi expressed concern about clause 12(3). They thought that it was a bit tough. We are talking about fruits or plants being affected by a notifiable pest or disease. Any person who is not neglecting his orchard will be aware very quickly of an attack by an insect or disease. The responsible orchardist would advise of the attack as soon as he is aware of it. the subclause is aimed at the irresponsible few who are well aware of an attack but do nothing about it and thereby threaten the whole industry. Without such a subclause, the irresponsible orchadist would evade his responsibility to the community by claiming ignorance thathis orchard is being affected. For this very reason, the states found it necessary to include a similar clause in their plant quarantine legislation. The comment about the airborne fungi would relate to infection. We are not talking about infection in this subclause.

In subclause 14(1), a definition was sought by the member for Victoria River of the word "assistance". Amplification or indeed definition of this word is not considered necessary. It is usual for quarantine inspectors to have the goodwill and cooperation of property owners. Such owners willingly allow an inspector to enter their property and often offer to assist with the examination of plants or whatever is affected; that is, the inspector has the owner's assistance. This is standard procedure throughout the Northern Territory. There are occasions when an owner may not be cooperative and, in such circumstances, the inspector must be able to enter the property and perform his duty despite the owner's attitude. If the inspector does not

have the owner's assistance, he may need to bring assistance on to a property to carry out the quarantine action required. The members for Victoria River and Tiwi sought the insertion of the word "wilful" before "interfere" in clause 15(3). My legal advice is that wilfullness is already implied.

In reference to clause 19, the honourable member for Tiwi asked what happens when the owner cannot be found to have a notice served on him. The answer to this is found in clause 25; the notice can be affixed in some conspicuous place upon the land or premises.

Turning to subclause 21(1), there is no set method for destroying material because each case has to be taken on its merits. The member for Victoria River considered that subclause 21(1) should include liability against the government for the actions of its servants. I should point out that "in good faith" and "without negligence" are used and as such is a standard clause and not a repeat of what the law indeed would say if this clause were not present.

The members for Victoria River and Tiwi sought compensation provisions for plants destroyed. There is no intention that a few plants will become a matter for a compensation act. However, where large losses are incurred, it is supposed that an adequate and flexible means of dealing with compensation would be the enactment of separate compensation legislation to deal specifically with the circumstance existing at the time it is required. Compensation may be a means of rescue to an industry that is valuable to the economy and it is not possible to build provisions for such a circumstance into the bill. Indeed, compensation would be a matter that I would have to pursue further with the Cabinet before it could be further discussed in the House. I commend the legislation to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr STEELE: I move amendment 120.1.

The amendment inserts a definition of "Chief Inspector" as a person so appointed under clause 7 of the bill.

Amendment agreed to.

Mr STEELE: I move amendment 120.2.

This amendment adds the word "flesh" to the definition of "fruit". This was an omission from the original definition. The flesh forms the major part of many fruits.

Amendment agreed to.

Mr STEELE: I move amendment 120.3.

This amendment alters the definition of "owner" to provide that it includes the person in charge of a vehicle, train, aircraft, vessel etc. It has particular relevance to clause 14 which deals with entry to premises and vehicles for search purposes.

Amendment agreed to.

Mr STEELE: I move amendment 120.4.

The amendment replaces the definition of "plant" to ensure that living or dead trees in their natural state are included.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8:

Mr STEELE: I move amendment 120.5.

This is a drafting amendment to the grammar of subclause (1). The effect of the amendment is that an import prohibition notice under the clause may apply to the Territory as a whole or to a specified part of the Territory.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

Mr STEELE: I move amendment 120.6.

"Disinfection" means the cleansing of a disease and "disinfestation" means the ridding of pests or vermin. Since we are dealing with pests and diseases, it is appropriate that both words be used.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11:

Mr STEELE: I move amendment 120.7.

This is simply a drafting amendment to make the offence provision in clause 11(2) apply to the whole of subparagraph (i) and not just paragraphs (b) to (e) inclusive.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clause 12:

Mr STEELE: I move amendment 120.8.

This amendment replaces clause 12(2)(b) to remove the requirement for the Chief Inspector to serve notice on a person when seeking information regarding a disease or infestation. If the chief inspector is talking face to

face with such a person, it is considered unnecessary to serve such a notice in writing.

Amendment agreed to.

Mr STEELE: I move amendment 120.9.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13 agreed to.

Clause 14:

Mr STEELE: I move amendment 120.10.

This amendment replaces subsclauses (3) and (4) of clause 14 and is a drafting amendment.

Amendment agreed to.

Clause 14, as amended, agreed to.

New clause 14A:

Mr STEELE: I move amendment 124.1.

This inserts a new clause 14A.

New clause 14A agreed to.

Clause 15:

Mr STEELE: I move amendment 120.11.

This is another drafting amendment to make sense of subclause 15(1).

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

Clause 17:

Mr STEELE: I move amendment 120.12.

This adds references to premises to subclause 17(2). Subclause 17(1) refers to land and premises and the amendment brings subclause (2) into conformity.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19 negatived.

New clause 19:

Mr STEELE: I move amendment 120.13.

The new clause provides, in relation to neglected orchards, for service of a notice on the owner to show cause why specified plants should not be destroyed. Service of a notice will take place by the chief inspector that he will destroy the plants after a period of 14 days from the service of the notice. He will serve such a notice only if he is not satisfied with the owner's reply. There is right of appeal by the owner to a court of summary jurisdiction from a decision of the chief inspector. If an appeal is lodged, the plants may not be destroyed until the appeal is determined. Where destruction of the plants takes place when no appeal is lodged or the appeal is determined in favour of the chief inspector, the cost of destruction would be a debt to the Territory.

Mrs LAWRIE: If there is a severe disease, it would seem that, under this new clause and notwithstanding the emergency, the plants cannot be destroyed within the 14 days. They can certainly be destroyed within the 14 days with the permission of the owner. I wonder if the new clauses by differing from the clauses printed, means that if there is a severe infestation it cannot be destroyed within that 14 days.

Mr STEELE: I do not know that I can answer the honourable member in context. However, I would suggest that the chief inspector would ensure that these infested plants were taken to the quarantine station. I doubt if that section would cover that. If I could seek the leave of the House to leave the committee to talk to my adviser for just a moment, I might get an explanation for the committee.

Mrs LAWRIE: I want to make it quite clear to the honourable sponsor that I am not opposing the substitution of this clause. I just want to be assured that, where there is a major outbreak, it will be covered under another section. I am trying to get his assurance that an outbreak can be contained immediately and does not have to wait for the 14 days,if it is severe enough.

Mrs PADGHAM-PURICH: The new clause talks about a period of 2 years so, if the inspector has waited for 2 years, I do not think that waiting another 14 days will make all that much difference.

Mr STEELE: The members of the adviser's panel have been nodding their heads to the honourable member for Nightcliff's request for information. I guess that that should satisfy her doubts.

Amendment agreed to.

New clause 19 inserted.

Clause 20:

Mrs LAWRIE: As I pointed out, there are tremendous variations in penalties attached to the separate parts of this legislation. I see it as an amendment which will bring the penalty for an offence against clause 22 in line with the penalty for an offence against clause 20 which is presently under consideration; that is, $5,000 or imprisonment for 12 months. I am querying the severity of the penalty on clause 20 which stands at $5,000 or imprisonment for 12 months because clauses 16 and 13 only attract a penalty of $2,000 or imprisonment for 6 months. Two separate penalties exist right throughout the bill: $2,000 or 6 months and $5,000 or 12 months. Under clause

20, failure to state your name and place of residence which is not your true name or place of residence should attract the lesser penalty of $2,000 or 6 months as provided for in clauses 16 and 13. Whilst I appreciate the importance of this legislation, I think $5,000 or imprisonment for 12 months for giving a false name is pretty tough. I would have thought that, given that other penalties in the bill are lesser, this particular clause would attract a lesser penalty.

Mr DOOLAN: Mr Chairman, I rise to support the honourable member for Nightcliff. We have discussed this and the idea we had was to drop the penalty for giving a false name and address to $2,000 because it was quite unreasonable. The more serious offence of hindering an inspector in the course of his duty should be perhaps $5,000. Personally, I think they are both pretty stupid. However, the reverse has happened and now both of them stipulate $5,000.

Mrs LAWRIE: I ask the sponsor of the bill whether he will circulate a formal amendment altering the penalty in clause 20 to $2,000 or imprisonment for 6 months. It is not a novel penalty and will not be inconsistent with other clauses of the bill. I think that $5,000 or imprisonment for 12 months for giving the wrong name, having regard to other legislation on the statute books, is 100% too much.

Mrs O'NEIL: Mr Chairman, I am more than pursuaded by the member for Nightcliff. The Human Tissue Transplant Bill that we passed recently had provision for a penalty of only $1,000 for removing somebody's organ without the proper approval, which is very serious. I think we should attempt to be more consistent in the penalties which we provide.

Clause 20 postponed.

Clause 21 agreed to.

Clause 22:

Mr STEELE: I move amendment 124.2.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 25 agreed to.

Clause 26:

Mr STEELE: I move amendment 124.3.

Amendment agreed to.

Clause 26, as amended, agreed to.

Schedule agreed to.

Postponed clause 20:

Mr STEELE: I move an amendment to clause 20.

This amendment will change the penalty from $5,000 or 12 months to $2,000 or 6 months.

Amendment agreed to.

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Clause 20, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported, report adopted.

Mrs LAWRIE (Nightcliff): When the act is printed, having regard to these severe penalties and the importance of this legislation, it should be circulated to as many persons as possible. I am well aware that the honourable members circulate bills which are before the House. I believe that the government should advise as many persons in the industry as possible of the new structures and penalties which apply.

Mr STEELE (Transport and Works): Mr Speaker, it is standard practice to circulate bills and acts as widely as possible. In this respect, I cannot see any problem in making sure that the circulation is fairly wide.

Bill read a third time.

ELECTORAL BILL
(Serial 327)

Continued from 19 September 1979.

Mrs LAWRIE (Nightcliff): Mr Speaker, I only wish to address myself to 2 aspects of the Electoral Bill. It seems fairly obvious, given the tenor of the debate so far, that a system of optional preferential is not going to be adopted. Nevertheless, I wish to add my weight to the call from the ALP for such a system. It is incorrect to say that it does not truly reflect the wishes of the community. In fact, I think it reflects them in a far more proper manner. As other members have pointed out, it is our duty to ensure that everybody qualified to vote has the opportunity to do so. People should have the opportunity to express a preference for the person whom they wish to represent them. I say "the person" because we are dealing with single-member constituencies.

If the voter wishes to indicate that he would like Joe Blog first and Josephine second and so on down the list, optional preferential voting allows that desire to be expressed. However, if we continue with the idea of full preferential voting, people cannot exercise their right to nominate the person of their choice in the way in which they may wish. They must mark every square and, if there are 8 candidates, they have to go to the 8th preference which surely is an indication of "I don't want you". One person raised the point that some people find it quite abhorrent to have to vote for a person whom they particularly dislike. I support that view which has been put to me as a reason for supporting optional preferential voting. It is a view with which I sympathise. If Adolf Hitler was to stand for the electorate of Nightcliff, I would not wish to give him tenth preference out of 10 people. There are many people who philosophically object to having to express a preference for every candidate.

Under part V in claims for enrolment, subclause (5), we find: "Notwithstanding anything contained in this act, a member of the Legislative Assembly may, if he so desires, have his name placed upon and retained upon the roll for the division which he represents instead of upon the roll for the division in which he lives. A member of the Legislative Assembly whose name was enrolled in accordance with the provisions of this subsection may vote as an

elector of the division in respect of which he is so enrolled". I assume that that will ensure that honourable members get at least one vote. I point out with some glee that this provision will be supported by the Chief Minister, the Leader of the Opposition and the members for Sanderson, Casuarina, Port Darwin, Victoria River and Arnhem because none of them live in their electorates. I would like to know whether this particular provision exists in other states because I find it somewhat amusing. I suppose it is cheaper than moving house.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I must apologise for some confusion that has existed this afternoon as to whether the government would proceed with the passage of this bill this evening. I have ascertained the reasons for that confusion by speaking with the Leader of Government Business. To pass through all stages of this sittings, this bill would require the suspension of Standing Orders. The Leader of Government Business is not very enamoured of passing the Electoral Bill by suspending Standing Orders. I will be happy to have the bill adjourned at the conclusion of my reply. There has been general support for most of the bill from both sides of the House.

The member for Nightcliff raised the point of members being able to vote in their electorate even if they live outside it. I raised this in my second-reading speech and referred to a similar provision in the Australian Electoral Act. I am not certain that it exists in other states because we have not done that level of research. Nevertheless, it was drawn to the attention of honourable members earlier.

I would like to thank all honourable members for their contributions to the debate and for their attention to this important measure. This will will be a building block of the constitution of the Northern Territory. There is a large measure of accord on both sides. Indeed, most of the differing opinions expressed by honourable members on the other side are based on basic differences in philosophy between the 2 political parties represented in this House. For that reason, in regard to most of the amendments circulated by the Leader of the Opposition, we must agree to disagree.

The Leader of the Opposition appears to fear that the election to be held by August next year might be held without a redistribution first being approved and performed. It has always been my intention that the question of a redistribution before the next general election is a matter for government discretion in the light of all the circumstances prevailing at the time. The Northern Territory (Self-Government) Act laid down a broad framework within which any Territory electoral act must be fitted. Section 13 provides maximum quotas for electorates and section 62 provides for the application of those quotas at the second general election of members of the Legislative Assembly and not at the first general election. The reason for the provision should be clearly obvious. The legislators in the federal parliament did not attempt to impose on the Territory a statutory requirement for the conduct of a redistribution when they could not know what circumstances would prevail. Both time and up-to-date enrolment of all electors are necessary for the conduct of an effective redistribution. The federal legislators did not know whether these would be available to the Territory and wisely determined not to impose a statutory requirement for redistribution before the first general election under the new law. As the law provided for a 4-year term for the new Assembly, there is obviously adequate time before the second general election and the federal parliament reasonably made it a requirement that a redistribution would be carried out before that and each subsequent election.

My intention is to follow the course indicated by the federal parliament. A decision concerning a redistribution will be made at the appropriate time

and taking all circumstances into account. I have already indicated the need to pass and commence this legislation as soon as we reasonably can. There are a number of actions to be taken to bring the legislation into operation and they must take time. Additionally, and most importantly, it will be necessary to mount an intensive program of enrolment, particularly amongst the Aboriginal citizens of the Territory before any consideration can be given to a redistribution. There are thousands of Aboriginals who are not presently enrolled who will be required to enrol under the provisions of this bill. Until that enrolment is largely completed so that a meaningful distribution pattern of electors can be identified, no effective redistribution is possible. It is recognised that the enrolment of Aboriginals may take some time and, to avoid any chance of putting eligible Aboriginals at risk for non-enrolment, I have circulated an amendment to provide a defence for a person who was not previously required to enrol that he did in fact enrol before the next election.

I am also making representations to the Commonwealth government for an acceleration of their program of Aboriginal voter education so that it may be conducted soon in the Territory and thus, by better understanding, assist in early Aboriginal enrolment. When these required steps have been taken, the government will be able to determine whether a redistribution will be possible before the date of the next election. By deferring passage of this bill tonight, that decision is also deferred. The decision will be made in the light of all the circumstances prevailing and I am not prepared to accept the statutory requirement that may not be capable of proper application. The same view is taken of the proposal that a redistribution must be conducted if electorates fall outside a specified numerical relationship. I repeat, Mr Speaker, that the question of a redistribution before the next election must be a matter of government discretion and the decision will depend on existing circumstances.

The opposition has again argued for a 10% tolerance in electoral division numbers and the Leader of the Opposition has circulated an amendment in that regard. At the risk of being tiresome and repetitive, I again direct the attention of honourable members on the opposite side of the House to the provisions of sections 13 and 62 of the Northern Territory (Self-Government) Act. I will read them into Hansard. Section 13(4) states:

> *For the purposes of the election of the members of the Legislative Assembly, the Territory shall be distributed into as many electoral divisions as there are members to be elected and a quota shall be calculated by dividing the whole number of electors in the Territory as nearly as can be ascertained by the number of members to be elected.*

Section 13(5) reads:

> *For the purpose of subsection 4, each electoral division shall contain a number of electors not exceeding or falling short of the quota calculated under that subsection by more than one-fifth of the quota.*

Section 62(2) provides:

> *Subsections 13(4) and (5) apply for the purposes of the second general election of members of the Legislative Assembly after the commencing date and for the purposes of all subsequent elections of members of the Legislative Assembly.*

I think the matter of the degree of tolerance will again be a matter that we agree to disagree on.

The Leader of the Opposition argued here last night that the Chief Electoral Officer should not be subject to direction from the minister. I am not quite sure of what he means although I recognise the significance of the judgment of Mr Justice Smith which was referred to at length by him and the member for Arnhem. Let me state the government's position clearly. Every act must be the ultimate responsibility of a minister of the government. That is what parliamentary responsibility is about. Some ministers must carry the responsibility for every act in the House. A statutory office holder such as the Chief Electoral Officer will, because of the nature of his function, have discretions unhindered by ministerial control. I can assure the House that the Chief Electoral Officer appointed under this act will be able to perform that function without fear or favour.

Honourable members opposite argued that the third member of the Distribution Committee to be appointed under clause 92(c) should be a judge of the Supreme Court and the honourable Leader of the Opposition cited as an analogy that that is the situation in New South Wales. We have a situation in the Northern Territory where there are 4 judges on the bench of the Supreme Court. One of those judges acts as an Administrator not infrequently. Steps are being taken by the federal government to amend the self-government act so that the senior puisne judge, who is resident in the Territory at the time of the absence of the Administrator and the Acting Administrator, will be able to take on the position of Acting Administrator and that eliminates 2 judges straight away from acting as chairman of an electoral distribution committee. The third judge in order of seniority is the Aboriginal Lands Commissioner who is unable to devote a great deal of time to his judicial duties let alone to the position of chairman of an electoral distribution committee. I believe there are pressures on the federal goverment to appoint an additional Aboriginal Lands Commissioner so that land claims can be heard and disposed of without the delay that, in some cases, applies at the present time. That leaves 1 judge from whom the selection can be made and this hardly compares to the selection that is available from the New South Wales bench.

I can assure members that a person will be selected to fill the third position on the committee as chairman and will be recognised to be a person beyond reproach. He may not necessarily come from the Northern Territory because that could restrict our choice. I give this House an assurance that honourable members will be satisfied. I have no idea at the present time of who might be the chairman of the electoral distribution committee. I can assure members that that person's reputation will satisfy all members that a fair and honest job will be done. Indeed, it is almost unnecessary that that be so because the committee must act within the criteria laid down in the bill. Those criteria do not give the committee a great deal of leeway. Their hands are virtually bound and there cannot possibly be any rigging of electorates in the Northern Territory.

The opposition advocated the admission of a how-to-vote card or similar list of names as an indication of how an illiterate voter wishes to have his vote recorded. I have already circulated an amendment which is redrafted but similar in principle to the amendment of the opposition and takes account of compulsory preferential voting. The acceptance and enshrinement in the statute of the principle that people will be able to use how-to-vote cards or lists, on satisfying the electoral officer that that is the way they want to vote, removes one of the major arguments put forward by the opposition for optional preferential voting because how-to-vote cards generally have a photograph of the candidate the people want on them and they have a full list of the candidates and the numbers placed according to the preference of the candidate of the particular party. I personally do not agree with the arguments put forward by the opposition in respect of optional preferential voting but, even if those arguments had some validity, I believe that the use of how-to-

vote cards completely removes the ground from under the opposition's feet on that point.

Another point the opposition raised was that photographs should be on the ballot papers. To do this would entail a great deal of cost and some technical effort and would result in miniature photographs on the ballot papers. Some of these photographs will be rendered obscure and I have no doubt that scrutineers will find many spoiled photographs of their own candidate or otherwise that will invalidate a vote and may even necessitate a new election in that division. Photographs on ballot papers will only present another opportunity for unsuccesful candidates who do not have genuine reasons for appealing against the conduct of an election to appeal. To introduce this technique will give rise to a great deal of complaint and uncertainty. Photographs with names of all candidates will be in every polling booth. This will give illiterate voters a fair opportunity to compare the photograph to the ballot paper.

The opposition has sought to maintain 8 pm as the closing time on polling day. I think that they are still unsure of whether they are right in this decision. I propose to proceed with the 6 pm closing provision. I have heard numerous complaints from members of all political persuasions on the subject of polling stations remaining open till 8 pm. I believe that we should at least give 6 pm closing a trial run. If it does not work out and if there are many complaints from people that were unable to register their votes, then we can amend the act next time round. I do not think that that will be the case because the investigations that I have conducted over the years have indicated that very few people come into polling stations between 6 pm and 8 pm in the evening. Those people would vote either early in the morning or certainly before 6 pm if they knew they had to. I have known of occasions when no more than 3 people have voted at a particular polling station between 6 pm and 8 pm. 6 pm closing already applies in NSW and Queensland and those 2 states have large outback areas. Indications are that the other states in the Commonwealth may follow suit.

The Leader of the Opposition pointed out that clause 45 would allow for an election 14 days after the issue of a writ and he is correct. Again, this is a common provision that we are used to; it is appropriate in the case of a by-election. There is a recent case of a state premier who called an election on 3 weeks notice.

The Leader of the Opposition has sought to introduce an amendment to the effect that, where more than 25% of seats are out of quota kilter, there must be a redistribution. I do not propose to accept that amendment. Lastly, the member for Arnhem called on us to involve Aboriginal communities as much as possible in the electoral process and he referred particularly to assistance with enrolments and at polling stations. As I indicated to the honourable gentleman at Galiwinku some weeks ago, that is a call that I wholeheartedly endorse and the government will be involving Aboriginal people in their communities as much as possible for their own benefit and for the facilitation of the electoral process. When I heard in the popular press that the Commonwealth government was proceeding with Aboriginal voter education campaigns in South Australia, NSW and Western Australia, I immediately asked them to give the Territory priority. Certainly, their campaign in SA can now wait for a few years. Mr Speaker, I commend the bill.

Mr SPEAKER: Honourable members, this bill has not been declared an urgent bill. Therefore, pursuant to Standing Order 152, it cannot be read a second time until 10 October. I declare this debate adjourned.

ADJOURNMENT

Mr STEELE (Ludmilla): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, I want to bring to the attention of the House the deficiencies existing by way of manpower at Casuarina Police Station.

If one looks at the supposed strength of the Casuarina Police Station, it would appear that it is adequately manned. Certain members of the staff supposedly attached to Casuarina have not been near the place for 18 months. The Commissioner of Police has taken the excellent step of forming a task-force. This particularly skilled group of people are available to deal with emergencies. The formation of this taskforce has had the effect of depleting other areas of the police force. Casuarina Police Station has been affected in no small way.

When Casuarina Police Station first opened, the population in the area under its control was approximately 12,500 people. It is now approximately 38,000 people and the gazetted strength at Casuarina is 1 sergeant first class, 5 sergeants third class and 16 constables. Whilst they might be excellent in themselves, if those constables are just out of training, their efficiency is not at its maximum.

I will give some indication to the House of the area of responsibility of Casuarina Police Station: the 3 high schools of Nightcliff, Casuarina and, shortly, Dripstone; the 16 primary schools of Nightcliff, Rapid Creek, Millner, St Pauls, Jingili, Alawa, Nakara, Tiwi, Wanguri, Wagaman, Moil, Walagi, Anula, Holy Spirit, Marrara and Howard Springs; Nightcliff shopping centre which has approximately 35 shops and a Woolworths supermarket; Rapid Creek shopping centre which has approximately 22 shops; the Casuarina Square complex which includes K-mart, Coles and 52 variety shops; 16 minor shopping centres; 10 licensed premises including the Dolphin Hotel, Lim's Hotel, Marrara Hotel and the Tropicana Restaurant; the Bagot Speedway; the bowling alley and sports complex; the Nightcliff Olympic Pool; the Casuarina Olympic pool; the free beach area; Chapman House Holding Centre; and the drive-in theatre. Besides those areas of responsibility, it will soon have the Casuarina Hospital. Future developments will mean that Casuarina Police Station will also be responsible for the subdivisions of Malak, Leanyer, Millner and an area in Casuarina where an office complex is being erected.

I wish to also put before the House the following facts and figures which will show that Casuarina Police Station is extremely busy. In the 1978-79 calendar year, a total of 1,235 prisoners were processed through the watchhouse. Casuarina also includes the traffic section which is, of necessity, fairly busy. There were 1,500 complaints to be registered, firearms to be registered, criminal offence reports to be submitted and yet the present gazetted strength does not allow for any more than 3 members on a midnight shift. Consequently, this will leave one man on his own at the station for long periods with a number of prisoners which constitutes a security risk and a risk to the prisoners themselves, for example, in fire or from sickness.

The Chief Minister indicated in debates in this House and in presentation of various budget papers that he is well aware of the necessity for an efficient, well-trained and adequate police force. I ask the Chief Minister to inquire into the actual staffing at Casuarina Police Station, rather than the gazetted staffing, so that he may satisfy himself as to whether that incredibly complex district is being well-served.

I have a particular interest not only because I am the responsible elected member for part of that area but because I do not approve of the increase of what I term private armies; that is, the members of private security services. They are no substitution at all for adequately trained and accountable members of the police force. I would prefer there to be no need at all for private security firms to operate and I believe my sentiments were supported by the recent meeting in Darwin of heads of police forces from throughout Australia. Whilst people know that there are insufficient police to adequately ensure crime prevention, not only detection, certain commercial premises will of necessity engage private guards to guard their premises. This is a trend which I find totally abhorrent. I hope that the Chief Minister will see fit to introduce legislation to control that particular industry. If he does not, I shall.

The deficiencies in staffing at Casuarina Police Station is causing concern throughout the community and to the police themselves. I ask the Chief Minister to investigate and, hopefully, to report to the Assembly in November that this position has somewhat improved.

Mr VALE (Stuart): Last week in this Assembly I paid tribute to the late John Hawkins, a resident of Alice Springs. This week, sadly, I would like to pay tribute to the late Ronald George Goodin, a gentleman who I knew for many years in Central Australia and who supervised and managed the most efficient power-station in the Northern Territory if not in Australia.

I knew Ron Goodin very well and I sought some details from one of his co-workmates, John Amadio. Mr Amadio gave me the relevant information for a tribute to Ron Goodwin and I would like to read that into Hansard. Ron Goodin commenced duty with the Department of Construction in November 1964 as a foreman before becoming works supervisor in charge of the Alice Springs power-station. In 1973, a new power-station was built in Alice Springs and Ron Goodin was made senior power-station supervisor. The new station was considered a modern, diesel-powered station with new equipment equal to any similar power-station in the world. Ron Goodin made this station a model for diesel power-stations and earned Alice Springs and Ron Goodin a very high reputation in diesel generation circles. As the equipment was mainly imported from overseas, many international visitors inspected the station so that the standards and reputation set by Ron Goodin and his staff spread beyond Australia.

In 1972, I visited the power-station with a visiting chemical engineer and Mr Goodin and members of his staff leant over backwards to show us around the power-station. The floors and the engines were in an immaculate condition.

Ron Goodin, besides creating high standards, made sure that his staff were taught all aspects of diesel power generation. Many of the power station personnel worked with Ron for up to 10 years. Besides being officer-in-charge, he was looked on as a father and teacher. Because of his ability to pass on his knowledge and methods of operation, Alice Springs will operate in the same manner for many years.

In 1978, Ron Goodin was made assistant area manager, generation area officer, Alice Springs and, in this capacity, commenced to assist with the areas beyond Alice Springs power-station. With the death of Ron Goodin, the commission has lost a storehouse of knowledge and experience and a fine man. The staff he leaves behind will continue to work in a manner that maintains his memory. During Ron Goodin's time, power generation grew in Alice Springs from 3.7 megawatts to the present 30 megawatts.

I knew Ron Goodin for almost 15 years. In reading through the information that John Amadio has supplied, I see that Ron Goodin had a very distinguished and varied career starting in the early days with armed service in the Second World War - in the Middle East, India, Syria and Greece - and further service in Korea in the early 1950s. The Alice Springs powerhouse is obviously the most efficient in the Northern Territory, if not Australia. It has had a trouble-free record with few or none of the power failures which have been experienced elsewhere in the Northern Territory, particularly Darwin.

Mr Speaker,Ron Goodin worked closely with his men and I use the word "with". Ron would not say his men worked under him; he worked with them and they worked with him. I would like to see Elcom investigate the possibility of commencing a scholarship for an electrical apprentice each year as a memorial to the work that Ron Goodin did. I am certain that I speak for all Central Australian members of this Legislative Assembly and the Chief Minister, who knew Ron Goodin for many years, in offering our deep sympathy to his wife Sally and his children Lynette and Cameron.

This morning, I was watching the school children in the Assembly and I must pay tribute to the school children and teachers in the Top End who take an interest in the workings of this Assembly and visit us frequently during sittings. It is unfortunate that, because of the immense size of the Northern Territory, school children outside of Darwin do not have a chance to visit the Assembly or to see the Assembly in operation. I would like to suggest to the Northern Territory government that it might consider the possibility of some type of competition to select 2 or perhaps 3 school children from each of the main Territory centres and outlying areas - Alice Springs, Katherine, Tennant Creek, Nhulunbuy and Victoria River - and bring them to Darwin during one of the sittings of the Assembly so that, as guests of the Northern Territory government and the opposition, they can see how the Assembly works. If these school children are selected properly, they will go back into their home areas and report to other school children.

Thirdly, I would like to make a speech on behalf of the honourable member for Elsey. Before honourable members start trembling in fear and trepidation, I mention that it does not concern cattle but water. The following is a speech on behalf of the honourable member.

Flood mitigation or cheap hydro-electric power; water for irrigation; good quality water for domestic use of a town of X thousand people; back-up supply to replenish the proposed Mt Nauka dam with water as required to ensure the hydro-electric scheme on that dam operates efficiently and to ensure adequate water for irrigation in the Daly River Basin; or simply a scheme to allow full 365 days per year use of the Katherine Gorge for the tens of thousands of tourists who visit this attraction each year and go away satisfied with their excursion - any one of these purposes would be sufficient reason to outlay $60m on such a project. The scheme for flood mitigation and hydro-electric power capable of producing 3 megawatts per hour in the dry and 6 megawatts per hour in the wet has been approved in principle. Now that our fuel supplies are so dicey, we must consider every possible scheme that will save the fuel that we cannot buy for love or money. I believe Transport and Works are rationed for fuel and that indicates the severity of ths situation.

Flood mitigation will allow land that is presently prone to flooding to be used in and around Katherine for residential, commercial, industrial and agricultural pursuits. Imagine owning an agricultural lease of 30 to 50 acres and having to obtain permission to build a house on it because the farm was in a flood channel. This happened to Rino Buzzo and George Hobbs. Favaro's farm was between these 2 farms and all this parcel of land is

across the river right opposite the old town area as it is now known. Imagine a flood so fierce that it washed away the railway embankment not far from "Silver City". If you look at the height of that embankment north of the high-level bridge, you can gauge the dip in the ground and imagine the pressure of the racing water. Incidentally, Buzzo and Hobbs cannot get permission to build houses on their agricultural leases.

Mr Deputy Speaker, honourable members have seen these photographs. They have been in the committee room for a number of weeks and were supplied to me by the member for Elsey. These are photos of one average flood and there have been 4 floods like this in the last 20 years. You can see the whole town is flood prone. The solution is so easy - money. Money will mean that the development will really start. People will have a secure future in the town which has most things: an excellent medical, education and dental service; a better climate than Darwin; and better prospects of self-efficiency than Darwin. It is a centre where the crossroads meet.

I do not want to dwell on what is right in the town but rather what is wrong with the town: a shortage of land and a shortage of drinkable water. Since I have commenced shifting from Moroak to 228 Walter Young St Katherine, I am reminded that one of the first speeches I made in the Legislative Council in 1970 was on the water supply problem. Mr Speaker, the member for Elsey would like me to read this speech into Hansard which was made on Tuesday 10 February 1970:

Mr President, the water supply at Katherine has been in the news lately. Now I don't think that this matter will generate very much interest in this Council, particularly on the other side, because these things have been brought up for years. On 14 November 1967, the then member for Elsey raised a question. He said: "Every time we have heavy rain in the Top End, down comes the river and the people have to put up with dirty water, diseased water, and any kind of water". On 21 February 1968 he brought it up again: "What steps have been taken since 1967 to install a water purification or filtration plant at Katherine against the times when the river is in flood and the water is not usable by the population of the meatworks?" The Director of Local Government replied: "Mr President, the whole question of the water system at Katherine, including water purification, is under investigation and it is hoped to be able to do something about this as soon as the report is available, probably in the next financial year.

Mr President, early in 1968 or 1969, as the then President of the Cattlemens Association, I brought this matter up with the Minister for the Interior and I have continued to bring this matter up since I have been elected to this Council. It would appear that somewhere along the line somebody in authority has put a spoke in the wheel. I think the Minister for the Interior - a good Country Party Minister - has the interests of Katherine at heart, probably a fair way from the centre of his heart, but somewhere in that vicinity, and I brought this matter up with him on Monday of last week. He asked me what was the most pressing need for the town of Katherine and I had to run through the whole list in my mind: the lack of sewerage, the lack of housing, the lack of housing sites, the lack of services land of any description, the lack of housing for Aboriginals - but most particularly, the lack of interest.

Northern Territory Administration was established to develop the Northern Territory. To date it has developed Darwin; that is all. The country between Darwin and the South Australian border is where the wealth of this Territory comes from. You have pastoral activity and mining; apart from tourists, that's all you have. Northern

Territory Administration has done a first-class job in Darwin. It has completely neglected Katherine and this water situation is just another indication of the complete lack of interest of the members opposite. At present, the water count is 20 parts per million of E coli. E coli is a bacterium normally found in human or animal faeces. The water is too polluted to wash down beef for export, but it is still good enough for the people of Katherine, and I would say that something is wrong.

I have been criticised for being critical all the time of the Northern Territory Administration but, when you get situations like this, should you praise them? This is but one of the things that are happening to Katherine. This is but one instance of neglect by the people who are paid to develop the Northern Territory. The meatworks is putting in its own chlorination plant. That solves the problem for them but it does not solve the problem for Katherine.' This problem must be met. The hospital is not capable of coping with an epidemic; that was proved last year during the flu crisis. The chief medical officer in Darwin didn't even have enough interest in Katherine to send out a second doctor. What would you do with a typhoid or gastro-enteritis epidemic?

Mention is always being made of investigations but investigations must be completed at some stage of the game; they can't continue for ever. Somewhere along the line someone must make a decision to put in what the chief medical officer of Katherine requires: a filtration plant to bring the standard of drinking water in Katherine up to an acceptable level. If you go through the Town Management Board records, Mr President, covering the last 3 or 4 years you will find that at every meeting a demand was made for an adequate filtered water supply. Way back in the days of the Romans pure water was a necessity. Here, 2,500 years later, we cannot get it. I sincerely ask: What action does Northern Territory Administration plan to rectify this impossible situation?

That speech was responsible for the town being supplied with mineralised bore water which is a major factor of discontent in the town. This water costs $Xm a year to the community in limed elements in hot water jugs and hot water systems and limed solar systems. A dam would allow the proposed Donkey Camp intake to be part of a gravity-fed system supplying the town with soft water. There is adequate storage above the gorge to hold all water from the biggest wet - to store it and to use it when and as required - to maintain the gorge at an optimum level for the convenience of tourists. Remember that many Territorians regard the gorge and the Edith Falls as places of superlative beauty and return year after year to these spots which are a credit to the Reserves Board and now to the Territory Parks and Wildlife Commission.

With the immense potential for agriculture and horticulture in the Katherine/Daly River area, we find a requirement that water for irrigation be available. Several reports are due which will show that both the Cropping Committee and the Marketing Committee of the Queensland government Department of Primary Industry will recommend that agriculture and horticulture be encouraged. It is difficult to envisage any other recommendation when one realises that there is an annual need for 6,000 tons of sorghum alone for stock and poultry feed in the Top End. 600 acres of land are needed for sorghum alone, thousands of acres of peanuts are needed to supply the Queensland market alone and cassava is now recognsied by the government as a viable crop. Water for irrigation is vital. all in all, the dam that this government will build at Kekwick Springs above the Katherine Gorge will be of great value to the north of Australia.

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

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, in keeping with the spirit of this adjournment debate, I am going to follow with another scholarly treatise. I would like to draw the attention of honourable members to new developments in the field of solar energy research. Many members have spoken at length about solar energy but tonight I would like to give them the benefit of some little research that I have done.

Increasingly all over the world today, because of the great unrest and what seems to be political instability of the Middle-East countries, which are the main producers of the world's petroleum, the investigation of other sources of energy is of the utmost importance. In 1859, the age of petroleum began. Today, only 120 years later, it is drawing to a close as the world's known petroleum deposits are being rapidly depleted for the purpose of energy and petro-chemical products. Of necessity, alternatives to oil are emerging ranging from wind to biomass geothermal, nuclear and thermo-nuclear fission, but the ultimate source of energy which is known to everybody in the world, and whose power everybody can recognise, is solar power - the limitless power of the sun.

This is only now starting to come into its own. It is so obvious that, in all probability, this is the reason why it has not received the credit, the financial development or the interest of influential people and governments. The solar cell or photovoltaic was invented in 1954 by Morton V. Prince of Bell Laboratories. It is the perfect gatherer of energy from the sun; it can directly convert sunlight to electricity; it has no moving parts; and it is modular in nature. It is environmentally clean and safe, disregarding the visual asthetics. Until recently, its manufacturing cost has been prohibitive because it is difficult to fabricate.

I will give an idea of the price today of a simple solar panel that can be bought as a standby power supply. This simple standby power cell can be made by anyone who has a basic knowledge of electricity. The requirements are a 12-volt solar panel with 6 to 10 watt output, a diode of about 1 amp rating, a 12-volt battery, a fuse and a load which would probably be a bulb. The uses of this simple solar device range from a fisherman who wants to keep his battery fully charged to a farmer who wants to light a shed. The system consists of the solar panel mounted in such a way, depending on the latitude, to obtain maximum benefit of the sun's rays. It is connected through a diode to a battery and the load is fed from the battery. Assuming the car battery has 45 amps per hour, the system is capable of feeding a load up to a fifth of the maximum power output of the panel. Greater loads can be taken intermittently, allowing time for recovery, but the sun's convenience does not come cheaply: this solar panel to light a globe would cost about $300.

Solar energy does not come cheaply but there could be a breakthrough in Australia as a result of work done by Dr Guitronich and David Mills of the University of New South Wales. They have developed a solar energy collector which can outprice and outperform the ubiquitous flat-plate collectors now used so extensively in Australia. I believe this is the only group in Australia working on stationary solar concentrators which comes in the middle of solar collector development. At one end of the spectrum is the flat-plate collector and at the other end is the tracking concentrator. The flat-plate collectors are the kind seen in the common domestic hot water units. The tracking concentrator is still being developed in universities and by private companies, including the Little Brothers of Mt Isa. This will be Australia's first mass production of solar-tracking, domestic, water heaters. Dr Guitronich found that a fully-tracking paraboloidal dish can attain temperatures of 3300 degrees centigrade with a concentration of 52,000 to 1.

The Little Brothers tracking unit, fitted with a paraboloidal, cylindrical collector, has a concentration power of about 60 to 1. The flat plate domestic collector has a concentration power of about 0.5 to 1 which can deliver water at 60°C.

Between these 2 is the asymetrical stationary collector first proposed by R. Winston of the University of Chicago. These collectors are a configuration of solar reflector and absorber and are used for domestic hot water, higher temperatures for air-conditioning desalination and factory process heat. These stationary collectors collect at least 50% of diffuse radiation, a distinct advantage in cloudy conditions. Fully-tracking collectors cannot collect diffuse radiation and hence are useless on cloudy days.

As well as the stationary collector, Dr Guitronich's group is working on a wedge-shaped concentrate which will improve the cost effectiveness of a silicon cell by 5 times. The key feature is the irradiation of the silicon cell uniformly a central requirement with silicon cells. Two other researchers at the University of New South Wales are working on solar energy research. Dr M. Green and Professor L. Davies are working on low-cost, metal-insulator, semi-conductor, silicon solar cells. The major problem at present is cost. Dr Green's cell is still expensive to produce. Commercially-produced cells have an output cost of about $10 per peak watt generating capacity. If it could be reduced to $1 or $2, solar cells would begin to gain greater acceptability as a cheaper source of electricity than diesel generators in remote areas.

Other work in solar energy research is being done at the United States Research Triangle Institute near Raleigh in North Carolina with considerable development in the monolithic cascade photovoltaics with greatly increased efficiency for single solar cells. The production of inherently cheaper solar cells to cover the surfaces of flat-plate stationary photovoltaic arrays emphasising lower quality silicon crystal cells and/or cheaper materials and the cutting of the number of cells needed to produce a given amount of power are the 2 lines of research being followed by the Triangle Institute. If research can continue in the United States, Australia and elsewhere with the principal aims of greater efficiency and lower capital investment costs of any photovoltaic device, then possibly, in the 80's or early 90's, solar energy may start to compete in cost with the present costs of energy from petroleum.

Another form of solar energy which can be used in a more indirect way is the solar energy absorbed by the waters of the world's oceans. This may be converted from an absorbed heat through exchanges of water of different levels of the oceans. This research is still in its infancy but could present some fascinating insights to the power of sun combined with sea.

Finally, I would mention a French group which has developed a range of solar-powered water pumps for use in remote desert regions. These pumps consist of 3 units: photovoltaic cells, electric motor and centrifugal long-shaft pumps. No batteries or electronic equipment are needed. The units operate at variable voltage, amperage, speed and torque activated by electric current supplied by photovoltaic conversion through silicon cells. The current varies according to time of day, the angle of sun and other atmospheric changes including temperature, humidity and pressure.

Finally, I would like to mention something that has occurred in the Northern Territory: the installation by Telecom of a 580 km microwave telecommunications system. This link is the first major system in the world to be powered entirely by solar energy.

Ms D'ROZARIO (Sanderson): Mr Speaker, I shall try to be brief but I do want to raise a matter with the Minister for Lands and Housing. Yesterday, I asked the minister a question relating to building regulations. I asked him whether an exemption could be obtained from compliance with present building regulations for a fee of $50. I thought I would give the honourable minister some indication as to why I asked this question.

One of my constituents who has been concerned about this matter for some weeks asked if I would bring this matter to the attention of the honourable minister. I appreciate that the minister might not have understood what I was asking but he said one could not obtain such exemptions from compliance with building regulations. In fact, that is not so. I make it clear to the honourable minister that I am not for a moment suggesting that I know of any person who has obtained an exemption from a regulation which is there to ensure structural integrity. I have heard from the particular complainant that, in fact, one can obtain exemption from compliance with some building regulations, that these applications are considered by a special board, either within or separate from the Building Board, and that the consideration of whether or not a person should get exemption must be accompanied by a fee which is at the moment $50.

The precise regulation about which my constituent is complaining relates to setbacks but I gather that it has also been applied in relation to the height of structures. I do not raise this matter to alarm the minister but it does appear that some people are obtaining exemptions from regulations which other sectors of the community regard as having to be adhered to. It appears that the people considering the applications for exemption do not inform the neighbours or call for parties who might have an objection to the exemption.

In the particular case that has been complained about, the occupier of the adjoining allotment was able to obtain an exemption from the side setback requirement which resulted in the building being rather too close to the house adjoining and having several windows adjoining this particular house. As a result, it appears thataural privacy and visual privacy has been prejudiced. It appears that the neighbour was not consulted on the proposal to exempt the person from compliance with the setback regulation. The structure went up and, quite clearly, it cannot be removed. It does appear that there is some mechanism by which people can gain such an exemption. I am asking the honourable minister to investigate the extent to which the practice is occurring and the type of regulation against which it can be applied. I am not for a moment suggesting that people can gain exemptions from those regulations which secure the structural integrity of building.

Mr EVERINGHAM (Jingili): Mr Deputy Speaker, I would like to take up the point raised by the honourable member for Nightcliff about police strength at Casuarina. Certainly, I will investigate the position. There were complaints late last month about the inadequacy of patrols at night in the Casuarina police district. I investigated this and the substance of the complaint was found to be incorrect. I must say though that there are presently in excess of 600 policemen in the Northern Territory Police Force and I think that we have about 3 times the number of police per head of population compared to the national average. This is necessary because of the large area of the Northern Territory and the fact that we have to duplicate administrative and research facilities and everything that goes with the panoply of running our own administration. It is obvious that we will have a big head and a short tail in some cases. There are over 600 policemen here and a considerable number of public servants work in the police units to back up the police force.

Commissioner McAulay, who has been very successful, is very keen on a policy of mobility. As a result of this, we have the 2 police planes, the mobile road patrols etc. The commissioner has closed down 2 very old police stations at Wollogorang and Anthony Lagoon. I believe that, by and large, the Police Commissioner's views should prevail in matters such as that unless one can see a very good reason to intervene. He closed down these 2 police stations because he believed that the policemen there were largely working to maintain themselves - running their generators and looking after the police establishments. This took up to two thirds of their working time and their police duties really attracted very little time and it is much better to operate mobile patrols.

Regarding the Katherine water supply which was raised by the member for Stuart on behalf of the member for Elsey, Katherine is about to get a new water supply from Donkey Camp. There were funds in the budget for it and pipes have already been purchased. When the member for Elsey is returned at the next election, he may well see the commencement of construction of a dam in the Katherine area.

The Leader of the Opposition referred to writing me a letter in respect of the Central Australian Community College. The letter is dated 3 September; it was not received in my office - it is date stamped 14 September - until after the budget debate was over.

Earlier in these sittings, remarks were passed by the member for Sanderson. I think she read out a letter from a Mrs Pott in relation to Mrs Pott's zoning problems and some zoning problems I have down at Mitchell Street. There was an inference in the letter that Mrs Pott wrote that the Commonwealth Ombudsman had failed to proceed with an investigation into a complaint made by Mr and Mrs M. Pott simply because it involved the Chief Minister of the Northern Territory. I seek to incorporate in Hansard, pursuant to paragraph (12)(1)(a) of the Ombudsman Act 1976, the Ombudsman's reasons for not completing an investigation into a complaint made by Mr and Mrs M. Pott:

On 21 November 1977 I received a complaint from Mr and Mrs M. Pott of PO Box 334, Darwin, Northern Territory. After making preliminary inquiries, I decided to formally investigate the complaint as provided for by subsection 8(1) of the Ombudsman Act 1976 and the prescribed advices were sent on 17 April 1978.

The complaint basically concerned actions of the Northern Territory Town Planning Board in regard to Mrs Pott's appeal against the zoning of her property, Lot 666, The Esplanade, Darwin.

The Town Planning Board heard Mrs Pott's appeal on 25 January 1978 but deferred making a decision until 30 June 1978 on the ground that it was necessary to seek legal advice on the effect, if any, of amendments to the Town Planning Ordinance which had come into force since Mrs Pott's application for change of zoning had been made. The Board decided on 30 June that the application had lapsed on 1 January 1978.

On 12 December 1978 the Town Planning Appeals Committee heard an appeal from Mrs Pott on the Board's decision above and on the merits of Mrs Pott's claim to have the zoning of the land changed. The committee decided on 8 February 1979 that the zoning should not be changed.

On 11 May 1979 I advised Mrs Pott that my inquiries had been directed to the question of whether or not there had been defective

administration by the Town Planning Board in its dealings with her. I explained that I was not primarily concerned with the merits of her proposal to have her land re-zoned, nor was I empowered to substitute my judgment for that of the Board.

I further advised Mrs Pott that I considered that, as the Town Planning Appeals Committee had now heard her appeal, I thought there was no point in my continuing to investigate the actions of the Board. The reason for this was that, if I had found defective administration by the Board, my probable recommendation would have been that the matter be re-heard and, in my opinion, the hearing by the Appeals Committee amounted to such a re-hearing.

Mrs Pott informed me she was not satisfied with the Appeals Committee hearing. I had to advise her that actions of the Appeals Committee after 1 July 1978 were outside my jurisdiction because that body had not been involved in the complaint before that date. I offered to refer the matter to the Northern Territory Ombudsman but Mrs Pott declined the offer.

My letter of 11 May also gave my views on issues not central to the complaint. I invited Mrs Pott to comment on my letter, which she did by letter of 9 July 1979. However, she concluded that she could obtain quicker action from her own efforts and said that she did not object to my closing the file on her and her husband's complaint.

In my view there is no further action necessary by this office.

(J.E. Richardson)
Ombudsman

Canberra,
July 1979.

The honourable member for Arnhem referred to a matter that he raised previously at Galiwinku and distorted my remarks and those of the Minister for Mines and Energy. To answer what the honourable member said about an incident that occurred in the Liverpool River country not long ago, I will read a draft of a letter that I propose to send to Mr Wesley Lanhupuy, the Manager of the Northern Land Council:

Dear Wesley,

Thank you for the copy of your letter to the chief geologist of the Mines Department of 28 August 1979 about recent problems with the gravity survey in the Maningrida area. I note your comments about the desire of Aboriginals to have extended to them the normal courtesies which would be extended to other land owners. This is also the wish of my government and I believe, as a general rule, there is more consultation with Aboriginals about their land than there is with most other land owners on all manner of initiatives which the government may be planning and I would want to see this continued.

I was very concerned when I was told that, at the recent meeting at Galiwinku, these courtesies had been ignored in respect of the gravity survey which was commenced recently in the Maningrida area by contract engineers engaged by the Northern Territory government. I undertook to have the work stopped, at least, until the matter had been properly sorted out. I did this on my return to Darwin and asked for an explanation from the people involved. I have now received a letter from the

contract engineers, Gutteridge, Haskins and Davey and I attach a copy for your information. I have no reason to believe that the information contained in this letter is false. It seems to me that the contractors went to quite considerable length to observe the proper procedures through the Northern Land Council without much success.

As your office appeared to be having difficulty in contacting Maningrida, there was an agreement by one of your officers that a direct approach should be made by the contractor to the Maningrida Council. This resulted in permission being granted to the contractor to undertake the work and there was no reason for the contractor to believe that such permission was invalid. Subsequently, some problems arose with some of the outstation people but it appears from the letter that the contractor took action required by him and these problems were sorted out satisfactorily. It appears that there was a good relationship at that stage between the survey party and the Aboriginals who had a particular interest in the area being surveyed. People such as these contractors who are seeking permission to visit Aboriginal land for a legitimate purpose have no way of identifying the traditional owners for every bit of land over which they may be required to move. Therefore, they must rely on the Land Councils or identifiable local authorities to take whatever action is necessary with traditional owners when they are seeking a permit. Furthermore, they have no way of knowing the local politics of the situation and have a reasonable expectation that they will be told from these informed groups if they are in fact approaching the wrong people. I think it is also reasonable that they would expect to be advised if there are preliminary contacts which they should make before they even commence their job. It appears that no such advice was given to them in this case.

On reflection, I think that there are some things which could have been done by the Northern Territory government officers to inform the relevant people what the exercise was about before the contract was let which would probably have prevented any problems and I will try to ensure that there is more adequate groundwork done in the future. I think your council must recognise, however, that there are quite serious shortcomings in the way in which inquiries about permits are handled both in Darwin and in the remote localities. I would ask that procedures be reviewed to ensure that people who exercise their right to seek a permit are given fair consideration, a prompt response and any positive advice which will enable them to avoid problems with the local people.

I agree with you that we should both try once more. I think your suggestion that we should try and provide you with early advice on surveys which may be in the planning stages is a good one and I will ask both the Departments of Lands and Housing and Mines and Energy to look at the possibilities of doing this.

Undoubtedly, there will be times when more urgent action is necessary and I would ask for the understanding and cooperation of the Land Council and Aboriginal people on such occasions in the same way as I would seek the cooperation of other Territory citizens.

Thank you for your interest and advice on this matter.

Mr PERRON (Stuart Park): I would like to comment on some points made by the honourable member for Sanderson. She raised the possibility of applying to the Building Board for an exemption of certain sections of the building manual. I have established that that is correct. As I understand, the

section of the building manual that one can apply to for exemptions does not relate to structural sufficiency or safety; they are more along the lines of siting the buildings on land and height restrictions etc. I advised that the section was principally there to validate the Darwin Reconstruction Commission's decisions prior to adopting the manual itself which was largely the manual that this government adopted. I was surprised to learn from the member for Sanderson of a building which has been constructed quite recently and in which an exemption was obtained. This concerns me because I am quite a believer in set-back regulations as being in the interests of adjoining property owners. I would like her to supply details to me of the block so that I could check on the reasons put forward by the owner and the reasons considered by the Building Board that such persons could have a side set-back waived. I look forward to hearing from them.

Motion agreed to; the Assembly adjourned.

THURSDAY, 11 OCTOBER 1979

PART I

DEBATES

Mr Speaker MacFarlane took the Chair at 10 am.

MATTER OF PRIVILEGE

Mr ISAACS (Opposition Leader) (by leave): The Minister for Education raised a matter of privilege on Thursday 20 September in relation to a document which I tabled on 18 September. A breach of privilege, as the minister himself stated, refers to an intention by a member to mislead the House. Erskine May on page 141 of the 19th edition states: "It is a breach of privilege to present or cause to be presented to either House or to committees of either House, forged, falsified or fabricated documents with intent to deceive such House or committees or to subscribe the names of other persons or fictitious names to documents intended to be presented to either House or committees of either House, or to be privy to or cognisant of such forgery or fraud".

The allegation of the minister is that I tabled documents, knowing them to be composite fabrications. This is not so. Upon coming into possession of the documents, I made extensive inquiries of the person from whom they came. After lengthy investigations and after obtaining appropriate assurances, I was satisfied of the authenticity of the documents prior to tabling them. Since the matter was referred to the Privileges Committee, I checked and received the same assurances. The minister this morning has shown me the documents supplied to him by the Master Builders Association and John Holland Constructions which raises doubt as to the veracity of those assurances on which that statement was based. Of course, should it be proved beyond reasonable doubt that the documents were composed as the minister claims, I would be the first to say so in this Assembly. The minister is obtaining forensic analysis and a copy of that analysis will be sent to me.

However, the documents I tabled contain the same facts as contained in the documents tabled by the minister. I did not seek to mislead nor, I believe, does the document mislead the House. I believe therefore that the matter of breach of privilege is firmly answered in the negative. I respectfully request you, Mr Speaker, to withdraw the reference to the Privileges Committee.

Mr ROBERTSON (Manager of Government Business) (by leave): Mr Speaker, I have listened with interest to the Leader of the Opposition's statement this morning. I have noted the reactions of the members opposite who less than a month ago in this House were led by the Opposition Leader into making rash statements asserting the genuineness of the documents in question. I have noted this morning some discomfort on the opposition benches and I sympathise with those members who have been called upon to speak in support of the Opposition Leader's allegations surrounding documents he assured this House were unarguably genuine copies.

Although I can sympathise with some members of the opposition, I cannot find any sympathy for the Leader of the Opposition himself. There will be some people who do find themselves sympathetic to his position today. They may argue that the man was duped by some over-eager ALP loyalist. However, I cannot see that the argument carries any comfort to the much-embarrassed Leader of the Opposition today. In my opinion, and I know I am supported in this opinion by virtue of the responsibilities and long-established conventions of the parliamentary system which we have adopted, it is simply not good enough to state categorically one day that a tabled document is a genuine one and later to alter that statement - and he did mention that he now has doubts about the genuineness of the document and that he tabled that dishonest

document honestly.

Members of this Legislative Assembly have a duty to make absolutely sure that documents that they table are genuine. Over and above that, there is another responsibility upon us: in a case such as this, where there must always be room for doubt about the reliability of one's informant and the documents obtained in such unconventional manner, it is imperative to present a tabled document as honestly as possible. If the Opposition Leader had said in the House words to the effect that "to the best of my knowledge these documents are genuine" or "I am assured that these documents are genuine", or even "my informant assures me that these documents are genuine", this House might have been more indulgent about his error. He did not; he stated time and time again that the documents were genuine and, in doing so, he excavated the very trap into which he has fallen.

It is the responsibility of any member to check, cross-check and double-check that any document presented before this Assembly is presented in its proper context. By virtue of that rule, established by precedent and enforced in the past by self-regulatory convention of the parliamentary system, we must make the assumption that, when the Leader of the Opposition tabled those documents initially, he knew whether or not they were genuine. The onus of responsibility as a representative in this House is clearly upon the person who tables the document. When one asserts in a forum such as this Assembly that certain propositions are undeniably true, one needs to be extremely sure of one's sources.

The Opposition Leader should have had more regard to his sources in this case. Presuming that the theft of the documents from the Master Builders Association office was not carried out by the Leader of the Opposition himself, and I accept that without question, he therefore knew that his informant was an untrustworthy, disloyal person or some other person of similar ilk. In my opinion, the Opposition Leader put his neck on the block when he not only repeated in this Assembly that the documents were genuine but also dared to call another person a liar when that person stated that the documents tabled were not genuine documents. To my mind, the Opposition Leader at that point used the privilege of this House in a reckless manner, demeaning the status of this House and the rules of the convention that surround it.

The person who carried out that composite photocopy and then deliberately duped a member of this parliament into tabling it as genuine was a person of no scruples who was apparently quite happy to betray his employer and mislead the Leader of the Opposition. He was a person that no employer should trust again. The Opposition Leader must have known that but he asked us to believe that, even with this knowledge of the type of man he was dealing with, he was prepared to blindly trust that person. I am sure that the Opposition Leader will not trust that man again in light of his statement today.

The Opposition Leader stated in the censure debate that, had a donation been made to the ALP and "pipelined through that well-known legal firm of Waters, James and O'Neil", members would have known about it and he would have known about it. The Opposition Leader cannot have it both ways. On his own argument, it follows that, at the very least he must have assured himself incontrovertibly of the genuineness of the documents in question. As his sadly misplaced colleague, the member for Arnhem, stated: "If I personally was not utterly convinced of the genuineness of these documents, I would not be taking part in this debate". The betrayed member for Arnhem will not be able to trust his leader again.

Incidentally, I accept the word of the honourable member for Arnhem

without question in relation to his genuine belief. He also stated that, in the United States of America, when a government was exposed as being corrupt for receiving kickbacks into party funds that were subsequently used for an election, the President had one defence to offer in the finish and that availed him nothing. This defence was to do precisely what the Chief Minister did: to stand up and look the camera in the eye and say, "I am not a crook; I did not do it and nobody else did either". If the opposition therefore expects the public to accept that the members of this Assembly on the government side had knowledge of the personal notes written by an officer of the Master Builders Association, then it should also expect that the public would believe that the opposition knew whether or not the documents he tabled in this Assembly were genuine. The rules must apply equally, Mr Speaker.

However, perhaps an obvious difference between the government and the opposition in this Assembly is that the government is prepared to take a reasonable stand on issues such as this. In other words, the government, knowing the documents tabled were fabrications and not genuine, is prepared to give the Opposition Leader the benefit of the doubt and to accept that he believed them to be genuine when he laid them on the table. The government accepts that but I do not know whether the public will. This might be an appropriate time for the Opposition Leader to study his conscience in depth and decide for himself what he would like the public to believe and what he would like them to accept as a reasonable explanation of the various issues surrounding this entire affair. By the Opposition Leader's own statement, we are forced to the inevitable conclusion that the Opposition Leader is a trusting fool. Mr Speaker, it is now a matter for the opposition members to decide whether or not the Opposition Leader has provided sufficient doubts in their minds about his ability as a judge of character and of tactics and to throw the whole question of his leadership into some doubt.

Mr Speaker, I said that I wanted to make a quick statement in relation to another matter relating to the same thing. This too demonstrates to the public and to the parliament the shallowness of the opposition attack on this government in respect of the John Holland affair. With the statement this morning and my statement, the whole fabric of their accusation against the government is beginning to collapse. I intend pulling the last card from under the pack and, of course, the house of cards will thereby collapse. I have here in his own handwriting - and I would be interested to know if the honourable member for Victoria River has done the statutory declaration in relation to his conversation with Mr Rettie that he claimed that he was going to do - a letter to the Chairman of the Territory Development Corporation by Mr Rettie and dated 10 October 1979:

> *I did not see anything sinister in the way your department or the government of the Northern Territory handled the negotiations with John Holland Constructions regarding the small ships repair industry in Frances Bay, Darwin. The report I made to you warning that the project had not been properly researched was made in ignorance of the feasibility study carried out by Peter Anderson. I did not indicate to Jack Doolan MLA at any time that I thought the project had been negotiated in an underhand or sinister manner. I can see the clear advantages to the Darwin community of the establishment of a small ships repair facility. I am distressed to learn that totally fictitious and libellous statements have been attributed to me by the Darwin press and expressed the opposite view to the above. I resigned from the government of the Northern Territory on account of ill-health unconnected with the above.*

In light of the Opposition Leader's statements which indicated that, having seen copies of the original documents - which he could have asked to

have seen at any time - he now himself harbours doubts as to the veracity of his original statement, the government is prepared to accept that he made the original statement in good faith. Therefore, Sir, I would seek leave of the Assembly to withdraw the letter which I wrote to you requesting that you refer this matter to the Privileges Committee. Mr Speaker, I think that it is high time this parliament got back into the business of being a proper parliament again in the manner in which the public want us to conduct ourselves and that the government be allowed to get on with the business of governing. I do not think this whole affair has done the image of this parliament any good and I think the sooner it is resolved the better. Therefore, Sir, I seek leave of the Assembly to withdraw my letter to you.

Leave granted.

Mr SPEAKER: Honourable members, I have listened very closely to both the Leader of the Opposition and the Manager of Government Business. It seems that both sides wish to have the complaint that was referred by me to the Committee of Privileges withdrawn and I concur with this. However, the present situation could have been reached on Wednesday or Thursday of the last sittings and I feel that the parliament has been brought into disrepute by the allegations and the counter-allegations. I agree with the honourable the Manager of Government Business that it is about time that this parliament, the highest court in the Territory, got back to what it is all about - running the Northern Territory. Parliament is only as good as its members and I hope that we will have no more of this disgraceful trouble.

WORKMEN'S COMPENSATION BILL
(Serial 354)

Bill presented and read a first time.

Mr COLLINS (Arnhem): I move that the bill be now read a second time.

This is an uncomplicated and small bill. It is unnecessary to go through the bill clause by clause because it is similar to a bill presented in this House by the Treasurer. It differs in one vital aspect: it increases the payments made on the schedules to bring these payments up to 1979 standards.

This bill has the single and vital purpose of attempting to restore the value of workmen's compensation payments to the levels of 1976. Since the last action to raise these payments, inflation has caused a reduction in the value of the dollar by 36%. This has had a devasting effect on the living standards of injured workers and their families. I have personally seen the tragic circumstances of people forced to live on incomes way below the poverty line. I am sure all honourable members have had representations from workers whose lives have been wrecked due to work accidents. We can wait no longer to relieve the suffering of these people.

I repeat that this bill seeks to do no more other than to restore to accident victims the value of the scale of payments set by this Assembly several years ago. Before we are deafened by cries of "we can't afford it" from the insurance industry, there are several important points I would like to make for the benefit of honourable members. The first and important thing that members should note is that, while the payments to injured workers are currently pegged to 1976 levels, premium payments by employers to insurance companies are not; they are based on 1979 values. The simple fact is that payments to victims are regulated by this Assembly but, on the other hand, the premiums that are charged by the insurance companies are not and never have been regulated by this Assembly. The option is available to the government to

do this through the Premiums Advisory Committee but the government has chosen not to use it.

In the absence of government regulations, Northern Territory insurers have been free to set their own premium levels. They do this by charging a percentage of the wages paid by employers. This ensures that each year, as wages rise, the premiums paid by an employer to the insurer automatically rise. The current situation is very simple: compensation payments to the victims of accidents are at 1976 levels whereas premium payments to insurers are at 1979 levels. In fact, employers have had to meet premium increases in each of the last 3 years.

The second point for honourable members to note is that there will be no extra cost to employers as a result of the passage of this bill. However, it will reduce the windfall profits made by insurers over the last 3 years through workmen's compensation which are considerable.

The third point I would like to make is that fewer than 5% of injured workers will be affected at all by this bill. Members will note that the bill makes no alteration to payments made during the first 6 months of a worker's incapacity. Whilst I do not have statistics available, I can assure honourable members that the accepted figure within the insurance industry is that over 95% of all accident victims are back at work within 6 months. It is clear that we are acting on behalf of relatively few workers but, I reiterate, for those victims and their families who are still on compensation after 6 months, the restoration of payments to these levels is of the utmost importance. It will enable them to recover at least some of their shattered living standards and, consequently, their dignity. I commend the bill to honourable members.

Debate adjourned.

TERRITORY DEVELOPMENT BILL
(Serial 296)

Continued from 24 May 1979.

Mr HARRIS (Port Darwin): Mr Speaker, in the debate on the amendments to the principal act which established the Territory Development Corporation, there was no mention made by the opposition of the lack of accountability to the public; none whatsoever. Perhaps the reason for this lack of concern in this particular area was that statutory authorities - and the Territory Development Corporation is a statutory authority - are required under the Financial Administration and Audit Act to come under scrutiny.

When the member for Victoria River introduced this bill, he made mention that the opposition welcomed wholeheartedly the introduction of the corporation. That is fine; all of the speakers welcomed the introduction of the corporation. However, then he proceeded to give the reasons for introducing this bill into the Assembly and stated that the Territory Development Corporation had very little, if any, accountability to parliament and, through parliament, to the people. The member for Victoria River and the opposition know that that is not correct. As I have mentioned already, under the Finance Administration and Audit Act, statutory bodies are required to give account. I agree that there are still many questions to be answered in regard to statutory authorities. As the member for Victoria River mentioned, a Senate Standing Committee on Finance and Government Operations, which is chaired by Senator Rae, is looking at the whole statutory authority issue. The answer to the queries is not, however, to amend acts in this manner. I believe it is necessary for us to wait until these committees which have been

set up to look at statutory authorities come forward with their findings. I personally feel that statutory authorities should be required to automatically cease to exist after a certain period of time. The situation that we have today with the prevalence of statutory bodies is ridiculous.

I would like to stress the importance of waiting for the findings of such committees as the Senate standing committee before deciding on what we should do in the Territory. One of the problems that we will have, if we ever decide to establish parliamentary committees to oversee the actions of such authorities, is the size of the Northern Territory Legislative Assembly. By the time the Speaker and the 6 ministers are eliminated from active participation on those committees, the numbers as well as the representation will be reduced. Whilst the findings of the Senate standing committee may lead to recommendations which could solve problems in state parliaments, it does not necessarily mean that those problems will be able to be solved in the Northern Territory.

The setting up of a register, as has been suggested by the opposition, can really serve no constructive purpose whatsoever. In fact, I feel it could destroy what we have been trying to achieve and what the opposition has wholeheartedly supported; that is, the method where people are encouraged to become involved with and to have confidence in those they are dealing with. A register set up for the purposes suggested by the opposition will only help to breed mistrust. The information that is required to be given to the Territory Development Corporation is confidential and I think it should remain confidential. Registers of this kind are, in most cases, only used to make mischief. No one will bother to look at the registers to see what they can obtain money for when they can just walk into the front door of the Territory Development Corporation and ask. The government has encouraged - and I hope that it will continue to encourage - people to put forward ideas for development. A register will not encourage; it will only discourage those people who are genuinely interested in seeking assistance.

As far as the belief that a register such as this will provide a means by which a taxpayer is able to see where his money is being used, I do not believe that it would be used for that purpose. If he is interested enough, the taxpayer is able to find out where his money is being spent. That is what I am concerned about and that is what this Assembly should be concerned about: that he is in fact able to find out where this money is being spent.

There is no doubt that there must be accountability. That is not the argument in this Assembly. The Financial Administration and Audit Act requires statutory authorities to report to this Assembly and to the minister. It also sets the date for the end of the financial year as 30 June and there is accountability of the corporation itself to the minister. Despite the doubts of the opposition about accountability, the government of the day is responsible and is accountable to the people as every member of this House is. All the amendments which the member for Victoria River is seeking to have introduced, except the clauses which deal with the provision to provide a register, already exist. There is accountability. Why should we duplicate these provisions? Based on these facts, there is no way that I am prepared to support this bill.

Mr STEELE (Transport and Works): Mr Speaker, the honourable member for Victoria River has proposed a duplication of legislative requirements already passed by this Legislative Assembly. I expect that someone would have pointed out by now the provisions in the Financial Administration and Audit Act so he may take note. In particular, part IV of that act stringently requires the keeping of accounts audited by the Auditor-General and the

presentation of the annual report and financial statements to the minister and for such a report and statement to be tabled in this House. The Territory Development Corporation is a prescribed statutory corporation under the meaning of the Financial Administration and Audit Act and, accordingly, it is bound by the provisions of part IV of that act. Sections 66 to 68 of that act provide for the proper accountability, audit and reporting of the corporation as follows:

66. A prescribed statutory authority shall cause to be kept proper accounts and records of its transactions and affairs in accordance with the accounting principles generally applied in commercial practice and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the property of, or in the custody of, the prescribed statutory corporation and over the commitment of the money by the prescribed statutory corporation.

67.(1) The Auditor-General shall inspect and audit the accounts and records of a prescribed statutory corporation and shall forthwith draw the attention of the minister for the time being administering the ordinance that constitutes a prescribed statutory corporation to any irregularity disclosed by the inspection and audit that is, in the opinion of the Auditor-General, of sufficient importance to justify his so doing.

(2) The Auditor-General may, at his discretion, dispense with all or any part of the detailed inspection and audit of any account or records referred to in sub-section (1).

(3) The Auditor-General shall, at least once in each year, report to the Minister referred to in sub-section (1) the results of the inspection and audit carried out under sub-section (1).

(4) The Auditor-General or an authorised auditor is entitled at all times to full and free access to all accounts and records of a prescribed statutory corporation and to make copies of, or to take extracts from, any such accounts or records.

(5) The Auditor-General or an authorised auditor may require a person to furnish him with such information in the possession of the person or to which the person has access, as the Auditor-General or authorised auditor considers necessary for the purposes of the functions of the Auditor-General under this division, and the person shall comply with the requirement.

68.(1) A prescribed statutory corporation shall, within 6 months immediately following the end of the financial year or within such other period of time as the Treasurer determines, prepare for submission to the minister for the time being administering the ordinance that constitutes a prescribed statutory corporation a report of its operations during that financial year together with financial statements in respect of that year in such form as the Treasurer approves.

(2) Before submitting financial statements referred to in sub-section (1) to the Minister, the prescribed statutory corporation shall submit them to the Auditor-General who shall, within 3 months of his receipt of each financial statement or within such further period as the Administrator of the Northern Territory allows, report to the Minister -

(a) whether in his opinion -

(i) the statements are based on proper accounts and are in agreement with the accounts and have been properly drawn up so as to present a true and fair view of the transactions for the financial year of the prescribed statutory corporation and the financial position of the statutory corporation at the end of that year; and

(ii) the receipt and expenditure of moneys and the acquisition and disposal of property by the prescribed statutory corporation during the year have been in accordance with the ordinance that constitutes the prescribed statutory corporation;

(b) such other matters and things arising out of the statements as the Auditor-General considers should be reported to the Minister.

(3) The appropriate Minister shall cause a copy of the report and financial statements referred to in sub-section (1) together with a copy of the report of the Auditor-General to be laid before the Legislative Assembly within 6 sitting days after their receipt by the minister.

By providing such accountability and reporting provisions within the Financial Administration and Audit Act, some standardisation of requirements and controls across statutory corporations is achieved. The duplication of such requirements within the enabling legislation relating to statutory corporations achieves nothing.

With respect to the provision of a public register of assistance provided to industry, no such provision applies. It is the belief of the present government that information provided to the Northern Territory Development Corporation and any resultant financial or other assistance provided is strictly confidential. It is considered that the disclosure of such information may be used to advantage by competitors or other interested parties. Other financial institutions do not disclose details of their loan dealings and it is not the intention of this goverment to have the Northern Territory Development Corporation do so.

Adequate safeguards are provided to ensure proper accountability. The Territory Development Corporation is subject to audit by the Auditor-General and any unsatisfactory matters would be reported on. Aggregate information statistics on assistance to industry will be provided in the corporation's annual report.

The honourable member for Victoria River said in his second-reading speech that the corporation should be subject to "sunset" legislation. I remind him that the administrative arrangements which took effect from 1 July have expanded considerably the activities of the Territory Development Corporation and I doubt that the government would look very seriously at making the Territory Development Corporation subject to an expiry term. Indeed the concept has been applied already in administrative arrangements to the Business Advisory Council. If that council cannot show just evidence of its effectiveness, it will expire at the end of 2 years. Mr Speaker, I do not support the provisions of this bill and I recommend that the bill be defeated.

Mr DOOLAN (Victoria River): Mr Speaker, I accept what both the honourable member for Port Darwin and the Minister for Industrial Development have

said but there are a couple of matters which I still feel concerned about.

I was under the impression that legislation should be clear so that people could look at it and know what it is all about. I am gradually learning that this is not so. I can see no harm in writing into the bill something by which people can see there is an accountability. I presented this bill on the advice of somebody who was concerned. Apparently, he had not read the Financial Administration and Audit Act and I had not read it either. However, there was nothing to indicate the accountability of the corporation.

The first matter of concern to me relates to proposed section 14C which says that the corporation "will furnish to the minister for presentation in the Legislative Assembly an annual report in regard to the functioning of the corporation and the working of this act". Neither of the honourable gentlemen who replied mentioned this. I think that there should be an annual report of the Territory Development Corporation presented to the Assembly.

Secondly, proposed section 14D relates to the register. The honourable member for Port Darwin said that there is something sinister about the general public looking at what happens to the funds and how the money received by the Territory Development Corporation is used. I can certainly see nothing sinister in it. As I mentioned in my second-reading speech, the Primary Production Ordinance contained a section that made it compulsory to maintain such a register which was available to the general public. I fail to see any good reason why there should not be a register. I think that the general public should be able to go to the Territory Development Corporation and peruse this register. I can see nothing whatsoever that would be sinister about it. This is public money. As the member for Port Darwin said, all you have to do is to go to the Territory Development Corporation and you can find out what is happening to taxpayers' money. I disagree. It is a very simple thing; nobody found it sinister in the old ordinance. I can see no reason why it should not be acceptable in this one. It makes it easy for members of the public to look at the register and see what kind of money is being spent and for what purpose. It would enable a member of the public to have an idea of whether or not he is likely to obtain a loan from the Territory Development Corporation.

Motion negatived.

CLASSIFICATION OF PUBLICATIONS BILL
(Serial 306)

POLICE AND POLICE OFFENCES BILL
(Serial 307)

POLICE ADMINISTRATION BILL
(Serial 308)

Continued from 24 May 1979.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the government supports this legislation. We were more than happy to see the honourable Leader of the Opposition introduce his original bill in March this year. We gave it some consideration and it occurred to us that there were some shortcomings which had to be corrected. The honourable Leader of the Opposition has referred to the correspondence that was exchanged between himself and myself earlier this year, as a result of which a second bill was prepared. It is the second bill that we now support.

There is little that I can add to what the honourable the Leader of the

Opposition said in commending the bills to the House other than perhaps to draw to the attention of honourable members some of the reasons for our preference for this piece of legislation. It is based on New South Wales legislation. I do not think there is any difference in the philosophy embodied in the legislation but we believe that it can be best implemented by a threefold classification of written and pictorial matter.

Firstly, publications which are sexually explicit or which contain in whole or dominant part descriptions or depictions of extreme violence, horror or cruelty should be classified as "restricted". Secondly, publications which are considered to be hard-core pornography should be classified "direct sale only". Thirdly, publications which advocate or incite to crime, violence or the use of illegal drugs should be "prohibited". It is commonly agreed that publications classified "restricted" may not be openly distributed or advertised or sold to persons under the age of 18 years. Publications classified "direct sale" should be sold only by mail to adults and publications in the "prohibited" category are to be inaccessible to all. In January 1974, the Commonwealth states meeting of all ministers responsible for censorship, with the exception of Queensland at that time, agreed in principle that the Commonwealth government should be responsible for the initial classification of all publications but insisted that all classifications should in respect of the states - and here of course the Territory is regarded as one of the states - be advisory only. I am inclined to the view that, given Territory circumstances, we should look towards the New South Wales situation rather than the South Australian situation on which the honourable Leader of the Opposition's first bill was modelled.

In New South Wales, where classification of publications as "restricted" or "direct sale" is made by classification officers whose function is performed by the Commonwealth censorship officers on behalf of New South Wales, an appeal is allowed from a classification officer's decision to a Publication Classification Board and a further appeal may be taken to a judge of a district court. I understand that the Commonwealth classification officers process about 800 publications a week. Whilst you could appreciate that there would not perhaps be quite that many in the Northern Territory, to do the job on our own would be a mammoth task. Therefore, it seemed appropriate to us to have the initial classification undertaken by Commonwealth officers since they are doing the work anyway. Under this legislation, the board would be a review body reflecting community standards and hearing appeals on initial classifications.

The government tended to favour the New South Wales legislation in preference to the South Australian for these additional reasons: there are double penalties for corporations who breach classification orders; it deals more specifically and explicitly with the display of publications and not merely their publication; it attacks directly the question of "direct sale" publications whereas the South Australian legislation did not address itself to that question; it attaches personal liability to directors of corporations who breach the act; it allows expert evidence to be admitted as of right at hearings;it exonerates booksellers,distributors and newsagents from breach of contract in rejecting an article delivered to them on the ground that it has not been classified; it exempts certain libraries; and it provides a right of appeal to a court. For these reasons, the government believed that it was better for a new approach to be taken. I am very pleased to say that the honourable Leader of the Opposition has cooperated with us in that and presented the bill which is before us today. I understand that there are certain amendments to be moved. The government supports the bill.

Mr ISAACS (Opposition Leader): I would like to thank the government for

supporting this legislation. I think there has been general acceptance within the community of the principles in the bills. I addressed a meeting of the National Council of Women and an amendment has been circulated as a result of that meeting. There have been discussions between Commonwealth officers and local officers and I would like to thank officers of the Commonwealth and also the draftsmen who have been very helpful in the drafting of the bills. I thank honourable members for their support.

Motion agreed to; bills read a second time.

CLASSIFICATION OF PUBLICATIONS BILL
(Serial 306)

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr ISAACS: I move amendments 127.1. and 127.2.

The changes in definition are necessary because of changes to clause 21. In order to be consistent with present Commonwealth classification practice, child pornography will not be classified as "prohibited" but merely termed "child pornography".

Amendments agreed to.

Mr ISAACS: I move amendment 127.3.

This inserts after the definition of "employee" a definition of "infant". There is a definition of "infant" in the Interpretation Act and therefore it is not necessary to insert it here. However, the amendment was requested by the National Council of Women. Their desire was to ensure that the bill is able to be read as a whole and people understand what "infant" refers to. For that reason, I seek to insert that definition.

Amendment agreed to.

Mr ISAACS: I move amendment 127.4.

This will ensure that video tapes are covered by the act. The definition as drafted may cover video tapes but, for the sake of certainty and the convenience of those reading the act, it is better that video tapes be specified.

Amendment agreed to.

Mr ISAACS: I move amendment 127.5.

This omits the definition of "prohibited publication" in line with the amendments we agreed to earlier.

Amendment agreed to.

Mr ISAACS: I move amendment 127.6.

This omits from subclause (5) the words "obscene or". In an earlier draft, the words "obscene or indecent" were used. When they were removed, this

reference to obscenity remained. It adds nothing to the act and creates problems of legal interpretation. The test of obscenity is outdated and, in case law, has been replaced by the test of indecency.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5:

Mr ISAACS: I move amendment 127.7.

This will cover the possibility that the Commonwealth may not always use public servants as classifying officers.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr ISAACS: I move amendment 127.8 for the same reason that I gave for 127.7.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 12 agreed to.

Clause 13:

Mr ISAACS: I move amendment 127.9.

This is merely to ensure that the correct cross-reference is given. "Section 6" should read "section 8".

Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 14 agreed to.

Clause 15:

Mr ISAACS: I move amendment 127.10.

This change is necessary because the bill attempted to tie in with the Mental Health Bill. That bill is now substantially changed and it is no longer possible to be consistent with it. A general reference would cover the point.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

Clause 17:

Mr ISAACS: I move amendment 127.11.

This is to cure a possible ambiguity in the clause.

Amendment agreed to.

Mr ISAACS: I move amendments 127.12 and 127.13.

The purpose of these amendments is to insert a necessary procedural point into provisions dealing with the operation of the board so that if the chairman is absent the deputy chairman presides.

Amendments agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19:

Mr ISAACS: I move amendment 127.14.

This is to make it clear that the report is in fact an annual report of the previous year.

Amendment agreed to.

Mr ISAACS: I move 127.15.

This is to allow the minister to request a report from the board on a particular topic.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clause 20 agreed to.

Clause 21:

Mr ISAACS: I move 127.16.

This change omits "obscene" for the same reasons as I gave for amendment 127.5. It also ensures that the decision of a classifying authority cannot be questioned on the point of correctness to the fact as the authority sees them. The test cannot be objective; it must be in the opinion of the authority.

Amendment agreed to.

Mr ISAACS: I move amendment 127.17.

This ensures that the classifying authority deals only with visual publications and is not concerned with classifying written material. Child pornography is outlawed because of the exploitation of children in making photographs. Written publications do not involve children in the same way.

Amendment agreed to.

Mr ISAACS: I move 127.18.

This is to achieve the deletion of the term "Prohibited publications" for the same reason as 127.1.

Amendment agreed to.

Mr ISAACS: I move 127.19.

This is a drafting correction to make the operation of the clause consistent.

Amendment agreed to.

Mr ISAACS: I move 127.20.

This is to ensure that a classifying officer working and living in Canberra will not be placed in the position of trying to assess Territory standards.

Amendment agreed to.

Clause 21, as amended, agreed to.

Clauses 22 and 23 agreed to.

Clause 24:

Mr ISAACS: I move 127.21.

This again deletes the reference to "prohibited publication".

Amendment agreed to.

Clause 24, as amended, agreed to.

Clauses 25 to 26 agreed to.

Clause 27:

Mr ISAACS: I move amendment 127.22.

This is for the same reason as 127.21.

Amendment agreed to.

Clause 27, as amended, agreed to.

Clauses 28 to 31 agreed to.

Clause 32:

Mr ISAACS: I move amendments 127.23, 127.24 and 127.25.

These are to correct drafting errors.

Amendments agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 37 agreed to.

Heading:

Mr ISAACS: I move amendment 127.26.

This omits the heading to the division and substitutes the new heading "sexual articles". This and the 2 following amendments are to alter one of the concepts in the bill. The New South Wales act refers to sexual articles. In the drafting stage, this was changed to indecent articles because it was thought that to classify sexual articles would lead to the necessity of classifying objects such as nightwear. However, on further reflection it is obvious that an article's indecent purpose cannot be determined at the time of sale. Indecency is a subjective test and refers to the time of use. However, the term "sexual" is objective and can be determined at the time of sale. The problem of nightwear and, more importantly, contraceptives are to be dealt with by regulations as they are in the New South Wales act.

Amendment agreed to.

Heading, as amended, agreed to.

Clause 38:

Mr ISAACS: I move amendment 127.27.

This is to make consistent the relative clauses within division 5 relating to sexual articles.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39:

Mr ISAACS: I move amendment 127.28.

This is for the same reason as the 2 previous amendments.

Amendment agreed to.

Mr ISAACS: I move amendment 127.29.

Perhaps the Chief Minister would comment on this. This new subclause will allow regulations to exempt contraceptives and any other articles that have a sexual purpose but should still be supplied freely to the public. This is the case in New South Wales. I would like some indication of the government's attitude as to whether or not the same regulations which apply in New South Wales will in fact be prescribed here.

Mr EVERINGHAM: It is often said of the government that they do not give much notice of amendments to the opposition but the opposition has given us no notice of these amendments other than to put them on my table this morning. It may be that some officers of the government assisted the Leader of the Opposition in the drafting of the amendments but, if so, they rightly maintained confidentiality between themselves and the Leader of the Opposition in relation to his amendments. Although I am agreeing to these amendments at the present time because of the administrative difficulties that may be involved, I will obviously have to inquire of departmental officials before I

can recommend to His Honour the Administrator that he assent to the legislation. I am agreeing to these amendments on the basis that, if they are impracticable, although they do not appear to be so, I may have to bring amendments before this House at a later stage. I am not prepared to give any undertaking or assurance to the honourable the Leader of the Opposition about the matter at this stage although I certainly would have attempted to have inquiries carried out had he given me earlier notice of his amendmemts.

Amendment agreed to.

Clause 39, as amended, agreed to.

Clause 40:

Mr ISAACS: I move amendment 127.30.

This is for the same reasons.

Amendment agreed to.

Mr ISAACS: I move amendment 127.31.

This is a drafting correction.

Amendment agreed to.

Mr ISAACS: I move amendment 127.32.

This is to allow the making of regulations to exempt advertising of sexual articles as in amendment 127.28.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clause 41 agreed to.

Clause 42:

Mr ISAACS: I move amendment 127.33.

Amendment agreed to.

Clause 42, as amended, agreed to.

Clause 43 agreed to.

Clause 44:

Mr ISAACS: I move amendment 127.34.

This is to provide greater protection to the person who is under the threat of prosecution. It merely ensures that the police make a decision on prosecution within a reasonable time.

Amendment agreed to.

Clause 44, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

POLICE AND POLICE OFFENCES BILL
(Serial 307)

In committee:

Clause 1:

Mr ISAACS: I move amendment 128.1.

The reason for this amendment and the other 2 amendments is simply to change the name of the bill to "Summary Offences Act".

Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2 agreed to.

Clause 3:

Mr ISAACS: I move amendment 128.2.

Amendment agreed to.

Clause 3, as amended, agreed to.

Mr ISAACS: I move amendment 128.3.

Amendment agreed to.

Title, as amended, agreed to.

POLICE ADMINISTRATION BILL
(Serial 308)

In committee:

Bill taken as a whole and agreed to.

In Assembly:

Bills reported, report adopted.

Bills read a third time.

REMUNERATION STATUTORY BODIES BILL
(Serial 360)

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

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

Scattered through some 40-odd acts in the Northern Territory are provisions relating to the fees, allowances and expenses payable to members of the various statutory authorities created by Territory acts. Some provide for payment in accordance with prescribed amounts. Others use various forms of statement providing for the Administrator to determine payment of one or

all of the members. The determination of the level of fees payable to members of the various authorities has been carried out on an ad hoc basis over the years as new authorities were created. Limited attention only was given to different levels of skill required or responsibility exercised by members of authorities.

Earlier this year, a detailed study was initiated into the whole question of fees payable to members of statutory authorities. By recognising that recompensed payments for the time devoted to the business of an authority should be applied to all authorities, the study considered also the skills required for membership of certain authorities and the nature of the duties and levels of responsibility to be exercised by a member of an authority. It also took note of the nature of an authority and its purpose. Certain authorities are, by their nature, an extension of professional associations and act as admission boards. Professional members of such authorities are there as representatives of their association and, while the payment of expenses may be appropriate, it is not necessarily appropriate that they be paid a fee for those services.

Cabinet has considered the results of the study and has accepted detailed recommendations for submission to the Executive Council for a general determination of fees, allowances and expenses payable to members of statutory authorities. Before that determination can be submitted to the Executive Council, it is necessary to rationalise the statements in our acts relating to such payments. This would require amendments to over 40 acts and some half a dozen regulations.

A more satisfactory alternative is the one detailed in this bill. It provides for a general power for the Administrator to determine the remuneration payable to a member of a statutory authority. It saves the remuneration of full-time members of authorities as shown in clause 6(2). It repeals all mention of remuneration in the act relating to those authorities as shown in the schedule to the bill as this will now be payable under the power expressed in this bill.

As a separate exercise, relevant regulations will be submitted to the Executive Council for repeal. The effect will be to give the Executive Council a single, clear statement of power to determine remuneration for members of statutory authorities, both existing and those to be created in the future. It is essentially a simple machinery piece of legislation and one that removes the possibility of conflict between different statements and different pieces of legislation.

As the decision to determine new and current rates of remuneration for members of statutory authorities has already been made, power has been included in clause 5 to make the first determination in retrospect to 1 October this year. This will ensure wage justice to members of the authorities which is a proposal that I am sure will be certain of support by the opposition. I commend the bill.

Debate adjourned.

CRIMINAL LAW AND PROCEDURE BILL
(Serial 357)

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

Mr EVERINGHAM (Chief Minister): I move the bill be now read a second time.

This is quite a simple and straightforward bill. In a recent case, a

federal court judge held that a nolle prosequi in a trial on indictment could only be filed by the Attorney-General personally; that is, the document must be signed by the Attorney himself. A nolle prosequi is the method by which a prosecution is withdrawn after the indictment has been filed. This requirement of personal signature can cause inconvenience if the attorney is not readily available because a nolle, as they are referred to, must often be applied quickly to prevent a trial proceeding unnecessarily.

At present, an indictment can be filed by certain legal officers and this bill therefore makes it possible for authorised legal officers to withdraw an indictment. The Attorney-General is exercising one of his primary legal functions in the field of indictments and, just as only a small number of senior officers are authorised to file indictments, only a small number will be authorised to decline to proceed on indictments.

The bill also contains a transitional clause to allow indictments presented before commencement of the act to be withdrawn by authorised officers. Mr Speaker, this is a necessary practical change to the law and I commend it to honourable members.

Debate adjourned.

WORKMEN'S COMPENSATION BILL
(Serial 358)

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

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

The Workmen's Compensation Act 1979 made extensive amendments to the principal act, including a rewrite of many of the provisions of the second schedule to the principal act which is the schedule which details the level of compensation payable under the act.

On review, it was discovered that a minor but very significant error had been made in that act. Paragraph 1B(b) of the second schedule provides that the determination of the level of compensation payable to a partially incapacitated worker after the first 26 weeks of incapacity be either of 2 alternatives. There always has been and was intended to be the entitlement of the worker to receive the greater of those alternatives. However, the expression in the act as passed is "whichever is the lesser" instead of "whichever is the greater" and clause 3 of this bill will correct that. The law in its present form would work an injustice against the partially incapacitated worker in the period between the commencement of the provision and the amendment to be effected by this bill. Clause 2 of the bill therefore provides for this bill to apply retrospectively to the date of commencement of the Workmen's Compensation Act 1979. I commend the bill to honourable members.

Debate adjourned.

SUMMARY OFFENCES BILL
(Serial 361)

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

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

This bill deals with the contentious subject of loitering and results from many complaints by organisations and individuals concerning undesirable behaviour in public places to the detriment of the right of a person to go about his lawful activities without being subject to alarm or annoyance. There are loitering provisions in section 47A of the act but they are of limited value in dealing with some of the problems which seem to be a facet of modern society. In particular, section 47A empowers a member of the police force to move on members of a group of persons loitering in a public place if he has reasonable grounds for believing that offences as listed in sub-sections 47(a) and (b) are likely to be committed. Those offences are riotous, offensive, disorderly or indecent behaviour or disturbing the public peace. The terms of that subsection are restrictive. They apply only to specified offences in section 47A and to groups and not to individuals. The subsection is of value in dealing with the problems which are the source of much of the complaint made by persons whose normal pursuits are subjected to interference from unreasonable behaviour in public places.

I propose to omit subsection (2) of section 47A and replace it with a new provision based largely on the provisions introduced in recent years in South Australian legislation on this subject. The new subsection (2) proposed by this bill will apply to individuals or groups loitering in public places. It will provide that, where an offence - and that will mean any of the offences listed in section 147 of the principal act - has been committed or is believed on reasonable grounds to be likely to be committed, the police may instruct the persons loitering to move on and take their possessions with them. Additional grounds will be the obstruction of traffic either of persons or vehicles or of the safety of persons.

It is not my intention to empower the police to harass the ordinary citizen whenever he appears in a public place or when he chooses to rest and relax in a public place but I am concerned at the increasing incidence of behaviour that unreasonably interferes with the rights of members of the public to be free from harassment, apprehension or disturbance while going about their normal and lawful activities.

Most honourable members will have received complaints about such behaviour and some will have complained to the police and asked them to do something about it. Unless we give the police some power, there is little that they can do. It gives me no pleasure to introduce a bill of this nature into the House. In an ideal society where all people were concerned to observe and respect the rights of all others, such a bill would be unnecessary. It is a fact that the number of instances of behaviour in a public place which alone interfere or unreasonably annoy the ordinary member of the public who is going about his normal business are increasing. The purpose of this bill is to give the police reasonable powers to take action to prevent such behaviour and thus avoid troublesome situations which adversely affect the rights of the public.

I am sure all honourable members will have received complaints about disturbing behaviour in public places and I look forward to their support of these measures designed to prevent it. I commend the bill.

Debate adjourned.

TAXATION ADMINISTRATION BILL
(Serial 363)

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

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

This bill and the Stamp Duty Bill are designed to rectify some minor anomalies in the stamp duty legislation. The purpose of this particular bill is to redefine bills of exchange in order to render Australian traveller's cheques in Australian currency liable for duty. The bill also specifies the method by which duty on loan securities is to be paid.

From 1 July 1978, banks in the Northern Territory have lodged returns and paid stamp duty on cheque forms, including traveller's cheques, issued to customers. However, following advice from the Crown Solicitor that duty was not payable on traveller's cheques under the present legislation, the practice of levying duty on traveller's cheques was suspended from July of this year. All other states charge duty on traveller's cheques.

It is intended that the duty on Australian currency traveller's cheques issued by bankers will be dutiable at the time of issue. Schedule 1 of the Stamp Duty Act will be amended in the Stamp Duty Bill No 3 to effect this measure. Duty will be at the rate of 5 cents per cheque, that is, the same rate as applies to normal cheques. The cost of not levying duty on traveller's cheques is in the vicinity of $15,000 per annum.

I now turn to the bill itself. Clause 4 amends section 4 of the principal act by redefining the term "bill of exchange" in subsection (1). This broader definition is along the lines of the definition in the New South Wales legislation and as such includes traveller's cheques as bills of exchange. However, letters of credit are specifically excluded.

Additionally, the term "bill of exchange payable on demand" is defined to include an order for the payment of the sum of money on any contingency. The purpose of this definition is to ensure that traveller's cheques fall into the definition of "cheque" for the purposes of the act. Thus, duty will be levied under section 1A of schedule 1 of the Stamp Duty Act.

Clause 5 is an administrative matter which inserts a proposed new section 69A which specifies that duty on loan securities in to be paid by way of impressed stamp. I commend the bill to honourable members.

Debate adjourned.

STAMP DUTY BILL
(Serial 364)

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

Mr PERRON (Treasurer): This bill is designed to exempt from stamp duty the value of trading stock and livestock upon the transfer of real property. Under the present arrangements, stamp duty is payable on the total value of the transfer. Even if there are separate agreements that are part of the same transfer, the Commissioner may assess duty. In this provision, the Northern Territory practice differs from all other states except Queensland. To give an example of the effect of this measure at present, upon the sale of a business on a walk-in-walk-out basis, duty is payable on the value of the trading stock included in the sale. With this amendment duty will only be payable on the value of the real property and chattels other than the trading stock. The same principle applies to pastoral properties where the value of livestock will be exempted by this bill. The measure thus represents a very real saving for businesses in the Territory. The cost to the government of this scheme in terms of lost revenue cannot be estimated because of the erratic nature of these transfers. However, the measure does not alter the revenue estimate made in the budget.

This bill also amends schedule 1 of the principal act to effect the measures announced in the Taxation Administration Bill to make traveller's cheques dutiable. Clause 2 states that this act will come into operation at the same time as the Taxation Administration Act.

Clause 4 amends section 8 of the principal act by adding the proposed new subsections (2) and (3) and making subsection (1) subject to proposed subsection (2). Proposed subsection (2) states that the lesser value of or consideration paid for trading stock or livestock included in the transaction involving the conveyance of real property will not be subject to duty provided that the particulars of the trading stock and livestock are specified in the agreement or agreements and that the consideration is apportioned.

Proposed subsection (3) states that where, in the opinion of the commissioner, the value set out in the agreement is not the true value, he may determine what value or consideration is fair and reasonable for the purpose of charging duty.

In clause 5, item 1A of schedule 1 of the principal act is amended by adding the words "not being a cheque form expressed to be payable in a foreign currency". The purpose of this amendment is to effect the amendments made to the Taxation Administration Bill No 2 with regard to traveller's cheques. This amendment means that Australian currency traveller's cheques issued by banks are dutiable at the time of issue in the same manner as normal cheque forms. This brings our practice into line with other states. I commend the bill to honourable members.

Debate adjourned.

EDUCATION BILL
(Serial 359)

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

Mr ROBERTSON (Education): I move that the bill be now read a second time.

Mr Speaker, this bill is presented to the Assembly at the request not only of the Northern Territory High School Principals Association which first raised the matter with me but also at the request of a number of school councils who believe that the provisions in the existing act are inappropriate.

The bill relates to section 27 of the principal act and in particular to the subsection (2) which provides that, before a principal suspends a student from a school, the school council, where there is one, shall be consulted. If we remove subsection (2) then consequential amendments have to be made to subsection (1).

There is not only the concern of principals who are completely hamstrung in emergency cases - for example, suspension in the case of a child who has a contagious disease - but there are grave legal implications to school councils and to principals for the simple reason that, if a principal wrongly accused a student and had that student sent home and related the offence, which was subsequently proven to be false, to other people outside his own office, it would be possible that legal action could lie for defamation of character. Further, the school councils themselves believe that these are the sorts of matters which are properly left to the principals of the schools whose task it is to run those schools. For those reasons, I commend the bill to honourable members.

Debate adjourned.

ADJOURNMENT

Mr TUXWORTH (Mines and Energy): I move that the House do now adjourn.

Mrs LAWRIE (Nightcliff): I wish to raise a matter of which the Chief Minister has full knowledge. I also think that the Treasurer has some knowledge of this matter. I bring it to the attention of the House with the utmost concern. It concerns the present housing policy of the Northern Territory Public Service Commissioner.

There are 3 housing lists operating in the Northern Territory: the public housing list which is under the control of the Treasurer and is administered by the Housing Commission, the Northern Territory Public Service housing list and the Commonwealth Public Service housing list. The Commonwealth public service list does not concern me but, most definitely, discrepancies in policy between the Housing Commission public list and the public service housing list are causing concern and disaffection amongst certain persons.

It was brought to my notice that a Northern Territory public servant who had been on the Northern Territory Public Service housing list since January, who has a dependent wife and 4 dependent children, whose wife is expecting a fifth child in December and who is suffering from a severe physical disorder, applied for an emergency allocation of a NTPS house. The reason for his application was the medical distress being caused to his wife under her present circumstances.

The family is living in a caravan in a caravan park in Darwin. The caravan park is run very well but, because of her medical condition, it is considered by her medical advisers, by staff visiting her daily to give her injections, that the family desperately needs better accommodation.

The family applied for priority allocation and were advised that it was not possible. I understand that at least 2 Cabinet ministers are sympathetic to the whole family; namely, the Chief Minister and the Treasurer. The cases was put to the Public Service Commissioner for consideration and it is my understanding that he refused priority allocation to be authorised for the family and stated that the only priority housing was for key personnel. I also understand that the Public Service Commissioner stated that, if he helped this family, he might have to help others. Precisely, Mr Speaker! I think that is an admirable intent.

The availability of public service housing is one of the conditions implicit in the employment of public servants. The Chief Minister was at pains to assure public servants that, with the changeover to self-government, they would in no way be disadvantaged and that self-government would mean that the interests of the people of the Territory would be better served because there would be a closer appreciation of problems by members of this Assembly and by senior public servants. That is an admirable idea but it seems that, at least in this example of the availability of housing under the public service housing arrangement, self-government has meant a step backwards, not forwards. I can assure the House that, when housing was being administered under a Commonwealth public service scheme, allocations of priority housing could be made in cases of extreme distress. The Northern Territory Housing Commission public list does give priority allocation in cases of extreme distress.

Following representations made by this family and myself to officers of the Chief Minister's Department - the Chief Minister was absent at the time - a member of the Chief Minister's personal staff visited the woman in her

caravan. Prior to this visit, I had given copies of the medical certificates relating to her condition to officers of the Chief Minister's Department and I understand that he is well aware now of the medical opinion concerning her distressing case. A member of the Chief Minister's personal staff visited the lady in question and spent some hours examining her circumstances. Apparently, as a result of this visit, the same staff member visited the husband at his place of employment, the Northern Territory Public Service, and advised him to sign a piece of paper removing himself and his family from the public service housing list and placing them on the Northern Territory Housing Commission public list on the understanding that the family would be housed this week.

This all happened last Friday. The gentleman, whose main concern was for his wife's welfare, thought it was a good idea but indicated that he would like to speak to me first to seek my advice. I advised him that, if he could obtain a Housing Commission house, he should take it because his wife was so distressed and the circumstances were so necessitous. The structure of the family is such that they were on the public service housing list for a 4-bedroom house. The dates of birth of the 4 children are 1965, 1969, 1970 and 1974. The 3 youngest children are boys and the eldest child is a girl. This means that she needs a separate room and her 3 brothers would then share the third bedroom.

I think it is quite wrong that the public housing list should have to accommodate this family when the father is eligible for public service accommodation. The main issue is to get the family housed and everyone appreciates that. As I said at the outset, at least 2 Cabinet ministers do. But, why should the public housing list be disadvantaged by housing this family when it is properly the concern of the Public Service Commission's list? Be that as it may, I advised him to accept the second alternative. At no stage did he or his wife - and I have a declaration to this effect - consider that they were being offered anything other than 4-bedroom accommodation because of the needs of the family.

Having signed that piece of paper, he was offered a Housing Commission public housing list house. It is a 3-bedroom house. They cannot fit 3 mattresses on the floor of the bedroom to accommodate the boys. In other words, they signed under a misapprehension. My opinion is that the Housing Commission is doing all it can. I do not believe it is the role of the Housing Commission to house public servants in an emergency; that is the proper prerogative of the Public Service Commissioner. The position rests at the moment with the family halfway to nowhere, still in the caravan and physically unable to fit into a 3-bedroom home.

Honourable ministers opposite might say to me, "We agree that the family needs urgent accommodation. Put them in the 3-bedroom house and when a 4-bedroom Housing Commission house comes up they can go into that". Sir, her medical condition is such that she simply cannot make these moves. She will need assistance to make one move. Her medical condition is serious. I have the reports here on my desk and I will not read them into Hansard. Honourable members will notice that I have not identified the family; their names are known to those ministers who are concerned. All honourable members may come to me and view the documents containing the certificates and the declaration which the gentleman made concerning the events leading up to the removal of his name from the public service housing list to the public housing list. I might add that the family said that, if I thought it best, I could identify them publicly. I do not believe that is necessary. I can offer proof of everything I have said and I do not believe there is any dispute on the facts of the case between the 2 ministers involved already and myself. Any dispute

that arises relates to who should be housing this family.

The mind boggles at the Public Service Commissioner's statement - I did not hear it but I understand that he certainly made it - that he cannot house them because he might have to help others. Mr Speaker, housing is about people; it is not about houses. Self-government in the Territory is supposed to mean responsibility for the needs of the people of the Territory. If the Housing Commission can establish a panel of review to make decisions regarding emergency housing for distressed persons under the public housing provisions, why can't the Northern Territory Public Service Commissioner's office make exactly the same provisions for distressed persons who happen to be on the public service housing list? There is absolutely no reason at all. In fact, there is a committee which reviews priority housing for public servants. The trouble is it only reviews priorities for key personnel. However, the machinery is there already.

I am certainly not suggesting that the Chief Minister or the Treasurer should have to make these decisions from day to day. I am suggesting that, where there are these committees of review, they be told that they may also have to consider questions of extreme distress along with priority for key personnel. Some officers in the Treasurer's and the Chief Minister's departments have done all they can to assist the family within the limits of their power. In fact, the husband was told that, if he applied for the housing loan, they would do all they could to expedite the matter.

Mr Speaker, this man is a lowly-paid public servant; he is not key personnel. He is just a Northern Territory public servant whose name has been on the list since January anyway. He did not arrive last week; he has been waiting since January. He cannot afford to build or buy a place. He has 4 children already and his wife is pregnant and in extremely delicate health. She receives 3 injections daily and the health sisters are doing a tremendous amount in order to care for this family. Their concern has been expressed in writing. The wefare worker at the hospital is extremely concerned, has rung me, has spoken to officers of the Chief Minister's department and perhaps to the officers of the Treasury. Apparently, the only person who is not concerned is the Public Service Commissioner who says that he can authorise priority allocation of a house only in the case of key personnel.

There is no legislative bar to this; only one of policy. I ask the Chief Minister to ensure that that policy is changed, not simply in this case - although I think this is particularly deserving - but so that any person who may be particularly distressed can at least have his case for emergency allocation heard. I might say that, prior to the wife contracting this particular physical condition, they had not thought of applying for emergency accommodation. They were happy to wait in their caravan for the normal allocation of public service housing but, because of her symptoms and her aggravated condition, they are desperate. I ask the Chief Minister to change the policy so that self-government will mean what he said it means - government for the betterment of the people of the Northern Territory and not a step backwards as is occurring at the moment.

Mr EVERINGHAM (Chief Minister): The honourable member for Nightcliff has given us some of the facts in relation to this particular matter but perhaps I could draw out a few others.

I certainly had every sympathy with this particular family and I might say that I rather thought that the man and his wife had some call on moral support from me because he coaches my son at soccer. I did everything that I reasonably could to secure early housing for him even though I realised that he had left a house in Darwin in 1978 and, after going south, he decided

to return to the Territory and start from the word go again. In my capacity as member for Jingili, I made representations to the Public Service Commissioner regarding the possibility of these people being housed out of turn. The Public Service Commissioner put the argument to me that housing, in so far as the public service is concerned, is not a matter of welfare but primarily a condition that attaches to one's employment. The procedure is that everyone's name goes on a list and that, apart from key personnel, this list must remain absolutely untouched otherwise the rest of the public service personnel will believe that they are being cheated out of their rights and conditions. If people require emergency housing, it is the function of the Housing Commission - whether these people are public servants, taxi drivers, shipwrights, or whatever - to provide that emergency housing because the Housing Commission is the welfare housing agency. I must confess that the logic of those arguments seem fairly reasonable.

When I wrote to these people to tell them that I had been unsuccessful in securing a jump in the public service housing list for them, I told them of the new $44,000 home loan scheme. Being aware of the salary of the gentleman concerned and the fact that his wife was not working because she was pregnant, I indicated that, on the face of it, he had a very good chance of getting a loan. Without knowing all the details, he seems to comply with the requirements for a maximum loan and if he chose to have a look at some of the houses in the newspaper that are being advertised for less than $44,000 and perhaps to sell his caravan to obtain the equity of $1,000 needed to qualify for the $44,000 at 4%, he could buy himself a house with the repayments being approximately the same as the rent he would very likely have to pay the Public Service Commissioner anyway.

I understand that that proposal was unacceptable to the gentleman concerned because a member of my staff - I cannot swear to this - took him a loan application which was not signed. That was understandable because one cannot expect a man on a small income to enter a commitment for $44,000. Perhaps it would be frightening for someone in his position. Even though he would be paying virtually the same amount of money in rent and would be building up an asset instead of throwing the money away, he might still be fearful of entering a contract that would place a fairly substantial commitment around his neck. I thought that there was not a great deal more that I could do. He knew that he could approach the Housing Commission.

I was then contacted by the honourable member for Nightcliff who, in the course of her discussion with members of my staff, was rather peremptory. In fact, I am told by a member of my staff whom I have no reason to disbelieve that, on one occasion, the honourable member for Nightcliff told him that, unless the Chief Minister did something for this woman, she would call him a murderer if the woman died. That is hardly the sort of tone in which one would expect an honourable member of this House to deal with one's personal staff. Be that as it may, I could not let the character and disposition of the honourable member for Nightcliff deter me from continuing to assist. As a result of her representations, further steps were taken.

My staff spoke to the staff of the Minister for Lands and Housing and the suggestion was made that, if the case was serious enough and the person transferred from the public service housing list, the Housing Commission, in the exercise of its welfare capacity, could give the person priority. That proposal was put to these people and I understand that an offer of a 3-bedroom house has been made to these people which holds good for 2 weeks or something like that. The Housing Commission has a very small number of 4-bedroom houses and none of them are available at present although an indication has been given that one would be made available as soon as possible.

I know that these people are living in a caravan. To answer the argument of the honourable member for Nightcliff about the fact that there are not enough bedrooms in a 3-bedroom house because of the ages of the children, perhaps 2 of the boys could sleep in the caravan if the caravan was moved into the backyard of the house concerned. In any event, the grounds for early housing of these people is not the ages of the kids but the fact that the wife is ill. I would have thought that a 3-bedroom house, secured at virtually no notice at all, would be a very substantial improvement on a caravan however grand the caravan may be.

At this stage of proceedings, I have doubts as to the genuineness of this case because it seems to me that there are efforts being made to obtain a 4-bedroom house and nothing else. If 4-bedroom houses were readily available, there would be no concern about that but I just wonder about people who turn down a 3-bedroom house when they could put a caravan in the backyard. While this government will work towards a single housing list, it is committed to providing housing for public servants as public servants until at least the end of 1983. It will be impossible to do anything about that. The Public Service Commissioner who administers public service housing has a great deal of background in industrial and staff relations. It seems to me that I am certainly not in a position to overrule him on this particular case nor indeed can I question his logic. The Housing Commissioner is there to provide welfare housing. It has made a very good effort in this case and that effort, at the moment, has been turned down.

PERSONAL EXPLANATION

Mrs LAWRIE (Nightcliff): Mr Speaker, I wish to make a personal explanation. I believe that I have been misrepresented. The honourable Chief Minister said that a member of his staff had said that, if the woman died, I would call the Chief Minister a murderer. Either the staff member has lied to his minister - I categorically deny having used those words - or the Chief Minister is deliberately misrepresenting the conversation to this House.

Mr DONDAS (Casuarina): Mr Speaker, I rise in this adjournment debate today to talk about a poison pen letter that is floating around. It reflects on my character and it brings a shadow of disrepute on this House by virtue of the fact that I am a minister of the government. It has been circulated among other members of the Assembly and I noticed the honourable Leader of the Opposition reading it a few moments ago and passing it around. I would like to say that I categorically deny ever having used those words in public.

PERSONAL EXPLANATION

Mr ISAACS (Millner): I claim to have been misrepresented, Mr Speaker, and wish to make a personal explanation. The minister indicated that I was passing the document around. The document was passed to me, I read it and I passed it back to the person who gave it to me.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I wish to say a few words in the adjournment debate today relating to the crocodile attack on the young man in the Rainbow Cliff area on the Gove Peninsula last Sunday. Everyone was horrified by the circumstances surrounding the details and the reports relating to the accident. Sometimes I am a bit upset when I see the way newsmen report accidents such as this. However, in this case, the main point in those reports was that it could happen to any one of us who venture into the seas, rivers and estuaries of the Northern Territory. There is no doubt that there are certain dangers lurking in those waters.

For some time now, there have been quite a number of crocodile sightings

in the Gove Peninsula and I believe they have been tabulated. There have been warnings over the local TV station but I don't think that people really thought of the danger that was lurking in those areas. In the past, saltwater crocodiles have not been responsible for many deaths; I think I can recall 3 in the last 10 years or so. There has not been much known about other attacks. However, we have all been made aware now of the danger of swimming in areas where there have been regular sightings.

When I asked the Chief Minister about the catching and moving of crocodiles from known recreation areas in Gove, I realised it would be a very difficult task for his department but, if the officers could catch these crocs and remove them to other areas, it would be a very worthwhile exercise and it would relieve some of the people's tensions. I realise that it would be a very costly exercise to do such a thing but we must not forget that it is a worthwhile exercise. I am sure that some attempt will be made to give relief to the tensions that have built up over the last few days so that people can go into these areas without fear.

When the croc was caught and killed, it was brought into the township and shown to the school children. I think that everybody, within about half an hour of hearing about it, went to have a look. A surprising number of people came quickly. I think that most of them probably had seen crocs before. However, it was the first time for a lot of people and it was probably a bit of a shock to see the size of these crocs. It probably impressed on them very much that it is dangerous to swim in an area where there are crocs of 11 feet or more.

In one sense, it was an education to the people in my electorate to see the size of that croc and how powerful it was. Hopefully, that impression has been created and will remain there for some time. Northern Territory crocs can be killers and will attack human beings.

I would like to make special mention of the excellent work done by the Nhulunbuy police and the swift way in which they went about their task. They located the young man that night and I give special mention to Sergeant Hunt, Inspector Harvey and the officers from the station for their excellent work. It must have been a horrifying experience for them on the shore and, although it was in the course of their duty, it is something that they will probably not forget for a long time. I would also like to give special mention to the wildlife officers for the swift way they captured that croc and another smaller one. The croc was killed. I would like to give a special mention to Yunggalama, an Aboriginal man in that area who is a great hunter and fisherman and who actually helped the wildlife officers to capture the croc.

I only hope that this warning will be heeded by everybody in the Top End and that some information can be given to those people who innocently come to the Northern Territory. Many of us live here permanently and do not even mention to people that there could be crocs in that area. I think we could do it along the same lines as we do for our sea wasp season. Everyone knows the seriousness of being stung by a sea wasp. Perhaps the Tourist Board may be able to look at this because, in some ways, it could be detrimental to tourists. Hopefully, some information will come through the information centres, through the tourist promotion boards in the towns, and let the people be made aware that the Territory saltwater croc is a very dangerous species. I only hope that that warning has been heeded.

Mrs O'NEIL (Fannie Bay): I think that all honourable members find that housing problems, at least in urban electorates, consume a lot of their time. I have received many submissions of the sort mentioned by the honourable member for Nightcliff but, fortunately, not as serious.

I think that there are several points which she raised which have not been answered. There is the question of different entitlements between public servants and others entitled to non-public service housing. Certainly, the man in the street believed that, with the introduction of self-government, this would cease. This is what he thought was meant by a single housing authority: that we would eliminate the different entitlements of various people depending on their employment and combine the 2 different lists of stock. I think that people still hope that this will happen. Usually, the differences are to the advantage of public servants. In this case, it is in the other direction.

I think there were 2 points made by the honourable member for Nightcliff which are most important. Firstly, before self-government, cases such as these would have been entitled to priority allocation on a public service housing list. It is only since self-government that they are no longer considered for priority allocation. I think that that is most unfortunate and I agree with her that it should be changed. Secondly, I do believe that, while there are separate lists, the public list, which we all know is under great stress, should not be used to house public servants who are entitled to public service houses. That stock is already under great stress; there are long waiting lists. That is the point that the Chief Minister made in relation to a 4-bedroom house. He pointed out that there simply are not any 4-bedroom Housing Commission houses available on the public list at the moment. The member for Nightcliff advises me that there are vacant 4-bedroom houses on the Northern Territory Public Service Housing list. One is just around the corner from her own home.

I think those points are important and, if these inequities can be ironed out, it would be a benefit not only to people in desperate situations as this family obviously is but to the community generally and will certainly enhance the reputation of the various housing authorities.

Mr PERRON (Stuart Park): Mr Speaker, I have to enter the debate this afternoon to carry on with this housing issue in an off-the-cuff fashion. I think the point has been missed; that is, the alleged desperate situation of this particular family. The situation is one where I may be open to a charge of acting too expeditiously by not going into more detail in assessing the situation presented to me by the Chief Minister and others for my consideration. On the face value of this fairly desperate situation, I directed the Chairman of the Housing Commission to allocate the first available 3-bedroom house to the people in question. That was on Friday and on Monday an offer of a brand new 3-bedroom house in the northern suburbs was made.

Normally, these situations go before a Housing Commission Committee which has the very unenviable task of assessing the 30-odd applications per month for out-of-turn applications. Of these, usually only about 4 get through the system. It is most difficult to make an assessment that one family is in a more desperate plight than others who may have been on the waiting list for many months and who are perhaps in financial distress. Every out-of-turn allocation just jumps these people and pushes them that much further down the list.

To tell the Housing Commission that the needs of these people who have made representations to the government are far greater than those of anyone else that the commission had spoken to, when I did not know who they had spoken to nor the case histories of all the rejections and acceptances, could have been regarded as a bit foolish on behalf of the minister. However on compassionate grounds, I was prepared to wear any criticism and duly directed the Housing Commission, without regard to the others who have applied, to house these people forthwith.

The offer was made and it was rejected because the particular applicant wanted a 4-bedroom house. I question the bona fides of such people who claim to be in desperate situations. As I understand it, the wife's condition was of great concern because she had to move around a great deal by living in a caravan with separate ablution facilities. If a brand new 3-bedroom house is not an improvement, even with mattresses on the floor and with the other boys perhaps staying in the caravan in the backyard, and it is rejected, it will make me look very carefully at any future representations along these lines. I think that the government bent over backwards and seemingly wasted its time.

Mr COLLINS (Arnhem): I wish to touch on a number of topics this afternoon. I was very interested to hear the explanation from the honourable Minister for Community Development a few moments ago. I have not seen the letter because it has not been passed to me yet. However, the contents have been explained to me and I understand what is in it. After hearing the explanation of the honourable minister, all I can say is that I was in the park on that particular day and I must have defective hearing ...

Mr Dondas: Maybe you wrote the letter.

Mr COLLINS: I certainly did not.

This morning a petition was placed on my desk which I was unaware of unfortunately and therefore it was not presented to the Assembly but it will be at the next sittings. I do wish to spend a few moments talking about the subject of that petition. I commend the initiative of the honourable member for Elsey in giving it such wide circulation. I have certainly circulated the copies that were sent to me in my electorate and I have received some response. It involves the vexed question of radio communications in outback areas of the Northern Territory and a frustrating business it is indeed.

A week or so ago, while I was out at Maningrida, there was a particular ABC program on Sunday that I and many other people wanted to listen to. There cannot be too many people in Australia these days who sit in a room with 15 or 20 other people to listen to a radio receiver. It used to be a feature of life many years ago and it does still occur in some places today. It was very frustrating that we could pick up commercial radio stations broadcasting from Western Australia as clear as a bell but were totally unable to pick up Darwin at all. This is an experience that is common to many people in the Northern Territory. Unfortunately, I did not see this petition that was signed by a large number of residents of Alyangula in my electorate but I will be tabling it at the next sittings. The urgent and pressing need for a domestic short-wave service in the Northern Territory has been raised many times in this House and it cannot hurt to raise it again and again.

I heard this morning some mention of initiatives being taken by Territorians to promote exports from the Northern Territory to South-east Asia. I wish to add my congratulations to the commendation of the government to some of the people who are taking very exciting initiatives in this direction. I am particularly pleased to see that one of those gentleman is sitting in the public gallery at the moment - Mr Ron Hersey from Katherine. I think that the initiatives that are being taken by Territorians in this very vital area of Territory trade can only be given all possible encouragement and support by the government. The export of primary industry crops of the Northern Territory is something which I am watching with particular interest. Vegetable growing is a very productive and rewarding occupation. If I had stuck to growing vegetables instead of entering politics, I would certainly be 3 stone lighter and probably a lot saner as well.

At the moment, a series of articles is being published by the Weekend Australian relating to the much-publicised area of Aboriginal people and land rights. I was interested to see the same tired old sentiments being trotted out again in these articles. The initial article - and I understand it was only the first of what appears will be in a long series of articles - concerned the efforts of Aboriginal people, particularly the Aboriginal people at Oenpelli, in making a particular stand on issues that were close to them. The journalist concerned interviewed 5 people, 3 of whom were the Chief Minister, the Minister for Mines and Energy and the Secretary of the Northern Territory Chamber of Mines, Mr Joe Fisher. He obtained the usual well-balanced opinion you would expect from those 3 people. In fact, he described the Chief Minister as one of the most dynamic and exciting politicians in Australia today. That only goes to prove once again, Mr Deputy Speaker, that beauty is very definitely in the eye of the beholder.

The particular objection I have to that article revolves around one paragraph which contains the crux of the writer's argument: that land rights legislation is in fact the worst thing that has ever been done "to them". It will prove to be the worst thing ever done to Aboriginals because - and this is burnt on my brain - "it is going to turn the patronising tolerance of white people toward Aboriginals into, for the first time in modern history, hatred". The whole point of the argument, and it is a tired old argument, is that Aboriginal people, in their best interests, should abandon any claims they may have to being owners of property and any pretensions they may have of being able to achieve equal footing with non-Aboriginal people in the Northern Territory because, as a result of that new status, they are attracting the hatred of non-Aboriginal people. The argument is that, if Aboriginal people are stripped of these advances that they have made in the last few years, if they are put back to the status of being fourth and fifth class citizens as they were before, they will not attract this hatred and therefore will be much better off because of it. As I said, it is becoming a tired old argument and it is not one that stands up to close scrutiny.

I would like to conclude with a few remarks about some of the content of the recent address made by the Chief Minister to the Canberra Press Club. He spoke about enlistment or drafting of "some of the thousands of Aboriginal people who so desperately need training in engineering and other areas of technology". Once again, the Chief Minister has demonstrated his ham-fisted and carelessly-thought-out approach to Aboriginal issues and to Aboriginal people generally. I have no doubt that this sudden new inspiration of the Chief Minister to put thousands of Aboriginal people into the army came about as a result of seeing a photograph in a newspaper recently of a young Aboriginal bloke from Goulburn Island whom I have been very pleased to have had as a friend for many years and who has been very successful in a recent stint in the army. No doubt the Chief Minister saw that photograph and said, "What a great idea! We will have thousands of them enlisted".

The honourable Chief Minister was asked a question by a journalist and the question was as good as the answer the Chief Minister gave was bad. The question was: "What can the army offer Aboriginal people at the moment in the Northern Territory that the education services in the Territory can't?" The Chief Minister then embarked on what has become a characteristic of his performance which is, to quote a political analyst in published material in the Northern Territory, "long, rambling speeches". As we know, the Chief Minister also specialises in long rambling answers to questions which fail to answer the question. In fact, the Chief Minister seems to be rather pleased on occasions about the length of time he can speak without actually coming to the point. He did so again on this occasion when, in about a 5-minute monologue, he completely failed to answer the question at all.

I have been closely associated with the induction of Aboriginal people into the army recently because it is something that I follow with keen interest. It is largely as a result of the efforts of the town clerk at Croker Island, Mr Stuart Philpott, who has a keen interest in army matters and is a member of the army unit here, and of the genuine, close and personal interest of Major Pike that Aboriginal people are enlisting into the army. It has not proved to be an easy task at all. I commend highly the efforts of the army and non-army personnel in Darwin who have been closely associated with the careful, slow and successful results they have achieved in the approaches they have already taken. I believe that the Chief Minister's approach is the one which he usually adopts: brash, bull-at-a-gate, feet-first and unthinking. It typifies the Chief Minister's attitude towards Aboriginal people and their part in the Territory's development which, as I have said before in this House, can be summed up by saying that it is a question of "they either shape up or they ship out".

I would also like to go on record as saying that I believe that the efforts of the Department of Education in the Northern Territory, of which I am well aware, and the activities of the Darwin Community College particularly in the area of trade training of Aboriginal people in the Northern Territory are excellent and cannot be surpassed, replaced or even augmented necessarily by any attention by the armed services - that is assuming, of course, that Aboriginal people want to be drafted by their thousands into the army. As a recent recruiting drive has shown, like so many non-Aboriginal members of the community, they do not particularly want to be drafted into the army. However, the few Aboriginal people who have indicated an interest, and I am sure that as a result of their experiences it will be a growing interest, in joining the army have benefited very much from it. To seriously suggest the wholesale drafting of thousands of Aboriginal people into the army and to somehow or other train them in a way which cannot be accomplished by the normal channels of training, training which is proceeding adequately and successfully at the moment, is just utter nonsense. I believe that once again the Chief Minister has demonstrated just how ill-considered and badly thought out, if thought out at all, his approach to Aboriginal affairs is.

PERSONAL EXPLANATION

Mr EVERINGHAM: I claim to have been misrepresented and seek leave to make a personal explanation.

Mr Deputy Speaker, if the honourable member for Arnhem can direct me to the use of the word "drafted" or "draft" in my speech to the National Press Club or the use of the same words in my reply to the first question or any question that a journalist asked me on that day, I would be pleased if he would do so. I am certain that at no time did I use the word "draft" on which the honourable member's whole argument against the proposition seems to be based.

Motion agreed to; the Assembly adjourned.