NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Second Assembly
Second Session

Parliamentary Record

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PART I

DEBATES

Mr Speaker MacFarlane took the Chair at 10 am.

KATHERINE HOSPITAL ADVISORY BOARD ANNUAL REPORT

Mr TUXWORTH (Health): Mr Speaker, I table the Katherine Hospital Advisory Board report for the year ended 30 June 1979. This is tabled pursuant to section 15 of the Hospital Advisory Boards Act. Section 14 of the act requires the board to submit an annual report each July while section 15 requires such a report to be tabled on the first sitting day thereafter. The current report was not received until November and today is the first opportunity to table the report.

DRC REPORT and COMMONWEALTH OMBUDSMAN REPORT

Mr EVERINGHAM (Chief Minister): Mr Speaker, I table 2 documents. The first one is the final report of the Darwin Reconstruction Commission and the second is a report of the Commonwealth Ombudsman. Section 19(1) of the Ombudsman Act 1976 of the Commonwealth requires the presentation of this report by the Prime Minister in the Legislative Assembly. He was not able to get here because he is on his way back from America and he has asked me to do it for him.

PERSONAL EXPLANATION

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, in the NT News of Saturday 9 February, an article appeared which, amongst other things, stated that the Chief Minister hit back with 2 points. Most delegates at the Kormilda College voted on the land rights resolution after returning from drinks at the Berrimah Hotel. This report purports to be based on a press conference which I held on the evening of 8 February. I have referred to a tape of the press conference and I have had the tape transcribed. I will quote the only sections of the press conference to which this could possibly relate. I must read this at some length because I want to read exactly what I said at the press conference.

The first question put to me was: "The first and obvious question is that the lands councils yesterday, after your request for them to reconsider the motion passed at Kormilda College, were asked to say whether it was a true expression of what Aboriginal people thought. What is your reaction to that statement?" My answer was: "My reaction is to refer to a report on the Kormilda conference by Mr Jack Goodluck, Co-ordinator of Development Studies Nungalinya College Darwin. Nungalinya College is a college pertaining to Aboriginal people. In referring to the conference and to the Land Council Chairman saying that I arrogantly refused to listen to what Aboriginal people said to me, I quote ...". I make the point, Mr Speaker, that I am referring to the Land Council Chairman saying that I arrogantly refused to listen to what Aboriginal people said to me. "This conference was a most significant event and, if taken as a precedent, could be the beginning of a new level of communication, a new style of consultation and a new degree of cooperation between government and the Aboriginal sections of the Northern Territory population".

This was written after the conference was over. I was not there when the motion was proposed. I had left after asking if there was anything further that the conference required of me. It has been subsequently alleged that I did not return to the conference after lunch. Indeed, the reverse is the case and I again quote from the report: "When the ministers had gone after spending most of the morning and, in the case of the Chief Minister and 1 or 2 others, part of the afternoon, a general evaluative session was conducted. This was when several people returned, presumably from the Berrimah Hotel, and began to behave abusively towards the Chairman and, in their absence, the ministers and

public servants who had come and gone. Two men did nearly all the talking at that time again failing to get a wide vote of support for their hostile 'assault'. Then, almost as an afterthought, one of them pulled a prepared proposed resolution from his pocket and read it to the meeting. It criticised the government's intention since it was opposing Aboriginal land claims".

I suggest that you get a copy of that report. I am sure that Mr Goodluck will be happy to provide you with one and I suggest that you read it right through and then decide for yourselves whether the government's holding of these conferences is or is not an attempt at consultation and communication with Aboriginal people. That was the only occasion in the press conference when I mentioned the Berrimah Hotel and it was in the context of a quote from a report by Mr Goodluck. There was no mention of drinking.

Later, I was asked a lot of questions and the reporter was obviously trying to make something of the Berrimah Hotel matter. I again quote the question and answer. The question was: "In this case, return to conference after the Berrimah Hotel, it was a prepared resolution put to conference but not all delegates went to the Berrimah Hotel and they approved that resolution overwhelmingly?" My answer was: "Well, I suggest Dick that you read this report before you say things like that because I have not got it all marked here but you will find many of the delegates, almost all, drifted away at lunch-time and when myself and 2 other ministers, I forget who they were, came back afterwards, we had an audience of about 16 where previously we had an audience of about 60. The 16 were soon finished and there was nothing more we could do. We said, 'Is that all you want us for?' and they said, 'Yes thanks', and away we went. Some hours later, apparently, back they came".

Mr Speaker, there was no mention of drinking or the Berrimah Hotel by me in that statement. Indeed, Australian and Associated Press and the ABC were at the press conference yet neither of these organisations seemed to draw the extraordinarily long bow that has been drawn by the NT News.

MINISTERIAL STATEMENT

Land Tenure Reform

Mr PERRON (Treasurer) (by leave): Since the attainment of self-government, the reform of Territory land laws has been a regular topic for discussion in this House. The reform of those laws has been a priority task of the government and, over a period, a series of amendments to existing legislation have been introduced. Our complex system of property law is almost without parallel in Australia. I have described it as archaic, frustrating for both the government and the governed alike, and a barrier to progress. The Australian Capital Territory has a leasehold system with some similarities but in the states the average citizen who buys a parcel of land does so in the clear knowledge that he is purchasing land with freehold title. Various leasehold tenures are also utilised but the ability to buy land and the security of freehold title can be cited as one of the factors which has assisted early progress and development in the states.

As other parts of Australia forged ahead, the Territory was looked upon as a backwater. Progress and development languished and our property laws become more complicated and confusing with the passage of time. On this side of the House, we saw self-government as the opportunity to rectify the situation. Many changes have been instituted such as a scheme for direct grants of vacant crown land at market value and the provision of conversion of business leases to freehold upon completion of development covenants in the same way that residential leases can be converted to freehold.

Honourable members will be familiar with the report on urban land laws and proposals for their reform prepared by Mr Ron Withnall at the request of the government, which was tabled in this House last September. In his discussion of Territory law relating to the grant of title to urban land, Mr Withnall described the number of laws as "bewildering". He said that the body of law had been "created haphazardly, each new accretion being added, sometimes hastily, in response to the stimulus created by each new circumstance". Those are the government's sentiments exactly.

The Withnall report was a painstaking analysis of the problems posed by existing urban land laws and recommended proposals for reform, including draft legislation. The report was tabled and circulated in the community for comment. In light of that consultative exercise, the government is now in a position to indicate its intentions for tenure reform in rural areas as well as the urban centres of the Northern Territory. It is the government's intention to introduce the required legislation in the April session.

The government has resolved to legislate to create unconditional freehold title to land within the whole of the Northern Territory with the exception of extensive areas held under large pastoral leases and special purpose leases. This statement is designed to indicate to all Territorians that this will be the greatest step forward in the history of the Northern Territory aside from self-government. There will be automatic conversion of existing leases to freehold title without charge and without regard to compliance with lease covenants. Freehold title, with all that implies, will become the rule rather than the exception.

The magnitude of this proposal can be indicated by statistics researched by the Department of Lands and Housing. Some 14,000 town land leases, Darwin town area leases and church land leases will be converted to freehold. Some 270 agricultural and miscellaneous leases will convert to freehold and 8 mini-pastoral leases which have a growth area of less than 150 square kilometres will convert to freehold. There are 5 other pastoral leases over uneconomic areas ranging in size from 2.5 to 60 square kilometres. As they are eligible for consolidation with adjoining leases held by the same lessees, these will not convert to freehold at least for the time being.

Later in this statement, I will provide more detail on the move away from the lease control system and its replacement by an automatic and statutory right to freehold title. As I have indicated, the status of the Territory's large pastoral holdings will not be affected by the April legislative proposals. Nevertheless, it is the government's intention to examine the question of pastoral tenure.

An inquiry will be held this year to investigate and report to the government on the most appropriate form of tenure for Northern Territory pastoral land. This investigation will commence as soon as practicable and a final report to Cabinet will be requested within 6 months of the first formal meeting. The chairman of the 3-member inquiry will be an Alice Springs lawyer, Mr Brian Martin, who chaired the board of inquiry into Territory welfare needs. The other 2 members will be the Surveyor-General for the Northern Territory, Mr Peter Wells, and the Manager of the Northern Land Council, Mr Wesley Lanhupuy.

Mr Speaker, I turn to specifics on the government's April legislative intentions in respect of the policy decision to replace most forms of leases in the Territory with freehold title. This reform will rank among the government's most important achievements since self-government. The proposals provide for: the grant of unconditional freehold throughout the whole of the Territory except for extensive areas held under pastoral leases with areas in excess of

150 square kilometres; with no cost to lessees, there will be automatic statutory conversion of Darwin town area leases, leases of town land, church lands leases, miscellaneous leases, agricultural leases and most pastoral leases not exceeding 150 square kilometres - these conversions will be subject to certain reservations such as the payment of outstanding rental, unpaid balances of reserved prices, and any other amounts due, or securement of these debts under mortgage; freehold title will be issued in respect of subdivisions presently being processed; and existing provisions in the Freehold Titles Act imposing conditions on freehold land will be repealed.

As I have indicated, the move to freehold will have exceptions including large pastoral leases. There is another instance where it is the government's intention to retain the power to grant leases. Where desirable, for development confederations, the government will issue development leases. These may be used for residential subdivisions, land for business and industrial usage, and direct sale of titles. In these circumstances, conversion to freehold will be contingent on compliance with lease conditions. Other examples where this retained power will come into effect relate to concessional land grants to sporting and cultural organisations and the like.

Mr Speaker, the question of conversion of special purposes leases to freehold title will not be an issue in the legislation proposed for the April session. The diversity of circumstances under which this form of lease has been granted puts the special purpose lease in a special category when considering changes to the law. Nevertheless, it is the government's intention to eventually provide in law a right for the holders of special purposes leases to apply for conversion to freehold. In certain circumstances, the government will take the view that the continuation of a special purpose lease is the appropriate form of title but, on current thinking, land granted for such uses as roadhouses will eventually be eligible for conversion to freehold.

The legislative program now being formulated by the government proposes that, during April, bills will be introduced to the Assembly specifically to provide for the granting of freehold and the statutory conversion of existing leases to freehold. These bills will also contain provisions considered essential for the implementation and operation of the new system of land title. As planning proceeds towards this goal, parallel action is in progress with a view to identifying existing legislation which will be proposed for repeal.

Features of the new system will include the following: existing leases will be converted to freehold at no cost to lessees; conversion of the leases to freehold will be automatic by statute; for administrative purposes, leases will be recalled on a systematic basis in order that necessary amendments can be made to the title instrument; where land transactions occur prior to completion of the registration program, titles will be amended at the time of transaction; forfeiture actions now in train against lessees will be continued and enabling clauses to this effect will be included in the new legislation; and the government maintains its commitment to the policy requiring payment of market value for vacant crown land. Lesser amounts will be determined at ministerial discretion for reasons which may include encouragement of development in a particular area or project viability considerations.

Mr Speaker, as much warning as possible has been given of the government's intention in this regard to this vital and important reform of land tenure in the Territory. Naturally, there will be some who will be caught between the existing system and what they will now know as the government's policy proposals. As soon as practicable, applicants for vacant crown land and those seeking to subdivide existing leases will be written to and given a choice of options

as to how they wish their application to proceed. Processing of applications will continue under the existing system or, if the applicant desires, the application may be suspended pending enactment of new legislation.

The position I have outlined will mean that control and enforcement of land development through lease conditions in the Northern Territory will largely come to an end. The historic use of leases as a crude form of planning control will end. Control of development in planning areas will be achieved through the Planning Act and control of subdivisions outside declared planning areas will also be exercised under that act.

Mr Speaker, the government finalised its decisions in this matter following evaluation of comments received on the Withnall report. Given the fact that this single initiative will slice through a long-criticised tenure system with one sweeping action, it was considered that a statement containing as much detail as possible be made in the Assembly today. Drafting work is underway but I am advised that upwards of 50 pieces of legislation will have to be examined prior to the introduction of bills to the House. For that reason alone, it has not been possible to ready legislation for this session. Additionally, time is required to consider what procedures will be necessary within the Registrar-General's office and the Department of Lands and Housing to ensure an orderly changeover. I have no doubts that this matter is now public knowledge and that it will draw widespread and favourable reactions from all Territory centres.

The move to unconditional freehold will put the Territory land tenure on a basis similar to that in the states. It will encourage greater investment and economic progress. Newcomers and resident Territorians will no longer be baffled by a confusing array of leases and conditions. Government officers charged with the administration of our land laws will be given the ability to provide a more efficient and streamlined service. They will be freed from a system, not of their making, which placed too great an emphasis on land development decisions by the bureaucrat rather than the individual landowner.

Mr Speaker, the introduction of freehold tenure has always been a major policy platform of the Territory government. We have moved towards its implementation in a cautious manner taking advice from others and examining the question from all sides. After due reflection, our approach is now settled. The basis for that approach rests on the sure knowledge that the economic goals which we have set for the Territory can more easily be reached with Territorians having the security of freehold title on the land on which they live and work.

I move that the statement be noted.

Debate adjourned.

JURIES BILL
(Serial 403)

Bill presented and read a first time.

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

Honourable members will recollect that the Juries Act was recently amended in various respects. One amendment inserted a new definition of the words "capital offence". Those words had been rendered meaningless throughout the act following the abolition of the death penalty by the Death Penalty Abolition Act (1973) of the Commonwealth. They now mean "an offence, the

penalty for which under a law in force in the Territory is prescribed to be life imprisonment with or without hard labour and in respect of which the court imposing the sentence may not vary or mitigate the sentence and includes murder". Section 64 of the Juries Act provides: "In the trial of a criminal issue, other than a trial for a capital offence, the court may, if it sees fit and at any time before the jury retires to consider its verdict, permit the jury to separate subject to such conditions as the court thinks fit".

As a result of the insertion of the definition of "capital offence", the court no longer has power under section 64 to permit a jury to separate in a trial for a capital offence; that is, for practical purposes, murder. That means that jurors in murder trials must be locked up every night until the end of the trial. This result was neither envisaged nor intended and is, in the government's view, undesirable and unnecessary for the following reasons. Firstly, jurors who are separated from their families for many weeks - one recent murder trial here lasted 10 weeks - may take it out on either the accused or the Crown because they want to blame someone for the inconvenience. This does not promote justice and may prejudice a fair trial. Secondly, the enforced separation of jurors from their families can cause considerable hardships to both jurors and their families. I should add that the cost of hotel accommodation and meals for jurors would be considerable and, in the government's view, unwarranted.

The criminal justice system has worked perfectly well for many years without locking up jurors in murder trials. The government believes it would, in general terms, be a thoroughly undesirable and retrograde step to start locking jurors up again. The government recognises, however, that it might, on very isolated occasions, still be desirable to lock jurors up in certain criminal trials; for example, where an attempt is made or is likely to be made to bribe jurors or to intimidate them.

This bill seeks to remove the requirement that jurors be locked up in trials for capital offences but retains the discretion whereby the court, in exceptional circumstances, may order that jurors do not separate in any criminal trial. There are murder trials listed in the current criminal sittings of the Supreme Court. I believe there is a very real possibility that injustice and hardship will result if this bill does not pass through all stages today. I have therefore sought its urgent passage and I commend the bill to honourable members.

Mr ISAACS (Opposition Leader): Mr Speaker, the Chief Minister advised me by letter yesterday afternoon that he would introduce this particular amendment to the Juries Act. The letter was virtually identical to the statement he has just read to the House. I have examined this very small bill and it certainly achieves the desired effect.

I agree with the reasons given by him that it is absurd to have juries locked up unnecessarily although, as he indicated, it may be the wish of the judge that such a step be taken. The amendment which he has proposed does precisely that. It takes away the mandatory nature of the locking up and maintains the discretion of the judge. It certainly has the support of the opposition and, in view of the current Supreme Court sittings, it is appropriate that we take what steps we can as quickly as we can to ensure that juries are not unnecessarily locked up. The opposition supports the passage of the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM: I move that the motion for the third reading be taken forthwith.

Motion agreed to; bill read a third time.

CONSERVATION COMMISSION BILL
(Serial 369)

TERRITORY PARKS AND WILDLIFE CONSERVATION BILL
(Serial 370)

FORESTRY BILL
(Serial 371)

SOIL CONSERVATION AND LAND UTILISATION BILL
(Serial 372)

Continued from 20 November 1979.

Mr COLLINS (Arnhem): The passage of this bill through this House sees the demise of the short-lived Territory Parks and Wildlife Commission and also the Territory Parks and Wildlife Land Corporation, which were set up just a short time ago, and introduces a new commission to be known as the Conservation Commission.

Mr Speaker, there is very little that needs to be said about this bill. On the surface, it may appear to be a reasonably substantial piece of legislation but it will affect the current operations of the Territory Parks and Wildlife Commission in a very small way. The chief reasons for the change are that the Conservation Commission, as it will be called, has a number of added responsibilities which the Territory Parks and Wildlife Commission did not have: forestry, land conservation and environmental matters generally.

The opposition welcomes the change in emphasis that the new title will place on the commission. We believe that it is appropriate that it be called the Conservation Commission because the scope of its activities will go beyond that of simply looking after the wildlife and parks in the Northern Territory. The opposition is pleased to see the bill. The role of the new commission will become increasingly important. The Northern Territory is facing a conflict as far as the environment and development are concerned, which will become greater every passing day. The role of the commission will be vital in the uranium province because all the day-to-day regulatory powers for controlling the operations of those mines are in the hands of the Northern Territory government under the numerous pieces of legislation that have been passed through this House. One of the future problems will be that there are in excess of 20 pieces of legislation which directly affect the operations of the uranium province and that most of them will be concerned with protection of both the Aboriginal people in the area and the environment. Certainly, the role of the commission as regards land conservation will be vital.

I visited the Ranger site on Sunday and spent the day examining a problem that the Ranger authorities have had recently. Because of an excessively heavy period of rainfall, the subsequent pressure placed on the drainage in the area and the backup that occurred in the creeks, the water was not able to escape quickly enough. It was necessary for the Ranger authorities to breach a retention wall to avoid the much more severe damage which would have occurred if they had allowed the water to flow over the wall. In fact, I discovered that, late on Monday afternoon when things were looking quite dicey, the authorities at Ranger very nearly decided to breach a second wall on a dam at Ranger. It is essential that authorities in the Northern Territory be given as wide and as direct a power as possible to ensure that these kinds of incidents are controlled and prevented in future.

I would like to make it quite clear to the honourable Minister for Mines and Energy that I am not suggesting, as he is wont to credit me with suggesting, that some catastrophic accident occurred at Ranger. I am merely stating the fact that a problem did occur at Ranger which Ranger themselves, in all of the numerous reports, statements and hearings, said would not happen. We are very used to hearing statements from all areas of the nuclear industry that these things will never happen. In relation to land management and soil conservation, I was very interested on Sunday afternoon to hear a group of Aboriginal people remind me of a conversation which they had had last year with one of the public relations people working in the uranium province. They did not think that the mining people had paid enough attention to local experience in the area because they tried to tell the Ranger people that they would have problems because of the frequent sharp storms and very intense rainfall that occurs. They were rather amused and a little bit worried that Ranger had not managed to get through the very first wet season without some sort of incident of this nature occurring.

As the honourable minister for Mines and Energy knows full well, at the height of the problem, the flood waters that had been released from this dam were halfway up the road to the Police Station, were underneath the conference room and, in fact, almost reached the back door of the Jabiru Club. Indeed, there could have been a fair bit of water mixed with the beer.

The role of this new commission, particularly in the areas that its change of title emphasises, will be markedly more important from now on in the Territory than the previous body ever was. The change in title of the land-holding organisation is one of name only. The powers involved are unchanged. The opposition welcomes the change in emphasis from a purely parks and wildlife control to that of a conservation commission and welcomes the legislation.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in speaking in support of these 4 bills before us today, the streamlining of the legislation is obvious considering all the related disciplines mentioned. In January 1977, the Reserves Board and the Wildlife Section of the Department of the Northern Territory were amalgamated to become the Territory Parks and Wildlife Commission. In July 1978, Forestry, Soil Conservation and Environment were all combined to become the entity of the Territory Parks and Wildlife Commission. This step is similar to that previously adopted by the states. The Territory Parks and Wildlife Corporation was established to deal with land and land only. It works for the Territory Parks and Wildlife Commission and it performs the offices of a real estate agent - the real estate holding company. In line with this legislation before us, the name will be changed to the Conservation Land Corporation.

This legislation recognises that, more and more, the 3 sections of Forestry, Soil Conservation and Environment are closely related and there is an increased awareness of the conservation of nature's resources for future generations. It also has regard to the fact that this present generation has to live too and has to use its share of nature's resources as well. The importance placed on conservation has probably dictated the new name of the proposed commission - the conservation Commission. However, I do not think that we will see this name adopted by the general public. I think that it will still be referred to as the Parks and Wildlife Commission. The following is an example of the way the public does not like to change names. The Territory Parks and Wildlife rangers - and I still call them rangers - were called wardens and then conservation officers.

Mrs Lawrie: You are the only one.

Mrs PADGHAM-PURICH: The rangers call each other rangers when they are referring to each other.

The Department of Primary Production is another government department that has changed its name over the years. Some of us still call it AIB.

I would like to comment on another matter concerning the work of the officers in this new commission. For some years now, I have been very concerned with 2 government departments whose work is not extended enough for the public. I will not mention my views on an extension of the Department of Primary Production but I would like to see an increased awareness by the hierarchy in this department of wildlife of the public's interest in keeping vertebrate wildlife. I am specifically referring to individuals who may keep 1 or 2 birds, a goanna, a snake or perhaps a couple of these animals. They are not zoos by any stretch of the imagination.

It has come to my attention by talking to officers in the wildlife offices, rangers and other individuals that many people, with all the best intentions in the world, do not know how to keep many of the bush animals that they have in their care. Often their reasons for having these animals in the first place are humanitarian. They see young animals which they think have been neglected by their parents and they pick them up and bring them home. With all the best intentions in the world, they do not house them properly and they do not feed them properly. Then they ring up specialists of whom they may have heard. I have had many phone calls myself. They ring up Yarrawonga zoo and say: "What can we do with this particular animal? It seems to be dying". By that stage, it is often too late for anything to be done for the animal.

I would like to see much more attention paid to the fact that people have become very much aware of our own native wildlife over the last couple of years and they will continue going out into the bush and getting these animals in one way or another. They have the best interests of the animals at heart but, because of ignorance, they do not know how to look after them. If some sort of official help was given in an extension service by the wildlife officers to let the people know how they can look after these animals, it would bring a greater awareness of the animals and their needs to the people who are keeping them. It would also give the people a greater knowledge of the bush itself and the environment. I do not see these wildlife officers as sort of police officers but rather as people extending a helping hand and sharing their knowledge of wildlife with the general public. If this could be brought about, we would have a greater awareness of the wonderful variety of wildlife that we have in the Northern Territory.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I welcome the introduction of this legislation. In many ways, there seems to be some demarcation in the operation of the various authorities and sometimes their functions do overlap. Wildlife, Soil Conservation and Utilisation, and Forestry have similar and also very different functions. I believe it is a timely step to place these very important facets of governmental authority under one commission. This does not mean that people are very apprehensive about the change. I believe that we will see more cohesion within these departments. There appears to be a feeling that it will give a wider scope to the statutory body and cover the many varied problems relating to conservation.

There are quite enormous problems when we look at the Territory as a whole. We have natural erosion on our beaches, land erosion and erosion caused by both man and animals. There is a tremendous amount of work to be done. I think that amalgamation of these departments is a very timely step. Victoria has a conservation department and an environmental protection

authority which cover all the aspects of environment and conservation relating to water, air, noise and parks and wildlife. In my electorate, a great deal of work is being done on the conservation of the environment. I will not elaborate on that because I spoke about it during the last sittings. There is a tremendous amount of work to be done in the mining industry and, with this combined authority, I am sure that each department will be playing a big role in our future.

There has been some talk about the change of names. Names tend to catch on after a while. I do not think a name change will make any difference at all. I am sure that people will be recognised in their various fields. The wildlife, forestry, and land conservation and utilisation people will still be operating and calling their fellow workers by their correct names. I do not think that the name "Conservation Commission" will have any disastrous effects on our future control of a very important factor in the Territory. I support the bill.

Mr TUXWORTH (Mines and Energy): I rise to support the bill. I think the government has already demonstrated its intention to preserve the environment, particularly in relation to making it compatible with mining. There was one thing that I wanted to touch on.

During a recent trip, I had an opportunity to see 4 talc mining operations being conducted in a national park in Nevada. We had a very good demonstration there by the ranger who went to a deal of trouble to explain to us how the mining and park preservation worked together. He felt that they were making a very reasonable effort to make the 2 things compatible. He demonstrated that there is a very great need for the mining industry as a whole and the parks administration as a whole to work very closely together concerning the administration of their 2 areas. This young man in the Death Valley Park pointed out that, when he joined the American parks service straight out of school, he was a very avid don't-mine-in-parks man - get rid of miners, exclude them by whatever means you can from any park areas and that way all the problems will be solved. One of the things he learned from his experiences in Alaska and in Death Valley was that it was better to sit down with miners and developers and come to a compatible arrangement whereby the 2 activities co-existed.

He pointed out that, in the environment where he worked, the 4 mines inside the park were very neatly controlled by the parks and wildlife people who employed him. They had a very good working relationship. The difficulty arose when some mines were developed outside the immediate surrounds of the park and were able to conduct their affairs without any particular reference to the area that they were adjoining. He felt that a great deal had been lost in that particular park because of the activities of miners on the boundaries and outside the park and he felt that, in the long term, the siege mentality of getting rid of them and excluding them from all and just pretending that they are just not there will do more damage than good.

In the Northern Territory legislation, there is a provision for companies to operate inside parks under a plan of management. I feel the time is right to encourage both parks' administration people and industries to work very closely with one another as compatibly as possible, to preserve the environment.

The honourable member for Arnhem made the reference a moment ago that the government believed that nuclear incidents just do not happen. I do not think that is quite correct. We have always been of the view that nothing and no one is perfect. In all our legislation there is an acknowledgement of the fact that some things can go wrong. There can be mishaps from time to time and we have provided in the legislation for certain administrative procedures

to be pursued as necessary.

In reference to the incident at Ranger, the company, the soils conservation people, the water management people and the Department of Mines were all alert and cognizant of what was happening down there during the recent incident. The facts are that the construction of that dam - 12 months work - could not be completed in a dry season. There was no way that the construction could be avoided during a wet period at some time or other. The best that could be done was for all parties to do their utmost to get through without any damage to the environment. This was the approach taken by the industry and the government. What happened down there was a result of the project being only about 30% completed and was not a result of any mismanagement or malpractice on the part of any party or government.

The honourable member believes the event took place because there was not enough administration, supervision and protection of the environment and I reject that. It is rather like saying when you are half-way through building a cyclone-proof house which gets hit by a wind and falls over: "There you are. I told you it would not work". That is not the case and I am of the view that, when the project is completed, the proof of the pudding will be in the eating only then and not half-way through the construction phase.

Mr EVERINGHAM (Chief Minister): I would like to clear up any concerns that members may have in relation to the future operation of the Conservation Commission. Although it will be known overall as the Conservation Commission and will be the administering authority, I hope there will remain a Territory parks and wildlife service, a forestry service, a land conservation service and an environmental service. I understand that they will each have their own stickers on their vehicles to indicate their particular service.

Motion agreed to; bills read a second time.

Mr EVERINGHAM: I move that the third readings of the bills be taken forthwith.

Motion agreed to; bills read a third time.

NURSING BILL
(Serial 362)

Continued from 14 November 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, these amendments to the Nursing Act allow for 2 things: firstly, conditional registration of nurses and, secondly, the issue of annual practising certificates.

The effects of the first, the conditional registration, are twofold. Firstly, it allows for those who have been absent from the profession for some time to go through a period of re-assessment, as it were, before they are admitted back as full-time professionals. This is to ensure that their standards are regained adequately. I understand it has been the policy of the Department of Health to provide refresher courses for those nurses who have been absent from the profession for 5 years or more. Many of these people were married women who withdrew from the workforce during the early years of their children. These people often desired to continue in part-time employment and the Department of Health provided this for them in the past. As we know, they are currently facing some difficulty in gaining secure part-time employment.

Many of these women are professionally experienced, mature, permanent residents and I think it would be most desirable if the government could speed

up the provision of part-time permanency so that they could regain the certainty of their employment which I believe would be for the benefit of the Territory community.

The second effect of conditional registration is to take into account the new system of nursing education which is evolving in Australia. In the Northern Territory, we already have some nurses who followed the nursing degree courses rather than the more traditional training within hospitals and it is felt that some of these nurses, while they know all the theory, may not have the practical experience that is required. Conditional registration would cover them also.

I understand that, after a period of time, it is proposed that nursing training in the Northern Territory might move from the hospital, where it is currently being held, to the community colleges. They are the appropriate places for training and education and I certainly support that move although the traditionalists might regret it. One of the advantages will be to eliminate the unfortunate tendency to treat nursing students living in hospitals as irresponsible and naughty children who are subject to curfews and other demeaning restrictions.

It disturbed me to find out that the new nursing home at the Casuarina Hospital will have a 2-way PA system. The people who will live in that building were concerned that they cannot only receive messages from the monitoring station but also that their rooms can be listened in on by the system. I certainly feel that this is not the way to treat students studying for a very respected and learned profession. I hope something will happen to overcome that problem before the hospital is opened.

The bill will also allow for the issue of annual practising certificates. Once again, this is something that should be supported. It allows the register of nurses to be kept up to date in the Northern Terriotry and is most desirable.

Mr HARRIS (Port Darwin): I rise to speak in support of the bill. The additions to section 15 of the Nursing Act and the proposed new section 16A are consistent with nursing legislation in other parts of Australia. I am not advocating that we always follow legislation in other states but I think it is important to look at what is considered to be better legislation and to try to incorporate it in our own. Before doing this, it is important to consult with the people involved in the various professions. I believe that the Territory government has done this at all times.

Just about every state in Australia requires nurses who have not practised for a period of time to either take part in refresher courses or to go through a period of assessment. This could be in the form of conditional registrations or interim registrations. After this, they are issued with practising certificates. New South Wales is one state where nurses, no matter how long they have been out of practice, are still able to be registered provided their qualifications are satisfactory. I understand that the New South Wales government is considering introducing amendments to its Nursing Act later this year.

I think it is important to make provisions for periods of assessment where a nurse has not practised for some time. It is also important to have an assessment period where there is a query about a person's qualifications. It is important in this field that provision be made for an updated register of all the nurses practising in the Northern Territory. I support the bill.

Mrs LAWRIE (Nightcliff): I rise to support the bill and to indicate to the Minister for Health a couple of the concerns which have been voiced to me. People were particularly pleased with the system of provisional registration and annual certificates being offered. Proposed section 15(3)(c) reads: "Where a person has completed a nursing education program outside Australia and the board considers it desirable for the purposes of avoiding danger to a patient that the person be subject to a period of assessment, the board may ...". That received wide support.

The comments that were made to me were quite interesting. People felt that such a system should be spelt out and should also apply to those doctors who may have received their training overseas, whose medical qualifications may be regarded as adequate but whose grasp of the English language and whose methods of imparting knowledge to patients leave something to be desired. I raise that in the context of this bill because we do not have any bills before us dealing with the registration of doctors. It is a valid point. As far as nurses are concerned, this bill adequately caters for that particular problem. I would like to see the same very close scrutiny paid to other people in the medical and paramedical professions. The bill has my support.

Mr BALLANTYNE (Nhulunbuy): I too rise to just say a few words on the bill. The registration of nurses is long overdue. I know one particular nurse who has been registered but, in recent times, was asked whether she was still practising. If they had to renew registration every year, those facts would come out. Some questionnaire could be filled out when they are asking for a renewal. She is registered in Victoria and keeps up that registration and, under the law, that makes her a practising nurse. I think any nurse who has been out of the game for a while would need some sort of refresher course and I am sure that the authorities would be asking appropriate questions about recent experience so that they can ascertain whether the person would be fit and proper to walk straight back into that profession. I am sure that the persons would consider their own ability because things do change. The nursing profession has changed quite dramatically over the years in many ways. There are many modern techniques in heart surgery and brain surgery and these require specialised nurses.

Regarding those people who have been registered in the Territory and who have gone to other states, there is no record of whether they are still practising in other states. I dare say some of them are. The introduction of a renewal certificate will keep the registrar informed about those people. There are also provisions whereby, at the end of 2 years, a person must either register unconditionally or cancel the registration. I am sure that any nurse would not want to be de-registered because of some loss of continuity in that work. If she was de-registered, there would always be a proviso that she can come back.

I have been in touch with the matron of the Gove Hospital who agrees with the contents of the bill. She did make one comment in regard to the annual practising certificates. She felt that, if they are issued, there should be some charges to defray any expenses because it will mean more paperwork generally which will add to the costs of the registrar's office. I have had no unfavourable reports on the legislation except that it has been long overdue. People welcome the innovation. I support the bill.

Mr TUXWORTH (Health): Mr Speaker, I thank honourable members for their support. I will refer to a couple of points made by honourable members. As honourable members would be aware, the medical profession in general is becoming more specialised every decade, possibly more specialised than any other profession in society today. The changes in medicine and the advances in science have been such that we do not have nurses or sisters in the

in the hospital - they are midwives, psychiatric nurses or paediatric nurses etc. Today, very few girls cover a wide field. A few women were going in and out of the nursing profession in the Territory because they had left work to have families or for other reasons. The advances in medicine that occurred during their absence from the profession was such that they were quite a long way behind in knowledge and techniques. It was felt necessary by the Nurses Registration Board that some system be introduced and this is the result.

As for the honourable member for Fannie Bay's comment on full-time part-time nurses, this is a practice that is still adopted in Northern Territory hospitals on the basis of need. I do not envisage the stage where a sister will be able to become a full-time part-time employee of her own choice. At the moment, a situation exists where girls can nominate the hours they would like to work and the particular field in which they would like to work. If that is convenient to the hospital, that arrangement can go on indefinitely. As for making it a permanent term of employment, I do not know whether that is a likely prospect at all.

The honourable member referred to possible eavesdropping in the new nurses quarters. I have not heard of any such proposal. I would like to assure the honourable member that, so far as I am concerned and I will investigate this with the department, there is no such proposal in the wind. Even though the machine can do it, I will take steps to see that the machine is not used for the purpose that the honourable member suggests.

As the honourable member for Port Darwin said, the method of consultation concerning this legislation was through the Nurses Registration Board of the Northern Territory. It has evolved perhaps over 18 months and there has been a great deal of discussion with those people.

Reference has been made to the practising certificate and its cost. The government took a view that we should be reasonably big-hearted about this and not charge for the certificates. I have received feedback from the Nurses Federation and from nurses throughout the Territory that they are not particularly happy about that. They would like to pay something for their certificate. This is expected of them in other states and they feel that, if they do not pay here, then it will not have any value to them at all. I will be going back to my colleagues with those reports.

The honourable member for Nightcliff said that a similar program of assessment should be instituted for doctors in the Northern Territory, particularly for those who have trouble with the English language. The Northern Territory does not have an assessment panel for doctors; we accept the assessments that are made in the states. Legislation will be introduced soon to give us the power to debar anybody who is debarred in the other states. We cannot do this at the moment. If a man can practise in the other states, then he should be entitled to practise in the Northern Territory. If other criteria are to be imposed on the selection of doctors, we may well find ourselves rather short of medical personnel.

I thank honourable members for their support and indicate that I would like to take the committee stage of this bill at a later time.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

SUPREME COURT BILL
(Serial 377)

Continued from 21 November 1979.

Mr ISAACS (Opposition Leader): The Supreme Court Bill will do 2 things. It will remove doubt about the ability of those judges who were appointed prior to the transfer of the Supreme Court to be able to make rules and it will give the judges a general rule-making power as specified under various acts in operation in the Northern Territory. Both of those requirements certainly have the approval of the opposition because, if there is any doubt about the power of the judges to make rules, then we most certainly ought to do what we can to validate that. For that reason, the opposition supports the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the third reading of the bill be taken forthwith.

Motion agreed to; bill read a third time.

PLANNING BILL
(Serial 379)

Continued from 21 November 1979.

Ms D'ROZARIO (Sanderson): When the minister first introduced this bill, I thought that all the dreams of the honourable member for Victoria River were about to come true and that we would have a plan for Top Springs and perhaps even Rabbit Flat.

This bill is an attempt to reconcile the requirements of modern day planning - that is, to allow plenty of time for people to be informed, for submissions to be received and for proposals to be formulated - and to take into consideration the fact that, in the Territory, we have large areas of land with low levels of population. The minister is proposing that, in areas where the population density is low, people could be notified even individually and that there is no real reason to hold up the formulation of proposals in the manner intended in the principal act. Mr Speaker, the opposition does not disagree with that.

I would point out to the honourable minister that the marginal note for clause 3 of this bill is "Plans for small towns". What could happen is that a planning instrument might be formulated for an area which is well within its own boundary and where the density is very low. The population has not got a lot to do with areas which could be, for example, on the fringe of larger Territory centres. In these particular instances, situations could arise where it is not really the population or the density of the population which is critical but the land characteristics. There would have to be certain regard given to areas of environmental fragility and I hope that the minister will exercise his power under this new bill only where the characteristics of the land will not be adversely affected by cutting down the period for objections and submissions. Certainly, in areas where the townships are so small that people could be informed individually of what was happening, there would be no need to hold up the procedures under the Planning Act. I make that point at this stage so that the minister will exercise his discretion under this bill with some caution.

Mr HARRIS (Port Darwin): Mr Speaker, in rising to speak in support of this bill, I would like to say at the outset that I believe that it was

perhaps an oversight of the Northern Territory government in the first instance not to have such a provision as this inserted in the original Planning Act. The Territory has many small towns and it is necessary to have a flexibility which will enable the government, wherever it felt that it was necessary,to provide a town plan over a small area. A most important point to remember in providing a plan over any town is that there must be consultation with the people who live in that area. I would ask the minister to give us the assurance that, before the issuing of any plan or draft planning instrument, he will consult with people in the area. I believe that the spirit of the bill itself was to enable plans to be placed over small towns but also to have this consultation. The Northern Territory is a developing area and, as such, attracts investment. However, investors need some form of assurance that their investment will not be jeopardised by irresponsible governments or people. To know that they can invest money without someone building an abattoir on the block next door is very important. Planning is a form of protection and we must make sure that we are able to provide to anyone who wishes to invest in the Territory the protection of a town plan. In the past, we have lost investment because of the delays in the processing of various approvals. Wherever possible, we must try to minimise these delays.

The minister has already said that proposed new section 60A provides for a restricted class of planning instrument. It is a one-off situation. If that interim plan was to be altered, it would have to go through the normal processes of the Planning Act. As I said at the outset, I believe it was an oversight of the government not to include the provision in the original Planning Act. I would like the minister's assurance that consultation will take place before he issues a plan under this new section. I support the bill.

Mr PERRON (Treasurer): Mr Speaker, in response to queries raised by honourable members, as long as I am minister, I will ensure that there will be a consultation process undertaken with those people who live in areas where plans such as those envisaged by this bill might be brought into operation. It is quite clear that no government seeks to have a controversial matter on its hands if it can possibly avoid it. As the honourable member for Sanderson said, consultation can take place in some of these areas on an absolutely 100% basis fairly quickly. Suggestions could then be accepted and proposed plans could be changed.

The aim of the bill is to avoid the very lengthy system which was laid down in the act which was designed primarily for the already settled urban areas. Once a plan is adopted under the system, it then becomes a statutory plan. Thereafter, changes to that plan have to go through the lengthy procedures in the interests of public protection. With the advent of freehold titles for the Northern Territory on a large scale, this aspect will become more important than it has been in the past. Whilst places such as Borroloola have been governed to a large degree by lease conditions, this situation will not prevail in the future. There is a need for a statutory plan to replace the lease conditions if we are to avoid all sorts of higgledy-piggledly development where neighbours in residential areas may be disturbed by industrial activity etc. With freehold land and no plan, there can be no control. Most of the smaller areas in the Territory do have what are called administrative plans in departmental drawers at the moment and those plans were used when lease conditions were drawn up. I believe that it is time - and this has already started in the case of Pine Creek - to take those plans out of the drawer, review them in consultation with the local people and prepare new plans. I can assure honourable members that the government will be doing the right thing in this regard.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer): I move that the third reading of the bill be taken forthwith.

Motion agreed to; bill read a third time.

HOSPITAL MANAGEMENT BOARDS BILL
(Serial 382)

Continued from 21 November 1979.

Mrs O'NEIL (Fannie Bay): We are told that the intention of this bill is to allow greater community involvement in the running of hospitals in the Northern Territory. That is a very admirable aim and one which we all support. We also have some sympathy with the problems that have been faced by members of hospital advisory boards under the existing system. They realised that they had no powers and very little ability to get things done although they were representing the community which the hospital was supposed to serve. The intention of the bill to allow more community involvement in the management of hospitals is very admirable indeed. Unfortunately, from the point of view of those people, I do not believe it allows them much more say in the management of hospitals than they have already.

If honourable members look at clause 22, which details the functions that these new boards will have, they will see a long list of powers under clause 22(1). However, if they then turn their attention to clause 22(2), they will see that the boards will have no power in relation to staff or the financial management of a hopsital. By the time we take those 2 very important areas out of the list of powers, it does not leave the new boards with very much to manage at all. It is very difficult to manage anything if you do not have any financial control and you do not manage the staff. I am not suggesting that the hospital boards should have the ability to fire and recruit their own staff but, nevertheless, it is quite inaccurate to say that this bill will give hospital boards power to manage hospitals. Indeed, it will not.

However, partly as a result of changes of the membership on these boards, which this bill outlines, there will be greater community involvement in the running of hospitals in the Northern Territory. I think this policy should be extended to other facilities of the Health Department and not just to hospitals. The practice has been established in other states;for example, Victoria has led the field in the involvement of the community and the management of community health centres. I think this is one area in the Northern Territory - in view of the importance of community health management and the rural health centres - where this policy can be implemented. This should be encouraged. We should have community involvement not just in the running of hospitals but also in these other health facilities.

Looking at the membership of the proposed boards is quite an interesting exercise. The old act allowed automatically for the inclusion of a medical practitioner. The new bill does not do so; it adheres to the realisation that health is a matter of interest, responsibility and concern of all members of the community. Obviously, some occupations have a greater involvement in it. Nevertheless, the intention to involve the community more rather than to leave health care as a matter for the professionals is admirable. There will not necessarily be a doctor on this board at all. I point out to members that the chief executive officer of a hospital, who will automatically be on the board, will not necessarily be a doctor either, that is, according to the Hospital Medical Services Act.

I was surprised to find under clause 7(3) that the matron in charge of

nursing services in a hospital will automatically be on the board. That seems a trifle inconsistent. If we establish boards for greater community involvement and not allow doctors or any other particular health group to automatically sit on those boards, I wonder if the minister could explain why the matrons in charge of hospital nursing services have been singled out. I find it difficult to support that proposition in view of what we have been told the aim of the bill is. The title "Chief Executive Officer of a hospital" is defined in the Hospital and Medical Services Act. A "matron in charge of nursing services" is not. I am willing to be corrected. My experience is that people named in positions such as this are generally defined somewhere in the legislation. In this case, there is no definition of "matron in charge of nursing services" so I find that inclusion even more surprising.

I would like to draw members' attention to clause 20 of the bill. Clause 20 says that the secretary of a hospital shall act as secretary of the board. Although the title "secretary of a hospital" is a long and honourable one, the secretaries of hospitals these days are not simply secretaries. They are well qualified and very senior members of hospital administrations and, once again, it does seem to be peculiar that we are relegating these very important people, who have a very broad and detailed knowledge of the running of a hospital, virtually to the position of minute takers while we single out the matrons, those important people once again, to automatically have the right to sit on the boards.

I do feel that the bill needs to be looked at once again either to specifically put other people in certain positions, such as the secretary onto the board, or to omit that rather peculiar inclusion of that one hospital employee. Otherwise, the general intention of the bill is admirable. I do not think it will achieve what it allegedly sets out to do but, nevertheless, it is an improvement on the existing legislation.

Mr HARRIS (Port Darwin): Before speaking to the bill, I would like to make a couple of observations because there has been some confusion in the community as to what we were trying to achieve with the establishment of hospital management boards.

The first thing I would like to say is that these boards were set up in respect of all hospitals as deemed under the Hospital and Medical Services Act. This related to hospitals right throughout the Northern Territory and not just in Darwin. Naturally, the people that came to me spoke only about the Darwin Hospital but I still think that it is necessary to place emphasis on the fact that hospitals right throughout the Northern Territory will be affected by this bill.

It is also important to reiterate the Northern Territory government's intention to give people a greater say in local area matters. To achieve this, we have made provisions to place people from those areas, not just from interest groups, on these boards. I believe the intention is spelt out very clearly in the legislation. I think that the Minister for Health made it quite clear in his second-reading speech that this was the government's intention - to give people that say.

Another important factor which has a bearing on some of the comments that have been made to me has been the continuing increase in the cost of running hospitals not only in the Northern Territory but right throughout Australia. In 1978-79, we saw $34.1m spent on our hospitals. The 1979-80 allocation is $42.7m. With such large amounts of money coming from the public purse, I believe that the only body that can be responsible and accountable to the people is the government. It is important to keep these points in mind when we are trying to provide a system which gives our local people a greater

say in what they want to do in areas where large amounts of money are being spent.

There are a few points which I would like the minister to comment on. Firstly, clause 5 enables the management boards for each hospital to be established. I query the implications of this clause with respect to the Darwin and Casuarina Hospitals. If it is the government's intention to establish boards for each of those hospitals, that is fine but my understanding was that these hospitals would be grouped together and we would have a Darwin Hospital group management board. If that is the case, then I think that an amendment is necessary to clause 5. In his second-reading speech, the minister said: "Clause 5 establishes a board for each hospital to be known as the Casuarina Hospital Management Board, the Katherine Hospital Management Board and so on" . I would like clarification on that particular matter.

The membership of the board received most comment from local people. I found that the state hospital management boards all have similar numbers to those proposed in clause 6 of the bill. Their quorums vary from one-third to one-half which is somewhat less than in our bill. The members of most boards are appointed by the Minister for Health of the particular state. In some cases, these appointments are made on the nomination of various interest groups or from boards set up within their own structure. Of course, when we are talking about interest groups, the difficulty is to choose which interest group should be represented on a particular board. Some hospitals, for example the Royal Perth Hospital, traditionally appoint 2 doctors to their boards, a surgeon and a physician. They also traditionally invite 2 members to come from the university and clinical staff. Some boards also require local participation. In general terms, members of the boards are representatives of the areas for which those boards were established and I believe that that is the intention of this government as well. It is obvious to me that doctors will be included on this board and perhaps the minister will give his comments in relation to that.

Comment has been made about the quorum of 5 and that the 3 automatic appointments under subclauses 7(2) and (3) and (4) could successfully hold a balance of power on a particular board. I do not believe that could happen because it would be rare indeed that 3 out of the 5 extra members would be away continually. If they absented themselves without leave of the board, they would then be dismissed from the board. There are provisions which require that minutes be kept and forwarded to the minister within a 28-day period. If there is any indication that there is a little power group on the board, it will come to the attention of the minister very quickly. Under this legislation, I do not think that there is any chance that these 3 members would be able to control the activities of the board.

One thing that is worthy of consideration when talking about the terms of appointment of the various members is the need to ensure that the members of the board do not terminate their membership at the one time. There is provision in proposed clause 11(1)(a) which will enable this to happen. I would ask the minister to indicate in his reply the government's attitude towards this. It is important that we have continuity of membership and appointments to the various boards must be staggered to enable this to happen.

I believe the functions of the hospital management boards as outlined under clause 22 are sufficient at this time. There has been suggestion that, without the functions of finance and staffing, the management board would not in fact be a management board at all. Might I say here that management includes much more than finance and staffing. Although the boards do not have control of these 2 functions, they are still able to make significant contributions to the management of the hospitals. It is obvious that the

government will take note of any recommendations that the board makes on finance and staffing.

The bill is definitely a step in the right direction. There are interest groups who were not totally in agreement with the contents of the bill. I respect their views. The proposed hospital management boards are required to furnish reports to the minister and the minister in turn is required to table those reports in this Assembly. There is definitely greater participation by the members in local areas and there is accountability to this parliament. I support the bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I regard this bill with a fair degree of cynicism. In his introduction, the Minister for Health said: "It gives me great pleasure to present this bill which fulfils the promise made by this government that we would ensure more local community involvement in the running of our hospitals. This bill is the result of many discussions with interested parties and the most careful consideration of the issues involved". Might I say that, to my knowledge, the discussions were initiated by the various interest groups and not by the minister. In fact, there is still a fair degree of dissatisfaction with the bill which has resulted from the discussions which have taken place between various interest groups and the minister. As regards ensuring more local community involvement in the running of the hospital, I do not believe that the bill will involve the community to the degree which the community would like.

The honourable member for Fannie Bay spoke of some of the provisions of the bill and I agree with her interpretation. The honourable member for Port Darwin wants to have a medical practitioner on the board and he sought an assurance from the minister that this will be done. I would point out to the honourable member for Port Darwin that the minister can only give such an assurance if he is capable of carrying out that assurance. If the honourable member for Port Darwin wanted it enshrined in legislation that 1 of the board should be a medical practitioner licensed in the Northern Territory, he had better draft and circulate amendments to that effect. The minister can only bind himself, not future ministers. Further, he cannot bind future governments unless it is clearly expressed in the legislation. Unless it is expressed quite clearly in the legislation before this House, there will be no requirement for any medical practitioner registered in the Northern Territory to be appointed to this board. I agree with the honourable member for Fannie Bay's interpretation of the legislation.

I am pleased to see clause 15 providing protection for members of a board, acting with the authority of a board, for things done in good faith. It is a most necessary provision and one which will enable the board to act without fear or favour. As the honourable member for Fannie Bay pointed out, there will not be many areas in which they can act without fear or favour. Under clause 22, they can give directions and offer advice not inconsistent with other pieces of legislation. The former hospital advisory boards did just that and caused great dissent. They felt that they were powerless despite any expertise that the board members had built up over the years. They looked to this legislation to right that wrong; they did not want to be merely an advisory body. Whilst it is logical to have expressed here the right of advice from any board of management, the extension of that expressed wish for more direction on the running of the hospital has in my opinion not been brought to fruition.

We see in paragraph (e) that the board may raise money for such uses in the hospital as are approved by the minister. Any ad hoc committee can do that; it is not a particularly significant advance for what we hope will be boards which have a particular expertise. A board can give certain directions. It

can fix and supervise the standards of service provided by or through the hospital. After discussing this with people in the profession, I find it difficult to understand how they can fix and supervise the standards for service which are provided by personnel when they do not have any power to give directions for or in relation to the recruitment, management and discipline of staff. Now, Mr Speaker, subclause (2) reads: "For the avoidance of doubt, it is declared that the powers of direction of a board do not include powers to give directions for or in relation to (a) the recruitment, management or discipline of staff; or (b) the financial management of the hospital". This will mean that those boards will be virtually powerless to do anything but give advice. That is what the advisory boards have been doing for years and it is deemed to be insufficient.

Under clause 23, a board may make such recommendations as it thinks fit to the minister or the Chief Executive Officer of the hospital in respect of complaints. Advisory boards can already do that, but they cannot carry into effect their recommendations whilst they have no direct powers over the management of the staff of the hospital.

I gave notice in question time this morning that I would bring to the attention of the minister and other members certain difficulties which have arisen in the administration of the Darwin Hospital. I will not canvas that debate in advance but I would ask the honourable the Minister for Health that, in taking on board the points which I have brought to the attention of the House, he will also have regard to what will be said at a later hour which will show clearly the lack of response to community wishes which can become apparent in the administration of a hospital if it is not held to be responsible to the community which it serves. I appreciate that the government wishes to include community involvement in hospital administration but I do not believe that this bill does that. It pays lip service to community involvement as other legislative areas have done, to my disapproval, but it does not allow the degree of community involvement which I believe is the express desire of the community.

I shall not oppose the second reading. I know there are amendments but I do not believe it does all that is desirable at this point for the administration of hospitals throughout the Territory.

Mr OLIVER (Alice Springs): I commend the government on its desire to make communities involved in the management of their hospitals. In fact, any move to involve the community in the running of its own affairs and facilities is highly commendable. People should be well aware of and take part in the activities that serve their lives. Hospitals are of vital concern to communities and they are regarded very closely by the communities. Indeed, hospitals can be very sensitive areas for criticism by those same communities. The involvement of communities in the management of hospitals will make people aware of the problems associated with the control and running of those institutions. In the same way that school committees draw schools closer to parents, hospital management boards bring hospitals closer to the people. I do not propose dealing with the bill clause by clause. I have circulated amendments and I will cover those in the committee stage.

Referring to the functions of the boards, I too feel that clause 22 does not go quite far enough. Be that as it may, I do accept the explanation offered by the minister in his second-reading speech that the government has delegated as much authority as it can bearing in mind the government's financial responsibility. I accept the assurance by the honourable the minister that the government will keep a close watch on the activities of the hospital and perhaps, at an appropriate time, re-examine the functions of the board.

The honourable member for Fannie Bay commented on clause 22(2) which refers to the recruitment, management and discipline of staff. I do not see how that places any difficulty on the board to fix and supervise the standards of service provided by or through the hospital. I do not think the board has to control the staff to fix those standards and to supervise those standards. You can fix standards and services without interfering with the staff; they have to do as they are told but they are told through the Chief Executive Officer. I personally think the functions are reasonable but I would like to see more responsibility. I believe that this will come in time. When the boards have acquired more experience and expertise, they will be able to handle some of the financial management of the hospitals.

Apart from the clause to which I have circulated amendments, I support the bill.

Mr BALLANTYNE (Nhulunbuy): I would like to say a few words on the new proposal for management boards. The hospital advisory boards did not have a great deal of power; they were very limited in their operation. I think that the name "management" implies just that. The former advisory board had provision for a medical superintendent and a private practitioner. I have had discussions with the local members of the advisory board at Gove, which was formed some 3 or 4 years ago, and they still feel that there could be a need for a private practitioner in that area. We are a bit different from Darwin and Alice Springs which have more private practitioners than the small centres. Gove has only 1 private practitioner and the other doctors are based at the hospital. We would like the minister to perhaps look at that.

The functions of the advisory boards were very limited. They had only to consider the administration. They could make recommendations to the Director of Health or the Director-General. They could confer with doctors and other staff, receive criticisms or complaints and then make a report. They could not take any real action. They reported biannually on the conditions of the hospital. We have seen their reports in all the hospitals in the Territory and some of them are very well done. They could not take any real action within the confines of the hospital because of that limitation but I believe that the new management boards will have a larger role to play. They can give directions and they can offer advice whereas before they could not. They can oversee the day-to-day functioning of the hospital, fix and supervise the standards of the hospital and advise on any future development proposals which they may receive from outside interests or from people working in the hospital. They can co-ordinate the use of the resources in the hospital. There are many resources in the hospitals which are not utilised properly. For instance, there was a physiotherapy unit in Gove Hospital which was not being used until the last couple of years when we acquired a regular physiotherapist. You might recall that I had been pushing for this for so long that I thought we would never get one. We had a visiting physiotherapist when that person was available to come from the Darwin Hospital but it is not always easy to get specialist treatment on a frequent basis. I dare say that there are other centres that do not utilise their resources to the fullest because they do not have the proper people to use those resources.

The new Hospital Advisory Management Board will be able to supply 3 reports each year on the hospital to the minister and add their complaints or their congratulations. This will give the government tighter controls. I commend that because, in the past, there have only been biannual reports and some of those reports were not always accepted.

Certainly, there is no power to give directions to management for the recruitment of staff. You are dealing with a very important issue when you are dealing with professional people, with industrial relations and with the

public service. I think that these powers are best confined to the areas where they already are. I do not think that the management board, unless it is comprised of full-time people, should have any say in the sacking, recruiting or disciplining of staff. I think that the present system works very well throughout the public service.

I obtained information from other states on how they function but they are different to us because they have bigger hospitals and more people. In New South Wales, for instance, they have the Prince Alfred Teaching Hospital which has a board of 30 directors. Ten come from the government and are appointed by the Minister for Health. They come from the medical community and business people are also represented. There are 10 subscribers - the Town Clerk advises on the local government, the hotel manager advises on catering etc. There are also 10 university personnel and, because it is a teaching hospital, that expertise is needed. There are also 2 consultants. It is a totally different operation to the smaller hospitals that we have in the Territory. I dare say that, as the Casuarina Hospital develops, it will be a bigger kettle of fish when it comes to management. The hospitals in Queensland have a minimum of 5 on their boards and a maximum of 9. One represents the local council, the others are appointed by the government for 3-year terms and they cannot be employees of the hospital. The Queensland boards can organise salaries and so they function differently to what we propose in the Territory. The functions set out for the hospital management boards in the Territory suffice our needs at this particular moment. We can always make changes to the legislation as the need arises.

A lot of board members are not sure of what is meant by raising funds. They thought that they might have to sell raffle tickets and things of that nature. I did not think that that was the implication. Those things are best left to the social club within the hospital. I think the matter of raising funds refers to special units or special equipment needed at a hospital and that the support of the local people in that area could be obtained. Some special test equipment, monitoring equipment or even physiotherapy equipment may be required to benefit the patients in a hospital. They are the sorts of things that might require funds to be raised.

There was not much in the way of objection to the present management board from the other members. They would like to see a private practitioner on the board but that is only a local situation. I would ask the minister to look at that. There is not much more I can say except that this bill gives the board more power despite some of the criticisms from the opposition.

I believe that the board will act in accordance with the best principles of management and I would like to thank the past advisory boards. Once this new bill is passed, it is possible that the old members will not be appointed. I would like to give thanks to the hospital advisory board and those people who have done a dedicated job over the years. Some of them have had a good input to the board with the little powers that they have. My thanks go to them and everyone else who has helped in the advisory boards in the past. I support the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I did not intend to join in this debate but I found it very interesting. I myself have given thought for quite a long time as to how hospital advisory boards in the Northern Territory could play a more active part in the administration of the hospitals. Coming from Queensland where it is commonplace for each hospital and each district to be virtually autonomously run by the hospital board, seemingly satisfactorily, I have given thought to the matters that have been brought up by other honourable members without really being able to arrive at any better conclusions than are already expressed in this bill presented by

my colleague, the honourable Minister for Health.

The honourable members for Nightcliff and Fannie Bay felt that the bill will not involve the community to the degree that the community would like. However, no remedy is offered and I really cannot think of any other way to involve the community in the running of the hospital - short of holding annual general meetings of the whole populace - other than by having a board which one should try to make as representative as possible. At the present time, the advisory boards are broadly representative of the sort of people involved with hospitals and also of the sectors of the population that use them regularly. I have no doubt that that type of representation will continue to be appointed.

The difference is the deletion of the term "advisory" because the influence that the boards will have on hospital administration will really be through their close and regular contact with the administration of the hospital. The persons administering the hospitals will not want to be in a constant state of conflict with the board. They will listen to their board and they will probably heed it even in matters of staffing, personnel and so on. It is very difficult in the public service structure to be given powers to direct the chief executive officer in respect of staffing and personnel because the people staffing the hospital are Northern Territory public servants and, as such, I do not think they are amenable to outside directions. In any event, I am confident that the practicalities will be such that, the same as the Administrator accepts advice from the Executive Council, the hospital administrators will accept the advice and act on the advice of the boards.

I would be interested to hear any better suggestions. I am sure that my colleague, the honourable Minister for Health, will be quite prepared to undertake to appoint a suitable private medical practitioner to the boards where possible. It is not possible to do so in Tennant Creek and Gove and, for that reason, it is obviously difficult to include a provision in the bill. Where it is possible, I am certain that my colleague will be looking at the appointment of these people whose assistance on the board will obviously be worthwhile. I support the bill.

Mr TUXWORTH (Health): I thank the honourable members for their comments and I would like to touch on a few points that were raised by the respective members in debate this afternoon. Before I start, could I just say from the outset that this legislation has been designed to get away from the siege mentality we had in the original legislation for hospital advisory boards and that was to be the virtual watch-dogs for the Northern Territory community over hospital administration. Some honourable members would recall that, until recently, the health services in the Northern Territory were carried out by the Commonwealth Department of Health. Until the late 1960s and early 1970s, the federal department was inclined to take a rather cavalier approach to the provision of these services for the people in the wider community and, as a result, we had an inquiry and we had boards set up under Northern Territory legislation to work with the Commonwealth department. They were always regarded suspiciously by the department and the boards regarded themselves as the reviewers of the department's performance in the Territory. That watch-dog syndrome did not change much over the years although, in some communities, the managements and the boards came together very closely. What we have tried to do from the outset is get away from the them-and-us syndrome and approach it from a we're-in-this-together position and try to make something constructive out of it with the constraints we have around us.

The honourable member for Fannie Bay pointed out that, if you do not have power in relation to staff and finance, then you do not have much power at all. As the honourable the Chief Minister pointed out, the members of the Health

Department are also members of the Northern Territory Public Service. They have certain criteria in their employment, the way they are disciplined and the way they are paid etc. Those are not the types of functions we can transfer to boards of this nature. In the case of the Electricity Commission, to rip the people out of the Northern Territory Public Service and make them the responsibility of the commission was a major legislative and administrative job. We do not have that capacity before us here; we do not have the ability to do it.

The job of providing the finance will always fall back on the Northern Territory government and, at this stage, to the Commonwealth government for 50%. The responsibility for providing the finance is not with the boards although the government is more than happy for the boards to have a role in developing budgets and making priority decisions on where the money goes and should not go. That should be done in tandem with the hospital executives who are responsible to the chief medical officers, the secretaries and the matrons who are involved in the day-to-day management of the hospital affairs.

The honourable member for Fannie Bay commented that there might not be a doctor on a particular board if the chief executive officer of a hospital is not a doctor. Well, in real life, all the chief executive officers in our hospitals are doctors. We have not had any situation in the past where a hospital was not administered by medical personnel and it would be the policy of this government to continue that practice.

The secretary and the matron are involved in the day-to-day management of money and staff in a hospital and those 2 people should be on the board. In the case of nominating the matron in charge of nursing services, we have several matrons in some of the big hospitals and it was a matter of delineating which particular matron was the one we wanted on the board.

The honourable member for Port Darwin asked whether there would be boards for Casuarina and Darwin or whether the one board would represent the group. It is highly likely that the Darwin Hospital will cease to function as a hospital in the near future so that question may not arise. In the event of it arising, we have considered the point and, as the 2 hospitals would be managed as a group, it would be practical to have one board for the Darwin hospital group.

I am very firmly of the belief that there should always be a private practitioner on a board where possible. As the Chief Minister pointed out, in some communities we cannot do that, and enshrining it in legislation would not really help. Our actions in the past indicated that we always tried to have private practitioners included on the boards and we will undertake to continue to do so wherever there is an opportunity.

The honourable member for Port Darwin also raised the subject of membership termination and the fact that all the board members could resign at the one time or their appointments could all be terminated at the one time. From my experience, this would not be the case. The comings and goings of people on the boards right throughout the Northern Territory virtually have a roll-over effect with the natural turnover of population. I do not see that there is likely to be a problem. If it did happen, it would only occur in the first period of appointment.

The honourable member for Nightcliff referred to the question of money. I might have misinterpreted her tone but I thought it was a gentle put-down. That particular clause is in the legislation because of an incident that occurred before the Northern Territory reached self-government and certainly

before the Assembly was given the responsibility for health. I went to a meeting of the Darwin Hospital Board about 3 or 4 years ago and, at that particular meeting, the board received a letter from somebody in the Department of the Northern Territory asking them to return the money that they had raised for the hospital because, under the terms of the ordinance, they did not have the power to hold money, operate a bank account or spend it on the hospital. That was taken as a pretty bitter pill. I appreciated the view of the board which had put itself out to do something constructive for the hospital. That is why that particular clause is in the legislation.

The proposed function of the board of fixing the standards and levels of services that are to be provided by the hospital is an important one because it is tied very closely to the financial capacity of the hospital. I believe it is one that must be resolved in tandem with the hospital administrative personnel and it cannot be done in isolation. Certainly, anything that the board decides so far as the level of standards are concerned must have the concurrence and advice of the hospital personnel.

The member for Nhulunbuy raised the issue of the general practitioner on the board. We are committed to appointing a general practitioner to the board where possible.

As honourable members are aware, several pages of amendments have been circulated, some of which have only just hit my desk. I propose that we take the committee stage at a later time. I thank honourable members for their support of the legislation.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

BUILDING SOCIETIES BILL
(Serial 380)

Continued from 21 November 1979.

Mr ISAACS (Opposition Leader): The opposition supports the amendment to the Building Societies Act. We also share the hope of the Chief Minister that this will be the last of the band-aid pieces of legislation for this particular act and that we can have a new Building Societies Act. The current one dates back to a South Australian act of the 1880s.

The current amendment allows the building societies to accept loans from the Territory and, indirectly, it allows the Northern Territory to lend to building societies. Due to the Financial Administration and Audit Act, the Territory is unable to lend to institutions unless it is specifically empowered so to do and this particular legislation will do that. In addition, it will allow building societies specifically to accept those loans from the Territory. It is an essential piece of legislation. I hope that we get a new Building Socieities Act which is suitable for the 1990s rather than the 1980s. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker I move that the third reading of this bill be taken forthwith.

Motion agreed to; bill read a third time.

POISONS BILL
(Serial 376)

Continued from 20 November 1970.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this is a very simple bill to transfer certain administrative powers under the Poisons Act from the Administrator where they presently lie, to the Minister for Health who is now responsible for the administration of this act as a result of self-government. The opposition supports this bill.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

DANGEROUS DRUGS BILL
(Serial 378)

PROHIBITED DRUGS BILL
(Serial 385)

Continued from 21 November 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, these are very simple bills which have been introduced at the request of the Chairman of the Australian Royal Commission of Inquiry into Drugs so that the United Nations Convention on Psycho-tropic Substances might be ratified by the Australian government. There is apparently some question as to whether the existing definitions in our Dangerous Drugs and Prohibitive Drugs Acts allow that convention to be ratified. While we in the Northern Territory might think that the definitions we have are fine, the purpose of this legislation is to ensure that the chairman of that Royal Commission thinks they are fine too.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, my remarks in speaking to this legislation will be brief. I understand the bills are required to bring the legislation into line with the United Nations Convention on Psycho-tropic Substances which took place on 21 February 1971. This convention was quite a large one and it was very important in view of the increasing importance that drgus are taking in our everyday lives. Its scope was quite extensive. It was concerned with the control of substances, the control of preparations, the limitations or use for medical and scientific purposes of these drugs and special administrations. It also concerned itself with licences, prescriptions, warnings on packages, records, international trade, prohibition of and restrictions on exports and imports, special provisions concerning the carriage of psycho-tropic substances in first-aid kits on ships, aircraft and other forms of public transport engaged in international traffic, inspection, reports to be furnished by the countries, functions of the commission and also other territorial applications as these articles relate to different countries. I think that, in view of the importance of this to world health organisations and the United Nations convention, these legislative changes that we are introducing are very minor. I support them.

Motion agreed to; bills read a second time.

Mr TUXWORTH (Health) (by leave): Mr Speaker, I move that the third reading of the bills be taken forthwith.

Motion agreed to; bills read a third time.

STOCK ROUTES AND TRAVELLING STOCK BILL
(Serial 391)

Continued from 22 November 1979.

Mr DOOLAN (Victoria River): Mr Speaker, the opposition agrees that this amendment to the principal act is both reasonable and necessary. The Minister for Industrial Development said in his second-reading speech: "Under the present law, there is no authority, save that under the Crown Lands Act, to assist pastoralists, particularly in times of natural disasters - for example, fire and drought - by licensing them to feed stock on the pastures of our stock reserves". These occupy many thousands of square kilometres in various strategic areas in the Northern Territory. Under the circumstances, it is more than reasonable that a new type of licence, an agistment licence, be issued for short terms over land set aside for stock routes and travelling stock under the provisions of section 103 of the Crown Lands Act.

The provisions to issue licences over the declared watering places under the existing Stock Routes and Travelling Stock Act are in no way altered or affected by this bill and the authority to issue such licences will remain. The significant difference is that, under the Crown Lands Act, 3 months' notice must be given to determine a grazing licence and that, on renewal, the licence is effective for 12 months.

As the minister pointed out, in the event of an outbreak of cattle disease, under the existing law, it would take 3 months to terminate an existing grazing licence over land reserved for travelling stock purposes and preclude its immediate use for quarantine purposes. At this point, I would like to inform the minister that the Muranji stock reserve was used for agistment last year by a gentleman who did not bother to obtain a grazing licence.

As I was going through this bill, I could find no reference at all to how the use of the stock reserve could be obtained when an agistment licence was held over it and it was needed urgently as a quarantine reserve. However, it has since been explained to me by the Director of Primary Industry that this could be done in the event of an outbreak of stock disease through separate legislation and I am prepared to accept this explanation.

The second purpose of the bill is to place the onus of responsibility for the disposal of carcases located on or near a stock route, stock reserve or public trucking yard on the owner of the stock directly or with him through his agent. Under the existing legislation, the onus of responsibility for disposal of such carcases of cattle which have perished in transit rests with the person in charge of the travelling stock. If the person in charge, namely the drover, fails to dispose of the carcases, an authorised inspector is empowered to do so and recover costs from the drover. Such a situation is clearly unfair. This clause is to be commended.

The reasoning which led to the introduction of the bill is praiseworthy. The introduction of an agistment licence to assist pastoralists in times of natural disasters and, secondly, placing the onus of responsibility in regard to the disposal of carcases on the shoulders of the owner rather than the drover can only lead to much-needed assistance to pastoralists in emergencies and more equitable legislation in relation to persons in charge of travelling stock. The opposition commends the bill.

Mrs PADGHAM-PURICH (Tiwi): The main purpose of this bill is to take account of changing times. The minister said in his second-reading speech that the bill was introduced for 2 reasons. It will admit new and more appropriate types of licence and he mentioned an agistment licence to be issued for short

terms over land set aside for stock routes and travelling stock under the provisions of section 103 of the Crown Lands Act. The word that I am interested in is "agistment". At the moment, all of the cattle and other stock are moved in the Northern Territory by motor transport. I think the time may come in certain situations where movement of stock may be by the old-fashioned way of walking stock to their destination. When cattle are walked, they take a wee bit longer than if they are travelling by road and agistment on the way is very important.

It is very important that the legislation should tie up with other legislation dealing with stock. I mention the Stock Diseases Ordinance in which section 23 of Part IV prohibits the entry of stock into the Northern Territory where a particular disease is apparent. Part III of the same legislation deals with quarantine in protected and restricted areas in the Northern Territory. Movement of stock is restricted and there is also a section dealing with treatment. This was very apparent in the recent blue tongue scare. Part VI of the same ordinance says that stock cannot be moved from their particular property if they are infected. That is in section 34. There are also sections in part VII, in the miscellaneous section, which tie in with travelling stock.

There is other legislation connected with this. Under the Pounds Ordinance, where cattle are trespassing on a fenced property, they can be sent off by the property owner. The principal act mentions that property owners who have stock routes through their property can have 50% of the fencing paid for. In fact, it is necessary to have the travelling stock removed from their own stock.

In reading through the various pieces of legislation referring to stock, the definition seems to change from legislation to legislation. In some legislation, cattle are horses and in other legislation horses are cattle. In others, donkeys are horses and, in others, goats, sheep and pigs are regarded as cattle. I heard recently just by chance that, in 1964, rabbits were declared as stock. As a result of recent legislation debated in this House, the minister can declare any animal or bird as stock. It seems to be a very elastic term.

While I am talking about travelling stock, I would like to bring to the notice of the minister the permits to move stock. It has come to my attention personally and, because I am connected with a certain organisation, it has also come to my notice there. Nobody disputes the fact that permits must be obtained before stock is moved from one property to another because this is the main way disease can be traced down and contained to where the stock were moved. Nobody disagrees with this. Many people in the rural area who have 1 or 2 cattle are not aware that these permits are necessary. In times of disease - and Darwin could be a point of entry of exotic diseases from overseas - these permits would become of very great importance.

Although permits to move cattle are relatively strictly followed, I understand that the permits to move horses are a wee bit restricted. In a way I agree with this but in another way I do not. When considering the diseases of horses and cattle, I realise that common sense must be used with the movement of horses in relation to the running of pony clubs, the running of shows and the running of gymkhanas. I understand that permits are not strictly policed in the movement of horses from pony clubs to gymkhanas and shows. With those remarks, I support the bill.

Mr VALE (Stuart): Mr Speaker, in rising to support this bill, I do so as a representative in this place of a large number of pastoralists, amongst others, who are beginning to wonder about the very real meaning of the so-called world energy crisis. Most of them are still recovering, to some extent, from

the massive disruptions to their livelihood during the beef industry slump of the last decade. No sooner are they past this devasting hurdle than they find themselves looking down the barrel of rapidly escalating and even accelerating charges in the transportation of stock costs which have increased basically because of world energy problems. Cattle movement is almost exclusively carried out today in the Northern Territory with road trains and this has been the situation for many years. The beef and trucking industries are well geared for this and their operational efficiency is vital to the Territory in the wider economic sense. However, not only the cost of fuel in the future but also its availability could well have a bearing on the cost efficiency of these 2 related industries. Both of them are big employers of labour and major contributors to the very quality of life in our inland communities and more remote areas. It is for this reason that I draw attention to the hopeful but extremely remote possibility that our vast network of stock routes may again be one of supreme importance to the pastoral industry. I venture the guarded suggestion that droving may again become a significant means of moving large numbers of cattle throughout the Northern Territory.

By way of qualifying this point, honourable members may be interested to learn that droving as opposed to road transport movement is already on the increase in parts of outback western Queensland, if only in a small way. I understand that this is occurring as a direct response to the ever-changing fuel cost and supply situation. I hope that the Northern Territory producers are able to avoid this situation but, if they cannot, they will need our stock reserves and they will be wanting to get them without undue impediment. At the present time, under existing legislation, the producers could well find the routes occupied in places with other stock which are there for good, valid and legal reasons. But they are not reasons that have to do with the long distance movement of cattle which is the only reason why the stock routes came into existence as long as a century ago.

This legislation can streamline the procedures for getting non-travelling stock off the stock reserves so that travelling stock can move at short notice. It will also enable the issue of licences for travelling stock to graze on stock routes. At present, it is only possible to issue licences to water travelling stock along the routes. If this is an anomaly, then it makes me wonder how many Territory cattle over the years have been chewing their cuds illegally. I support the bill.

Mr STEELE (Transport and Works): The need for this legislation is becoming more and more important as the months extend. There has been very little rain in the centre of the Northern Territory down around the centralian cattle areas and the situation is complicated somewhat with the movements of stock interstate. I speak in respect of wild horses and perhaps other feral animals. The onus for too long has been placed on the drover when in fact it should have been on the owner. It is the intention of this legislation to ensure that the right person is in receipt of the bill at the other end of the misdemeanour.

The situation was highlighted to a certain extent by the Alice Springs abattoir getting into full swing and by a lot of rubbish cattle being sent to Alice Springs last year. I understand that some 58,000 cattle passed through during the last calendar year which is probably the biggest kill the Northern Territory has ever seen at an abattoir. Of course, the problem has continued to grow. The legislation at this stage is very timely because it will cover quite a range of problems as far as the government and the Department of Primary Production are concerned.

The term "agistment" applies to road trains as well as to travelling stock

by droving. The paddock situation has been such that the area has been frozen and there is no way in the world that you could allow a drover to pull up other than by a special order because of a disease control problem. However, we will now have more flexibility and, if there is a need to allow someone to pull up along a stock route with a mob of cattle, it can be done for a specified time.

I look forward to the member for Tiwi entering the debate and helping me with some of the definitions of stock. We defined "deer" as stock for the purposes of the act a few months ago because of trouble with movements that were pending. Also, we will be pleased to see her about the permit situation which she raised. It will certainly place a big onus on the veterinary officers and the stock inspectors as far as disease control is concerned. I might say that our stock inspectorial service is recognised as the best in Australia and stockmen have transferred to other states and other occupations. Recently, we accepted a couple of trainees from South Australia to attend our stock inspectors course in March. I guess that speaks for itself. I commend the legislation to the House.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr STEELE (Ludmilla): I move that this Assembly do now adjourn.

Mr COLLINS (Arnhem): Mr Speaker, last year the Northern Territory government hosted a conference for Aboriginal communities. The conference was generally accepted to have been, in so far as communication was concerned, a failure. I attended the conference and that criticism was largely justified.

Mr Perron: That is because you were there.

Mr COLLINS: The conference was structured along classroom lines and, to answer the interjection of the honourable Treasurer, the reason it was a failure was not because I was there. The reason that I comment on that interjection is that there were some rather extraordinary statements made and attitudes taken as to whether I should attend or not. In consideration of the fact that I represent in this House more than 50% of the people who were at that particular conference, I found that rather difficult to understand. Again, I feel that I was justified in finding that difficult to understand. Although I was urged by many people to make public criticism of the way in which that conference was carried out, I did not do so. I took the attitude that it was the first time that such a conference had been held. I did not go to the press or make any statements as to what I thought were the failings of that conference. I certainly pointed them out to the organisers of the conference in the hope that they would take them up for the next one, which they did.

In my opinion, the conference that was held just a few weeks ago was a great success. The conference was structured upon lines that encouraged dialogue between the government and the Aboriginal people who attended the conference, ample time was given to people to have discussion and the venue was far better than the one for the previous year. Apart from a few criticisms that I had of minor issues - and I say again that I raised some positive suggestions for improving the next one with the organisers of the conference - I felt that the conference was largely a success. Again, I had to go through this quite extraordinary performance of not knowing whether I would be allowed to attend. In fact, finally and sensibly in the finish, the officers concerned made a

dramatic decision that they would ask the Aboriginal people at the conference whether certain people could attend or not and they did in fact make a decision.

I did not attend nor seek to attend the conference on the first day because I noted on the agenda that this day was set aside for delegates only to decide how they wanted the conference run. The second day of the conference was set aside for public servants to put their views to the delegates and vice versa so that a list of questions could be formulated on particular topics that only politicians could answer. I recall that this was a failing of the first conference and had been corrected. The last part of the conference had been set aside quite specifically for an evaluation of the conference by the delegates on their own of how they felt about the conference and any final thoughts they might have had on it.

It was at that point that the thing started to come apart at the seams. Considering the excellence of the conference as a whole, it was a great shame. In fact, I believe that it is fair criticism, and it is a criticism which some journalists certainly have made, that the conference was ruined entirely by the Chief Minister's quite extraordinary reaction to some of the statements that were made afterwards. Had the Chief Minister restricted his criticism of the resolution that was passed to one of fact and had he simply taken the resolution to task over areas where it was factually incorrect - and I would be the first to concede that there are certain parts of that resolution that could be considered by the government to be factually incorrect - there would have been no reaction. In fact, I would have been very surprised if the resolution itself had even hit the papers. However, the Chief Minister of course is not wont to do that. He is not known for his tact; he is certainly known for his ability to be a master of personal abuse when all else fails and he demonstrated all of those traits as a result of that resolution. A story appeared in the newspaper on Saturday morning which was the second or the third public reaction of the Chief Minister to that resolution. The story alleged that the Chief Minister had indicated most of the delegates to the conference had been at the Berrimah Hotel during the lunch hour.

This morning the Chief Minister read from a transcript of his press conference. I have listened to the tape of that press conference and I cannot let the explanation which he made this morning pass. As the Chief Minister knows full well, English is a subtle and very complex language. It is possible to entirely reverse the meaning of any given piece of writing by the simple means of moving a punctuation mark. It is certainly very easy to totally reverse the meaning of a statement simply by expressing it differently. One can make it mean the opposite simply by the way one says it. In fact, I understand there is even a word in the English language to describe it. Not being Gough Whitlam, I do not know what the word is but I understand there is such a word. That resolution and the Chief Minister's reaction to it and his behaviour at that press conference are classic examples of just that.

The journalist to whom I spoke prior to the Chief Minister's over-reaction commented upon the strange demeanour of the Chief Minister at that press conference and put it down to the fact that he was excessively tired after his Manila trip. Notwithstanding that, I still cannot let his explanation pass. Fifteen minutes is certainly not enough time to do justice to many of the statements that the Chief Minister made. Perhaps I will continue my remarks on another day.

The press conference opened with a question concerning the support which the land councils had given to that resolution. The Chief Minister had

written to the land councils asking them to disassociate themselves publicly from the resolution that had been passed. That was rather an extraordinary request considering that the man who passed it, Leo Finlay, was the official delegate of the Northern Lands Council at that conference and one of its senior executives. I think the Chief Minister was asking a little bit more than was realistic. Nevertheless, he wrote that letter and received a response. I think that the Chief Minister would have been wise at that point to have said nothing further. However, at some stage during these proceedings, a decision was obviously taken by him to go in boots and all and that is exactly what he has done so far.

The Chief Minister was asked what he thought of the support that had been given by the combined land councils, not just the Northern Land Council, to the statement condemning the government. He reacted to that by reading from a report. Quite contrary to the way the Chief Minister treated it, that report is not a public document. It is a document similar to the report which was prepared on last year's conference which, although it was highly critical of the government's conference last year, was not reported in the paper because the report is not a public document. It was prepared by the Rev. Jack Goodluck to his principal, Robert Voss, at Nungalingya. As a matter of courtesy, because they were the organisers of the conference, a copy was sent to the Aboriginal Liaison Section. Certainly, the opposition did not receive a copy of it and the press did not. The Chief Minister saw this little phrase that appealed to him and used this report. In fact, he said that the Reverend Jack Goodluck would make copies available to anybody who wanted one. I can assure the Chief Minister that that certainly was not the case because the gentleman himself received rather a shock afterwards when he found out about it.

The key section of the report refers to several members returning, presumably from the Berrimah Hotel, and behaving abusively. In response to a question about why Leo Finlay had moved this resolution, the Chief Minister, in a previous press conference, stated that he had done so because of his associations. The Chief Minister said, "You have to look at his associations. It is a well-known fact that he is a close and intimate friend of Bob Collins". That did not get a guernsey because it was not printed in the paper and AAP and the ABC did not pick it up. He could not discredit the resolution in that way so he decided to take another tack and to pick this one section totally out of context. He was careful not to read on for another paragraph because it stated in the report that, although the road upon which the government had embarked was a fruitful one, if the government did not change its attitude towards land rights, the road would end in a cul-de-sac. He did not bother mentioning that; he just picked out the part which mentioned Aboriginals being at the hotel and he left that hanging in the air. In fact, as one of the journalists said afterwards, only a lawyer could have done it the way the Chief Minister did it.

Not only is he happy to put a slur on the resolution and the people who went to that conference, he is now also treating the press with the same kind of contempt and abuse. He said this morning in respect of Dick Muddimer: "The reporter was obviously trying to make something of the Berrimah Hotel". Quite the contrary, Mr Speaker. A reading of the transcript and particularly a hearing of the original tape with the Chief Minister himself talking makes that very clear. The reporter was in fact attempting to do just the opposite. The Chief Minister had read from the report where Aboriginals had returned from a hotel and left it hanging there. He then talked about the resolution. He did not answer the question so Dick Muddimer tried to bring him back to the question. You cannot put quotation marks when you speak so of course the Chief

Minister did not include the quotes which should have been in the question that the reporter asked. The reporter said that "in this case" and then he quoted from his notes, "returned to the conference after the Berrimah Hotel". He quoted from his notes again: "It was a prepared resolution put to the conference". There is nothing extraordinary about that; he was reporting quite accurately what the Chief Minister had said 2 minutes before: "returned to the conference after the Berrimah Hotel" and "it was a prepared resolution put to the conference".

He then remonstrated with the Chief Minister - and this did not come out in the interpretation which the Chief Minister put on it this morning - "but not all the delegates went to the Berrimah Hotel and they approved that resolution overwhelmingly". I might add that I am reading from precisely the same document the Chief Minister read from this morning except I am giving it the inflexion which was given by the Chief Minister and by the reporter at the conference. Of course, the meaning is totally the opposite of that suggested by the Chief Minister. The reporter was in fact remonstrating with the Chief Minister that he should not leave something like that hanging in the air because the report had clearly stated that several of the people had presumably been to the hotel and the obvious inference was that that was casting a slur upon the capacity of those people to vote on that resolution.

It was totally improper of the Chief Minister and a completely hypocritical stand to take because, with the greatest respect, if all of the members of the House were disqualified from voting on legislation after they had been to their luncheon adjournment, there would be very little legislation passed in this House. Oh no, he had to bring this up! The Chief Minister then said in response: "Well, I suggest Dick that you have not read this before you say things like that because I have not got it all marked here but you will find that many of the delegates, almost all, drifted away at lunch time and when myself and 2 other ministers, I forget who they were, came back afterwards, we had an audience of about 16 where previously we had an audience of about 60. The 16 were soon finished and there was nothing more we could do, so we said: 'Is that all you want us for?' They said, 'yes thanks' and away we went. Some hours later apparently back they come". That was the way it was spoken at the press conference.

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

Mr EVERINGHAM (Chief Minister): It is interesting to hear the interpretation that the honourable member for Arnhem is able to place on this record of a press conference at which he was not present. It is surprising, as I said earlier this morning, that every reporter who was there did not carry the same story as the Northern Territory News if what I said was as claimed by the honourable member for Arnhem. The simple fact of the matter is that the honourable member for Arnhem is attempting to make something political out of my attempting to demonstrate to the reporters at that press conference that the government was attempting to communicate properly and fully with Aboriginal people and indeed to consult with them. I found that a resolution was moved by Leo Finlay at the conference after my departure; not before my departure when at least I would have had an opportunity to comment on it. Certainly, if the people there were determined to pass it, I had no hope of preventing its passage. As I said earlier, the deceitful course was chosen and it was moved after I had gone. That was the point that I was labouring in the course of the press conference.

I think the motion bears consideration. I made my explanation this morning and certainly, as the honourable member for Arnhem said, the English language can be twisted. He is a past master of that and that is what he was

attempting to do just now. Let us look at the resolution: "This conference draws the Northern Territory government's notice to the fact that Aboriginal people are not satisfied with the NT government's position on land. The NT government has opposed and interfered with every land claim that Aboriginal people have made". Let us look at the land claims that Aboriginal people have made. There was the Borroloola claim. The NT government was not in existence then. The Walpiri claim: in this claim, the Territory Parks and Wildlife Commission was represented, not the NT government,because the claim area included the Tanami Wildlife Sanctuary. In the final address, the Territory Parks and Wildlife Commission placed 5 options before the commissioner, the last one of which read: "The final option is that the claim be rejected so far as it extends to land within the sanctuary, an option which the commission regards as a last resort". Basically, the submissions made were aimed at seeking an amicable agreement between the traditional owners and the Parks and Wildlife Commission for the preservation and future management of the sanctuary.

The Alyawarra and Kadaitcha claim: this claim was heard in October 1978 and, in the report issued by the Land Commissioner, he states: "The NT government also appeared by counsel and supplied useful information in written form and through the testimony of witnesses". I do not think that that constitutes opposition. The Lake Amadeus claim to which was later added the Uluru National Park: as everybody knows, the Northern Territory government opposed the claim to the Uluru National Park although it has spent considerable time since then attempting to arrive at a satisfactory compromise with the Aboriginal people so that their attachments will be recognised and so that they would have a controlling say in the policy formulation or plans of management of the Uluru National Park. No comment whatsoever has been passed on the fact that the Northern Territory government supported the claim for the far greater area outside the park. The Mudbra claim: the NT government did oppose this claim but only after attempts at negotiation to secure an area around the bore on what is at present á quarantine reserve, and attempts to preserve a right of way over the stock route and road, the Muranji Track.

I think the honourable member for Victoria River said earlier this afternoon that, not so long ago, someone was using the Muranji Track for agistment or droving and we attempted to negotiate that unsuccessfully. In the end, we had to put our views and evidence to the Land Commissioner. Mr Speaker, if that is opposing and interfering with every land claim, then I ask you what is justice.

I refer you, Mr Speaker, to the Aboriginal Land Rights (Northern Territory) Act where certain duties, one would think, would be imposed on the Commonwealth and Northern Territory governments. Section 50(3) states: "In making a report in connection with the traditional land claim, the Commissioner shall have regard to the strength or otherwise or the traditional attachment by the claimants to the land claim and shall comment on each of the following matters". Points (a), (b), (c) and (d) are then listed and include the effect which acceding to the claim, either in whole or in part, would have on the existing or proposed patterns of land usage in the region, the detriment to persons or communities including other Aboriginal groups that might result if the claim were acceded to or in part and so on,Mr Speaker. I would suggest that that section imposes a duty on the Northern Territory government which the Commonwealth government could accept but, in its snivelling fashion, does not. It leaves the Northern Territory government to carry the baby and, presumably, the inimical response of Aboriginal people to present evidence in relation to those matters to the Aboriginal Land Commissioner and we would be failing in our duty were we not to do so.

The resolution goes on to claim that we have made regulations to interfere

with land claims such as extending town boundaries round Darwin and making a new town area in the Perron Islands. I understand that what was actually meant was the Sir Edward Pellew Islands but, at the time, I thought we were being accused of declaring a new town area around another group of islands. In effect, the town boundaries struck by the Northern Territory government some time ago in Alice Springs affected no land claims whatsoever and, in fact, took in no unalienated crown land.

Mr Collins: What about Darwin and Katherine?

Mr EVERINGHAM: I am getting to them. I did not say a word while the member for Arnhem was speaking.

Mr Speaker, we extended the boundaries of the town of Tennant Creek and have since been negotiating with the people concerned and have arrived at a very satisfactory compromise which is permitting limited development of the Tennant Creek town which would have otherwise been completely enclosed within its present boundaries. We have arrived at a stage where the claimants to the balance of the land are satisfied.

At Katherine, we are attempting to negotiate the satisfactory resolution of the claim over the Katherine Gorge and, had we intended to defeat land claims, one would imagine that we would have extended the boundaries to include the Katherine Gorge. We are trying to sort that problem out but the claim at Katherine is over a blanket area which includes mostly alienated land and little penny packets of unalienated land in between.

As for Darwin, the claim over the Cox Peninsula certainly has been prejudiced but I would point out that there was no such claim in existence at the time this proclamation was made; there was simply a claim over Dum In Mirrie Island. It was later that the claim was extended to include part of the Cox Peninsula.

"It's given evidence to oppose every land claim and has dragged some land claims into the High Court". That is manifestly untrue. We have taken one point of law in one land claim to the High Court.

"It has refused to register the titles of any Aboriginal land". Again, that is quite untrue. Titles to Aboriginal land have been registered. There are several titles that have been in order and would have been registered. Indeed, I will quote from a press statement by Senator Chaney, which was issued the other day in Canberra, as to when the titles might have been registered had there not been delay on the part of the Northern Land Council:

> *Senator Chaney said that amendments would also be introduced to clear the way for the registration of titles issued to Aboriginal land trusts in the Northern Territory. He said this followed extensive discussions between himself, the Chief Minister for the Northern Territory and representatives of the Aboriginal lands councils. These amendments would be consistent with the agreement announced jointly by the Chief Minister of the Northern Territory, the chairmen of the land councils and myself in March 1979.*

By April 1979, the Central Land Council and the Tiwi Land Council had ratified that agreement which was made by their representatives. It is the Northern Land Council that has held out and delayed it and it is happening now.

"The Northern Territory government has passed legislation which has made

it harder for Aboriginal people to obtain firm tenure on pastoral areas". Mr Speaker, I just do not know where that one came from.

"The subleasing arrangements are letting pastoral owners hold up finalisation of excision applications even longer than usual". Mr Speaker, that really hurt because, while not directly on point, the Northern Territory government has processed matters within its power as quickly as possible. Considering the manner in which the needs claims in Darwin, Alice Springs and elsewhere have been processed, leases issued as quickly as possible, planning changes made and so on, I really cannot see any justification for that. If there are any excision claims that are in any way delayed, I would certainly like to know of them.

"Subleases give no real security". Certainly, they are not as good as freehold but it is a bit difficult for us to walk in and take the pastoral leases from the people.

"This leaves Aboriginal people very doubtful about the value of the Northern Territory government taking over functions from the DAA and also leaves Aboriginal people doubtful as to whether the sea closure and sacred sites legislation will really work. It may be necessary for us to review our support of the new local government legislation". Well, since the Northern Territory government took over functions from the Department of Aboriginal Affairs, contracts to Aboriginal communities worth just short of $2m were let in the 7 months from 1 July last year to 31 January this year. I have lists of all the contracts that have been let and I am assured by my officers that the progress that is going on in this direction is little short of extraordinary.

The other point that was made by the chairman of the land councils, which I found rather bitter to swallow, was that "the land council chairman deplored Mr Everingham's arrogant refusal to listen to what Aboriginal people have said to him". I have listened to what they had to say and I read it. I found it to be, if not completely untrue, certainly wide of the factual mark. If I am to accept a resolution which is based on very sandy and watery facts, as we have heard here this afternoon, without putting the government's side of the case, we might as well give the game away. Where there are 2 sides of the story, they should be told. If Aboriginal people or any others want to make allegations against this government which has been bending over backwards to cooperate, communicate and consult with Aboriginal people, then they certainly draw my fire.

Referring to the report by Mr Goodluck, can I say that it certainly does bear reading by everyone in this House. I think it is a very good report. I do not necessarily agree with all of the conclusions that it draws but it shows, without any shadow of doubt, that this government is attempting to take steps which Mr Goodluck described as possibly being "the beginning of a new level of communication, a new style of consultation and a new degree of cooperation between government and the Aboriginal section of the Territory's population".

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

Mr DOOLAN (Victoria River): I would dearly love to have my notes so that I could comment on the Chief Minister's long speech about how the Northern Territory government has not opposed land claims. There are a couple of things I can say off the top of my head about some of the things he said. One of the things he said was that I had said the Muranji was used for agistment illegally. It was. The Muranji reserve is down near Newcastle Waters and the

little bit of a horse paddock which the Mudbra people claimed is up near old Top Springs near Montejinni which is one hell of a long way off.

The second thing that I might say is in relation to the Kenbi claim over Cox Peninsula. The Chief Minister has told us that his government bends over backwards to consult and inform Aboriginal people about what they are doing. The true story of the Cox Peninsula is as follows and I am pretty sure I have my dates correct. On 29 December 1978, the greater area of Darwin was declared by gazettal during the Christmas holiday when nobody was around and I do not know whether the Northern Land Council gets the southern Gazette but nobody at the Northern Land Council saw that gazettal. The Dum In Mirrie land claim came before the Land Commissioner, Mr Justice Toohey, on 19 February. At that time, the Northern Land Council advised that they did not want the land claim to go ahead because they wanted it to be heard in conjunction with the unalienated crown land on Cox Peninsula. This excuse was accepted by Mr Justice Toohey who, it appears, was not aware himself that Cox Peninsula had been alienated. So much for consultation and falling over backwards to inform the people about everything! I said at the time that I thought what they did was a fraud. I thought it was a deliberate attempt to foil Aboriginal opportunities to make a claim over that area.

What I rose to talk about was the matter Johnny's Zoo at Batchelor. A most dreadful report appeared in the NT News concerning the terrible state of Johnny's Zoo. I had occasion to go there on Tuesday last with 3 wildlife officers, the local policeman and a lady from the SPCA. The newspaper reporter said that, when she arrived, she was greeted by a pack of snarling dogs. There were 3 pretty lean dogs - good working dogs like any cattle dog you would have on your own property, Mr Speaker, and a damn sight fatter than many greyhounds you see at Winnellie. For that matter, they had fewer ribs showing than some racehorses that you see out here. There were 3 hunting dogs, 2 cross-Kelpies and a dobermann. The other dog was a half blue heeler which was so fat that it could hardly move. The zoo itself was spotless. It was so spotless that I was afraid to throw a bumper on the ground lest I spoil the pristine splendour of Johnny's zoo. I had to stick it in my match box or he would have been offended.

The reporter commented on the animals. The first thing after the snarling dogs was a blind wallaby in a cage. That was right. The cage is not terribly small. The blind wallaby was born blind; it was brought to Johnny as a little tiny joey. He reared it in his bedroom for 12 months until it was able to hop around and then he put it in a cage. That wallaby is as fat as mud. In the next cage is another wallaby that has had its foot shot off. Johnny has a wallaby enclosure which is bigger than this Assembly and the other normal healthy wallabies are hopping around looking very well. He cannot keep a wallaby with its foot shot off and another blind one running round with the others because they obviously would not survive.

There is a hawk with a broken wing in a cage that, admittedly, is too small. The reason why it was built too small is that the poor old hawk has one wing and, if it is on a high perch, it will fall off. Johnny is desperately afraid it will break its other wing. He loves his animals; he is kind to them. He gets up at 4 o'clock in the morning and goes shooting. He picks up any dead cattle, buffalo or wallabies on the road to feed his animals. He has 3 jobs but he had to knock off at 2 o'clock so he gets back in time to feed his "boys" as he calls them. Incidentally, on Thursday I went there with a vet and 3 more wildlife officers. Johnny was not instructed to destroy any animal in the zoo to the best of my knowledge. I left shortly before the vet left. It was suggested that he get rid of the hawk which he did reluctantly. Many of his animals are animals which have been run over by cars

or shot. He found them in the bush or people brought them to him.

There was a most ridiculous report about the poor pigs living in mud. They were exactly that: as happy as pigs in mud. They even came up to the fence and wagged their tails. It was muddy. There had been terrible storms and perhaps a bit of high ground and a bit of a bank would be an improvement on what he has now.

I certainly had sympathy for him; he certainly is not a cruel man. He is a very poor man. He slaves his insides out to keep the thing going. Certainly, there is room for improvement but it is not filthy, it is not unclean and his animals are not starving. I would very much like to see some support given to him and so would all or most of the people in Batchelor. It was a scandalous article and it was a dreadful, sensationalist report in the newspaper. The reporter and the gentleman with her, who claimed to be a zoologist, were liars because they did not tell the truth; they said they were visitors from down south. There is a sign in front of the zoo which clearly says "Stop". They did not stop; they sneaked in when he was not there and he did not have the chance to show them round the zoo. The wildlife officers were not critical of his zoo at all. I was with them for some hours on Tuesday and on Thursday. The only animal they suggested should be removed was the hawk. They did not order him to remove it. I think some support should be given to him, Mr Speaker.

Mr PERRON (Stuart Park): I am pleased that the honourable member for Victoria River corrected his statement and said most people in Batchelor support Johnny's Zoo because I am very sure that all of them do not.

As regards the Kenbi land claim which the honourable member for Victoria River commented on, I thought that I would like to straighten the record a little because I have some knowledge of this. The honourable member claimed that on 29 December 1978 the greater area of Darwin was extended by stealth - I think that was what he was implying. The greater area of Darwin was not of course extended at all. What happened was that the Northern Territory government, through the Executive Council, extended the planning boundaries of Darwin. At the time, there was no land claim over Cox Peninsula. For the previous 12 months, I had been negotiating with various rural groups for the declaration of an area over rural Darwin for planning purposes. About 9 groups came together from time to time and met with me to discuss the extent and format of a rural plan for Darwin because there was increasing concern about the lack of control and some of the development that was creeping into rural Darwin.

Among the groups - late in the piece, I must admit, because it did not exist earlier - was an organisation called the Cox Peninsula Progress Association. At the inaugural meeting of that association, which I attended with my colleague, the Minister for Transport and Works, there were several representatives of the Delissaville community which has a direct interest in the Cox Peninsula area.

There was nothing new about the proposal to declare a plan over rural Darwin. It was badly needed; it was a shame it was not done years ago. The honourable member for Victoria River said that the whole thing was so secret that even the Land Commissioner did not know himself until an application to extend the land claim was raised with him in February. I doubt very much if the Land Commissioner would have sat there and said, "That is alienated land, you cannot do it". In fact, he had to determine the case - and he did hear it over a long period of time - of whether or not the planning boundaries did in fact constitute alienation of the land. He was not taken by

surprise at all. The honourable member implied that he should have known forthwith and simply rejected the application out of hand to extend the land claim at all. Of course, he did not. He had to determine the status of that boundary and he has done that.

In fact, as far as the cooperation of this government with the Aboriginals is concerned, I have met with representatives of the Northern Land Council on 2 occasions over this matter. At one such meeting, I agreed to accept at face value a map which was presented to me with about 10 or 12 alleged sacred sites marked on it. I undertook to have the map filed in the Lands Department and said that no land covering the areas alleged to be sacred areas would be alienated until such time as the sacred sites authority had been established and a case could be put to that authority for formal recognition of those sites. That action was taken completely without any particular need to do so other than a desire to cooperate with Aboriginals for their requirements in the Northern Territory, which was along the lines that the Chief Minister spoke about. I just thought I had to put the record straight in that regard having heard such nonsense from the member for Victoria River.

Mrs LAWRIE (Nightcliff): I wish to speak on something entirely different. As I foreshadowed this morning at question time, I am less than happy about arrangements at Darwin Hospital for people taken there for treatment after an accident and who require to be attended by their private doctor whether he be a specialist or general practitioner. The honourable Minister for Health stated that he believed that arrangements could be made for this happy sequence of events to occur. I do not know who is fooling whom but I can assure the honourable minister that events are not put in train as he apparently would wish and I offer him the following example.

I do not intend to use the names of the people - neither the patient affected nor the staff - because I do not believe they should be incorporated in Hansard. I have their names here. I have a letter from the Deputy Medical Superintendent who also names people and which the minister is free to peruse. Unhappily, because of the small number of practitioners in Darwin, one of the persons will be readily identifiable but I have his permission to go ahead with the complaint notwithstanding that fact.

The events occurred on Friday 25 January when a Darwin-born person was injured at work. He put his hand through some glass and received severe lacerations. This occurred at 2 pm. He was immediately taken to St John Ambulance where the wound received emergency first aid. He was bleeding badly. He then continued in the company utility to Darwin Hospital. He had been injured on the job. He arrived between 2.15 pm and 2.30 pm at the hospital. He was taken directly to Casualty where the staff cleaned the wound.

The patient advised the sister who was apparently in charge that he would like to see the Mr X, a private surgeon. At this stage, he was shocked, bleeding fairly heavily, lying on the bed in Casualty and had received immediate emergency attention. The sister advised the patient that she could not contact Mr X. She stated to him: "You would have to or a close relation. We will not and cannot". She also stated that, as he had received attention in Casualty, he would be admitted to the ward as a public patient and would have to arrange to see the specialist, Mr X, from the ward.

He was not very happy but he was not prepared to argue. He was in pain and the wound appeared quite serious. While still in Casualty, he was seen by a young lady doctor who examined the wound and noted tendon and nerve damage. She asked, "Do you want to see Mr X?" He replied, "I have been told

I cannot as I was admitted as a public patient so go ahead with whatever is necessary". He was then sent to X-ray and to Ward 6 where he was periodically checked for blood pressure and temperature - clearly, for shock.

At approximately 3 pm, half to three quarters of an hour after the original arrival at the hospital, a sister came to Ward 6. Again, I have the names if necessary. She asked the patient if he was in pain and he replied in the affirmative. He was then given a pain-killing injection in the leg. From 3 pm to 5 pm, he was not approached by any doctors but his blood pressure and temperature were checked from time to time by nursing staff.

At approximately 5.30 pm, his wife arrived and asked if he had been seen and, if so, by whom. She was given to understand that he had not been attended by any surgeon and the sister said she had no idea. The patient said again that he wanted to see Mr X and also that he had stated so in Casualty when he was first admitted. The sister then left and arrived back with 2 junior doctors. They inquired as to his wellbeing and the patient said that he had no feeling in his hands, that he wanted Mr X, the private specialist, and that he had stated this in Casualty. The sister came back and said: "Well, you can discharge yourself and go and see him". The sister and the 2 young doctors then left.

Meanwhile, the wife, somewhat disturbed, had rung the father of the patient who tried to contact Mr X. They found where Mr X was: in surgery at the hospital! A message was left fo him to come and see the patient when he had finished his surgery. Meanwhile, a senior surgeon and the same 2 young doctors reappeared in the ward and the surgeon asked: "Did you want to see Mr X?" The patient replied: "Yes". The surgeon then said: "Okay, there are no problems, there has been a message left and Mr X will attend you when he is free".

At approximately 7 pm, the private surgeon appeared and requested further cleaning of the hand and arranged for theatre time. If the private surgeon had known, when originally requested, that his services were required, he could probably have performed the operation then because he was free at that time. The only bar to that would have been theatre availability.

At 8.30 pm a senior sister advised that she had received a complaint about what amounted to a runaround for this patient and stated to the patient: "It is hospital policy not to contact a private surgeon or specialist; the patient has to do it".

Now, Mr Speaker, I have also a letter from the Deputy Medical Superintendent because, of course, some complaints were registered subsequently about the way in which the affairs were conducted. Some of the statements made by the Department of Health representative are incorrect in respect of the relevant times. I am satisfied that they make no material difference to the facts as I have presented them to the House and that they are not of any great substance. I am not accusing the Deputy Medical Superintendent of any cover-up and I want to make it quite clear that, whilst the patient and his family are distressed at the performance he had to go through to get the doctor of his choice, whom he has known for a long while, they make no complaint about the treatment he received from the nursing staff. They attended to the emergency and they kept him alive and kept the blood checks going until such time as his private surgeon was eventually notified some 5 hours after he had been admitted to the hospital. This was notwithstanding that, time and time again, he said that he did want Mr X. He agrees that, early in the piece, he said: "Well, if I can't have him, go ahead with the treatment". What else could he say? He was quite badly wounded with nerve and tendon damage and he was in shock.

There is a paragraph in the letter to the patient from the Deputy Medical Superintendent which should prove of some interest to the Minister for Health. The Deputy Medical Superintendent was contacted by telegram by the father of the patient. He states: "Would you kindly let your father know that, when you were first seen here, you said that you wanted Mr X to treat you and you were told that he is not on call to this hospital for such injuries. If you wished him to accept you as his private patient, you should contact his surgery at X street. If you first wanted our medical officers to assess your injuries and advise you in the first stage, you could wait for them". This chap had severe lacerations and damage to the arm. What if it had been his leg? Was he to go on crutches to the private specialist's surgery? He was not capable of making the journey even though only his arm was affected. It could have resulted in further damage to his arm had he attempted that.

It is the philosophy and the policy of the hospital which I am attacking and not any particular treatment that he received. He could legitimately complain about the lack of attention by a surgeon but he prefers not to. We have only one general hospital in Darwin. It is logical to utilise those facilities to the full. Doctors employed by the Department of Health have a right to private practice and I believe they exercise that right. Private practitioners use the hospital. It is all very logical to have maximum use of the resources we have. If a person is admitted to Casualty as a result of an accident and he requests his private practitioner or a specialist to be notified, why then does the hospital suddenly say, "You want him. Discharge yourself and go and get him"? The patients are often incapable of doing that. If a person is injured at work or in a road accident, it is logical to have him taken to the hospital immediately by ambulance to receive such treatment as is immediately necessary to preserve life and limb. It is logical for that treatment to continue on admitance to Casualty. We have the Blood Bank supplying plasma; the whole system is geared up for it. It becomes illogical if the patient is then capable of expressing his desire for his private practitioner and no assistance is given to allow him to obtain that private medical treatment.

It is even more annoying to find that this is the policy having regard to the present controversy over whether or not private hospitals should be established in Darwin. I believe that there have been serious doubts as to its viability. There are problems in duplication of facilities or in maintenance of 2 lots of facilities. Problems clearly would arise concerning blood being available at both places. How much more logical it would be to utilise the general hospital whether it be at Darwin or Casuarina. In supporting that premiss surely the present government, responsive to community needs since self-government, must appreciate the peculiar position in which the patients find themselves if this normal service is not extended. It has been clearly expressed by senior departmental health people that it is not the policy to contact private practitioners on behalf of patients even when those patients are clearly not physically capable of contacting those persons.

I ask the Minister for Health, after undertaking whatever investigations he wishes, to alter the policy because that is what self-government means. The minister will set the policy and not the hierarchy of the hospital administration, particularly when it relates to patient welfare and patient wellbeing. Perhaps now he will understand some of my cynicism in a debate which occurred earlier today and the assurances given that the hospital administration is responsive to the needs or desires of patients. I think I have now clearly demonstrated that it is not. The policy needs to be changed and I want to know if it is the intention to change it within the life of this sittings.

Mrs PADGHAM-PURICH (Tiwi): This afternoon, I would like to speak about some anomalies that exist in relation to rates paid by people in a certain part of my electorate. I am referring to the people who live at Berrimah. The people who live in Berrimah are outside the Darwin city council area but they are within the 1945 acquisition boundary which is about the 11-mile where the Department of Community Development exacts rates. I have had several requests over some months to see what I could do to make the people's plight - and I use the word "plight" advisedly - known to the relevant authorities. This afternoon, I would like comment on the situation as I see it in the Berrimah area. I would also like to make some recommendations on what I see as a more equitable way of rating.

Berrimah is an area that has been by-passed in some ways. I do not say development has jumped up over it but it seems to be a forgotten area in many people's estimation. When we first came up here, about 20 years ago, Berrimah was the then rural area outside Darwin. It has gradually been eroded by industrial development until very few of the original agricultural and miscellaneous leaseholders are left. I am talking about the east side of the highway, in particular, which is in the electorate of Tiwi. These people in the Berrimah area do not have any bitumen roads. They have gravel roads which are very substandard at most times due partly to the local traffic and also to the heavy truck traffic carting sand, gravel and other things. They are not alone in having their roads mucked up by the heavy traffic. I do not know what can be done about it but the fact is that these trucks destroy, in a very short time, any work that is done on the roads. These people in Berrimah have to put up with this. They do get their roads graded periodically but the grading does not keep up with the heavy traffic.

The people who live out there, like other people further out in the rural area, make their own arrangements regarding their sewerage, power and water. They make arrangements to dig their own septic tanks; there is no reticulated sewerage. They make arrangements to have their power put on. Their blocks are not the quarter-acre blocks you see in town; they are quite a bit bigger than that and run to 50 acres or more. The usual situation is that they supply the power poles and things like that from the road into the house so they are up for another charge there. They also make their own arrangements regarding water. They put down a bore which runs them into a lot more expense - about $5,000.

These people have all these disadvantages and they also have the disadvantages - or advantages, whichever way you look at it - of living in Berrimah and not in Darwin. The point is that they pay the same rates as the people in Darwin, that is, 1.52 cents in the dollar on unimproved capital value. The only thing that they do not pay out there is the loan rate of 0.4 cents in the dollar. For these rates that the people in Darwin pay, they get more advantages. They have bitumen roads for a start which means they can keep their cars longer. Their vehicle repairs do not cost anywhere near the amount that they do in the rural area at Berrimah. They are in close proximity to all the services: shops, doctors, chemists, schools etc.

Although some are subdividing their holdings now and some have subdivided their holdings in the past, generally speaking, these people in Berrimah are old established people who have lived there for a long time and want to continue living there. One could say that they did not buy these blocks with the idea of speculation for the future although speculation is not such a bad idea. Those people have bought their blocks to live there.

In this area, there are 2 well-known nurseries, a stable and another area which grows some of the best pangola hay in the Top End. These people

are all rural people on agricultural miscellaneous leases and to charge these people municipal rates seems to me to be a complete anomaly which must be remedied in the near future. I feel that some consideration must be given to these people who do not enjoy the privilege, if you regard it as a privilege, of living in Darwin.

I can give you the exact figures of how the rates have gone up out in the Berrimah area. The following is in relation to a property in Lagoon Road. From 1946 to 1970, the rates were £9 or $18. In 1971, the rates went from $18 to $100. In 1972, they increased to $269.32 and in 1973 rose to $286.06. I cannot go any further than that because this land was acquired when somebody had grandiose ideas of increasing the railway land holdings in the area.

I feel that consideration is long overdue for these people. Not many people live there but, nevertheless, minority groups in the community have been recognised by this government. I feel that the people who live at Berrimah definitely deserve some rationalisation of their rates. These people are not against paying rates; they are fair-minded people. They do not mind paying rates if they can see themselves getting something for their rates. They cannot see themselves getting anything much for their rates except having their gravel roads graded a couple of times a year.

I would also like to mention the case of a pensioner lady who lives in this particular area. Because of her advanced age, she does not have much social contact with other people and her relatives were not properly aware of the situation either. She is paying $475 per year on her block of land. This particular lady is one of the pioneers of the Northern Territory. I mention that in passing. It has been drawn to her relatives' attention now that the minister made a statement recently that there would be a rebate in rates for pensioners and there was also a previous rebate before that on rates paid by pensioners. I hope that this particular elderly lady will be a little happier as regards her finances in the future.

In concluding, I would like to stress that I feel that there should be a re-examination of the rates paid by people in the rural area. This is long overdue. I have spoken to the Minister for Community Development on this matter and I hope he gives it favourable consideration.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

STATEMENT

Documents relating to small ships facility

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, during the September sittings, I tabled documents relating to the small ships affair. In the October sittings, I said, and I quote from Hansard:"Should it be proved beyond reasonable doubt that the documents were composed as the Minister for Education claims, I would be the first to say so in the Assembly". I am now satisfied that the documents that I presented were photocopies of carbon copies of the originals on MBA invoices.

Mr ROBERTSON (Education) (by leave): It is rather awkward to work out exactly what the Leader of the Opposition just said. He indicated that he is now satisfied, which is not really what I expected him to say. He said, "I am now satisfied that the documents that I tabled were photocopies of carbon copies on MBA invoice letterheads" or words to that effect. That says nothing.

The day before yesterday, I provided evidence from the Australian Federal Police to the Leader of the Opposition. The documents which were tabled by the Leader of the Opposition, along with some other documents - a blank invoice with nothing on it from the Master Builders Association and the original carbon copy of the document in the Master Builders Association files - were sent to the Bureau of Document Examination of the Australian Federal Police. The report I received and the report that was transmitted to the Leader of the Opposition stated quite clearly that the document which the Leader of the Opposition tabled was a fabrication; it was a forgery. No way in the world did the Leader of the Opposition admit that here this morning. In fact, he said nothing. Anyone who listened to him would think that the documents which the honourable gentleman tabled were genuine. Mr Speaker, they were not. The evidence provided by the Document Examination Bureau of the Australian Federal Police clearly used the work "fabrication"; those documents were forgeries.

The Leader of the Opposition has not fulfilled his undertaking to this House to be the first to admit the truth of this matter. I will undertake to this Assembly now to table the complete report of the Australian Federal Police on this matter and then honourable members can judge for themselves not only the truth but the attitude to this parliament of the Leader of the Opposition.

If I sound upset, it is because I am. I indicated to my colleagues that, if the Leader of the Opposition stood up and did the decent and honest thing in the Chamber, I would let the matter rest and make no further comment at all. The behaviour, the attitude and the contempt with which the Leader of the Opposition holds this parliament has been demonstrated here this morning. He has completely defied an undertaking which he personally made to this Assembly that he would be the first to admit that those documents were fabrications and forgeries. Two days ago, I gave him conclusive proof that those documents were forgeries and he fails to admit it. He hedges with words, he plays around with the matter and he treats this parliament with contempt.

Mr Speaker, there is one further point I would like to make on this whole insidious and sad affair. The question which has not been addressed is why was that document forged in the first place. No one has addressed himself to this question. The sole motivation anyone could possibly have to fabricate those documents would have to be that the accusation itself in the first place was false. Who would be in a better position to know that the accusation was

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false, that the accusation of corruption against this government was totally baseless and was based on tissue-thin evidence? It would clearly have to be the person who forged the documents in the first place. The person who had access to the Master Builders Association office, who knew exactly where all of the records of the MBA were, who knew where the photocopier was and how to use it, who knew where the carbon copy of the original invoice was, who knew where the blank invoices were, who knew how the Master Builders Association system worked, that person clearly was the inventor of this fabrication itself. The documents were a fabrication, just as the damn accusation against this government was a fabrication. Why would a person have to fabricate the document to strengthen an accusation if he had in his own mind the slightest belief that the lie he was inventing and peddling through the Leader of the Opposition had any substance to it? There we have it: the Leader of the Opposition was used as a vehicle to peddle not only fabricated documents but a fabricated, politically-motivated accusation as well.

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I claim to have been misrepresented. I table the documents given to me by the Minister for Education and headed "Australian Federal Police". Members will note that in no case are the words "fabrication" or "forgery" used as claimed by the Minister for Education. In fact, Mr Speaker, what the documents indicate absolutely conclusively is that the invoices were sent as we said and they contained the material that we said they contained. The ball is very much in the government's court.

PETITION

Invalid Pensioner Accommodation

Mrs O'NEIL (Fannie Bay): Mr Speaker, I present a petition from 63 residents in the Darwin area expressing their concern at the unsatisfactory situation of accommodation presently provided for invalid pensioners in Northern Territory Housing Commission complexes. 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 the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens of Darwin respectfully shows that accommodation presently provided for invalid pensioners in the Northern Territory Housing Commission complexes is unsatisfactory in that it is not separated from other accommodation. Your petitioners request that accommodation for invalid pensioners be provided at one site so that they will not be disturbed by the noise and activity of other tenants and so that services may be more easily provided to them, and your petitioners, as in duty bound, will ever pray.

TABLED PAPER

Under-age Drinking in the Northern Territory

Mr TUXWORTH (Health): Mr Speaker, I present a paper drawn up by the Northern Territory Liquor Commission on the study of under-age drinking in the Northern Territory. I move that the paper be noted and seek leave to continue my remarks at a later date.

Leave granted.

MINISTERIAL STATEMENT

Land Release Program

Mr PERRON (Treasurer) (by leave): During the month of February and into the first week of March, a total of 266 parcels of land will be available for purchase throughout the Northern Territory by auction and through the over-the-counter lands sales system. Rapid economic growth in the Territory continues to attract other Australians across our borders and demand for land, particularly in the larger urban centres, is constant. It is a problem that the government welcomes. Our increasing population and the consequential pressures for serviced land are certain indicators of growth. This release program to the private sector combined with land sold over the counter or auctioned since 1 July last year will take this financial year's Territory-wide release to a total of 565 parcels of land. For the benefit of honourable members, I will briefly detail the land release programs of the next few weeks.

In Darwin, on 15 February, 70 residential lots will be offered at restricted auction. On 16 February, an unrestricted auction will be held in Darwin for 73 residential lots, 2 zoned for business and 11 for industrial purposes. On 25 February, 50 residential lots will be available for sale in Alice Springs through the over-the-counter sales scheme. On 26 February, an unrestricted auction will be held in Tennant Creek for 7 residential lots and 1 each in the categories of general industry, light industry, motel site and caravan park site. On the same day, a further 20 residential lots in Tennant Creek will be available for purchase over the counter.

Residential land will also be available for over-the-counter purchase at 4 other Territory centres during this month. The relevant facts are: 27 February, 8 lots at Elliott; 28 February, 4 lots at Daly Waters and 2 at Larrimah; 29 February, 8 lots at Mataranka. On 6 March, extra residential land will be available at 2 more rural centres. Four lots in Pine Creek will be offered at unrestricted auction and 3 will be available at Adelaide River for sale over the counter.

Mr Speaker, I would also like to inform the House that the administrative plan for Borroloola has been finalised following consultation with local residents. For some time now, there have been requests for land at Borroloola but these were deferred pending finalisation of the plan. The site for the new township, to the north of Rocky Creek, followed investigations into local flooding problems, soil and rock outcroppings. The plan has received ministerial approval and, to facilitate the release of land, the Surveyor-General has already surveyed 46 residential lots, 10 for industrial purposes, 2 for retail use, access roads and a caravan park site.

In the town of Katherine, the government has also taken action in an endeavour to meet the shortages being experienced. Planning designs for stage 1 of the Katherine east residential subdivision is on target and I am able to inform the House that it is the government's intention to call tenders for the construction of the subdivision late this financial year. Similarly, proposals for the residential subdivision on what is known as the Transport and Works depot site in Katherine are well advanced. Stage 1 of the Katherine east industrial subdivision has been brought into the 1979-80 capital works program and a contract is expected to be let during May.

INTERPRETATION BILL

(Serial 399)

Bill presented and read a first time.

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

Honourable members will notice that the format of this bill and other bills presented at this sittings varies from our previous style. The variation is the change from marginal notes at the side of the text to section headings in the body of the bill preceding the text. This is a slight change in style but it is a significant change as regards speed and cost of production. This method is already used in some Australian states and the Commonwealth government also has examined production methods and is moving to the introduction of a similar system. Our examination of the best method for developing a reprint program for Territory legislation led us to early adoption of the system.

The first advantage of this system is that it removes the need for double handling when setting the bills. The machinery used in the Territory cannot set marginal notes. Under the previous system, after the bill is set on the word processing equipment, it must then have side notes inserted on another machine. This meant also that the recorded bill which can be reproduced in identical form at any time has no side notes and any further reproduction would also require the addition of side notes. The stored material is the basic material for reprinting. On the word processing equipment, it can be amended to incorporate all amendments and be available for immediate printing.

The use of section headings instead of marginal notes speeds this process. The removal of marginal notes permits a wider line in the text with the consequent saving of paper usage. This does not seem like much looked at in terms of one bill but, when looked at against the volume of legislation printed, the cost saving is considerable. Further, marginal notes are difficult to follow in volumes of legislation. The use of section headings will remove that problem. The sole purpose of this bill is to provide that section headings, as with marginal notes, do not form part of the legislation. They are there as a guide and reference only and do not form any part of the legislation. Because of the saving and convenience of this method, it is proposed to implement it immediately and print all legislation in this form. It is my intention to seek the suspension of Standing Orders to enable the passage of this bill through the Assembly during this sittings so that all legislation may be prepared in this form. I commend the bill to all honourable members.

Debate adjourned.

HOUSING BILL

(Serial 398)

Bill presented and read a first time.

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

The purpose of this bill is to amend the Housing Act to enable the Northern Territory Housing Commission to provide accommodation for both residential and non-residential purposes to bodies which carry on or promote in the Territory services and programs for the benefit of the community. Under part IIIA of the principal act, the commission is empowered to provide housing for charitable organisations but only in the form of residential accommodation.

The government believes that it can further assist such bodies by pro-

viding them with accommodation or premises in which they may carry on their day-to-day activities. That the commission should have the power to assist such bodies in this way seems logical and desirable and can only enhance the contribution they make to the community. The amendment to the principal act will empower the commission to design and supervise the construction of premises or otherwise acquire premises and let or sell them to an applicant organisation. The premises may be in the form of standard commission houses, perhaps with some non-standard additions or alterations, or be specifically designed to fit the organisation's needs. It is proposed that close liaison will be maintained with the Department of Community Development and that the commission will base its recommendations to the minister for assistance for such bodies on its own views and those of the Department of Community Development. I commend the bill to honourable members.

Debate adjourned.

MEDICAL PRACTITIONERS REGISTRATION BILL

(Serial 388)

Bill presented and read a first time.

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

The Medical Practitioners Registration Act includes quite extensive provisions relating to the hearing and determining of complaints made against registered medical practitioners. These in effect are designed to ensure that no disciplinary action is taken against a registered medical practitioner until a full and proper investigation is made into any complaint against him. I do not think that any member of this Assembly would argue about the merits of that principle being incorporated in the act.

The importance attached by this legislature to such investigations is evidenced by the fact that the chairman of the Disciplinary Tribunal established under the act is the Chief Justice. There is, however, one circumstance where adherence to the procedures laid down in the act may not be appropriate. Honourable members will be aware that it is not unusual for medical practitioners to be registered in more than one state or territory. It could well be that, where a medical practitioner is registered in the Northern Territory and has his registration cancelled in another state, no immediate action can be taken in the Northern Territory without following the full procedures laid down in the act. The purpose of this bill is to enable the Medical Board to suspend or cancel the registration of a medical practitioner whose registration in another state or territory has been suspended or cancelled. As a guard against any misuse of that power, the bill also provides the right of appeal to the Disciplinary Tribunal.

This bill has been prepared because such cases have actually arisen and those states which do not have provisions of this nature in their legislation are moving to amend their legislation in the same way as we are. The bill is fully supported by the Medical Board and I commend it to honourable members.

Debate adjourned.

POWERS OF ATTORNEY BILL

(Serial 395)

Bill presented and read a first time.

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

Honourable members will recall that, on 13 September 1979, this Assembly passed a Powers of Attorney Bill with amendments. One of the committee stage amendments to the bill was an amendment to clause 3, the clause that set the limits on the application of the proposed law. As the bill was printed, subclause (1) of clause 3 provided that the act "applies only to powers created after the commencement of the act". Subclause (2) provided that the act "applies to powers authorising dealings with land".

To avoid any possible argument, the 2 subclauses were mutually exclusive and,to make the intention clear,an amendment to the clause was prepared and included in schedule No 112. The amendment was designed to replace the word "applies" in subclause (2) with the word "extend". Although the amendment was correctly drawn and was subsequently passed by the Assembly, it was mistakenly written into subclause (1) when the copy was prepared for printing. On 15 October 1979, the printed act containing the mistake was presented to His Honour the Administrator for assent and was duly signed by him in the belief that it was the act as passed by the Assembly. It was some time later that the mistake was discovered. It was too late to ask His Honour to sign a corrected version of the Act as notification of its having been made had already appeared in the Gazette and certified copies of the act had been distributed.

It is obvious that His Honour the Administrator has purported to give his assent to a document that is not a proposed law as passed by the Assembly. What is not quite so obvious is the extent, if at all, the act or any part of it is a law of the Territory. Examples of similar mistakes are not known and a quick check of available publications shows 4 such instances in the United Kingdom, 2 of which occurred in the one session in 1977, and one in the federal parliament. However, an incident where the courts have authoritatively ruled on the validity of such legislation cannot be found. On 3 occasions in the United Kingdom parliament, the parliament passed validating legislation but on the fourth occasion it did not. On the occasion where the federal parliament was involved, the Governor-General simply advised both Houses that he had mistakenly assented to the incorrect bill and then assented to the correct one. Although it can be argued that the action of His Honour the Administrator was a nullity in the circumstances, there is still sufficient doubt about the matter to warrant remedial action and to avoid unforeseen legal problems. Fortunately, the act has never been commenced and there is no question of validating action taken under it.

After considering the advice given to me, I am of the view that the only safe way to handle the matter is to repeal the act to the extent that it may be law and to re-enact it in the terms in which it was passed except for a grammatical correction and the inclusion of the necessary preamble. As the purpose of the bill is to put the intention of the Assembly into effect, it is my intention to seek leave to suspend Standing Orders to the extent necessary to ensure that the bill passes all stages during this sittings. I commend the bill to honourable members.

Debate adjourned.

PRISONS (CORRECTIONAL SERVICES) BILL

(Serial 365)

Continued from 22 November 1979.

Mr PERKINS (MacDonnell): The reform of the penal institutions and systems of the Northern Territory is a critical area of social reform and it is one which I believe has been neglected in the past and is now long overdue. The present legislation governing the penal institutions of the Northern Territory has been condemned from many sources in the wider community of the Territory. Indeed, reference was made in the Hawkins and Misner report of 1973 that there were suggestions that the penal system which was in practice in the Territory at that time was out of date. Hawkins and Misner indeed made recommendations for the improvement of the penal system in the Territory.

I believe the present legislation is antiquated and, in many respects, iniquitous. It needs to be reformed and overhauled in a significant way. We need to update the legislation to bring the penal institutions and systems in the Territory more in line with the thinking and circumstances of modern times.

The bill before the House cannot be accurately described as introducing a series of sweeping reforms appropriate to the penal systems of the Territory, which I understand was the description offered by the honourable the sponsor of the bill in the second reading. I am unable to agree with that description at this stage. Although I appreciate that there will be some minor reforms made to the penal institutions and systems of the Territory, I am yet to be convinced that the reforms as outlined in this bill will be of a sweeping nature and that they will really take into account the circumstances of modern thinking. I believe that, while it is true that some aspects of the present law will be updated and reformed, I do not think that the bill as it stands is adequate. I believe that it contains serious deficiencies which need improvement. I do not think the bill will actually reform our penal institutions and systems in the Northern Territory.

Mr Speaker, I have prepared some amendments which I will present to the House in the committee stage. I hope the honourable the sponsor of the bill will consider these. These amendments have been designed to lead to an improvement in the bill itself and, in the longer term,to a better system for prisoners in the Northern Territory.

In this debate, it is worth remembering the well-worn axiom of Alexander Patterson: "Men come to prison as a punishment and not for punishment". I think that honourable members would be wise to remember that particular axiom in this debate. I believe also that it ought to be understood that the essence of punishment by imprisonment is the deprivation of personal liberty. We ought to be looking at imprisonment as a last resort and we ought to be looking for alternatives to imprisonment.

Before I examine the main provisions in the bill, I would like to outline briefly the policy of the Labor Party in respect to the prisons and correctional services in the Territory. I note that, in his second-reading speech, the honourable the sponsor outlined, in a general way, the policy of the government in relation to prisons and correctional services. That outline is in Hansard and I do no need to go into detail on that. However, the government says it supports continuing improvements in the facilities, servicing and expansion of qualified staff in prisons and in the probation and after-care services. I think it would be useful to indicate the Labor Party policy on prisons and correctional services.

Firstly, the Labor Party of the Northern Territory would implement the recommendations of the Hawkins and Misner report of 1973 in relation to the upgrading and extension of the prison facilities and services. Secondly, the Labor Party would like to see the abolition of censorship of the correspondence

of prisoners. Thirdly, the Labor Party would seek to provide educational, industrial and social development opportunities for prisoners. Fourthly, the Labor Party would aim to fully protect the rights of the remand prisoners. Fifthly, the Labor Party would provide for appropriate payment to be made for work which is performed by the prisoners. Sixthly, in conjunction with the Australian Institute of Criminology, the Labor Party would seek to establish guidelines and criteria for the selection, training and evaluation of the prison officers, probation officers, parole officers and the magistrates. Seventhly, the Labor Party would aim to ensure that no juvenile offenders are housed in corrective institutions with adult prisoners. Already, there have been moves in the Assembly to prevent the incarceration of juvenile offenders with adult prisoners in the prisons of the Northern Territory. Eighthly, the Labor Party would give a priority to the provision of increased facilities and services for women prisoners. Ninthly, we would aim to expand the existing facilities for probation, parole, programs for work release, periodic detention, the community service orders and other similar arrangements. Finally, the Labor Party would aim to investigate the establishment of other regional prisons in the Nhulunbuy area and at Katherine. I thought that it might be useful to outline that particular policy platform of the Australian Labor Party because it underlines the kind of amendments and changes we would like to see to the bill which is at the moment before the House. It explains the sorts of policies which we would like to see incorporated in the bill.

I would now like to look at some of the major clauses of the bill and detail our concerns about those particular clauses. The first part that I would like to look at is the one which deals with administration under part II. This part deals primarily with the appointment of the Director of Correctional Services and the prison officers. Compared with the present legislation operating in the Territory, there is not a great amount of detail in relation to the appointment of prison officers for example. Under the existing legislation, there are detailed provisions in relation to the appointment of prison officers and there is a section detailing the punishment of prison officers for breaches of conduct. We see an outline of the duties of the director. These include inspections of the prisons in Darwin and Alice Springs and an interview with each of the prisoners at least once every 2 months.

There is mention in the present legislation of the constitution and organisation of the Prisons Officers Arbitral Tribunal and the duties of the gaoler and the guards are outlined as well. The only comment I would like to make in that regard - and I do not have any particular amendments to propose - is to point out that essential difference between the bill under consideration and the existing legislation. The kind of detail that exists in the legislation at the moment has not been carried into the present bill. I wonder whether this is a good thing.

At this stage, I have no particular qualms about the clauses which relate to prisons but I would like to say something about the clauses relating to prisoners. Under part IV, which relates to prisoners, there is provision for procedures for reception of prisoners, personal possessions of the prisoners and also for juvenile offenders. I am concerned to note that, as the bill stands, there is not a great deal of detail on the reception methods. Hawkins and Misner raised the matter of reception methods which they felt were inadequate. They were concerned to note that there is no attempt at individualising the testing for purposes of determining the type of program or institution which would be best for the prisoner. They went on to say that no intelligence tests were taken to determine the prisoner's aptitudes or abilities. As a result, they said that any rehabilitation was purely accidental. Hawkins and Misner recommended that there be an adequate reception centre and they went on

further to say that that ought to be mandatory. They further recommended that, after the necessary information is gathered, the prisoner involved ought to be consulted and asked to become involved in the planning and the programming in respect of himself or herself in a prison.

They further suggested that there ought to be a classification board which would make the final determination regarding the program which the prisoner will follow. In respect of that particular recommendation, I understand there is an assessment committee which has been operating in the Territory ever since 1978, 5 years after the report of Hawkins and Misner came out. Under the present conditions, there is an assessment committee which is able to assess the prisoners on reception and at least once a week. This particular assessment committee comprises a superintendent as chairman, a member of the Prison Officers Association and interested parties such as the school readers and the social workers. This is a situation which might relate to the recommendation made by Hawkins and Misner in respect of having a classification board. I think it is important that there ought to be adequate and proper reception methods. It is important to heed the report and the recommendations of Hawkins and Misner in this regard. At a later stage, I hope to have some amendments ready which will allow for a more adequate reception procedure for prisoners.

I would now like to turn to part V which deals with official visitors. This relates to the appointment and the functions of the official visitors. There are to be 3 official visitors for each prison. It also provides for the maintenance of an official visitors book. The minister will determine the payments etc for the official visitors. At no stage does the bill say who the official visitors might be or what their particular status or qualifications might be. Although that might not be a matter for this particular law, we ought to consider it nevertheless. It is importnat to heed the recommendation of Hawkins and Misner in this regard. They indicated that, in the appointment of official visitors, every care ought to be taken to ensure that a representative sample of the community is involved. I would like to commend that particular recommendation to the honourable minister.

The present legislation allows for a Justice of the Peace to be appointed as a visiting justice of a prison. He is required to visit at least once a month. His duties are to inquire into the conduct of officers and prisoners, hear prisoners' complaints, inquire into abuses or irregularities or inquire into any matter he sees fit. Under the present legislation, the visiting justice has to forward his report or reports to the director within 7 days. I am concerned to note that, in the bill which is under consideration at the moment, there is no specified period of time within which the official visitor ought to report after his visit. I think we ought to have specified in the legislation that the official visitors are required to report after their visit within a specified period. Hopefully, this would improve the orderly administration of this particular system.

Under clause 26, there is provision for an official visitors book but the book is to be kept by the officer in charge of a prison and opened to inspections only by the minister or the director. That particular clause is very restrictive. Other persons ought to be included as official visitors and they ought to be permitted to inspect the official visitors book. The sort of persons I am talking about are the Ombudsman of the Northern Territory and any of the staff appointed by him, members of this parliament and, in fact, any person ought to be able to inspect the official visitors book. I understand that Hawkins and Misner recommended that the Ombudsman and his staff ought to have a free access to prisons in the Northern Territory. I would like to commend that particular recommendation to the honourable minister. There

should be little concern that confidential matters might be reported in the official visitors book. Official visitors would no doubt deal with any matters of a confidential nature in the report which they submit after their visit to the particular prison.

I would like to turn now to part VIII which deals with prison offences. I was a bit concerned that, in the second-reading speech of the sponsor, there is only a brief reference to this particular part. I believe this is a very significant matter; it could be a very contentious issue. Under this particular part, prison offences are divided into 2 categories by the minister. The interesting thing is that we are not aware of what are category 1 and category 2 offences. These are not spelt out in the legislation. You might say that this is a matter for the regulations but, as it stands, it says that the minister will classify these offences into category 1 and category 2. My advice is that the classification of offences does not mean that they will be written into regulations and spelt out in a clear fashion. It is important that they be outlined in a clear fashion so that people have a clear idea of what is meant by category 1 and category 2 offences. I do not think that it is appropriate to leave it up to the minister to classify what are category 1 and category 2 offences.

Earlier, I mentioned that there were some areas of the bill which are an improvement on existing legislation. In particular, I note that, in the new legislation, there is a provision for appeals which is non-existent in the present legislation. I am pleased to note that there is provision for appeals by a prisoner to a visiting magistrate against the decision or the order of the director. There is provision for an appeal by a prisoner to the Supreme Court against an order of the visiting magistrate. This is a good thing and obviously one area which has been updated and improved.

Part X relates to prison visits. Under the existing legislation, there is provision for prisoners to receive visits from persons approved by the director and the prison officers must remain within the sight and sound of those visitors. The director prescribes the day and time of visits and the prisoners can only see their visitors once a fortnight. Visits are to be no longer than half an hour in duration. However, the prisoners cannot receive more than 1 of these visitors at a time except where the visitors are married or there are blood relations involved.

Clause 42 refers to certain persons who may visit a prison and states that these people are subject to the terms and conditions specified by the director. For example, it refers to a Supreme Court Judge, a visiting magistrate and other persons authorised in writing by the director. I am concerned that that particular list of official visitors may again be restrictive. We ought to spell out under clause 42 that the Ombudsman or the staff who are authorised in writing by the Ombudsman and the members of this Northern Territory parliament are able to visit the prisons. As it stands, it is not clear who is and who is not an official visitor.

Mr Dondas: That is covered in clause 42(c).

Mr PERKINS: I am not satisfied that that really would allow, for example, visits by the Northern Territory Ombudsman or staff authorised in writing by him. Hawkins and Misner recommended that the Ombudsman and his staff ought to have free access to the prison and to prisoners. Again, I would like to commend that particular recommendation to the minister.

Part XI relates to legal representatives. It provides for prisoners to

receive visits from their legal representatives at such times and on such conditions as set by the director. It also provides for such visits not to be monitored. The particular matter that concerns me under clause 46(1) is that there is again a provision that any document which passes between the prisoner and his legal representative or interpreter may be inspected or censored by an officer. I do not think that this is a good idea. We ought to abolish censorship in these kinds of situations. The documents that may pass between a legal representative and a prisoner are not the sort of things that might be a threat to the security of the prison or likely to cause any trouble. I would like the minister to take that into account. We ought to abolish the censorship that is provided for under clause 46.

Part XII relates to communications. This provides for the receipt and the dispatch of letters and parcels by prisoners. It also provides for censorship by the director. The only thing in this particular part which really appealed to me was the reform of allowing the prisoners to use a telephone or to send some telegrams on such terms and conditions as the director thinks fit. The thing that concerns me is the censorship. As I have indicated, the policy of the Australian Labor Party calls for the abolition of the censorship of the prisoners' letters. At the moment, there is a prison regulation No 134 which is a blatant indignity and, in some respects, might be a travesty of liberty in that it requires a gaoler to ensure that the letters which go to and from prisoners are confined to personal matters and must not contain general information or news. There is also a restriction on the number of letters which prisoners are able to send and receive. Unfortunately, the Northern Territory is out of date with other countries in relation to the question of censorship of the prisoners' mail. I understand that, for example, in 1962 in the United States of America all the routine restrictions and censorship on correspondence was eliminated in the federal prisons.

It is the recommendation of the Hawkins and Misner report that there ought not to be censorship on mail and that mail ought to be only inspected for contraband objects. Hawkins and Misner said that mail ought to be censored only in circumstances where the gaoler has reasonable grounds to suspect that the prisoner is planning or contributing to a criminal act. I would like to commend those recommendations to the minister. At the moment, we are having an amendment prepared which I hope will cover the recommendations outlined in the Hawkins and Misner report. It is important to note that there ought to be the least possible interference with liberty. I do not think that there is any justification for limiting the number of letters which are sent or received by a prisoner. The burden is on the state and, in particular, on the Northern Territory government to justify every inroad it makes into personal freedom. We are not just talking about personal freedom of persons outside of prisons but also those persons inside prisons in the Territory. They are human beings like the rest of us.

Part XVII deals with leave of absence. Under this particular part, there is provision for the director to grant leave of absence to a prisoner and that this be done on such terms and conditions as the director thinks fit. That is outlined in clause 65. Clause 66 says that the minister may grant leave of absence to a prisoner from a prison and goes on to outline the special purposes for which that leave can be granted. I would ask the honourable minister to look at that again. It seems to be unnecessary to involve the minister in the granting of leave of absence to prisoners. Such matters could be handled by the Director of Correctional Services. Is it really necessary to have clause 66 which outlines many areas where the minister will be able to grant leave for special purposes? This could be treated as an administrative matter. I feel that the Director of Correctional Services ought to have that power. If that argument is accepted, then there is no need for clauses 66 and 67. At this

stage, I am not aware of the special reasons why the minister might want to have that particular power or duty in respect of leave of absence for prisoners. He might be able to enlighten this side of the House as to what is meant by that.

I would now like to turn to part XXI which refers to prisoners' activities. Under this part, there are provisions which relate to prisoners pursuing activities or hobbies in their working and leisure time. It also indicates that articles which are made by a prisoner in working time are the property of the Territory. It also indicates that the director may dispose of the same on terms and conditions which he thinks fit and that the money obtained is to be used for the purchase of tools and material for use by the prisoners. It goes on to say that articles made during leisure time may be sold by the director who will then hold in trust the balance of money after deducting the cost of materials used. The articles made by the prisoner may be held by him or held with the prisoner's other possessions. Under the present legislation, by way of contrast, the director shall dispose of articles and order the money received from that disposal to go to revenue.

It is important to point out that Hawkins and Misner indicated that education in itself is not necessarily the panacea for criminal behaviour. However, it does give many prisoners alternatives to crime. They went on to say that there is a need for adequate and proper facilities such as classrooms, study rooms and libraries. They also included occupational classes. They suggested that the recreational facilities, for instance, were not adequate and that this area needed to be considered. They further suggested an investigation into clubs, debating societies, handicrafts and that a number of staff should be responsible for recreational activities.

In respect of Alice Springs, Hawkins and Misner reported that there would be a benefit from a prison farm which was able to specialise either in agriculture or afforestation. They indicated in their report that such a farm would be able to further reduce the Alice Springs gaol population to a manageable size. I would like to commend that particular recommendation to the honourable minister. I believe that there ought to be established in the Alice Springs area a prison farm with adequate and proper facilities. At present, investigations are under way in relation to the establishment of a prison farm perhaps in the Orange Creek area. I would certainly like to lend my support to the establishment of a new prison farm in the Alice Springs area.

I turn now to part XXIII which refers to attendance at religious services. Under that part, there is an allowance for prisoners to attend religious services and other religious activities. As it stands, I do not think that that part is sufficient because it does not provide for other religions such as Islam or the religious rituals of Aboriginal people or even for Jewish people perhaps. There is no provision under this part for the observance of religious rituals or, at least, a provision which will facilitate the carrying out of a ritual by a prisoner who might want to do so. At least, it is not spelt out. What would happen in the case of a Moslem who is obligated to carry out certain rituals? That person might be in the precincts of the prison and, as the bill stands at the moment, may not be able to carry out those rituals. I merely raise that point to bring it to the attention of the honourable minister.

Part XXIV provides for food and exercise. Under this part, the director may allow a prisoner to consume alcohol in certain circumstances. The director must provide the prisoners with quality food of a sufficient quantity. Under the present legislation, there is provision for the visiting medical officer to

examine and report on the quality of the cooked and uncooked food. As the bill stands, there is no provision for the examination of the quality or quantity of the food by a recognised authority. Further, there is no provision for reports on the quality and the quantity of that food. I believe that this is a deficiency which ought to be corrected; we ought to allow for food in the prisons to be examined by a recognised authority - perhaps a person who is employed by the Department of Health as a dietician or a nutritionist. That person ought to be able to submit a report on the quality and quantity of food to the Director of Correctional Services on a regular basis and within a certain period of time.

In part XXV, dealing with internal management, there is provision for the director to make determinations for the internal management of a prison. In fact, the provisions here are very similar to the provisions outlined in part IV relating to the reception procedures for prisoners. Hawkins and Misner recommended that prisoners ought to be given copies of the prison regulations during reception in order that they can be made aware of what is expected of them. I would like to go a bit further. It is important to ensure that the prisoners are made aware of their rights, duties, responsibilities and liabilities. It is also important to ensure that they understand what those rights, duties, responsibilities and liabilities are and that, for example, there may need to be provision for interpreting facilities, particularly where you have Aboriginal, migrant or illiterate prisoners.

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

Mrs LAWRIE (Nightcliff): Mr Speaker, in the introduction of this peculiar piece of legislation, the honourable minister stated: "The purpose of this bill is to update current legislation by means of a sweeping reform appropriate to Northern Territory penal systems". In several regards, this bill is a gigantic step backwards into the 18th century and perhaps into times before that. I shall be addressing my attention to particular provisions of the bill which I regard as totally unacceptable in our society. I must state that I assume the minister had not read the bill before he introduced it. If he did, his second-reading speech certainly did not relate to it. I must further assume that the Attorney-General has not read this bill because I am quite sure that, if he had done so, he could not have permitted it to be presented in this form.

Mr Speaker, you will be well aware that I have had a keen interest in the provision of reasonable facilities for prisoners and in penal reform since my first election to the Legislative Council in 1971. It was as a result of my resolution on 14 November 1972 that a select committee was formed to inquire into the need for penal reform in the Northern Territory. Honourable members may be aware that the Chairman of that committee was Mr Justice Ward who was at that time a member of the Legislative Council. Other members were Mr Kilgariff, Mr Kentish and myself. We travelled around Australia taking evidence from various people intimately connected with prison systems. In Queensland, we interviewed 4 people, in New South Wales 10 people, Victoria 4, South Australia 8 and visited many prisons. We took evidence from other people in the Northern Territory as well. In the course of the committee's travels, we went to places such as Boggo Road in Queensland and Long Bay in New South Wales, including the security section of Long Bay. The most defensive group of people whom we met in our travels around Australia were found in none other than Her Majesty's establishment at Fannie Bay.

It is interesting to note Mr Speaker that, when we were in the severe security prisons of Yatala, South Australia, Boggo Road in Queensland and Long Bay in New South Wales - a notorious group - there was no attempt at any time to

stop prisoners addressing members of the committee. Whilst there were reasonable precautions taken, we were permitted to talk to prisoners and ask questions at will. In only one of the prisons which I visited was this facility not made available: Fannie Bay, now Berrimah. The authorities there seem very defensive. It is very true that stone walls do not a prison make. Having regard to the congratulatory statement following the opening of the Berrimah prison, it is relevant to say that the bricks and mortar do not matter as much as the administration and the programs conducted within those prisons. We have a fair way to go before the Northern Territory catches up with the other states.

The prison guards, many of whom I know, are doing their best under the circumstances. They operate under an hierachical system in a disciplined service. The vast majority of them operate as efficiently as they can and as benevolently as they can given the circumstances. It is obvious to both the minister and any other interested persons that we still do not have enough rehabilitative programs. I do not place my faith entirely in legislation before this House to introduce such innovations. It is the administration that has to be brought up to date, not simply rules and regulations. The Attorney-General would be well aware of the eminent jurist, the late Sir John Barry, and his thoughts on the matter. I quote Sir John Barry: "It should be the objective of a civilised and progressive society to confine the element of retribution within the narrowest possible limits and to devise methods of punishment which do not deny the human qualities of the offender, because a denial of his humanity draws with it a denial of that of society itself". I commend those important words to members of the House.

No one would argue with the minister's statement that we have lacked remedial programs and that previously our prisons have been virtual warehouses-lock them up and forget them. I agree with him that that is sadly out of date. In looking at the provisions of this bill, I find that the clock has been turned back in certain clauses. It has provisions which will place the functioning of the gaols in a far worse position than they were prior to the select committee's report and prior to amendments which I introduced in 1974 in the Legislative Council and which were accepted by all members present. I am now speaking particularly of the method of dealing with charges of offences against prison discipline.

Prior to my amendment in 1974, there were 2 categories of offences. The lower category of offences was dealt with by the visiting justice. The visiting justice also had the responsibility of hearing complaints by prisoners against the prison discipline and vice versa. This put him in a rather strange position. My amending legislation in 1974 withdrew the difference between the 2 kinds of offences leaving only the one category: charges against a prisoner of offences against prison discipline. These were then to be heard by a magistrate. Since then, these inquiries have been held openly and members of the public could attend. If fact, the prisoner has been entitled to legal aid to defend himself which seems to me to be a most reasonable provision.

If we look at the present legislation, we are again classifying offences as category 1 offences and category 2 offences. There is no indication of what kind of offences will fall into either category other than the fact that the minister shall so classify them. He does not have to do it by regulation. The minister has the right to classify from day to day what are category 1 and what are category 2 offences. This is a most undesirable provision. We come now to the nub of the matter. Previously, a visiting justice heard the category 1 offences and this was later changed to a magistrate, thanks to my amending bill. We now have a provision that the Director of Correctional Services shall hear all category 1 offences. The appointment of the director

is dealt with under part II. The minister may appoint an employee within the meaning of the Public Service Act to be the Director of Correctional Services. The Director of Correctional Services is no more and no less than a senior public servant. He need not have any judicial training at all. Furthermore, we see under part II that the director may, from time to time, appoint employees within the meaning of the Public Service Act to be prison officers.

The Director of Correctional Services is the employer of the prison officers who serve under him. This is perfectly logical and perfectly above board. However, let us remember that a charge against the prisoner for breaches of prison discipline are brought by these same prison officers and they are heard by their employer, the director. That is a direct conflict of interests: it puts the director in an untenable and hopelessly invidious position. If he consistently dismisses the charges on the evidence before him, his staff may well start to lose a feeling of trust in him. If he consistently upholds the charges on the evidence before him, it would be human nature for the prisoners not to have much faith in him because, after all, he is the employer of the prison guards. Notwithstanding that there is a provision that they may appeal to a visiting magistrate, I believe it is incredible, and I use that word advisedly, that this provision could have been brought before this House in 1980 for the Director of Correctional Services to be hearing charges against prison discipline within the precincts of the prison. He may hear them on hearsay evidence and he may determine the case on hearsay evidence. Honourable members will be aware that he is not bound by the rules of evidence. From the prisoners' viewpoint, what hope do they have? What a dreadful position for the director to be in! He is damned if he does and he is damned if he doesn't.

At all times, a sentence carrying penalties must be heard by someone with judicial experience. The Attorney-General is well aware that there is a significant difference between a Justice of the Peace and a Commissioner for Oaths. A Justice of the Peace is a judicial appointment and can be subject to direction by the Chief Magistrate.

It gets even worse. Clause 7(1): "The director may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to a person any of his powers or functions under this Act, other than the power of delegation". That means that the Director of Correctional Services may delegate to the Superintendent of the Prison the right to sit in judgment on category 1 offences, which have yet to be classified by the minister in hearings of offences against prison discipline. That is incredible.

Mr Dondas: Why?

Mrs LAWRIE: I do not believe the interjection of the minister. If he cannot see that it is absolutely unacceptable to have a situation arise whereby neither party concerned can have any faith, then I am sorry for him and I ask him to resign his ministry because he is not capable of carrying it out. I really am amazed, firstly, that the legislation was brought forward in this manner and, secondly, that the honourable minister cannot understand the point I am making. At the very least, any offence must be heard by a Justice of the Peace. I still do not think that is good enough and I prefer visiting magistrates. I said that in 1974 and I repeat it now. In the Legislative Council, we had official members and elected members. I do not believe there was any dissent to the proposal which I put at that stage. The official member was Mr Clem O'Sullivan who was representing the federal Attorney-General. He stated in support of my argument that he had had discussions with the magistrates and the Chief Magistrate in particular concerning the provisions of

the legislation and had received certain advice from them.

I wonder if the minister proposing this legislation has had discussions with the Chief Magistrate or any of the magistrates. I ask him to state whether he has or not when he makes his second-reading reply. From the interjection he gave before, I am not sure that would be of much use because he does not understand the most simple precepts of justice. I would ask the Attorney-General because he also has a direct interest in initiating such discussions with the magistrates. Mr Speaker, when I conclude my speech, I will probably return to that particular point because I feel so strongly about it. It is disadvantageous to the director himself to put him in that incredible position. He is the employer of the staff and, as such, he is responsible for prison discipline anyway.

It is also interesting that there is no provision for legal aid to be granted to prisoners when their category 1 offences are being heard. I believe there should be that provision whether or not they wish to avail themselves of it. Again, I draw the attention of the House to the fact that a prisoner can be found guilty of a category 1 offence by a person with no judicial training and on hearsay evidence.

Clause 33(1) deals with the procedures: "The procedure at a hearing of category 1 offences shall be as determined by the Director" and "is not bound by the rules of evidence". Both provisions are ghastly. Clause 33(3) states: "A prisoner charged with a category 1 offence may - (a) cross-examine a witness who gives evidence against him; (b) call a witness in his defence; or (c) give evidence on his own behalf". I have had legal advice that paragraphs (a) and (b), because "or" comes after them, are mutually exclusive as against paragraph (c). I presume that is a drafting error and "or" should be "and" which allows the prisoner charged with a category 1 offence to cross-examine a witness, call a witness in his defence and give evidence on his own behalf. As it is drafted, those things cannot happen.

The director may, at any time during the hearing of a complaint relating to a category 1 offence, refer the matter to a visiting magistrate for hearing. I would like to think he referred all such matters. The matter referred to the visiting magistrate under that clause shall be heard by him de novo; that is, at a new hearing. That is great! But it still allows hearsay evidence. Where a matter is referred under subclause (1) to a visiting magistrate, the visiting magistrate shall hear the matter as though he were the director. He can set his own rules and is not bound by the rules of evidence. People can receive punishment under these clauses.

If we look at clause 35, we find that the visiting magistrate shall hear all complaints relating to category 2 offences. It says that he "shall conduct the hearing of a complaint relating to a category 2 offence as though that hearing were a trial in the Court of Summary Jurisdiction". It is not a court; it is still an inquiry. I am given to understand that that is a procedural provision so that the magistrates know the matter in which they are to conduct the inquiry. I have no quarrel with that. They do become bound by the laws of evidence.

If we look at that clause where the visiting magistrate can hear category 2 offences in the nature of any inquiry but as though it were a court, we see that he can, if he finds the prisoner guilty, sentence the prisoner to a term of imprisonment not exceeding 2 years and he may do a variety of other things as well. That is a fairly heavy penalty which could be applied. It is possible that a prisoner could be originally sentenced for a period of 1 or 2 months, a

very light sentence and, because he is found guilty of a category 2 offence against prison discipline, be sentenced to another 2 years. The advice I have received is that he will not necessarily have the right of legal aid on the hearing of those category 2 offences yet his sentence can be for up to 2 years. That is a bit rough. If you are on trial in a Court of Summary Jurisdiction or the Supreme Court, you are entitled to legal assistance. One would think that, where a sentence of 2 years imprisonment can be brought down the same legal assistance must be granted. It obviously will be available if the visiting magistrate, under clause 37, refers any matter before him for hearing before a court. He may direct a complaint or information in relation to the offence to be laid under the Justices Act.

Clause 37 is fine and I support it but I cannot support the preceding clause where a visiting magistrate can hear a sentence without legal aid being available to the person charged even though the sentence can be for 2 years. It is not quite as bad as the category 1 offences because at least the magistrate has to be a legal practitioner of at least 5 years standing before he is appointed and will understand the implications of hearing charges as an inquiry and not as a court. I have faith in our magistrates and our system. I do not necessarily have the same faith in public servants who can delegate their responsibilities under category 1 to anybody who might not have the slightest understanding of legal or court proceedings and who can convict on hearsay evidence.

Clause 46 states: "Visits to a prisoner by his legal representative and interpreter, if any, shall not be monitored, and any document passing between the prisoner and his legal representative or interpreter may be inspected and censored by an officer". I do not agree with that. We are talking about documents not packages or parcels. The legal representative of the prisoner will not even be the prisoner's friend. Documents passed between this trained legal personage and the prisoner are to be censored. I do not agree with that. Lawyers have their own code of ethics; they cannot behave in a manner grossly prejudicial to the good order of the country. They must of course act in the interests of their clients but I do not believe that it is reasonable to suggest that people who have been admitted to practise law in the Northern Territory need to have documents passing between them and their clients censored. I believe that provision should be withdrawn.

It comes as quite a pleasure to be able to congratulate one particular clause of this legislation. Clause 68: "A prisoner, whilst outside a prison pursuant to a grant of leave of absence under this part, shall be deemed to be in lawful custody and the term of this sentence of imprisonment shall continue to run". That means that remission is still accruing. I approve of that. I also put through legislation in the dim old days of 1974 along those lines.

I am concerned at clause 78: "Where a prisoner's life or health is likely to be endangered or seriously affected by his refusal to eat or drink, the director may, after considering medical advice, order that the prisoner be forced to eat or drink". I would expect an amendment to add the words "under medical supervision".

The honourable member for MacDonnell this morning asked a question of the minister relating to the provision of certain facilities for female prisoners. The direction of his question seemed to be whether the same facilities are available to females as to males regarding work release, rehabilition programs etc. The minister asked that the question be placed on notice. I have a particular interest in that. On my visit to the prisons around Australia as a

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member of the select committee, it was appallingly obvious that in no state of Australia were the same rehabilitative programs provided for females that were provided for males. I asked the ministers responsible in the states the reason. Their replies were always the same, and appallingly innocent. They said: "Oh well, there are not enough of them". I imagined then a group concerned with the poor facilities enjoyed by female prisoners arranging for many more females to commit crimes so that the facilities could be upgraded. That is ridiculous. I point out to the minister that it is normal in Australian prisons to immediately provide programs, rehabilitative work relief etc for male prisoners and, by and large, to ignore female prisoners. There are not enough of them and it is too much trouble. This is something which I find quite abhorrent. If the positions were reversed, it would still be as abhorrent. Any person committed to prison should enjoy the same facilities for rehabilitation, for education, for release into the community and certain provisions for work releases regardless of sex.

I have confined my remarks to one area of this legislation because I am so appalled by it. I believe honestly in the old saying that justice must not only be done but must be seen to be done. I attended the gaol recently when inquiries were being conducted and prisoners had been charged with offences against prison discipline. Contrary to the feeling in some people's minds , I was not there with a particular interest as to whether the prisoner was innocent or guilty. It was up to the magistrate to determine that on the basis of the evidence before him. I was there because I believe that, when any person is on trial and is likely to have a term of imprisonment or a penalty imposed, it should be done openly. The public should have the right to be there if they wish. One of the greatest indictments of totalitarian regimes of the extreme right and the extreme left is the secret trial. Lack of public information is something that must not be allowed to creep into our judicial system. The minister, who will have his speech written for him by various people, may get up and say: "They do it in other parts of Australia". That might be so, Mr Speaker, but in 1974 a group of people elected by the citizens of the Northern Territory realised that that was not on and changed those provisions to allow public access when hearings of this nature were being conducted. This was not as a matter of protecting any particular party, the prisoner or the officers concerned. One of the delights of our democratic society is that there must be open trials and fair hearings. Unfortunately, neither of these concepts is enshrined in this dreadful clause of the legislation.

Mr HARRIS (Port Darwin): Correctional services are of concern not only to the people in this Assembly but to all of the people whom we represent. Unfortunately, there will always be a need to have prisons in our system. Whether they will remain in the same form as they are today is something that we have yet to see. Because we are dealing with the mental and physical well-being of people - not only the prisoner but also the husbands, wives, fathers and children - it is a very emotional issue.

I often wonder what direction we are headed in this important area of prison reform. The present day approach is towards rehabilitation. I am not knocking that. I think that it is important that rehabilitiation be included on all programs. We must still remember what prison is all about. Unfortunately, there are many people who are sent to prison today who cause further breakdowns in the already corroding family unit. Of course, one could argue the issue of whether the family unit serves any purpose in our upbringing. I happen to feel very strongly that the family unit is a vital part of our upbringing. A lot of the reform in the prison system has been brought about by the need to understand the considerations of the people who are outside the prison.

In this modern day, a person who breaks the law is able to be looked after at great expense to the community whereas we have other people who, for no fault of their own, are left without housing, are starving or have children suffering from Down's syndrome and receive very little assistance from the government. I am not saying that we should stop spending enormous amounts on correctional services but I do think that we need to closely examine this particular area. Right throughout the world, the trend has swung to a closer examination of prison reform. What might have been the case years ago is not necessarily the case today. People nowadays are saying that rehabilitation does occur sometimes, certainly in relation to prisoners. That is usually a spontaneous effect that occurs with the individual. It is not possible to change a person's personality. It is generally felt that we should try to provide them with survival skills; that is, you do the things you used to do but in the name of rehabilitation. You still teach them job skills, new methods of doing things and new ways of dealing with personal problems. Nowadays, one does not say that, just because the opportunity is provided, every prisoner will be rehabilitated. As long as we provide the opportunity for them to acquire these skills, they can choose whether or not they will use them after they get out of prison.

There are many points in the bill that need commenting on. Of course, whenever updating legislation such as this to bring it into line with perhaps international standards, there will always be problems and I am not suggesting that this bill is without faults. I would like to make some comments on the issues that were raised.

There has once again been confusion in some clauses. Perhaps I could start with part VIII which deals with prison offences. This particular part received a great deal of criticism from the member for Nightcliff. The other day, there was a press release from the Council of Civil Liberties and I think the member for Nightcliff was perhaps referring to this when she was speaking.

Mrs Lawrie: I was not.

Mr HARRIS: The release said: "All trials of prisoners will be held within gaol and the public would not be allowed to observe the proceedings. A prisoner could originally be sentenced to one week's jail and end up having 2 years added to his sentence without anyone outside the prison being any the wiser". The council claims that, under the proposed act, the Director of Correctional Services is able to hear certain charges brought against prisoners and is empowered to pass sentence on the prisoner without the prisoner being legally represented and without the normal laws of evidence applying. The council says that it will be possible for the director to delegate this power to hear charges against the prisoner to any other prison official even the prison officer who laid the complaint.

The only parts of this release that are correct are the last part and the part about trials being held in prison. Under clause 7, as the member for Nightcliff pointed out, the director is able to delegate powers except the power of delegation itself. In regard to the issue of closed courts, might I say that, even under our present system, a magistrate recently convened a court hearing in a prison. It was open to the public and anyone who wished to attend could attend. The same is the case under this legislation. There is certainly no intention of closing proceedings to the public and, if this is the case, then I am sure that the government will look at it because it is completely foreign to government policy. Whilst speaking on this point, might I say that the holding of court proceedings in the gaols themselves is indeed something that will save a great deal of time and money.

The rest of the report is incorrect. If a magistrate had been mentioned, it would have been different. We see under clause 32 that the director shall hear all charges relating to category 1 offences. I agree that perhaps category 1 offences should be spelt out but, in my reckoning, they would be minor offences such as breaches of normal prison discipline. The director "shall dismiss the complaint or, on being satisfied beyond reasonable doubt that a prisoner committed the offence, convict the prisoner of that offence".

Let us look at what the director can do. He can order the forfeiture of not more than 3 days remission of the sentence for that prisoner. That is all and that is not any addition to his sentence. He can order the forfeiture of any amenities of the prisoner for a period not exceeding 30 days. He can order the exclusion of that prisoner from working in association with other prisoners or a specified prisoner for a period not exceeding 14 days and he can caution the prisoner. That is all the director or his delegate can do, nothing else. In the case of a category 2 offence, the prisoner must be referred to a magistrate by the director or his delegate and then the normal procedures of court will follow. The only area that I can see where a director could increase the term of imprisonment, and I understand that there will be amendments circulated to correct this, is in clause 97 which deals with compensation.

The member for MacDonnell raised the point of the official visitors. There has been difficulty over the years in providing a visiting justice. It was often difficult to find a Justice of the Peace who was able to spare the time to visit. We see now that official visitors may be appointed. This is another important safeguard to ensure that our prisons are operated in the way they are supposed to be operated.

The members for MacDonnell and Nightcliff also raised the point of communications. It is an important area and I refer briefly here to clause 50 which allows confidentiality between the prisoner, the minister, the Ombudsman and the director. This is an important inclusion in the legislation. I am not of the opinion that censorship should be removed altogether. The outlet is there for a course of action.

One part that caused me some concern initially was part XIII dealing with female prisoners. Clause 55(1): "The director may allow a female prisoner who gives birth to a child whilst in prison or has children under the age of 5 years to have that child or those children accommodated with her in prison". My concern was for the children themselves and the effect the prison environment would have on them. I have been informed that this brings us into line with standards right throughout Australia. The decision to have this included in legislation was reached at a national conference attended by ministers responsible for the various states' correctional services. The reason for the inclusion was solely in the interests of the child, to enable breast-feeding in the early years or to provide for a child who may suffer a traumatic experience or be mentally or otherwise affected by being removed suddenly from its mother. I have been assured that, before a child is able to be accommodated by this section, it will be necessary to have consultation with the Director of Child Welfare.

I believe that input has been received from other states, New Zealand, West Germany and other parts of the world to try to arrive at a reasonable piece of legislation. The government has tried to bring this legislation up to international standards and the United Nations Charter standards on the care and treatment of offenders. I believe that there are the necessary safeguards to ensure that the prisoner has uncensored access for complaint and action. Court proceedings held at the prison will be open to the public and,

if they are not in this legislation, I urge the government to ensure that this is the case. There is provision for appeals against decisions that are made. I support the bill.

Mr ISAACS (Opposition Leader): Mr Speaker, the member for Port Darwin supports the bill and says that it comes very close to bringing us up to international standards. I support the comments of the members for MacDonnell and Nightcliff that there are some very serious deficiencies in this particular bill.

First, I would like to look at 2 of the matters that were raised by the honourable member for Port Darwin: the matter of the offences under part VIII and also the matter of censorship. I will discuss some other matters in the bill. The point that was made so effectively by the member for Nightcliff was in regard to hearings by the director. She said that the director is the employer of the prison officers who will be laying the charges. We are blurring the judicial function. Indeed,we have a person who need not necessarily have a judicial background at all. We have a person who not only employs the prosecutor but who is alsomeant to sit as an independent arbiter of his employee's prosecution attempts. The point made by the member for Nightcliff is an excellent one and it ought to be considered very seriously by the government. There is a blurring of the separation of powers. It not only places the director in an invidious position as far as morale is concerned but also raises the question of a lack of justice for the prisoners themselves. I would ask the government to look very seriously at the obvious blurring of the separation of judicial functions.

The second matter which the member for Port Darwin raised was that of censorship. He referred to part XII. As the member for MacDonnell said, the ALP believes that, as far as possible, censorship ought to be eradicated from our prisons. Where there is an attempt being made to act in an illegal fashion in regard to contraband and so on, there is justification for censorship. To listen to the member for Port Darwin, one would think that all is well and good. I direct honourable members' attention to clause 51 to see whether they think it is equitable : "A letter or parcel intercepted, opened or inspected under section 49 by the officer in charge of a prison may, if the letter is written in a code, foreign language or is illegible, be censored by the director and then forwarded as addressed, returned to the prisoner by the director, retained by the director or destroyed by the director". If the prisoner writes a letter in his own language, the director can destroy the letter. What is the sense in that?

Clause 51(1)(c): "The contents contain a grossly incorrect or distorted allegation relating to conditions in the prison". Again, the letter may be destroyed by the director. Who is to determine whether the allegations are grossly distorted? None other than the director. If we have a prisoner complaining about conditions inside the prison, as long as the director thinks that they are grossly distorted, he can destroy the letter. That is totally wrong. It seems to me that, if the government has a good look at clause 51, it will agree that there are some things there that need to be taken out. It goes a bit further too. If a parcel or a document is transmitted between a lawyer and his client, then an officer may inspect it and censor it. We have a situation where the prisoner and his solicitor are in discussion. They are not "monitored" mind you; I am not quite sure what that word means. If you are not monitoring the discussion, how can the prison officer then determine that a transaction is taking place between the solicitor and his client? Either the conversations are monitored and the people are watched or they are not watched. If they are not watched, how can a prison officer be aware

that a document is being transferred in this way? It seems to me that the point made by the member for MacDonnell is valid in that regard. The actions between a solicitor and his client ought not to be censored.

Those are just 2 matters raised by the member for Port Darwin which I think indicate that the bill, certainly so far as those areas are concerned, is not up to what he calls international standards.

There are a number of other matters which I wish to speak about in relation to the bill. First, let me say how delighted I am that the Prisons Arbitral Tribunal is now dead. I am sure nobody will be happier to see that demise than the various chairmen of the tribunals themselves. Judges of the Supreme Court who sat as chairmen of the arbitral tribunals did so unhappily. They are not industrial judges. I am sure they will be delighted to see, in law anyway, those functions taken away from them. In fact, that has been the case for some time.

The member for MacDonnell mentioned the question of visitors to the gaols. Clause 42 refers to a number of people who are entitled to visit a prison at any reasonable time subject to such terms and conditions as the director deems fit. The important point which the member for MacDonnell made was that there are a number of people - that is, a judge, visiting magistrate, official visitor or a visiting medical officer - who are allowed to visit the prison without the director saying yea or nay other than to give directions as to terms and conditions. In other words, the director has no right to say "No, you cannot visit!" A point made by the member for MacDonnell, which I think is a valid one, is that the Ombudsman and his officers ought to be able to do precisely the same thing. A member of this parliament ought also to be able to visit a prison at such times and under such terms and conditions as the director thinks fit. In other words, there should not be a discretion for the director to say "No, I am sorry. We are not going to allow you to visit".

The member for MacDonnell covered the matter relating to clauses 65 to 67 regarding leave of absence and I beleive that clause 65 is appropriate and adequate; that is, the director is the person who should grant a prisoner a leave of absence from the prison. I do not believe it should be up to the minister to override the director and I see the minister nodding and that is very good as well.

The member for Nightcliff spoke briefly about clause 78 which relates to force-feeding. I am somewhat surprised about this particular clause: "Where a prisoner's life or health is likely to be endangered or seriously affected by his refusal to eat or drink, the Director may, after considering medical advice, order that that prisoner be forced to eat or drink". I guess that will occur when a prisoner wishes to carry out some kind of demonstration, some act of civil disobedience to draw attention to conditions in the prison. Any other clause more likely to cause a prisoner to do just that could never be found. One way to create a tremendous media event is to have a prisoner force-fed. My view is that that clause ought to be eliminated entirely. I do not think we are in a situation where we can start force-feeding people. The sort of pictures which come to mind are those depicted in the film Mondo Cane. The idea of force-feeding animals, let alone human beings, is hideous enough.

I again draw to the minister's attention clause 94 which was touched briefly upon by the member for MacDonnell. I think this is a most important matter. Clause 94 ensures that the director will inform the prisoner, upon reception into a prison, of this rights, duties, responsibilities and liabilities under the act and the regulations. On the surface, that appears to be a

perfectly adequate provision. The prisoner will arrive at the prison and he will be informed of his rights and obligations under the legislation. You do not have to stretch the imagination terribly far to realise that the application of this legislation and the various prison regulations will in no way lead to an understanding by that prisoner of the various responsibilities and obligations which he has. It is not possible to ensure that every prisoner knows every clause of the bill and every regulation which exists. I think there ought to be an onus on the director and those whom he appoints to at least assure themselves that all necessary steps have been taken to allow the prisoner to understand what his obligations and rights are; that is, if the person does not speak English, interpreters ought to be made available. An officer ought to be able to say, "I have taken steps X, Y and Z to ensure that not only have I informed the prisoner but he ought to understand what it is he has been told". Clause 94 will be an admirable clause if the word "understanding" is inserted to make some sense.

Clause 96 deals with offences. They are a motley crew of offences indeed. Clause 96(1)(c) states: "A person shall not loiter in the vicinity of any prison or police prison". Clause 91(1)(d) states: "A person shall not remain in the vicinity of a prison or police prison after being requested to leave by an officer or by a member of the Police Force". It strikes me that paragraph (d) is correct but paragraph (c) is superfluous. It seems to me that a person ought not to be considered to be committing an offence of loitering until he has been urged to move on. That is the position in the Summary Offences Act and ought to be the case here.

Clause 96(1)(j) causes me some concern: "A person shall not, without the permission of the Director, communicate or attempt to communicate with a prisoner". On the surface, that seems fair enough. One ought not to talk to a prisoner but, as we know, prisoners sometimes work outside the prison. I might be driving past and the prisoner might say, "Good day Jon". I seem to know a lot of prisoners. I may say, "How are you Bill or Roger?" I would have communicated with him. There is a more serious comment to be made on that paragraph. The prisoner might be escaping. I might be in the vicinity of the prison and say, "Hey, you". I would have communicated with a prisoner and I would be guilty of an offence. We must tighten up the wording of paragraph 96(1)(j) so that obviously innocent parties will not be guilty of an offence.

Clause 97 relates to compensation. The member for Port Darwin said that amendments were being prepared to allow an appeal to be made against this. If that is the case, a great deal of the problem will probably be overcome. The current position is that, if a prisoner causes damage or it is alleged that he causes damage to a section of the prison, he will be then liable to pay whatever amount the director determines and it seems there will be no right of appeal. I would have thought that this position was covered by clause 36 and I wondered why clause 97 is needed. Clause 36 refers to compensation for damage to property: "A visiting magistrate or the Director may, on convicting a prisoner under this part, order the prisoner to pay to the Territory such compensation as is determined by the visiting magistrate or Director, as the case may be, for damage to any property caused by the prisoner during the commission of an offence of which the prisoner has been found guilty". It seems to me that the only difference between clauses 36 and 97 is that clause 36 refers to damage caused whilst committing an offence and clause 97 does not mention it. If a prisoner causes damage to the prison, he would be guilty of an offence anyway. Perhaps the minister can look at that. It seems to me that clause 97 is probably irrelevant when the appeal provision is already in clause 36.

The matters of prisons, prison reforms and the whole correctional services

are very important. We believe that, given the constructive criticisms which have been made by this side of the House, the bill will come up to, as the member for Port Darwin put it, international standards. Unfortunately, in its present form, it does not.

Debate adjourned.

CROWN LANDS BILL

(Serial 389)

Continued from 22 November 1979.

Ms D'ROZARIO (Sanderson): After the minister's announcement yesterday of the intentions of his government with respect to tenure, I wondered whether perhaps the minister wished to proceed with this bill in the form in which it was presented. With the absence of any amendments, I presume that he does. It does seem that some of the provisions for which we are now legislating might well become redundant in 2 months. Perhaps the minister's purpose will be served equally well by allowing only 2 substantial clauses of this bill to proceed.

The minister's intention is to allow more liberal use of land which is currently held under pastoral leases. In the past, he announced his intention by saying that persons may use parts of pastoral leases for other purposes which are presently not permitted under the pastoral leases or, alternatively, to have these parts excised and obtain new leases in exchange. The new leases that people will obtain in exchange are envisaged by this bill to be agricultural leases and miscellaneous leases. There is nothing wrong with using land held under pastoral leases in a more efficient way. However, I wonder whether the miscellaneous leases and agricultural leases, which we are about to bestow upon these people, would be of much use to them when the minister introduces his new legislation next sittings.

A mechanism is already provided in this bill whereby, where the minister considers the use to be appropriate, he could permit this use to occur simply by giving his consent in writing and outlining the terms and conditions. This provision is contained in clause 9 which intends to insert the new section 40B into the principal act. Clause 9 states: "Subject to this section and to section 40A, and notwithstanding any provision contained in the relevant lease document, a lessee under a pastoral lease may use the whole or any part of the leased land for such purposes, and on such terms and conditions, as the Minister, in writing, permits". That seems to be what the minister is after rather than giving new leases to people which will be repealed or exchanged for freehold titles later on this year. I wonder whether he wishes this whole thing to proceed like that.

The only other matter which remains relates to clause 14 which concerns a matter which is entirely different: grazing licences on stock routes on which we had some complementary legislation passed yesterday. I think that, with the more "streamlined" tenure which is about to be instituted in the Territory, perhaps there are people who are still accommodated by clause 9 of the bill even though they are merely waiting for this legislative change. We do not oppose it but we wonder whether it is in the interests of this House to pass the rest of it. Perhaps the minister can give some indication as to whether he proposes to move any amendments in the committee stage.

Mr OLIVER (Alice Springs): Mr Speaker, I welcome this particular bill. I am well aware of the very often frustrating and time-wasting delays

in effecting a change of usage of land in a pastoral lease. Notwithstanding what the honourable member for Sanderson said, I think it is essential that, if a person wants to do something different on portions of a pastoral lease, he should be able to do so. Quite often, a pastoral lease is far too big for the particular use and it is essential that a portion of it be excised. This bill will enable this to happen. There have been several instances in the Alice Springs district where pastoral lessees have attempted to have a small area of land excised from their leases for tourist purposes but, because of the frustrating delays, they have abandoned the idea. Perhaps with this bill, they can start again and provide a needed tourist facility.

The bill will simplify and even encourage the desires or the efforts of a pastoral lessee to broaden the scope of his activities. In the past, he has been able to undertake agricultural pursuits but there is a certain amount of red tape. I have spoken to several pastoral lessees who wanted to dabble in rural pursuits other than cattle grazing. Certainly, they were just experiments but it is from such practical experiments that we do obtain a bit of diversification. In Central Australia, diversification of a pastoral lease is very necessary because quite often the cattle industry is not completely viable and the pastoralist does need something to turn back to and to get a quid from.

I support clause 5 whereby the lessee's share of the costs of surveying the boundaries of the land may be paid in instalments to the government. This has been rather a sore point and an expensive point to landholders in the Territory. Normally, the pastoral lessee is not obliged to survey the boundaries of his pastoral lease although that is preferable of course when the time comes to fence it. Even under those circumstances, the government paid half of the cost of the pastoral lease boundary while the 2 lessees paid the rest. Miscellaneous leases, under the existing act anyway, must have their boundaries surveyed before they are issued. The lessee has to pay half the cost of the survey. Where we have a subdivision of a pastoral lease or possibly several miscellaneous leases - and it seems to me that we are talking about rather large miscellaneous leases in this particular bill - by virtue of the fact that it is a private subdivision, my understanding is that the costs of the survey would be incumbent upon the lease. Perhaps the honourable minister might clear that one up for me. Possibly the instalments might only be what they owe the government. In a private subdivision, it is usually a private surveyor who does the job or a government surveyor who has permission to do a private job.

I welcome very much the extended purposes of the miscellaneous lease. In proposed subdivisions in the Alice Springs farm area - and this is going back half a dozen years or more - one of the greatest bugbears of subdividing an agricultural lease into miscellaneous leases - they had to be subdivided into leases - was coming up with a purpose for a miscellaneous lease. I was in the Lands Branch at the time and I used to scratch my head thinking up some relevant purpose. I even came down to bee-keeping on a miscellaneous lease to see if that would go through; I think one did as a matter of fact. The delay and difficulty in finding a purpose for a miscellaneous lease in quite a few instances actually stopped the subdivision.

Turning to clause 13, I applaud the availability of a direct grant of a miscellaneous lease by the minister. If we are talking of miscellaneous leases being excised from pastoral leases and it is obligatory that they be disposed of by auction or public competition, this could be grossly unfair on the pastoral lessee who perhaps has already done preliminary work on the area of the miscellaneous lease. I do applaud that clause. I support the bill.

Mr VALE (Stuart): I rise to speak in support of this legislation. In the past few years, I have been involved with quite a number of applications for diversification on pastoral properties. The delay, frustrations, time consumption and cost has meant that such proposals have been abandoned on a number of occasions. There are presently before the Department of Lands and Housing many applications for different types of industrial projects on pastoral leases within Central Australia. I am certain that, with the passage of this legislation, those applications will increase. Not only will it place an additional workload on the minister for Lands and Housing but also on his colleague, the Minister for Industrial Development. I think that any move which will allow diversification of industry within Central Australia away from the purely pastoral industry is one that is to be welcomed. This legislation, taken in conjunction with the minister's speech of yesterday, will be widely welcomed in Central Australia. It has my total support.

Mr PERRON (Lands and Housing): Mr Speaker, I wish to reflect on a couple of points raised. I understand some amendments will be circulated on these.

To clarify the situation in regard to the statement made in the House yesterday that it is this government's intention to convert most leases statutorily to freehold, the situation in regard to large pastoral leases is excluded from the provision. We are establishing an inquiry to examine the sort of tenure that these pastoral properties should have. We do not wish to delay the processing of this legislation until we know exactly where we are going in the long term with pastoral leases. It may be that there could be a recommendation that even these be freeholded. Until such time as we know where we are going, there are a number of applications on hand which can be processed under this legislation. It will be quite a few months until new legislation is prepared and it would be very useful for us to proceed with this.

The honourable member for Sanderson suggested that, if we proceeded with clause 9, it would probably be sufficient to hold the situation. That is not quite so. Clause 9 is primarily there for the situation where a pastoral lessee might like to use 50% of his property for such a ranch-type operation as a tourist venture. It would be impractical to excise the portion of this pastoral lease for that tourist purpose. Indeed, the whole lease would be used for that purpose in conjunction with its pastoral activities. The other clauses of the bill were designed for the circumstance where there is a homestead or a waterfall or some unique feature on a pastoral lease which could be excised from the pastoral lease and used as a tourist venture. In many cases, these smaller portions which are excised may well change hands. The pastoral lessee may not wish to run the tourist venture himself but he may have other parties who are interested in doing so. The need to obtain title for the purposes of raising finance is also a factor. I believe that we should proceed with the legislation so that we can get on with the job of processing those applications which are in hand.

The member for Alice Springs raised the question of the payment of survey fees by instalments. I cannot recall immediately the percentage of survey fees which are paid by the lessee. I think it is in the vicinity of 50% when the survey is undertaken on the pastoral lease. However, that is a matter of government policy rather than legislation. This bill gives the minister the right to allow time to pay whatever survey fees are determined as payable by the lessee. We have a policy now whereby a potential lessee may undertake the survey himself because he thinks that the government's price is too high. We always advise them in advance; we give them the option of engaging their own surveyors. I certainly hope as many people as possible will take that option but the cost of surveying a fairly large boundary across rough terrain may be

very high. In many cases, the figures are many times more than the value of the land that is actually being leased and that causes some difficulties in in the economic chain.

I thank honourable members for their support and comments.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

PAWNBROKERS BILL

(Serial 381)

Continued from 21 November 1979 .

Mr ISAACS (Opposition Leader): The opposition supports the bill. We are very pleased that the government has taken steps to repeal the old Pawnbrokers Act of South Australia 1888 and to replace it with this simple legislation. I believe it will provide an effective regulation of pawnbrokers. There are a number of comments I would make to the Chief Minister and perhaps he might be interested in taking these up. If so, appropriate amendments can be drafted.

When there is an application to the court for a pawnbrokers licence, there is an obligation on the clerk to notify a member of the police force in charge of the police station nearest the court or the Commissioner of Police. I think that is a most worthwhile requirement. I suggest also that perhaps the government might give consideration to the suggestion that the clerk should also notify the Commissioner for Consumer Affairs. By clause 9(1)(b), an objection can be lodged if the applicant is not of good fame or character, is not a fit or proper person to hold a licence, had fraudulently obtained another licence or has been convicted of an offence against the act. In relation to the first 2 matters, it is quite obvious that the Commissioner for Consumer Affairs might have some interesting information about applicants. It may be worthwhile if the clerk of the courts is also obligated to notify the Commissioner for Consumer Affairs. If we do not wish to do it that way, it could be done admininstratively. The Police Commissioner, while he is checking out an applicant, could also contact the Commissioner for Consumer Affairs.

The other matter that caught my eye was clause 21: "A person shall not take a pawn from a person who apparently is under the age of 15 years". The bill relates to amounts up to and including $200. I would not be so sure that a person of 15 or 16 is able to handle that kind of money. It may be that a young person finds himself in some sort of difficulty, obtains something from his house and is able to pawn it. Perhaps 15 may be a bit young to allow them to carry out that transaction with a pawnbroker. I would be interested to hear what the Chief Minister has to say about that. I do not recall what is said in the previous act but I do suggest that, in increasing the value of the pawn from $40 up to $200, perhaps we will have to look at the policy in relation to the age of the person able to make a transaction with the pawnbroker.

It is commendable that the government has introduced this new bill. The anomalies and loopholes which existed in the old legislation seem to have been covered. The opposition supports the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I would like to thank the Leader of the Opposition for indicating his support for this legislation. I would not like to indicate conclusively at this stage my views on the 2 suggested amendments. There are a number of other matters to be considered in the

committee stage. The committee stage of the bill will not be taken until next week. My preliminary view is that I have no objection to the proposal regarding the Commissioner of Consumer Affairs. I am not sure how comprehensive his records are but I cannot see any harm in his being notified. It may be less burdensome if we did it by way of an administrative arrangement between the Commissioner of Police and the Commissioner for Consumer Affairs so that the clerk was under the obligation to send the notice to only 1 government authority.

As to the age of 15, I am in more doubt myself. It is a very arbitrary thing to pick any age. I think there are immature people who are well over the age of 30. Some people just over 15 do not always have the advantage of continuing at school and looking forward to tertiary education. They have to go into employment sometimes through no fault of their own. To completely rule out the possibility that they may raise money on some object or other would perhaps seem a trifle unjust. Nevertheless, I would rather give that matter some further consideration. I would certainly not rule it out at this stage.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

LIQUOR BILL

(Serial 374)

Continued from 21 November 1979.

Mr PERKINS (MacDonnell): The opposition supports this bill. I understand that the bill incorporates a number of recommendations which have been made by the Liquor Commission in its 1978-79 annual report. I would like to indicate that I think the Liquor Commission has compiled a very excellent report. Indeed, they have made some recommendations which ought to be considered in a very serious light by all the honourable members in this House. The bill itself has incorporated some of the recommendations. The opposition supports the bill but we would also like to propose some amendments. At the moment, we are having these amendments prepared. These amendments are designed to improve the bill and the operations of the principal act.

We would like to provide for an annual report by the Liquor Commission to the minister which is then tabled in the Legislative Assembly. At the moment, there is no such provision in the principal act. However, I would like to commend the Liquor Commission for taking the initiative and producing an annual report. It is important to have this requirement in the principal act so that we are able to receive a report annually from the Liquor Commission and debate it in this Chamber.

Secondly, we would like to make provision for an appeal to the Supreme Court. At the moment, the principal act indicates that the decision of the Liquor Commission is final. We raised this matter in the debate on the Liquor act itself. The opposition feels that it is important that a person aggrieved by a decision of the Liquor Commission ought to have recourse to appeal to a court of law, in this case the Supreme Court. I understand that there are some people in the community, perhaps in the liquor industry itself, who are concerned with the fact that, as the legislation stands, there is no right of appeal. We ought to spell out in the act itself that there is a right of appeal to the Supreme Court from a decision of the Liquor Commission.

Thirdly, we would like to amend the principal act to ensure that the chairman of the Liquor Commission is able to sit as a commission and to hear applications for licences except when the applicants request that the other commissioners be present to constitute a quorum. If we were able to do this, it would mean that we would be able to reduce delays in the hearing of applications. At the moment, there are some delays because other commissioners are not available to hear applications for licences all the time. A way around this would be for the Chairman of the Liquor Commission to be able to hear applications for licences. In the event that the applicants wanted the other commissioners to be present, that could be arranged. It would be a convenient way to reduce delays and the associated administrative problems that might result from those delays.

The opposition supports the bill as it stands and we commend the government for taking the initiative to adopt the recommendations of the commission. I would also like to commend to the honourable minister the proposed amendments which I have just outlined.

Mr BALLANTYNE (Nhulunbuy): I would like to say a few words on the Liquor Bill. The second-reading speech of the minister outlined all the changes, the need for which has been unearthed through the operation of the Liquor Commission in recent times. I must compliment the Chairman of the Liquor Commission for the way he has gone about his job and compliment the commission generally. The staff are very polite. I have had personal dealings with them on other matters and I have always found them very helpful. They revolutionised the archaic ideas that prevailed in the past with regard to controlling the consuming of liquor and its outlets.

Clause 15 could be abused. A parent could take a child into a hotel bar for a counter lunch and the young person could abuse the privilege by not actually dining. In the past, minors were not allowed into drinking areas. There is a problem with under-age drinkers who do not necessarily drink at hotels. Perhaps the idea of a guardian accompanying them would probably put it in a proper light. It is a bit open-ended at the moment. I think there should be an amendment to that clause to describe a dining area so that alcohol would be allowed only in the presence of a parent or guardian.

There has been some objection to the word "purchases" in clause 15. If a minor is taken to a dining area for a counter lunch and the group walked away from the counter and ate their lunch in an area close to the bar, it would mean that that young person could walk up to the bar and purchase liquor. I really have my doubts about those actions. I think that everyone knows the problems related to that.

There is another point that was taken up with me. At present, 15 minutes is allowed to vacate premises after the closing time. It will be extended now to 30 minutes. I concede that this is an advantage to a bigger place, particularly where there are a number of bars and a lot of people, but I do not think the extension is necessary in the smaller bars or clubs. I have taken that up with the minister because that time extension could be abused in the small bars or clubs because people could start ordering just before closing time and have a number of drinks lined up. I have been assured by the minister that we can change the times to suit the various premises.

Those are my main points and I look forward to hearing the minister's views on them. I support the bill in principle.

Mrs LAWRIE (Nightcliff): Mr Speaker, I would like to indicate my support for the legislation. I did so publicly in my column in a certain periodical. I think that it will tighten up some of the loopholes which have become apparent in the Liquor Act. It will give the commissioners greater power to exercise their jurisdiction wisely and I am particularly pleased with clause 14 whereby a person, who is under the age of 18 years and who is in the company of a parent, guardian or spouse, may be served if the liquor is sold or supplied in conjunction with, or ancillary to, a meal supplied by the licensee. I think that that is entirely civilised. It is only by educating our young people to drink without doing themselves harm that we will see significant advances in the way our civilisation attacks alcohol which, after all, has been available to us for a millennium.

To divorce parental responsibility from the legislation totally is not feasible and I believe the clause, as it stands, is a most reasonable requirement. I cannot agree with the reservations expressed by the honourable member for Nhulunbuy that places must be closely defined. One of the delights of the old Seabreeze Hotel in its better days was its beautiful garden which was licensed and which was not enclosed. In the old days, when trading at that hotel was fairly strictly policed by the licensee, it was an absolute delight for families to sit as a family on a Saturday afternoon or dine there during the evening. It came close to the concept of the local pub which we see in the United Kingdom and which, unfortunately, is not quite so apparent in Darwin. I do not regard hotels as being merely purveyors of grog for the benefit of a licensee and I applaud any move to improve the standard of a local hotel so that people can go without fear of being annoyed by drunks. If you can take your family and stay in reasonable circumstances, I believe that is a plus and not a minus. It is also reasonable, if you are having a meal, to be able to buy a glass of beverage for your children who are under your guidance, care, protection and control. I think the legislation will be seen to do just that.

Mrs O'NEIL (Fannie Bay): I also support the legislation. I intend to be very brief. I would simply like to comment on the work of the Liquor Commission as far as it affects my electorate. Most honourable members will be aware that 2 of the Liquor Commission's more contentious cases have related to licensed premises in my electorate where there is a large number of licensed premises for the size of the area. In the 2 particular cases, Fannies and the Bougainvillea Restaurant, the Liquor Commission was able to act in the interests of residents in order to try to minimise the disturbance that these licensed premises caused the people living nearby. I would like to indicate on behalf of my electorate the gratitude the people feel for the work the commission has done by taking their interests into account in its determinations.

Mr TUXWORTH (Health): I thank honourable members for their support. I would just like to touch on a few points that were raised by the honourable member for MacDonnell relating to the reporting provisions of the Liquor Commission. I am of the belief that the reporting provisions are accounted for in the Financial Administration and Audit Act and, in fact, the commission must report in terms of those provisions in that act. However, I will clarify that and let him know at a later time.

Concerning appeals against the commission, we made a very conscious decision in the early stages of drafting this legislation not to allow appeals against decisions of the commission for the very simple reason that we did not want the commission to be dragged in and out of court every time it handed down a controversial decision. The 2 cases which were just alluded to by the honourable member for Fannie Bay were 2 that could well have seen the commission

being the subject of a court case to defend its action. We do not believe that that would have been in the best interests of the commission or the community in the long term.

The honourable member for MacDonnell also raised the issue of an amendment to the act that would allow the chairman to sit alone. After consultation with the commissioners, we decided to amend the act to allow any of the commissioners to sit alone as a commission and to allow a decision by that commissioner to be referred to the whole of the commission if there is any dispute about it. It has turned out in practical terms that it is quite feasible for any one of the commissioners to sit and hear routine cases without a lot of fuss whereas, at the moment, the full commission is required to hear even the most mundane and routine applications by the public. In that sense, I believe that the amendments that we will bring forward will probably work out to be even more reasonable than the proposal put forward by the member for MacDonnell. I do not reflect upon his suggestion at all. We will follow it up and perhaps go a bit further.

The honourable member for Nhulunbuy suggested that the particular dining areas that are referred to in the bill for the consumption of liquor ought to be prescribed. I have raised this with the commissioners today and they feel that we would be starting to write into law too many fine details that are easy to apply in one circumstance and more difficult to apply in another. They feel it would be better - and I am of this view myself - that they should have the flexibility to judge each case on its merits.

This also applies to the suggestion by the honourable member for Nhulunbuy about the 30 minutes allowed for licensees to clear consumers from their premises. This is a reference that can be included in the terms and the conditions of the licence. Where the commission is dealing with a very big licensed premise that might have a half a dozen or more bars, there is a very valid argument for the licensee to have 30 minutes to clear people from his premise. On the other hand, with a small premise which has one bar, the licensee might well have a difficult job justifying why he needs 30 minutes to clear people from his premise. Again, it is a matter of each case being judged on its merits. For that reason, this commission would prefer to have the capacity to include that provision in the licence itself rather than to enshrine it in legislation.

One other point relates to the matter of appeal. Where any licensee feels that he has been the victim of a harsh or a difficult judgment , he does have the recourse of a prerogative writ in the normal course of civil law. While that may satisfy some people, there are others who will not take that course for their own reasons. The 2 cases that the honourable member referred to earlier are probably people in that category.

I thank honourable members for their support for the bill. As I said 12 months ago, we would like to review the legislation as we go along. If we find bugs in it, it is important that we straighten them out and make sure it is as administratively efficient as possible.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

BUSHFIRES BILL

(Serial 373)

Continued from 21 November 1979.

Mr DOOLAN (Victoria River): I have studied this bill in some detail and find little, if anything, to complain about. In talks I have had with pastoralists, farmers and volunteer firefighters as well as members of the Bushfires Council, it would appear to be a quite popular bill and worthy of commendation. As the Minister for Industrial Development said in his second-reading speech, it is not my intention to refer to the bill clause by clause.

This bill seeks to replace the Bushfires Control Act of 1965. The first moves to update the provisions of existing legislation were made in 1971 but very little seems to have been achieved. The previously existing legislation gave the Bushfires Council very few powers at all and was a great source of frustration to that council as it had no power to hire equipment and found it extremely difficult to prosecute successfully those people who committed offences against the act. If this bill is passed, the Bushfires Council will be empowered to hire equipment and it will be much easier to prosecute offenders under the act. The bill will allow the Bushfires Council a far greater degree of autonomy by giving it teeth to act, by defining the powers of regional committees in much broader terms and by giving them a greater degree of flexibility in order to operate effictively.

The introduction of fire wardens to replace the previous fire patrol officers seems eminently sensible. This brings the Northern Territory into line with a number of other Australian states. The sponsor of the bill mentioned that police officers and forestry officers who were formerly gazetted as fire patrol officers will not automatically become fire wardens. You may recall that officers of other departments, including the Welfare Branch, were also gazetted as fire patrol officers as well as wildlife protectors. The introduction of a new permit system to replace the existing system is an excellent idea. When the bill is passed, permits will not only be needed in fire protection zones but also in areas which have been declared a fire danger zone. This is a good idea and provides a much greater degree of safety.

The Minister for Industrial Development said in his second-reading speech that he was not completely satisfied with some aspects of the bill, namely clauses 8 and 20(b). CLause 8(1) states: "Not less than 4 members of the Bushfires Council shall be employees within the meaning of the Public Service Act". I personally cannot see why one third of the council should be public servants and I would be happy if this number was reduced to 3 or even 2. The proposed amendment to the clause is to omit subclause (2) which is quite different: "One of the members referred to in this section shall be a forestry officer within the meaning of the Forestry Act". I think it would be quite a good thing to have a forestry officer. Clause 20 says that each member of the council holds office for the period specified in the instrument of his employment or for 4 years. That is to be amended to 3 years and I agree with that. I think 4 years was too long.

While speaking to the bill, I would like to correct a misunderstanding that the general public seems to have had regarding the Bushfires Council, particularly people living in urban areas within fairly close proximity to Darwin. There is a popular misconception that the council has a firefighting workforce. I would like to take this opportunity to correct this misconception. The council does not have and never has had a firefighting force. When fires occurred in places like Humpty Doo or Howard Springs or Berry Springs, the Bushfires Council had an agreement with the Forestry Branch whereby officers of that branch were called out to fight fires but the council itself at no time had any firefighters. This arrangement with Forestry was cancelled in 1 January 1977 and many people still seem to believe that the Bushfires Council has employees whom it uses to fight fires. That is quite wrong. Apparently,

in urban areas within fairly close proximity to Darwin, people were a bit backward in coming forward as volunteers and that is why the Forestry people were co-opted to assist.

The total plant owned by the Bushfires Council consists of one grader which requires an operator and his off-sider. This is occupied almost full time in the central areas of the Territory. The actual function of the Bushfires Council is to provide a coordinating and advisory service to volunteer firefighters. The opposition supports this bill.

Mrs PADGHAM-PURICH (Tiwi): I support this bill. Some of the remarks I will make support also remarks made by the honourable member for Victoria River. Anybody who has lived in the country realises what a terrible thing fire can be. At the outset, I would like to say that there is a popular misconception about different sorts of fires. When most people think of fire, they think of the fire brigade and the Bushfires Council is just a form of fire brigade. The honourable member for Victoria River pointed out one difference; they are not trained firefighters. It was drawn to my attention that the difference between the fire brigade and the Bushfires Council, without intending any disrespect, is like the difference between the Salvation Army and the Catholics. They are both religions but there is separate legislation for the 2 of them just as there is separate legislation for the workings of the fire brigade and the Bushfires Council. These are the only differences that I can think of quickly. The Bushfires Council works with volunteers; it does not have any trained firefighters. The fire brigade works with trained men; it does not seem to have any trained women yet. The Bushfires Council works mainly to prevent fires. The brigade's work is not aimed at that entirely. It does provide some publicity about fire hazards in caravans and houses but its main work is in combating fires rather than the prevention of fires. A third difference is one that, for the life of me, I cannot understand. The Bushfires Council recommends lighting fires late in the afternoon for the purposes of burning off. The fire brigade recommends lighting fires in the early morning for burning off. Anybody who has lived in the country and knows something about bushfires would do what the bushfire people suggest. They would light their fires in the late afternoon when the wind and the temperature are dropping and usually there is dew to put the fire out naturally instead of having a flaming bushfire. A fire could really spread in the middle of the day if you had a sudden south-easterly wind blow up in the day.

The legislation is put forward to give legality to the regulations of the Bushfires Council. It is very unfortunate that the rural area outside Darwin is without adequate fire protection. The competence of the Bushfires Council begins south of Noonamah. The fire brigade has competence for the area bounded by the Howard and the Elizabeth Rivers. On a quick calculation, the area on one side only of the highway, the Tiwi electorate, is about 100 square miles. That does not take into account the area on the west side of the highway. The fire brigade has given itself a terrific job by extending its area of operation.

When I read through the legislation, I found it difficult to work out what a fire control officer was. It was pointed out to me that a fire control officer is a paid officer in the Department of Transport and Works, Bushfires Council, and he is responsible to the chief. There is one chief fire control officer in the Northern Territory and there is one fire control officer in each region.

To return to the rural area outside Darwin, the honourable member for

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Victoria River mentioned the Forestry officers. In the early days, the Forestry Branch assisted the rural landowners to put out fires and we were very happy recipients of their help over a number of years. According to the regulations of the fire brigade, they are not supposed to offer help to the public. However, I feel certain that, in an emergency when the fire brigade cannot do the job, Forestry people and the Bushfires Council would organise some volunteers to help put out the fire. I understand that in New South Wales and Victoria attempts have been made to amalgamate the Bushfires Council and the fire brigade, but the monolith of fire fighting so formed was not successful and chaos resulted in some cases to the detriment of the people in distressed circumstances.

Up until 1974, the fire control officers for all the areas of the Northern Territory lived in Darwin. This was probably a good thing from the point of view of the chief fire officer having access to his fire officers but it did not seem to work very well with regard to fire prevention in the Northern Territory. Since the cyclone, things have changed and, from the point of view of the people living in the rural area and others, it was a 2-edged sword. From that time, these fire control officers went to the areas for which they were responsible - Tennant Creek, Alice Springs, Katherine etc - but in going down there, and in doing the work which they were expected to do, they left the rural area outside Darwin in a rather dicky situation. A 20-man forestry force was no longer available. I understand that the Bushfires Council left Forestry, the fire brigade moved in and now puts out the fires in the rural area. Many of the fire brigade officers have all the best intentions in the world but they believe that they cannot put out fires adequately in some of the areas because of the enormous areas which they are expected to control.

In the definitions, "fire warden" is mentioned. It was pointed out to me that he was an honorary civilian resident in the area. He was a fire patrol officer in the old ordinance. Every police officer was one. It is rather confusing unless a bit of thought is given to work out the difference between a fire patrol officer and a fire warden. I have already mentioned what the difference is.

In reading through the definition of "use of fire", I was a bit concerned that burning back would not be included but, after reading it through properly, I realised it could be included in there quite happily.

In clause 24(2), there is an amendment which has been circulated regarding a member having pecuniary interests. The original subclause states: "A member who has made a disclosure under subsection (1) shall take no further part in the deliberation of the statutory body of which he is a member in relation to the matter in respect of which his interest was so disclosed". In most cases, this would apply. If a person has a pecuniary interest, he must disclose his interest and take no further part in discussion. The exception that I call to mind occurs with the Territory Parks and Wildlife Commission where, if a member discloses his pecuniary interest in a particular matter under discussion, the commission may direct that he take no further part in the discussion. I think the bush fire situation is entirely different to a situation where subdivision and speculation relates to land. It is an emergency situation and I think the Bushfires Council should be given a lot more discretion. I am very pleased to see this amendment put forward.

I do not know whether there should be any tightening up of part III which deals with the prevention and control of bushfires.

In section 46 of the Stock Routes and Travelling Stock Act, it says that

a person shall not allow a fire to increase to an area greater than 10 square yards which seems to me to be a pretty large area for one person to control because, if you have a fire that suddenly springs up to 10 square yards, you have Buckley's chance of putting it out. I think consideration should be given to changing that.

I have spoken to the minister about clauses 38 and 40(1) and I think he agrees with me. Clause 38 states: "A person shall not light or use a fire for the purpose of camping, cooking, boiling water or disposing of a carcase of an animal unless the nearest flammable matter to the fire is not less than 4 metres distant from the fire". That means you cannot light a fire and destroy a carcase out in the paddock. It also means that you could not cook or boil water in a fire protection zone or a fire danger area in a house. The animal carcase could be a chook you were stewing up for lunch. In a kitchen, the nearest flammable material would certainly be less than 4 metres away. I would like to see the words "in the open" mentioned. As it is written now, it would apply more down south where there are very severe bush fire conditions; the temperature is very high, the air is very dry and fire can literally explode. As I understand it, even open fires in any situation are banned. I do not think those conditions would apply up here. I am not too certain about the Centre but they certainly would not apply to the Top End. I feel that the restriction of not cooking or boiling water in a kitchen should be lifted and "in the open" inserted.

Clause 40(i) states: "A person shall not leave a fire which he has lit or used unless he has thoroughly extinguished it". Again, I would like to see: "A person shall not leave a fire in the open".

I do not know whether clause 42 can be policed but I am assured that it is in other legislation in the states. It says: "A person shall not start or drive a motor vehicle within the meaning of the Motor Vehicles Act or start an engine unless there is fitted to that vehicle or engine the prescribed equipment or equipment of the type prescribed for arresting sparks". A fire protection zone might have a major road running through it which would mean that every car or vehicle passing through it would be required to have a spark arrester fitted. I do not see how it could be policed. If it is in legislation in other states, that must be why it has been inserted here. I understand there was a very bad fire started by a stationary engine at Adelaide River some years ago because it did not have a spark arrester on it.

Clause 47(3) states: "A person served with a notice under this section shall comply with and not contravene the requirements contained in the notice". The penalty will be $1,000 and the default penalty will be $100. I am assuming that "default penalty" means that, every day that that order is not complied with, it will cost the offender $100. A person may still be fined but it will also be necessary for that particular offender to do what he was supposed to do in the first place. Under section 58 of the Stock Routes and Travelling Stock Act, the inspector disposes of the carcase and the owner pays for that disposal. In this legislation, the person must do it or pay a default penalty.

On first reading, the conditions under subclauses 50(2) and (3) may appear rather drastic. A fire control officer or fire warden can pull down, cut and remove fences, he can destroy any living or dead vegetation and he can make fire-breaks. This may appear drastic but I have been assured that these people would be responsible people and only do what was strictly necessary for the control of the fire at the time. This ties up with clause 53(1): "A person who causes damage in the course of exercising a power conferred on him by this Act is not liable in respect of that damage". Again, the onus would be on the

person doing the necessary damage and I would hope that this person would be responsible. As I said earlier, I feel he would be.

Clause 57(1) states: "Any person may apply to a fire control officer or fire warden for a permit". I think "permit" is mentioned in the definitions and I would like to have seen a "permit to burn off" or a "permit to burn". It just says that a "permit" means a permit issued under this act.

Under clause 57(3), a permit may be varied or revoked orally by a fire control officer or a fire warden. That might sound odd because public servants these days seem to want everything in writing. In view of the fact that bushfires are generally emergencies, orally would be quite in order. It could be over the radio or by any means possible because you cannot sit down and write a letter when the wind suddenly changes; you have to shout out and hope that everybody will do the best he can.

I would like to see some sort of fire provisions written into the subdivisional regulations. I have not spoken to the honourable minister for Lands and Housing about this but it was brought to my attention that some sort of fire provision should be written into subdivisional rules. I have not given a lot of thought to it but I think it could be done quite easily.

That about finishes what I have to say about the legislation. I would like to conclude my remarks by saying that I sincerely hope that, in the near future, some sort of compromise can be reached between the workings of the fire brigade and the workings of the Bushfires Council so that there is more fire protection in the rural area. The workings of one and the advice of the other would be a good combination because, at the moment, the people out there are in rather a vacuum as regards fire control, fire prevention and, in fact, any knowledge of what fire can do. The conditions at present have produced a great deal of green grass around the place. This will present a great problem in the dry. There will be a much greater amount of dry grass to burn off. As farming land becomes more valuable in the area outside Darwin, much more importance must be placed on fire prevention. I say "fire prevention" even before fire fighting because the dry bush material after this wet could result in a catastrophe in the rural area. I hope the minister can give some thought to this to see what can be done this dry for the people in the rural area.

Mr OLIVER (Alice Springs): I would like to say a few words in support of the Bushfires Bill. As the honourable member for Victoria River said, it is a very popular bill. I discussed it with pastoral lessees, farmers and bushfire people and, apart from a couple of queries, they were all in favour of it. Frankly, I know it is a good bill because I am quite an experienced bushfire fighter myself. Back in the 1970s, we had quite a few bushfires in the Alice Springs district. I used to toddle out and give a bit of a hand.

What I like about the bill is the sort of underlying discipline that it will bring. Back in the early 1970s, there was not very much discipline. People raced off everywhere, tried to do their thing and it was not very successful. This bill should bring that discipline and make bushfire fighting a little more efficient.

My first point has already been raised. I refer to the proposed removal of clause 8(2) which refers to the Forestry officer. I did pick up what the honourable member for Victoria River said and I could ask also why there is no soil conservation officer on the council.

I was asked about clause 15(b). This relates to prevention and control of

bushfires in its fire control region. What funding would be available to regional committees to carry out fire prevention and control? I would like to hear the answer to this from the honourable minister in his address in reply.

Clause 24(1) relates to pecuniary interest. Many people on the council and committees hire bulldozers from fellows within the council or committees if they have a fire in their area. Is that a pecuniary interest?

My final point relates to clause 51. It begins: "A fire warden may". In fact, it should be "a fire control officer and a fire warden may". It excludes the fire control officer from doing what the fire warden is doing. However, there is an amendment covering that. I support the bill.

Mr VALE (Stuart): Mr Speaker, I rise to speak in support of this legislation. Bushfires are an annual event in Central Australia and of considerable concern to both the pastoralists and the Aboriginal communities. The main importance of the legislation is that it provides for increased penalties. I believe that these penalties may still be a little on the light side. I would like to see heavier increases. This legislation has been discussed with and has received the support of people in all areas of Central Australia - Aboriginals , pastoralists and others. There is one thing perhaps that it misses out on. I think the Bushfires Council should have some ongoing publicity so that the whole of the community is made conscious of the damage to wide areas and the cost to the community as a result of bushfires.

I would like to take this opportunity to pay tribute to the hard work, dedication and devotion of the past Bushfires Council. Other members have adequately covered all sections of the legislation, particularly the honourable member for Tiwi. Rather than delay this bill and because it is still particularly dry in certain areas of Central Australia, I will sit down so that it gets a speedy passage through this House.

Mr STEELE (Transport and Works): Mr Speaker, I guess it is momemts like these you wish you were on the floor so that you could tell us about the bushfire experiences you have had around the Elsey area.

Mr SPEAKER: I choose to forget them, honourable member.

Mr STEELE: I do not blame you for that, Sir. I thank honourable members for their contributions. The member for Victoria River raised a question about the numbers of public servants specified in clause 8(1). On reflection, that is a clause to which I had not given much attention. It probably escaped notice in recognition of the work that has been done by senior public servants over many years, in particular men like John Hauser and Parker Marsden from those departments. These days, we have additional representation from the Department of Transport and Works and the Department of Primary Production. The old act used to specify that it had representation from the Bureau of Meteorology. I do not think that the clause will do any harm. Under my powers, I would be quite happy to appoint people with the qualifications required to govern the act.

The member for Tiwi certainly addressed herself to the fine points contained in the legislation. I could not possibly answer all of the points that she raised. One important point concerned amalgamation. That is not contemplated as this stage. The Bushfires Council is a fairly unique service. It is made up of many unique poeple who offer their services in the outback and they do an excellent job. People like Keith Lansdowne have been associated with the pastoral industry for many years. I remember Keith when he came to Auvergne

Station as a jackeroo in 1953. Keith has been a solid citizen of the Katherine region for quite a number of years. The services of the brigade and the Bushfires Council should be complementary and this problem has been addressed by Mr Williamson. A copy of his report has been circulated to honourable members. It has not been tabled in the House but this report will provide the government with a valuable basis on which to make further changes and will enable us to resolve some existing problems in fire services.

The honourable member for Alice Springs referred to the bill as popular legislation. He asked what funding would be available to the regional committees. This question is not so difficult these days under self-governing arrangements. I have an arrangement with Keith Lansdowne. If there is a need for funds in the event of a catastrophe, he has only to ring me up and he can spend what he needs to contain that catastrophe. My colleague, the Treasurer, probably does not really like that sort of loose arrangement.

Mr Perron: Neither does the Auditor-General.

Mr STEELE: Perhaps the Auditor-General might not be too pleased either. If a catastrophe is imminent, that is the sort of action that is required from government and that is the sort of action we prefer to offer.

As regards the pecuniary interest referred to by the honourable member, very much the same philosophy applies. The legislation provides that the council may consider a matter and may direct a member of the committee to leave the meeting. When it comes to hiring bulldozers and graders in an emergency, you must have some good faith in your fellow man. If a problem did arise, obviously the government would have to consider it at the time.

The honourable member for Stuart said that bushfires were an annual event. I just hope that this year he does not have any bushfires because so far he has had very little rain to produce grass. He mentioned that the increased penalties were well received. He also raised a point about increased publicity on the cost of bushfires to the community. This is a matter for which Keith Lansdowne has been trying to get extra money in his budgets over the last couple of years. I take the view that, with any sort of advertising or publicity, you will always get cries that it is never enough. I suppose it can only be looked at on its merits on the day. You can fit it into your budget as and when you can obtain funds for that purpose.

There were a couple of amendments suggested by the honourable member for Tiwi. They are only small amendments and I am quite happy to support them. I commend the legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 7 agreed to.

Clause 8:

Mr STEELE: I move amendment 156.1.

This amendment is to allow for greater flexibility. None of the public service members to be represented on the council will be specified. The omission of subclause (2) does not mean that a Forestry officer cannot be

appointed; it only means that he need not be appointed.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 19 agreed to.

Clause 20:

Mr STEELE: I move amendment 156.2.

This provides a reduction from 4 years to 3 years. Membership of the Bushfires Council and the regional committees is a great responsiblity and requires a lot of dedication. It is therefore hard at times to find the right members of the community who are prepared to commit themselves and their time for a long period in office. The maximum period of office of 3 years at a time is therefore considered more appropriate.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clauses 21 to 23 agreed to.

Clause 24:

Mr STEELE: I move amendment 156.3.

Since members of a regional committee must be local residents and as such will most probably have local interests and since the number of members on a committee can be as low as 3, the case may arise where most or even all members must declare a direct or indirect interest in a matter to be considered. Under clause 24(2) as it stands, no quorum could ever be formed and no vote could ever be cast on that matter. It is therefore proposed to vary this clause so that a member who has declared an interest is not automatically excluded but may be directed to take no further part in the deliberations on that matter.

Amendment agreed to.

Clause 24, as amended, agreed to.

Clause 25:

Mr STEELE: I move amendment 156.4.

In the previous clause, the term "pecuniary interest" has been used. The purpose of this amendment is to keep the wording consistent.

Amendment agreed to.

Clause 25, as amended, agreed to.

Clauses 26 to 30 agreed to.

Clause 31:

Mr STEELE: I move amendment 156.5.

This amendment also served the purpose of keeping the wording consistent. The term "fire control region" is defined in the preliminary part of this bill and is therefore to be used in preference to the word "region".

Amendment agreed to.

Clause 31, as amended, agreed to.

Clauses 32 to 37 agreed to.

Clause 38:

Mrs PADGHAM-PURICH: I move amendment 160.1.

I mentioned the reasons in my second-reading speech.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39 agreed to.

Clause 40:

Mrs PADGHAM- PURICH: I move amendment 160.2.

This is to make it consistent with amendment 160.1 and also to bring it into line with clause 44(1) of the bill.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clauses 41 to 47 agreed to.

Clause 48:

Mr STEELE: I move amendment 156.6.

Fire may lawfully be used for burning back or the burning of fire-breaks. Such an act, however, could be considered to cause damage to property. It is therefore necessary to say that, except where otherwise permitted by this act, a person shall not use fire under circumstances likely to cause damage.

Amendment agreed to.

Clause 48, as amended, agreed to.

Clause 49:

Mr STEELE: I move amendment 156.7.

It is unnecessary to require by legislation that the owner or occupier of land shall notify the person in charge of that same land. In most cases, it will be one and the same person. Superfluous subclause (b) is omitted.

Amendment agreed to.

Mr STEELE: I move amendment 156.9.

The user of a fire on someone else's land should notify the owner or occupier of that land if the fire he uses gets out of hand even if it is not likely to spread to other land as well. The deletion of the words "to other land" has the effect that both situations will be covered: where the fire spreads on the same land on which it was lit and where it is likely to spread to other land as well.

Amendment agreed to.

Clause 49, as amended, agreed to.

Clause 50 agreed to.

Clause 51:

Mr STEELE: I move amendment 156.10.

This clause has been misunderstood by many readers of the bill. A fire control officer is necessarily a member of a regional committee and, as such, he is also a warden. Clause 51, as it stands, applies to him. This amendment establishes that fact beyond any doubt.

Amendment agreed to.

Clause 51, as amended, agreed to.

Clauses 52 to 55 agreed to.

Clause 56:

Mr STEELE: I move amendment 156.11.

Confusion between titles could arise since the adviser of the Bushfires Council is called Chief Fire Control Officer and the first in command of the urban fire brigade is called Chief Fire Officer. It is proposed to change the title of the commanding officer of the volunteer bush fire brigade to captain.

Amendment agreed to.

Clause 56, as amended, agreed to.

Clause 57:

Mr STEELE: I move amendment 156.12.

This clause establishes that fire control officers or wardens may recieve applications for permits and that they may orally revoke or vary the permits. A power that they may issue, where appropriate, or refuse to issue permits is inferred but not expressed. The proposed amendment expresses the intention of this clause beyond doubt.

Amendment agreed to.

Clause 57, as amended, agreed to.

Clauses 58 to 61 agreed to.

Schedule agreed to.

Title agreed to.

Bill passed remaining stage without debate.

LAND AND BUSINESS AGENTS BILL

(Serial 386)

Continued from 21 November 1979.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this is a simple bill to effect some fairly minor changes to the Land and Business Agents Act which was passed unanimously not very long ago. The act has been a very welcome addition to the Northern Territory and ensured the better operation of that industry for the benefit both of its members and the public. The bill, if passed, will effect a few small changes. Two relate to finance. One amendment is to do with annual fees to be paid by an agent's representative and the other allows for the application of Territory money towards the administrative costs of the Agents Licensing Board until such time as the fund has sufficient money to cover all those costs.

There is one other small amendment in the bill which the Chief Minister did not speak to. It deals with interpretation. It amends the definition of "registered agent's representative" to include a person provisionally registered. In section 40 of the act, there is provision for a person to achieve provisional registration as an agent's representative subject to certain conditions. It is in the application of section 40 that the act requires a certain amount of supervision by the people involved because this section allows persons with absolutely no qualifications whatever to act as an agent's representative. Obviously, the condition is that they seek to obtain those educational qualifications. Nevertheless, it allows them to act in the same way as a qualified agent's representative and it is most important that all those concerned, including the land and business agents, ensure that those people who act, and who are perhaps completely unqualified and inexperienced, in these matters are suitably supervised in their work until they gain those qualifications.

It was pleasing to hear in question time this morning that the course at the community college for people to gain those qualifications is continuing and people will be able to become qualified land and business agents and be registered under the act. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the third reading of this bill be taken forthwith.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the House do now adjourn.

Mr COLLINS (Arnhem): Mr Speaker, I wish to make one final comment tonight

on the Kormilda conference. This comment is prompted by the Chief Minister's speech in the adjournment last night that I had made no comment whatsoever about the government's conference last year. I did make one comment in the press about the government's conference this year. This comment resulted from the story that appeared in Saturday's Northern Territory News. I said that, as a result of that story, I believe that Aboriginal communities would be justified in boycotting any further conferences that were sponsored by the Everingham government because it was clear that Everingham conferences had strings attached to them - very long strings - that these conferences, which were being held ostensibly to get a free expression of Aboriginal points of view, were in fact quite the opposite and that, where Aboriginal people had the temerity to express a point of view which was critical of the government, they would be in for a very solid tirade of personal abuse from the Chief Minister. This is, in fact, what happened.

Last night, I discussed one aspect of that abuse and tonight I would just like to touch on some of the other things that the Chief Minister had to say in respect of that resolution passed at Kormilda. One of the more severe statements which the Chief Minister made was in respect of Mr Leo Finlay who proposed the resolution. The Chief Minister said that he felt that that action was deceitful. Mr Deputy Speaker, that is not a particularly mild comment to make in respect of anyone. It is a very serious criticism to accuse a person of deceit and deserves to be taken seriously. In order to understand what a totally unjustified and unreasonable criticism it was, it is necessary to have a look at what happened that afternoon and how the conference was structured. In doing so, I must refer to a subsequent story in the Northern Territory News which related to comments from the Reverend Jack Goodluck in respect of the way the meeting was chaired and of the reaction of the meeting to the resolution.

As I said last night, it was an excellent example of a well-organised conference. It was only in the last hour or so, when this resolution hit the floor of the conference, that it started to fall apart. The Chief Minister complained that the resolution that had been proposed in his absence was a deceitful move and yet, had the Chief Minister been at the conference at that time, which he was not, he would have realised that that particular part of the conference was specifically set aside for just such a purpose. The chairman opened the session by saying, "Now that everyone has departed, everyone has gone, the minister has gone, you have had all your answers, now is the time for you to have any final thoughts, any expressions that you might want to propose as to how you felt about the conference". It was during that final session which was set aside specifically for such a resolution, either favourable to the government or otherwise, that that resolution was passed. It was not a deceitful action; nothing of the sort. It was provided for on the very agenda of the Chief Minister's own conference.

Let us look at some of the other things that the Chief Minister said about it. He criticised the roles played by Galarrwuy Yunupingu and Wesley Lanhupuy. In fact, all his criticism was directed at the Northern Land Council despite the fact the resolution had been supported by all 3 land councils. He said in respect of those 2 gentlemen; "Whoever is the front runner, everyone hastens to follow". In his press conference, he referred to a reception at the Administrator's residence which I attended. He said of Yunupingu and Lanhupuy: "It is always as friendly as pie socially; it is behind your back that they do these things". What an extraordinary statement from the Chief Minister of a government. It is amazing that a man whose entire life revolves around politics could make such an incredibly naive statement. He made that statement merely because these men, in the conduct of their business as representatives of a land council, took a contrary point of view to the Chief

Minister and then were nice to him at a social event. What a deceitful thing to do! It leaves Wesley Lanhupuy and Galarrwuy Yunupingu no option at the next social event which they attend with the Chief Minister other than to give him a big kiss or a punch in the nose, depending on how they feel about him on that particular day, just to let him know where they stand. Because they observed the common courtesies which everyone is expected to observe at such a function, he accuses them of deceit because afterwards they criticised his government. What absolute nonsense!

In respect of Leo Finlay and the resolution, he said: "Leo Finlay is an ALP supporter". Certainly, he is an ALP supporter. Fifty per cent of the entire nation are ALP supporters. He then said that splits in the Northern Land Council were responsible for the resolution: "It is very convenient for the Northern Land Council, shall I say executive, when they are facing internal problems, to find someone to shaft and Paul Everingham is the guy who is being used to draw attention away from their own inadequacies". An interesting statement indeed from a man who, in respect of the Ranger dispute, made statements of public support for the Northern Land Council urging people to leave them alone to conduct their business because they were such a wonderful organisation with such a strong leader etc. I remember the statement well. Now, because it is politically convenient for the Chief Minister to do so, the Northern Land Council is split by internal disputes and is using the Chief Minister as a scapegoat to attract attention away from their own "inadequacies"!

In respect of the resolution itself the Chief Minister said: "The Kormilda resolution is nothing but a crude political action". He warned the Northern Land Council: "I am putting the Northern Land Council on notice that they should think very carefully before they use land rights as an election issue". Of course, Mr Deputy Speaker, we all know that ownership of land has no place in our European political system whatsoever; we only fight wars over it. He is giving an Aboriginal organisation, whose very business is ownership of land, notice that they had better not use it as a political issue. Of course, non-Aboriginal people do not use Aboriginal land ownership as a political issue - half of our legislation is centred around it.

He then topped the whole thing by quoting from a report by the Reverend Jack Goodluck. I have no doubt whatsoever that that reverend gentleman had no inkling that the report would be used at a press conference in such a manner. I am sure that, if he had, he would have never put pen to paper. That is an interesting line of action on the part of the Chief Minister and bears looking at in relation to the reasoned rebuttal of the Chief Minister during the adjournment last night where he quite properly, as he saw it, attacked that resolution clause by clause in what I thought was an excellent speech. It was a reasoned rebuttal. Had that been the Chief Minister's initial response to the resolution, I would certainly have made no comment about it. Although the Chief Minister in fact made all the points at the press conference which he made last night, he had to cloud the issue and ginger the story up a little with these other personal issues.

I invite all members of the Assembly to compare the criticisms the Chief Minister made at that resolution last night with this: "Whoever is the front runner, everyone hastens to follow . . . It's always as friendly as pie socially; it's behind your back that they do these things . . . Leo Finlay is an ALP supporter . . . Leo Finlay is a close and intimate friend of Bob Collins . . . The Kormilda motion was a deceitful action . . . The Northern Land Council is riddled with internal splits, therefore they are shafting me to draw attention away from their own inadequacies . . . The Kormilda motion is crude political action . . . I am putting the Northern Land Council on

notice to think carefully before they use land rights as an election issue". Finally, he quoted from the report by Reverend Goodluck about people coming back from the Berrimah Hotel. Nobody would get any prizes from coming to the conclusion that, had the resolutions or final public statements of that conference been favourable to the Northern Territory government, the Reverend Jack Goodluck's report would never had seen the light of day, at least not at a Chief Minister's press conference.

During the afternoon of the conference when that resolution was put, the Chief Minister complained that it was deceitful because he had not been there. Let me assure the Chief Minister that the Reverend Jack Goodluck's account of what happened that afternoon is totally accurate and he was well represented in his absence. I make no comment whatsoever about the way the meeting was chaired during the course of that resolution. Concerning the Aboriginal people who put the resolution - and many spoke in favour of it - it is sufficient to say that a serious attempt which lasted for a least 30 minutes was made to dissuade them from putting that resolution on the grounds that - and I will quote the grounds so that I am not accused of being inaccurate - "it was not proper to put the resolution because it was factually incorrect". That story was carried quite accurately in the paper. Again, I have no doubt that the Reverend Jack Goodluck would never have been prompted to write to the newspaper had he not been stunned intensely by the way in which his report was used.

An attempt was made to dissuade them on the grounds that it was an inaccurate resolution. I had given an undertaking not to speak at the conference, an undertaking which I honoured. The Reverend Jack Goodluck who also had not spoken was so upset by this behaviour that, for the first time during the conference, he stood up and remonstrated with the chairman. He said that it is irrelevant that the resolution is inaccurate. The basic thrust of what he said was: "Look, the Chief Minister is a big boy. If the resolution is not factually correct" - and I am passing no comment as to whether it was or was not - "surely the point of this conference is supposed to be that these people are going to be given the opportunity to express an opinion. This final hour of the conference has been put aside for this. They are trying to say something and they are being strangled in so doing. If the resolution is inaccurate, I have no doubt that the Chief Minister will be able to handle that. He is a politician; that is his job. These people are trying to say something; for goodness sake, let them say it". At that point, he sat down.

An interesting debate ensued at that point. Somebody stood up and said: "Let's do this the white man's way". I remember this very well. "Some people here do not like this resolution and some people here do like this resolution. Let us do this the white man's way; let us vote on it". At that point, they decided to take a vote and the result was subsequently announced.

That is what happened that last afternoon. It was the conclusion of a successful and well organised conference which was ruined afterwards by the incredible tirade of personal abuse that was directed at the mover of the resolution, the officers of the Northern Land Council, the Northern Land Council itself, the resolution itself and anybody else who could be lashed out at. To return to the statement of the Chief Minister's that the Kormilda resolution was a crude political action, I know that it was not. Assuming it was, it appears to have been a successful political action. During the luncheon adjournment, I was told by a journalist that it appears that the Northern Territory government was going to do a complete about turn in its attitude towards the Cobourg land claim. I found that extremely interesting. I saw a draft bill last week that was being circulated. It was a bill to enable the use and occupancy by Aboriginals of national parks, a bill which flew in the

very face . . .

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

Mr MacFARLANE (Elsey): Last month in Katherine, a public meeting was called at which about 60 people attended. It concerned Aboriginal drunkenness in the town. There are 3 ways of looking at Aboriginal drunkenness in Katherine. One is to shift the problem and hope it will go away and you will not see it. Another way is to ignore it and the third way is to do something about it. In 1974, drunkenness was decriminalised and this was discussed very heatedly in this place by Mr Kilgariff, Mr MacFarlane, Mr Ward, Dr Gurd and others, but nothing happened. It was felt then that to decriminalise drunkenness was one way of overcoming a problem but imprisonment should be replaced by detoxification centres.

Later the Darwin Drunks Report came out which was debated by the Legislative Assembly on 13 August 1975. Many people spoke on it including Mr Pollock, Mr Kilgariff, Mr Everingham, Miss Andrew, Mr Kentish, Mr Tungatalum, Mr Ballantyne, Mr Dondas, Mr Tuxworth and Dr Letts. All those people spoke very strongly that something should be done about alcoholism as a disease, as an illness. The honourable Chief Minister, who was a backbencher in those days, brought forward a bill relating to drunkenness which covered pretty well everything that a sobering up centre should be. It was a genuine attempt to treat alcoholism as a sickness and as a disease. Five years later, nothing of value has happened except that people are a bit drunker and there are more of them.

This meeting in Katherine was, strictly speaking, a non-event because nothing was suggested that could overcome the problem. The problem can be overcome by a sobering up centre. I have put this to the Kalano Association and they agree. I put it to the Acting Secretary of the Department of Aboriginal Affairs in Canberra, Mr Charlie Perkins, and he agreed. I put it to the Darwin AA man, Martin Ford, and he agreed. What we need is a pretty simple set up. It is a building with clean beds, a shower, toilet etc. A place where the drunks can be taken to sleep it off. Before they do sleep it off, they are showered, cleaned up, given medical attention if they require it, offered a meal and their blood-alcohol content taken by a breathalyser or by an actual sample of blood. The provision of a meal to these people is essential. Too often we find that the main trouble with drunkenness is that these people are not eating. In the old days, in Boulia and places like that, if you looked for a drink early in the morning, the publican would make sure that you had a feed first. They did not want drunks. They did not mind people drinking all day but they did not want drunks. They appreciated that food is a necessity if you are drinking. I think the Kalano Association appreciates this in Katherine too but a drunken person does not.

Nearly all these things were in the Everingham bill of 1975. I think it is a pity that this bill was not persevered with then. It is a very humane bill. Some of the things covered in the Everingham bill were: apprehension of drunken persons with a warrant, holding in custody, powers of search, sobriety tests, medical attention, separate accommodation - they would not be locked up with convicted people or anyone who is remanded - visitors, a meal, powers of inspectors, powers of certain other persons, record, release of persons from custody - just about everything I want except that I would not put them in a gaol. They would have a separate building and I feel that, if they had clean clothes to go out with, these people would gain their self-respect.

My office in Katherine is in the Commonwealth Bank Building. I see what happens day after day. The same old drunks of all colours go up and down the street between the pubs and the liquor outlets aimlessly doing nothing. A sobering up centre is only the first step. The second step must be to say to these people: "You have been in the sobering up centre or in the gaol 6 times in a month, 4 times in a fortnight or whatever. Now is the time to do something about it. We will refer you for medical examination". After the medical examination, rehabilitation might take place. It is an ideal opportunity to use the dry areas which have been approved by the Liquor Commission. A habitual drunk in the old days was one who had been convicted of drunkenness 3 times in 12 months. These people who are in need of rehabilitation could be committed back to the dry areas on a good behaviour bond.

It is no good saying that Aborigines do not realise what drink is doing to them. They do. That is why they create dry areas in their own communities. The women and the non-drinkers realise that this is a very bad thing and most of them dislike drunks. All people dislike drunks when they are sober themselves, but Aboriginals particularly realise that alcohol is a very bad thing for them in their own areas. They create dry areas around their own communities and the drunks go to town.

What we must do is in the Darwin Drunks Report: how to treat them, what it costs and where the money should come from. The money should come from the excise that the federal government collects from the sale of alcohol. It was $500m in 1973; it would be much more now. $500m is a lot of dough; plough some back into the people that have been wrecked by it. I suggest to this Assembly that it should take heed of all these speeches made 5 years ago on the bill that was proposed but apparently withdrawn and do something about a problem which we appreciate but which we have pigeon-holed for years and years.

Mrs PADGHAM-PURICH (Tiwi): This afternoon, I would like to speak about an insidious problem in my electorate. This insidious problem does not only occur in my electorate but also in surrounding electorates. I refer to the problem of weeds. Other members in this House have also spoken on weeds. It is an insidious problem and a very costly problem. I do not know what can be done. I could make a few suggestions on what should be done but whether they are practical or not is another matter.

Recently, I was at a meeting of farming groups and the problem of weed control was raised. It is a wide-ranging problem and, as more and more weeds become more and more resistant to the weedicides that are on the market, new weedicides have to be found. Unfortunately, these go up in price. Another consideration which is not generally considered is that most of these are derivatives from fuels and, along with the price of other fuels in the world today, their price will go up and up.

As the Territory becomes more and more settled, weeds unfortunately travel within human habitation. They also travel with animal habitation; both domesticated animals and native animals can transmit weeds. Once they take a hold, it is very hard to contain them. The weed problem is a Territory-wide problem. At the farmers' meeting, mention was made by a certain public servant that very noxious weeds had been found in the Adelaide River. He mentioned water hyacinth in particular and everybody knows the problems that water hyacinth can cause to the waterways. One of the farmers said that, in Florida in the United States where he used to live before he came over here, they harvested water hyacinths to feed cattle. He seemed to think the cattle could not keep up with the growth of the water hyacinth. Perhaps he did not know enough about the work that has been done on this. If that is the case, it

might pay us to grow water hyacinth and not pastures if it feeds cattle adequately.

This particular weed control officer was stressing the importance of weeds being water carried and he mentioned 2 water-borne weeds. He mentioned them because they are found in the upper reaches of the Adelaide River and they could go right down the Adelaide River and right across the Top End in a very short time. A point that was not mentioned is the fact that weeds travel just as far and just as fast on dry land. Because everybody sees weeds everywhere, nobody thinks they are that important. We have just come to regard weeds as some sort of a plant growing over there. I might add that "weed" is a relative term. If you are growing cabbages and roses grow, the roses are weeds. If you are growing roses and cabbages come up, the cabbages are weeds.

A constructive suggestion was put forward at the farmers' meeting and I think the honourable Minister for Industrial Development will be receiving either a deputation or written communication about this. The farmers would like the minister to consider offering some help in the buying of these weedicides in view of their increasing cost. They will apply them to the relevant areas. When I mentioned this to somebody who was not in the rural community, he threw up his hands in horror and said "Oh, not more handouts for the farmers". I think that anybody with any sense and any knowledge of the problem as it applies to agriculture in the Northern Territory will fully realise that farmers in the Northern Territory do not get handouts. They do not get any more help than any other section of the community. From the cropping development scheme, they will get a transport subsidy if they buy over 2 tonnes and under 100 tonnes of fertiliser. They will also get some rebate in buying diesel but so does everybody else who buys it for generators and other uses. That does not only apply to farmers.

Mr Steele: They have a set price for their crops.

Mrs PADGHAM-PURICH: The honourable minister says they have a set price for their crops. I am comparing them to other sections of the community. They may get a set price for their crops and the Northern Territory government will actively help with the growing of crops this year both for use in the Northern Territory and for export. I am not a trained economist by any means but it is a fact put forward by skilled economists that the primary producer carries the rest of Australia, expecially the industrial section, by the export of primary produce.

I think the law states now that persons must get rid of noxious weeds on their property. I have spoken of this before. We cannot have one law for the people and one law for the government. There are certain government properties around the Top End that have as many weeds on them as private properties have. The owner of private property is supposed to clear his weeds away but there does not seem to be any responsibility on the government to do the same. I feel that this is something that must be considered in the future and actively pursued.

I would like to mention a personal incident which nearly developed into a stand-up fight with a certain public servant about 8 years ago. When we were growing Townsville stylo as a pure seed crop, we had a registered paddock. To have a registered paddock, it had to be practically free from noxious weeds. We worked very hard with mechanical methods of controlling weeds. We didn't believe in using weedicides to any great extent; we used mechanical control. It was just back control. We went on emu parades day after day, hand-weeding this paddock. To show that certain public servants had no conception of weed control-

admittedly they did not belong to the Primary Industries Branch - to aid the drainage of the road, they wanted to run drains from the road into our property nearly over to this particular paddock. I put it to them that I had no objection to the draining of the road. I did not object to the drains coming into the property in a small way but it was the extent of their drains and the direction in which they wanted them to point which I object to. I said the weeds would come in with the drains. They said that they would not. They brought out their expert whose qualifications were the same as mine and it became obvious that there would be a stand-up fight if they insisted on putting these drains through. We were aiming for weed control and we were actively doing something about it because our income at that stage depended upon it. To cut a long story short, I won that battle. It was quite an argument while it lasted.

Most people have no conception of the insidious damage that weeds cause. People just see 1 plant today, 2 plants next month and a little grove of them next year. They come to accept it because weeds grow so slowly. We have only to see how the mimosa weed has spread over the Adelaide River Plains to realise the damage that can be done. I think a great concern, and I have mentioned this before in this House, is the cassia weed grown by the people at the South Alligator Inn. It is a magnificant stand of weed; it is a pity we could not crop it and sell it. However, it is practically within spitting distance of the Kakadu National Park, a ranger station and a CSIRO establishment. Nobody seems to pay any attention to it. It will not be long before this weed gets into the national park.

I could mention the incidence of hyptis down our road. We first noticed it growing at a particular point near the highway. We began pulling it out but that is a government road and we had other things to do on our place. The hyptis had gradually spread. I rather like the smell of hyptis. It has an aromatic smell and I rang an expert in Darwin some years ago because I thought that it might be like some other aromatic plants that are useful. She assured me that it was used in the Philippines for medical purposes - purifying the blood, constipation or diarrhea. I am not joking when I say this. I do not think enough attention has been given to the properties of these weeds. If you grow certain aromatic weeds in your vegetable garden, you do not have insect pests in such numbers as when you spray and they become resistant to weedicides. I feel an answer to the problem, especially with aromatic weeds, is for somebody to suddenly discover that they have aphrodisiac qualities similar to ground rhinosaurus horn. People would then be weeding the Top End in pretty quick time and our problem would be solved.

I will conclude my remarks by stressing again that I feel that the Northern Territory government must actively try to do something to combat the weed problem. I cannot speak for the Centre but, in view of our heavy rainfall in the Top End and the very easy carriage of seeds, it is important that the Northern Territory government continue to support agriculture actively in the Top End by combating weeds.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, yesterday in the adjournment debate, we heard the Chief Minister doing his utmost to convince the House, and in particular the press gallery, that his Country Liberal Party government did not really oppose the Aboriginal land claims. When I spoke, I mentioned that I regretted not having any notes with me. I have them with me today and I would like to reply to some of the claims he made.

Firstly, to reply to his Borroloola claim, officers of Northern Territory department were present at the hearing but it is true to say that the Northern

Territory government was not a party. However, does the Chief Minister dispute that the CLP strongly backed the opponents to the claim? Throughout the hearing, people close to the Northern Territory government made plain their opposition. The former Leader of the Country Liberal Party, Dr Goff Letts, was one of the more vociferous. Despite what the Chief Minister said, the Northern Territory government opposed the Walpiri land claim. Counsel for the Central Land Council, Mr Geoff Eames, made the point clear to the Land Commissioner, Mr Justice Toohey, that, for the government to say its notice was not an objection is completely hypothetical as the major opposition to the claim, the great bulk of all evidence, was directed towards stopping Aboriginals from getting control of the wildlife sanctuary. The Northern Territory Wildlife Commission witnesses, represented by Mr Ian Barker, the Solicitor-General, said that control of the area could not be given to Aboriginals in the interests of the Northern Territory government. It is on record. At no time in any discussion was it suggested that the Northern Territory government was not the real party to the dispute. If the Chief Minister denies this, I suggest he read the transcript of evidence.

In the Lake Amadeus/Uluru land claim, the "negotiations" broke down because the Chief Minister himself refused to offer any terms at all on the day of the hearing; that is, for the park itself. The non-opposition to the bulk of the claim is simply because the land has no value to the Northern Territory government.

In the Mudbra claim, the Chief Minister and the Solicitor-General at various times said that this claim would not be opposed. In fact, it was totally and strenuously opposed both on legislative grounds as to whether it was alienated and on the basis that land was required for the pastoral industry. There were no successful talks because the non-opposition was opposition in fact and the NT government made it clear that no real terms would be offered. Counsel for the Aboriginal Northern Land Council brought it to the attention of Justice Toohey that only evidence that supported the case for the NT government was being brought forward. Evidence that did not support its case had to be literally dragged from witnesses. I was personally involved in this land claim as a number of my old reports and a paper which I had published were used in support of the claim.

The Chief Minister mentioned the Katherine town boundaries and the Katherine Gorge. There is a letter on file in the Central Land Council office which states that the boundary was extended because of the land claim written, I am informed, by the head of a government department. In relation to the Cox Peninsula-Kenbi land claim, I replied in part to that yesterday very briefly and I will repeat what I said. The Chief Minister told us that his government bends over backwards to consult and inform Aboriginal people about what it is doing. The true story of the Cox Peninsula is as follows and I am pretty sure I have my dates correct. On 29 December 1978, the greater area of Darwin was declared by gazettal during the Christmas holiday when nobody was around. I do not know whether the Northern Land Council gets the Gazette but nobody at the Northern Land Council saw the gazettal. The Dum In Mirrie land claim came before the Land Commissioner, Mr Justice Toohey, on 19 February. At that time, the Northern Land Council advised that it did not want the land claim to go ahead because it wanted it to be heard in conjunction with the unalienated crown land on Cox Peninsula. This excuse was accepted by Mr Justice Toohey who, it appears, was not aware himself that Cox Peninsula had been alienated. So much for consultation and falling over backwards to inform the people about everything. I said, at the time, that I thought what they did was a fraud. I thought it was a deliberate attempt to foil Aboriginal opportunities to make a claim over that area.

I am quite happy to disregard the rather puerile remarks the honourable Treasurer made. He does not seem to be able to differentiate between sacred sites and land. Every time I mention land, he gets up and waffles on about sacred sites. Everyone knew the claim on the peninsula was coming. Even the most naive person would know that the boundary extension was gazetted because of the forthcoming claim.

With regard to other claims pending, it seems almost certain the government will oppose the Alligator Rivers Region Stage II. It has been announced recently that the government will oppose the Finniss River claim. I believe everyone is aware of what happened at Utopia. Ti-tree and Tjila Well claims will probably not go to the High Court because the High Court decision went against the NT government as it rightly should have.

In relation to the Willowra claim, which is a different case from Utopia, I would like to know whether the Chief Minister will make another legal objection that this property is not owned by or on behalf of Aboriginals. This is a different argument to the Utopia claim. Opposition is being used in a dishonest way by the Chief Minister. Because the word "objection" does not appear on a document, it certainly does not mean that there is no objection. Does the government plan to feed information to counsel so that it appears that counsel is asking the nasty questions? To write on a form that the government does not object means nothing. The issue is: would the Northern Territory agree to the government granting title as sought by the claimant? In every case, that has been the reality of the position and, in every claim, that reality has been pointed out by counsel. The objections have been obvious to any participants, especially the Aboriginals.

The Chief Minister yesterday accused the member for Arnhem of being a master at twisting words. I believe the Chief Minister himself is fairly accomplished in this art and he is certainly a past master in the art of telling half-truths. I suggest that he read the various transcripts of evidence and, in particular, the Walpiri land claim and then provide evidence that what I have said today is incorrect. This government should face its embarrassment squarely and admit that it certainly is strongly opposed to Aboriginal land claims.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, despite the fact that it was a wet windy night last Monday, about 60 people attended a meeting at the Parap Primary School in my electorate. The purpose of the meeting was to discuss the proposal to rebuild the old Fannie Bay Hotel on East Point Road. I believe the people at the meeting were broadly representative of the community. Not all of them were residents of Fannie Bay although most of them were. The Minister for Lands and Housing sent his apologies. The Chief Planner outlined the planning proposals to the meeting and answered very many questions.

Unlike the one attended by the honourable member for Elsey, the meeting did come up with some proposals and passed 7 fairly strong resolutions. I shall read these:

> *1. This meeting condemns the proposed rezoning of the land at East Point Road/Bayview Street area. 2. This meeting commends to the government that the former golf club land and the area proposed for rezoning be annexed to the East Point Reserve. 3. This meeting asks all city corporation nominees on the Planning Authority to vote against the draft planning instrument in which the proposed rezoning is detailed. 4. The meeting requests the Planning Authority to desist from approving any development for the*

area, including the old Fannie Bay Hotel site,except to rezone the land 01. 5. This meeting requests the Planning Authority to refrain from proposing rezonings without accompanying their proposal with specific plans for the public to consider and notes that it considered the B5 development fronting the proposed road on plan UD1483 to be inadequately explained. 6. This meeting notes that legally the proprietors of the old Fannie Bay Hotel site lost their legal rights to re-construct a hotel on that site on 31 December 1978 and sees no valid reason why those rights should be reinstated. 7. This meeting requests that the minutes of this meeting be sent by the chairman to the Minister for Lands and Housing for his perusal and attention.

As you can see, the people at that meeting felt fairly strongly about a number of things. With regard to the hotel proposal, there are already a large number of liquor outlets in my electorate. Although most of these are well conducted, some have caused problems. Few, if any, have caused the problems that were created by the old Fannie Bay Hotel in the last few years of its operation before the cyclone. Many people at that meeting last Sunday night recalled with horror the noise, the traffic dangers, the litter, indeed even the murders and other violence that occurred as a result of the operation of that licensed premise.

Mr Robertson: It sounds like Dodge City.

Mrs O'NEIL: Indeed, there were murders. I can assure the Minister for Education of that.

It is not suprising that those people, some of whom do not live there any longer, could feel so strongly about it that they were prepared to come along to the meeting. They have made objections to the Planning Authority about the proposal to rezone that land once again to allow a hotel to be constructed. The residents noted with some concern and dismay that, although the proposal has been described publicly as a tourist proposal to provide high-class accommodation for tourists visiting Darwin, the plans which were submitted to the Planning Authority are exactly the same as the plans for the old hotel which had a large public bar along Bayview Street. Naturally, they are very cynical about the suggestion that it might not turn into the sort of bloodhouse that was described at that meeting the other night.

The meeting also felt strongly about the continued indecision about the future use of all the land extending from Bayview Street in Fannie Bay around to the East Point Reserve. Consequently, it passed that second resolution commending to the government that the former golf club land be annexed to the East Point Reserve. The meeting further supported the view that sufficient money should be made available so that a plan of management for the area can be proceeded with as soon as possible and so that any further indecision on the use of the land might be overcome. I have spoken many times in this Assembly about the need to do just that. It is rewarding to see that the residents also apparently see that as a desirable thing and were prepared to express it so strongly at the meeting.

It was somewhat amusing when one of the residents present recalled that, in this Assembly on Wednesday 18 February 1976, there was a debate on a matter of public importance. It was introduced by the then member for Port Darwin and entitled: "To discuss the proposal by the DRC to establish a modular residential village and a caravan park on the old golf course adjoining the

East Point Reserve". It was recalled that the member for Jingili, Mr Everingham, said in reference to the Chairman of the then Darwin Reconstruction Commission, Mr Clem Jones: "Down in Brisbane, they will tell you that Clem Jones likes to encroach on parks if it suits his purpose to do so. I think we will have to watch this chap when it comes to the parklands. He seems to have this bad habit". The people of Fannie Bay are beginning to believe that that might also apply to Mr Everingham himself because it seems that this proposal is doing exactly that: encroaching on this area of parkland which the people would like to see incorporated into the East Point Reserve.

The Lord Mayor and 2 aldermen were present at the meeting. The meeting asked the city council nominees on the Planning Authority to vote against the draft planning instrument which was being discussed. If indeed they do, knowing as we do that the 4 nominees constitute a majority on the Planning Authority, then it is to be presumed that the proposal will be defeated. Naturally, as the chairman of that meeting, I will be forwarding these resolutions to those persons, as indeed I will be to the honourable Minister for Lands and Housing, as instructed by the meeting in resolution No 7.

The meeting also discussed at some length various procedures undertaken by the Planning Authority when rezonings are proposed. It was particularly concerned that proposals could be put forward without sufficient information being available to people to enable them to make an informed decision on whether they would like the proposals to take place. It is perhaps difficult for members who are not aware of the specific plan to understand what I am referring to.

In this plan, there are 2 areas proposed to be rezoned to B5. One is the old hotel site and the other is a large area that is currently open space. According to the government officers, there are no specific proposals for this latter area. They are going to take this area of land and make it B5 for no specific reason. Naturally, the people are very cynical about this. They know exactly what is being proposed. They find it hard to understand that the government would be proposing such a rezoning without something specific in mind. As a result, resolution No. 5 was passed requesting the Planning Authority to accompany proposals with specific plans so that people can make an informed reaction to the proposals. The same objection was voiced in relation to proposals to change some of the land from 01 open space to 02. Under 02, all sorts of things can take place - bowling alleys, skating rinks etc. While some 02 uses could be desirable, others would not be desirable. It is difficult for people to react to an 02 proposal unless they have some idea of what sort of development would be envisaged.

Resolution No 6 notes that proprietors of the old Fannie Bay Hotel lost their legal rights to reconstruct the hotel on that site on 31 December 1978 and the meeting saw no valid reason why those rights should be reinstated. The meeting felt quite strongly that the proprietors of the old Fannie Bay Hotel had 4 years after the cyclone in which they could have reconstructed that hotel with the permission of the DRC. They did not choose to do so and, subsequently, the land was rezoned under the new Darwin Town Plan which was endorsed by the government. One reason why it was not rezoned B5 was that it is too small for a hotel development. The residents feels that it is rather peculiar that, once that decision had been made that it should no longer be zoned to B5, there should be this proposal that it should go back to B5 again for hotel development. Finally, the meeting requested that the minutes should be forwarded by the chairman to the Minister for Lands and Housing and I shall be doing that as soon as I can.

There is one unfortunate casualty in this whole affair. I believe it was unfortunate that the proposed establishment of Indo-Pacific Marine in that area should be presented at the same time as the hotel redevelopment proposal. My impression is that most people are not opposed to the development of Indo-Pacific Marine in that approximate area. However, the whole proposal has created such fire that I feel that it is possible that the proposal might also be rejected. Personally, I think it is most important that Indo-Pacific Marine should be moved from where it is operating in a residential area. As it becomes more and more popular with local people, school children and tourists, traffic problems are being created for residents. Tourist buses are parking outside their houses and making noise and people are dropping litter on the footpaths. It is most important that some alternative proposal should be considered for Indo-Pacific Marine for the benefit of those residents. I bring that to the minister's attention. If there is further delay or a rejection of the total proposal as the meeting requested, then Indo-Pacific Marine will be sited in a residential area for another year or even longer. That will create more problems.

Mr Deputy Speaker, the residents of Fannie Bay have a reputation for protecting their interests in these sorts of matters and particularly for taking on the planners. They have done this successfully in the past when planners have thought that Fannie Bay was an easy place to establish things, as frequently happens with inner-city suburbs. I can assure the Assembly and the government that the residents of Fannie Bay will continue to fight to protect the pleasant character of that residential area and also to ensure that some of its more pleasant aspects, such as the East Point area, are maintained and retained for the benefit of all citizens in the future.

Mr EVERINGHAM (Jingili): Mr Deputy Speaker, it was interesting to have my past placed before my eyes, as it were, by the honourable member for Elsey when he referred to the Darwin Drunks Report and the bill that we drafted back in 1975 or thereabouts. I cannot recall why it was not proceeded with. I am pretty sure that it had the support of just about everyone but, at that time, we had absolutely no executive powers whatsoever. I believe that it was extremely unlikely that the funds for the proposals contained in the bill would have been provided. However, it is worth remembering and I might dig it out again and see how I feel about it today.

Another thing caused me some thought. The other night I read in the paper a letter from somebody in Goldsworthy in Western Australia. This person remarked in a letter to the editor of the Northern Territory News that, when Darwin had its Cyclone Tracy in 1974, the residents of Goldsworthy, a town of about 900 people, managed to raise $25,000. He pointed out - and I had not heard of this because I was in New Zealand in January - that 2 cyclones completely devastated the town of Goldsworthy in January. One did the job partially and the other finished it off. The city of Darwin had sent a donation to the residents of Goldsworthy of nix-pence. I thought this fellow was quite justified in having a shot at the city of Darwin. I feel rather ashamed to be a Darwinite when I comtemplate this.

I have asked the Lord Mayor, through the Director-General of my department, to do something about establishing a fund. I would appeal to all Darwin people, who owe the people of Australia and indeed countries right across the world a great debt of gratitude for the aid and the money that was so readily forthcoming at the time of our need, to do something about helping people in their times of need. I remember when Cyclone Althea hit Townsville and caused great devastation there. I was in the process of moving from Alice Springs to Darwin. The town of Alice Springs raised $28,000 in 24 hours for the residents of

Townsville people affected by Althea. I think we managed to raise $3,000 in 24 hours.

I would ask the people of Darwin in these circumstances to do something for our joint reputation. When people can write letters like that to the editor of the NT News, Darwin's reputation is going to stink around this country because we were the recipients of the greatest effort by all Australians everywhere to help us when that cyclone hit us. We will be hit by more cyclones in 30 years or in 50 years. It might be next year; it could still happen this year. If we expect our fellow citizens to dig in their pockets even if only by way of income tax to the federal government to give us aid to re-build - and we will want to re-build here as we did after Tracy - if we expect our fellow Australians to give to funds opened by the Salvation Army, by newspapers and by mayors of towns, we had better do something about showing our gratitude to other Australians when they are hit by these problems. I am appealing to the Lord Mayor of this city, the aldermen, the members of this Legislative Assembly who represent seats in this city and the people of this city to put their money where their mouth is. We talk about how grateful we are; let us show it to the people of Goldsworthy.

I turn now to the subject on which the honourable member for Arnhem and I have been belabouring one another. First let me pose a rhetorical question to the honourable member for Victoria River, bearing in mind section 50(3) of the Aboriginal Land Rights (Northern Territory) Act of the Commonwealth. I ask the honourable member for Victoria River whether, in the unlikely event that a Labor government was ever to come to power in the Northern Territory, that government would perform its functions as set out under section 50(3) to provide information to the Aboriginal Land Commissioner. If it does, it is almost certain to be told that it is opposing land claims.

I was very pleased to hear from the honourable member for Arnhem that he took my contribution to the adjournment debate yesterday as a reasoned rebuttal of the motion passed at Kormilda. He took my point without seeing it. There were many factual errors in that motion passed at Kormilda. What incensed me greatly was that I was dismissed by that conference which later passed that motion without giving me the right of rebuttal which I was able to perform at least to the honourable member for Arnhem's satisfaction in an aesthetic sense last night. That was all that I was incensed about as a result of that resolution being passed. After I made my criticism of the passage of the resolution, the land council chairmen deplored "Mr Everingham's arrogant refusal to listen to what Aboriginal people have said to him".

The very fact that I criticised the resolution proved that I was listening to what they said. Am I supposed to like everything whether it is factual or not? Am I supposed to like resolutions like that? We were told by the honourable member for Arnhem, who was an eyewitness, that it was pointed out before the resolution was passed that it was factually incorrect, yet it was still passed. That resolution will go down south and my government will be slandered as a result and I am supposed not to be incensed. It is all right for the conference to pass a resolution that is critical of this government but it is not all right for the Chief Minister of this government to criticise the conference or the people who passed the resolution. The person who has missed the point in all of this is the member for Arnhem who has one eye closed and can't see out of the other. I've only got one eye.

I will try to be charitable this afternoon towards the honourable member for Arnhem who again, as the bell rang on him, was about to tell us the Northern Territory government attitude towards the Cobourg Peninsula land claim. I

wonder how he would know about the Northern Territory government's attitude towards the Cobourg Peninsula land claim. He is unlikely ever to be part of a Northern Territory government and he certainly does not know the attitude of the Northern Territory government towards that land claim.

I will not bother to deal with the rubbish served up to us by the honourable member for Victoria River this afternoon because the facts were given to this House yesterday afternoon and I do not propose to repeat them. The Northern Territory government has been attempting to negotiate with the Aboriginal people through the Central Land Council in respect of the Uluru National Park exactly the same arrangements for the last 12 months as we are now negotiating with the Northern Land Council with respect to the Cobourg Peninsula. That arrangement was outlined to the Northern Land Council months ago.

The bill was prepared quite some time ago. Certainly, there have been negotiations back and forward. The unfortunate thing is that, like running down cases and other litigation, these claims never seem to be able to be negotiated with any determination until they are at the door of the commissioner. The parties are working well on negotiating an arrangement in respect of the Cobourg Peninsula. I do not think it is finalised yet. I understand it has to be approved by the traditional land owners at Croker Island. There are a number of them in Darwin and others have to be consulted. Certainly, we do not want to see any more writs of mandamus flying around which the honourable member for Arnhem usually seems to be in the vicinity of. We are trying to see that whatever negotiations are arrived at are properly and thoroughly understood by the people concerned. I am certain that, if the arrangements that are proposed and which seem to be almost accepted between the Territory government and the Northern Land Council are approved by the traditional land owners, then the Cobourg Peninsula will become Aboriginal land but, at the same time, its use as a national park will be preserved. That is what we have been trying to achieve at Uluru ever since that land claim was dismissed. Again, the point was completely missed by the honourable member for Victoria River. We opposed the Uluru claim because it was a national park but we approved and supported the larger claim to the area around it. He did not mention that.

All I can say is that this government is taking a totally responsible attitude towards all land claims; we will not oppose them other than in the public interest. We support Aboriginal land rights but we take our duties as a government seriously and we take our duties to all people of the Northern Territory seriously.

Mr ISAACS (Millner): Mr Deputy Speaker, I would like to mention 2 matters in the adjournment debate this afternoon. The first is a matter which I cannot allow to go without comment and nobody in the Assembly as far has commented on it. This matter is the blasting that is occurring about the Olympic Games boycott. I heard the Prime Minister this morning on the news talking about the Olympic Games boycott and about selling strategic minerals to Russia. Our sportsmen and women, who have been training for years, not just 4 years, are to be the sacrificial lambs. If we send our sportsmen and women to Russia, we are concurring with the invasion of Afghanistan. Of course, if we send them our strategic minerals, there is no problem. I have never heard so much hypocritical nonsense in my life, Mr Deputy Speaker. It is about time the Australian government realised this. It is hypocritical for a number of reasons. It is hypocritical because Australian governments, Labor and Liberal, have been party to intervention in other countries - Timor is one, Vietnam is another. When we assisted it or stood by and watched it happen in those countries, it was okay. When Russia intervenes in Afghanistan, which is totally wrong in my view, we get up on our soap-boxes and shout alarmist statements.

It is what we do about it that alarms me most. The hypocrisy of our national Prime Minister is really a very sore point in terms of our international standing. He has gone on a 2-week tour around the world and has come back in hot support of a boycott of the Olympic Games. Never mind that the IOC unanimously decides that we are all going to Moscow anyway. He comes back fully in support of an Olympic Games boycott. "We are very principled", he says. In the same breath, he says, "Oh look, but we are going to sell our strategic minerals to Russia". They only make bombs; they only make aeroplanes; they only go to the army. What does that matter? This high-principled gentleman tells us, "Well look, if we do not sell it to them, the Russians will get it from somewhere else". I am very annoyed about that. I had hoped that members of the government would share my annoyance. I hoped they would forget about which party the Prime Minister belongs to and reject out of hand the hypocrisy which the Prime Minister is bellowing across the national airways.

The other matter that I wish to speak about is the matter of Palmdale Insurance Company. I asked a number of questions about it. I am very concerned about the situation, not just about Palmdale itself but about the measures which this government is taking with regard to assessing those people who wish to sell worker's compensation insurance.

I want to stress at the outset that, in my view, which I gleaned from speaking to people in the insurance industry, Palmdale operated in the Northern Territory with extreme success. The way it was run is a credit to the people who managed it. It was the second largest broker in worker's compensation insurance in the Territory and it managed its business extremely well. It was not through its operations in the Territory that Palmdale went broke nationally. Indeed, I do not believe it was its insurance policies which sent it broke; it was its poor investment policies.

But be that as it may, it concerns me greatly that the Chief Minister, in answer to a question yesterday morning, should say that he wrote a letter yesterday to Palmdale telling them that he was not going to cancel their registration. In answer to a question about why would they not be de-registered, he asked to have the question put on notice. This morning, another question I asked was placed on notice. I just hope that the government gives priority to this question of registration of worker's compensation insurance because it is causing great problems in the industry itself.

I would like members to consider the effects of Palmdale not being de-registered. If it is continuing as a registered insurer, it means that those companies which had policies with Palmdale have to make up their minds whether they should stay with them or go elsewhere. Most, I believe, will go elsewhere. I do not know how many will then cancel their policies with Palmdale. That will mean that, if a worker is injured, he may well be co-insured by his new insurer and Palmdale through the Nominal Insurer. That will create administrative difficulties. It will also burden unnecessarily the insurers themselves. I am not carrying a candle for the insurance industry. I believe it is totally unfair that the insurers that are left in the field have to carry the can for Palmdale. I believe it almost borders on negligence that Palmdale has not been de-registered.

The Chief Minister is aware of the correspondence. He says that he wrote a letter to Palmdale yesterday. I would ask him to very seriously consider the problem and to ensure that the writers of workmen's compensation insurance are screened not just for their Territory operation but, if they are part of a national organisation, to ensure that that national organisation is economically viable. The New South Wales government refused to register Palmdale for

workmen's compensation. I understand that Victoria either did not register them or had very great qualms about registering them and only did so because there was the possibility of a sale.

You can see the problems involved when a company does go broke. It was not because of its operations in the Territory; its Territory operation was a very fine one. It will cause very great problems. It will mean that those companies which had insured with Palmdale will be whistling for the balance of their premiums and that will be an impost on those companies. I believe that that sort of impost can be avoided if strict guidelines are adopted in screening the companies we wish to write workmen's compensation. I stress again because I am fearful that I may be misquoted: in no way am I denigrating the work of Palmdale in the Territory. It shows you that you must go a bit deeper than simply looking at its Territory operation and that apparently was all that concerned the Chief Minister in his answer to me yesterday. You must look at the overall situation of the company to make sure that it is a viable organisation before it is permitted to write workmen's compensation in the Territory.

Mr PERRON (Stuart Park): Mr Deputy Speaker, I would like to say a few words in response to the Leader of the Opposition because I think there is some misunderstanding on the situation in regard to a company with an approved insurer status under the Workmen's Compensation Act. I don't have a great deal of detail before me. The Leader of the Opposition seems to think that had the Northern Territory government done a more detailed assessment of Palmdale - a company that had been operating successfully in the Territory for a long period of time - had we done a proper assessment of its Australia-wide operations, we would have presumably deemed it to be a company not worthy of approved status. As I understand it, insurance companies make these decisions with their investment portfolios from time to time and, in this case, perhaps that is what brought the company undone. Are we to monitor the stock market dealings of these companies continuously to see whether one day they make a judgment we feel is a poor business judgment which may place them in jeopardy? Obviously, it would be impossible to run such a monitoring system on all insurance companies.

For that matter, I believe only New South Wales has an assessment procedure for approving insurance companies. Most states rely on the Commonwealth Insurance Commissioner. If an insurance company can meet his requirements to form and maintain an insurance office, the states, with the exception of New South Wales, take his ruling that the status of the company is sufficient. I do not see it as being anything we should feel guilty about at all.

The Leader of the Opposition suggests that it is some sort of shame or impropriety that the approved insurer status of Palmdale has not been removed. May I suggest that, even if the status were removed from the company that is now in liquidation, that would not affect the policies that it has issued whatsoever. The act states, and I am relying on memory from an advising that I have from the Department of Law, that once a policy is taken out with an approved insurer, the fact that that approved status may be removed at some subsequent time does not affect the policies that were taken out. I think that is a fundamental fact that the Leader of the Opposition should bear in mind. Perhaps it is a fact that we should be attending to in the law. The government is examining some proposed amendments to the act now in that regard. However, any action that could have been taken to date to remove approved insurer status would not have affected policies that are in existence today. The company is not taking any further policies of course. No extension of liability is being created and therefore the situation is quite clearly not becoming any worse at this stage by not having its approved insurer status removed.

A company may even lose money by removing its policies from Palmdale at present. Under the law, it seems that a company can leave its policies there at present and therefore let Palmdale carry the risk. The risk that Palmdale cannot carry is carried by the Nominal Insurer. If the company were to choose to cancel its policies with Palmdale and take them out elsewhere, and I suspect that has been the case with many companies, the portion of premiums which would be due for refund stand with Palmdale as part of unsecured creditors. Possibly, it may be a long time before a dividend is paid and perhaps those people will not get all the money that is due to them. It could be argued that it would be in the interests of people who have policies with Palmdale to leave their insurance there.

Mr VALE (Stuart): Mr Deputy Speaker, tonight I would like to talk about certain happenings in recent weeks in the Australian Labor Party. I do not intend to take members on a travelogue around Australia and the occurrences in dark dungeons and dark alleys, dark room meetings in Brisbane, the Walker ramblings in Sydney or the bumping off of Batt in Tasmania or the Hawke-Hartley disputes in Victoria or the dumping of Young in South Australia - I would rather come back to my own home town of Alice Springs and occurrences which have been going on down there within the Australian Labor Party for the last 3 or 4 years.

It concerns the left wing and the more moderate forces. The more moderate forces used to be members of the Australian Labor Party. Some years back, the Chairman of the Town Council Parks and Gardens Committee, in a public statement, announced that the city trees were to be torn out in the main street. As most of us in town knew, this was a controversial issue with the Conservation Council, in particular with its local chairman, John Reeves, a member of the Australian Labor Party and others. It was publicly acknowledged that the city trees which had destructive root systems were rooting up footpaths and roads. The council decided to tear them out and replace them with native trees which had a less destructive root system. This knowledge that I am about to make public for the first time occurred within the Australian Labor Party over a number of years but it started probably at that stage.

Mr Williams made a telephone call to Kendall McClelland and advised him that the Labor Party had decided that the trees were to stay and that McClelland, as a member of the Labor Party, was to observe that rule. Unfortunately, Alderman McClelland's reply would be regarded as non-parliamentary and I cannot repeat it here. Subsequent to that, the then Chairman of the Australian Labor Party, Alderman Haddon, went on an overseas trip. Whilst he was overseas, he was dumped fairly ungraciously by the left wing element in the Labor Party and John Thomas became chairman. Since then, the issue has bubbled. Three members of the ALP in Central Australia - people whom I regard as consensus members and whom anyone could approach regardless of the political beliefs - resigned from the party: Kendall McClelland, Bill Oestreich and Dennis Haddon. The public reason for their resigning they attributed to the Deputy Leader of the Australian Labor Party in this House.

A few weeks ago, Kendal McClelland said he received a telephone call from Jon Isaacs suggesting that he nominate for the seat of Alice Springs. This is confirmed by another person. McClelland advised the Leader of the Labor Party that he was no longer a member. The Leader of the Labor Party suggested he nominate. He obtained signatures on his nomination form of an old and respected Territorian, Jock Nelson, and Trevor Jenkinson. At the meeting, the left wing moved viciously to dump McClelland: no membership was to be accepted. The Leader of the Labor Party was not going to become embroiled. He withdrew his support and became silent on the issue. McClelland's re-application for

membership was refused. In Central Australia, as in the rest of Australia, the Labor Party is hellbent on destruction.

The Leader of the Labor Party made a lot of public noise about the appointment to his staff of Duncan Graham or Graham Duncan. He took office in Alice Springs and one would think that he was a candidate for office rather than the Deputy Leader of the Opposition or any of the 4 ALP members in Central Australia because every time one reads a press release it is "Mr Duncan said this or Mr Duncan said that" or Mr Graham or whatever his name is.

The first thing he did was to lodge an objection against the renewal of the licence to 8HA. He is a so-called media expert from the south and, in Central Australia, to be quite frank, we have had a gutful of media experts from the south. Now he drives around the Stuart electorate with a little notebook and collects information about who is living where and who is moving when so that people can be taken off the roll, particularly if they are Europeans.

In all areas in Central Australia, the Labor Party's public performances have been dishonest as exemplified by the recent activities of the Leader of the Australian Labor Party in Ti-Tree about 2 weeks back. He was talking to Aboriginals at Ti-Tree station and I have it on first-hand information that he introduced himself not as Jon Isaacs, a member of Mr Hayden's party, but as Jon Isaacs, a member of Gough Whitlam's party. I would think that, even if news does travel slowly in Central Australia, the Leader of the Opposition was morally and legally obliged to at least give those Aborigines the courtesy of presenting himself as he really is.

Mr STEELE (Ludmilla): In response to the member for Tiwi, I circulated a statement last November which I am in the process of updating and which I propose to deliver next week.

In relation to insurance matters, I take up the point which the Treasurer raised. I was involved with insurance as the Cabinet member for Transport and Industry early in the life of this parliament and I can only vouch for the thoroughness of the scrutiny and examination of insurance companies by officers of this government. When the VIP Insurance Company, which failed in the eastern states, pressured us as an embryo government to register them under the act at that time, I accepted the advice of officers and did not allow them to be registered. That was against a fair bit of pressure from their lawyers. They were nominated for registration with a background of financial stability but they crashed shortly afterwards. I can only say that the officers who examine these propositions do a very thorough job.

Since the matter of East Point was raised, I must also declare an interest in that area. In so doing, I cannot see how the member for Fannie Bay could compare Clem Jone's ruination of Brisbane with a proposal to construct a hotel on East Point Reserve; that is, by attributing that proposal to the Chief Minister. I will read it again tomorrow and, if I am wrong, I will stand up tomorrow afternoon and say so.

I wish to declare an interest in East Point. My wife and one of my children ride a horse across East Point from time to time. As a citizen, I would not like to see any development of East Point. I opposed that cockroach caravan park that was established in the year of the DRC. I opposed it publicly and I would not hesitate to oppose any further desecration of the area. Perhaps in the year 2080 there might be an opportunity for people to encroach upon the area. At this stage, I think is should remain exactly as it is.

I would like to turn to a matter which concerns me. Today, I went to the funeral of young Robert McCorry. Robert was 18 years of age and drowned in the Ord River only a few days ago. He was the son of May McCorry, nee Sullivan, ex-Adeliade River. May is from my electorate. Jim McCorry died only a few years ago. He was a good friend of mine. May lost her husband and now she has lost her son. She has other children. I think they are all daughters. One of the daughters goes to school with one of my children. Jim was a veteran from Korea. He spent a fair bit of time working in New Guinea. I think his family originally came from there. That is only part of the sorrow of this family. May's house burnt down a couple of years after Jim died and she was in a fairly sad situation at that time. To get Robert back from the west, the hat had to go round. An old friend and colleague of mine, David Napier, took that hat around. Most of the credit should go to a fellow called Jarman who did most of the work. It is with some measure of sadness that I relate this story. I remind the House that those people who are fortunate enough to be able to construct a hotel at Fannie Bay or at East Point and those who are lucky enough to object to that proposition are in a much better position than May McCorry.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have a message from His Honour the Administrator, message No 13:

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

Dated this 13th day of February 1980.

J.A. England, Administrator.

TABLED PAPER

Report of Minister's Visit to America

Mr TUXWORTH (Mines and Energy): Mr Speaker, I table a report on a recent trip that I made to America. This paper was circulated to honourable members yesterday. I would like to point out that there is a great deal of material in this report. Since I have only 1 copy, it has been given to the Clerk to place in the Assembly library. If anybody wishes to avail himself of it, he will find it there.

STATEMENT

Assistance to Local Government

Mr DONDAS (Community Development) (by leave): Mr Speaker, an amount of $1,061,733 has been made available under the Northern Territory local government tax-sharing entitlement for distribution to the councils for 1979-80. The amount allocated this year will be included in the operational subsidies of the councils. In determining the grants, account was taken of the population and the rated capacity of each of the 4 councils. The payments to the Northern Territory municipalities under local government tax-sharing arrangements are completely untied and the way in which these moneys are utilised is a matter for each municipality to determine. The federal Treasurer has previously indicated that the Commonwealth will raise the share of personal income tax revenue payable to all local governments from 1.75% to 2% by the time of the next budget, which will represent a significant gain for the Territory's municipalities. The City of Darwin will receive $598,669; the municipality of Alice Springs will receive $232,382; and the municipality of Tennant Creek will receive $145,820.

APPROPRIATION BILL
(Serial 402)

Bill presented and read a first time.

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

The detail contained in this the second Appropriation Bill for the year and its explanatory notes provide hard evidence that, in the economic sense, the Territory is on the move. This bill allocates $24m of which $15.9m will be financed from additional revenues over and above those provided for in the budget. It will thus increase the appropriations for this financial year from the $516m set down in the budget to $531.9m.

Of the funds available for allocation, $24m is made up as follows: savings in amounts allocated for expenditure in the budget and available for reallocation - $8.1m; additional funding from the Commonwealth for functions transferred to the Territory since the budget - $4.6m; and increased revenues, including net special purpose payments to the Northern Territory - $12.5m. That is a total of $25.2m, less deductions of $1.2m for special appropriations of $1.2, leaving a total of $24m.

Special appropriations are appropriations made under other acts; namely section 31 of the Financial Administration and Audit Act and section 41 of the Supreme Court Act. Under those acts, provision is specifically made for the costs of raising and servicing the Territory's first 2 public loans and remuneration and related payments for Supreme Court judges. They do not form part of the appropriations contained in this bill. In summary, therefore, total funds available for allocation under this bill amount to $24m of which $15.9m will be new moneys.

I now turn to the sources of these additional revenues which represent a bonus for the Territory on our budget expectations. Members will recall that the 1979-80 budget brought down in August estimated a $10.5m growth in Territory taxes, charges, fees and miscellaneous receipts. That growth was predicted on the assumption that the tax base would grow; that is, that the increased revenues would flow from higher population and workforce levels and increased business activity.

There were no taxation increases then nor are any proposed. In fact, the budget establish the Territory as a national leader in payroll tax relief. These concessions, backdated to the start of the financial year, gave Territory employers an estimated $1.1m reduction in payroll tax levies. During the first 6 months, however, it became clear that revenues for the year would exceed expectations. It became clear that a rapidly growing population and expanding enterprises were increasing the demand for vehicles, homes and land which in turn were creating higher than predicted revenue increases. New Territorians, new jobs and new activity were the primary reasons for this and are thus the primary reasons for this bill. An expanding tax base has been created and it is now growing faster than we had earlier anticipated.

These facts underline the significance of self-government to the Territory and the effectiveness of local drive and local decision-making in the creation of new opportunities. To put these new revenues in context, it should be noted that state-type taxes and charges raised $37.1m in 1978-79, the first self-government year. In the 1979-80 budget, these collections were estimated to grow to $47.6m despite the fact that taxes were not increased and more than $1m in payroll tax revenue was forgone through an increase in the exemption level shielding small businesses. The revised estimate for 1979-80 is now $58.7m. That is a 58% increase over actual receipts for last year.

The principal areas of increased local revenues are proceeds of land sales, payroll tax, stamp duty, motor vehicle registration and licence fees, together with casino fees and taxes. Land sales are now expected to return the government some $6m more during 1979-80 than estimates made at the start

of the year. This is due to an unprecedented increase in the demand for land evidenced by sales at auctions and through the government's recently introduced direct land grants scheme. It is an indication of widespread confidence in the future of the Territory.

Payroll tax collections are expected to yield $3.4m more for the year than was anticipated at the time of the budget. Apart from increases stemming from the 4.5% national wage case decision in January, payroll tax collections have reflected higher levels of employment in the Territory and a rise in the number of employers. This is a further indication of the sharp upturn which has taken place in the Territory economy in recent months.

Revenue from stamp duty is expected to reach $2.9m in 1979-80, an increase of some $780,000 over budget predictions. These additional revenues relate, in the main, to the boom in land sales and new vehicle registrations. Motor vehicle registration and licence fees are now expected to yield $3m, an increase of $400,000 on the earlier estimate. Estimated revenue from casino fees and taxes has been revised upward from $370,000 to $725,000. The under-estimation reflects the fact that, at the time of the budget, the original estimates were made without the benefit of historical data.

A further $4.6m results from additional functions transferred from the Commonwealth to the Territory since the budget, or expected to be transferred by the close of the year; namely, the Supreme Court function and further town management and public utility functions in respect of Aboriginal communities. Being in respect of ongoing functions and programs, these additional payments from the Commonwealth are of course matched by equivalent expenditure commitments.

It is the government's wish to allocate these new revenues to maintain and improve standards of service to our expanding population. The funds involved are of such magnitude that it is preferable that this second appropriation be effected now rather than in April-May, the traditional time. This step will enable new expenditure programs to be achieved by the end of the year.

I now turn to the new expenditure proposals. The first budget review, carried out each January by the Treasury, indicated a range of needs within departments and authorities for extra funding. These are indicated in the bill which shows amounts originally appropriated under Appropriation Act No 1, the additional amounts required and the revised appropriation. The 4.5% national wage increase in January has made its impact on salary votes and resulted in an overall increase in costs of $3m. In addition to salary costs, increased charges for services and supplies and costs of capital works have had an effect throughout all areas of the budget. Although some allowance was made for these increases, their additional budgetary effects amount to some $4.2m. The size of these expenditure increases provides the answer to those who criticised the original budget allocation to the Treasurer's Advance. Of the $12.3m so provided, some $7.2m is now seen to have been needed just to keep pace with inflation. Honourable members should note that the full effects of the national wage increase are yet to manifest themselves through other areas of the budget. It has therefore been considered prudent to retain $4.5m in Advance to the Treasurer to provide for this and other contingencies.

Amongst the proposals the government is now considering which have not reached a stage where assessments could be included in this bill is a scheme to encourage greater employment of apprentices. The government will fully reimburse private employers for workmen's compensation premiums paid in respect of apprentices. This initiative is expected to cost $200,000 in a

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full year. Additionally, subsidies are being considered as compensation for time lost during off-the-job training. These proposals have not been fully costed but it is anticipated that funds within the Treasurer's Advance will be used to commence apprentices incentive schemes this financial year.

In the budget, I announced details of the government's innovative Home Loans Scheme. An amount of $13m was allocated for this and other government-financed housing schemes, including the 6% concessional scheme for cyclone victims. I am pleased to say that, in its first 4 months, the new Home Loans Scheme has exceeded expectations. Until 1 February, a total of 475 applications had been received. 182 loans have been approved with an aggregate value of 6.4m. The Housing Commission is taking action to speed up its procedure and this, together with a continual flow of new applications, points to a need for extra funds. This bill provides an additional $3.2m to the scheme and, if necessary, further funds will be provided later in the year. The popularity of the government's approach to home financing relates directly to the generous terms offered and the Home Loans Scheme is clearly a major contributor to the government's aim of reducing population turnover and encouraging greater numbers of Territorians to make a life commitment to the Territory. In a landmark expenditure decision, $300,000 will be earmarked specifically to provide housing for Aboriginal members of the Northern Territory Public Service who serve in positions in remote communities.

Additional funds amounting to $5.2m are included for the Local Government Division of the Department of Community Development. Of this, some $3.3m relates to the functions taken over from the Commonwealth in respect of Aboriginal communities. An extra $250,000 is to be allocated as part-payment to the Katherine council for construction of a swimming pool and new municipal chambers. This bill implements the government's commitment to aid the Corporation of the City of Darwin in the provision of new and improved car parking facilities in the Central Business District. It provides for a $1m contribution by the government for this purpose. Our full offer to the council is a lump sum grant of $1.7m together with city sites owned by the government valued at $510,000. Allocations to local government in this bill include an amount of $100,000 as payment for work to be undertaken by the Darwin council in connection with the Marrara sports complex. A further sum of $100,000 will be provided in respect of drainage improvements on Trower Road.

The government plans to make an additional $2.8m available for education throughout the Territory. This will lift total expenditures on services provided under this ministry in 1979-80 to $74.7m. The sum of $250,000 is provided for the purchase of school furniture and to establish a central furniture pool for schools. A further $200,000 is provided for other school equipment requirements. In recognition of the higher costs of operating schools in the Territory compared to southern states, government assistance to independent schools will in future be based on 20% of the Northern Territory government schools' average cost of educating a student, rather than the national average. This additional assistance will amount to $376,000 for the remainder of this financial year and will form an important addition to independent schools' budgets. Provision has been made for a grant of $70,000 for an additional classroom at Bathurst Island School and the capital works program includes provision for $50,000 expenditure this year on the Garden Point School.

Additional funds amounting to $550,000 are to be provided to the Darwin and Central Australian Community Colleges for the mounting of new trades courses and the purchase of additional education equipment.

This bill will assist the construction sector through increased sums to be spent on roads and public works. Total appropriation for the construction and maintenance of roads will rise to $45.4m, an increase of $1.6m. This includes construction or upgrading of external service roads at Leanyer-Karama, the Elliot-Anthony Lagoon Road, the Daly River Road and an access road to Pine Creek airstrip. Particular attention is being directed towards upgrading roads in the rural areas outside Darwin including the Virginia, McMinns, Gunn Point, Mahaffey, Hillier and Whitewood Roads. An additional $100,000 has been provided for this purpose. Maintenance and capital expenditure on public works will be raised to $59.7m by additional funds amounting to $1.3m.

The Community Welfare Division will get an additional $472,000 to provide, in part, for additional grants-in-aid to community organisations, new or expanded programs in relation to handicapped persons, pensioners and foster parents, and for the employment of Aboriginal community workers. Concessions and benefits to pensioners have been raised by 25%. A rebate of $12.50 will now be provided on quarterly electricity accounts. The rebate on registration of a motor vehicle has been lifted to $87.50. A rebate of 62½% will apply to council rates and water and sewerage rates. A new concession to pensioners has been included, that is, a 50% rebate on garbage charges. An additional $23,000 will be provided in benefits to foster parents, taking the total appropriation to $273,000. The appropriation for Aboriginal community workers will be raised by $47,000 to $233,000. Additional funding to the Community Services Division includes provision of $30,000 for new staff at the Casuarina Library and additional grants of $250,000 to community organisations including $50,000 for an ablution block at the Hamilton Downs Youth Camp. There will be further expenditure of $244,000 on various other programs including the National Estate, Life Be In It and Vacation Care.

Honourable members will be aware of this government's concern to ensure that problems relating to the energy crisis are minimised in the Northern Territory. Strengthening of the energy planning and development function within the Mines and Energy Department is therefore essential and the government has budgeted $180,000 for the remainder of this financial year to allow for the recruitment of new staff and an expansion of activities related to energy and energy conservation. A further $100,000 is to be made available for the retention of a mineral consultancy firm of international repute to carry out assessments of work done on the possible exploitation of the enormous lead-zinc deposits at McArthur River. The exploitation of this resource will, in the longer term, greatly benefit the Northern Territory.

The additional funding amounting to $1.1m is provided to cover, amongst other things, the introduction of a Police Aide and Cadet Scheme and the employment of additional clerical support staff as well as increased vehicle maintenance and running costs.

In the total additional appropriation of $1.8m for the Department of Law, an amount of $1.4m has been provided for expenditure on the Supreme Court function which was transferred to the Territory on 1 October 1979.

Appropriations for the Territory Parks and Wildlife Commission are to be raised by $343,000 to $10.2m. Included in this increase is $225,000 for an end of green season clean-up on land in all centres which is the responsibility of the Northern Territory government. An amount of $30,000 has been provided towards this year's cost of construction of a road on Bathurst Island.

Mr Speaker, previous money bills before this Assembly have attracted inaccurate comment that the government has neglected Central Australia. In

order to avert a repeat of that misleading proposition, I am able to inform honourable members that at least $3.5m of the allocations in this bill will be spent directly in Alice Springs and the Centre. Like other regions, Central Australia will also benefit in a general sense from the full impact of proposals contained in the bill. No region is favoured over another in the government's expenditure decisions and I believe the record since self-government clearly indicates the truth of this assertion.

Mr Speaker, the developments that have made this bill necessary - greater than anticipated revenue increases - reflect a vigorous and rapidly developing economy. Expansion within the Territory is the key to this improved cash flow. It is something of which we can all be justly satisfied. The figures I gave earlier estimate that, by 30 June, local revenues will grow by 58% over the 1978-79 first year of self-government. The fact that this growth is being achieved in the absence of increased tax levels will be seen by outside observers as a remarkable achievement. The additional expenditure measures contained in this bill are intended to both fairly distribute those gains and, at the same time, further promote the growth and development of a soundly-based Territory economy.

On behalf of my colleagues in government, it is with some pleasure that I report these advances which are being made in the Territory. The 20 months since self-government have been an intense development period and all Territorians, I am sure, will share their government's pride in the achievements we have jointly attained.

Mr Speaker, the foundation of the Territory's financial arrangements, the Memorandum of Understanding which was negotiated with the Commonwealth before self-government, provided the Territory, for the first time, with a degree of predictability in future funding levels. As a result of that agreement, I am able to advise that Treasury projections for future revenue growth give an assurance that the 1980-81 Territory budget will set new records. In the expectation of a growth budget, I foreshadow that the government will be able to extend its policy, incorporated in this year's budget, of offering further payroll tax concessions. It is this government's firm intention to maintain the Territory's national leadership in its attack on this tax which is an impost on jobs. Further, as we prepare the 1980-81 budget in the closing months of this year, the government will rigorously examine other areas where cuts might be imposed. Motor vehicle registrations and water rates will be 2 areas we will look at with a view to reducing charges.

During these sittings, details of recent decisions will be given in respect to reductions in turnover tax payable by bookmakers and an increase in the formula under which Territory racing clubs gain finance from government collected revenues. These matters will be the subject of separate legislation and will come into effect on 1 July.

I commend the bill to honourable members.

Debate adjourned.

FIREARMS BILL
(Serial 396)

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 to amend the recently passed Firearms Act to rectify minor defects and discrepancies in the act that became apparent after it was passed. The amendments do not alter the original intent of the act. However, to ensure the effective operation of the act, this amending bill is necessary.

Clause 2 provides for the repeal of Firearms Act (No 104 of 1979). The failure to include this act in the schedule of acts repealed by the new Firearms Act was an oversight.

Clause 4 provides for the inclusion of a definition of "spear-guns". Clause 5, by paragraph (a), exempts spear-guns from the application of the act. The Firearms Bill originally contained a provision exempting a spear-gun from the application of the act by reference to the Spear-guns Control Act. However, with the repeal of the Spear-guns Control Act by the Fish and Fisheries Act, the provision was removed. Unfortunately, no replacing provision was inserted. The definition of "firearms" is reasonably broad and probably leads to the requirement to register most spear-guns under the Firearms Act. I think honourable members will agree that this is not a desirable situation.

Clause 5 also provides for the deletion of the words "the property of the Crown or the Territory" from subsection (5) of section 6. The purpose of this amendment is to extend the exemption provided by the subsection to enable police to possess and use in the course of their duties firearms which are not the property of the Crown. The act, as it stands, limits the application of the subsection to firearms owned by the Crown or the Territory. Police, in certain circumstances, will be required to use firearms other than the departmental firearms in the course of their duties. For example, a police officer may have reason to test a firearm belonging to a private individual. The amendment will enable this while still ensuring that the ememption provided by the subsection relates only to possession and use during the course of duty.

Clause 6 inserts a new section in the act providing for a certificate of registration to be in an approved form. It is the intention to have all the administrative forms approved by the commissioner and not prescribed by regulation. This is to facilitate the development of forms suitable for use in the computerisation of records. However, due to omissions in the act, certain administrative forms are now required to be prescribed. This amendment and further amendments contained in clauses 9, 10, 12 and 14 will remove the necessity to prescribe certain forms by regulation.

Clause 7 amends section 17 to require a registered owner of a firearm to notify the registrar of a change of name. Clause 8 is a drafting amendment as are the amendments contained in clauses 13 and 16.

Clause 11 amends subsection (3) of section 50. The subsection now provides that membership of an approved pistol club is sufficient reason to possess, carry and discharge a pistol for the purpose of obtaining a pistol licence. The amendment contained in this clause will require, in addition to membership of an approved club, the recommendation of that club before an applicant for a pistol licence may rely on the subsection. I understand pistol clubs require intending members to undertake training in the use of pistols and to attend a certain number of shoots before being considered competent. I think honourable members will agree that the amendment proposed will not restrict the application of the subsection in relation to the legitimate pistol shooter and will have the added advantage of ensuring the competency of an applicant for a pistol licence.

Clause 15 amends section 73 which deals with appeals from decisions of the commissioner. The amendment requires a person to commence his appeal within

28 days of the decision of the commissioner. I am sure that every honourable member will regard that as reasonable.

Clause 17 amends section 99 which makes it an offence to give a firearm to an unlicensed person. The amendment extends the application of the section to a person in possession of a firearm. As the act stands, the offence is limited to the owner.

Clause 18 inserts a new section 106A empowering the commissioner to issue a duplicate certificate of registration or a duplicate licence where the original is lost, stolen or destroyed. This is a standard provision, found in most legislation dealing with the issue of certificates and licences.

As honourable members can see, the amendments contained in the bill are not of a substantive nature and do not materially alter the provisions contained in the principal act. I commend the bill to honourable members.

Debate adjourned.

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) BILL
(Serial 400)

Bill presented and read a first time.

Mr DONDAS (Community Development): Mr Speaker, I move that the bill be now read a second time.

The Criminal Law (Conditional Release of Offenders) Act presently applies to offences against laws of the Territory. "Laws of the Territory" are defined in section 3 to mean laws in force in the Territory other than acts or regulations under acts. The definition was drafted before self-government. The word "act" was intended to mean a Commonwealth act. The intention was therefore that the Criminal Law (Conditional Release of Offenders) Act should apply to offences against all Territory laws and not Commonwealth laws. The word "act" is now defined under the Territory Interpretation Act to mean "a Territory act". It is therefore possible that the court could construe the definition section as evidence and intention that the act only applies to common law offences in the Territory and not statutory offences.

Clause 2 of the bill seeks to make clear that Criminal Law (Conditional Release of Offenders) Act applies to both common law and statutory offences against Territory laws and not to Commonwealth laws.

Clause 3 is a necessary validation provision which removes any doubt there may be that actions taken under the act in the past are as valid as if the correct definition has always been there.

Clause 4 corrects an incorrect cross-reference. It has clearly been the will of this House that the court be given a wide discretion to order that offenders be conditionally released and, where required, to do useful community work. This bill is necessary to give effect to that idea. Members will recall that a similar bill was passed last year to correct the same problem in the Parole of Prisoners Act. Both that bill and the present amendment are one of the side effects of self-government. It would be most unfortunate if the courts felt they would not exercise the discretion in favour of deserving individuals which this House intended they should have. For this reason, I have sought the urgent passage of this bill. I commend the bill to members.

Debate adjourned.

ELECTORAL BILL
(Serial 397)

Bill presented and read a first time.

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

As honourable members are aware, the Electoral Act was passed at the last sittings of the Assembly. Subsequent to the passage of the act, discussions were held between officers of the Chief Minister's Department and officers of the Australian Electoral Office concerning the administration of the act. These discussions revealed that there were certain gaps and defects in the act, mainly of a minor nature, which will affect its administration. The amendments to the Electoral Act contained in this bill are a result of these discussions and are the recommendations of the Australian Electoral Office based on their experience in administering electoral legislation.

Clause 3 provides a minor drafting amendment to the definition of "assistant officer". The clause also provides for the inclusion of a definition of "hours of polling". The inclusion of this definition ties in with an amendment to section 55 contained in clause 6. Paragraph (c) of the clause provides for the substitution of paragraph (a) of subsection (2) of section 3. The subparagraph as it now stands provides that a ballot paper is informal if not initialled by an officer or is not otherwise authenticated by an offical mark as prescribed.

The new subparagraph will provide that a ballot paper is informal if not initialled by an officer and is not a ballot paper printed by the Government Printer. It was originally the government's intention to use watermarked ballot paper supplied by the Australian Electoral Office. However, this is now not possible. I am advised that for the Northern Territory to obtain its own supply of watermarked paper would be an extremely expensive undertaking and also a very protracted one. I am led to believe that there is a delay of some 18 months to 2 years in the supply of watermarked paper. As a consequence, discussions were held with the Government Printer who has formulated a printing process which can be readily identified and cannot be copied. The amendment is to facilitate the use of such ballot paper at Territory elections.

Clause 4 provides an amendment to section 5 of the act. It is purely a drafting amendment. Clause 5 amends section 21 of the act by deleting reference to a postal address. The section provides the particulars that are to be included in the roll, one of which is an elector's postal address. This is in addition to particulars of residential address. The Commonwealth Electoral Act requires particulars of a residential address only and reference in our act to a separate postal address will cause administrative difficulties in the maintenance of rolls, particularly while rolls are jointly maintained. For this reason, the reference to a postal address is to be removed.

Clause 6 amends section 55 which deals with applications for postal vote. Subsection (1) sets out the circumstances whereby an elector may apply for a postal vote. The amendment substitutes the present paragraph (a) of subsection (1) and extends its application to a person who will not throughout the hours of polling be within 20 kilometres of a polling place. The definition of "hours of polling" contained in clause 3 of the bill will ensure that this paragraph and also paragraph (b) will apply to both a fixed polling place and a mobile polling team. The clause also includes a new subsection (5) which makes it an offence for a person entrusted with an envelope containing a ballot paper to fail to post or deliver the envelope to a divisional returning officer.

Clause 7 provides an amendment to section 57(3). The subsection deals with automatic postal votes and provides that an elector whose place of residence is not within 20 kilometres of a polling place is automatically entitled to vote by post. The amendment is designed to ensure that, where a mobile polling team operates, then the same qualification regarding distance applies in relation to a person's place of residence and the location of the mobile polling team as to a fixed polling place. This was always the intention. However, due to the definition of "polling place" contained in the act, this is not achieved. As the act stands, if an elector resides more than 20 kilometres from a fixed polling place, then he is automatically entitled to a postal vote irrespective of whether the area is to be serviced by a mobile polling team. It is my government's policy to ensure that as many electors as possible are able to cast their votes with the assistance and facilities of polling booths and the use of mobile polling facilities is one method of achieving this. Without this amendment, our policy objective could be severely hampered.

Clause 8 amends section 61. The section sets out the directions to be followed in relation to the use of postal votes. Subsection (9) is amended. This is a drafting amendment designed to clarify the intention of the subsection. The clause also provides for the inclusion of an additional subsection (12). The subsection sets out the steps to be followed by a presiding officer who receives a postal vote. Subsection (9) requires the presiding officer to deal with a postal vote in a prescribed manner and the new subsection provides this prescription.

Clause 9 amends section 64 in addition to including 2 drafting amendments by including a new subsection (8). Section 64 provides, amongst other things, for the appointment of assistant officers and the new subsection will enable assistant officers to perform the duties of a presiding officer where directed. The act provides for the appointment of 1 presiding officer of each polling place who is required to perform a number of functions on polling day. If the presiding officer is required to perform all the functions given to him, polling could be unduly delayed during busy periods of polling. The amendment is designed to overcome this and ensure that polling runs smoothly at all times with as little delay as possible to voters.

Clause 10 provides for the inclusion of a new section after section 64. Subsection (2) of section 64 empowers the minister, where he authorises the use of a mobile polling team, to specify the places dates and times when a mobile polling team may be used for the purposes of the election. The new section, by subsection (1), will empower a mobile polling team leader to vary the specified schedule where the mobile polling team is unable to attend at the specified time, date or place as a result of some unforeseen happening. As the act stands, if the mobile polling team is unable to attend at the specified place on the specified date and time, then electors from the area to be serviced by the team will be denied a vote. The amendment is designed to overcome this by giving the mobile polling team leader a discretion if the team is unable to keep its schedule. I am sure members will agree that the intention of the act is to facilitate the voting of all electors wishing to vote and the amendment is designed for this purpose. Subsection (3) of the new section provides that an election shall not be invalidated on the grounds of a mobile polling team failing to attend at a scheduled location. This is a standard provision in other electoral legislation in similar circumstances.

Clause 11 provides for the substitution of subsection (4) of section 75. The subsection, as it now stands, authorises the issue of ballot papers only between 8 am and 6 pm on polling day. The subsection is to be extended to allow the issue of a ballot paper to a person after 6 pm where the person is at a polling place at 6 pm and is desirous of voting. The subsection also

contains a similar provision relating the issue of ballot papers during the hours specified by the minister in relation to a mobile polling team.

Clause 12 amends section 80 by adding a new subsection requiring a presiding officer to keep a list of all voters who vote in accordance with the section.

Clause 13 amends section 83(1) by omitting the words "force majeure" and inserting "fire, storm, tempest, flood or a similar occurrence". The section empowers the presiding officer to adjourn polling in certain circumstances. It has always been the intention to allow the presiding officer to adjourn polling where polling is interrupted by a natural occurrence such as fire or flood. Doubts were expressed as to whether the term "force majeure" was wide enough to cover natural contingencies and the amendment is designed to remove any doubts that may have existed.

Clause 14 amends section 95 by substituting new subsections for subsections (2) and (3) of the section. The amendments are of a drafting nature to clarify the intention of the section.

I wish to foreshadow 2 amendments to this bill. I have had the bill examined by the Commonwealth Electoral Office to ensure that the operation of our electoral system will be as effective as possible. That office pointed out that the procedural requirements for a presiding officer in respect of postal and section 80 votes are not fully effective. On their advice, I am having amendments prepared to ensure the procedural requirements specified in clauses 8 and 12 are amended to comply with operational practice.

As I stated earlier, the amendments contained in this bill are mainly of a minor administrative nature. The bill does not purport to change the substance of the act as passed. However, its passage is necessary to enable the act as a whole to be effectively administered. As honourable members will appreciate, it is desirable that the Electoral Act should be brought into operation as soon as possible. Therefore, I commend the bill to honourable members.

Debate adjourned.

REPORT ON WELFARE NEEDS OF THE NORTHERN TERRITORY

Continued from 20 November 1979.

Mr DOOLAN (Victoria River): To comment in detail on this report would take hours because of the very broad scope of welfare needs in the Territory which have been covered in the report. All in all, I consider the report to be excellent in that it has covered practically every aspect of welfare needs. If any criticism needs to be made, it must be that it is lacking in detail in particular areas. However, as the report is already of monumental proportions, it would be completely unrealistic to expect every avenue of welfare needs to have been investigated in depth.

This report recommends that the Board of Inquiry continue its activities so that necessary research can be completed. As the board is only a part-time board, I do not feel that its members would have sufficient time to give such a vitally important matter as welfare the attention which the subject warrants. The final recommendation of the board was: "There be established by statute on a permanent basis an organisation having representatives from all departments of government, local government and non-governmental organisations concerned with welfare activities". The report deals at some length with that

proposal. As the member for Fannie Bay said, it is not a proposal which we can support. I have very grave reservations about supporting the establishment of very large committees consisting of everybody you can think of. I think it is very difficult for them to work effectively. In this case, the committee was to consist of 2 Commonwealth appointees, representatives from the Chief Minister's, Health, Education, Youth, Sport and Recreation Departments, local government associations, and 10 representatives from the total community. I find it very difficult to see how such an establishment could work effectively. Various other reports on the needs of people who are physically, mentally or socially handicapped are available. Again, as my colleague pointed out, there is a departmental committee which represents the Health, Education and Community Development Departments and which looks into and makes suggestions on the recommendations of the areas of concern in those departments.

Welfare needs of handicapped persons have been investigated and reported on in the Tipping report and the Department of Health has produced a paper outlining the initiatives it intends to take to concentrate on the problems of alcoholism in the Northern Territory. If a coordinating committee could be convened to collate information elicited from inquiries by people with acknowledged expertise in the various fields, it would seem to be a more practical idea than forming such a large and unwieldy committee as has been suggested in the Board of Inquiry's recommendation.

In the welfare needs report, I feel that too little information has been provided with regard to youth unemployment and the welfare of the aged. Little has been said concerning these categories of people in need of welfare assistance.

Again, as my colleague the member for Fannie Bay mentioned, there is a chapter on ethnic and migrant groups but not 1 chapter on Aborigines. Considering that Aborigines are in fact the largest ethnic group in the Northern Territory and comprise at least one quarter of our population, this would seem to be a very grave omission. Some explanation for the lack of mention of Aborigines is made in the report: "The report applies equally to all sections of this community. This is not to say that there may not be factors which are unique to ethnic groups. Our view is that, only in exceptional circumstances, should there be a distinction made in the formulation of policy, the framing of legislation, the development of welfare programs and the delivery of services". Nevertheless, it is my belief that, due to the large number of Aborigines in the Northern Territory and the social and cultural disadvantages under which they live, these would certainly constitute exceptional circumstances.

Other aspects of this report which are commendable are the chapters dealing with the juvenile age panel scheme, which seems to work very well in South Australia, mental health recommendations, delivery of services to remote communities and the chapter on the role and funding of voluntary agencies.

As I mentioned earlier, it is not possible to go into all aspects of the Report on the Welfare Needs of the Northern Territory in detail because of its length and the extremely wide variety of fields which it covers. Considering this report has covered such a broad spectrum of welfare needs and has been compiled by part-time members, I believe that it is a valuable document and its authors are to be commended.

Mr PERKINS (MacDonnell): I rise in this debate to give my support to the general principles outlined in the Report on the Welfare Needs of the Northern Territory by the Board of Inquiry. I feel, Mr Speaker, that there are some important principles which are outlined in that report which we ought to take note of and which every honourable member in this House ought to support. In

particular, I am referring to the principles which are outlined under the various headings.

I would like to lend my support to the proposition that there ought to be an integrated approach to the delivery of welfare services in the Northern Territory on the part of the Commonwealth, Northern Territory and local governments, and other groups in the community who are in the business of providing voluntary services. I think that this approach ought to be relevant in every program which is adopted on the part of the various government authorities in the Northern Territory. There are agencies in the community which provide a voluntary service and which are looking in the future to the integrated approach. They have already started, in a minor way, to coordinate their approaches and to cooperate with one another, particularly in respect of welfare services which are interrelated.

In the second place, I was impressed with the proposition advanced by the welfare inquiry in relation to welfare services being initiated at the community level as far as possible. I believe that this is a fundamental principle which ought to be adopted by any government whether it is the Commonwealth government or the Northern Territory government. It is obviously a principle which has been adopted by agencies operating in the Northern Territory in relation to the provision of welfare services. It is important to ensure that welfare services in the Northern Territory are community based with a total involvement from the community concerned and by those people who benefit directly by the services. I believe that they ought to be involved in the delivery and in the decision making of those welfare services. In that regard, Mr Speaker, I was impressed with the principle, which was outlined by the inquiry, that encouragement ought to be given to self-determination in welfare. As a matter of fact, I believe that governments ought to go further and ensure that there is self-determination in relation to welfare programs and that those people affected by those programs are able to be involved in the decision-making process to determine their own roles and to have control of those particular programs.

Ideally, the communities to be affected by a welfare program adopted by the Territory government ought to have access and ought to respond to their own welfare needs. They ought to be able to provide their own services by way of their particular community groups. In order for this to happen, the Territory government has to provide the necessary information. For that matter, it ought to be the responsibility of any government to provide the necessary information in all the various forms on the wide variety of the welfare-related functions. It is important that there be available a sufficient amount of funds in order that this particular aim can be achieved.

I understand that the Northern Territory government has organised information centres. In Alice Springs, there is an information centre which is based in the town centre itself. I would like to lend my support to that concept. I believe that it has a relevant role to play in assisting people in the community by ensuring that information is available on the types of welfare services which are available in the Territory. In Alice Springs, many people have availed themselves already of the facilities provided by the information centre. I would like to commend those people who are involved with the information centre because they play a valuable role.

I was impressed also with another principle which is outlined in the report and that is the principle that voluntary agencies in the Northern Territory ought to be recognised as providing an important service to the community in an efficient way. Let's face it, these agencies have an effective role to play and have had great success by providing a specialised service to people in the communities of the Territory. As a matter of principle, these

groups ought to be supported by the government. I do not think that the government ought to involve itself in those areas where a service is already being provided by a voluntary agency. There are various groups in the Northern Territory which provide specialised services.

It is important to note that some of those groups are locally based. Obviously, they have the ability to respond to the local welfare needs. Incorporated with that, they obviously have the local knowledge and experience needed to deliver effective welfare services. There are numerous voluntary agencies in the Northern Territory who are funded to provide a service. It is particularly encouraging to see that voluntary agencies in the communities are able to provide services instead of the government.

The report impressed me by the emphasis placed on the need for welfare services to be preventive. All welfare programs, whether undertaken by the government or by voluntary agencies, ought to evolve as a response to consultation and the needs of the people in the community. I completely reject the approach taken by past governments which sought to impose welfare programs on communities. We must respond to the express needs and circumstances of communities. We must ensure that the programs adopted are based on the needs and circumstances of the particular community. These programs involve the community which has much of the reponsibility of implementing them.

I would like to comment on the recommendations in the report. There a a number of recommendations with which I was impressed. I would like to commend the Board of Inquiry itself for the time and effort spent in consultation with various agencies, organisations, communities and government authorities around the Northern Territory. Their task was fairly difficult and comprehensive. I can only commend them for producing an excellent report. We might not agree with all the recommendations made by the Board of Inquiry but some of them ought to be taken notice of by the government.

The report discussed provisions for government money to support the welfare groups in the Northern Territory. In this respect, the Board of Inquiry has urged that there ought to be an overhaul of the funding arrangements to welfare groups in the Northern Territory. They emphasised the need to overhaul the system in the general recommendations of their report. In particular, they made the point that often the funds were delivered too late which was not good for welfare programs which wanted to commence operation. They made the point that there was no participation by the applicant groups in some cases in decisions about funding and that there was an absence of a clear statement on the availability of funds. Indeed, these statements of concern ought to be taken on board by the government. These problems ought to be rectified as soon as possible. The Board of Inquiry felt that there needs to be careful evaluation of the criteria in respect of the grants-in-aid. I can only commend those recommendations to the honourable the minister. Added to that is the concern of the board that there ought to be more consultation with the applicant groups overall. I can only commend that to the minister responsible.

In the second place, I was encouraged by the support which was given by the board to the Aboriginal outstation movement. It is interesting that the Board of Inquiry was of the opinion that the outstation movement is an exercise in community development that ought to be supported. Last year and the year before last, there were some moves and rumblings in Aboriginal communities in the Northern Territory that Aboriginal outstations would receive a low priority in the eyes of the Commonwealth and Territory governments. Many of the people living in those places felt that their needs and circumstances would not be given the priority they deserved. In particular, I know that there are Aboriginal people in the outback who are concerned about lack of proper

facilities in respect of suitable water supplies, transport, basic shelter, education and health services.

I am gratified that the board has seen fit to emphasise the fact that Aboriginal outstations ought to be supported. I believe that they ought to be given a greater priority on the basis that they are an expression of the kind of lifestyle which Aboriginal people wish to adopt. They are an expression of community development. The Commonwealth government and also the Territory government ought to regard Aboriginal outstations with a greater priority than they have to date. Obviously, people in those areas of the Northern Territory are living in appalling conditions and are lacking even fundamental things such as suitable water supplies, basic shelter and transport and communications. I believe every effort ought to be made on the part of the government to re-examine the situation in relation to Aboriginal outstations and to ensure that the people are not left out of any allocation of resources or programs which they would like to develop and to ensure that they are not ignored or neglected in terms of suitable funding to meet their various needs.

It is important to realise too that the Board of Inquiry made the point that there ought to be self-determination and control over such matters as welfare and health services in Aboriginal communities. They made the point that this is closely related to self-help which is a contribution to community development. In relation to Aboriginal outstations, as with other communities in the Northern Territory, it is important to ensure that the programs are planned in conjunction with local knowledge and experience and with the people who want to develop their own programs. These people must be given every opportunity to make decisions and to be involved in the responsibility for the carriage of those decisions.

Finally, I would like to lend my support to the argument of the Board of Inquiry that the philosophy underlying its report ought to be embodied in legislation. I am not saying that all the recommendations made by the Board of Inquiry ought to be incorporated in legislation. However, there are some important recommendations which ought to be incorporated in legislation. The Board of Inquiry makes the point that the Social Welfare Act is outdated and ought to be repealed. I would like to fully support them on that recommendation. In fact, the board recommended that we ought to have a new act and that it ought to be a community welfare act.

It would be a useful exercise for the government or the minister responsible to give us some indication as to whether the provisions of the Social Welfare Act are being investigated and whether there is any action to update the legislation to bring it in line with the thinking of modern times and with modern circumstances as they exist in the Northern Territory in relation to social welfare services and facilities.

As I have said, the report is fairly comprehensive. It is impossible to go into detail on all the principles and the recommendations outlined in the report. There are obviously principles and recommendations which ought to be considered by the government and by every member in this House. If certain of these recommendations were adopted, we would be going a long way towards improving the delivery of welfare services in the Northern Territory. This can only be to the benefit of the long-term interests in the future of the Northern Territory.

Mr ROBERTSON (Education): Mr Speaker, I would just like to place on record my thanks to the members of the inquiry. As honourable members would be aware, I was the minister responsible for community development at the time this report was commissioned. The report was commissioned basically at the instigation of the Chief Minister through Graham Nicholson who was then a law officer

with the Department of Law. He is currently on sick leave and we all hope he has a speedy return. We cannot afford to lose people of that calibre.

I would also like to indicate my gratitude to the honourable Alan Ridge, the then minister responsible for welfare in the state of Western Australia, by whose kind permission Mr Keith Main, the WA Director of Welfare, was made available to us. I clearly recall accompanying the permanent head of the Department of Community Development, who is in the gallery at the moment, to Western Australia for the purpose of discussing the format of an inquiry in the Northern Territory with Mr Ridge and Mr Main. Again, that is an indication of the level of support which governments right throughout this country have tendered to the Northern Territory in its formative years. We obtained the approval of Mr Ridge and his Premier for Mr Main to join the Board of Inquiry. We also took the opportunity to examine a number of juvenile correctional institutions in Western Australia. I am quite sure that, out of that type of exchange of information, a great deal can flow to the Northern Territory. Of course, we are very young in the game. I am not talking about the age of the ministry or the age of the opposition, which is even younger, but about the experience in running state-like functions right through the whole system from the public service to this parliament.

Mr Speaker, having placed that on record, I would like to cast my mind back very briefly to the comments made by the honourable member for MacDonnell. I find it a most rare and, quite frankly, pleasing occasion to reflect that there was almost nothing he said that would differ from the philosophy of this side of the House. I think he outlined most of the pertinent points in the report. Certainly, there was nothing he said to which I would personally take any violent exception.

There are perhaps a couple of problems in the things that he mentioned. The question of outstations of course is a very difficult one. Even after talking to people at outstations who were involved from the beginning of the outstation movement, I have been unable to come to grips with the problems that it poses. I have just re-read the sections in the report which clearly gave rise to the honourable member's comments. These related to the white fellow following behind the Aboriginal person who has moved into an outstation environment. I never seem to get a consensus of opinion from Aboriginal people as to just what they want. It seems to me that one of the motives for the Aboriginal people moving from the settlements in which the Europeans artifically placed them in the first instance was to return to their traditional lands.

Many of the people who have moved to outstations are part of multiple clan or tribal groups even now. They are not exclusively like the people at Hermannsberg who went back to their own areas within the Hermannsberg area itself. There is quite a widespread movement simply away from the settlement and the pressures of the settlement rather than back to the traditional land. The Aboriginal people - and I find it difficult to blame them for this - have fled from the European pressure, fled from those things that we have introduced and which they find unacceptable. What then happens when they move out into these outstation areas is that someone, either from within or without, starts to impose pressures for the government to provide the very services which will lead to the very pressures from which they have just sought to escape.

It is a very serious and vexed problem. If we go about chasing the outstation movement with government services and white fellow facilities such as airstrips, roads, schools, hospitals and shops which lead to booze, we end up running the risk of re-imposing on outstations the very pressures from which they are trying to escape. When we do that, the logical progression will be

that they will move again. At the moment, we have about 180 outstations in the Northern Territory. The Department of Education delivers formal education facilities to about 50 of them.

On one of my regular visits to Hermannsberg, I spoke to one of the Aboriginal outstation movement leaders. In fact, he and his brother are the traditional owners of the area to which they moved. I do not know whether anyone has been planting this in his mind or whether it is something that I am unable to come to grips with but he is critical of the type of building we built for his classroom. Initially, the request of the community was that we send out a nucleus of teachers for the purposes of informal education while the major resource centre remained in the community itself. The complaint I received was that the classroom was too hot and that it now needed to be made of brick. I said, "If you make it of brick, the usual thing is air-conditioning. How would you feel about that?" He said, "Oh yes, I meant that as well". I must say that I was shocked. There are 13 recognised outstations at Hermannsberg alone plus another 3 in the development stage at the moment. You would probably be talking in the order of a couple of million dollars to put basic classrooms in that centre alone. You could add another million a year for power generation and diesel costs.

Where do we draw the line or where do the Aboriginal communities draw the line? Because the white man's system is here, there is an expectation of health services. Because we have interfered with the environment, the nature of the land and disease patterns, I suppose it is no longer valid to say that the Aboriginal people can be expected to go back totally to a traditional livestyle. I think that they recognise that. Every time that they make a move, some of them start making demands for services. I do not know whether it is the older people who are making these demands but it reminds me of the dog chasing its tail. While I agree in general terms with most of the things that the honourable member for MacDonnell said, I do have grave reservations about that particular matter.

He mentioned self-determination in Aboriginal welfare programs. That is precisely what the community government program, introduced by the government, was all about. It is one of the reasons why the Department of Community Development embarked on a program of providing Aboriginal vocation officers and welfare officers within the area. I think it is an area of government iniative which requires further thought and further development; there is little argument with that.

It seems to me that one of the main thrusts of this report is towards the use of voluntary agencies. As minister responsible for that area, and I am quite sure the present Minister for Community Development is of like mind, I do not disagree with the report's recommendations in respect of voluntary agencies. Any government must ensure that voluntary agencies, which are funded by government, have at least an expectation of continuity of funding. In my discussions with them in the past, that has been their greatest single criticism of governments. They never know between one budget and the next what the following year will mean in terms of support services.

This seems to be a catch-22 situation. Once you make firm long-term commitments in any area of government expenditure, you run into an inflexibility problem in terms of your overall budgetary planning. While it is necessary for governments of all kinds to have the flexibility to respond to the changing needs of the community as regards capital works, communications, droughts, disasters etc, clearly, the voluntary sector of the welfare area is entitled to know from one year to the next where it is going so that it does not have to end up making submissions to government each year just to keep the staff the

government said it could employ in the first place.

If we tried to transpose the problems in the voluntary sector to the government and there was no such thing as permanency of employment or a guaranteed base-level of funding, then the whole government administration would shatter in a matter of weeks. It is no less important for governments to recognise that the same feeling must apply in the voluntary sector. It is much cheaper and quite often provides a better delivery of welfare services to do it through the voluntary sector than through the public sector. They do not normally have to worry about such things as superannuation, houses, cars or airfares to the same extent as government. There is more value for the tax-payer's dollar provided the department has some sort of monitoring role to ensure the maintenance of standards.

That brings us back to the greatest theme contained in this report: coordination. The report deals with coordination not only between voluntary agencies and government but also establishes succinctly a case for coordination in government itself. There is a whole range of departments involved in welfare services. Health and Education are no less involved in the welfare of the community than Community Development. It is widely known that the government has set up a taskforce of those 3 key departments in this area under the permanent heads to plan the overall policy direction of the government in regard to welfare and community development for the Northern Territory. Community development, health, education and welfare are all intertwined. That is why the name Department of Community Development is a good one. It is interesting to note that South Australia stole it from us. While it is necessary for a coordination to occur outside of government, it is also necessary for it to occur within government.

One of the great benefits that flowed from this inquiry was the ready acceptance of suggestions during the preparation of the report. Long before compilation of the report started, the chairman observed that many initiatives of government were the very matters being discussed by the board as it made its inquiries around the Northern Terriotry. I do not think the members of the board were at all offended when we deliberately monitored the evidence they received and, where necessary, responded immediately not just to the anticipated recommendation but to the evidence itself.

The report makes a number of recommendations which touch upon the operations of the Department of Education. It is interesting to note that most of them are already in train. In fact, most of them had been placed in train before the receipt of the report. I think that is a direct result of the comments in the press of the type of evidence it was receiving. The government monitored those comments and instigated a wide range of reforms and new measures which, interestingly enough, are now supported by the report itself.

I will not belabour the members with the detailed analysis of those aspects which affect the Department of Education. They come under the broad heading of "youth welfare" for which education has a prime responsibility and under the welfare needs for the ethnic and migrant community. The national government has just set up the Multi-Cultural Education Committee which is a national program of which the Northern Territory is a full member.

The question of the handicapped certainly receives considerable comment throughout the report. The report strongly recommends the integration - commonly called "normalisation" - of handicapped children as soon as possible. A dilemma exists on the identification, both by the parents and the people who deliver services, of what is in the best interests of handicapped children. I have not had to face the problem as a parent but it must be an awesome experience to have to come to terms with the severity of a handicap.

Most of the difficulties I have as minister in this area result from the parents having one view of the degree of handicap even though every single source of advice - myself, doctors, educators and welfare workers - indicates that a particular child has no hope at all of successfully integrating. That is a shattering revelation to a parent. While the policy is to normalise the child's lifestyle as soon as possible so that he goes straight into the normal pre-school and, with special help, permit the child to work with its normal peers, it must be recognised that many parents have the gravest difficulty in coming to accept that their child just cannot make it in the normal stream; he must go to places like the Darwin Special School - the sheltered workshop environment. Hopefully, those children can then lead as normal a life as their capacity will allow them.

One of the great new ideas in the report was the suggestion that children, no matter how handicapped, should have extra-curricular activity on a regular basis; for example, the establishment of toy libraries. I am certainly going to obtain a comprehensive analysis of the suggestions contained on pages 67 and 68.

I commend the work done by the members who formed the board. Their efforts were unstinting. They endured frightful days of heat and of air turbulence in small planes. The efforts of Mr John MacDonald in this exercise as executive secretary deserve a mention. The quality of the report is as good as you would hope to find delivered from any panel of inquiry. To all of those people, my thanks. It is not the type of document which we will just debate here, look at next week and then forget. As problems emerge over the years, we will be able to refer back to this report and say to ourselves, "What would the Board of Inquiry have to say?" I am quite sure that, for many years to come, the report will be a very useful handbook for community development in the Northern Territory.

Motion agreed to; report noted.

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) BILL
(Serial 400)

Mr PERKINS (MacDonnell): I rise to indicate that the opposition supports the bill. We have examined the details circulated by the sponsor of the bill and it conforms with the statement which he made in the second-reading debate. We also appreciate the urgency of this bill.

Mr SPEAKER: Honourable members, pursuant to Standing Order No 153, I declare this bill to be an urgent bill otherwise hardship could be suffered by persons who have been conditionally released and by offenders under Territory laws to whom the provisions of the act may not be applied.

Mr DONDAS (Community Development): Mr Speaker, the bill corrects an error which prevents the application of the act in respect of an offence against the law of the Territory and validates any conditional release made under such circumstances. I thank honourable members for their cooperation in the passage of this bill.

Motion agreed to; bill read a second time.

Mr DONDAS (Community Development) (by leave): I move that the question that the bill be now read a third time be moved forthwtih.

Motion agreed to; bill read a third time.

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RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL
(Serial 387)

Continued from 22 November 1979.

Mrs O'NEIL (Fannie Bay): The purpose of this bill is to provide for the safe packaging, storage and transport of radioactive ores and concentrates in all areas excluding mining sites. The opposition therefore sees this, along with other legislation, as important from the point of view of public health and environmental protection. We are indeed concerned at the policy of the government to make legislation such as this the responsibility of the Department of Mines and Energy rather than firstly recognising it as a question of health, safety and protection in the Northern Territory. For example, the chief inspector, under this bill, will have very wide and important powers. The chief inspector, we have been told, will be the Chief Mining Engineer in the Department of Mines and Energy. It would certainly be the Labor Party's policy in government to ensure that matters such as these properly reside within the Department of Health.

In clause 25, it is seen that the bill relies on the adoption of the code approved by the International Atomic Energy Agency and on the Environmental Protection Nuclear Code Act (1978) of the Commonwealth. The former will be a fairly detailed piece of subordinate legislation and it is pleasing to see that the products of uranium mining in the Northern Territory will hopefully be controlled by the fairly stringent regulations which have been approved by that agency which is supported by the United Nations Organisation.

The opposition has some reservations about the bill. I refer honourable members to the penalties provided in parts IV and V; that is, offences and emergencies. We are all aware of the incredibly harsh penalties that are provided for under the Atomic Energy Act which empowers uranium mining in the first place. However, we find in this bill that penalties for serious offences are totally inadequate. For example, failing to notify an inspector when an accident occurs in the transport of ores incurs a maximum penalty of $1,000. We feel that is totally inadequate and we have moved amendments to clauses in parts IV and V of this bill to increase those penalties to $5,000 and to provide for an additional daily penalty for each day during which the offence continues. There is a precedent for this type of penalty in other legislation which this House has passed in relation to Aboriginal land and town planning. I would ask honourable members to support an increase of penalties to indicate the seriousness with which this House views the matter of transporting radioactive ores. Although we are talking about the transportation of yellow cake which is not as dangerous a substance as many other radioactive ores, nevertheless, it is most important that all the stringent requirements be adopted and that people realise that the matter is not to be taken lightly.

The opposition will also be moving amendments to clause 21 which relates to damage on a premise where storage is taking place. As clause 21 currently reads, only spillage or potential risk evolving from an accident needs to be advised to the inspectors. We feel that this could very well happen without necessarily being a consequence of an accident. We feel that this loophole needs to be closed. I commend the amendments to clause 21 which have been circulated.

The opposition supports the bill with the reservations I have outlined.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I would like to speak on this bill which relates back to a bill on radioactive materials passed in this House

some time ago. Clause 36 of that legislation provides rules for the transportation of concentrates which have some radiation or toxic effect, particularly yellow cake. This bill is designed to establish the administration of this very important transport function. It is far from an innovation because hazardous goods have been transported for years under special regulations or controls. I refer to such things as liquid gas, butane gas or petrol which are very highly inflammable and very dangerous. Radioactive isotopes and acids are constantly being transported from one place to another. I daresay that the cartage of yellow cake would not be very serious in itself because it does not have any really bad effects other than its toxicity. It has a very low radiation output. You could probably sit on a 44-gallon drum of it for the next 50 years and it would not harm you. However, that is not the reason for this; there are other precautions that we must take when transporting that particular material.

There are many modes of transport - rail, road, air and shipping. I would like to refer to shipping. Container vessels provide a very safe method of carrying materials. They are modular in design and they have very strong units which are easily stacked and easily moved from one place to another.

I have no idea what type of transport is envisaged for this material but I believe the container system would suffice. May I say to the minister that I would be happy to see a container system for the carriage of U308 uranium oxide. With containerisation, there would be no need to provide for special types of semi-trailers because the average trailer body is designed to carry this particular type of container. There is also the security factor: if they happen to be hijacked, they can be easily traced because of their size. The bill provides every safeguard for the handling of this hazardous material. The only thing that I am a little bit concerned about is the possibility of hijacking. This must be looked at very seriously.

Clause 7 relates to the powers of the chief inspector and appointed inspectors. They have very wide powers indeed. Clause 9 allows the appointment of an agent to transport the radioactive material for the owner. This is an excellent idea. It takes away from the owner the onus of transporting the material. It is put in the hands of an agency which is expert in this type of transportation. Clause 10 provides for the appointment of a deputy agent in case the agent is absent from the Territory. That appointment is very important. It is natural that those people be responsible for that.

Clause 12 sets out the method of licensing the transport and storage of the radioactive material. The licence will be issued by the chief inspector in the Department of Mines. Clause 14 relates to the form and the conditions of a licence. The licence conditions will specify the type of transport permissible, the weight that may be transported and the time and duration of transport movements. This is a very important matter too.

One very important aspect of the bill is part V which relates to emergencies. If there is an accident and materials are spilt which may cause some contamination of the environment, it can be dealt with very quickly. I am sure that we have a very good record in the handling of these materials. I do not think we have had any major disasters in that line in Australia even though a vast quantity and range of materials are transported each day of the week by various methods of transport. One might ask what would happen if uranium oxide contaminated the environment. I would say this: if everything is done in the proper way and every rule is adhered to and people are responsible, I cannot see it happening at all. Every precaution must be taken when the bill becomes an act. If it is administered in the proper manner, there should not be any problems at all. I believe there is not a great deal in the handling of it; it is just the way it is done. I support the contents

of the bill.

Mr COLLINS (Arnhem): I thank the honourable member for Nhulunbuy for his assurances. As the honourable member for Fannie Bay already said, this bill is primarily designed to safeguard public health and the environment. The opposition has no particular qualms about the bill at all except for a number of clauses which we will seek to amend.

The public has certainly reached the stage where even those members of the public, and there are a number of them, who are convinced that nuclear energy is essential, are no longer reassured by bland statements from mines ministers, responsible public officials, nuclear regulatory commissions and, in particular, the public relations departments of nuclear power stations or concerns involved in the industry itself. On the record of the industry, I certainly believe that the public has good reason not to be reassured by those bland statements.

I feel sure the honourable Minister for Mines and Energy will remember an accident which occurred in the United States about this time last year. It involved the road transport of radioactive material which certainly is not like a semi-trailer full of Malanda milk or a truck full of gravel tipping over. It is a little more serious than that. The material was not uranium ore but a little more dangerous than that and, as a result, the complete highway was sealed off and the residents of the area in which the accident occurred were evacuated for 15 miles around the accident until the spillage had been cleared up and the road decontaminated. The public needs to be reassured that the regulations and the penalties for infringing those regulations are sufficient to deter people from doing the wrong thing and, in a more positive sense, to encourage people through the severity of the penalties to do the right thing.

One of the qualms the opposition has with this bill is the difference in the penalties provided for static offences with those penalties provided for emergencies which are the very situations when the public is at most risk. We were surprised that these penalties are so inconsistent. The opposition does not see any particular need to raise the penalty beyond $5,000 which is the level already set by this bill. As the honourable minister knows full well, the companies involved in this industry have considerable financial resources. Many people would feel that even $5,000 is not a very large amount. However, when we come to the section of the bill dealing with emergencies, the very subject the public is concerned with, we find that, in a situation where a truck has turned over or a container has burst and material is actually in the environment and causing a hazard, the penalty has been reduced from $5,000 to $1,000. We think that is totally inappropriate. If the penalty will be $5,000 for failing to package the material correctly, when the situation arises where the material leaks from a container - an accident - surely it is not reasonable that the penalty should be reduced to $1,000.

It is consistent with other legislation the government has passed in this House for a penalty to be put on a continuing offence. If someone becomes aware that a container is leaking and feels that he might just pretend to forget about it for a while and not report it as promptly as he should and it can be proved in a court afterwards, that person should be subject to a penalty for allowing the offence to continue. If he is a little tardy in following instructions and does not quite get the stuff cleaned up as quickly as he could, he should be subjected to a penalty for a continuing offence. We do not believe that the imposition that the opposition seeks to place of $5,000 a day is excessive.

One of the other amendments that the opposition seeks to move to this bill relates to clause 21 where it states: "Where, on licensed premises".

The opposition is aware that radioactive material, under normal circumstances, would not be stored on anything other than licensed premises. However, it happens to be a fact that there have been documented occasions in the past where radioactive material has been stored on unlicensed premises. In fact, it has been stored in the holds of freighters that have been given other names and new coats of paint. It is not inconceivable considering the size and scope of the uranium industry in the Northern Territory. If all of the aspirations of the uranium companies are realised, it will be a very large industry indeed and a great deal of this material will move backwards and forwards. I think it would be irresponsible of the Minister for Mines and Energy to adopt the same approach as the member for Nhulunbuy and simply say: "We don't think any of these things are likely to happen". The Minister for Mines and Energy is well aware that these incidents have occurred in other places in the world. He is aware that the uranium industry in Australia is certainly in the embryonic stage and will be subjected to a great deal more development and scope. It is quite conceivable that infringements such as this will occur in the future.

The opposition seeks to amend clause 21 so that any premise at all where radioactive material is stored, legally or illegally, is subjected to the penalties of this clause. Although the opposition is aware that a penalty exists for storing material on an unlicensed premise, we feel that, if containers are faulty, the people should be penalised under both clauses of this particular bill. As the clause reads at the moment, if material is being stored on unlicensed premises illegally, people would only be able to be charged with that initial offence of storing material on unlicensed premises because, if the material is damaged, they would not be able to be penalised under this particular clause of the bill.

Clause 20(1)(b) reads: "Where radioactive material is being transported by vehicle and contamination of the environment or danger to any person has occurred or, in the opinion of the person in control of the vehicle may result from, a leakage or spillage of that material". We think it would be advantageous for the wording of that clause to be tightened up a little to remove the words "in the opinion of the person". The minister would concede that the combined experience of people in Australia in shipping radioactive material in the quantities that will be involved in the case of Ranger and the other companies would not amount to very much at all. The types of problems that will occur are such that we will have to learn to handle them as they arise. I do not think there has been any relevant experience in Australia that we can count on to anticipate these problems.

I hope that no accidents occur on the Arnhem Highway when this material is being transported. When I was out at Ranger last Sunday, I was interested to have a look at the monitoring station that has been installed out there for monitoring the radiation given off by trucks. I hope that none of these trucks turn over. I also happen to know, being a regular user of that particular road, that a considerable number of what can only be described as lunatics use that road. It is a long stretch of straight road and is liberally scattered with watering holes. Everyone in this room would be aware of the danger that buffalo pose on that road at night. I do not think that any sensible person would drive more than 80 kilometres per hour on that road at night yet I have been overtaken regularly at night by people doing in excess of 80 miles per hour. It happens all the time and a few of them never make it to Darwin. That is also well known. It is quite possible that an accident might happen on that road which had nothing to do with the driver of the truck containing yellow cake.

It is necessary for the penalties to bear some relationship to the kind of offence that they will cover. The opposition feels that, in an emergency situation - where material is leaking as is envisaged under the clauses in

this bill and where, in the very wording of the bill, an emergency exists - a penalty of $1,000 for failing to act in a responsible way to the emergency is ridiculous. We would seek to amend that particular clause to bring it in line with the other penalties provided.

Mrs PADGHAM-PURICH (Tiwi): The legislation before us shows once more the concern and good sense of this government in providing, at this time, guidelines to the industries concerned with the mining and transport of uranium ores. One has heard so much, Mr Speaker, about the inclusion of nuclear materials and nuclear products in our lives. As time goes on, we will see a greater use of nuclear material and nuclear products in our lives.

I would like to mention one nuclear technique which has come to my notice recently and which has been used in Australia for about 10 years. It is called neutron activation analysis and Australia pioneered its use. It is used in crime detection. The work was done originally by the scientists of the Australian Atomic Energy Commission using the local know-how of Australian Federal Police. The results of this forensic neutron activation analysis have been used in evidence in a number of court hearings in Australia and the technique has gained a solid reputation in other parts of the world. Neutron activation analysis is a method of measuring quantity down to one billionth of a gram of each of a range of elements which occur in an unknown specimen. This profile of elemental quantities may be used as evidence in a court case. It can be called the chemical fingerprint of a specimen. It is particularly useful in relation to sensitivity and contamination. The sensitivity or the ability to measure minute traces of an element gives neutron activation analysis a great advantage over other methods but it is also a disadvantage since it means that contamination of specimens can easily make the results useless. Over 100 or more forensic specimens have been analysed by neutron activation analysis in Australia and over half have provided important court evidence.

In reading this bill through, I was concerned at first that there was no level cutoff point in the measurement of radiation but I have been assured by the minister that the levels are determined in close consulation with supervising scientists. I tend to think the inspectors may have too wide a power of discretion but realise theirs will be a difficult job to carry out their inspectorial duties in a fair and just manner. Not only will they have to consider the mores of the mining and transport industries but they will also have to consider public health.

In clause 9, I found the definition of an "agent" having to be a natural person rather quaint and olde-worlde but no doubt it has a legal precedent. Finally, when this legislation is enacted and has been in operation and used by the people for whom it was put forward, no doubt, if changes are necessary, these will be considered.

Debate adjourned.

REPORT OF THE AUDITOR-GENERAL

Continued from 19 September 1979.

Mr EVERINGHAM (Chief Minister): In his report on the Treasurer's annual financial statement for the year ended 30 June 1979, tabled in this Assembly during the September sittings, the Auditor-General referred to various matters with which he was not satisfied. Taking into account the dimensions of government administration over the year, the auditor found comparatively little to criticise and certainly nothing to justify the reactions of certain elements of the media and some members of the benches opposite.

The audit function is to detect deficiencies, and some must inevitably occur, and further to seek to have them corrected. It is significant that the queries mentioned in the report were all of relatively recent origin, particularly those remaining to be resolved at the date of the report. Of 29 specific issues raised, 18 have now been answered or rectified and, in fact, several had been resolved prior to the date of the auditor's report. Of those matters still outstanding, in all but 1 or 2 cases substantial progress has been made towards complying with the Auditor-General's requirements. Where early compliance has not been possible due to the complex or long-term nature of the problem, I assure honourable members that the responsible department in each case is doing everything possible to resolve the matter as quickly as possible.

In considering items still outstanding, I will deal firstly with 3 separate issues raised by the Auditor-General in relation to departments generally.

Accounting and property manuals: The Auditor-General commented on the delay on the part of accountable officers in departments generally to prepare and issue accounting and property manuals and to furnish copies to him as required under the Financial Administration and Audit Act. Treasury indicated to other departments some time ago that it would undertake the preparation of a model accounting and property manual which would serve as a basis for adoption, with suitable modifications, by each other department. Accordingly, while the larger departments at least have made substantial progress in developing procedures which would form the basis for a manual, the departments generally deferred actual preparation of their own manuals while waiting for the Treasury model to be issued. This is understandable since compilation of such a manual presents a major undertaking and, for each department to proceed independently, would have meant unnecessary duplication of effort. From the Treasury's point of view, procedures in the accounting and property manual needed to be based on and complementary to the Treasurer's directions and the manual could not be compiled until the directions had been formulated. The Treasury model manual was completed in November 1979. Other departments are proceeding with their own manuals and, in most cases, preparation is well advanced.

Custody and use of motor vehicles: The Auditor-General expressed concern that, in each of 3 departments reviewed, procedures and controls relating to the custody and use of motor vehicles were unsatisfactory. On the basis of the situation found in these 3 departments, the Auditor-General proposes to extend his review to other departments during 1979-80. The 3 departments specifically concerned - Health, Community Development and Transport and Works - have all indicated that remedial action has been taken. Other departments have similarly indicated that steps have been taken, where necessary, to ensure compliance with current guidelines and on vehicles issued by the Department of Transport and Works. Cabinet recently approved revised policy guidelines for the use of government vehicles intended to serve as the basis for departmental procedures and aimed at achieving maximum economy in the use of vehicles.

Control over assets: The Auditor-General initially made representations to each department in Octover 1978 concerning weaknesses in asset controls and the delay in the preparation of asset registers. In most cases, assets handed over by the Commonwealth were not properly recorded or controlled, no doubt as a result of the difficult conditions following Cyclone Tracy. Departments have since made concerted efforts to record all their assets and establish proper controls and, generally, this action is completed or well advanced. I point out that this has been quite a massive task which could not be completed overnight.

I turn now to the various matters raised in relation to specific departments. Of those still outstanding, most are well in hand and complete compliance with the Auditor-General's requirements can be expected quite soon. However, I will comment briefly with respect to 1 or 2 where, for some reason or another, remedial action is likely to be more protracted.

"Department of Law. Unsatisfactory accounting". Despite the general nature of the heading, 2 specific items only were commented on. One, concerning accounting controls over court debtors, was originally raised by departmental staff seeking advice. Reduction in the number of long-term court debtors is seen as the proper way to overcome this problem and discussions have been held with the police on ways to achieve this. At present, with 16,000 matters annually coming before the Courts of Summary Jurisdiction, 10,000 result in fines, compensation or restitution. As an interim measure, a system of court debtors accounting has been instituted in the Darwin courts to evaluate the benefits of such an arrangement. To date, these interim measures have not facilitated recoveries and a further review is to be conducted in conjunction with the police.

The second item, trust account administration, has been discussed with audit staff. In practical terms, it is not possible to involve the number of personnel recommended by the Auditor-General as necessary for absolute security without causing serious disruptions in other areas of administration.

The Department of Transport and Works, Water and Sewerage: The report mentioned inadequacies in accounting and control aspects of these services. The department replied to the Auditor-General on 26 September 1979. Briefly, the present position can be summarised as follows:

Application register: Work on checking registers is proceeding as a high priority task and recent advice was that it would be completed by 15 February 1980.

Billing: Upgrading of records and backbilling is continuing. Water records and billing are now substantially up to date.

Recovery: The problem was compounded by the huge volume of accounts carried over from the Commonwealth and insufficient staff numbers transferred to the business undertaking section. The total amount recovered on behalf of the Commonwealth during 1978-79 amounted to 90% of the amount recovered by the Commonwealth itself in its last year of operation. Additional staff have now enabled recovery action to intensify and substantial progress has been made.

Stores and Stores Accounting: The Auditor-General commented on shortcomings in procedural instructions, unsatisfactory aspects in data processing and delays in adjustment of stores records following stocktakes of stores transferred from the Commonwealth. A management consultant has been engaged to review the entire operation of the supply branch. Phase 1 of this review has been completed and phase 2 involving implementation of recommendations made by the consultants has been entered into. Phase 2 will include the design of a more suitable computer program package, reorganisation of staff and a substantial reduction of stores and stock held. The transfer of surplus supplies functions to the private sector is under consideration. Completion of the total exercise is expected to take another 4 months. The target date for introduction of an automated stores accounting system is 1 July this year.

The Northern Territory Development Corporation, Darwin Business Relief Loan Fund repayment of loans: The Auditor-General reported that the

corporation had not remitted loan repayments collected and due to the Commonwealth. He also noted that the corporation's records did not identify such amounts due to the Commonwealth. The matter which is being dealt with jointly by Treasury and the NTDC is complicated by various legal actions for recovery of money. It is expected that it will be finally resolved by negotiation with the Commonwealth concerning the amount of arrears to be written off but an early resolution is not likely.

Department of Mines and Energy - Payment of Royalties, Gove Peninsula and Nabalco Agreement: Under the agreement, accounting arrangements for assessment of royalties are to be accepted by the Administrator. The report noted that accounting arrangements had not as yet been finalised. Gove Alumina, one of the parties to the Nabalco agreement, has received its first taxation assessment and, in accordance with the agreement, has submitted a royalty return. This return is under consideration. However, before the royalty return can be assessed, the Administrator must approve the company's system of accounts. Rather than do this in isolation, it is considered that the taxation assessment of the other partner to the Nabalco agreement, Swiss Alumina, would be desirable before any system of accounts is approved or the royalties assessed.

Department of Community Development - Northern Territory Library Service: The Auditor-General reported on a failure to catalogue book purchases and overcrowding of the central library service which constituted a fire hazard. A special program has been undertaken to eliminate the backlog of cataloguing of book acquisitions. A taskforce has been appointed and this work is planned to be brought up to date by April 1981. Accommodation problems have been somewhat eased with the completion of the Casuarina library building.

Concessions to Pensioners: The report referred to lack of formal procedures and inadequate internal controls. An interim reply was forwarded to the Auditor-General on 27 August 1979 detailing various remedial measures being implemented. Departmental investigations are continuing and it is anticipated that a procedural statement will eventually be incorporated in the departmental accounting manual.

That attempts to bring the House up to date on the various matters raised by the Auditor-General in his report. No doubt debate will follow and, should there by any further information which I can give to the House, I will attempt to do so in my reply. I move that the report be noted.

Mr ISAACS (Opposition Leader): Mr Speaker, I thank the Chief Minister for that very detailed reply on the Auditor-General's report. The report was tabled in parliament on 19 September and it is somewhat strange to be debating it 5 months after that and 8 months after the end of the financial year. Nonetheless, the response from the Chief Minister covered most of the questions which I had in relation to the Auditor-General's report. There were some 28 or 29 matters which required departmental action. I think it would help the House if, instead of having a historical report such as this one, perhaps the House could be informed as remedial action is taken as a result of an Auditor-General's report. Perhaps I am being self-critical because we should have been constantly prodding the government about the matters.

The matters relating to the Gove agreement, Health department grants, libraries, pensioner scheme and so on, which I noted in the Auditor-General's report, have been taken up by the departments. It would also assist the House if the Chief Minister could give details of the other 18 matters which he said have already been dealt with so that we will be satisfied that that has occurred.

We have an Auditor-General's report which is the audit for the first year of self-government. In future, I hope the report, which was certainly tabled early enough, could be debated early enough so there could be some contemporaneity about the debate.

Mrs O'NEIL (Fannie Bay): Mr Speaker, there are aspects of the report that drew my attention and both are within departments for which I have some responsibility for the opposition - the Department of Health and the Department of Community Development. The items concerned both relate to grants-in-aid. It is the policy of the government to expend considerable amounts of money, though grants-in-aid, to various local government and community organisations. That in itself is not a bad thing but it is also most important that, when money is given to organisations, sufficient accounting procedures are carried out. I have asked questions in the past about various grants-in-aid within both of those departments. I remember a question on notice which I directed last year to the Minister for Health which disclosed that a small grant-in-aid was issued by the Department of Health to an organisation which was not incorporated in the Northern Territory. However, that organisation, the Natural Family Planning Association, has been operating quite successfully here for some time. The Department of Health issues very large sums in the form of grants-in-aid for ambulance services and blood banking services etc. It is most important that those grants be properly accounted for.

The Auditor-General commented on grants-in-aid from the Department of Community Development. Once again, the amounts issued by that department as grants-in-aid are considerable. The Auditor-General referred in particular to 3 quite large sums of money: $150,000, $250,000 and $260,000. The $260,000 relates to the money paid to the Corporation of the City of Darwin to build 2 neighbourhood centres. As the report points out, that money was apparently given to the council before a decision was finally made as to who would administer those buildings once they were constructed. Honourable members will be aware of the fight which took place about that. The minister had said when handing over the cheque that they would be run by the Darwin family centres and the corporation, for some time at least, had other ideas. Fortunately that has been resolved. The Auditor-General referred to 2 other substantial payments: $150,000 and $250,000. Apparently, the cheques were drawn by the department prior to 30 June but one was still held by the department on 30 June. It is a very clever trick to pre-date cheques if you want to be seen to be spending all your money by 30 June but it is not the sort of thing that our departments should do. Curiously enough, I cannot see in the list of grants-in-aid which were made in 1978-79 by that department where those 2 grants went. I received a list of all the grants-in-aid made by that department but there is no reference to $150,000 or $250,000 items. I wonder if the minister could tell me whether that money did eventually leave the department and, if so, where it went. I do believe that the question of grants-in-aid which the Chief Minister did not cover in his address is a most important one. Large amounts of public money are being given to organisations and it is most important that the government should ensure that it is properly accounted for.

Mr DONDAS (Community Development): I think I should try and clear the air regarding the $260,000 which went to the Corporation of the City of Darwin. In March last year, I was approached by the family day care centres for some funding that they were getting through the Office of Child Care. The Office of Child Care was quite happy to give the Northern Territory government sufficient funds for 2 family day care centres. The proposal was that the family day care centre in Aralia Street be rebuilt next door to the Nightcliff Youth Centre at a cost of $130,000. The other $130,000 was for another family day care centre to be located somewhere in the northern suburbs. Originally, it was to be located in Lakeside Drive but the council

preferred to be closer to the Casuarina Shopping Centre. An application was made to the Lands Branch for land adjacent to the Casuarina Library. That is where the delay occurred.

I do not really think that the honourable member for Fannie Bay is serious in her criticism relating to the $260,000 to the family day care centres organisation. When I initially started negotiations with them, I was quite happy for that organisation to have both family day care centres. However, the Corporation of the City of Darwin wanted to give one to YWCA. Consequently, a lot of haggling and negotiating took place. Nevertheless, the family day care centres organisation gained both centres.

The honourable member referred to $250,000. It was $200,000 not $250,000. This was an amount we gave to the motor sports clubs to relocate from Bagot Park Speedway to Hidden Valley. These particular negotiations were held up. The government had expressed an interest in providing these funds to allow the speedway to move from Bagot Park to Hidden Valley. Unfortunately, they were not an incorporated body as a whole because there were 4 or 5 other organisations involved. It took a lot of speedy work by officers of the department and by the business registry to get their incorporation through prior to 30 June. It finally hit the deck on 28 June and a cheque was drawn and given to them. For the benefit of the honourable member for Fannie Bay, that commitment was given to the speedway as early as April. It just took time for the incorporation to be completed. Of course, I have been copping it in the neck. The Auditor-General said, "Look, you know should not be doing things like that. You are a naughty boy". Nevertheless, we received Treasury approval as early as April and it was just a matter of these organisations getting their act together and incorporating themselves.

The $150,000 is something new to me, Mr Speaker. I will have to investigate that and advise the honourable member at a later date.

Mr EVERINGHAM (Chief Minister): In reply, Mr Speaker, I take the point of the honourable Leader of the Opposition. I will seek a report through the Director-General of my department as to the outstanding points that were not covered in the report that I read on action that has been taken to rectify the matters raised in the Auditor-General's report. I will table that report at the next sittings so that honourable members can be reassured. I also take the point regarding debating the report earlier. I agree that it would have been preferable to debate it at the last sittings. Obviously, pressure of business precluded us from so doing.

Generally, I think that lessons are being learned from the searching inquiries of the Auditor-General. Indeed, quite a number of practices need to be sharpened up. This government wants to get things done and evidence of that is the benefits to pensioners. Apparently, the process was set in train in a slipshod way, probably to speed it up. The intention is always good but we have to see that these things are carried out in the right way.

Motion agreed to; report noted.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I move that the Assembly at its rising do adjourn until 2 pm on Tuesday 19 February. This is for the purpose of attending the Bombing of Darwin Memorial Service.

ADJOURNMENT

Mr TUXWORTH (Barkly): I move that the House do now adjourn. I would

like to bring up 2 matters. One is of concern to the honourable the member for Nightcliff.

The first matter is the issue of the Northern Territory offer of help to the people of Timor. It was made by this government last November during a series of events that occurred in that place. This government made an offer of medical help for the people of Timor which, according to convention, had to be channelled through the Australian government and voluntary organisations that were operating in the area, particularly the Red Cross organisations. Formal approaches were made by the Chief Minister to the Prime Minister and by myself to the Minister for Foreign Affairs seeking information on how the Northern Territory would go about providing this help and what necessary channels would have to be gone through to make the help available. I can only say that the response we received from the Commonwealth was deafening in its silence.

Mr Speaker, the Chief Minister again raised the matter with the Prime Minister early in January. To date, we have not received a reply on how our help might be extended to the people. The only communication I have on the issue is an informal one that has come through the offices of the federal Department of Foreign Affairs to the Director-General of the Chief Minister's Department that there is little opportunity for the Northern Territory to help the people of Timor because approaches to the Indonesian government have raised a negative response. The Indonesian government feels that all that could be done is being done by the world organisation through the Red Cross and there is no need for the Northern Territory's offer to be taken up. It is with regret that I advise the House that our offer was not taken. It was very genuine. I believe in my own heart that there was a need for it on the island of Timor and I am sure that, had we been given the opportunity, the Timorese would have appreciated what little we could do.

I now wish to refer to the issue raised the other day by the honourable the member for Nightcliff about the policy relating to access by patients to private practitioners in Darwin Hospital. The honourable member provided me with certain papers that I had checked out by the department. While the facts contained in those papers are ostensibly correct, there is one stumbling block that I will allude to in a minute.

I would like to relate to the House the department's attitude towards access to private doctors not only in the hospital but in Outpatients and Casualty:

> *In reply to the honourable member for Nightcliff's recent inquiry relating to the provisions for private practitioners to be called to the Casualty Department of the Darwin Hospital, I wish to inform the House that the practice employed is similar to that used in major public hospitals elsewhere in Australia. The underlying principle of a casualty department is to provide immediate treatment for casualties and emergencies by means of hospital medical staff rostered to provide a 24-hour emergency service. At the Darwin Hospital, private practitioners are given visiting medical officer status for the investigation and treatment of their patients in hospital wards. On admission to the wards, all patients or their relatives are asked to decide whether they wish to be treated by hospital staff or by the particular doctor of their choice as a private patient. Thus, a patient presenting for treatment at a casualty department is regarded as a person seeking emergency treatment by the casualty staff. It would not, therefore, be desirable or feasible, in dealing with accident cases, for staff to take responsibility for delaying emergency treatment while contracting private practitioners who may or who may not be willing to accept the case.*

Further, Mr Speaker, in such a congested area it would be impractical to hold such patients while awaiting the arrival of a private practitioner who could well be unavailable for some time with the possible consequence of a dangerous delay in treatment to the patient. I fully understand that personal differences between staff and patients can occur in conditions of stress and I assure the honourable member that the hospital administration and staff do all they can to avoid such problems.

The particular point that the honourable member raised relates to what stage the patient has the right to call for his or her doctor and what assistance is given. The moment the patient is admitted to the hospital, the patient has the right to seek assistance or to call the doctor of his choice himself or to ask the department to treat him with hospital staff. The policy at the moment, and I have not had a good case presented to me so far to change it, is that, when a person presents himself or herself to Casualty, it is deemed that he or she is in need of emergency treatment. The staff in that area will provide that treatment to the stage where the person is then sent away or admitted to hospital. If a person does not wish to be treated in Casualty, his choice is to go to the doctor of his or her choice before Casualty.

I can see that the honourable member for Nightcliff may not get a great deal of satisfaction from that answer but I put it to the honourable member that the problems are of a logical nature because we are dealing with people in a confined area in emergencies. The issue of calling the doctor is one that will arise the moment the person is admitted.

Mrs LAWRIE (Nightcliff): The answer seems to have been a snow job perpetrated on the minister by his department. He quoted the department's views on this. I made it quite clear in my original remarks that I wanted the policy of the Minister for Health, not the policy of the department because I expect the minister to be setting the policy.

Mr Tuxworth: I gave you my policy and I have no reason to change it.

Mrs LAWRIE: Right! The minister states that the statement he just made is his policy and he sees no reason to change it. I will attempt to alter his point of view.

This is a fairly serious matter and is causing community concern. If somebody has an accident and is taken immediately to Casualty by ambulance or by private vehicle and states there that he deems himself to have been admitted to hospital, he should then be able to exercise what he regards is his right to ask that continuing treatment be given by a doctor of his choice. It is not quite as simple as the honourable minister put it to us this afternoon: that the treatment will be given by Casualty staff and, at some future time, if the patient keeps insisting, he can ask for his personal physician or specialist ...

Mr Tuxworth: At the point of admission.

Mrs LAWRIE: The honourable minister is playing with words. Mr Deputy Speaker, I can get many more cases; I have had plenty of complaints. The reason I mentioned this one is because it is the most recent. The facts of the case are that people are told by hospital staff that, if they want their own doctor, they can "discharge themselves, sign themselves out and go and get him". That is rather difficult if you have a compound fracture of the leg or if you are receiving blood and cannot be moved. That is the point at issue. It is immoral, impractical and unethical to persist in such behaviour. The behaviour about which I am speaking is that taken by staff who are obeying this

policy.

I am now raising a point of medical ethics. If one goes to any medical practitioner in private or hospital practice and asks for a referral to another practitioner and the practitioner refuses to give it, he is in danger of being struck from the medical register for a gross breach of ethics. Therefore, it is unethical for a doctor in Casualty, in any other part of the hospital or even standing in the middle of Smith Street to behave inthe manner in which hospital staff are behaving at the moment under the guise of its being policy. It is unfortunate that the minister cannot immediately rise and reply. We are not engaging in a cross-debate but I am advising him that I have had this checked and it is of serious concern to practitioners in this town that these medically unethical practices are occurring notwithstanding what we might think about the grotty policy as laid down by the minister and practised by the Department of Health. They are unethical in medical terms. That is a most serious statement and I make it advisedly.

Mr Deputy Speaker, you will be aware that, in detailing this particular case, I said that the patient had asked at Casualty but the referral to the private practitioner was not forthcoming. He was told at that stage, "Fix it up when you get to the ward". After he reached the ward, ittook him about 5 hours to get that referral and it only came after his wife had contacted his father who approached various authorities and found that the practitioner required was already in the hospital performing an operation. It is of note that the senior surgeon of the hospital, when he was advised eventually of the position, stated, "No worries, we will get him for you".

Notwithstanding the senior surgeon's appreciation of the ethical problems being raised and his immediate response, I have had a letter from the Deputy Superintendent outlining clearly that it is not the responsibility of the hospital to engage private practitioners on a patient's behalf but rather the patient's responsibility. I am saying that that is an incredible practice to be in force in the Darwin Hospital. We have one general hospital and I regard that as a reasonable concentration of our resources. Medical resources are very expensive and no one is putting forward a case of duplication of those resources. We are saying: "Let us utilise what we have to the greater benefit of the people of the Northern Territory". Nothing the minister has said this afternoon has in any way mitigated the seriousness of the problem occurring at Darwin Hospital when staff tell patients it is not the policy of the hospital to raise a finger on their behalf when they ask for a private medical practitioner.

I find it incredible that the government is promoting that policy. Honourable members will be aware that, in bringing this to the honourable minister's attention, I did not do so in any political sense. I was a bit amused at question time when I first raised it. The honourable minister stated: "If the member would like to write to me on the matter, I will give her a reply". The last time I wrote to the Minister for Health seeking clarification of his policy on a medical matter, it took 8 months to obtain a reply. I am not content to wait another 8 months. That is why, having raised it at question time, I advised the minister that I would be raising it in the adjournment with the object of obtaining an immediate answer. I certainly received an answer, but it was not the one that I was expecting. I am not trying to make any party political issue out of this. I cannot regard it as Country Liberal Party policy or Labor Party policy or Progress Party policy, God help us, or any other party policy; it is a matter of ethics and a matter of delivering the best medical care in the fastest possible time to the patients seeking that care, having regard to the resources available in the Northern Territory. That is not the policy that is being implemented at the Darwin Hospital at the moment which apparently has the Ian Tuxworth good housekeeping

seal of approval.

I repeat the question which I asked on Tuesday 12 February: "Is it the policy of the Darwin Hospital that it will not arrange for persons admitted to the casualty section to see a private specialist if they request it? Is this in line with the minister's own policy and, if not, will he act to change the policy presently being implemented by people at the Darwin Hospital". The answer: "Did the honourable member refer to a private specialist or a private practitioner?" My reply: "Either". The minister's reply: "My understanding is that, if the patient is admitted to the hospital and requests to see his private practitioner, that can be arranged. If it is not the case, would the honourable member kindly advise me". The honourable minister is going to quibble over admittance. A person admitted as a result of serious injury in a road accident will be taken by ambulance to Casualty. He will probably receive the treatment which I outlined 2 days ago. I really did not think I would have to go over it again. He might have a blood transfusion or be put on a respirator. He may be capable, however, of indicating at that stage that his private surgeon is Mr X and he would like him to be called. It is apparently the minister's wish that the staff will say: "No, if you want him, go and get him".

That is incredible. It is a matter of timing. The patient has to go through admittance meanwhile pitifully bleating: "I want Mr X". In this case, it took hours yet the surgeon could have attended the patient immediately after the initial request which was refused. I hope that the minister's colleagues take him outside and kick him half to death and perhaps then he can attend the local casualty section and see how he likes it. The policy is indefensible and unethical. I ask him to address his attention to that and perhaps to take it up with the Chairman of the Registration Board whom I feel will have to back up my remarks and say that it is an unethical practice for a doctor not to refer a patient or not to lift a finger to assist that patient.

I am totally dissatisfied with the reply given by the Minister for Health. It is the classical snow job by the department for the purpose of administrative convenience. That is not what self-government is all about. The vast majority of Darwin people find the policy being implemented by that hospital totally unacceptable.

Mr COLLINS (Arnhem): My remarks this afternoon also are directed at the honourable Minister for Mines and Energy. I will give the Chief Minister a rest this afternoon. The honourable Minister for Mines and Energy has a weak point and I have discovered what that weak point is. It is sitting on top of the honourable minister's neck.

On 21 November 1979, I raised in this House a matter of concern to the honourable minister in his capacity both as honourable Minister of Mines and Energy and as honourable Minister for Health: the problems regarding the health of workers at Nabarlek. I read at length in this House extracts from a report that had been prepared on behalf of the Miscellaneous Workers Union. I thought that I had covered fairly well the circumstances leading up to that report but, as I have had to do so often in the past, it looks as though I will have to point them out to the honourable minister again because he made some remarks publicly recently that have given me great concern, not particularly because they were directed at me but because of the attitude that he exhibits once again when serious matters are raised that reflect in any way critically on the uranium industry in the Northern Territory. I have no doubt that the honourable minister has a special drawer in his filing cabinet where he files things like the Arnold report and anything else critical of the uranium industry. There is probably a picture on that filing cabinet

drawer of the 3 wise monkeys.

I will go over again the circumstances leading up to that report. I visited the Nabarlek mine last year on 3 occasions with the particular purpose of having a look at the way safety procedures were being adhered to by workers on the site. As a result of the concern that I felt, I did not come back to Darwin and go running to the Northern Territory News, the Star or the ABC. I took my concerns up quietly and privately with the union which was responsible for the wellbeing of those workers. As a result, an expert report was commissioned to find out whether my concern was a real one. The report was subsequently produced and a copy was sent to the Minister for Mines and Energy.

I raised the matter for the very first time in this House in November last year. I regard the debates in this House seriously. I know that it is certainly the practice of 2 ministers, and perhaps all ministers, that they have a member of staff who sits through parliamentary debates so that the colossal cost of these sittings is justified and the debates are put to use. I consider that, when a matter of concern is raised by a member in this House and directed eyeball to eyeball to the minister responsible, that should be even more effective than writing the honourable minister a letter or doing anything else. Obviously, the honourable minister does not think so. He treats matters that are raised in this House in the same cavalier fashion as he treats his responsibilities as Minister for Health.

I raised that matter for the first time in the parliament. Subsequently, reports appeared in the paper, not from any press releases that I issued but from the Hansard debate. On the 6th of this month, the Minister for Mines and Energy did a guest spot on a talk-back radio program run by Warren Payne. He spent some considerable time attacking me, which is not unusual, but I certainly do object to what he said because it was totally and utterly false. I would be the last person in this House to accuse the Minister for Mines and Energy of being a liar. I would not do that because it is unparliamentary but he was certainly playing fast and loose with the truth on that talk-back radio program when the question of the health problems at Nabarlek was raised.

The honourable minister rushed to the telephone. I give credit to Mr Payne; he did try to contact me but I was not in Darwin on that day. However, a person who was listening to the program and who taped it was enraged at what the minister said because that same person was sitting in the public gallery, listening to the debate, when I raised this question last year. Honourable members will remember the minister's response to those questions. He replied with the same degree of concern that I had expressed. He described the report: "I concede the point that the report generally is a very helpful one". At one stage, the Chief Minister interjected to ask for a copy of the report and there was obviously a great deal of concern about the contents of the report. On talk-back radio last week, the minister said in regard to the Nabarlek health problems: "The member for Arnhem is an irresponsible person". He went on to say: "Bob Collins has such a paranoid objection about anything to do with uranium mining that he is inclined to say things that do not have a lot of substance. I would like to hear of specific things and allegations but, where Bob is concerned, I would like to have it in writing. If he was responsible, he would come to me but he is not. All he does is go to the newspapers whipping up hysteria. My experience so far indicates the facts do not stack up well against what he says".

I was a little annoyed when I heard those comments on this tape because honourable members will recall that the first time the Arnold report was raised publicly was in this House when I raised it with the honourable minister. I did not write the honourable minister a letter about the Arnold

report ...

Mr Tuxworth: That is right!

Mr COLLINS:... because I felt that the appropriate place to raise it was in this House. I would have felt that the honourable minister - obviously, from his interjection a moment ago, he does not agree with me - would treat the debates in this House with some seriousness. "Quite right!" he said. "You did not write to me. Therefore, I have ignored the problem". I am a little annoyed with the honourable Minister for Mines and Energy. If that is his attitude to what people say in this House, I would suggest that he stay in Tennant Creek and not bother attending the sittings. Obviously, as far as he is concerned, they are a waste of time.

I do not want to finish the week on a dull note. As the honourable member for Tiwi has received a bouquet and as it is St Valentine's Day, I will throw her another one. I wish to commend the honourable member for Tiwi on her most recent press release concerning the use of the Sattler airstrip. The honourable member said that she did notwant the Sattler airstrip used by aircraft because the aircraft would frighten the horses. I want to add my weight, which is considerable, to the efforts of the honourable member for Tiwi to prevent the use of aircraft on the grounds that they frighten the horses. I think it is very sad for all of us that the honourable member was born in the wrong place and 60 years too late. In 1914, generals in both the British and German armies tried very hard to prevent the use of aircraft in warfare on the grounds that they would frighten the horses in the cavalry. When those men were looking for political support to prevent the use of aircraft because they frightened the horses, there was none to be had. I feel that, if the honourable member for Tiwi had been around in 1914 and had been a member of the House of Commons, the world could well be a much safer place to live in today.

Mr MacFARLANE (Elsey): I think the honourable member for Arnhem would like to have the earth flat. However, there is no room for levity in my remarks this afternoon. I hope that the honourable the Minister for Mines and Energy will put this map in his filing cabinet behind a door too. This is a map of a proposed dam above the Katherine Gorge. This is one of the most important things that I have done to bring to the notice of this House the troubles which may happen in Katherine.

This map represents an area which is 80 kilometres long and 50 kilometres wide. The dam site is here, above the Katherine Gorge. The length of the dam wall is equal to the length of the main street in Katherine, about 1500 metres. There would be no great problem with construction. However, the benefits which would flow from this dam are immense. It would be a multi-purpose dam. The catchment area would be about 3,500 square miles. The dam would be above the gorge and would protect Katherine and the area right down to the Daly River from flooding. Other rivers flow into the Katherine River below the Katherine Gorge caravan park. This catchment area would store only about 70% of the water which flows down the Katherine River. It is significant to note that, in a big flood in Katherine, water at the Post Office could be 9 feet deep. That would be a catastrophe.

This area is big enough to store all the water from the 2 biggest wets provided that we release the water throughout the year. That would be done for hydro-electric generation. If the dam wall was 80 metres high, it would produce 7.5 megawatts with a load factor of 50%. At the present time, Katherine uses 5.3 megawatts. It could go up to 10 megawatts depending on the height of the dam. As the fuel bill for Katherine was $1.6m for the last year, it is easy to envisage the immense savings which would result from the construction of this

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dam. It would also provide plenty of water for domestic use and for irrigation. The water released through the hydro-electric scheme and through the lowering of the storage area level would provide water right down the Katherine River and into the Daly River. It would replenish the Mount Nancar Dam which will be built down past the Daly River crossing. That Mount Nancar Dam will produce hydro-electric power for Darwin.

All these things are compatible, both with each other and with tourism. The height of the water in the gorge would be 4 or 5 feet higher than it is at the end of the dry - about as high as it is in May-June, which is the optimum level for tourism and boating. When it is realised that 65,000 people visited the gorge last year, it is obvious that tourism at the gorge is on a large scale. When this dam is built, an access road would have to be made which will mean the whole area, this whole lake, would be available for recreational purposes.

Overlooking all those benefits, the main reason for this dam would be flood mitigation, which is especially important at this time of the year. All the biggest floods on record have occurred in March and that is next month. I honestly bring this forward to the Assembly and seek its support for something which would not only do Katherine a lot of good but the Territory too.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, even if I did not intend to speak this afternoon, I would have had to if only to say a few words in reply to the honourable member for Arnhem. I am very pleased that he shares my concern for horses. I would like to assure him that I feel certain - and when I feel certain, I am not often wrong - that, the way things are going in the world today, we will have horses long after we have aircraft. I say that not as a horse woman but just as somebody who knows something about a few animals.

Mr Collins: I thought uranium was going to fix all that.

Mrs PADGHAM-PURICH: Well, we will still have horses after we have used up the uranium. It may interest the House to know that the member for Arnhem also is concerned with the welfare of cows, particularly my cows. He gave me a carte blanche to send my cows to his place to indulge themselves on all his luscious green grass because he does not mow the grass. The honourable member is also concerned about the welfare of one of my dogs which fell into his swimming pool. Fortunately, we got it out. If he had been living in that house a few years ago, he would also have been concerned about the welfare of one of my cats which fell into that swimming pool.

Mr Collins: When are you going to fall into that swimming pool?

Mrs PADGHAM-PURICH: Well, I will not fall into your swimming pool.

Before I continue, I must thank my secret admirer for this single red rose.

This afternoon, I would like to speak on a subject which I think will become of increasing importance in the Northern Territory. I hope that some serious thought is given to it by the people who are concerned with wildlife conservation and also other government departments. I am referring now to the husbandry and marketing of certain wildlife. I have spoken in this House previously about the husbandry and marketing of feral animals. I have also spoken strongly, as have other members, about certain shoot-outs when the main aim seems to be killing for killing's sake. I have heard of the arsenal of weapons used by official people for this purpose. If ever there is a private war up here, I think they might be on the forefront if only for the arsenal of weapons they have.

I think the days have past when we could afford to just kill feral animals for the sake of killing. They must be harvested for the good of everybody in the Northern Territory. The deer, buffalo, brumbies and donkeys are the first animals that come to mind. There is one pastoralist up here who is very definitely interested in husbanding deer but there are many problems. The project demands considerable capital outlay and he must go into the matter very seriously before he can start. I was very interested to learn that there was a deer seminar conducted in Victoria last year. I have asked for the transcripts of proceedings but I have not received them yet. I know that this particular gentleman who lives in my electorate would also be interested to read them.

Not only should the feral animals be harvested, some forms of wildlife, with certain regulations and restrictions, could be marketed. They would have to be caught, husbanded and marketed both here and overseas. In my electorate, I received several inquiries from interested people. The 2 things that come to mind are that there are some birds and there are also some semi-aquatic animals. The Northern Territory abounds in many forms of wildlife - terrestial, aerial, semi-aquatic and semi-terrestial. I was asked what this person could do about farming white cockatoos. If somebody is growing crops in an isolated area and white cacatoos came over, he could shoot them and nobody would know whether he had shot them or not. I think this is wrong. We grew some sorghum last year and we must have fed every white cockatoo between Bathurst Island and Alice Springs from 7.30 until about 9.15 every morning. They came over from west to east in the morning. In that flock, there would have been about 400 to 500 birds.

The person who approached me is interested in catching this protected wildlife under regulation and under instruction from the wildlife officers. He is interested in farming them and selling them. He is also interested in exporting them but, before he can even start the project, he wants to know what he can do and what he cannot do. The Northern Territory government does not control the export of wildlife. I do not know what the law is regarding the sending of this form of wildlife from the Territory to the states but I do know that there are very high financial rewards in selling native animals, especially birds, on the black market. When a few of these people are caught - and many more must escape detection - and a box is opened up, it may contain 20 or 30 parrots in a state of suspended animation because they have been drugged. Often only a couple of the birds are still alive. I find this very sad because it is a waste of bird life.

It would be much better if some form of regulation could be introduced in legislation to enable people to farm these animals and sell them legitimately under certain regulations and restrictions. If that could be brought about, the very undesirable black market practice of selling our birds and animals overseas would stop. I recently went to a small function held for representatives of 2 federal departments who had established an office here to encourage overseas export from the Northern Territory. I have not been to see the gentleman in charge of this office yet but I will be making approaches to him to see what can be done for people in my electorate who wish to farm native animals under the advice and control of Wildlife. Unfortunately, we are still controlled by Canberra in many ways.

There are certain forms of wildlife that are more desirable to have around than others. In many places where crops are grown, marsupials are rather a pest. It is a general rule of thumb that 1 kangaroo eats as much as 1 goat and 5 or 6 goats eat as much as 1 cow. Flying foxes can also be a problem. Aboriginal friends on Bathurst Island would love me to bring some over if I would catch them, but I cannot. Last year was a very good season for mangoes. I reckon we must have had every flying fox across the north of Australia. The sky was dark with them. There is no way of catching them and I think their

flesh is only palatable to a very specialised taste. I have not eaten flying fox but they tell me it is rather interesting to eat. I only wish somebody could find a market for flying foxes.

In conclusion, the Northern Territory government, having left the apron strings of Canberra, is looking for ways of supporting itself not only with the major industries but in many small ways. I feel that there is a definite outlet for the export of our native animals under certain controls and restrictions.

Ms D'ROZARIO (Sanderson): I wanted to bring to the attention of some members of this House today the plight of a certain category of persons in the Northern Territory. I am referring to the homeless and also to those people who manage to obtain housing only at such a cost that they have very little money for the other necessities of life. I asked the Minister for Lands and Housing yesterday whether he would investigate a system of giving rental rebates to people living in private sector accommodation who would be clients of the Housing Commission but for the fact that the Housing Commission does not have sufficient housing.

The reason I put this proposition is simply that there exists at the moment a most ironical situation, particularly in the Darwin area where rents are extremely high. They are high also in the Alice Springs area as anyone who has read the Valuer-General's report will realise. Nevertheless, in the Darwin area, rents are twice as high as they are in Alice Springs. The irony to which I refer is simply this: at the moment, there is a commendably extensive program of giving rental rebates to certain clients of the Housing Commission who find the level of Housing Commission rent too high. I do not say that these people should not get this rental rebate. The scrutiny which these applications receive and the level of rental rebate which is eventually given certainly ensures that those who get it are indeed the ones who need it. However, there are a number of people whose circumstances are as bad as those of the people who receive rental rebates from the Housing Commission. The only difference between them and the Housing Commission tenants is that they are not housed by the commission.

What it boils down to is that the commission is not empowered to given rental rebates to people other than its own tenants. The situation arises where a person can obtain Housing Commission accommodation after about 1 year's wait on the housing list. He may get a 3-bedroom house and his rental will be around $45 a week. For certain people, even that is too high and they receive a rebate. I stress that I do not for a moment suggest that they should not be in receipt of these rebates. On the other hand, there are a large number of families who are in the most dire and pressing of circumstances. They cannot obtain accommodation simply because the supplier of housing, the Housing Commission, cannot house them. There is absolutely no assistance that can be given by the commission to these people. They end up paying something like $130 a week for a 3-bedroom house in the northern suburbs.

On occasions, I have assisted people to obtain housing in the private sector. This consists of ringing up a number of agencies and real estate agents and asking what is available. When you have done this a few times, you realise just how little is available within the price range that these people can afford. What I am suggesting to the honourable minister is that a scheme should be investigated whereby these people could also be afforded some relief. The only difference between them and the Housing Commission tenants is that they have not yet managed to obtain Housing Commission accommodation.

I outlined this scheme last week as a result of having had, over the last 2 or 3 months, a particularly large number of people coming to me for assistance. This was the reason why I thought it was about time, particularly

with the increase in the amount of rental rebate from about $550,000 to somewhere near the $1m mark recently, that perhaps some system of relief ought to be devised for these other people who are in exactly the same circumstances as, and in some cases a good deal worse condition than, the tenants who are already in Housing Commission accommodation.

In answer to my question yesterday, the minister said, quite correctly, that a possible effect of such a system may simply be the pushing up of rents. This system has been used; I think it was called the HAVE scheme, Housing Alliance Voucher Experiment. In an attempt to put some of the have-nots into the category of the haves, this experiment was devised but it was later withdrawn in some southern cities because it was found that landlords were increasing the rents because they knew that there was a certain class of tenant who was obtaining assistance.

In respect of the Northern Territory, I would like to point out 2 matters to the honourable minister. First, there is a category of persons, other than Housing Commission tenants, who get rental rebates, and that is public servants. When public servants arrive in the Northern Territory and they cannot immediately obtain housing through the Public Service Housing Scheme, there is provision in the public service regulations for them to be paid a contribution towards their rent. We certainly have not noticed any increase in the general level of rents because of that particular provision in the regulations. As the Valuer-General's report clearly points out, the very high rents are simply the result of constrained supply.

The second point that I want to raise relates to the response that the minister gave to my press statement. The honourable minister said that, where people have a complaint about the level of rent, they could take it to the Commissioner for Tenancies. The Commissioner for Tenancies is many things but a magician he is not. The Commissioner for Tenancies simply can do nothing to increase the supply of rental accommodation. All he can do is make sure that the parties are faily dealt with under the terms of the current Tenancy Act. There is absolutely nothing he can do which would bring down the level of rents in a situation where there is constrained supply. I do not think that that particular suggestion will afford any assistance to people who complain about high rents. If indeed the minister believes that the Commissioner for Tenancies is a fruitful avenue for complaint, if we did have a system of rebates for certain people in the private sector, the Commissioner for Tenancies could be charged with seeing that landlords did not raise their rents by the amount of the rebate awarded to these tenants. Here we have a role that the Commissioner for Tenancies could play since the minister has so much faith in his office.

We did receive one other reaction from the office of the minister. Some nameless spokesman came out with the idea that all these people were complaining about high rents but, in fact, so much was being done to assist them. He was quoted as saying that one of the sources of assistance was the government's new Home Loan Scheme to enable these people to buy homes. This response was absolutely astonishing. Marie Antoinette had nothing on this gentleman - they could just go and eat cake. I do not know whether the honourable minister has these people coming into his electorate office or if he gives them a hearing, but the people who come to my office often have 3 children who have not eaten for the whole of that day. They come in late in the afternoon at 4.30 and 5 o'clock and they do not have even a bus fare to take them into town to collect an emergency payment from the Community Development office. I doubt whether these people would be able to amass $1,000 which is the minimum deppsit to take advantage of the minister's Home Loan Scheme.

I am also talking about people who sleep in cars with 2 or 3 children

and who have absolutely no recourse to any form of emergency housing whatsoever. I do not think that the officer who gave this reply to the press had very much knowledge of the sort of client that we are talking about. Perhaps some of these people ought to present themselves in the public service offices with their stories and those people who give these sorts of responses would know better the type of person we are speaking of.

What happens in other places? I cannot speak for all other places in Australia but, until quite recently, in South Australia there was an excellent scheme whereby the housing authority had a stock of housing from the private sector which was able to be allocated on an emergency basis to families in dire need. Apart from the Housing Trust accommodation, they also have a fair slice of private sector accommodation which is low priced. Therefore, not every person who would ordinarily be a client of the Housing Trust comes to the Housing Trust for accommodation because many of these people are able to pay for low rent accommodation in the private sector. A large number of these properties have been kept on record and when these families present themselves for accommodation, they are referred and the lease is tied up between the housing authority and the private landlord in favour of the family that comes for assistance.

What I am suggesting to the honourable minister is that some such system ought to be devised here. I gather that the limit of assistance that is so far offered is that certain welfare officers in the Housing Commission will ring up private real estate agents and ask them what they have for let. Again, I stress it is the level of the rental which is a deterrent to any housing for these people.

We have here in Darwin an organisation that does look after one category of such homeless or temporarily homeless people. This is the Darwin Womens Centre. Recently, the Darwin Womens Centre applied to the Housing Commission for a house in which to set up a half-way house. This was to temporarily house families who suddenly found themselves without a roof over their head. The idea was that they would be accommodated until the centre was able to get them something more permanent. What happened to this application? It has been rejected for the most extraordinary reasons which I will read to the House. This is a letter from the minister to the Darwin Womens Centre:

> *I note from your submission for funding to support your half-way house project that it is your intention to use these houses as interim accommodation for women and children who are already on the commission's waiting list. The government's concern is to make emergency shelter available to any eligible applicants rather than representatives of one group and, for this reason, the Housing Commission has operated its emergency allocation system without preference and prejudice. Investigations are proceeding at this time into expanding the facilities available for emergency accommodation, once again without any preference to any particular group but with such additional capacity as to supply short-term housing for more than the present number of successful applicants. Assuming that such a scheme can be devised, there would be no reason why women should not seek the services of your staff if they so desired. Since therefore the service you propose would merely duplicate an effective emergency allocation procedure which would provide the added advantage of placing the women and children in an environment devoid of any pressures which may develop in a small community situation, I must confirm my earlier rejection of your application.*

What does this reply mean? You are doing a wonderful job. We would like to do it but, because we are not doing it, you cannot do it either. That is what it amounts to.

The minister has also spoken of certain people as being representative of one group? I point out to the minister that the government is regularly making grants-in-aid and allocations of sums of money ...

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

Mr DOOLAN (Victoria River): Yesterday, the Chief Minister suggested that I consider a rhetorical question bearing in mind section 50(3) of the Aboriginal Land Rights (Northern Territory) Act 1976. He asked me, "If a Labor government was in power, would that government perform its functions under section 50(3) to provide information to the Aboriginal Land Commissioner?" He suggested that, if we did so, we would almost certainly be accused of opposing land claims.

I have considered that question and I wonder if the Chief Minister has read his transcipts of evidence of the various land claims, which I had done, and is now able to prove my statement is incorrect instead of merely dismissing my arguments as rubbish served up by the honourable member for Victoria River. He made this statement obviouslv because he was unable to reply to what I said which came directly from evidence taken during the land claim hearings and which he knew to be correct.

In order to make it clear beyond doubt what the Australian Labor Party's thinking is on Aboriginal land rights, I will quote from our 1979 ALP platform policy. This is the Australian Labor Party Northern Territory Branch platform constitution and rules as approved by the annual conference at Nhulunbuy in June 1979. On land rights, it has to say: "A Labor government in the Northern Territory will act, as a matter of priority, to strengthen the Northern Territory complementary Aboriginal land rights legislation to ensure that Aboriginals are granted land rights, taking into account their wishes, the recommendations of the Woodward Commission and the spirit of the Federal Aboriginal Land Rights (Northern Territory) Act 1976". That should remove all doubts from the minds of members opposite.

I have studied section 50(3) in great detail and I can find no obligation on a Northern Territory government in this particular part, nor in any other part of section 50, to intervene in a land claim. Nonetheless, I believe that, if a government in office did not play an important part in proceedings by providing information to the Land Commissioner, it would be failing in its duties to the people of the Northern Territory. However, there is a significant difference between what happened at the Borroloola land claim, in which the Commonwealth government took part and the Northern Territory government did not take part, and the hearing of subsequent land claims after self-government. At Borroloola, the Commonwealth provided all the information which the Land Commissioner required, then handed the matter over to various departments that wished to make objections and then bowed out itself. It did not lodge an objection or provide opposition as a government, and this is the significant difference. The Northern Territory government, as a government, has either overtly or covertly continued to provide opposition to Aboriginal land claims.

I presume that (3)(b) and (3)(c) are the particular parts of section 50 which the Chief Minister suggests I should consider. Section 50(3)(a) relates to Aboriginals only and section 50(3)(d) relates to alienated crown land over which no claim has been lodged except one by accident and which was subsequently amended. I refer to the Finniss River land claim. Section 50(3)(b) and (c) of the federal act says: "In making a report in connection with a traditional land claim, the Commissioner shall comment on each of the following matters ... (b) the detriment to persons or communities, including other Aboriginal groups, that might result if the claim were acceded to, either in whole or in part; (c) the effect which acceding to the claim, either in whole or in part, would have on the existing or proposed patterns of land usages in the region".

If we look at the Walpiri land claim, for instance, I can detail what I think would have happened if Labor was in government. In this claim, I believe that section 50(3)(b) would not be relevant. I say this as there could be no detriment to persons or communities, including other Aboriginal groups. There are no white Australian persons or communities anywhere near the area claimed nor are there any Aboriginal communities in this area. No Aboriginal groups other than Walpiri are involved, this particular part of the Tanami Desert being the country of one of the 4 groups of Walpiri known as the Waneiga Walpiri as distinct from the Yalpari, Ngalia and Wallmaua groups. All of them are nevertheless, Walpiri people. We come to section 50(3)(c) which says again: "The effect which acceding to the claim, either in whole or in part, would have on the existing or proposed patterns of land usage in the region".

This particular claim is in the desert on land which pastoralists describe as rubbish country, totally unsuitable for even semi-permanent grazing land. With this specific area, no pastoralist could truthfully say there are existing or proposed plans for usage of the land. It is arid, semi-desert, bordering on total desert for most of the year but it does have 1 particular and significant thing in its favour and that is that it is the home of some of Australia's unique desert wildlife and it is scenically beautiful, at least after rain. It also abounds in rabbits and feral cats. Conservationists clamoured for its protection from the ravages which they felt would result from Aboriginal hunting. This was perhaps the silliest argument that could be put forward. The Australian Aboriginal or, more correctly, Aboriginal Australians are the only people known in this whole world who lived entirely from hunting and foraging. In pre-European times, they roamed the country in nomadic groups for at least 30,000 years. It is a harsh country and, in order to survive, its human inhabitants had to be very sure that they preserved its wildlife and edible plants. In fact, they were the ultimate conservationists for perhaps 29,900 years before Europeans invented the word "conservation". Conservationists, and I would like to make it very clear that I am strongly in favour of conservation, do at times become a little hysterical just as do other people who are dedicated to a cause.

Things were mentioned such as ensuring the survival of the night parrot which I have spoken of before. This particular bird has always fascinated me because no one has seen it, Mr Deputy Speaker. He is a very elusive bird indeed. One of the earliest desert explorers, I think perhaps it was Giles, claimed to have seen it and the hunt for it has been on ever since. Every so often reports are received that someone has seen one. Scientific expenditions have gone into the desert to try and find the night parrot but no one has any documentation at all of its existence. No one has ever photographed the bird or seen its nest. Now and again, someone finds some skeletal remains and claims they are the bones of the elusive night parrot. My late friend Bob Napier, who was on Mistake Creek and Waterloo for 18 years, always said that he had seen the night parrot at night and various other bushies say they have seen it but the usual cynical reply from their mates is that they should have put the cork back in the rum bottle earlier in the night. I put the night parrot in the same category as the bunyip or Burge Brown's sea monster yet there is a terrible to do about preserving a probably non-existent bird by some of the more hysterical conservationists. It would be fairly safe to bet that the depredations of feral cats on small desert animals would be of far greater consequence than that caused by occasional groups of Aboriginals visiting their homelands for ceremonial purposes. In fact, as desert Aboriginals are quite partial to rabbits and cats, their presence in the area would very likely decrease the possibility of the unique wildlife becoming extinct and conserve native grasses and plants by reducing the number of rabbits.

Having considered all the pros and cons, any possible detriment to

persons or communities, the effect which acceding to the claim either in whole or in part would have on the existing or proposed patterns of land usage in the region and bearing in mind that the ALP has stated in its platform policy its total support of the Aboriginal land rights, I believe that a Labor government would not have intervened at all in this land claim and certainly not have opposed the claim as the CLP government did. I believe the ALP would have had the good sense to leave the matter in the hands of the competent judge, the Land Commissioner, and provide all or any information that he required and then abide by his decision.

Let us look at the other end of the spectrum. The Kenbi claim over the Cox Peninsula involved a considerable number of white Australians and an Aboriginal community. In the first place, due to its stated policy on Aboriginal land rights, the ALP in government would never have found itself in the dilemma in which the CLP found itself. The ALP would not have descended to the depths that the CLP did in delivering a sneaky punch to the kidneys by extending the planning boundaries by gazettal during the Christmas break or indeed at any time at all. To say, as the honourable Treasurer did, that this action was taken solely because of the urgency of creating a rural plan for Darwin is hypocritical and cynical in the extreme.

Having said that a Labor Party in government would never have taken such an action, a Labor Party in government would have had no option but to allow this claim to go forward and be judged on its merits. There would have been no shadow of doubt whatsoever as to whether or not the land was already alienated. Objections from people holding leases on the peninsula had already been lodged, as had objections from people with vested interests - proprietors of licensed premises, guest-houses, fishermen, sailing clubs and others. All of these objections would have been given due and fair consideration by the Land Commissioner and each one judged on its merits. Considering the weight and number of objections lodged, I have grave doubts whether much of the land originally owned by the Aboriginal group making the claim would have been restored to them. The government obviously had no faith in the Land Commissioner's judgment, as it demonstrated by going to the High Court over the Utopia claim, and played it safe by ensuring that the Cox Peninsula became alienated crown land before the case was heard.

I still have not answered the Chief Minister's question of what a Labor government in office would have done in this case. I suppose that really I can only guess, but it is an educated guess. I have stated clearly our policy on Aboriginal land rights and we would certainly abide by that policy. I believe that, while supporting land rights, the ALP would certainly provide assistance to those people wishing to lodge objections to the claim if they required assistance. The ALP would provide any information to the Land Commissioner which he requested from the Labor government. I know that, only in the most dire curcumstances, where it could be proven conclusively that the granting of land to an Aboriginal group would be detrimental to the total welfare of the Northern Territory and its citizens, would a Labor government intervene. It would try by way of meaningful consultation and negotiation to dissuade the Aboriginal group from continuing with their claim before it even considered lodging a formal objection. The Kenbi claim certainly did not meet any of the above criteria. In the unlikely event that an objection had to be lodged - and no claim to date has posed such a threat nor is it likely to - I am certain that we would not resort to subterfuge as the CLP government has done in the Walpiri and other claims. Certainly, an ALP government would have had representatives at the hearings - legal people and persons with expertise in traditional Aboriginal law - but they would be there as observers only and not as counsel lodging objections on behalf of the NT government. I know that a

Labor government would have enough good sense to rely on an impartial decision handed down by a Supreme Court judge in his capacity as Land Commissioner.

Motion agreed to; Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 2 pm.

RADIOGRAPHERS BILL
(Serial 401)

Bill presented and read a first time.

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

Since it first came into being in May 1977, the Radiographers Registration Board has been very active in its efforts to introduce and maintain an effective system of control over the medical use of x-rays, the major man-made source of radiation to which most people are exposed. The board has been hampered in its efforts, however, by some deficiencies in the Radiographers Act and the purpose of this bill is to rectify these deficiencies. Some of the amendments incorporated in the bill are essentially of an administrative nature but they are all designed to strengthen the board's system of control and, for that reason, have the full support of the government.

Turning directly to the contents of the bill, I refer honourable members to clause 5 which provides for issues by the board of certificates of registration to persons granted registration as radiographers. The issue of such certificates is a general practice followed by professional or semi-professional boards. Such certificates indicate that the people named therein are legally qualified to practise that particular profession. There is benefit in having a similar means of acknowledgement within the profession of radiography.

Clause 6 inserts a new section 12A in the principal act to enable the chairman of the board to grant provisional registration to a person who has satisfied him that he is qualified for full registration. Again, this is a common practice followed by professional boards to allow qualified persons to commence practising their profession whilst awaiting formal consideration of applications for registration by the full board.

Clause 7 amends section 13 of the principal act by placing a responsibility on the registrar of the board to send out reminders to all registered radiographers that they are required to renew annual practising certificates before 31 December each year. Provision is also made for the cancellation of the registration of any person who does not renew his practising certificate within 3 months of the expiry date. Clause 8 extends the provisions of section 14 to enable the board to cancel the registration of persons who are deceased or who apparently have left the Territory. This will assist the registrar to keep the records up to date. Clause 9 requires the return to the board of certificates of registration by a person whose registration has been cancelled.

Clause 10 is probably the most important clause in the bill. It tightens up the area of the act dealing with the greatest potential hazard: the use of x-rays by people who are not fully-qualified radiographers. As it now stands, section 20 provides for permits to be issued to such people but does not require renewal of those permits or any regular check on their activities. The amendment proposed in this clause specifies that the permit remains valid for 12 months only and, by virtue of section 20(3), has the effect of not only allowing but of requiring the board to check any permit holder's equipment and procedures on an annual basis.

Clause 11 inserts a new section requiring annual publication in the Gazette of a list of all registered radiographers and permit holders. Again, this is a standard requirement in legislation of this nature.

I do not believe there is anything in this bill that would meet with objection at all and I look forward to receiving the support of honourable members to its contents. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MINING BILL
(Serial 351)

Continued from 20 November 1979.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I rise to welcome the introduction of this bill into the House. It has been long overdue and we welcome it. In his second-reading speech, the minister stated that, with the technical changes over the last 15 to 20 years, the introduction of environmental safeguards due to the Ranger Inquiry, Aboriginal land rights and mining safety, there is a great need to upgrade the present Mining Act. The Northern Territory has huge mineral wealth. Some of it is on the fringe of being developed and the rest is still unknown. We must have the best legislation available to us for the best controls if we are to continue to develop our mining in the future.

One only has to look back over the last 10 years of mining at Nhulunbuy on the Gove Peninsula where the company mines about 3 million tonnes of bauxite and processes 1 million tonnes of alumina per year. That project alone employs over 1,000 people whose lifestyle is as good as, if not better than, that of all people in many other country towns in the other states. Jabiru has started to develop in recent months and that will be a big project in the next 2 years. The manganese mining industry at Groote Eylandt is another one that comes to mind. They too mine quite a few million tonnes per year. It is an isolated area but the people enjoy good working conditions, a good lifestyle and good amenities.

The greatest response that I had about the bill was the simple way that it has been drafted. It is certainly not an easy bill in every respect. It is complex in parts but it is much better to read and absorb than the last act. It provides for tighter controls over all facets of mining exploration, leasing and so on. As a matter of fact, the present act reminds me of the liquor licensing legislation that we changed not so long ago. The new act allows for the issue of licences on the various types of outlets. I place this Mining Bill in a similar category.

There are some things in the old act which are unbelievable. Actually, it is quite mind-boggling. For example, clause 50A(7) states: "For the purpose of this section, the value of washed bauxite shall be deemed to be: (a) where the world price of aluminium is $500 per ton, $4 per ton; (b) where the world price of aluminium is greater than $500 per ton, $4 per ton increased by the amount which bears to the sum of $4 the same ratio as the difference between the world price per ton of aluminium and the sum of $500 bears to $500; or (c) where the world price of aluminium is less than $500 per ton, $4 per ton decreased by the amount which bears to the sum of $4 the same ratio as the difference between the world price per ton of aluminium and the sum of $500 bears to $500". Now that is absolutely incredible legislation, Mr Speaker. I believe that the regulations can cover any anomalies of that nature in mining. The new bill has omitted all that type of drafting and simplified it. We will leave it to the regulations to regulate that type of thing. It is quite mind-boggling to read the old act. There have been quite a number of changes brought in since those clauses were introduced.

Prior to this bill, the Mining Safety Act was introduced which is an

updated piece of legislation and better than legislation in other states. I believe that, together with the new regulations, it will give us one of the best mining acts in Australia. We have had feedback on this new bill. It is quite revolutionary in its ideas and it has been widely accepted. In fact, I gave it to quite a number of engineers and I did not get much feedback at all because they felt it was too good for them to really comment on. They knew the old act but, when they compared it with the new one, it was so different it was hard for them to really give me much feedback on it. The old act has over a dozen titles. The new bill will reduce that to about 4 mining titles and another 2 titles in relation to sand and gravel extraction.

The exploration leases are the major components of the bill. In the transition period from the old to the new act, the applications will be fully protected and I think that is most important. The new innovation in the exploration licensing provisions is that a company can apply for a retention lease for 5 years and then a mineral lease. That has been widely accepted in the industry. Taken in that order, it can be helpful, initially, with exploration. There are many costs involved in exploration. Moreover, companies must abide by stringent regulations, particularly in relation to environmental control.

Harking back to the Gove and Groote Eylandt enterprises, I believe it is to their credit that those companies have conducted their industry in the way they have, particularly in relation to protecting the environment. I believe too that this could be attributed to the way in which the mining branch inspectors have carried out their jobs over the last 10 years. They have been watching for problems and keeping an eye on most of the operations in very close liaison with the companies and the mining people. Our record of mining safety is outstanding in the Territory and those companies should be complimented for the way in which they have carried out all their operations. This did not happen by itself, Mr Speaker. The government departments, the mining companies and the trade unions put in a great deal of time to bring about better and safer working conditions and to protect the environment. Although we have not got real environmental legislation, there are provisions which relate to the Gove alumina project. They have certain commitments for environmental control and they have kept very rigidly to those.

One has only to look back to the Rum Jungle uranium project which was brought about by ignorance. The people were less conscious of environmental control. I would say that that was a complete disaster so far as the environment is concerned. One only has to go to that area to see the damage that has been done to the Finniss River. What happened at Rum Jungle would not have happened in any mining operation established over the past 8 years. We were operating under the old act but there have been some amendments to that old act since that time. The latest operations have been keeping a close watch on environmental controls. It is known that the Mining Act has had much band-aid treatment with over 45 amendments in its life. Since I have been in the Territory, everyone has been saying that we must amend that act. At last, that day has arrived.

The minister and the honourable member for Gemco, who is not here at the moment, spoke about quite a number of initiatives. I will not duplicate their remarks except to say that increasing the time limit for exploration retention leases to 5 years is a new idea. It gives the government plenty of time to assess the future mining prospects and operation. It will benefit the Northern Territory and the nation generally. On the other hand, it will be an advantage to the persons holding the lease during that period of assessment. Large amounts of money are spent on exploration. In the past, because of the limited time, a large amount of money was put into projects without any real return. The increase from 1 year to 5 years is a forward step. The old method forced

people to spend money quickly and unwisely in some cases.

Part III introduces a new concept for miners' rights. I believe that the issuing of miners' rights by way of a yearly certificate which is renewable for a maximum period of 10 years will be very helpful to the industry and to the holders of those licences.

Part IV relates to exploration licences. These will be issued over an area covering up to 500 blocks, approximately 500 square miles. The area controlled by one person will not exceed 5,000 blocks. The size of the licence area will be reduced by 50% after 2 years and eventually the leases will reduce to approximately 10% of their initial size. The initial term of leasing will be about 25 years with an option for a further 25 years. In the past, because of the long terms of some of the leases, there was no real control. Sometimes there were disastrous effects to the environment. With the new provisions, there will be virtually a day-to-day watch over the projects and all the environmental aspects will be examined. The days are gone forever when areas could be damaged environmentally and never be rehabilitated. All the mineral leases issued under the act will prescribe the conditions and terms relating to environmental protection. I could not agree more with this.

Part X relates to fossicking areas for semi-precious minerals and specimens. This will assist the amateur collector and also help the tourist industry. I know this has been done in other states. I remember going to Queensland where we did a bit of fossicking. There were quite a number of people doing it, mainly enthusiasts and amateurs.

There has been a tremendous amount of work done on this bill. The minister thanked the people who drafted it and people from his department who put so much time into it. I would like to congratulate those people in the Mines Branch and others who have made this legislation a showpiece. I believe that other states have made favourable comments and the mining industry is in favour of it. The next step will be to redraft the regulations in line with the contents of the bill. This will be a mammoth task in itself. The old regulations are another headache. I hope the new regulations will be drafted in a similar manner to this new Mining Bill.

The new concept of extraction leases for sand and gravel mining are very innovative. I believe the industry will welcome this. It will provide close control over these small mining leases, particularly those for the extraction of sand and gravel. There will also be options for taking out long-term leases. This will be watched by the Mines Branch to ensure that there will not be any damage to the environment as has occurred in the past.

Finally, I thought at first that this new bill could perhaps upset the organisation of the Mines Branch but I am informed that the present administration will be able to handle this new act quite capably. There may be room for some new staff where more specialised expertise is needed. I support the bill and congratulate the minister for introducing it.

Mrs LAWRIE (Nightcliff): I rise only to clarify one point made by the honourable member for Nabalco or Nhulunbuy. He spoke about the responsible attitude of mining companies in the past decade, how what occurred at Rum Jungle could not occur again and how marvellous it was for Nabalco and Gemco to be adopting this attitude. I remind him and the House, and he has heard it twice before, that officials of Nabalco met with officials of the then Department of the Northern Territory. The minutes of that meeting have been shown to honourable members. Officials of Nabalco said that it would be disastrous if the public ever got to hear of the amount of pollution which

had occurred as a result of the release of red mud and the effects of mining at Nhulunbuy. Honourable members of this House have already heard this story twice and I am surprised that it has totally slipped the memory of the honourable member for Nhulunbuy. I would hope that mining companies have indeed adopted this fortunate attitude which he espouses but events leave me somewhat suspicious.

Mrs PADGHAM-PURICH (Tiwi): I would like to comment generally on this Mining Bill. Its impact will be felt all over the Territory. Its provisions will be of the utmost importance to all the people in the Territory be they miners, Aboriginals or the landholders living and working in the rural area just outside Darwin in the Tiwi electorate. I am not just talking about the uranium province which lies in the east of my electorate because, as all honourable members know, this industry is already controlled and regulated by numerous other acts both federal and local. Rather, I would like to address my remarks to the materials extraction industry, to the sand, soil and gravel mining and the quarrying industry.

These industries are always very close to the centres of population. Growth centres need large quantities of these materials for building homes, making roads and providing water supplies. These materials must be obtained at the lowest possible price otherwise the cost of living will rise. On the other hand, these construction materials are usually close to the surface of the ground and large areas are disturbed in the mining process. One need not look too far from Darwin to see the scars on the land where materials have been taken for the building of Darwin. These scars have been made both legally and illegally. Gravel for road formation is one good example of indiscriminate mining, albeit legal mining, where areas have been denuded as close as possible to Darwin to save transport costs. In the early years, Nightcliff was a source of gravel and, when Nightcliff was built up, this material had to be replaced from further afield. So it goes on - always robbing Peter to pay Paul. It seems that the rural areas outside Darwin keep Darwin going.

If we look at sand mining, we find large areas around the back of Howard Springs, Humpty Doo and Noonamah all stripped with the top few feet of sand removed so the area now looks very barren, almost like a lunar landscape, and is filled with waterholes and debris. I am pleased to see that there is provision in this bill for bringing extractive materials together in an integrated part of the bill. I see there are now special provisions to grant tenure suitable for this particular type of mining activity. This move has been long overdue and will bring the Territory in line with the states. I am pleased to see there are specific environmental conditions attached and rehabilitation must be carried out. Let us not lose sight of the fact that, to keep our land neat and tidy and aesthetically pleasing, there will be a cost penalty. We should be aware that, by the enforcement of these provisions, the materials will become more expensive and living costs will increase. I hope it will only be marginal.

I hope that, when the inspectors are enforcing the rehabilitative processes, there will be some realism in their actions. There are some changes brought about by mining that can be used to advantage and it is not always necessary to restore the land to the original landscape. I know of 1 or 2 very good examples. There is an old quarry that has been turned into a delightful swimming pool not far from Darwin and, at Batchelor, the old Rum Jungle open pit is a very popular swimming lake.

The other aspect of this bill that is of concern to me as a representative of a very large number of small landholders with 5 or 20-acre blocks is the provision for the grant of exploration title. I do not want to see happen again what happened when Urangesellschaft slammed a whopping great exploration

licence application over half of Howard Springs and beyond to Humpty Doo and further. These small landholders should not suddenly be confronted with this situation. I would like to be assured that there are sufficient provisions in the bill to allow adequate consultation between the prospective explorer and landowner before these things happen, not afterwards.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

NURSING BILL
(Serial 362)

Continued from 12 February 1980.

In committee:

Clauses 1 and 2 agreed to.

New clauses 2A, 2B, 2C and 2D:

Mr TUXWORTH: I move amendment 157.1.

This amendment inserts 4 new clauses in the bill, all of which introduce amendments of a machinery nature to the principal act. New clauses 2A and 2B are interrelated and should be considered together. The effect of clause 2B is to redefine the positions held by 2 of the ex officio members of the board; that is, the Medical Superintendent, who is defined in section 4 as being the Medical Superintendent of the Darwin Hospital and the Assistant Director Nursing in the Department of Health. In both cases, the existing references to public service positions are unsatisfactory and the amendments proposed replace those references with more acceptable terms. The opportunity has also been taken to include the Medical Superintendent of the Casuarina Hospital on the board in lieu of the Medical Superintendent of the Darwin Hospital as the former will very shortly become the most senior hospital administrator in the Territory. The amendment in clause 2A is consequential on those in clause 2B. It simply deletes the definition "Medical Superintendent" which will now be superfluous.

New clause 2C replaces the Medical Superintendent as deputy chairman with a member of the board elected by the board. At present, section 7 of the principal act provides that the registrar of the board shall act under the control of the minister and this obviously is not consistent with the fact that the registrar is subject to day-to-day direction by the board. This anomaly is corrected by a new clause 2D.

New clauses 2A, 2B and 2D agreed to.

Clause 3 agreed to.

Clause 4:

Mr TUXWORTH: I move amendment 157.2.

This is a technical amendment to rectify a minor drafting error.

Amendment agreed to.

Mr TUXWORTH: I move amendment 157.3.

This amendment is designed to ensure that public notice is given of the date when the new section 16A will come into effect.

Amendment agreed to.

Mr TUXWORTH: I move amendment 157.4.

This again is a technical amendment to rectify a minor drafting error.

Amendment agreed to.

Clause 4, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

HOSPITAL MANAGEMENT BOARDS BILL
(Serial 382)

Continued from 12 February 1980.

In committee:

Clauses 1 to 6 agreed to.

Clause 7:

Mr OLIVER: I move amendment 154.1.

The purpose of this amendment is to make automatic that whoever is occupying the position of the Chief Executive of the hospital will go on the board. This will obviate any disruptions and delay to the board's activities.

Mr TUXWORTH: Mr Chairman, the honourable member for Alice Springs has proposed 3 amendments which all relate to the same thing. We oppose them because the principle that the honourable member is addressing himself to has been covered in the Interpretation Act. In each case, the intention that the honourable member is proposing is to ensure that persons, acting in or performing duties of the ex officio member, can take their places on the respective boards. This is already provided for in section 41(2) of the Interpretation Act and the amendments are therefore unnecessary.

Amendment negatived.

Mrs O'NEIL: Mr Chairman, I would like to take the opportunity to once again ask a couple of questions about this clause. They were raised in the second reading and I found the minister's reply rather interesting. The first relates to whether the definition of "matron in charge of nursing services" was adequate in view of the precedent we have in other legislation. When certain people are required to sit on boards, they are generally described by definition in the act. It could well be that, in a re-organisation of the Health Department staff structure, there would be no such person as matron in charge of nursing services. If the minister requires one on the board, there should be a definition of one somewhere. I ask him to tell me what he thinks of that.

Secondly, I raised a point about the role of the secretary of the

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hospital in relation to the board. I asked him why he felt it was desirable to have the matron and not the secretary on the board. I found his reply interesting. I quote from Hansard: "In the case of the secretary and the matron, these 2 people are involved in the day-to-day management of money and staff in hospital and these 2 people should be on the board". As the bill stands at the moment, they are not on the board and I would be grateful if the minister could speak to that question.

Mr TUXWORTH: Mr Chairman, the issue of identifying which matron will be on the board is a mechanical one because we have matrons for administration, matrons for nursing and matrons for other things. The matron for nursing, who is the most relevant one in this case, was nominated for the board.

The second point the honourable member raised was in relation to the involvement of both the matron and the secretary. It was felt important that the doctor and the matron should have official positions on the board but the involvement of the secretary could be in an ex officio and executive relationship to the board. I am sorry if I have misled the honourable member in what I said before. That was the intention of my earlier remark. Whether the secretary is actually an executive member or an appointed member of the board is irrelevant. The fact that he should be there is important.

Clause 7 agreed to.

Clauses 8 to 11 agreed to.

Clause 12:

Mr OLIVER: I move amendment 154.4.

The purport of this amendment is to change absenteeism from 2 consecutive meetings of the board to 3 consecutive meetings of the board. Clause 18 states: "The board shall meet not less frequently than once in each month". If a member of the board is away for a month or a little over a month, he could miss out on 2 meetings. People are quite often away for that period. If they go away in a bit of a hurry and forget to obtain the approval of the board, they could be removed from the board by being absent for that short time. I think that 3 consecutive meetings would be preferable to 2.

Mr TUXWORTH: As the honourable member for Alice Springs has indicated, the amendment increases from 2 to 3 the number of meetings from which a member may be absent without leave before he may be removed from office. Two is the usual number and there is no apparent reason to vary it in this case. It should be appreciated that the operative phrase here is "absent without leave of the board". There should be no difficulty for a member to obtain leave and therefore the substance of the amendment does not arise. For that reason, I would seek to defeat the proposal.

Mr OLIVER: I must disagree with the minister. I am quite certain that the normal number is 3 meetings and not 2. We discussed a bill last week where the figure was 3 consecutive meetings - the Bushfires Bill. I think that that one was just as important as this bill.

Mr ISAACS: I would like to support the member for Alice Springs. I cannot say whether the normal provision is 2 or 3 meetings but I think it is 3.

The matter that concerns me is in regard to leave of absence from the board. I remember one board that I served on, the Apprentices Board, where it did not matter whether you sought leave from the board because the board

just did not give it to you. It also happened on the Tourist Board. The Minister for Mines and Energy would recall that instance because he had control of the Tourist Board at the time. No doubt there is a connection between the 2 boards I have mentioned. The point is that, under the current act, and I think it is a failure, there is no provision for a member of the board who seeks leave of absence and it is not granted. Perhaps the minister would like to think about that.

I support the member for Alice Springs. To miss 2 consecutive meetings may not be such a crime at all. The position with the Tourist Board was that a member did miss 2 meetings. He was on official business for the government on both occasions. Leave was not granted and he found himself without a position on the board. Perhaps the minister would like to reconsider the arguments put forward by the member for Alice Springs.

Mr TUXWORTH: I appreciate the remarks of the honourable Leader of the Opposition and the honourable member. The issue of whether leave would be granted has not been addressed. On that basis, I would be prepared to capitulate and go along with the amendment. I think the circumstances would be extraordinary.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clauses 13 to 15 agreed to.

Clause 16:

Mr OLIVER: I move amendment 154.15.

The purport of this amendment is to tidy up the bill. Under subclause (1), the minister may, by instrument in writing, authorise a person to act in the office of that member. Under clause 10, the appointment of a person as a member shall be notified in the Gazette. I feel that this is a more customary procedure. Where a temporary alternative is notified in the Gazette, the replacement should also be notified in the Gazette.

Mr TUXWORTH: I intend to oppose this proposal because this amendment requires temporary appointments of board members to be notified in the Gazette. Such action would appear to be unnecessary for temporary appointments and could in some cases cause difficulties. The whole point is the time factor. Notification in the Gazette has not been included at short notice and in such circumstances as in illness of a member. Any appointment that would be carried out under section 16(1)(a) would of course subsequently be confirmed in the Gazette. The reason is that, if a member was taken ill at very short notice and could not go to the meeting and wanted to nominate somebody to stand in his stead, it is quite likely that the gazettal of such an appearance could not be effected in time. However, an approval could be granted retrospectively by the later gazettal of a person who represented in lieu of the original member. I propose to oppose the honourable member's proposal.

Mrs LAWRIE: As the honourable member for Alice Springs said, it is customary to see in the Gazette notices of temporary appointment of persons to occupy statutory positions. This is normally the case where someone is on 3 months leave, on extended leave of 6 months or up to 12 months long service leave etc. Where there is or is expected to be a vacancy, surely there should be a gazetted replacement. Where a board member may not wish the position to become vacant but may knowingly be away for upwards of 3 months, I think it is only proper that such a long-time temporary replacement be

be gazetted as was the original appointment. That is done in every government Gazette. If it is a temporary absence by reason of an emergent situation, there is no need to appoint a temporary member immediately. I think that the amendment only brings this into line with other Territory law. If we are to operate consistently, I think perhaps the honourable minister should rethink his position and concur with the proposed amendment.

Mr TUXWORTH: My advisers tell me that the original appointment only has to be notified. This amendment puts a more stringent requirement on the temporary appointment. This does not become effective until gazettal. If the person fell sick one day and the meeting was next day, there may not be time to gazette the appointment. If we leave it the way it is, a post-dated gazettal can be effected.

Mr Isaacs: Look at clause 10.

Mr TUXWORTH: Mr Chairman, I still oppose the amendment by the honourable member for Alice Springs.

Amendment negatived.

Clause 16 agreed to.

Clause 17:

Mr OLIVER: I move amendment 154.6.

By clause 17(1), 5 board members form a quorum. If we look at clause 7, we find that, on a total board of 8 members, we have the Chief Executive Officer of the hospital, the matron of the hospital and an employee within the meaning of the Public Service Act. We have 3 public servants on the board and they are all connected with the hospital. I would say that it would be extremely likely that those 3 persons would turn up for a board meeting. The remaining 5 members are outside persons and, because of business commitments, might not all be able to turn up. Therefore, to have a quorum, all that would be required would be 2 outside members. I am not inferring that the 3 public servants would stack the meeting. I am concerned that, if this happened too often, there would be insufficient community input to the board meetings. This is why I would like to see the quorum as 6 members.

Mr TUXWORTH: I take the honourable member's point. Even though he says that he is not inferring that the numbers might be in the department's favour, that is what it boils down to. There is another consideration that may not apply in a place like Darwin where attendances are pretty regular but it might affect boards in other places where both staff and other members of the board are affected by day-to-day crises in their own environment. If we have a quorum of 6, it is quite likely that there will be a number of occasions when the board will not be able to meet. I have spoken to both the Alice Springs and Tennant Creek boards about the quorum and they agreed that the quorum should be 5 members. I have attended quite a few board meetings throughout the Territory in the last 3 or 4 years and it has been quite apparent that there are as many occasions when staff are away because of crisis within the hospital as there are when the private members cannot attend. I oppose the amendment.

Amendment negatived.

Clause 17 agreed to.

Clause 18:

Mr OLIVER: I move amendments 154.7 and 154.8.

The words "and place" and "and places" are not necessary in paragraphs (1)(a) and (1)(b) respectively.

Amendments agreed to.

Mr OLIVER: I move amendment 154.9.

This will correct a little bit of gobbledegook. This transposes the words "to be held" in order to make the meaning clearer.

Mr TUXWORTH: I think we are playing with words but, for the sake of peace, I am content to accept the honourable member's proposal.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 and 20 agreed to.

Clause 21:

Mr OLIVER: I move amendment 154.10.

My concern is that the minister possibly may not have the minutes before the next board meeting. There could be a matter of some importance that the board has discussed at one meeting, possibly a special meeting, and decisions could be made of which the minister is not aware at a subsequent meeting. My amendment reduces the time for submission of minutes down to 21 days or, in any event, before the next subsequent meeting.

Mr TUXWORTH: I cannot see that the time difference is terribly important. I cannot grasp the problem to which the honourable member is alluding. I oppose the amendment.

Amendment negatived.

Clause 21 agreed to.

Clause 22:

Mr OLIVER: I move amendment 154.11.

This is a very minor amendment. All it does is to make the bill consistent in its wording.

Mr TUXWORTH: This is just a matter of rearranging a few words to suit the member's individual taste. As I gave in on the last one, I will ask him to give in on this one.

Amendment negatived.

Clause 22 agreed to.

New clause 22A:

Mr OLIVER: I move amendment 154.12.

This is a new clause. Clause 22(2) reads: "For the avoidance of doubt, it is declared that the powers of direction of a board do not include powers to give directions for or in relation to: (a) the recruitment, management and discipline of staff; or (b) the financial management of the hospital". In the affluxion of time, the management of a hospital may possibly adopt the attitude that nobody will interfere in any way with the recruitment, management, discipline of staff or the financial management of the hospital. The function of the board is to effect and supervise the standards of service provided by the hospital. To be able to do this properly, it should be able to call on the Chief Executive Officer to provide a report on any of these areas in which the board has no powers of direction.

Mr TUXWORTH: This new clause would give each board direct access to the individual departments of the hospital. It is contrary to the general intention of the bill to make the Chief Executive Officer directly responsible to his board for the activities in his hospital. This is a different proposition to boards by-passing the top echelon of management and doing their own thing. I oppose the amendment.

Mr OLIVER: I had no intention that the board should go through the hospital. If there are problems at the hospital, surely the board should be able to obtain the information it seeks.

Mr TUXWORTH: The honourable member is quite right but that should come through the Chief Executive Officer to the board.

Amendment negatived.

Clause 23:

Mr OLIVER: I move amendment 154.13.

Clause 23 reads: "The board may make such recommendations, as it thinks fit, to the Minister or the Chief Executive Officer of the hospital in respect to complaints made to it on any matter relating to the operation of the hospital ...". My amendment inserts the words "in writing" after the words "made to it". The board is comprised of very busy people and I do not think it should be bothered with any complaints that are not in writing.

Amendment agreed to.

Clause 23, as amended, agreed to.

Clause 24 agreed to.

Clause 25:

Mr TUXWORTH: I move amendment 155.3.

This omits from clause 2 the number "7" and substitutes "6". Since this bill was first drafted, it has been decided to standardise the period allowed for tabling of reports where there is a statutory requirement to do so. This amendment is in accordance with that decision.

Amendment agreed to.

Clause 25, as amended, agreed to.

Schedule agreed to.

Title agreed to.

Bill passed remaining stages without debate.

LEAVE OF ABSENCE

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that the honourable member for Arnhem be granted leave of absence for today. He is ill.

Motion agreed to.

PRISONS (CORRECTIONAL SERVICES) BILL
(Serial 365)

Continued from 13 February 1980.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, it is not before time that the legislation relating to prisons should be changed. For too long, prisons have been regarded as places to keep the wrongdoers against society away from that society because society wants those wrongdoers punished but does not want them to be where they can be seen. No thought was given to a wrongdoer's possible future actions either because of his or her natural inclination or because of his or her incarceration. This is a completely negative way of looking at the problem. The legislation before us is positive. It is a shocking waste of human talent to put people in prison without any thought being given to their possible rehabilitation. I say "possible" because some people cannot or will not change no matter how much time, effort and taxpayers' money are put into the rehabilitative process. The cost to the community must definitely be considered. Happily, rehabilitation occurs in so many cases and this gives encouragement to individuals and governments to continue.

This bill deals with prisons and prisoners but a certain section of the community is not mentioned. Perhaps this is not the right place for it; perhaps it is mentioned in other legislation. I refer to the prisoner's victim. In a few cases, the prisoner is his own victim but, in the vast majority of cases, there is a victim somewhere out in the wider community trying to rehabilitate his life and often without the degree of help that the prisoner gets. What mental scars does a rape victim carry for life? What physical scars does a paraplegic carry after a drunk driving accident? What mental and physical turmoil does a businessman have after being robbed of property which must be paid for at great cost to his or his family's security? All of these people must be borne in mind and we must think of the rehabilitation of the silent majority.

In view of the forthcoming elections in Western Australia, I was interested to see an item in the West Australian of 5 February 1980. The Labor Party's policy speech indicates it would have an urgent review of prison security with particular attention to security problems in rural centres. It hoped to announce more effective security measures within a month of taking office. Escapees should serve a mandatory minimum of 3 to 6 months in Fremantle Gaol before being eligible for transfer to other prisons. I found that quite interesting.

In reading through the bill, I will only comment on some aspects brought to my notice by interested members in my electorate. Clause 9(5) reads: "In a prison, convicted prisoners not yet sentenced and prisoners on remand shall be kept separate and apart from prisoners under sentence unless the minister otherwise directs". This is the usual practice, I understand, but it could

present some problems. There may be some time between conviction and sentence in which case one prisoner may be separated from the remand prisoners. This one person must have his meals and everything to do with his personal living along. Even if there is only 1 convicted person, he may be alone in a section which would normally accommodate perhaps 10 people. Even if the remand section is overcrowded, these people on remand cannot be kept in the convicted section. There may be cases when even remand prisoners have to be separated and 4 particular cases were mentioned to me. Four prisoners with certain problems could cause a lot more problems in the prison. There could be one prisoner convicted but not sentenced, there could be one person referred to as an MD case, there could be one prisoner on remand and there could be one prisoner in isolation for his own protection. These 4 prisoners with their particular problems could create quite a few problems in the prison.

I was very pleased to see that juvenile prisoners may be moved to other places away from prison at the minister's discretion. The needs of juveniles in prison are different from adult cases in some situations and the minister, in his discretion, could consider each case on its merits. I think that education, outlook and upbringing should be taken into account more with juveniles than with adult prisoners.

I would like to comment on medical treatment. As I understand it, people in prison can avail themselves of medical help for certain problems that happen while they are in prison. I would imagine these would be of a reasonably urgent nature. I was told that certain short-term prisoners have gone before the visiting dental officer to get a complete new set of false teeth. Mr Speaker, false teeth do not become apparent in 2 weeks. If a person needs a complete set of false teeth, the necessity develops over several months and several years. Another case was mentioned to me of somebody being in prison, again for a short time, and going to see the medical officer who recommended that his varicose veins be stripped. Again, stripping varicose veins is not a condition which comes about in 1 or 2 weeks; it develops over a lifetime. As well as mentioning the long-time medical conditions which happen to be apparent when a prisoner goes to prison for a short time, I think the situation must also be considered of a prisoner who goes to hospital for non-urgent medical treatment. For 24 hours a day, he must have 2 prison officers with him.

Regarding the visiting of ministers of religion in the prison, I would hope that the particular religious denomination representatives, who I understand will not go out to Jabiru, will go to the prison to see the inmates.

Clause 49 says: "Subject to section 50, the officer in charge of a prison may intercept, open or inspect any letter or parcel dispatched by a prisoner". Other speakers have mentioned that they did not agree with this and that, in certain circumstances, only some mail should be intercepted. All mail must be intercepted so that we know the particular times when there are undesirable things in the mail.

Regarding the clauses relating to female prisoners, there seems to be some effort to treat female prisoners the same as males but there is an exception. As I understand it, no female prisoners can serve out their sentences at Gunn Point. If it was my misfortune to be in gaol, I would prefer to be at Gunn Point and I cannot see any reason why I could not be at Gunn Point. If a person is that way inclined, her rehabilitation would be better served by her being at Gunn Point than in a prison doing something else.

I was rather concerned about a female prisoner having children under the age of 5 with her. This is an Australia-wide practice and I can see the reason for it. I would sincerely hope that the welfare of the child and the child only was considered. If a child of those years is separated from its

mother and then, for perhaps the mother's selfish reasons, the child was brought to prison to see her, I think the scar on the mind of the child having to see the mother and leave would be much greater than if the child did not see the mother for the mother's term in prison. I think we must remember that, if the mother is in prison, she is a prisoner; the child is not. The child must be considered before the mother every time.

I was very interested in clause 85 because it relates to agricultural produce. Subclause 85(2) states: "Articles made or produced by a prisoner during regular working time may be disposed of by the Director under such terms and conditions as he thinks fit". I am not referring to hobby articles and things like that. I am referring to things like vegetables, eggs and stock that are grown. Up here, it seems to be vegetables, pigs and poultry. It has been brought to my attention that these are not sold from the prison farm at Gunn Point. They are swapped and exchanged, expecially the pigs and stock, with other growers. I know of a case in the rural area where there was inbreeding in a particular line of pigs at Gunn Point and they swapped a breeding sow with somebody else's breeding sow to bring in a bit of new blood. While I agree with this wholeheartedly, I feel that the conditions should not be so restrictive as to completely forbid the selling of breeding stock. It should be available to the general public through auctions, in a similar way to auctions of stock from the upper Adelaide River research establishment, for the betterment of the breeding of that particular line of stock in the general community. The prison establishment would have greater resources to buy very good quality breeding stock from down south and they would be encouraging primary industry by making this available under certain conditions. I cannot see anything wrong with simple auctions like primary industry establishments have.

I am very interested in clauses 90, 91 and 92 which deal with food. One of the speakers on the other side queried whether this food is of a proper standard. I can assure him that it is. I have been told that it is one of the best institutional cooking establishments in Darwin. I have made a point of finding out what is a typical menu served at Berrimah Gaol. I have also made myself cognizant of the menu served at one of Perth's better-class boarding schools where my girls go. The interesting thing is that the prisoner menu is much better than the board school menu in Perth. The breakfast in both establishments is cereal plus something on toast like mince, baked beans or fried eggs and bacon. The prisoners have smoko which is a cup of tea. The girls get a cup of tea or coffee and a piece of fruit so they are one up there. The girls have a cold lunch, usually sandwiches and a cup of tea or coffee. The prisoners, on the other hand, have a hot meal of 2 courses. The prisoners have a cup of tea in the afternoon whereas the girls have a cup of something hot plus 2 biscuits and a piece of fruit. Dinner is similar in both establishments : a 2-course meal. The supper is about the same in both establishments: a cup of tea and 1 biscuit. I do not consider that the prisoners are disadvantaged by eating gaol food. This particular school is quite a good one and compares favourably to other schools.

Mrs Lawrie: What point are you making then?

Mrs PADGHAM-PURICH: The point I am making, for the honourable member for Nightcliff's information, is that the standard of food in the Berrimah establishment seems to be well and truly high. That concludes my remarks on this legislation.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this bill is a very great disappointment to me as it obviously has been to many other members of this Assembly. When the honourable the Minister for Community Development introduced it, he made

reference to the many inquiries into the penal systems in the Northern Territory that had been held - the Hawkins and Misner report in particular and also the Legislative Council select committee inquiry which was chaired by Mr R. Ward and to which the honourable member for Nightcliff referred. In my view, that is as close as the bill comes to reflecting the spirit of those inquiries and that report. The minister mentioned them in his second-reading speech but the bill bears little or no relation to the spirit with which those inquiries were held. I recommend that all honourable members take the trouble to go into the Legislative Assembly library and obtain a copy of the Legislative Council's report and read at least part III of that report. It is a most edifying document and if all members had read it and if all people involved in the prison system had read it, the result would have been a much better piece of legislation being presented to us than this particular bill which I found very disappointing indeed.

I will not go through all the problems which other members have mentioned and with which I was also struck. I shall confine my remarks to just 1 or 2 aspects. I feel very strongly that the compensation clauses must be looked at. Clause 97 has been referred to before. It will enable the director to determine any level of compensation for an act taken by a prisoner and that is a very unjust thing and one which must be changed in this particular bill.

The member for Nightcliff spent much time discussing part VIII which relates to prison offences. I had the interesting experience, in the company of the members for Nightcliff and Sanderson, of attending one of the recent inquiries held in Berrimah Gaol. I found it quite a disturbing experience indeed. Theoretically, it was an open inquiry, the same as an inquiry held in a magistrates court. As a visitor, I found it to be a very different experience from an inquiry held in open court. To attend that hearing it was necessary to gain access to the prison, sign a visitors' book, give my name and occupation, state my reason for attendance, leave my bag and other belongings in a locker, go through several locked doors in the company of a very polite prison officer and finally gain admittance to a very small, windowless room where the magistrate presided. I am sure that, to the prisoner and to witnesses who might be called, that is a very intimidatory place and set of circumstances in which to hold an inquiry which is supposed to be impartial and seen to be impartial. It is a question not only of justice being done but also its being seen to be done and all those who are taking part feeling that they can have confidence in the way in which those inquiries are held. I would urge the minister to look very carefully at the question of offences against the act and against the regulations with which prisoners might be charged.

Unfortunately, the honourable member for Arnhem is not with us today. There is one small clause in the bill to which he would have spoken. I will raise it on his behalf even though I will not be as eloquent as he would have been. I draw the minister's attention to clause 19. The honourable member for Arnhem assures me that he knows many people who go to gaol in the Northern Territory. Some of his constituents end up in Berrimah Gaol from time to time and used to end up in Fannie Bay Gaol. He tells me that, at one time, it was the practice for prisoners who knew the ropes and required transport back to their homes to inform an officer 2 weeks before they were due to be discharged. If they knew it was necessary to inform an officer 2 weeks before their date of discharge, when they were discharged an airline ticket would be waiting for them. If the prisoner did not ask 2 weeks in advance, that ticket probably would not be waiting for him. It could well be that this has changed recently but I would once again draw that to the minister's attention. He should ensure that prisoners are advised of their rights to gain transportation back to their homes if the director agrees. They should be advised in

sufficient time so that they are not discharged from prison with absolutely nowhere to go.

Finally, I would ask honourable members to bear in mind that very many of these onerous provisions for the treatment and management of prisoners also apply to remand prisoners. After all, these prisoners have not been convicted of the offence with which they have been charged; they are simply being held in custody. Bearing that in mind, it is even more important that some of these provisions be examined and amended so that our new Prison Act will be a more humane one and one more suited to the problems that we face here.

The honourable member for Tiwi made some reference to Western Australia circumstances. We are very fortunate that we have not had the problems that have arisen in larger, more established and more rigid prison systems where they are dealing with much tougher and more difficult prisoners and very much larger numbers of prisoners. It would be most unfortunate to hear people say that we need these sorts of provisions in our act because they have them in New South Wales or Queensland or Western Australia. We have not had them in the past because we have not needed them. I hope that we never need them. This is one area where the Northern Territory has an advantage over other states. We should not be establishing the sort of systems with which the states have so much trouble.

Debate adjourned.

CROWN LANDS BILL
(Serial 389)

Continued from 13 February 1980.

In committee:

Clause 1:

Mr PERRON: I move amendment 162.1.

The purpose in amending the title to the bill is to ensure that a major bill to amend the Crown Lands Act to be introduced in the April sittings of this Assembly will be designated the Crown Lands Act 1980. This is for ease of identification of a major piece of legislation and therefore it is proposed to change the title of this act.

Amendment agreed to.

Clauses 2 and 3 agreed to.

Clause 4:

Mr PERRON: I move amendment 162.2.

As it now stands, this clause amends section 19 of the Crown Lands Act to empower the minister to determine a reserve price for a miscellaneous lease anywhere in the Territory. Where the land to be leased is not within the Darwin town area or a municipality, the reserve price, with or without a premium as may be appropriate, may be paid by instalments. The proposed amendment to the clause will make it possible for a premium to be charged and payments to be made by instalment in respect of all those leases listed in subsection (1) of section 19 where the leased land lies within the Darwin town area or a municipality. This clause also omits paragraph (e) of

subsection (1) to ensure that no conflict exists between section 19 of the Crown Lands Act and amends the Special Purposes Leases Act passed by the Assembly late last year.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5:

Mr PERRON: I move amendment 162.3.

Existing section 19A requires the payment of lease grant charges, including survey fees, in respect of specified types of leases where the leased land is not within the Darwin town area or a municipality. This clause, as printed, would achieve several things. It would, firstly, permit the minister to determine the survey fees payable; secondly, enable those fees to be paid by instalments; thirdly, in conjunction with new subsection (2A) of section 19, require payment of the first instalment of the reserve price and premium, if any, in respect of miscellaneous leases as a charge for the right to the lease; and, fourthly, in those cases where the land is surveyed before the grant of a pastoral or an agricultural lease, enable the minister to determine the survey fees payable and to permit payment to be made by instalments. The existing provisions of section 47A will still apply whereby lessees of existing pastoral leases may apply for survey and be charged half the cost payable on terms. The proposed amendment to clause 5 rearranges the proposed new sub-section (1) but, instead of providing for the payment in instalments of reserve price and premiums only on miscellaneous leases, the same provisions are extended to leases generally as appropriate.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 and 7 agreed to.

New clause 7A:

Mr PERRON: I move amendment 162.5.

This inserts a new section 27A into the act to ensure that, where agreements have been entered into under the provisions of section 19(2A) for the payment of the reserve price with premium where appropriate by instalments, consent to transfer the lease shall not be given until all instalments have been paid.

New clause 7A agreed to.

Clauses 8 and 9 agreed to.

New clause 9A:

Mr PERRON: I move amendment 162.4.

This amends section 48(8) of the act to ensure that at no time during the rollover of a pastoral lease does the leased land become vacant crown land.

New clause 9A agreed to.

Clauses 10 to 14 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr STEELE (Transport and Works): Mr Speaker, I move that the Assembly do now adjourn.

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to complete a few remarks that I was making last week when my time ran out. Last Thursday, I was speaking about homeless people as, no doubt, the honourable Minister for Lands and Housing will remember. I was bringing to the attention of this House the work done with respect to housing the homeless and the temporarily homeless by the Darwin Womens Centre. I was also outlining the facts leading up to the refusal of their application to the Housing Commission for a building in which to conduct their half-way house project. I reached the stage where I was recounting the contents of the honourable minister's letter in which he referred to this particular group as being interested in and/or representative of a certain class of persons. I presume he was saying that the Darwin Womens Centre is catering to the needs of a limited group. There is no doubt that this is true. Of course they are catering to a limited group of persons; they are catering specifically to families, particularly single parent families and mothers who are in unforeseen crisis situations. To say that they are simply representative of one class of people really says nothing. I had reached the stage where I was going to say that the government indeed recognises special interest groups and there is no reason why, in the same way, the government should not recognise the work of the Darwin Womens Centre and the class of persons to whom it affords assistance.

The government has made in the last year and proposes to make in the present year substantial grants-in-aid to a number of organisations. All these organisations are representative of a specific class of persons. Some of the groups have very limited appeal, limited in the sense of whether or not they are crucial to existence that these people be given these large sums of money. I thought that, for the edification of members of the House, I would run through some of the organisations which are representative of certain activities or certain limited groups of people which have been generously provided for in the past by grants-in-aid. This information was provided by the office of the Minister for Community Development.

In 1978-79, the Darwin Motor Sports Complex received a grant-in-aid of $201,000. The reason for my saying this is not to make any judgment on whether this particular organisation should have received that amount, should have received less or should have received more. The simple point of making this statement is that the Darwin Motor Sports Complex is indeed representative of a specific class of persons which has a specific interest. We then find that there are a number of sporting institutions in this list of organisations which received grants-in-aid. Some of them would have extremely limited appeal. The Sub Aqua Club received $5,000 last year. Something called the Katherine Railway Station received a grant of $12,000. It would have a very limited appeal. The Northern Territory Hockey Association received $13,000. I am sure that hockey is a popular sport as indeed all sports are in the Territory. However, are these grants-in-aid crucial to their existence?

The only reason I raise these things is to draw the comparison between these special interest groups which have been so well served by this govern-

ment and that class of persons - namely, homeless women - who are apparently far too specialised to receive a grant from the government for their half-way house. The Northern Territory Tennis Association received $10,000. I do not begrudge these organisations these grants; I think that many of them provide very worthwhile services to the community. The point I make is that so does the Womens Centre in providing temporary shelter for homeless women. I hope that, in light of those few remarks and the plight of the Womens Centre, the honourable minister will see fit to look again at the application made by the Womens Centre with a view to affording some relief to that organisation so that it may continue its very excellent work in the field of providing shelter for homeless women.

While I am on my feet, I thought I would just bring to the honourable minister's attention a further matter. This relates to the manner in which the Housing Commission decides, when it is letting tenders, what products and fittings are acceptable in its constructions. Mr Speaker, I can inform the honourable minister that, when most other state housing authorities call for tenders for the supply of products and fittings, these are called on the basis of certain specifications. The housing authorities provide specifications which may be met by any number of products within a particular range. All these products are expected to meet or exceed the approved specifications.

The Northern Territory Housing Commission does not set specifications by standards; it nominates the brands of products that are acceptable to it. It limits numbers of brands that are specified for items such as locks, stainless steel sinks and other sanitary and plumbing fixtures. A very limited number of brand names are suggested and suppliers are expected to produce only these brands. The point of bringing this to the attention of the honourable minister is that this practice is not the most satisfactory way of going about it. In my view, the Housing Commission is entitled and has a duty to specify the standard of products that is acceptable to it. However, it should not go so far as to name the particular brand of product because this, in effect, cuts out many manufacturers of satisfactory products from that part of the Northern Territory market that is managed by the Housing Commission. When we consider that the Housing Commission constructs a very large slice of the dwelling stock, then I think the honourable minister will agree that a large slice of the market is removed from the manufacturers of these other products which are satisfactory in every way in regard to the specifications.

Mr Speaker, I raise this matter because I am one of those people who looks at every avenue which is available to us for reducing the price of Housing Commission tenders. If more manufacturers were able to compete for this particular section of the market, we may well see a lowering of the final price of tenders. Even if it is a very small reduction, I think it is worth pursuing for that purpose alone.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, today I would like to speak about a very interesting paper which came into my possession. I did not know what to make of it at first. It is a request to introduce a plant species exotic to the Alligator Rivers region and the Kakadu National Park and environment. The paper is put out by the Australian National Parks and Wildlife Service. It does not say to whom it applies; it just says: "A request to introduce". This could apply to an individual and it seems to me that this is where it is directed. However, I think it is directed to a very special sort of individual. I read it through several times and it seems to me that these 2 pieces of paper are not directed at the ordinary people. They are not even directed at the garden botanist; they are directed at the botanical specialists and, as such, they are completely unreasonable.

I will start off by explaining what is printed on this paper. If Aunty Flo and Uncle Bert want to take a plant from their garden in Darwin to their niece and nephew who happen to be living at Jabiru or Jabiru East, first of all they must give the botanical name. This could be easy if they are experienced gardeners. In all probability, if they know anything about botanical names, they would probably only give the genus; they would not give the species as well. After the botanical name, they must give the family. Now this is really getting into the specialised botanical structure. After that, they must give synonyms. I do not know whether they mean synonyms of the botanical name or synonyms of the family. I guess it must be the botanical name. Without looking down on many people, I would say that there would be 50% of the people in the community who know what a synonym is and about 50% who do not. They are caught again.

Then we come to common names which are under the heading of "family". If somebody is not aware of the classification of a botanical specimen, he probably would not know what "family" means. He certainly would not know what "common name" means. He is more likely to put his own name. It does not sound very polite if used in that sense. The next section asks the person to describe the appearance of the plant in general terms. This is easy. The next question is whether the species is annual, biennial or perennial. That would be rather unrealistic unless one had good botanical knowledge. If the particular plant is a perennial, the applicant has to give an estimate of the life span. Some plants can live longer than humans. Poor old Aunty Flo from Darwin would not have a hope in Hades of giving the correct answer to that or of even giving an approximation of the estimate of the life span of this perennial plant. The next question is whether the species is fire adapted and, if so, in what way. I reckon she would be scratching her head to find out what that really means. Probably, she would work it out in the long run but it would take a bit of thinking.

"For what purpose is the species to be used?" That would be reasonably easy to answer. You could put: "used in the garden". I do not know whether that is really the answer they want.

"Where and in what situation is it intended to use the species?" Since they are going out to see their niece and nephew in the Kakadu National Park, they perhaps could give a general description of the situation but it would not be a particular one.

"Has the species been used in environments similar to those of the region? If so, give details". That is completely unrealistic because a personal history of the plant would be necessary.

"Are there any other species native to or already introduced into the region which could fulfil the same purposes? If so, give details and indicate why these cannot be used". Poor old Aunty Flo could not possibly answer that.

The next heading is "Establishment and Management". "In what form is it proposed to establish the species, seed, cuttings, seedlings, etc?" This would be easy to answer.

"Do you expect that supplementary watering and fertilising will be required to establish and/or maintain this species?" Anybody would say yes. If you are taking a plant out, it would require suplementary watering and fertilising to become established.

"Are plants of the species subject to major insect attack or disease?

If so, what specific control measures are required?" The adjective there is "major". That would be rather hard to answer.

The next heading is "Weed Potential". "Has the species reproduced or spread beyond cultivation or persisted after cultivation has ceased? If so, provide details". To provide the details, a person would need a complete botanical knowledge not only of the Northern Territory but also of the north of Australia. It is completely unrealistic. "Is the plant a proclaimed noxious weed anywhere in Australia or known as a weed or nuisance in the tropical environment?" For anybody to answer that, he would need to be cognizant of all government decrees not only in the Northern Territory but in tropical environments. "In the event that the species has to be eradicated, what measures would be appropriate?" How on earth can poor old Aunty flo answer that?

The next heading is "Potential Hazards". "Do plants of this species exhibit properties that could prove hazardous to humans or animals?" I do not think the ordinary person could answer that. He could answer perhaps in relation to instability in high winds, toxic or irritating properties or he could answer, but I doubt it, in relation to hosts and toxic or irritating agents.

The last heading is "Information Sources". "Provide references for texts and contacts for individuals or organisations contributing information to this assessment. Where possible, copies of relevant literature should be attached as this will facilitate assessment". I think this is asking a little bit too much of the ordinary person.

The point I am getting at is that this piece of paper does not refer specifically to whether an individual or an organisation is taking a plant out. I think it defeats the purpose for which it was intended. It does not say that, if it refers to an individual, help will be offered to the individual in filling out this form. Despite what I have said previously, I am not really knocking the intent of these 2 papers. What I am speaking strongly against is the way it is presented to the public. No help is offered to the public at all in these 2 papers. It is a bureaucratic offering that adopts a take-it-or-leave-it attitude. I feel that some sense must be introduced into this exercise and encouragement should be given to the general public, not this dictatorial decree.

I feel that the public relations to private individuals of the National Parks and Wildlife Service as evidenced in these papers is up to mud. If an individual read through these 2 papers, he would not make a written request to introduce a particular plant; he would wrap it up in newspaper and take it. This would defeat the purpose of the whole exercise. If this does occur, and I think it will occur because this has not been presented very well to the public, will we have a whole tribe of inspectors poking into every plant pot and hanging baskets out at Jabiru or Jabiru East? In line with their policy of keeping the area free of certain exotic plants, I wonder if they will go even further to insist on natural fertilizers. There would be quite a few healthy people after they have chased after wallabies to collect natural fertilizer. While I agree with the intention of these 2 pieces of paper, I think they are completely unrealistic if they are designed for public use.

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, I wish to make certain remarks which I hope will receive close attention from the honourable the Minister for Community Development.

In the NT News of Friday 8 Febuary, there was an article entitled "Pensioners Given Massive Discounts" which, I believe, was factual in its content. It spoke of Territory pensioners receiving a 25% across-the-board concessions increase - a rebate applying to electricity, motor vehicle registration and third-party costs, council, water and sewerage rates. The announcement was made by the Minister for Community Development who stated that the decision should help relieve increasing costs for Territory pensioners. The trouble is that, as the article stated, those eligible for this Northern Territory government concession are people who have been receiving a full social security, aged, invalid or widow's pension or a supporting parent's benefit or a service pension. We are given to understand that these new rates will apply from 1 March.

The catch-22 is that, to be eligible for an old age pension, a person must have been resident in Australia for 10 years. To be eligible for a widow's pension or an invalid pension, one must have been resident for 5 years. In the case of an invalid pension, that applies where the pension is the result of injuries contracted outside Australia and not within Australia. There is a significant group of people receiving a pension benefit who are excluded from any Northern Territory concession because of these guidelines. It is not news to the Minister for Community Development because a deputation of these people went to see him 6 months ago. These people have been trying to get an answer from the minister for the last 6 months as to when they will be eligible to receive the concessions available to other pensioners. The group to whom I refer are refugees, a significant number of whom have settled in the Northern Tertitory and who receive what is known as a special benefit from the Department of Social Security. They are not eligible under the guidelines for the Northern Territory concessions. As I said, this comes as no surprise to the Minister for Community Development. To my knowledge, people contacted him months ago and sought a similar concession for those whom they represent.

I am quite aware that Senator Bernie Kilgariff is aware of this unhappy situation and is using his good offices to remedy it. However, it is not really in his province; it lies squarely with the Northern Territory government. Since the Timorese refugees have not been able to obtain any reply from the minister's department, I am asking publicly for him to state, before the rising of this present sittings, whether it is the intention of his government to extend this benefit to these people who are ineligible under the present guidelines. Might I say that I support their case and the representations they have made. It is no fault of theirs that they are not eligible for the social security benefits which would also entitle them to Northern Territory government assistance.

The Northern Territory has a good record of assistance to people from Timor who have fled their country because of the invasion of that country by a militaristic power, Indonesia, which was intent on taking over that country and imposing its military might on a very peaceful people. These people have come to Australia as refugees from their country and have sought succour here. That succour has been given and I believe that the goodwill of the people of the Northern Territory has been extended to Timorese refugees in a manner which does us all proud. I would hope that the goodwill of the people of the Northern Territory will be expressed through their government to these unfortunate people and these pension benefits and concessions will be extended to them. I acknowledge also that there will be other groups similarly affected as the Timorese refugees and I hope the minister will turn his attention to them.

Having touched on Timor, might I express my abhorrence, shock and disgust at the hypocrisy of a press release from one Adam Malik, a senior minister

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in the Indonesian government, who has made speeches calling on the world to express its dismay at the invasion of Afghanistan by Russia. Like the honourable Leader of the Opposition and, I assume, most other members of this House, I do not condone armed intervention in another country's affairs but think of the breathtaking hypocrisy of the Indonesian government's call for sanctions against Russia because of its intervention in Afghanistan when Indonesia invaded Timor and is responsible for the death of hundreds of thousands of peaceful Timorese people! They talk with 2 tongues!

I share the concern, which has been expressed in this House before, for the integrity and the inviolable rights of the people of Papua New Guinea. I wonder what faith they have in Australian people and Australian promises when we did not lift a finger to help the people of East Timor other than to accept them as refugees. The people of Papua New Guinea are well aware of the territorial ambitions of the military generals of the Indonesian government not necessarily of all the Indonesian people themselves. I wonder how they feel in the face of the continuing silence of successive Australian governments of both colours when not only do we allow the takeover of this peaceful little island but we stand by and do not open our mouths when the very people responsible for that armed intervention then makes pious declarations of shock, horror and disgust when another country on the other side of the world does the same thing to a lesser degree. The casualties in Afghanistan, I believe, do not approximate the casualties of East Timor and it well behoves Adam Malik and his generals to shut up.

Mr MacFARLANE (Elsey): The honourable member for Sanderson referred today to the Katherine Railway Station receiving $12,000 from the Department of Community Development and she wondered what it was for. It is for the restoration of the railway station and its conversion into a tourist information centre. This is long overdue. The holdup with the work at the present time has been the tardiness of the Commonwealth Railways to transfer the land and buildings to the Northern Territory government.

The Katherine Railway Station has been of interest to me and the Katherine Historical Society for a long time because of the amount of rubbish, broken bottles and wreckage around the place. It was open and was being used as a doss-house by any drunken or sober person who felt like sleeping there; it is certainly better than sleeping in the rain. The broken flagon bottles outside and the general mess were almost indescribable. I brought the matter to the notice of the Katherine corporation and suggested to them that the railway line area in Katherine would make a good off-street parking proposition; that is, provided that it was patrolled regularly by police and provided that easement was granted from the railway line area back into Katherine Terrace. I believe they will take this up.

On many occasions when I drove past the Katherine Railway Station, which was erected many years ago by a government which specialised in constructing utility buildings and painting them in accordance with their general motif, I found all the windows had been smashed and the doors torn off. The windows have been boarded over and the doors have been nailed shut but quite often I would find that the doors had been levered open and I would notify people about this. On one side of the railway station, there is a shed and, on the other, there is a toilet block. When I drove past the open door of that toilet block, I would see a pedestal there which appeared, from a distance, to be pretty full and every day getting fuller.

With the expenditure of $12,000 and proper policing to keep it free of undesirables, this area can be of great importance to Katherine. It can provide an information centre and, coming from a small town like Nhulunbuy,

you would know, Mr Deputy Speaker, that Katherine is the centre of Top End tourist promotion. If you put you thumb on Katherine on the map and spin your hand around, you will take in the whole of the Top End - all the beauty spots from Wyndham right through Darwin into your little country, Mr Deputy Speaker, around to Borroloola and Tennant Creek, the garden city of the north. You will have access to all the beautiful rivers, all the barramundi spots and all the beautiful Top End scenery if you centre your activities on Katherine. That is why we want a tourist information centre and that is why the government has been sensible in putting forward this sum of money. It is not $201,000 for the motor car complex or for the temporary shelter for homeless women but it is money for the re-creation of something which meant something a few years ago when the railway was operating. It meant something for 50 years and will be brought back into an efficient utility to promote tourism.

Mr OLIVER (Alice Springs): Mr Deputy Speaker, honourable members might recall that, on 13 September last, I gave a brief dissertation on the future of the Central Australian Show Society. I will give you more information as it comes to hand. It is becoming more and more obvious that we do have to leave Traeger Park. On 13 September, I indicated that we had put an application for land to the Department of Lands. Departmental opinion is that the land we are after should be applied for by the Blatherskite Shire Park Trustees and come under the control of that same body. With reservations, the Central Australian Show Society has put in a submission to the Blatherskite Shire Park Trustees so that it in turn can approach the Department of Lands for the particular land that we want.

I will not talk very much about the Central Australian Show Society tonight. For the first time, all the show society representatives met together last night. I convened a meeting and people from Alice Springs, Katherine, Adelaide River and Darwin attended. Unfortunately, representatives from the proposed Tennant Creek show were not able to attend. It went off very well. We discussed our various problems and it augers well for the future if we can have 1 or 2 of these combined meetings every year so that we can put on bigger and better shows. The district show is usually the main showpiece of the town in which it operates.

A further problem has arisen in Alice Springs that in the long term will affect the Central Australia Show Society, the Pony Club, the Saddle Horse Club and Show Jumping Club etc. That problem is the stabling of horses in and around Alice Springs. This is not a new problem, Mr Deputy Speaker. It has been going on for some years. About 6 or 8 years ago, when I was in the Lands Branch, I took steps to have some 20 acres set aside for horse stabling services. This land adjoined Blatherskite Park and, at that time, was part of the commonage. The whole matter was going exceedingly well. There had been no objections from the Town Planning, the Soil Conservation, the Agriculture or the Lands Branches. However, at the last moment, the Forestry Branch claimed the area for reafforestation and nursery purposes. Of course, the horse stabling area fell by the wayside. Incidentally, part of this same area formed part of the land that we are still seeking for the new showground. It is still completely undeveloped and unused.

The situation regarding the stabling of horses in Alice Springs is now at a very critical stage. Equestrian pursuits in Alice Springs are a major sport which occupies the attention of a large number of the people. This sport keeps at least one industry going - the saddlery industry. Horse feeding and horse medicine also provide industries for the town. In about October or November last year, I sent out questionnaires to all the horse owners. These questionnaires asked: how many horses do you have; where do you stable the horse; how much does it cost to feed your horse; and what problems have

you had with horse stabling? I received 60 replies to those questionnaires. This represents some 120 horses in and around Alice Springs. Every one of the persons replying faced a serious problem with horse stabling.

We have a problem in Alice Springs in that several horse stabling establishments have ceased business as horse stables. Admittedly, they were first established as riding schools and they took on horse stabling. They have closed this activity down and this has affected probably about 50 or 60 horses. People put their horses on various farms around the place. These change hands and, of course, the new owners do not want the horses so the horse people are turfed out. At the moment, the horses are starting to come back into town; they have all been turned out over the hot summer months and are slowly starting to come back. We face a very serious situation. As I say, 60 replies were received. I thought that was very good. Perhaps the most poignant reply was from a child who said: "My dad would buy me a horse if I had somewhere to keep it". I feel this applies to quite a large number of people in the town. If they had somewhere to keep a horse, they would buy a horse.

In the middle of January, I convened a public meeting of all interested people; 50 people attended and there were about 14 apologies. In a town like Alice Springs, that is a very good public response and it does reflect the seriousness that is felt in relation to this question. I will not go into the finer details of the meeting but the consensus of opinion was that a communal stable area is needed, an area of about 20 acres where communal stables can be erected so that people can stable their horses with security. I use the word "security" in the sense of security of tenure.

At that meeting, we elected a steering committee. Several weeks later, that steering committee selected some 20 acres of land lying between Blatherskite Park and the access road to the dump. It has good gravelly soil, which would cut down the dust, excellent drainage and is the shortest distance from town that any land suitable for the stabling of horses could be. On the other hand, it is far enough from town, down through the Heavitree Gap, that it would not adversely affect the town.

Our immediate problem is that this group, the Alice Springs Stabling Committee, is not an incorporated body and therefore it cannot hold land in its own right. The only way we can do this is to acquire this land through the Blatherskite Park Trustees. We have had discussions with the Chairman of the Blatherskite Park Trustees and he has indicated that there would be no great objections from that body. Accordingly, we have put a submission to the trustees together with the submission from the show society for this area of land, to accommodate both the showgrounds and the stabling area. We urgently need this land. Another problem that will arise, of course, will be the finance to erect the stabling. We have not gone into this yet. Again, since we are not an incorporated body, that will have to come through the Blatherskite Park Trustees. How these people will wear this, I do not know. I ask the Minister for Lands and Housing to give serious and prompt consideration to the application coming from the Blatherskite Park Trustees. Both matters are urgent and both are of vital importance to Alice Springs. I do ask him to give the matter very sympathetic consideration.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

TABLED PAPER

Investigation into Horticulture and Agriculture

Mr STEELE (Transport and Works): I table 3 booklets dealing with an investigation into the production, handling and marketing of horticultural and agricultural produce in the Northern Territory.

TABLED PAPER

Valuer-General's Report

Mr PERRON (Treasurer): I table an annual report of the Valuer-General for the Northern Territory.

The Valuer-General for the Northern Territory is in fact the Valuer-General of the Commonwealth acting as the Valuer-General for the Northern Territory under an arrangement we have with the Commonwealth. In fact, there is no statutory requirement for the tabling of a report by the Valuer-General. However, it was felt that, since this is the first year of self-government and the first year of the office of a Valuer-General for the Northern Territory, it would be appropriate to start the practice of tabling an annual report from this statutory office.

Honourable members will be aware that the report was circulated earlier during the sittings. The report observes that, in 1977-78, therewas a national slump in the real property market in Australia and the Northern Territory was participating in that unfortunate slump. The downturn was aggravated in Darwin by a falloff in demand for land following a post-cyclone boom period. The report states that, prior to self-government, investors in the Northern Territory had an attitude generally of caution. I am pleased to say that the report by the Valuer-General indicates that the positive direction given the Territory since 1 July 1978, coupled with the defined financial support from the Commonwealth, has led to a revival of the real property market in the Territory. The report concludes that the upward trend will continue, particularly in relation to residential properties.

These points are signals to private investors and I believe that recent events demonstrate the validity of the optimistic tone that is contained in this report. The demand at last weekend's land auction in Darwin for R2, R3 and R4 sites points to a renewal of investor confidence in the Northern Territory in the accommodation market, particularly in medium to high density accommodation. Similarly, the planned private sector development of Leanyer and Karama, on which I will be making a statement tomorrow, underlines the growing attractiveness of the Northern Territory to investors. This government has set out in a determined and progressive manner to attract people and development to the Territory and the report which I have just tabled is another in a series of indicators that point to the fact that the policies of the government are certainly working.

MINISTERIAL STATEMENT

Palmdale Insurance Limited

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, this statement is designed to set out in some detail the current position in relation to workmen's compensation cover provided through the defaulting Palmdale company. It will clarify the positions for those who have been confused by the wild

reports which have circulated of late.

Palmdale Insurance Limited, formerly Palmdale Australian General Contractors Insurances Limited, secured Australia-wide authorisation to undertake insurance business and then approval to write workmen's compensation cover in the Northern Territory years before the transfer of Territory insurance powers from the Commonwealth to this government. Through sound local management, Palmdale quickly established itself and remained a well-respected corporate citizen of the Territory with substantial investment here in the Territory. The Workmen's Compensation Act, which we inherited, contained a general power of approval by the Administrator. The approval, once granted, ran on indefinitely with a power of revocation specified only in the cases of refusal to provide an employer with insurance, issue of wrongly worded policies or upon the request of the approved company itself. There was no power to cancel approval on any ground related to company capacity to give effective cover.

The most significant problem with the situation as it stood under those procedures was the presence in the market place of approved insurers operating from southern offices through local "post box" style agents. Some of these companies had no stake in the Territory at all and bled our community of vitally needed investment premium income. Worse than that, they inevitably had a very slow claims turnaround and this caused notable local hardship from time to time. It is interesting to note that the question of individual company viability, particularly from the vital point of view of those people susceptible to injury in employment, has become less of a problem in the Territory than it is in some other places. The main reason for this has been the ultimate indemnity provided through the statutory office of Nominal Insurer.

For those who may be confused about the Nominal Insurer, a short explanation is required. The Nominal Insurer is in fact a committee of 4 people with corporate status. Three members are drawn from the ranks of approved insurers and 1 from the public service. The Nominal Insurer's role is to pay compensation claims to injured employees where the employer has wrongfully neglected to maintain insurance or where the insurer defaults where required to indemnify the employer under a policy. The Nominal Insurer operates a special fund from which such payments are made. The moneys in that fund are drawn from periodic compulsory levies upon approved insurers and exempt employers in proportion to their respective percentage of workmen's compensation business and from certain rights of recovery. Where necessary, the Treasurer will act to lend money to meet temporary deficiencies so that no claim is ever delayed by cash shortage. To suggest, as one Darwin newspaper did, that the Treasurer might refuse any necessary temporary loan is absurd. This is a process of ultimate guarantee and the Nominal Insurer will always have necessary funds.

My government introduced legislative amendments last year under which annual renewal of approval to write worker's compensation business in the Territory was required. Coupled with this, we introduced the stipulation that all approved insurers must have an office in the Territory managed by an employee. That employee must have power to write business and settle claims. Applicants for approval must also make a satisfactory investment commitment. Annual approval, once gained, carries with it the right to undertake business in any other category of general insurance in the Territory.

Detailed assessment of the viability of applicants is not carried out. The substantial resources of the Commonwealth are relied upon for this function. Insurers must be authorised under the Commonwealth Insurance Act and the solvency provisions of that act are policed by inspectors of the Commonwealth Insurance Commissioner. The only satisfactory way to assess liability is by way of audit-style inspections of central records and no single state jurisdiction can provide the powers necessary to accomplish this. In any case, it

would be a waste of money to employ a force which duplicated those in the Commonwealth office. Let me just read a paragraph from the Commonwealth Insurance Commissioner's 1979 annual report:

> *The continuing viability of an insurance company should be the paramount concern of any scheme of regulation intended to ensure that the claims of policy holders will be met. Continuing viability cannot be inferred from the grant of authorisation to an insurer. The grant signifies that the company is complying with the minimum conditions prescribed by the act for authorisation at the time of the grant. The monitoring of continued compliance with the act after authorisation requires a system of ongoing supervision.*

Commonwealth Inspectors fulfil that inspectorial function.

With the changes to approval procedures, the previously approved insurers with substantial Territory offices, including Palmdale, gained early confirmation of that status. Others found more difficulty satisfying the criteria. Of the 207 insurers authorised to carry on business in Australia, 26 have approved status in the Territory. In accordance with their investment commitments, approved insurers contributed over $4m to Northern Territory Loan No 1.

On 4 January 1980, the federal Treasurer directed Palmdale Insurance Limited to cease writing business. He also froze its assets. The immediate effect in a tight funds situation was to force that company to arrange to move into provisional liquidation so that wages of its employees could receive priority. It is expected that formal liquidation authorisation will follow. The winding up of an insurer is a very lengthy process. Unsecured creditors of Palmdale will have to wait some years before it is possible to predict what the return in the dollar will be. The 2 main groups of unsecured creditors in the Territory are those who are owed or will be owed money on account claims under Palmdale policies and those who cancel policies and are entitled to a refund of a proportion of their premium. Current policy holders in other than the worker's compensation category are well advised to cancel them and insure elsewhere.

In the case of claims relating to workmen's compensation, these proceed automatically upon default to the Nominal Insurer for settlement. Consequently, I am advised that there is no compulsion for employers with Palmdale policies to take out fresh workmen's compensation coverage before the expiry date of those existing policies. Therefore, advertisements that have been seen in the Northern Territory News lodged by Palmdale Insurance itself may, in certain circumstances, particularly in the workmen's compensation area, be unintentionally misleading.

As the inherited law stands, however, it could be argued that it would be unwise for an insurer to adopt such a passive position. Any payments made by the Nominal Insurer on account of an employer would become moneys owed by that employer to the Nominal Insurer by section 17E. This section is an old one designed to have relevance where an employer neglected to effect the required insurance cover.

When more comprehensive provisions dealing with the rights of the Nominal Insurer in the situation of insurer default were passed last year, the potential to have liability fall back onto the employer was not appreciated on either side of this House. I can assure honourable members that this government, having preserved full protection of all employees, does not favour continuing a situation where individual employers might have to accept the brunt of liability in the case of collapsed insurers. I have directed that an amendment be prepared which will correct this anomaly and, at the same time, remove

any liability which might have already accrued to employers who let their workmen's compensation policies run on after Palmdale's default. This will restore the original intention of the public shield to be provided by the Nominal Insurer on behalf of the insurance industry. I would add here that, in the amending legislation which I foreshadow, we have already taken up the point alluded to about the possible adverse effects of the application of common insurer principles where someone may have already moved to take out additional workmen's compensation insurance cover with a company other than Palmdale.

It has been put to me that the current position in relation to the rights of Palmdale or other insurers or employers or employees would be influenced in some way if the Commissioner of Insurers in the Territory were to revoke the approval of Palmdale as an insurer. Legal advice provided to the commissioner is that revocation would be of no significance. The act imposes on an employer the obligation to "obtain from an insurer approved by the Commissioner the appropriate policy of insurance" and to "maintain such policy in force". It goes on to say that revocation of the approval of the insurer concerned does not annul policies issued prior to that step. Thus employers who do not cancel their Palmdale worker's compensation policies cannot be compelled to take out others before their normal expiry irrespective of what the commissioner may now do. Indeed, revocation may be misinterpreted by some policy-holders as having a significance which it would not possess. In any case, the commissioner's power to revoke can only be exercised when he has notice of the insurer breaking a specified law or where the approved insurer itself seeks that step. Neither of these conditions have been fulfilled and therefore the commissioner cannot revoke approval even if he wanted to. As minister responsible, I have the separate right to approve the cancellation by the insurer of individual workmen's compensation policies which are allowed to run on. As they will continue to provide the full protection to employees guaranteed by the act, I am not disposed to take this action in terms of general principle. Having said all that in detail, I would like to conclude with a summary of the position as it will settle, after the legislation that I foreshadowed, from the point of view of the various affected parties.

Firstly, I refer to the employees. All employees or former employees are fully protected as to their continuing rights under emerging claims for compensation in every case. Indeed, I understand that the Nominal Insurer has already paid out about $10,000 or so.

The employers faced with claims in respect of a compensative occurrence during the period of currency of a Palmdale policy will be fully indemnified by the Nominal Insurer. This includes future claims made under policies which run on to their expiry after the default of Palmdale. Any employer who cancels a Palmdale policy will rank as an unsecured creditor for the balance of his premium and must effect alternative cover immediately. Where there is any doubt, I am sure that prudent employers will take proper legal advice.

The Nominal Insurer will indemnify all insurer liabilities under the act accruing under past and existing Palmdale workmen's compensation policies in the Territory. The Nominal Insurer will have a right of recovery in respect of these payments from the remaining approved insurers in proportion to market shares from Palmdale's liquidation proceeds as an unsecured creditor and from rights of subrogation under the policies.

As regards the remaining approved insurers, in effect, the local net cost of the default of Palmdale in relation to the workmen's compensation part of its Territory business will be spread fairly amongst the approved insurers and exempt employers. This cost will be spread over a number of years. At the same time, those approved insurers will gain advantage to the extent that they will gradually take up all of the business which formerly went to Palmdale.

It was quite a substantial share of the Northern Territory workmen's compensation and general insurance market.

This government will not disadvantage any Territory people by using public funds to support failed insurance companies. The ultimate burden must fall on the employees, the employers or the industry. With such alternatives, I put it to you that it must be industry which shares that cost. I will also set out the procedure where a workmen's compensation claim arises under a Palmdale policy. Where an employee is injured, his claim must first be made upon the employer. An employer with Palmdale coverage should then seek indemnity under his policy. As the company is currently unable to provide this indemnity, it is obliged under section 18F of the Workmen's Compensation Act to notify the Nominal Insurer and pass over relevant books and papers to that office immediately. The Nominal Insurer then assumes all Palmdale's rights, powers, duties and liabilities in respect of the claim. Accordingly, the Nominal Insurer is then obliged to settle the claim. If the employer does not seek indemnity and obtain settlement of the claim, as is his right described above, the employee may, if the employer defaults in payment of any amount of compensation for a period exceeding 1 month, present his claim direct to Palmdale. The claim is then passed by Palmdale to the Nominal Insurer and settled under section 18F with payment directed to the employee. The procedure ensures that the employee is protected at all times.

Mr Speaker, I move that the statement be noted.

Mr ISAACS (Opposition Leader): Mr Speaker, the issue regarding Palmdale Insurance Limited is not in the 10-page document which the Chief Minister read from this morning. The issue is why indeed was Palmdale Insurance Limited given a licence to sell workmen's compensation insurance and other insurance in the Territory at all. Before I continue, I would like to stress to members of the House and members of the public that in no way do I see this as an attack on Palmdale operations in the Northern Territory. I said in this House last week, and the Chief Minister has said again today, the Palmdale operation in the Northern Territory was an extremely good one. Not only was its insurance operation an efficient one and, so far as I know, a profitable one, its investment policy in the Territory was very satisfactory indeed. Thus, I want to make it quite clear that in no way am I having a passing shot or otherwise at Palmdale's operations in the Northern Territory. The point is that, when we try to mop up the mess which has now been created by the liquidation of Palmdale as a company Australia-wide, the issue is why it was given a licence to sell insurance in the Territory in the first place.

The Chief Minister referred to the criteria on which approval is granted. I read from the government Gazette of 4 October last year over the signature of O. Alder, Commissioner of Insurers:

> *Public Notice-Approved Insurance Companies. Employers are required to maintain insurance cover with approved insurers against claims made under the Workmen's Compensation Act. To gain approval, an insurer must have an office in the Territory with a capacity to prepare policies and settle claims managed by its employees. Each must also satisfy certain local investment requirements.*

In accordance with that public statement, the various approved insurers were named. One of them is Palmdale Insurance Ltd. In an effort to seek approvals from companies, the various insurance companies were notified that they should lodge applications between July and September of last year and the various applications were to be processed. In August of last year, the Commonwealth Insurance Commissioner, the federal office to which the Chief Minister referred, appointed an inspector under the Insurance Act to investigate the operations of

Palmdale. I would like to read from an extract of an editorial of the Australian Financial Review of Thursday 10 January 1980. It reads in part:

> *In the case of Palmdale, an inspector was appointed under the Insurance Act in August last year, but it has taken almost 5 months for the government to take any action to stop the company doing any more business. There can be no doubt that the commissioner's office was well aware of problems with Palmdale for some time before August but it had to stand by and watch the company continue to accept new business while it worked through the tortuous procedures laid down in the act.*

Mr Speaker, there can be no doubt that the Northern Territory Commissioner of Insurers was aware of this situation prior to the approval being granted. I remind you that approvals were sought between July and September and, in August, the Commonwealth Insurance Commissioner's Office had already appointed an inspector. According to the Financial Review, a well-regarded financial journal, the insurance office knew that Palmdale were in strife for some time prior to that. One did not have to be a financial wizard to know that either. By all the major national papers - the Australian, the Financial Review etc - it was well known that Palmdale had invested significantly in Pub Squash and that investment was in terrible trouble. For those national reasons, the warning signs must have gone up and the buzzers must have sounded in the Northern Territory Commissioner of Insurers' head. More importantly, I am advised by people in the insurance industry that the Northern Territory Commissioner of Insurers was informed by the Nominal Insurer here in the Northern Territory that Palmdale was in trouble and that its operation ought to be very seriously looked at. This is not in terms of its Territory operation but in terms of its being able to comply with the criteria of the commissioner, that is, its capacity to write policies because it was well known that Palmdale was in serious trouble as a national company and that it was likely to be stopped from selling insurance. Indeed, that happened in January.

The same article in the Financial Review indicated that the New South Wales Commissioner of Insurers - and the Treasurer informed us the other day that New South Wales is the only state which bothers to carry out an exhaustive inquiry into the operations of various insurers - had refused to register Palmdale as an insurer since 1977. If there had been any question about Palmdale's operation, surely it was known in the office of the Commissioner of Insurers.

I believe that the Northern Territory Commissioner of Insurers has had a crash course in insurance. He was handed the problem of the Territory Insurance Office last year and he did an excellent job. I believe that, as a responsible public servant, he would have taken the various questions that were raised about Palmdale very seriously and, most assuredly, he would have raised them with the government. I cannot believe that a person of Mr Alder's ability would not have apprised the government of a very serious problem relating to Palmdale. The Chief Minister himself alluded to the reasons for allowing Palmdale off the hook: it was prepared to invest in the first Territory loan. Great play was made of the Rock of Gibraltar on the first Territory loan. There is no doubt that the insurance industry was "heavied" significantly, and probably rightly so. I remember at the time of discussing the Territory Insurance Office, the Chief Minister railing against the industry for its failure to invest locally. So it was not surprising that the local insurance industry was "heavied" to subscribe to the first Territory loan and subscribe it did. But that is extremely shortsighted and, as I said in this House the other day, it was bordering on negligence to allow a company which was publicly known, in both financial and insurance circles, to have serious problems - the government having been advised of all of that - to continue selling workmen's compensation insurance.

We now have a very sad state of affairs where the Chief Minister must present a 10 page document to explain how we are to get out of this mess, how we are going to unscramble the omlette. It is very sad and it was all avoidable. It was known to the government and to the insurance industry itself but steps were not taken to stop Palmdale from continuing to sell insurance. The government could have refused to allow Palmdale to sell insurance in the Northern Territory as at October last year. It had ample information and advice. As I said in the House, it would be bordering on negligence for the government - not the commissioner - to allow Palmdale to continue. It is causing great harm to recipients of worker's compensation benefits.

I am pleased that the Chief Minister has referred to the problem by relating to co-insurance by insurance companies. I believe the statement that he made to the Assembly very properly sets out a way of rescuing the situation. However, I repeat to the House that, in my view, it was all avoidable.

Mr PERRON (Treasurer): Mr Speaker, the Leader of the Opposition has spoken a great deal of rubbish in this House before but I think he has taken the cake and beaten his own record this time. The Leader of the Opposition would have us believe that the Northern Territory government, without any statutory backing whatsoever, should have refused to grant an insurance company, which had been trading successfully in the Northern Territory for many years, with a substantial investment that fulfilled all the requirements of Northern Territory legislation as regards local investment, local employees and local ability to settle claims, approved insurer status and virtually put it and its employees out of business in the Northern Territory. I can imagine the scream that would have come from the Leader of the Opposition had that been the case at a time when an investigator from the Commonwealth Insurance Commissioner's office still had not turned up any evidence that would encourage the federal Treasurer to shut the insurance company down. That order was placed on that company fairly recently. We are going back months before that. Even at that time, when the order was placed on the company to shut down, there was still a possibility that the company had not reached the stage where it was clear that it could not trade out of its difficulties because it took a period of time for the provisional liquidators to reach a stage where a decision to completely wind up the company was made. Honourable members should all be made aware of that.

The opposition tells us that, in October last year, we should have simply told these people: "Sorry, you are out of business because we read in a southern newspaper that some of the dealings of your company don't seem to be wise". The Leader of the Opposition has not understood that the criteria for approved insurer status in the Northern Territory is the meeting of 3 particular points. They were spelled out to him today even though he has seen the legislation. It was passed through this House in his presence. There are 3 only, none of which particularly relate to the overall viability of the company: it must have a Territory office which is manned by a Territory employee; it must be able to settle claims in the Territory; and it must have a reasonable level of investment in the Territory. They are the only grounds under which we can approve or refuse to approve an insurer's status to operate in the Territory. Even to purport that we had such powers as he proposed we had is a load of rubbish.

For the Northern Territory government - even the federal government insurance commissioner obviously has difficulty - to monitor the day-to-day operations of all insurance companies that operate in the Northern Territory in their entire Australian viability context, it would need an army of people. Obviously, the Northern Territory government, like other state governments with the exception of New South Wales, relies on the vetting of these companies and the continuous monitoring of these companies by the Commonwealth Insurance

Commissioner and not unreasonably so. If New South Wales wants to do its own investigations, that is fair enough; it is a government of enormous proportions with enormous resources. In addition to that, the companies are probably a lot easier to watch because no doubt quite a number of them have their head offices and conduct most of their activities in that state.

I think that the statement given here by the Chief Minister indicates that, with proposed legislation, no person, particularly claimants, will be disadvantaged. Their claims will be settled one way or another without cost to themselves. We are moving to protect employers from possibly being sued by the Nominal Insurer by keeping that provision open in the act at the present time. I think that the Leader of the Opposition has sought to make political mileage and has not been correct in any of the information he purports to be fact. The information that he says the government should have followed through is merely hearsay and totally without legislative backing even if we had wanted to act in that situation.

Motion agreed to; statement noted.

MINISTERIAL STATEMENT

Industrial Relations Consultative Council

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, let me quote the following passage to honourable members: "The Northern Territory has a reputation of unsophisticated militancy. That reputation is a reflection of pioneering years gone by but does not accurately reflect the current position or the future. The Territory now is not renowned for its disruptiveness. The latest figures by the Australian Bureau of Statistics show that, whilst just under 25% of workers in Australia were involved in industrial action in 1978, the figure for the Northern Territory was just under 5%".

Those words were delivered at an Industrial Relations Convention in Darwin in September last year by the Leader of the Opposition. It is pleasing to note the optimistic tone apparent in that statement and certainly the figures warrant such optimism. I would go further. On figures provided by the Australian Bureau of Statistics, working days lost during industrial disputes per 1,000 employees in the Northern Territory were the second lowest in Australia for both 1977 and 1978. Only South Australia had lower figures and, although the results for 1979 are not yet available, I feel sure that a similar result will eventuate.

Other barometers of industrial relations performance in the Northern Territory are equally encouraging. I will not dwell at length on them because they will be dealt with in detail by me at a later stage. However, to put what I am going to say in context and for the information of honourable members, it would perhaps be useful to consider the following figures. For the year ending October 1979, and those are the latest figures available from the bureau, total civilian employment rose from 39,600 to 44,200, a rise of 4,600 or 11.6% in one year. In fact, I think there are later figures available which only became available yesterday or the day before. Unemployment for the same period fell marginally from 4,646 in October 1978 to 4,616 in October 1979. Here I am using the figures supplied by the Commonwealth Employment Service which, on the advice of the ABS, are more reliable figures than those of the bureau due to sampling sizes and so on. Although the decrease over that period was only 30 or 0.64%, honourable members will no doubt be aware that during that same period unemployment had risen to a high of 5,682 in February 1979. The figure for October represented the fourth consecutive month that unemployment has fallen and that trend has continued for November and December of 1979. In fact, the December 1979 figure of 4,407 is 377 or 7.88% lower than the unemployment

figure for December 1978. The figures have climbed in January with the school leavers coming into the workforce.

What all this means, of course, is that, firstly, the signs are most encouraging. Broadly speaking, industrial disruption has decreased dramatically in relative terms, employment and job creation has significantly increased and unemployment has shown a markedly decreasing trend over recent months. Secondly, there is,naturally, no cause for complacency. Although working days lost through industrial disputes in the Northern Territory have fallen to the second lowest in Australia, there seems little reason why we should not strive to be the lowest. Although the growth in employment is both dramatic and pleasing, the figure of 4,407 unemployed of December 1979 still represents 8.74% of the labour force as calculated by CES compared with 8.79% in December 1978. Clearly, more can and should be done and one of the basic and fundamental principles in industrial relations is the necessity for discussion, debate and consultation. Without the ability for the parties in any dispute to sit around a table and talk about their problems, attitudes harden, problems appear to grow at an exponential rate and the result usually is that abuse is hurled at each other, the parties refuse to talk with each other and strikes occur to the detriment of workers, employers and the community at large and the economy as a whole.

In this respect, I and my government are in the same position as parties to any industrial dispute. The necessity for the government to keep itself informed of developments in industrial relations and associated labour matters is obvious, as is the need to be able to discuss broad policy issues with those sectors of the community involved in such matters. Such a need has already been recognised in several areas other than the Northern Territory. Indeed, at the 65th session of the International Labour Organisation in Geneva in June 1979, the federal government ratified Convention No 144 Tripartite Consultation (International Labour Standards). In announcing the ratification, the honourable Tony Street MP, federal Minister for Industrial Relations, said:

> *The Australian government is firmly committed to this concept of tripartism. We have established a statutory council to further consultation between government employers and unions at the national level. More recently, steps have been taken with the aim of promoting the greater use of consultation and to improve communication throughout all our industries. The Australian government will maintain its commitment to tripartism in the knowledge that it is an essential element in achieving better industrial relations.*

The sentiments and philosophy embodied in that last sentence of Tony Street's address are totally supported by this government.

It is with that philosophy uppermost in mind that I announce here today the formation, by ministerial direction, of the Northern Territory Industrial Relations Consultative Council. In announcing the council's formation, I hasten to add that consultations have already been held on an informal basis with the proposed major participants on the council and I am pleased to say that all are in favour of its formation.

Its charter will be as follows: firstly, to enable the government, employer organisations and trade unions to consult on industrial relations and associated labour matters and, secondly, through the chairman, advise the government of its views on those matters. The chairman of the council will be the Chief Minister or the minister responsible and steps will be taken immediately to invite 4 employer representatives, comprising 3 from the Confederation of Industry and Commerce and 1 from the Master Builder's Association, 3 representatives from the Trades and Labour Council and 1 representative from the major unions not affiliated with the Trades and Labour Council. Honourable

members will note that the council's charter is couched in the broadest possible terms. This is a deliberate move and one which will allow the council to exchange ideas and to discuss policy and initiatives on the widest range of topics impinging on the sphere of accepted industrial relations and associated labour matters.

Flexibility, a key concept in industrial relations, will be the council's watchword, allowing it the freedom of discussion and the accessibility to government, via the chairman, that will be essential for its effective operation. It is for this and other reasons related to the cumbersome nature of statutory appointments that it has been decided to create the council by ministerial direction rather than by legislation. The council will meet quarterly in normal circumstances, but will be able to be called together more frequently if circumstances so dictate. Such circumstances would include, but are not limited to, questions of national, state or Territory labour disputes having a major impact on the Territory community at large. The council will be serviced by a secretariat supplied by the Industrial Relations Unit of the Chief Minister's Department. Also, because of unavoidable commitments by council members, each member will be able to nominate a person to deputise for him from time to time. In my own case, where I cannot be present to chair the meetings, my Director of Industrial Relations, Mr Terry Jackson, will assume responsibility as chairman. I add here that the chairman will have the authority to require the attendance at council meetings of officers of the various government departments as advisers. The broad nature of the council's charter will no doubt give rise to topics not directly the responsibility of the Chief Minister's Department. The extent to which this occurs will determine the involvement of officers of other departments.

In the government's view, the formation of the consultative council is another and very important initiative taken in an endeavour to ensure that improvements in the industrial relations climate in the Territory are achievable and do not want for lack of government action. I have said in this House and elsewhere on several occasions that, while we are laying the foundations for industrial development and a broader economic base for the Territory, the most important ingredient of any development policy is the people who build the buildings and work in the industries. How these people get along together determines the level of industrial relations in the Territory. The formation of the Industrial Relations Consultative Council will ensure that a forum exists for greater consultation to occur for the government to be kept informed of the views of the community on a wide range of matters in the field of labour relations and, most importantly, will reinforce the government's firm commitment for tripartite consultation. I believe that substantial benefits can only follow.

I move that the statement be noted.

Mr ISAACS (Opposition Leader): It was charitable indeed of the Chief Minister to quote me with approval. It would have been a bit more honest if he had quoted the origin of the suggestion. The notion of an industrial relations consultative council is an excellent idea. It is so excellent that the Labor Party at its annual conference in July last year suggested such a thing. It was given some publicity in the press and, on 21 January this year, I issued a press release headed "Industrial Relations Policy Outlined" which was given a great deal of publicity in the press. Funnily enough, there was no comment on that occasion by the government about the establishment of precisely this sort of body. I believe that it is an excellent step by the government, not simply because it happens to be Labor Party policy, and was announced publicly as such, but because it will go a long way to ensure that our excellent record in industrial relations will continue.

There are a number of comments I would like to make in regard to the proposition put by the Chief Minister. Although he has taken up the suggestion of the Labor Party in a typical fashion of the government, he has botched the proposal. Let me indicate why that is so. The Chief Minister has indicated that, because industrial relations are part of his portfolio responsibilities, he will act as chairman of the body and that it is appropriate that the minister responsible for labour and industry be the chairman of the council. The problem is that the Chief Minister naturally is a very busy person. That being so, it is quite obvious that this matter will have to take its place amongst all the other much more worldly matters which are in the province of the Chief Minister. This Chief Minister seems to take just about everying under his wing anyway but I can assure you that will not be the case with a Labor government.

The Chief Minister will not be able to be present at all meetings. His suggestion to this Assembly, to the unions and the employer organisations is that his replacement will not be a minister but a public servant. Mr Jackson is an excellent fellow as the Director of Industrial Relations and I believe he has done more to educate this government about industrial relations than any other person has been able to do. Certainly, he has had better success than I and that is not surprising. However, the fact is that he is a public servant. What the people in industry and the people who make decisions regarding industrial relations want is direct access to ministers. It is no use whatever the Chief Minister saying, "If I cannot make it, I will send my Director of Industrial Relations along instead". He is the secretary of the body and he will now be the chairman as well.

What is required is a proper look at the way we establish our industrial setup. It is recognised that this government has botched it. What have we got? We have a situation where 4 government departments have some axe to grind in the area of industrial relations. There is the Chief Minister's Department which is responsible for industrial relations and industrial legislation; the Health Department which has something to do with safety in the workshop the Education Department which is responsible for industrial training; and the Mines and Energy department which is responsible for construction safety. We have 4 department running off in different directions organising in some way the matter of industrial relations.

If the government went the full way and adopted our industrial relations policy totally, and we would be delighted if they did so, then they would have the answer. They would establish a department of labour and industry which happens everywhere else in Australia. We should not adopt it just because it happens everywhere else but it seems to members on this side of the House a sensible and efficient way of organising industrial relations. We would have everything under the one department of labour and industry. Certainly, that is what we would create. The minister, and it would not be the Chief Minister, would be responsible directly for this consultative council. He would be able to be there; it would be a matter of number one priority for him. Nobody can suggest in this House that industrial relations are number one priority for the Chief Minister and nor ought it to be. We would have a minister for industrial relations or labour and industry and that person would be the chairman of this meeting. The minister would be there for heads of industry, the unions and the employer organisations to be able to talk to.

We are delighted that the government has taken up our proposal but we are somewhat concerned that they were so coy they could not mention that that is where they got it from. We hope that they will look carefully at my criticisms and establish a labour and industry department which is able to bring all the areas of industrial relations together and have a minister responsible who will

chair the meeting. If nothing else, I ask the Chief Minister to look carefully at that particular problem. If he is not willing to take up my suggestion of a department of labour and industry, then at least he should ensure that, if he is unable to attend, he will ask another minister who would have responsibility in one of these areas. He has 4 to choose from. One of the ministers should chair the meeting, not the Director of Industrial Relations.

Mr EVERINGHAM (Chief Minister): In reply, Mr Speaker, can I say 2 things. The anticipated number of meetings of this council is 4 a year. I would imagine that there will be little difficulty in fitting these 4 meetings into my engagements each year. I certainly do take a considerable interest in industrial relations. I would not, by any means, try to maintain that I am as sophisticated in this area as the honourable Leader of the Opposition. Nevertheless, it is an area of great concern to me and one in which I have always been interested, even if from a distance, because I do believe that smooth industrial relations are essential if this Territory, and indeed Australia, is to progress.

From that point, I will refer to the honourable Leader of the Opposition's proposal for a ministry of labour and industry. If he does what he says he intends to do, he will be operating unconstitutionally. I can only say that the self-government act does not give and specifically excludes from the Northern Territory government's purview the field of industrial relations. We only get into it because we dispose of such a large workforce and such a large amount of money and because we have the desire to see as much harmony between the employers and the workforce as we possibly can. To some extent, that is the rationale behind the present distribution of the various responsibilities which, in states where they have ministries of 18 or 24 ministers, may result in the establishment of a single ministry of labour.

The various areas of responsibility have been distributed logically. Industrial training is with the Minister for Education. I think the Minister for Education has the best resources and the best people to support the almost massive type of operation that we must move into in industrial training in the Northern Territory. As for the other areas, within the limitations of our administration, they have been placed with the best possible departments to implement things such as constructions safety because the Mines Division is already involved in mines safety. I do not see any need for unnecessary duplication in these areas and I do not, quite frankly, see that these matters could be implemented any better by being in 1 area.

Motion agreed to; statement noted.

MINISTERIAL STATEMENT

Establishment of Northern Airlines

Mr STEELE (Transport and Works) (by leave): Mr Speaker, during the November sittings of the Assembly, the Chief Minister advised that the government had appointed a committee to examine proposals received for the establishment of a regional airline in the Northern Territory in accordance with specifications which have been issued by the government. The committee submitted its report early in December and the government accepted the committee's recommendation that East West Airlines be given the task of establishing the regional airline.

East West Airlines Limited have established a Northern Territory subsidiary - East West (NT) Pty Ltd. That company has purchased the Connellan family shares in Connair Pty Ltd and has taken the necessary action to obtain the remaining shares by making an offer to the shareholders on the same price

basis as it paid for the Connellan family shares. A Memorandum of Understanding has been prepared and agreed to by the parties involved - the Northern Territory government, East West Airlines Limited and East West (NT) Pty Ltd. The Memorandum of Understanding was signed by the chairman, the managing director of East West Airlines and by me, as Minister for Transport and Works, in Darwin on Wednesday 23 January. For important commercial reasons, the memorandum will not be released as a public document. Its main provisions are in accordance with the specifications originally issued by the government. These include: continued employment for all Connair personnel without reduction in salary; control of timetables, frequencies, routes, aircraft types and capacity, fares and freight rates by the Northern Territory government; introduction of turbo-prop aircraft on the routes formerly serviced by Connair; the use of F27 and F28 aircraft on the internal routes now operated by Ansett, MMA and TAA; and finally, the issue of licences by the Northern Territory government under the Aviation Act 1979 to enable these services to be provided.

East West have publicly confirmed their commitment to the continuity of employment of Connair staff without any reduction in salary. Its chairman and managing director have met the staff of Connair and established a good working relationship. In addition, East West have publicly committed themselves to considering the fate of any Ansett, MMA and TAA employees who may be surplus to the requirements of those companies with the objective that nobody finished up out of work.

Amendments to Commonwealth legislation are being monitored at this time by representatives of the Departments of Law and Transport and Works. The new Commonwealth Minister for Transport, Ralph Hunt, has confirmed his commitment to the transfer of powers. This will enable a licence to be issued by the Northern Territory government. This will require some amendments to the Aviation Act and I expect to present a bill to the House later today.

I turn now to the timetable for introduction of services. Northern Airlines is already maintaining the Connair services that existed on 23 January. It will commence the operation of 5 Nomad aircraft on coastal surveillance under a Commonwealth contract run by Connair. They are also negotiating with the Department of Health to take over the aerial-medical services. During April and May this year, Heron aircraft are expected to be replaced by prop-jet Metro-Liners. In September or thereabouts, F27-500 aircraft with a capacity of 52 passengers will be introduced between Darwin, Katherine, Tennant Creek, Alice Springs, Ayers Rock and will replace Ansett and TAA services on these and other routes now using F27 aircraft. By mid-1981, F28 jet aircraft are to be introduced and Northern Airlines will operate all major internal routes. Discussions have been held with Ansett and TAA. These discussions took place with the top management of both companies in Melbourne on Tuesday 31 January. I mentioned earlier the timetable for the introduction of Northern Airlines' services and the effects on future operations of Ansett and TAA. Both national carriers appeared to accept the replacement of F27 services and Ansett, in regard to its MMA subsidiaries, appeared to be cooperative in the phasing out of MMA F28 services to Gove and Groote Eylandt. Both airlines will now study the effects on their respective organisations, schedules, personnel etc and come back to my department in the near future.

During earlier uncertainties in the communities of Tennant Creek, Katherine, Gove and Groote regarding the scope of our proposed agreement with East West, there was adverse comment from Confederation of Industry local representatives, local government authorities, existing Ansett and TAA agencies and others. Until agreement had been finalised, it was difficult to deal with these problems in a positive way. However, we arranged for a senior representative of East West, accompanied by one of my officers, to visit Tennant Creek and Katherine communities and the result has been enthusiastic acceptance of the new arrange-

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ments. Similar successful meetings were held in Gove and Groote on Monday 4 February.

The matter of ground facilities required for aircraft to be used by the regional airline has also been receiving close attention. It is clear that the introduction of F28 services between Darwin, Katherine, Tennant Creek and Alice Springs and the introduction of more sophisticated turbo-jet aircraft on routes currently operated by Northern Airlines will lead to a requirement for improvement in ground facilities. Some of these improvements will require negotiation between the Northern Territory government, the Commonwealth and the airline. To prepare for these negotiations, the government has commissioned an investigation by Dr K.N.E. Bradfield who was a member of the committee which reported to the government on the selection of a regional airline and who is highly qualified in matters relating to airports and other ground facilities. His report is expected very soon.

I will refer now briefly to the relationship of Northern Airlines and charter operators. There has been speculation in the press and among charter operators as to the degree of enforcement by the Northern Territory government of that section of the Aviation Act which prohibits charter operators competing on regional airline routes. During 1979, there were 2 meetings with the general aviation industry and, while this matter was discussed, it was not possible at that stage to make any firm decision because the regional airline had not been appointed and therefore had no chance to express its views. It is now proposed that a further meeting will be held with the aviation industry on 31 March. The principal matter for discussion will be the conditions under which charter aircraft can be used and regular passenger transport routes operated by a regional airline. East West have been asked to examine this question from the point of view of the regional airline and make an early submission to the government to enable the matter to be considered prior to the meeting on 31 March.

It would be remiss, Mr Speaker, if I failed here to acknowledge the 24-hour controversy of some weeks ago concerning Northern Airline fare levels. A formal application has now been received for fare increases in accordance with the terms of the Memorandum of Understanding which states: "The regional airline shall not vary the timetables, frequencies, routes, aircraft types and capacity, fares and freight rates without the prior approval of the Minister for Transport and Works". The proposed increases follow new awards for Connair pilots and engineers, which were agreed to by the former Connair board in August 1979, and the national wage increase in January 1980. The application is now being examined by officers of the Treasury and of my department and I will be in a position to announce a decision soon. I hope, at a later time, to advise the Assembly further of progress in the development of the airline.

PUBLIC SERVICE BILL
(Serial 394)

Bill presented and read a first time.

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

The purpose of this bill is to establish a uniform system of reporting for all elements of government. At present, reporting provisions are detailed in the Financial Administration and Audit Act in respect of prescribed statutory corporations and, in the Public Service Act, in respect of departments and prescribed authorities.

The Financial Administration and Audit Act requires prescribed statutory

corporations to report to the minister, as soon as is practicable after each 30 June, on their activities during the preceding financial year with accompanying financial statements and for the minister to table such reports within 6 sitting days of receiving them. The Public Service Act requires the Public Service Commissioner to report at the end of each calendar year and requires departments and prescribed authorities to report annually. The timing of their reports depends on the date of creation of the department or prescribed authority. Although there is a requirement for the tabling of those reports, no time for tabling is provided in the act. It has been decided to require reporting from all areas in respect of financial years to standardise the time for tabling as within 6 sitting days. This is obviously advantageous as activities are based on budgets for a financial year. The amendments proposed in this bill will achieve this intention.

Clause 4 covers a report by the commissioner. Clause 5 covers reports by the departments and clause 6 covers reports by prescribed authorities. In each case, the requirement will be to report to the minister as soon as it is practicable after each 30 June and to have such reports tabled in this Assembly within 6 sitting days of receipt.

Clause 13 provides a transitional means to enable reports to be prepared for the period 30 June 1980 in the first instance. This is necessary to cover circumstances where the reporting period has changed and the report will cover a period of less than a full year. As the clause states, it is proposed to initiate this practice immediately and it is intended to apply with this year's reports.

The opportunity was taken to make necessary amendments to the act to reflect the changed circumstances since the act was first passed. Clause 3 is amended to remove redundant words as funding is now through the Assembly's appropriation, not that of the federal parliament. Clauses 7, 8, 9, 10, 11 and 12 add the words "the Commonwealth" to distinguish between acts of the Territory and acts of the Commonwealth.

Mr Speaker, the amendments proposed will lead to a standardised reporting procedure which should be of administrative benefit to government and will also assist interested persons, including honourable members, to obtain reports from all areas of government at one time and thus have a better opportunity to overview the government's activities. As I said earlier, it is intended to apply this practice this year. I will be seeking the suspension of Standing Orders to enable the passage of the bill at this sittings to give to departments and authorities the legislative authority to so prepare their reports. I commend the bill.

Debate adjourned.

AVIATION AMENDMENT BILL
(Serial 415)

Bill presented and read a first time.

Mr STEELE (Transport and Works): I move that the bill be now read a second time.

On the last occasion that I addressed the House on the subject of aviation legislation, we reached general accord on all aspects of the proposed legislation and that resulted in the passage of the Northern Territory's Aviation Act 1979. This morning, I outlined to the House developments in the aviation industry relating to the establishment of a new regional airline. The develop-

ments brought us to the point where it is necessary now to re-examine and strengthen where necessary the Aviation Act in order that we can facilitate the establishment of a strongly-based airline serving Territory needs and yet, at the same time, take into account the differing but complementary requirements of operators at other levels within the aviation industry.

The major changes covered in this amending bill relate to the licensing of regular transport operations. Although the original act placed licensing powers for all types of licences in the hands of the Director of Transport, I am of the view that it is now more appropriate that the control of the regular public transport operations should be vested in the minister personally. Thus, a new part of the act is proposed that deals solely and specifically with regular public transport operations. In view of the relationship which will exist between the regional airline and charter operators over certain feeder routes and recognising also that there exists bona fide cases for charter operators to provide a regular public transport service, this new section of the act, part IV, includes also a provision whereby the minister will have the power to approve charter operations of an RPT nature. This new provision complements directly regulation 203 of the Commonwealth Air Navigation Regulations and its inclusion in the Northern Territory act will both encourage charter operators to apply to operate RPT services over routes of their choice and afford the government at the same time an opportunity to assess and monitor the viability of such applications. A consequential flow-on from identifying RPT operations in a new and separate part of the act is the necessity therefore to similarly pull together the other 2 types of air service operations: aerial work and charter work. These categories are now to be covered within part III of the act.

Quite separately, it has been of some concern to us that, once the amending Commonwealth legislation has been passed in the next few months, the powers we are about to assume should be all-embracing so that this government has complete and effective control over all forms of commercial air activity that occur within the Northern Territory. Of particular concern has been those sorts of operations that fly from another state into or through the Territory and the effect that those operations have upon the local aviation industry. Since it is the government's overriding aim to maintain a high level of control over the economic health of aviation in the Territory, we believe it essential to carefully define operations within the Territory in such a way as to take account of all these variables. Members will note that such a definition appears in part III of the act dealing with aerial work and charter operations and also in the new part IV dealing with RPT operations.

In the original act, members will recall that there existed power vested in the minister to vary or suspend or cancel a licence where circumstances so warranted. In light of discussions between the government and industry and on re-examination of the pros and cons of this issue, I am recommending by means of this amending bill that these punitive provisions, while in no way being diminished, should nonetheless be spelled out in further detail. The replacement section will spell out the circumstances under which such action can be taken and the notification to be given to the licensee.

An associated development is the extension of section 17 to provide the government with the power to take action against all parties involved where an aircraft is used in the commission of an offence against the act. This new section 17A identifies the owner, hirer, pilot and co-pilot as being equally guilty of the offence and, at the same time, sets the scene for any or all of these parties to voice a defence against the charges. In view of the way in which we see these punitive provisions being exercised and the new provisions included, the government now feels that the original clause relating to seizure of an aircraft is unnecessary and therefore undesirable. Members will see that it is proposed that this part of the act be repealed.

Finally, there are a number of minor but nonetheless important amendments to the act included in this amending bill and I commend the bill to the House.

Debate adjourned.

WORKMEN'S COMPENSATION BILL
(Serial 408)

Bill presented and read a first time.

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

Last year, the Workmen's Compensation Act was amended to enable an employee to claim compensation from the Nominal Insurer for work related disabilities in the case of default by the approved insurer. This provision was prompted by the collapse of the Northumberland Insurance Company some time previously when it was discovered that an employee had no redress under the act as it was then framed. The amendment contained an Act No 42 of 1979 which was designed to protect the worker in such a situation and has proved timely in view of the recent collapse of Palmdale. However, in administering this provision, it was found that a potentially unjust situation could arise. As the legislation now reads, the Nominal Insurer may seek recovery from the employer in the case of default by the insurer even if the employer has fulfilled his obligation under the act by obtaining and maintaining a policy of insurance. Section 3 of this bill seeks to correct this situation by restricting the recovery powers of the Nominal Insurer over the employer under section 17E of the principal act to cases where the employer himself is in default.

The amendments to clause 4 of this bill are intended to correct errors in the construction of section 17J of the principal act which was introduced in Act No 69 of 1979 which created the office of Commissioner of Insurers and delineated his powers.

At present, there exists some doubt as to whether the Nominal Insurer, as an unsecured creditor, can recover any moneys paid by him under the provisions of section 8F of the principal act from the estate of a failed insurer. The proposed amendments in clauses 6 and 7 of this bill will grant the Nominal Insurer the clear ability to so recover such payment. Clause 4 also provides for the inclusion of a new paragraph (c) in subsection (8). The paragraph will empower the commissioner to revoke an insurer's approval where it is unable to satisfy him of the matters referred to in subsection (2) of the section. Subsection (2) sets out the matters the commissioner shall consider before granting an approval.

Clause 5 ties in with the amendment to subsection (8) by empowering the commissioner to require an approved insurer to provide such information at such time as he may require. The amendments proposed in clauses 4 and 5 will give the commissioner greater control over and greater powers in relation to what information will be available to him relating to the insurer's activities once it has been approved under the act. I am sure honourable members will agree that this is desirable.

Section (1B)(b) of the second schedule of the principal act prescribes the weekly amount payable to a partially incapacitated worker. The proposed amendment in clause 8 of this bill seeks to correct the language whereby it can be construed that a partially incapacitated worker is entitled to a higher weekly payment than a totally incapacitated worker. Clause 2 dealing

with commencement will correct this anomaly retrospectively to 30 June 1979, the date of first application of the provision. I commend the bill to honourable members.

Debate adjourned.

AGRICULTURAL DEVELOPMENT AND MARKETING BILL
(Serial 414)

Bill presented and read a first time.

Mr STEELE (Transport and Works): I move that the bill be now read a second time.

Members are aware of this government's desire to promote the development of agriculture in the Northern Territory. Territorians well know that we have the capacity in terms of rainfall as well as soils to grow a variety of crops. This has been done successfully on an experimental and, in some cases, a commercial scale. However, agriculture has never really got off the ground in the Northern Territory but, in the past, has been studded with unfortunate disasters. With this background in mind, the government obtained the assistance of the Queensland Department of Primary Industries for an investigation by a group of agricultural scientists and economists into our potential for agricultural and horticultural development. Their investigation culminated in a group of 3 booklets which I tabled this morning. In summary, these reports indicate that both agricultural and horticultural development can be successful in the Northern Territory.

In the case of agriculture,such success would be subject to the development proceeding as rapidly as possible and being supported financially through that expansion until it reaches a stage where large quantities of fertiliser imports are required and large quantities of output are produced. In short, it is apparent that economies of scale requiring large consignments by ship and major port grain facilities do exist. Indeed, government support to establish an agricultural program of sufficient size to enable the realisation of economies of scale has been the basis of successful schemes elsewhere. An example is to be found in the Fitzroy Basin in Queensland which I visited during January.

The leader of the Queensland team believes that there are strong indications that there will be continuing good markets for the intended agricultural produce, particularly on export markets. The results of our trade missions correspond with his conclusions. Accordingly, the government has decided to commence a 2-stage program to promote agricultural development in the Territory. Stage 2 will only commence provided its implementation is justified by the results of stage 1. Nevertheless, in practical terms, the government cannot be expected to offer financial support for agricultural development throughout the entire high rainfall area of the Northern Territory. We will therefore concentrate on areas which have the greatest chance of success. This does not mean, however, that other areas will be ignored. The benefits of developments will flow to other areas from the provision of infrastructure to support the entire industry and increase the numbers of ships filled with fertiliser and produce. Indeed, every effort will be made to encourage enterprise in other areas.

The initial areas of concentration will be the Douglas, Daly and upper Adelaide River areas. By the end of stage 2 in the Douglas/Daly area, we would expect to see development of 120 farms, over a period of 10 years, for grain, oil seeds and peanut production. In the Adelaide River area, over a similar period, we would expect 45 farms to come into rice production. We

would provide support to these areas by the provision of infrastructure such as good roads, storage and milling facilities and also by the actual initial development of farms. There will also be increased agricultural research to help iron out the problems farmers may face. To give members an idea of the scope of the development, total direct costs over a period of 10 years are expected to be about $62m, made up of $52.5m in the Douglas/Daly area and $9.4m in the Adelaide River area. Against these total costs, annual production returns from crops at the end of the development phase are expected to be approximately $26m in the Douglas/Daly area and $4m in the Adelaide River area.

I will be initiating discussions with landholders in the area to determine their attitude to the scheme and clear the way towards the use of their land. Contrary to media guesswork, however, there is no intention of purchasing any cattle stations. Members will appreciate that the investment of these sums of money represents substantial amounts for the Northern Territory and, being a responsible government, we want to make sure that this investment has every possible chance of success. The government will therefore deal with the matter by implementing the agricultural development proposal in 2 stages, with the introduction of stage 2 being dependent on satisfactory results arising from stage 1.

Stage 1 will consist of the following: the establishment of initial rice development in the Adelaide River area using existing farms and infrastructure; the establishment of up to 4 project farms in the Douglas/Daly area using experienced grain farmers with proven appropriate expertise under strictly commercial conditions; the expedition of early soil and water investigations to locate and delineate accurately appropriate individual farm areas; the initiation of further economic and marketing investigations directed to confirming the profitability of individual farm units; the holding of appropriate discussions with existing landholders with a view to acquiring or securing areas of land necessary for the scheme; and ensuring more detailed infrastructure, planning and programming and the establishment of an agricultural development and marketing authority.This first stage will proceed for an indefinite period. I would expect, however, there would be a need for subsequent debate in this House on the proposal and, with that in mind, I have included a sunset clause in this legislation to provide for its expiry on 30 June 1985. This will enable a full review of its operation and a decision by the Assembly of the day on the worth of the program and the need for its continuation.

Stage 2 of the program would be the actual 10-year development phase in the 2 areas, namely, the Adelaide River area and the Douglas/Daly area. Members will appreciate that an agricultural program of these dimensions would place a heavy financial burden on the resources of the Territory and, with this in mind, the Chief Minister has already written to the Prime Minister seeking financial support. There are precedents for the financial support for schemes such as these; for example, the Fitzroy Basin scheme in Queensland, the Heytesbury scheme in Victoria and the Ord River scheme in Western Australia.

The government believes that an independent authority is the appropriate vehicle for implementing the program and indeed the establishment of such an authority is the purpose of this bill before the House. At this early stage, I envisage that the authority would consist of a part-time chairman and 2 fulltime members, 1 to be responsible for development and 1 for marketing. It will report to the Minister for Industrial Development and have powers to coordinate the activities of appropriate organisations in matters of land settlement, settler selection, farm planning, infrastructure planning and construction and product handling and marketing. It will operate with staff on a contract basis. It will have considerable powers in regard to the allocation of certain lands and helping farmers with financial and marketing

functions.

Having outlined the government's proposal for an agricultural development scheme, I should now like to discuss our intentions regarding horticulture in the Territory. We will promote the expansion of horticulture in existing areas and, by investigating water and soil resources throughout the Territory, promote development in new areas. In addition, the government will emphasise the need for improvement in handling and marketing, particularly in regard to the Darwin area. Approval has been obtained from Cabinet to secure support staff specifically for horticultural development.

In conclusion, there is no doubt that the government's decision to promote agricultural and horticultural development in the Northern Territory, and in particular to implement a phased agricultural development and marketing scheme, is one of great moment for the Territory. Most members will recall previous efforts to this end and the unfortunate lack of success they brought. In retrospect, it is easy to see the mistakes involved in earlier efforts and the lack of general purpose to give successful effect. Rigid schemes were followed with limited attention to the knowledge and experience of farmers. In contrast, we propose to provide the framework within which competent farmers can use their experience and commercial knowledge to develop successful agricultural enterprises and to help ensure markets for a range of products. Every possible assistance will be given by government to ensure that the scheme gets off the ground, that crops are produced and a marketing organisation is able to deal with the crops to the advantage of the farmers and the betterment of the economic development of the Northern Territory.

This government strongly believes in a multi-sector economy to ensure economic stability in the Territory. We believe our proposal to foster the development of agriculture and horticulture is an important dimension in the pursuit of a sound and diversified Territory economy. Furthermore, the Territory may very well be able to help satisfy some of the projected future expansion in the demand for food by the Third World countries, especially those in the region. Indeed, a recent World Food Council Report highlighted the growing disparity between the developed and devloping countries in regard to the ability of nations to meet their individual food requirements.

Mr Speaker, I believe that this legislation will facilitate the progress of agriculture in the Territory and that such progress will flow on to the community generally in the form of an improvement in local supplies, a lessening of our dependence on imported produce, improvements in our economy and availability of jobs, and notable improvement in our trading position. I commend the legislation to honourable members.

Debate adjourned.

LIQUOR BILL
(Serial 374)

Continued from Wednesday 13 February.

In committee:

Clauses 1 to 3 agreed to.

New clause 3A:

Mr TUXWORTH: I move amendment 161.1.

The purpose of this amendment is to provide for the membership of the

Liquor Commission to be expanded from 3 to 4. The government believes that this will broaden the membership of the commission which is at present unnecessarily limited.

New clause 3A inserted.

Clause 4 agreed to.

New clause 4A:

Mr TUXWORTH: I move amendment 161.2.

This is a machinery amendment to section 21 of the principal act following the expansion of the commission from 3 to 4 members.

New clause 4A inserted.

New clause:

Mr PERKINS: I move amendment 164.1.

The purpose of this amendment is to ensure that the situation where the Chairman of the Liquor Commission conducts hearings by himself does not also apply to other meetings of the commission. We are trying to tidy up the principal act and ensure that the situation we are trying to provide for in the next amendment only applies to hearings of applications by the commission and not to other meetings which are conducted by the commission.

Mr TUXWORTH: This would cut across the intent of the government in this regard. It is our proposal that any member of the commission be able to sit by himself at the direction of the chairman to hear routine matters that come before the commission. My legal advice is that the honourable member is proposing that only the chairman could sit by himself and that is not what the government intends. For that reason, we would be opposing the amendment.

New clause negatived.

Clauses 5 and 6 agreed to.

Clause 7:

Mr TUXWORTH: I move amendments 161.3 and 161.4.

At present, the commission has no power to approve the transfer of a licence from one premise to another. We thus have a ridiculous situation where a licensee who builds a new and improved premise alongside his old one, which he then intends to pull down, has to go through the whole process of applying for a new licence instead of being able to transfer it. This clause and the amendments will improve the situation in line with similar provisions elsewhere in Australia.

Amendments agreed to.

Clause 7, as amended, agreed to.

New clauses 7A and 7B:

Mr PERKINS: I move amendment 164.2.

One of the purposes of this amendment is to allow the commission to be

constituted by the chairman with the consent of each of the parties at the hearing. By way of explanation, we would like to see the chairman of the commission hear applications for licences on his own unless the applicant parties at that hearing also request the presence of the other commissioners.

The second major purpose of this amendment is to provide that the decision made by the commission in relation to the hearing of applications is able to be appealed to the Supreme Court. What we would like to see is that an applicant has the right to appeal to the Supreme Court if he is aggrieved by the decision of the Liquor Commission. We are talking about appeals on facts and appeals in relation to law. If this amendment is carried, the Supreme Court would consider applications again if an appeal is made.

The amendment also outlines the procedures involved in appeals of the Supreme Court. These procedures are provided for in other legislation, for example, the Lands Acquisition Act and the Planning Act. The purpose of the amendment is to clarify the procedures involved when appeals are made to the Supreme Court on the basis of decisions made by the Liquor Commission. It is obvious that the Supreme Court is able to make its own rules under the Supreme Court Act. Naturally, these would have to be complied with. Not only should we allow appeals to be made from decisions of the commission but we also ought to outline the procedures involved as they are outlined in other legislation which has been passed in this Assembly; for instance, the Lands Act Acquisition Act and the Planning Act. I ask all honourable members to support these amendments.

Mr EVERINGHAM: I simply reiterate my question to the honourable member for MacDonnell which I asked this morning. The Liquor Act has been in operation for 14 months. The honourable member did not say why he is dissatisfied with the present operations of the Liquor Commission; he simply has said that it is desirable that there be an appeal to the Supreme Court. I ask him why he considers it necessary that there be an appeal to the Supreme Court.

Mr PERKINS: When we debated the Liquor Act in the Chamber, we sought to amend the act to provide for appeals from any decisions made by the Liquor Commossion. It really is a matter of principle. We would like to see that the rights of the applicants for liquor licences are fully protected. They should have recourse to appeal to the Supreme Court if they are aggrieved by decisions made by the Liquor Commission.

Mr EVERINGHAM: I take it that the honourable member for MacDonnell is not at all dissatisfied with the operations of the Liquor Commission in its first 14 months because his answer, in essence, is that it is a matter of principle with him that applicants and individuals have a right of appeal to the Supreme Court. I ask the honourable member for MacDonnell whether he has consulted with the Chief Justice of the Supreme Court to ascertain whether they are prepared to accept the jurisdiction which he wishes to confer on them.

Mr ISAACS: Mr Chairman, under the Standing Orders, the member for MacDonnell has used up the 2 occasions on which he can speak to this particular amendment. Perhaps I could answer the question for him. I have consulted with him on this matter. As the Chief Minister well knows, it would be totally improper for any member of this parliament, certainly the member for MacDonnell, to directly approach the Chief Justice on this matter. We certainly have sought legal advice from the Drafting Unit and, so far as they are concerned, the matter is perfectly in order. Whether or not it is a matter of whether the Supreme Court can handle it, these amendments are not a surprise to the government. The minister has had ample opportunity to answer the question that the Chief Minister asks. Perhaps the Minister for Mines and Energy might be able to answer the Chief Minister's question.

Mrs LAWRIE: I would like to indicate that, whilst I have no quarrel at all with the operation of the Northern Territory Liquor Commission and, in fact, I think it has done a marvellous job, I have had many complaints expressed to me by liquor retailers about the fact that there is no right of appeal. They are a fairly conservative group but they see this as a typical example of the way in which the present government is operating; that is, by divine right. If they say it is right, therefore it must be right. The retailers do not share that view of the divine right. I have been asked on a number of occasions, the last time was only last week, by a group of people engaged in the liquor industry why there is no right of appeal. They were expressing their firm desire that there should be one. I believe they have also expressed this wish to members of the party opposite as they are members of the same party.

Mr ROBERTSON: I do not deny the honourable member for Nightcliff's concern about the point of view as put by those involved in the liquor industry. I would tend to question the logic behind the argument for this amendment from the honourable member for MacDonnell as it applies to retailers. He is quite clear and open about his attitude to liquor as it affects Aboriginal people and probably what he is trying to ensure is a second bite of the cherry by means of Aboriginal Legal Aid in respect of applications. I am not knocking that; it is perfectly within his province to do so. For the life of me, I cannot remember a proposal by the opposition to introduce amendments granting appeals from the present provisions nor can I recall the member raising that question when the draft legislation was quite openly discussed in the committee room, nor can I ever recall any reference of it to the minister responsible for the legislation at the time.

If we are going to bring the commission into question other than by a writ seeking natural justice in the hearing of a statutory commission, then the whole question and method of operation of the Liquor Commission should have been questioned at the time the Liquor Commission was brought into being. What we really agreed to was the establishment of a commission which had not only a judicial function but also a rules-making function and a philosophical function whereby it could set rules and almost legislate. The whole idea was designed to be flexible so what the opposition would be proposing by this amendment, as my legal advice has it, is that every element of the original decision could be questioned in the Supreme Court. The honourable member for MacDonnell has indicated that he only wants appeals from questions of the law. Questions of law are easily raised through the Supreme Court by the various writ forms under the common law. Further, questions of fact are extremely difficult to appeal from anyway. By the way the amendment is worded, it can relate back to the very decision and the very philosophy of the commission in arriving at that decision.

While I believe that this issue may warrant further examination, I would suggest to the sponsor of the bill and to the sponsor of the amendment that we do not blindly accept this amendment which calls into question the entire role of the commission when all he wants is an appeal on facts of law. Perhaps between now and the next sittings, the member for MacDonnell may wish to consult with draftsmen who are familiar with the problems raised by having a Supreme Court sit over this very flexibile commission. Between now and then, he might like to reconsider the position. I am quite certain that this government would not want to proceed with this type of amendment without a thorough understanding by everyone in this House of what the implications of a wide-sweeping appeal provision like this would be.

If you are going to confine it to just law and fact, then say so but bear in mind that you have that power anyway under the common law. I suggest to the honourable member that he should not proceed with the amendment at this

stage. I suggest that the government will not accept it at this stage. On behalf of the government, I invite him to consult with the draftsmen.

Mrs O'NEIL: I have been drawn into this argument by statements made by members on the other side of the House. Anybody who chooses to read the Hansard would find that this was discussed at some length during the introduction of the original liquor legislation. The question relating to the desirability of appeals was thoroughly debated. I agree with the honourable the Minister for Education that it is a philosophical question. I certainly resent any suggestion that there is some ulterior motive in introducing these amendments. It is the philosophical question of whether such appeals should be allowed in certain cases or in all cases. I agree that it is a very complicated question but it certainly is not correct to suggest that this is the first time it has been mentioned. Fortunately, I just happen to have a copy of that Hansard. It is dated Wednesday 29 November 1978. I will not read it all out again but I referred honourable members to a text on administrative law by Whitmore and Aaronson. It was raised again in the committee stage. Several members, including the Chief Minister, spoke to the amendment. I agree that it is a complex question but we have had time to consider it.

Mr ROBERTSON: Firstly, I would like to clarify that I was not saying the opposition did not raise the question. I said that, for the life of me, I cannot remember it. In other words, it must have been buried under many other considerations. I have noted that the honourable member for Fannie Bay just said she happened to have a copy. On this occasion, the Leader of the Opposition went and got that copy rather than scuttling the honourable member for MacDonnell out this morning to do some homework which he clearly had not done during the Chief Minister's statement.

I simply go back to the point that I previously raised, and this was clearly enhanced by what the honourable member for Fannie Bay has just said, that this is a complex issue. She says that her side of the House has had time to research it. We received this amendment last night; it is not true to say we have had plenty of warning of it. The first time I saw any such proposal was last night. Certainly, this side of the House has not had sufficient time to investigate with legal advisers what the honourable member for Fannie Bay herself clearly admits is a very complex issue. Therefore, I suggest to the committee that it not accept the amendment at this stage and that the honourable member for MacDonnell, if he wishes to pursue the matter further, might like to seek competent legal advice between now and the next sittings.

Mr TUXWORTH: I would like to foreshadow that, in the next amendment, there is an amendment which proposes that any member of the commission be allowed to sit by his or herself at the direction of the chairman and, in the event of there being disagreement with the decision handed down by the single member, there will be an opportunity of recourse to the full commission.

I said in the original debate that we have a difficult problem on our hands and we all acknowledged that so far as the appeal issue was concerned. We would review the matter after 12 months activitity by the commission. The commission has had quite a lot on its plate in the last 12 months. It has handed down many decisions. There have been 2 rather contentious ones, 1 in Darwin and 1 in the Centre, that drew some public attention. In both of those cases, I do not believe there was any dissension about the decision other than from the 2 parties concerned. Neither of those parties has taken the course of action open to them already through prerogative writ. I feel that, at this stage, we do not have any justification for accepting the honourable member's proposal.

Mrs LAWRIE: Mr Chairman, I appreciate that both the sponsor of the bill and the Manager of Government Business do have some appreciation of the point I raised which is the concern felt by people in the industry that there is no appeals provision in the legislation. I just want to reply to this business of prerogative writs. It is quite normal in legislation dealing with administrative procedures to have appeals provisions. It is somewhat surprising to see that, in this case, prerogative writs should become the method or mechanism by which people have some recourse to appeal. We all know that those writs are there to be used at any time when they may be sought but it is not logical or normal to put through legislation and say, "You will have no right of appeal against an administrative decision. Take out a prerogative writ". That is an unusual situation; it is not the norm.

Amendment negatived.

Mr TUXWORTH: I move amendment 161.5.

This will insert new clauses 7A and 7B. The Liquor Act requires a quorum of commission members to conduct all hearings even those of the most routine or straightforward nature. In its first year of operation, the full commission therefore had to deal with issues which could have more easily been resolved by a single member. This amendment will allow the chairman of the commission to direct that a particular hearing be conducted by 1 member only but provides that a party dissatisfied with the decision of that single member may request a re-hearing by the full commission. The results of the latter hearing would be final and conclusive. The amendment would assist in a better administration of the Liquor Act and would be of convenience to licensees, intending applicants and other parties appearing before the commission.

New clauses 7A and 7B agreed to.

Clause 8 agreed to.

New clauses 8A and 8B:

Mr TUXWORTH: I move amendment 161.6.

As the principal act now reads, where the commission delcares an area to be a restricted area, it must do so for all types of liquor. In considering applications for the declaration of restricted areas around Aboriginal communities, the Liquor Commission considers it should have the power to declare an area restricted for a certain kind of liquor but not others. For example, an area might be open for beer but closed for wines and spirits. That is a more flexible option in dealing with liquor problems in Aboriginal areas and this amendment will meet this need.

New clauses 8A and 8B agreed to.

Clause 9 agreed to.

New clauses 9A, 9B and 9C:

Mr TUXWORTH: I move amendment 161.7.

This amendment is allied to 161.6 giving the commission power to declare an area restricted for certain kinds of liquor and not others. The working of a number of sections of the principal act have to be changed to give effect to this.

New clauses 9A, 9B and 9C agreed to.

Clauses 10 to 13 agreed to.

Clause 14:

Mr TUXWORTH: I move amendments 161.8 and 161.9.

This clause makes it clear that a person employed by a licensee as well as the licensee himself shall not sell or supply liquor to a person under 18. It also adds an exemption so that a person under 18 may be sold or supplied liquor where he is taking a meal in the company of a parent, guardian or spouse. The government feels that this exemption is in the interests of people who wish to dine together in groups or families and may encourage young people to consume liquor in a way which encourages sensible or moderate drinking.

Amendments agreed to.

Clause 14, as amended, agreed to.

New clause 14A:

Mr TUXWORTH: I move amendment 161.10.

Section 121 of the principal act is too narrow at present because it is only optional for a licensee to exclude or remove from his premises a person who is intoxicated or disorderly. Licensees often do not do this and the amendment will place a specific obligation upon licensees to remove intoxicated people from their premises except where those persons are bona fide residents of the premises. Even with bona fide residents, however, the licensee may still actually move them but he is not forced to do so by the act.

Mrs LAWRIE: I rise to speak on this point because it was something which was debated at length years ago in the old Legislative Council by such eminent people as the late Mr Justice Ward and others who felt it was an inequitable thing when some licensees in the Territory would continue to serve liquor to obviously intoxicated persons and then, when they finally dropped to the floor, place them outside the door. It is quite clear that that is not the policy which is to be followed here; it is not a policy which members of this House would espouse. It did excite my interest that we are now, as the honourable sponsor says, putting the onus on the licensee to remove the person if he is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour. I emphasise the word "intoxicated" because, under this act, it will become an offence to continue to sell liquor to an obviously intoxicated person. Hopefully, people will not reach that state whilst on those premises. Whilst I appreciate that they could enter the premises already intoxicated, I believe it is the intention of this legislature to stop people pushing liquor to persons to such an extent that those persons are incapable of managing their own affairs.

Amendment agreed to.

Clauses 15 and 16 agreed to.

Clause 17:

Mr TUXWORTH: I move amendment 161.11.

This clause provides for averments to be made in prosecutions to avoid lengthy evidence in each case as to whether or not a particular place was a licensed premises or a particular liquid was liquor. Such evidentiary

provisions are normal in legislation of this kind. Amendment 161.11 improves the wording and removes 124A(2) which further examination by a draftsman has shown to be unnecessary.

Amendment agreed to.

Clause 17, as amended, agreed to.

New clause 18:

Mr PERKINS: I move amendment 164.3.

The purpose of this amendment is to require the Liquor Commission to provide an annual report to the minister responsible who will then have to table it in the Assembly within a certain period. I know that this matter has been discussed at some length in the second-reading debate on this bill, but I would like to reiterate that I believe that it is important to have a formal provision requiring the commission to provide an annual report to the minister and that the minister is then required to table the report in the House so that members will have the opportunity to debate the report. At the moment, there is no such provision in the Liquor Act. The minister mentioned in his second-reading speech that there is other legislation which requires the provision of an annual report from the Liquor Commission. However, I do not think that those particular provisions go far enough. I do not think that they achieve what we are trying to do here.

Mr EVERINGHAM: This morning, I introduced a bill to amend the Public Service Act. That already prescribes methods by which the departments and prescribed authorities must report. The Financial Administration and Audit Act also has reporting provisions. I am not opposed to this amendment in principle; I just say that it is superfluous. Indeed, it is less stringent than the proposal in the bill that I introduced this morning which will require an authority such as the Liquor Commission to table a report within 6 sitting days of the end of each financial year. Therefore, I suggest that this amendment is unnecessary and will only confuse and cloud a situation where we are trying to obtain standardisation so that there is not just accountability to the Assembly from the Liquor Commission but from every department and every statutory authority. I would ask the honourable member to seriously consider withdrawing this amendment.

Mrs O'NEIL: Mr Chairman, I do not have a copy of the act and the regulations in front of me. Can the Chief Minister advise me whether the Liquor Commission is a prescribed authority.

Mr EVERINGHAM: Authorities whose staff are within the operations of the Public Service Act are prescribed authorities. There are 2 terms at the present time. I am quite certain that, under the Public Service Act, the Liquor Commission is a prescribed authority.

Amendment negatived.

Title agreed to.

In Assembly:

Bill reported; report adopted.

Mr EVERINGHAM (Chief Minister): I rise to speak on the third reading of this bill because I do not want anyone to misunderstand the government's

attitude towards the proposal that there be a right of appeal from decisions of the Liquor Commission. The government is not necessarily disposed against that concept. In my short experience here, there have been 2 occasions on which, with great respect to the justices, the Supreme Court has resisted appointment as an appellate tribunal. If honourable members are interested, I will let them know of those 2 particular occasions outside this House. Indeed, the government in those particular circumstances had to move to establish a different appellate tribunal over and above the commission situation as we have with the Liquor Commission. Whilst I have not consulted the Chief Justice on this occasion, I do believe that the judges should be consulted as to whether they are prepared to act as an appellate tribunal before such an amendment is passed. I do not want to foreshadow what their decision might be. In respect of the proposed appeal provisions, I would say that they are broad and sweeping: "A party to the hearing may appeal to the Supreme Court against the decision". The Liquor Commission is a body that has been established to make policy, to make, indeed, subordinate legislation and to carry out a judicial function. I am not quite certain whether the Supreme Court would welcome the first 2 of those functions being imposed upon it. This appeal provision is not limited to appeals on matters of law. Were the appeals simply on the basis of the commission being in excess of its legal jurisdiction, I am quite sure that there are already provisions to cover that.

I discussed this matter this morning with the legal member of the Liquor Commission, with the Solicitor-General and with the Chief Draftsman. I am concerned that, whatever the intention of this appeal provision, and I am sure it is presented with goodwill, it could result in a chaotic situation. I undertake to have the matter examined carefully and, at the very least, if not to propose an amendment at the next sittings of the Assembly, to report back to the Assembly in relation to the matter. I would not want it to be thought that we are opposed absolutely to the concept of appeal. I simply believe that these provisions as proposed would not have resulted in any benefit to anyone concerned.

Bill read a third time.

RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL
(Serial 387)

Continued from 14 Feburary 1980.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr TUXWORTH: Mr Chairman,I move amendment 165.1.

This amends clause 5 as the bill does not apply to the packaging, storage or transport of radioactive material with a total measured dose rate at a distance of 1 metre of less than 0.75 millirems per hour and a parent radonuclide activity of less than 2.4×10^{-4} curie.

Mrs O'NEIL: I am sure that there is a very sound reason for this clause but my knowledge of nuclear physics is not all that good. Could the minister please explain the effect of that amendment?

Mr TUXWORTH: The origianl wording said that this bill does not apply to the packaging, storage or transport of radioactive material in a place where an operation for the purpose of mining radioactive material has been or is being carried on or a place where radioactive material will be, has been or is being treated, milled, refined or processed. The purpose of this amendment is to define exactly what levels of radioactivity will be tolerated in a place where those things are carried out. I am sorry that I cannot explain to the honourable members the technical aspects of the millirems and the parent radonuclide as they have been defined in this circulated amendment.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clause 7:

Mr TUXWORTH: I move amendment 165.2.

The reason for this amendment is to widen the provisions of the particular clause.

Amendment agreed to.

Mr TUXWORTH: I move amendment 165.3.

This is a technical amendment to improve the drafting.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 and 9 agreed to.

Clause 10:

Mr TUXWORTH: I move amendment 165.4.

This is a technical amendment to improve the drafting of the legislation.

Amendment agreed to.

Mr TUXWORTH: I move amendment 165.5.

The purpose of this amendment is to ensure that there is additional information required to be submitted in relation to the appointment of a deputy agent.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11:

Mr TUXWORTH: I move amendment 165.5.

The purpose of this amendment is to improve the drafting by changing the words "owner's agent" to the "agent of the owner".

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Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12 and 13 agreed to.

Clause 14:

Mr TUXWORTH: I move amendment 165.7.

This amendment is to improve the drafting. The inclusion of the words "granted under section 13" is unnecessary and section 13 is the only section under which licences can be granted.

Clause 14, as amended, agreed to.

Clause 15:

Mr TUXWORTH: I move amendment 165.8.

Again, the explanation is as for the last amendment.

Amendment agreed to.

Mr TUXWORTH: I move amendment 165.9.

The purpose of this amendment is to widen the powers of the chief inspector so that he may cancel a licence when he is of the opinion that cancellation is necessary for the prevention of damage to the environment. This is in addition to his power to cancel a licence if he is of the opinion that the cancellation is in the interests of personal safety.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16:

Mr TUXWORTH: I move amendment 165.10.

At the suggestion of the honourable member for Fannie Bay, the penalties relating to offences have been increased.

Mrs O'NEIL: The opposition welcomes the cooperation of the government on this and the amendment to subsequent clauses to increase the penalties.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clause 17:

Mr TUXWORTH: I move amendment 165.11.

This is a similar amendment to the last one.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18:

Mr TUXWORTH: I move amendment 165.12.

This is another amendment relating to the increase of penalties.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clause 19 agreed to.

Clause 20:

Mr TUXWORTH: I move amendment 165.13.

This is a similar proposal to amend the level of penalty.

Mr ROBERTSON: Mr Chairman, I realise the intent of this proposed amendment but just looking at clauses 17 and 18, where it says "that a person", that person, under the Acts Interpretation Act, would almost inevitably be a company. What we are talking about in clause 20 will almost inevitably be an individual. I am quite sure that the draftsmen originally did not set the penalties with truck drivers in mind. We must envisage this person's truck turning over because we are exposing him to penalties of enormous proportions. I suggest to the committee that that penalty should relate to the wealth of the person who must pay it. I would like clarification of whether or not this committee is satisfied with imposing that sort of maximum penalty on an individual.

Mr TUXWORTH: The honourable minister has raised quite a valid point. I do not have the information he wants at my finger tips and I propose that we take this particular clause at a later time.

Mrs O'NEIL: I appreciate the intent of what the honourable the Minister for Education says. I believe that the earlier clauses relate to individuals. Clause 16 proscribes persons having materials in their possession except under licence. That will not necessarily apply to companies. It is the same with clause 17. Clause 19 quite specifically says "Where an employee or agent of, or a person under contract to, an owner of radioactive material has been convicted ..." . Once again, it refers to individuals and not to companies so the precedent has been set in those earlier clauses.

Mr ROBERTSON: I do take the point of the honourable member. It just seems to me that there is a distinct difference between a quite deliberate act to possess a radioactive substance without a licence and the consequences of an accident. While it says all reasonable steps will be taken to notify someone in respect of clauses 8 and 20, it is a matter for the person to prove what is reasonable in those conditions. I am simply asking the committee to be very conscious of what it means in terms of the resources of individuals and of corporate bodies.

Mr TUXWORTH: Clause 20 says: "Where radioactive material is being transported by a vehicle and the vehicle is involved in an accident or is subject to unusual delay or contamination of the environment or danger to any person occurred or, in the opinion of the person in control of the vehicle, may result from a leakage or spillage of that material from the container or package, the person in control of the vehicle shall forthwith notify an inspector of that fact, obey such instructions as an inspector may give and take all reasonable steps to prevent access to the vehicle or the vicinity

of the material by any person unless authorised by an inspector to have such access - penalty $1,000".

Obviously, the honourable the Leader of Government Business has raised a valid point. I would like to obtain further clarification on it.

Further consideration of clause 20 postponed.

Clause 21:

Mr TUXWORTH: I invite defeat of clause 21.

Clause 21 negatived.

New clause 21:

Mr TUXWORTH: I move amendment 165.14.

This new clause is an improvement in drafting and incorporates the suggestion by the honourable member for Fannie Bay that the term "accident" should be replaced by reference to damage to a package or a container. The clause does not take up the suggestion by the honourable member for Fannie Bay that the obligations of the licensee of licensed premises, with respect to damage to a package or container, be widened to the owner or occupier of any premises. The thrust of the bill is to license those involved in the packaging, storage and transport of the material and the bill provides that it is an offence to be in possession or control of radioactive material otherwise than in accordance with the conditions of the licence. It is also quite likely that the owner of the premises, which might be leased, might not have anything to do with the misconduct we are referring to in this clause.

Mrs O'NEIL: The opposition supports the amendment moved by the honourable member for Health and will not be proceeding with its own amendment. I am pleased that the honourable minister has appreciated the point that leakage or spillage, not necessarily resulting from an accident, requires the inspector to be notified. Clause 20 does not relate simply to material being transported in accordance with a licence. Clause 21 relates to the storage in premises which are licensed. Therefore, as clause 20 now stands, a person who was transporting radioactive material without a licence would certainly be guilty of an offence but would also be guilty of a subsequent offence if an accident occurred and it was not reported. That is the interesting difference between clauses 20 and 21. Clause 20 relates to transporting the material and covers all transportation whether subject to licensing or not and clause 21 relates to storage in premises and will only cover licensed premises.

New clause 21 inserted.

Clause 22:

Mr TUXWORTH: I move amendment 165.15.

The purpose of this amendment is to make the bill more consistent in the use of terms.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23 agreed to.

Clause 24:

Mr TUXWORTH: I move amendment 165.16.

This again is to improve the drafting and to incorporate terms used elsewhere in the bill.

Amendment agreed to.

Clause 24, as amended, agreed to.

Clause 25:

Mr TUXWORTH: I move amendment 165.17.

By this new provision, it is made clear where copies of any material adopted under this legislation can be obtained. This could be particularly important with respect to the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Materials which may not be easily obtained from normal outlets.

Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26 agreed to.

New clause 26A:

Mr TUXWORTH: I move amendment 165.18.

The purpose of this new clause is to incorporate into the bill evidentiary provisions to facilitate any prosecutions necessary under the legislation. The averment provisions are in line with the provisions of similar Territory legislation.

New clause 26A inserted.

Clause 27 agreed to.

Progress reported; report adopted.

DOG BILL
(Serial 348)

Continued from 15 November 1979.

Mr HARRIS (Port Darwin): I rise to speak to the Dog Bill. Throughout all western countries, including Australia, there has been a tremendous increase in the population of both dogs and cats. I mention cats here because I believe that this is a problem that we will have to come to grips with in the very near future. I do not say this to upset those people who love cats; I happen to be very fond of them myself. Whilst they are of no major concern to adults, they are definitely a threat and a danger to the wellbeing of children. The Morgan gallup poll in February 1975 reported that 34% of all residences in Australia owned dogs and that 32% of all residences in Australia owned cats. This gives some indication of the enormous number of cats and dogs that we have in our society and that there is definitely a need for some control in these areas.

With this enormous number of cats and dogs, there are obviously many sources of statistical information to show that there is a definite over-abundance of companion animals and that this over-abundance exceeds by a large margin the number of responsible people who are prepared to take in unwanted and stray dogs and cats. These unwanted and uncontrolled animals are a nuisance to society for several reasons: pollution to the environment, the acute traffic hazard that is caused by them, disturbances to the peace, the spread of animal disease, damage to property, the enormous cost to the community of caputuring them and disposal problems.

We must look very seriously at providing legislation that will be accepted by all the community. I received various letters and submissions from associations and other interest groups in relation to the Dog Bill. I was a little disappointed at the lack of response that I received from people who owned domestic animals as pets. I had some response but I would have liked to have seen more. I feel that we should thank the Canine Association for its comments on the bill. It has obviously taken a lot of time to go through this bill with its members before coming forward with its proposals. Many of the queries which were raised by that association will be satisfied by explanations from the minister. There are obviously those areas where he will not be able to satisfy the association. A number of the views expressed by interest groups were suited to their specialist existence but the implementation of those views into the general arena is where the problem starts to rise.

I do not intend to spend a great deal of time commenting on the submissions that were received and I am not going to go through the bill clause by clause as other members did. However, I would like to discuss some comments that have come from various members of my electorate and also comments that have been made during the course of this debate by other members of the House. It is pleasing to see the amendments circulating. I would say that some of these amendments are to correct an oversight, particularly in clause 5.

There is no doubt in my mind that the most contentious issue was to do with the definition of "effective control". While I am pleased to see in the amendments circulated that this "effective control" is to be removed, I would like to dig a little deeper into the reasons why this was included in the first place. The thought behind the initial move was probably based on the thought that it was the only way that we could effectively clean up this problem that we have today where we can go into a park and see the visual contact between a dog and its owner which meant that that dog was under control. Whenever you saw a dog that was without a lead, it could be picked up. I believe that this is why we had "effective control" included in the original bill. The approach was wrong in the first instance. I say this because the overriding factor was that we have an enormous problem with dogs attacking people in our urban areas. There have been attacks on pedestrians, bike riders and members of this Assembly. This made it necessary to introduce laws that would control the situation. The legislation to bring this serious problem under control at present would require very harsh measures to be taken which would not be accepted by the community at large.

What we should have done when drafting legislation to deal with dogs was to say that we had a situation where there was no dog problem in so far as stray animals were concerned. In that way, we would have been able to draft legislation which would maintain a control situation. By doing this, we would have been able to come forward with acceptable legislation. There has never been any doubt in the minds of the draftsmen and others in the community that there are people who can effectively control animals without a leash. I believe that this was included for the initial clean-up. Even in the case of household dogs, there are people who can control dogs more effectively without a chain. I have a dog which reacts violently to being chained. The

only time we have to chain it is when we take it to the vet. When she is chained, she is under less control than she is without the chain. There has never been an argument as far as that is concerned.

The problem here is to provide an act which will work and can be enforced. I do not feel, however, that this visual contact of a chain or leash between the dog and the owner is an acceptable way of doing this. What control is acceptable? It is all very well to say that the courts will decide. It is very difficult for an inspector to determine whether a dog is under control if there is no leash. I stress the point that that was the original intention of the provision: inspectors would be able to have an easy method of collecting these dogs. Thought should have been given to having a period of time for a drive to catch these dogs which are causing a very serious problem in our system today. Of course, the only way this could be successful would be to call on members of the public, the various associations and those people who are involved with dogs to cooperate. We would ask them to place their dogs for a period of 2 days, 3 days or a week under some form of effective control. During that period, we would be able to see those dogs that were roaming the streets and we could collect them. I think that this would be the only way to solve this immediate and serious problem. I do not think that this legislation will change that fact in any way whatsoever. The final legislation would be ongoing legislation to control all dogs in the Northern Territory. It should not just be designed to solve the immediate problem.

The amendments that are circulating to clause 6 are probably the result of an oversight because there were no provisions for customs' animals to be exempt from certain sections of the act.

There was comment about clause 12. Just about every person that I spoke to commented on this particular clause. The member for Nightcliff and other members of this Assembly also made comment. It is felt that there should be exercise areas provided for under this bill.

Clause 13(1)(b) also received comment. This deals with the mark to be placed on dogs that have been sterilised. I believe that this particular mark should be included in the legislation and not left to the various community councils to decide upon. It seems a ridiculous situation to require a person who moves from Darwin to Katherine, Tennant Creek or Alice Springs to have another mark placed on that dog. I believe that there is a need for uniformity in this area. The Australian Veterinary Association has a mark which is accepted right throughout Australia and we should come into line with this particular mark.

Clause 29: "A registrar shall, in considering the application for renewal of a licence, take into account any matters which he is entitled to take into account under section 21 and in particular whether any complaints have been made in relation to the behaviour of dogs on the premises to which the licence relates". The people to whom I spoke were not arguing about consideration being given to the complaints laid against a dog. They were worried about the people who lived in blocks next door and who hated dogs. These people would be able to complain and this would affect the chances of re-registration. There should be some provision whereby any complaints laid against the dog should be notified to the dog owner. People are worried about possible abuse of this particular provision.

I ask for clarification on clause 39. I believe this clause was only included because dogs would in fact be on a chain. With the circulated amendments, we will not have to have a chain on the dog. I cannot see why this particular clause is included. Perhaps the minister could make comment in his reply.

Clause 40 received a great deal of comment. Whilst other members felt that perhaps something was left out of this particular clause, that is not the case. The dogs in season were not to be out in the streets under any circumstances. That is how it read in the original bill. I am very pleased to see that there are extensive amendments proposed to this particular clause. Most of the emphasis nowadays on desexing is based on the female. I am of the strong opinion that we should look at desexing the male. It is a simple operation and one is able to tell at a glance that a dog has been neutered. It is a practice with horses for colts to be gelded. If all dogs were the size of horses, there would be a lot of knives flashing around. It does take 2 to tango; I do not believe that the blame should always lie with the female.

Clause 41: "No person shall, with intent to commit an offence against this act or to cause such an offence to be committed, entice or induce any dog to enter a public place". There was a great deal of comment on this. The member for Nightcliff commented very strongly about this particular provision. I realise there are many problems and there have been documented cases where people have seen the dog catcher calling dogs out of yards. If there were a pack of dogs in a park, the obvious way to collect these would be to call them. If there were a pack of dogs in, say, Packard Street and the dog catcher started after them but they ran off into people's properties, it would be an offence to call those dogs back out onto the street. In these circumstances, the dogs would not be in the owners' yards. We must have legislation that can work.

Clause 50(1) relates to false information. It was pointed out that the details provided to an owner in the first instance may be inaccurate. If the owner is required to provide to the registrar details which included this incorrect information, he would be liable to a penalty of $200. The word "knowingly" should be included after the word "shall" so that it will read: "No person shall knowingly make a false statement".

There was also comment made about the arguments between the SPCA and the city council about the dog pounds. I agree with other members that it is a sad and sorry affair when we see the council and the SPCA fighting. I would like to quote from a policy statement which was adopted at an annual general meeting of the Australian Veterinary Association which was held in Melbourne in 1976: "The municipal pound or animal shelter has an important role to play in the control of surplus cat and dog populations. It is desirable that the ownership and control of a pound be vested in a municipality rather than by private individuals or organisations on contract to the municipality. Many pounds in Australia are already owned and controlled by private organisations. There is potentially a conflict of interests where an animal welfare society conducts a pound". I share those sentiments.

There were other clauses in the bill which I am pleased to see will be amended. I brought these to the attention of the minister. I would like to take this opportunity to say that I believe the minister has spared no effort to try to produce an acceptable piece of legislation. He has a very difficult task and I wish him well in the passage of this bill through the final stages. The only way we will have acceptable legislation is to have this vital input from people who are connected with dogs. As I said earlier, I do not think the legislation will improve our immediate and serious problem of stray dogs in the city area. I believe that the only method of solving the problem is by the cooperation of all the people in our urban centres.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this bill is a most contentious one and the amount of public input into its discussion has been commendable. I shudder at the thought of the introduction of a cat bill which the honourable member for Port Darwin foreshadowed at the beginning of his address. Everyone

has agreed that some type of action is necessary. I regret to say that I agree with the assessment of the honourable member for Port Darwin that the passage of this bill will not solve the immediate problem. I do not intend to go through the bill clause by clause. I would like just to raise 2 points.

First, I would like to endorse the philosophy stated by the honourable member for Sanderson. She said that it was a desirable thing to encourage, where possible, people to register their animals and to facilitate this in every way. Unfortunately, it seems that this bill is far too proscriptive and puts a number of barriers in the way of people wishing to register their dogs. The minister has circulated some amendments which will alleviate some of the problems but, nevertheless, there is this question of an approach to dog legislation which should be once again considered. The approach taken in this legislation is not of the type which we in the Labor Party would like to see.

The other point I would like to consider is the question raised by the member for Port Darwin about the pound. Clause 7 of the bill states that a local authority should not appoint a person to be a registrar unless it also establishes a pound. I am happy to see that the Minister for Community Development has circulated an amendment to that clause so that the local authority need not establish a pound; it may simply make arrangements for the establishment and maintenance of a pound. I am very happy to see that amendment because, unlike the member for Port Darwin, I think it is a most unfortunate situation in Darwin where the council is contemplating the duplication of facilities which have already been established by the SPCA.

I have always admired the work of the SPCA. I can remember taking some stray cats to the SPCA 14 years ago. At that time, its facilities were very meagre. Nevertheless, it was doing an excellent job and it continues to do so despite great difficulties. I do not think that this debate should be concluded without reference to the seminar that the SPCA held in Darwin recently at which this question of the pound was raised. That seminar passed 2 resolutions and I shall read them to the Assembly:

1. *It is the wish of the meeting that the full executive of the SPCA meet with the council and interested aldermen at an arranged time in the next 4 weeks and that the meeting be open to the public as observers.*
2. *That this meeting recommends that a committee on animal welfare be set up comprising a representative of each of the following bodies: the Australian Veterinary Association, the Legislative Assembly, the Corporation of the City of Darwin, the North Australian Canine Association and the SPCA. And that the committee to be appointed convene a meeting as soon as possible.*

I hope that the minister will give consideration to those resolutions and advise this Assembly of his attitude to them. He will also recall that, in the Assembly last November, the member for Nightcliff presented a petition from 1695 people of Darwin about the dog problem. She asked the minister whether it was his intention to institute any form of inquiry into the handling of the dog problem in Darwin by the corporation prior to the passage of the Dog Bill as requested by those people in the petition. The minister replied: "The matter is under consideration". Perhaps the minister might care to tell us the results of that consideration which was given to the request of those 1,695 people.

Once again, I would like to reiterate that I believe that the SPCA is doing an excellent job and it would be most unfortunate if the council established a second pound in Darwin. I am pleased that the minister has amended the bill so that will not be necessary. I have been in Darwin a fair

while and I understand that the Corporation of the City of Darwin received £8,500 some 15 or 20 years ago to establish a pound. They received that money from the Australian government.

Mrs Lawrie: It was the SPCA.

Mrs O'NEIL: The honourable member for Nightcliff informs me that it was from the SPCA. She has been around this town even longer than I have. I understand that money was used to build a house which is down in Palmerston Park and is still called the pound house. It has never been used to look after a dog since it was built.

Mr Dondas: It cost £2,500.

Mrs O'NEIL: £8,500 was allocated for a pound and it was not put towards a pound.

The Corporation of the City of Darwin now has been allocated a further $25,000 towards the establishment of a pound. I do not quite know what the council will do with that money either because that is merely a drop in the ocean toward the cost to establish a pound. I have been told that the City of Orange in New South Wales, which has a population of similar size to Darwin, has built a pound at a cost of $150,000. It would be a dreadful shame if we started putting money towards duplicating facilities which have already been started. It would be a very commendable thing if the SPCA and the council could pool their resources so that the existing facilities could be upgraded. I think everybody would like to see that happen. Certainly, that was the desire of this meeting which was held in Darwin recently and I hope the minister will give his thoughts on those matters when he replies. Mr Speaker, I look forward to the committee stage of this debate and I am sure it will take some time.

Mr BALLANTYNE (Nhulunbuy): Dogs have been causing some concern throughout the country. The problem seems to raise its head every now and again in the various centres of the Territory. I saw a film recently about a dog catcher catching dogs in parklands down south. It is a problem that can be curbed and I think the new bill will do this. This bill has resulted in many comments from different people, particularly the SPCA, the Canine Association, the kennel people and the general public.

I studied some of the comments from the Canine Association and I must commend those people for the amount of work they have done. People such as these can teach us something about the management of dogs and the control of dogs generally. I really appreciated their comments. I showed these comments to many people and they agreed that the comments were valid. They were talking about the effective control of dogs, the registration of dogs, the marking of sterilised dogs, ownership, the lack of certain provisions and other comments relating to the remanagement of dogs and dog health generally. I called a public meeting to which I did not get a great response but I talked privately with dog breeders, dog lovers and people interested in pets generally. They raised a few issues quite unemotionally. They were quite logical in the way they put their arguments. I raised many of their criticisms with the minister's department and obtained some good results. Hopefully, some of our ideas are contained in the proposed amendments.

The penalties in the previous legislation are very small in comparison to those in the new bill. The penalty for unregistered dogs or dogs with missing tags was $12 and $10 for a dog rushing or attacking a person or an animal. Penalties for the illegal killing of dogs, allowing a female dog on heat to be in a public place, discriminating against a guide dog ranged from $10 to $50. It was pretty open for a person to destroy a dog if the dog

came onto his property. The registrar could kill a female dog on heat found in a public place and any person could kill a bitch on heat found on his property. The purpose of the new bill is to control dogs.

The penalties in the new bill are very different. The penalty for having an unregistered dog or dog not under effective control in a public place is $200. The penalty for allowing a bitch on heat in a public place or allowing a dog to attack or threaten a person or an animal is $200; chasing any vehicle or bicycle, $200; allowing a dog to be a nuisance or abandoning a dog, $200. In the previous legislation, the police were ex officio registrars. Under this bill, police are inspectors and inspectors and registrars can enter land to seize a dog at the invitation of the occupier or by warrant or order of the court. They can seize dogs which are unregistered or not under effective control. There is the right of appeal to magistrates which I think is very logical.

There are a few other clauses of the bill relating to the destruction of dogs. This is very humane. It can only be done by a qualified vet or a person who, in the opinion of the registrar, is qualified to administer the injection to destroy that particular dog. The manner in which it is done has to be approved by the Australian Veterinary Association. The new bill has high penalites and will ensure more control over dogs generally.

I shall refer to parts of the bill on which I have received comments from the public. Some of the circulated amendments probably cover some of the things that I was going to say. There is no definition of a dog. The old bill did not define a dog. The Dingo Ordinance has been repealed and many people have asked me whether dingoes are classified as dogs. The dictionary defines a dog as "a familiar domestic quadruped." and refers to wolves, foxes and other animals. I think that there should be a definition of "dog" in the bill.

There was some concern raised by the Canine Association on the definition of "public places". There are problems in relation to vacant land that may be declared a public place. Where I live on a special purpose town lease, it would be pretty hard to define where the boundaries are in relation to a public place.

There was some argument raised in relation to clause 6. This related to drovers' dogs. These are not defined in this exemption clause. Duck shooters have dogs which retrieve birds. I am not sure about the NT but, in the southern states, they have cattle dog trials. It is really wonderful to watch the way those dogs work.

I think everyone has referred to clause 13 and the marking of a sterilised dog. Most of the people to whom I spoke agreed that they should be marked by the standards laid down by the Australian Veterinary Association. I think everyone agrees with that. If you start marking dogs in different ways, you will have some confusion. There are many show dogs which could be harmed by this. Some judges have their own ideas on those points. It could harm a dog's future as to a show dog if it is marked physically in the wrong way.

On the subject of sterilisation, one person said that all dogs not used for breeding purposes should be destroyed or sterilised. That is a very contentious matter. I think that should be left to the individual owner. I think it would depend on the breed of dog. I would not agree with that suggestion for a minute but this person also said that there should be some reasonable fee struck for sterilisation. Isolated areas such as Gove do not have a veterinary service. When they do have a veterinary service, it is only when the vets come across from Darwin and that is not at regular intervals.

Veterinary service is not cheap. If there was some way of setting a fee for sterilisation, it may assist people in having that particular operation done on their animals. I would rather see that than have the dogs destroyed. There is little advantage in having a resident veterinarian in our town. It is not economically viable because we do not have the variety of animals. We are limited mainly to cats, dogs and a few farm animals. Recently, we acquired a couple of horses but we have no cattle apart from wild beasts and the odd buffalo.

I felt that clause 27 is another one that gives too much power to the registrar. I see that there are some foreshadowed amendments. I am very concerned with the clauses that state it is necessary to refer to a veterinary surgeon and I asked the minister to review some of the clauses because, as I said, we do not have any veterinary service in our particular area. I do not know how many dogs there are but there are 3,800 people who have quite a number of dogs. As I said earlier, without a vet, we must have some way of making a quick decision. I know that vets can be contacted by telephone and they accept calls and give help where they can but there must be someone on the spot. There is a clause further on in the bill which does allow a qualified person to put down a dog. I think this should be brought out more. There are people who have knowledge of dog health and should be given the authority to make a decision with the registrar that some dogs must be destroyed in an emergency, particularly late at night. Perhaps the minister could comment on that. I know that he is aware of these problems; he has had a lot to do with dogs. Nhulunbuy or Groote Eylandt or other places do not have that service whereby one can ring up the vet who can be on the doorstep in a matter of an hour or so.

Clause 29 was raised in relation to the renewal of licences. If 2 or 3 minor complaints were lodged against an owner of a dog, and really some dogs are mischievious, it would mean that the licence would not be renewed. I would not worry if a person had a hundred complaints against his dog, that is, so long as they were only minor. The same applies to children. They need a smack occasionally to make them more obedient. The training of domestic dogs is a bit like bringing up children; they must be disciplined.

There was a complaint about clause 37 which relates to dog-tags. The penalty is fairly high. It reads: "No person shall remove a dog-tag from a registered dog without reasonable cause". A tag could dislodge accidentally while the owner was absent. Someone could see that the dog's tag was missing and the owner could be blamed and fined $200 which is quite a high penalty. Collars sometimes break. Even leads and rings for car keys break these days. It is pretty hard to get something solid that will not eventually break. Collars may need to be removed for certain reasons. I think that that is where discretion will be needed in applying this bill because it could become emotional and we do not want that.

Clause 40 reaised some comment. One person who wrote to me accepted the bill in principle and agreed with a strong Dog Bill. However, he felt that the stray and unwanted dogs were the main concern and that the problem would get worse as the population of the Territory increases. Unfortunately, a responsible dog owner may be disadvantaged by the bill but we have to accept this for the good of the community as a whole. The letter reads:

> *Most of the points I raised at the meeting are covered by your letter but there is one point that I feel must be drawn to your attention and that is clause 40 which states that the owner of a female dog in oestrus, even though being controlled in a public place, is guilty of an offence.*

There is a foreshadowed amendment to clause 40 but I mention this to show that people went to a lot of trouble to inform us of their opinions. The letter continues:

> *To me as a breeder, this is totally unacceptable. I do not own male dogs so I do not have to worry about unplanned litters. If this becomes law, I am not able to take a female off my premises and send it to a stud dog. This means, to continue breeding, I will have to get a male dog and run the risk of having unplanned and unwanted litters.*
>
> *It would also penalise a responsible owner who would normally send their bitch to a boarding kennel when they come into season. Uterine infections are best treated while the bitch is in season and, unless the veterinarian is prepared to make house calls at great expense, these would have to remain untreated. Thank you once again for the opportunity to give my views on the bill.*

We were told earlier that there would be no changes to clause 40. However, I think that public opinion has changed that.

Clause 43(1)(a) was raised by many people: "The owner of a dog which attacks or threatens any person or animal". I think everyone agreed that the word "threatens" should be changed to "menaces". I see the foreshadowed amendment to that.

Overall, Mr Speaker, I think that the penalties, conditions and regulations which we have drawn up will cause some concern. There is a lot of concern relating to the pound. There is concern about that in our particular area because we do not have local government. However, I am sure that we can overcome this problem. It is up to the people to be educated and I suggest to the minister that an education program could be provided. Many people did not know the content of the old bill until they started reading the new one. I dare say it is the same in the cities. People just do not know the law. I recommend to the minister that he instigate education programs perhaps through the SPCA or local government. People should not be frightened. Do not make it an emotional issue but give them the facts. With proper control through the registrar, people's dogs will be protected under this bill. I think that, in the long run, we will find it is not as bad as people make out. I hope that it is a success and I look forward to the introduction of the new bill. I support the bill.

Mr DONDAS (Community Development): I would like to thank all honourable members, private individuals, interested organisations and the North Australian Canine Association for the input that they have provided to this legislation over the last 6 months. As I have said on more than one occasion, the legislation as introduced now is only step 1 of a program for the eventual control of dogs. The second step, as the honourable member for Nhulunbuy said, is an education program. I will certainly get an education program going at some future date to try to encourage the public to look after their dogs.

There were so many points raised by the members today and in previous debates that it would take an awful long time for me to reply to every one. In fact, I have about 40 pages of notes relating to the earlier debates but I am quite sure that most points will be picked up in the committee stage anyway.

The regulation and control of dogs is essential and is a function of local government. As local government is not established right throughout the Northern Territory, this particular legislation will apply to those areas that are not incorporated under local government responsibility. I have taken into consideration most of the requests by members and organisations in light of the original draft bill that was circulated. When it was circulated, it

was described by the honourable member for Nightcliff as being "draconian" and as "woeful" by the honourable member for Sanderson. It was only a draft to try to get an indication from the people of what they were looking for in the control of dogs and that particular piece of legislation had been circulated for several months. The suggestions and comments were taken into consideration in the drafting of the bill that is before the House now. That bill was introduced and again circulated to most of the organisations that expressed an interest and, consequently, further amendments were made and were circulated. I am very happy to say that, of the 54 amendments circulated to the North Australian Canine Association, they accepted 40-odd and queried another 13 or 14. Those queries could be picked up in the regulations.

I think that the legislation will assist in the first program by controlling dogs. I certainly hope that it is a good start and that the other course of action that will be taken in the future to assist the program will work. If education does not work and this legislation does not work, other drastic measures will have to be taken. It is just a series of processes that we must go through until we finish up with something for people who have dogs and for people who do not have dogs. It is a very thin area of consideration between 2 groups in the community: those that are animal lovers and those people who do not have any time for dogs.

I would once again like to thank all the members for their assistance and I certainly look forward to the battle in the committee stage.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr DONDAS: I move the amendment 159.1.

The reason for moving this amendment is that it is no longer required as the licence exists for 3 or more dogs and the terms "breeder" and "kennel owner" have now been eliminated.

Mrs LAWRIE: I rise to indicate to the minister that I am less than happy with his reply in the second reading which was remarkable for its paucity and which did not answer any of the points raised by members who have given months of consideration to this legislation. Therefore, I would ask him to explain his amendments in some detail and to indicate whether they result from points raised earlier.

Amendment agreed to.

Mr DONDAS: I move amendment 159.2.

This inserts in subclause (1) before the definition of "dog-tag" the following definition: "dog means an animal which is of the genus Canis".

Amendment agreed to.

Mr DONDAS: I move amendment 159.3.

This omits from subclause (1) the definition of "kennel owner". It is no longer required as a licence under clause 20 applies for 3 or more dogs.

Amendment agreed to.

Mr DONDAS: I move amendment 159.4.

This defines a licence to cater for persons holding 3 or more dogs.

Amendment agreed to.

Mr DONDAS: I move amendment 159.5.

This amendment makes it clear that pounds include alternative arrangements made by a local authority.

Mrs LAWRIE: I welcome this amendment which will allow arrangements to be entered into by municipal authorities, local authorities and other organisations operating pounds. The reason for my pleasure is that, in Darwin, the pound is owned and operated by the SPCA. As the bill stood originally without this amendment, it would not have been possible, if we had a registrar of dogs appointed in the municipality of Darwin, for that arrangement to have continued. The municipality would have had to establish its own pound. That would have been most unfortunate because it was revealed at a recent seminar convened by the SPCA that the Corporation of the City of Darwin was allocated $25,000 this financial year for the construction of a pound. It became public knowledge at that seminar that they have no land on which to put it, no drawings on which to call tenders and no idea of the ultimate cost of that pound. Bearing those things in mind, I am delighted that the minister is sponsoring this amendment.

Mr DONDAS: I might add that the amendment was proposed in response to a petition handed to me by the SPCA. It also gives the power for pounds to be established in smaller areas where there is no local government.

Amendment agreed to.

Mr DONDAS: I move the amendment 159.6.

This amendment inserts a definition of "veterinary surgeon". This was called for by the North Australian Canine Association and members of this House.

Amendment agreed to.

Mr DONDAS: I move the amendment 159.7.

This omits from paragraph (2)(a) the word "effective". The words "effective control" are used in South Australian, Western Australian and New South Wales dog legislation. The term is not used in the ACT Dog Control Ordinance. The words, though used, are not defined in the NSW act. Section 25 of the Western Australian act provides that a dog may be found to be under effective control although not physically restrained. Section 5(2) of South Australian act provides that, for the purpose of the act, a dog shall be regarded as being under effective control of a person if the dog is secured and restrained by means of a chain, cord or leash held by the person, the dog has been tethered to a fixed object by the person or the dog is in close proximity of the person in response to his command. The original paragraph, where we had the word "effective", certainly drew response from quite a few people and organisations by virtue of the fact it would be very difficult to really define "effective control" as far as dogs are concerned. In fact, the honourable member for Sanderson, at a public meeting that I attended, said she could quite effectively control her dog by command. It was thought that the word "effective" should be removed.

Ms D'ROZARIO: I am very pleased to have a run-down of the words in the various acts around Australia but the reasons the minister has given in no way answer the question why this particular adjective has been removed from paragraph (2)(a). The arguments that the minister refers to were raised because, in the following subclause (3), the term "effective control" was sought to be defined by 3 very restrictive circumstances. That was the argument that the minister encountered. We are asking why he has removed the word "effective" from paragraph 2(a). It seems to me that it puts a compulsion on the person to show that he had effective control over his dog and not just control. We are quite happy to note that, in the next amendment, he is proposing to remove the circumstances which define what effective control is but we cannot support the reasons for removing the word "effective" from paragraph (2)(a).

Mr DONDAS: If the word "effective" remains, the case of the escaping dog is not covered. There would be no owner to claim damages from.

Mrs PADGHAM-PURICH: Whether we put this adjective in or not is splitting hairs because a person has a dog under his control or he does not have it under his control. Adding the word "effective" does not really affect its being under control or not. The courts could decide if the dog was under control considering the person and the breed, size and other characteristics of the dog.

Amendment agreed to.

Mr DONDAS: I move amendment 159.8.

Amendment agreed to.

Mrs LAWRIE: Clause 5 gives the interpretation and meanings of words and phrases used throughout this legislation. "Repealed ordinance means the Registration of Dogs Act as in force immediately before the commencement of this act". I draw to the attention of the sponsor that that part of clause 5, taken in conjunction with clause 4 which we have passed, means that people who have 3 registered dogs at the moment will not have a guarantee of being able to continue to register those dogs. As soon as the date of expiry occurs, re-registration shall occur under this act. There is no compulsion upon the registrar to continue to register the dogs. People may be put in the position of wondering what to do with the extra dog. This may be worthy of some comment from the minister. It is a fairly serious point.

Mr DONDAS: If a person has 2 dogs, he will not have to worry. If he has 3 dogs, he will have to apply under section 20 for a special licence.

Mrs PADGHAM-PURICH: What the honourable member for Nightcliff raised is covered under clause 4. It reads: "All dogs registered before the commencement of this act under the repealed ordinance shall be deemed to be registered for the period during which that registration would have continued in force had this act not commenced but the registration of those dogs may be renewed or cancelled under this act".

Mrs LAWRIE: I am in complete agreement with the honourable member for Tiwi in her reading of clause 4. I can read as well as anybody. I drew to the honourable member's attention that, under the present act which we will repeal by the passage of this act, one could register 3 dogs without argument in an urban area. With the passage of clauses 4 and 5, that will not continue as a right but will be conditional. This is causing some concern to persons who have 3 dogs and who feel that the transitional clauses are not strong enough.

Mr DONDAS: The old act did not guarantee registration of the dog anyway.

Clause 5, as amended, agreed to.

Clause 6:

Mr DONDAS: I move amendment 159.9.

The reason for this amendment is self-explanatory.

Mrs PADGHAM-PURICH: Whilst agreeing with this, I would like to see, at some future date, consideration given to the inclusion of other working dogs. The dogs mentioned are working dogs within the confines of their breed but there are other dogs which are also used for the work for which they are bred. Perhaps, at some future date, they could also be included here.

Amendment agreed to.

Mr DONDAS: I move amendment 159.1.

This is a consequential amendment relating to the definition of a dog.

Amendment agreed to.

Mrs LAWRIE: The amendments which have just been passed on the exemption clause are quite logical. He has included guide dogs and now dogs used by customs people. Clause 6 states that division 1 of part III and clauses 35, 36 and 38 do not apply in relation to these groups of dogs. Clause 38 states: "Subject to this act, the owner of a dog which is not under effective control and is in a public place is guilty of an offence". That means that, if there is a customs dog or a police dog in a public place and not under effective control, there is no offence committed. I think that is a bit off. If it is good enough for the honourable members for Sanderson, Nightcliff or Port Darwin to be subject to a fine of $200 for their pet pooch being found wandering at large in a public place, I think it is good enough for a person who has the care and custody, but unhappily not the control, of a large working dog in a public place to be subject to the same strictures. I will not say penalties. There is a conflict there which has not been picked up by the minister. If he is going to defer any part of this bill, I would ask him to consider the deferral of this clause.

Mr DONDAS: I cannot accept the deferral of the clause. The police and customs dogs are only exempt while the dogs are working and somebody has control and care of them.

Mrs LAWRIE: My objections would be met completely, and this would remove the ambiguity, if "and 38" was removed from clause 6. Clause 38 prescribes the penalty for dogs which have been proven to be not under effective control. It does not matter whether they are on a leash or not. A police or a customs dog found not to be under effective control is not subject to any penalty. That is the point. I appreciate that, in the vast majority of cases, working dogs in those categories would at all times be under effective control, particularly if they are in a public place. Nevertheless, we are passing legislation stating clearly that, if they are found not to be under effective control, there is no penalty. If it is good enough for John Citizen to attract a penalty for lack of control, it is good enough for those other people. If the dog was on duty, it would have a dog handler with it.

Mr Dondas: If the dog was on duty, it would have a dog handler with it.

Mrs LAWRIE: If it ripped up someone, there is no penalty.

Ms D'ROZARIO: I think that the honourable minister is having some small difficulty in grasping the point made by the honourable member for Nightcliff. If he will just look at the amendment that he passed in relation to customs' dogs, he will see that those dogs are only exempt from the provisions of clauses 35, 36 and 38 when they are performing in the course of the administration of the Customs Act. However, there are no qualifying words for the 3 other categories of dogs. If, for example, a police dog happened to be in contravention of clause 38, it would not attract a penalty. There are 2 ways of looking at this. One is that these dogs are normally under control at all times. That is the practice in the Northern Territory at the moment but I can inform the honourable Manager of Government Business that it is more common in other parts of the world for police dogs to be housed and kept as ordinary animals in the homes of their handlers. These dogs are likely to do the same sorts of things, like run out of the yard and relieve themselves on the footpath and so on, as any other dog would. It might be that police dogs or armed service dogs are kennelled at the moment. Certainly, armed service dogs, to my knowledge, are kennelled on the precincts of armed services property. In the case of police dogs, this is not always the case. These dogs generally live with their handlers. The honourable member for Nightcliff has said that, in the case of a customs' dog, it is exempted only if it is found in a public place in the course of its duty. In the case of the guide-dog, the armed service guard dog and the police dog, we have given a blanket exemption even if it is off duty.

Mr ROBERTSON: What you are after is an amendment like "while being used as". Is that what you mean?

Further consideration of clause 6 postponed.

Clause 7:

Mr DONDAS: I move amendment 159.11.

This makes it clear that local authorites may make alternative arrangements for a pound.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr DONDAS: I received a copy of some amendments from the North Australian Canine Association in response to the amendments that were circulated last week. They wanted an appointed inspector to furnish proof of his appointment on request. I would like to say on record that that could be done in the regulations.

Clause 8 agreed to.

Clause 9:

Mr DONDAS: I move amendment 159.12.

This is consequential to the need to hold a licence for 3 or more dogs.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10:

Mr DONDAS: I move amendment 159.13. This is consequential upon the need to hold a licence for 3 or more dogs.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11 agreed to.

Clause 12:

Mrs LAWRIE: Mr Chairman, I spoke in the second reading on clause 12 so I rise in committee to say that it was a necessary amendment to remove the clause 3 definition of "effective control" because, with the minister having the power to declare any vacant land in a public place and with municipalities having the same power over crown land within their municipalities, it could have meant that no person could exercise his dog, as lots of kids do, by riding the bike with the dog under control running alongside. I have lost a lot of my reservations about clause 12 because of the repeal of the definition to the previous clause.

Clause 12 agreed to.

Clause 13 agreed to.

Clause 14:

Mr DONDAS: I move amendment 159.14.

This amendment is made at the request of the local authorities and gives them powers to make rebates in specified circumstances; for example, to pensioners.

Ms D'ROZARIO: I would just like to take this opportunity to commend the Katherine Municipal Council. Recently, I saw a copy of their bylaws made under the Registration of Dogs Act. I would draw to the attention of members that the Katherine Municipal Council made regulations to allow rebates for owners of desexed animals and for pensioners. They reduced the registration fee for a bitch from $15 to $5 if it is desexed. The registration fee for a pensioner is $2.50.

Mrs LAWRIE: I also agree with the amendment. In the second reading, I did point out that a simpler way would have been to change the word "fee" to "fees". The amendment apparently has the same effect. It gives the range of fees but now it will be done by rebate. I think my amendment would have been better.

Mr DONDAS: For the honourable member's information, the act allows local authorities to fix varying fees anyway.

Amendment agreed to.

Mr DONDAS: I move amendment 159.15.

This amendment will ensure that there is a direct relationship between the cost and the fee charged.

Ms D'ROZARIO: Mr Chairman, I would just like to ask the minister

about this. It is clear that what he is saying is that the owners of dogs that end up in the pound ought to be the ones that pay for the keeping of these dogs and that is fair enough. I wonder if he can give us any indication of the approximate costs of collecting and maintaining a dog in the pound. The reason I ask this question is because, at the moment, the Darwin city council has bylaws which charge extremely high fees for the release of dogs from the pound. The fee is $40 for the first day which is extremely high. We were told at a recent seminar by people from SPCAs from down south that their fees for the release of a dog are also based on the cost of collection and maintenance. That fee is $3.50 per day. I wonder if the honourable minister can tell us if he has any idea of what the cost of collection will be because it will be a very sore point with people whose dogs are picked up.

Mr DONDAS: The only explanation I can offer is that it will be up to local authorities. If local authorities impose such a severe penalty that people cannot have their dogs back, then they will find themselves out of office.

Mrs LAWRIE: Firstly, I ask the honourable sponsor of the bill if this amendment was brought in at the specific request of a municipality. I ask him to consider the points I am about to make and withdraw his amendments. The bill states that a local authority may, by resolution, fix the fee and it may be fixed by reference to the cost of maintaining the dog in the pound for the period of which it was so maintained. That gives the discretion to the local authority to fix a fee. What the honourable member's amendment says is "they shall". We are now directing them, not offering them any discretions. Now I do not think it is up to us to say: "You shall do it". I think it is far better for us to say: "You may do it". They are the people setting the fees.

Secondly, it is a fairly unworkable provision which is the reason for my asking why it was brought forward? For example, if the dog catcher picks up one dog one day, and no others, takes it to the pound and the next day he picks up 20 dogs and takes them to the pound, the cost of reclaiming the one dog should be 20 times greater than the cost of releasing the 20 dogs. The one dog has occupied all the wages and wear and tear on the council vehicle by being transported to the pound. For a number of dogs, the cost is amortised against them all. Therefore, I think the provision is unworkable and should be withdrawn. Furthermore, we have already said that the authority may fix the fees. Why now tell them they shall do it in this unworkable manner?

Mrs PADGHAM-PURICH: The words are, "shall be fixed by reference to the cost of collecting the dog and maintaining it in the pound". It does not say, "shall be fixed in direct reference to the cost of collecting the dog". It costs $40 to get your dog out and it is about $10 per day which is more than it costs to collect the dog and certainly more than it would cost to maintain it. As it is written there, it seems to me that it could mean that it shall be fixed by reference to the cost of collection. The cost of collection may be a certain sum and the local authorities may add 100% or 200%. I think it still leaves some discretion.

Mr DONDAS: Mr Chairman, if the honourable member for Nightcliff looks at clause 14(3): "Notice of a resolution of a local authority under subsection (1) shall be placed not later than 21 days after the making of the resolution in the Gazette and in a newspaper, if any, circulating in the local area". It still puts the onus back onto local authorities to determine a reasonable rate for the expense of maintaining and picking up these dogs. We are not in charge of pounds. The point is that we cannot tell the council how much they should charge.

Mrs Lawrie: Well, fight them.

Mr DONDAS: We are just giving a guideline with which to operate so that people are given a fair chance.

Mrs LAWRIE: The minister has not paid me the courtesy of answering my question and I ask it again. At whose request was this amendment brought forward? It does not allow half the discretion of the original clause printed in the bill.

Mr DONDAS: The government has brought forward the amendment.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15 agreed to.

Clause 16:

Mr DONDAS: I move amendment 159.16.

The references to breed and the methods of control have been omitted at the request of numerous parties.

Mrs LAWRIE: We have left in "the health of the dog". I asked in the second reading that it be omitted. How is the health of the dog to be brought to the attention of the registrar? We say now that he shall, in considering an application, take into account any matter which is, in his opinion, relevant and, in particular, the health of the dog. Is he a vet? Does he call for a vet's opinion? How is it brought to his notice? If the machinery does not exist in the minister's mind, why is it expressed in the legislation? I raised that specifically in the second reading as the result of many representations that were made to me.

Mr DONDAS: It is suggested that the registrars should only be permitted to refuse registration for particular reasons. The member for Nightcliff suggests that the registrar be given the discretion in relation to whether he registers a dog or not. Either way, the registrar will still have the discretion. The bill makes it explicit and is therefore easier to read. Clause 16(c) relates to the health of the dog. The health of the dog will be taken into account only if it is brought to the registrar's attention. No one suggests that the registrar is a veterinarian but there will be a space on the application form for registration for the applicant to say whether the health of the dog is good or not. There is, of course, a penalty if a false statement is made.

Ms D'ROZARIO: I fail to see what value this particular clause has in the bill at all. The honourable minister says that the mechanism is that the health of the dog will be brought to the attention of the registrar. One of the ways of bringing this to the attention of the registrar is that the person attempting to register the dog will be asked about the health of the dog on the registration form. There is a penalty for a false statement. This is all very well. How do people have the veterinary knowledge to know whether or not their dog is in good health? I can speak from a personal angle on this particular one. I thought my dog was in the peak of health until I went home from this place one day and found him dead in the kennel. Vets who had seen him 2 or 3 days before said he was in the peak of health too. Would I have been prosecuted for saying that the dog was healthy?

There are many arguments about whether or not a particular condition is healthy or unhealthy. Many dogs, particularly those in Darwin, have things like tropical mange and ringworms. These are not conditions that should

necessarily prevent a dog from being registered because these matters can be treated. If you wanted to be really pedantic and your dog had mange at the time, you would have to answer "no" to the question. What is the purpose of asking this particular question of anyone who is trying to register a dog? In my view, the registrar should have no discretion as to whether or not he should register any dog brought to him.

Mrs LAWRIE: I support and appreciate the comments of the honourable member for Sanderson. The whole idea of this legislation surely is to ensure 100% registration of dogs. Dogs which are not then registered can be disposed of and people will attract penalties for failure to register their dogs. The health of the dog and whether it is sterilised is really no business of the registrar. The only way in which he can influence sterilisation is to offer a lower registration fee for dogs which have been sterilised. That is fine. The bill says that he shall consider the health of the dog and whether the dog is sterilised. It does not even have a savings clause relating to whether the dog is under veterinary treatment.

I agree with the honourable member for Sanderson that these things could be better covered in other ways than having this silly provision in clause 16. The way to control the ownership of the dogs is to have them registered, not to start imposing other conditions. It is my business if my dog is sick. If I care enough to have that dog and to pay the registration fee, I shall obtain treatment for the dog. The way in which the minister has expressed his intention in this legislation works against 100% registration of dogs.

Mr DONDAS: When this particular section was first drafted, it had all kinds of requirements. This provoked some strong reactions from organisations like the North Australian Canine Association and other people. We eventually brought it back to the breed of the dog. We are now eliminating that. That is all this amendment is doing: it is eliminating the breed of the dog.

Ms D'ROZARIO: I would just like to put one question to the minister. What happens if the registrar refuses the registration of a dog that the owner says is not healthy? Presumably, the person is denied registration but that is not to say he will do anything about his dog. I fail to see why the minister should be so concerned with the health of the dog and whether it is sterilised. As I pointed out earlier, the Katherine council already has some sort of system of giving reduced fees for sterilised dogs so that cannot be the reason. Clearly, the provision of reduced fees can be done by regulation.

The minister also said that the reason why he has cut out all the various classes of licence is because he will require people who have 3 dogs or more to obtain a special licence. Of what value is it to the registrar to know the number of dogs that are ordinarily kept at the premises? That is not a matter that would affect the person seeking a licence to keep those dogs. Clause 16 is a complete waste of time and the only sensible thing that the minister could do with it is to invite its defeat.

Amendment negatived.

Clause 16 negatived.

Clause 17 postponed.

Clause 18 agreed to.

Clause 19:

Mr DONDAS: I invite defeat of clause 19.

A new clause will be proposed at the request of local authorities. It will enable the registration of the dog to be made for any period up to 12 months.

Clause 19 negatived.

New clause 19:

Mr DONDAS: I move amendment 159.19.

Mrs LAWRIE: With respect, the honourable sponsor did not give any reason other than he wants to substitute something new. The original clause gave the period of registration as 12 months or a longer period. We will now reverse that and say that it will remain in force for a period not exceeding 12 months. I think the original clause was better. If someone is living in an isolated place, it would be reasonable to have a provision in the bill where he could have registered the dog for a period longer than 12 months. We have done away with that provision; it cannot exceed 12 months. What have we gained by that?

I also ask the sponsor if my interpretation is correct that there is now no compulsion on the registering authority to register the dog for a period of 12 months. It could, in fact, only register it for a period of 3 months or 6 months. If so, why will it make that determination and on what grounds?

Mr DONDAS: In answer to the honourable member's query, this provision is designed for the major municipal councils which issue dog-tags. They want a particular date for the expiration of the registration. People could be notified that registrations were due on a certain date and this would save paperwork and expense. As it is now, people just wander in and wander out. I queried the cost of the licence fee and whether a pro rata rebate would be given for a lesser period than 12 months. They said that they would be quite happy to take that into consideration when framing the regulations.

Mrs LAWRIE: With the greatest respect to the minister, I think he is wrong. In Darwin, dog registrations fall due on a set date. Registration does not run for 12 months from the day on which you registered your dog. If you wish to register a new dog one month before the annual renewal date, you will get a discount. That is already in operation and it could have continued in operation under the original clause. That is no hassle at all; it is an administrative arrangement.

My concern is that, in attempting to ensure continuance of that, the minister has removed any provisions by which registration could have exceeded 12 months and which could have been of benefit to people in isolated communities. Further, a discretion is given to the registrar to register the dog for a period of less than 12 months notwithstanding that the present operations ensure that dog registration falls due on a specified date every year. My concern is that we may have disadvantaged some people and not have gained anything.

Mr DONDAS: The amendment will enable a certain date of registration to be applied by the councils. If they wish to nominate 10 August, that is their business. That is all the amendment is doing.

New clause 19 agreed to.

Clause 20:

Mr DONDAS: I move amendment 159.20.

This amendment removes the need for breeder's or trader's licences and introduces the concept of a general licence where 3 or more dogs are held.

Ms D'ROZARIO: Is it the intention of the minister that a licence be sought by anybody who keeps 3 or more dogs. The range of people who keep 3 or more dogs is very vast indeed. There would be people like the honourable member for Nightcliff who has 3 dogs at her premises right now. There would be the commercial kennel owners, the boarding kennel owners and the commercial breeders. According to this, we are only asking people to apply for licences in respect of premises not in respect of the actual person conducting this business or anything else. But that is not so much of a problem. The real problem is that the people who have 3 domestic animals around the place do not regard themselves in the same class as the kennel owner or boarding kennel operator. It will be rather difficult to get these people to see themselves as the subject of this licensing system. I raise this point because, in the absence of enforcement for both registration and licences, the main problem with enforcement is getting people to realise that they are the subject of the enforcement measures. They are the ones that are supposed to apply for a licence. Anybody with 3 dogs or more is supposed to apply for a licence. Most of these dog control measures fail simply because people do not register. We all know that the majority of the dog population is unregistered and I fear that the same will happen with these proposed licence holders.

Mr DONDAS: This amendment is a flexible way of overcoming the problem. Whilst the government's intention was to limit the ownership to 2 dogs per household, if a person, for some special reason, wants to have the third dog, he should not be denied that right. There are other persons around who have had 3 dogs for several years and they do not want to be in a position of having to choose which dog they should put down because the government said you should only have 2 dogs. Nevertheless, we do have the responsibility of trying to provide some form of control. If a person wants to have 3 dogs, he will have to apply for a special licence. If he refuses, then he can put his case to the local court.

Mrs LAWRIE: I thought we were effecting control of dogs by registration by putting in clauses relating to nuisance and by other such measures. That is all that is needed, not the harassment of individuals that might occur because they happen to have 3 dogs. They are not doing it commercially; they are not breeding. Any bar to the registration of dogs works against the control of dogs.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21:

Mrs LAWRIE: This states: "A registrar shall, in considering an application for a licence, take into account any matter which, in his opinion, is relevant, and in particular whether the applicant is a member of a prescribed association ...". This is for having 3 dogs or more. It continues: "The facilities available at the premises specified in the application for the control of dogs ...".

Now, if you apply to keep 6 or 7 dogs in an urban lot, it is quite obviously relevant for someone to make some inquiry as to the facilities

available. However, I take the strongest exception to subclause 21(a). Nothing has got people's backs up more than the inference that being a member of a prescribed association somehow confers a better status. It is totally rejected by the normal urban dog owner. It goes along with the inference that people who have pedigree dogs are somehow in a better class than those who have cross-bred dogs. I advise the minister that, in my discussions of this bill, subclause 21(a) was quite unpalatable to many people. It is also a bit surprising that the Country Liberal Party is espousing some form of compulsory unionism.

Mr DONDAS: I have to disagree with the honourable member for Nightcliff. This clause does not compel anybody to be a member of a prescribed association.

Mrs Lawrie: Why have it there?

Mr DONDAS: It helps the registrar when he is determining an application for a special licence because we do not have breeders anymore but we have people who own dogs. It helps him in his assessment of the application. If the registrar refused registration to a person on the sole ground that he was not a member of a prescribed association, he has to appeal to the Ombudsman for a start. It would not be to the advantage of the council. Also, the decision would be overturned on that prerogative writ that the honourable member for Nightcliff always talks about.

Mrs LAWRIE: I draw to the honourable minister's attention the definition of a "prescribed association" as "an association prescribed for the purposes of this section". Well, is that to be done by regulation? Who is dragging those out of the hat? All I am asking is that the minister delete subclause 21(a) and leave in subclauses 21(b) and (c) which are quite relevant.

Mr DONDAS: I accept the deletion of subclause 21(a). Mr Chairman, I move an uncirculated amendment to omit from clause 21 subclause (a): "whether the applicant is a member of a prescribed association".

Amendment agreed to.

Clause 21, as amended, agreed to.

Clause 22:

Mr DONDAS: I move amendment 159.21.

This particular amendment is to avoid unnecessary delays in the processing of an application and allows a registrar time to make the appropriate inquiries.

Amendment agreed to.

Ms D'ROZARIO: I would just like to ask the minister what he envisages would be the scenario which would follow when the registrar refused a licence to a person applying for a licence? The reason I ask this question is that I just want to reinforce the point that I made. None of these things will stop people from acting in the way the minister thinks just simply by conferring licences on them. The giving of these licences will hopefully prevent many things. Unfortunately, they will not prevent anything because of what will happen to the person who applies for a licence and is refused one by the registrar. Is the minister suggesting that the registrar then hotfoot it down to the premises of this person and remove every dog in excess of 2? What exactly does he propose the value of this licensing system to be?

Mr DONDAS: The member for Sanderson originally brought up this point in

her second-reading speech. She asked that some consideration be given to clause 22 in that there was no specified time. If somebody requested the registrar to provide a special licence, he could take a month of Sundays to make up his mind. Consequently, we have stipulated that he decide within 7 days.

Ms D'ROZARIO: The honourable minister is one step behind. We have already passed his amendment. I did not speak to that; I was speaking to the clause as a whole. I have no argument with a time limit being put upon the determination of the application for a licence.

Clause 22, as amended, agreed to.

Clause 23 agreed to.

Clause 24 negatived.

New clause 24:

Mr DONDAS: I move amendment 159.22.

This will enable a licence to be granted for periods of up to 12 months and enables one date to be set for all licence renewals.

Mr ROBERTSON: Considering we are on the same clause and it seems to have received a rather emotive response from the honourable member for Sanderson, I refer her to division 2 which is titled "Enforcement".

New clause 24 inserted.

Clause 25 agreed to.

Clause 26:

Mrs LAWRIE: Clause 26 makes reference to clause 16 which we removed from the bill. Therefore, clause 26 should also be removed.

Clause 26 postponed.

Clause 27:

Ms D'ROZARIO: I move amendment 141.5.

The reason I move this is because the current provisions are that the registrar may refuse to re-register a dog. As I mentioned in my second-reading speech, the key to the control of dogs is to encourage registration until we reach the stage of 100% registration of dogs within urban areas. It does not do for registrars to have the power to refuse registration. In my view, the power of the registrar should be either to accept registration and re-registration or accept it subject to conditions. He should have no power to refuse the registration of an animal that its owner seeks to have registered.

Mr DONDAS: Whilst I seek defeat of proposed amendment 141.5, I must assure honourable members that we have taken that into consideration with amendments 159.23 and 159.24.

Ms D'ROZARIO: I have had a look at the amendments to which the minister refers and, again, I say that his amendments still leave discretion with the registrar to refuse the re-registration of a dog. He has not taken into consideration my point at all. My point is that the registrar should not

have a discretion to refuse a registration of a dog. The only way in which we are going to get some control over the owners of offending animals is if these people can be traced. One way in which they can be traced is if their dogs are registered. I pointed out to the minister several times before that the ability for a registrar to refuse the registration of a dog does not prevent a person from owning a dog. Indeed, if a person does not present his animal for registration, there is no way in which he can later be traced if that animal is a delinquent animal.

The minister says that he has taken my point into account with his own amendments. They relate to a time limit on the application, whether or not a person has been convicted under this act and whether or not his dog is unduly mischievous. These do not take into account the point that I am making. Having an unduly mischievous dog does not prevent a person from keeping that dog just simply because it is not registered. I know that the minister is going to say that there are penalties for keeping unregistered dogs and I point out that, on the evidence before us in every urban centre in the Territory, more than two thirds of the dog population is not registered. The only way we will reach the stage where we can control these animals and their owners will be by having the dogs registered.

Mr DONDAS: The amendment would mean automatic renewal of registration. The discretion should not be taken away from the registrar because a dog's characteristics could change in a period from when it was first registered. It might have been a quiet puppy last year but a savage dog this year. People must be able to make complaints to the registrar seeking that the dog be not re-registered.

Mrs LAWRIE: I support both the amendment of the honourable member for Sanderson and her philosophy. To control dogs, you must have them registered. The minister's proposed amendment does not remove the discretion of the registrar to register or not to register. He can refuse to renew the registration of a dog; the only thing he has to do is to deliver his reasons why. We have a general discretionary power given to the registrar on whether or not he shall renew the registration. I agree with the honourable member for Sanderson: that is not the way to get the dogs registered.

Amendment agreed to.

Ms D'ROZARIO: In view of my amendment having succeeded, I move amendment 141.6.

This omits from subclause (2) the words "refusing it or". I am merely removing the reference to the registrar being able to refuse the re-registration of the dog.

Mr DONDAS: I do not support the amendment 141.6 for the same reasons as given for the previous amendment.

Amendment negatived.

Ms D'ROZARIO: Mr Chairman, we seem to be in some difficulty since we have passed one amendment to remove the discretion of the registrar and are now giving him one. Despite that, I move amendment 141.7.

The registrar has the ability to refuse to renew the registration of a dog in 3 circumstances. Paragraph (a) relates to whether or not the owner has been convicted of an offence under the act, paragraph (b) refers to the characteristics of the dog and paragraph (c) relates to the contentious issue of whether or not the dog is suffering from a contagious or infectious disease.

I do not see what value this has in trying to limit the number of dogs or anything else. Paragraph (a) prevents the registration of a particular dog because his owner has been convicted of offences under this particular act. That would not prevent that same owner bringing forward another dog. What are we trying to do? Are we trying to prevent registration or are we trying to prevent people who do not know how to look after dogs from owning them?

As for paragraph (b), I am sure the minister would realise that there are other provisions to deal with destructive, dangerous and vicious dogs. Paragraph (c) should not be the business of the registrar because the registrar is not qualified to take this matter into account.

Mrs LAWRIE: I support the honourable member for Sanderson's remarks. Paragraph (b) states that the dog is shown "to the satisfaction of the registrar" to be destructive, vicious or unduly mischievous. In my second-reading speech, I said that it should be a matter for a court. The registrar may or may not be qualified to make that judgment; it is only his personal judgment. If the dog is shown to be all of these wicked things to the satisfaction of the court, it will be on the basis of evidence produced to the court. I am less than happy about the registrar deciding whether he thinks the dog is mischievous or not. He is not bound by the rules of evidence; his decision could be on the basis of hearsay, malicious gossip, nasty neighbours - a whole range of things.

Paragraph (c) does not even allow for a defence that the dog is receiving veterinary treatment. Anyone who has owned a couple of dogs will know that, from time to time, they suffer from infectious or contagious diseases. If a dog has ringworm, you do not even have to take it to a vet; you obtain the ringworm ointment and treat the dog. However, it is suffering from a disease which, under this legislation, would give the registrar grounds for not renewing the registration.

Mr DONDAS: I do not support the amendment.

Ms D'ROZARIO: I think the minister might at least give us the courtesy of his reasons why he does not accept this amendment. Both the honourable member for Nightcliff and myself have gone to some pains to point out that the 3 circumstances listed here are of no value to the registrar in determining whether or not he will renew the registration. For the minister to stand up and say that he does not accept it, without giving any reason, is not the manner in which this committee ought to be treated.

Mr DONDAS: The amendment relates to amendment 141.5. I gave my reasons for not supporting that particular amendment.

Amendment negatived.

Clause 27, as amended, negatived.

Clause 28 agreed to.

Clause 29:

Mrs LAWRIE: I look forward to some support from the honourable member for Port Darwin in expressing my disquiet about this clause because he did so in his second-reading speech which once again received scant attention from the sponsor of the bill. Clause 29 states: "The registrar shall, in considering the application for renewal of a licence, take into account any matter which he is entitled to take into account under section 21 and in particular whether any complaints have been made in relation to the keeping or

behaviour of dogs on the premises to which the licence relates". There is no reference to substantiated complaints and no reference to complaints in writing. We had better have nice neighbours from now on. This is not the way the legislation should be expressed.

Mr DONDAS: I agree with the honourable member for Nightcliff.

Clause 29 postponed.

Clause 30:

Mr DONDAS: I move amendment 159.26.

This particular amendment results from comments of the honourable member for Sanderson and members of the North Australian Canine Association.

Amendment agreed to.

Clause 30, as amended, agreed to.

Clauses 31 to 34 agreed to.

Clause 35:

Mr DONDAS: I move amendment 159.27.

This omits from subclause (2) "a dog trader or a breeder or a kennel owner" and substitutes "the holders of a licence".

Amendment agreed to.

Mr DONDAS: I move amendment 159.28.

Amendment agreed to.

Clause 35, as amended, agreed to.

Clause 36 agreed to.

New clause 36A:

Mr DONDAS: I move amendment 159.29.

Mrs LAWRIE: It will be very interesting in the future to inquire of the minister how many prosecutions have been successful under this part. It might be a bit like the breathalyser. I also voice my disapproval of the fact that the penalty for keeping an extra dog is the same penalty as that for a person being wantonly cruel to a dog. I do not believe these across-the-board penalties are the way to approach this.

New clause 36A agreed to.

Clause 37 agreed to.

Clause 38:

Mrs LAWRIE: I spoke at some length on this in the second reading. If your dog is registered and therefore readily identifiable, you are already subjected to a fairly severe penalty by reason of the impounding fees and the distress in getting your dog back. Now you are liable to a penalty of up to

$200 for each dog found in a public place. If your dogs are found twice on different occasions at large in a public place, even if they are not causing any overt mischief or destruction, you are liable not to have them re-registered. On top of that, the penalty may be up to $200 per dog. I think it is all quite unreal. The honourable minister will have to put the funds into building a bigger and better gaol because there will be many people who will not pay these severe penalties. We realise that it is a maximum penalty but the penalty for enticement is only $200, cruelty to a dog is only $200 and wilful abandonment is only $200.

Clause 38 agreed to.

Clause 39:

Mr DONDAS: I move amendment 159.30.

This amendment widens the scope for which exemptions may be granted. It is one of the points picked up from the honourable member for Port Darwin.

Amendment agreed to.

Clause 39, as amended, agreed to.

Clause 40:

Ms D'ROZARIO: I invite defeat of clause 40 with a view to inserting a new clause.

Everybody realises that clause 40 contains a printing error. I have also looked at the amendment which the honourable minister proposes to put and, in my view, the amendment that I am proposing to put covers all the circumstances in which a female dog in oestrus can be controlled. The question was raised of whether or not the owner of such an animal would be subject to prosecution under this act if that animal was being taken to a veterinary surgeon or a boarding kennel or stud dog for breeding purposes. Indeed, there are other circumstances where the bitch in oestrus may be in a public place; for example, in certain types of shows. The honourable minister has covered some of these circumstances in his proposed amendment but I believe that, if the bitch in question is in a public place and she is confined in a vehicle or under the control of a person by means of a chain, cord or a leash, that is sufficient control.

Mr DONDAS: Whilst I support the honourable member for Sanderson's philosophy, I cannot support her proposed amendment because my amendments will take her philosophy a little bit further. My amendments refer to vets and kennels for boarding whereas hers is restricted to the dog being confined in a motor vehicle or under the control of a person by the means of a chain or a leash.

Ms D'ROZARIO: I think the honourable minister hs misunderstood my amendment. I am not saying that there are only those 2 circumstances. I am saying that those 2 circumstances for a bitch in oestrus in a public place cover all the circumstances which are likely to arise and that is sufficient control. He has said that he is proposing an amendment which goes further but, in fact, his amendment proposes to provide as a defence to a prosecution that the owner can show that he was doing certain things with his bitch in oestrus at the time. I do not think that is a good enough reason.

The conditions under which a person is likely to have a bitch in oestrus in a public place are: firstly, if he is taking it to a veterinary surgeon,

from the time he takes it out of his car until he walks into the door of the surgery that animal would be in a public place; if he is taking it to a kennel for boarding, from the time he removes it from his vehicle and takes it to the boarding kennel, it is likely to be in a public place; and thirdly, if it is going to a stud dog. The only other time when a dog may be in a public place is if that animal is competing in a conformation show. All these shows have a rule that every dog has to be under the control of its handler at all times. It is likely to be on a chain, cord or leash. Those times are the only 4 circumstances which I can envisage. I believe that my amendment covers those 4 circumstances.

Mr DONDAS: I do not want to labour the point but the proposed amendment does not do any more than reiterate what is already in clause 38. The intention of the existing clause is to prohibit the movement in a public place of a bitch in oestrus except for certain purposes. I think that the member for Sanderson and myself are trying to work out a reasonable way of overcoming the problem.

Further consideration of clause 40 postponed.

Clauses 41 and 42 agreed to.

Clause 43:

Mr DONDAS: I move amendment 159.33.

This amendment will limit the extent of the offence.

Amendment agreed to.

Mr DONDAS: I move amendment 159.34.

Ms D'ROZARIO: This is a very superficial amendment. Many dogs will bail up somebody without actually mouthing them or touching them or even their hackles rising. What constitutes a threat? Is it sufficient to be prosecuted under this particular clause simply because your dog might act as a normal guard dog would? It would probably attack if you advanced any further but it would not if you stayed where you were. What is the difference between "menacing" and "threatening"? I do not know. I think the honourable minister ought to explain what the difference is.

Mr DONDAS: At a particular meeting I attended, it was thought by the North Australian Canine Association that the word "menace" would appear to do the job better than "threaten". I acceded to their request and advised them that I would accept their recommendation for an amendment.

Mrs LAWRIE: There is no defence to this unless one reverts again to common law or prerogative writs. I have been in a public place in the company of a dog, a boxer bitch, who bit a man mainly because he grabbed hold of me. He was a complete stranger and she bit him. Praise God that she did. Under this legislation, there would have been an offence committed because there is no defence provided. She certainly threatened him; she certainly menaced him. In fact, she bit him.

Amendment agreed to.

Mrs LAWRIE: We do not raise these points lightly and the minister does not reply to them. Many people in Darwin take their dogs with them for protection when they go for a walk. The honourable minister has not replied to the point I raised that there is no defence to a dog menacing any other

person.

Clause 43, as amended, agreed to.

Clause 44:

Mrs LAWRIE: We have a definition of "nuisance". I wonder if the honourable minister can find in his 40 pages of notes a reply to the points I raised. I said that this is far too broad. Many people are asthma sufferers and allergic to the long hair of some dogs. In that case, that dog is deemed a nuisance because it is injurious to their health. Because paragraph (a) is so wide and is not limited in any way, I believe it should be deleted. The definition of "nuisance" will still be covered adequately by paragraphs (b) and (c). I spoke at some length on this in the second reading because it is a particularly important point.

Mr DONDAS: I do not remember the honourable member's comments on clause 44. I must have made a faux pas. However, I am quite happy to ask honourable members to support clause 44 because people who do not own dogs are constantly being annoyed by dogs. People cannot even go for a walk sometimes without taking a roll of paper up their sleeve. Dogs are continually barking at night.

The purpose of the clause is to prevent such nuisance if it is injurious or dangerous to the health of any person or creates a noise. People should be able to complain to the registrar so that, when next the owner goes to register his dog, there may be sufficient evidence for the registrar to refuse re-registration.

Mrs LAWRIE: Mr Chairman, the honourable member's colleagues had better take him outside and explain what his legislation means. I refer him to page 2339 of the Hansard of Thursday 15 November where I spoke at some length on this matter. I cannot help it if the honourable minister's advisers were not listening or if his notes are deficient. I raised the matter specifically because it is a very important point. This clause states that the dog is a nuisance if it is injurious to the health of any person and the penalty is $200. The honourable member may or may not know that there are certain people who suffer from unhappy afflictions. Usually, it is a fear of cats and not dogs but it is a medical condition which they cannot control. They are absolutely sent into a panic at the sight of cats. If they had such a condition relating to dogs, to see a dog would prove injurious to them. I am not trying to defend nuisance dogs. What I am attacking is the poor drafting of this legislation which allows a provision to be so wide. I agree with the honourable minister that it is a pity people cannot walk the streets without being attacked or frightened by mischievous dogs. Keep the definition of "mischievous dogs" and let us all get rid of the mischievous dogs in urban environments. We should not say that the definition shall include a dog which is injurious to the health of any person - penalty $200.

Mr ROBERTSON: I am quite sure that we can see the point the honourable member is getting t. I would suggest that it be deferred or, alternatively, the sponsor of the bill may wish to consider deleting the words "any person" and substitute either "the public" or "the community". The latter is suggested because it appears elsewhere in the bill whereas "the public" does not. That would clearly overcome the problem and would safeguard the public against heavily diseased dogs which are indeed a danger to the community.

Mr DONDAS: I cannot support the suggestion that we amend the clause. However, I am quite happy to ask the committee to postpone further consideration of the clause.

Further consideration of clause 44 postponed.

Clause 45:

Mrs LAWRIE: The penalty is far too low. There are a number of places where dogs can be taken. They do not have to be abandoned. If you cannot afford the veterinary fee to have a dog put down, there are other avenues open to you. The SPCA runs a service. They ask for a donation. If you cannot give one, there is no further worry. They take the animal from you and, if they cannot find it a home, it is put down. A $200 penalty for abandoning a dog is too low. People who abandon dogs cause the problems that make this legislation necessary and we should hit them.

Mr DONDAS: What does the honourable member for Nightcliff suggest that the penalty should be?

Mrs LAWRIE: I move a formal amendment that the penalty for abandoning a dog be increased from $200 to $500.

Amendment agreed to.

Clause 45, as amended, agreed to.

Clause 46:

Mr DONDAS: I move amendment 159.35.

The amendment broadens the offence to cover injuries which may be more cruel than the actual killing of a dog.

Amendment agreed to.

Mr DONDAS: I move amendment 159.36.

This amendment is to allow a dog to be killed for humane reasons without subjecting the person killing the dog to penalty.

Amendment agreed to.

Mr DONDAS: I move amendment 159.37.

The protection is extended to cover situations where lethal attack seems imminent.

Amendment agreed to.

Clause 46, as amended, agreed to.

Clause 47 agreed to.

Clause 48:

Mr DONDAS: I move amendment 159.38.

The amendment will give the same powers for the regulations as for the bylaws which may be made by local authorities.

Amendment agreed to.

Mr DONDAS: I move amendment 159.39.

This amendment clarifies the offence for marking a dog unless sterilised.

Mrs LAWRIE: Several people, myself included, suggested that the marking should be in accordance with the Australian Veterinary Association standards and not as specified in any set of bylaws. To my knowledge, this point has not been taken up by the sponsor of the bill. There was a fair degree of concern among Darwin people, particularly those who are members of various associations, that it should be the standardised marking.

Mr DONDAS: I give the honourable member for Nightcliff an undertaking that this will certainly be picked up in the regulations.

Mrs LAWRIE: The regulations are subject to the operation of the act. They cannot control the act; the act controls them. Clause 13(1)(c) gives the local authority the power to put its own marking which will supersede any regulations the minister likes to bring in.

Mr DONDAS: Local Government Bill Serial 347 on the notice paper will remove the bylaw-making powers of councils to control dogs under the Local Government Act. They will not be able to do it; it will be done by regulations.

Amendment agreed to.

Mr DONDAS: I move amendment 159.39.

Amendment agreed to.

Clause 48, as amended, agreed to.

Clause 49:

Mr DONDAS: I invite the defeat of clause 49.

The clause is not necessary because of the amendment to clause 20 providing for a general licence for people who have 3 or more dogs.

Clause 49 negatived.

Clause 50:

Mr HARRIS: I raised the matter of clause 50(1) in my second-reading speech because I felt it was possible for a person to furnish information that he believed to be true but which was incorrect.

I move that the word "knowingly" be inserted after the word "shall" in clause 50(1).

Amendment agreed to.

Clause 50, as amended, agreed to.

Clause 51:

Mr DONDAS: I move amendment 159.40.

The reason is that the registrar will have the same powers as an inspector under this clause.

Amendment agreed to.

Mr DONDAS: I move amendment 159.41.

This inserts in paragraph (b) after the words "which is" the words "in his opinion". This amendment clarifies the position of the inspector or the registrar in the case of identification of unregistered dogs.

Mrs LAWRIE: The amendment will mean that clause 51(b) will read: "Subject to this act, an inspector may seize any dog which is, in his opinion, not under effective control and is in a public place ...". That is not the explanation given by the sponsor. He related it to registration.

Mr DONDAS: I did say it clarifies the position of the inspector in identifying unregistered dogs.

Ms D'ROZARIO: I am a bit confused as to what the honourable minister is seeking. In an earlier amendment, we removed the word "effective". Since then, we have also removed the definition of "effective control". If this amendment is passed, it will make it completely dependent on what the inspector thinks at any particular time about whether a dog is under control. I wonder what the minister is trying to achieve by this particular amendment. In the earlier part of the bill, we did have a definition of "effective control" which made it very easy for the inspector to see whether or not the conditions met that definition. If they did not, he was entitled to seize the dog. We now have no guideline at all as to what he can do in order to seize the dog which, in his opinion, is not under effective control.

Mr DONDAS: This will mean that a somewhat softer test of effective control will be applicable in a situation where an inspector or a registrar will be able to act confidently in potentially dangerous circumstances. The words "in his opinion" mean the subjective judgment rather than the objective fact. However, the court would still rule that such a subjective judgment would need to be reasonably arrived at. With the omission of "effective control", the insertion of the words "in his opinion" would not create confusion.

Amendment agreed to.

Mr DONDAS: I move amendment 159.42.

Ms D'ROZARIO: The minister referred to a softer test of what is effective control but certainly the powers of the inspector under this new amendment are very hard indeed. It simply says that an inspector or registrar may destroy any dog which is a dog referred to in subsection (1). Subsection (1) includes a dog which, in the opinion of the registrar, is not under effective control. I think that this is an extremely wide-ranging and harsh power to put into the hands of an inspector who has only to make a subjective judgment rather than one on the basis of hard facts in order to be able to carry out his power under this amendment.

Mr PERRON: Unless I am mistaken, the ordering of the dogs to be destroyed refers only to those dogs covered by clause 68(1).

Ms D'ROZARIO: I think the honourable Treasurer is wrong. With this proposed amendment, clause 51 will have 2 subclauses. The proposed new subclause 51(2) gives the inspector/registrar the power to destroy a dog referred to in subclause 51(1). The dogs that he may destroy under subclause 51(1) are those that are unregistered, those that are not under effective control in a public place or those which can be ordered to be destroyed under clause 68(1). It does not say anything about its only being a dog referred to in paragraph 51(1)(c). It refers simply to subclause (1) which covers all

those 3 circumstances.

Mr OLIVER: The honourable member for Sanderson is quite incorrect. Clause 51(2) will read: "An inspector or registrar may destroy any dog which - (a) is a dog referred to in subsection (1); and (b) is so savage and uncontrollable that it can only be seized pursuant to that section with safety". The first part refers to the 3 circumstances mentioned by the honourable member. The "and" is also important because we now have the further circumstance referred to in paragraph (b): "is so savage or uncontrollable that it cannot be seized pursuant to that section with safety".

Amendment agreed to.

Clause 51, as amended, agreed to.

Clause 52:

Ms D'ROZARIO: I invite defeat of clause 52 with the intention of inserting a new clause.

The reason is simply that, under the existing clause 52, the person who seizes the dog must deliver it to a pound or prescribed refuge. There is nothing else that he can do. Under the amendment that I propose, a person may do 1 of 2 things: he may return the dog to its owner or deliver it to the pound or prescribed refuge. We may see the day when inspectors will have the power to inflict on-the-spot fines on people whose dogs are found wandering at large and are causing a nuisance. It would also remove the necessity for each of these dogs to be checked in at a refuge before they are released. This is happening in other places in Australia. There are some shire councils in NSW that have a system whereby inspectors are empowered to return the dog directly to its owner and extract from him the fine and the registration fee, if any, rather than being compelled to take it to a refuge.

Mrs LAWRIE: I do not feel the minister should have any reservations about accepting this amendment. As clause 52 stands, there is no discretion at all. For a variety of reasons, including on-the-spot fines, it may be preferable to have a discretion to allow the act to operate in the best interests of all concerned, including the inspector. He would be required to do 1 of 2 things as soon as practicable: return the dog to the owner or take it to the pound. I do not see that the honourable minister should suffer any distress as a result of this amendment.

Mr DONDAS: I am quite happy to accept the amendment.

Clause 52 negatived.

New clause 52 agreed to.

Clauses 53 and 54 agreed to.

Clause 55:

Mr DONDAS: I move amendment 159.43.

This will clarify the position relating to the establishment of pounds which will include alternative arrangements which may be made.

Amendment agreed to.

Clause 55, as amended, agreed to.

Clause 56:

Mr DONDAS: I move amendment 159.44.

This amendment will give local authorities the power to ensure the proper management of pounds where established. That particular request came from various parties.

Mrs LAWRIE: I agree that a local authority may establish a pound. I agree that a local authority may enter into an arrangement with some other body for the operation of the pound. I agree that, when that is done, the local authority must ensure that the manager of those premises has the qualifications and experience satisfactory to the handling and control of dogs. I am saying that, in all circumstances, whether the pound is run by local authorities or whether it is run by another agency contracted to the authority, the local authority should ensure that the manager of those premises has qualifications and experience satisfactory in the handling and control of dogs. The honourable minister will be aware that I am not raising this lightly. It is the concern of many people that no one should establish a pound whether it be a local authority or any other group without the manager of the pound having the qualification and experience necessary for its proper running. I do not believe that the amendment adequately relates to both provisions. I am sure that the honourable minister wishes they would but I am only asking that he ensures they do.

Further consideration of clause 56 postponed.

Clause 57 agreed to.

Clause 58:

Mr DONDAS: I move amendment 159.45.

This amendment will ensure that adequate notice of impounding is given.

Amendment agreed to.

Clause 58, as amended, agreed to.

Clauses 59 to 62 agreed to.

Clause 63:

Mr DONDAS: I move amendment 159.46.

The amendment clarifies the extent of the appeals provision.

Ms D'ROZARIO: A person who applies for a licence but does not get one has no avenue of appeal. Previously, "an applicant" would have covered such a person. Now, the only people who are entitled to appeal are the dog owner and the holder of the licence. If the position was that you applied for a licence and were unsuccessful in getting it, you have no appeal because you are not the holder of a licence.

Further consideration of clause 63 postponed.

Clauses 64 and 65 agreed to.

Clause 66:

Mr DONDAS: I move amendments 159.48 and 159.49.

The clause did not have an appropriate penalty attached. An infringement of this clause was considered not to be as serious as other infringements.

Mrs LAWRIE: I am going to pose a question to the sponsor of this bill. I will cite my own case. I was the owner of 2 registered dogs. I was given a third registered dog so clause 66 will then apply. I did not buy it; it was given to me because it was a boxer and the owner was leaving Darwin. I must notify the registrar of the prescribed particulars of the change of ownership which I am happy to do. The second one does not apply because I have not changed my address. However, I have just acquired the third dog so the clauses are in conflict. I am happy to notify that I am now the owner of the dog which had been previously registered and whose registration had been transferred to me but it then becomes a third dog so I have to apply for a licence. This is in fact my own position. I must assume that the registrar would have to give me the licence because I have done everything I should. I have applied for the change in registration or ownership. There are anomalies in this bill which the member for Sanderson kept pointing out in her strong case for registration only being refused in certain specified circumstances, rather than having this discretion as to registration. Like her, I support the registration of dogs. I point out this anomaly to the honourable the minister.

Mr DONDAS: As it stands now, you are allowed to have 2 dogs. If you have a third dog, even though it might be registered, when that registration falls due, you would have the responsibility of notifying the registrar that you have an unregistered third dog and applying for a special licence.

Amendments agreed to.

Clause 66, as amended, agreed to.

Clauses 67 and 68 agreed to.

Clause 69:

Mr DONDAS: I move amendment 159.50.

Mrs LAWRIE: What is the definition of a "town" for the purposes of this act?

Mr DONDAS: It is a town within the meaning of the Crown Lands Act.

Amendment agreed to.

Clause 69, as amended, agreed to.

Clause 70 agreed to.

Clause 71:

Mr DONDAS: I move amendment 159.51.

In some circumstances, it may be necessary for a dog to be destroyed when the owner is not available or known. Such an instance may occur when a dog is injured critically and it would be humane to destroy it. The amendment would protect a person who kills a dog for such humane reasons.

Amendment agreed to.

Clause 71, as amended, agreed to.

Clause 72 agreed to.

Clause 73:

Mr DONDAS: I move amendment 159.52.

Amendment agreed to.

Mr DONDAS: I move amendment 159.53.

By the amendment, the regulations will have the same scope in regard to rebates as will be available to local authorities.

Amendment agreed to.

Mr DONDAS: I move amendment 159.54.

This amendment enables the regulations to give effect to the provisions of the act.

Amendment agreed to.

Clause 73, as amended, agreed to.

Schedule agreed to.

Progress reported.

ADJOURNMENT

Mr STEELE (Transport and Works): I move that the Assembly do now adjourn.

Mr DOOLAN (Victoria River): Mr Speaker, I would like to speak on matters relating to huge areas of land in the Northern Territory which are held by certain pastoral companies. In former years, many of these leases were granted conditional on companies losing them at a specified time. For example, I believe that Vesteys' lease over part of Gordon Downs expired in 1935 and the company was given a further 10 years to muster all stock off the lease. Again, they were given a moratorium of 4 years during the war and then the leases were taken up by what is now known as Birrindudu and Wallamunga stations. Victoria River Downs lost part of its huge area because the terms of the lease over some areas expired at a stipulated time and were not renewable by the former lessee. This resulted in new and viable leases being taken up by private individuals, people we might term as "battlers" at the time, and are now established as 3 of the best stations in my electorate. I refer to Montejinni, Camfield and Killarney. Wave Hill, one of the many Vesteys' properties, also lost part of its huge area when leases expired and were not renewable by current lessees after a certain date. The Vesteys' lamentations when the Catfish Block reverted to the Crown and was gazetted as Catfish and, later, Hooker Creek Aboriginal Reserve, were heard throughout the continent and even internationally at the time. Vesteys, I am informed, also lost another block south east of Cattle Creek which reverted to crown land.

Existing legislation was later amended so that there are no longer automatic reductions of leases on expiry. In some regards, this is good

legislation but, in the case of enormous tracts of land, in most cases not fully utilised, I feel it is bad legislation. It is wrong, Mr Speaker, because it is preventing private individuals from taking up blocks and putting them to far better use than they are put to by multi-million dollar companies merely wanting to hold vast areas of land with little or no improvement carried out on blocks. Obvious examples of smaller leases being put to far better use than they were by large landholders are, as I mentioned before, Camfield and Killarney, 2 of the very best developed properties in the whole of the Northern Territory.

Mr Speaker, I told a story about Vesteys at one time in this Assembly which I would like to tell again. When I was a very young man, I once drove a semi-trailer to Hooker Creek. In those days, there was no bitumen running from Katherine to that area. There was the old Dry River road but the creek crossings were so steep that you could not drive a semi-trailer across because you would jack-knife the trailer. The only alternative route was to go to Newcastle Waters and come up along the Murangi stock route. It was a fearsome trip and I am not likely to forget it as I broke an axle in Catfish Crossing after I left Wave Hill and I walked the last 36 miles to Hooker Creek. I was stuck at Wave Hill for nearly a week and I became quite friendly with the manager. He told me that Vesteys' properties in the Territory were not required to make a profit at all. As long as they could keep their expenses down, management was quite happy with them. It seemed extraordinary to me and I asked him why. He said because Vesteys own the Argentine. It is better country, there are bigger and fatter cattle and it is a closer market to Europe. As long as Vesteys sat on all these blocks and enormous tracts, Australia, and particularly the Northern Territory, could not become a serious competitor to the Argentine. That is immoral and is certainly detrimental to any progress the pastoral industry in Australia might be able to make. I told this story to a young patrol officer who worked with me and he, more or less, disbelieved me. He subsequently went to the Australian School of Pacific Administration in Sydney and, when he came back, he told me that he had been told exactly the same thing by his economics lecturer who had told the class that this, in fact, was correct.

My concern in the matter at the moment has arisen because leases held by one of the Territory's largest satations, Alexandria, lapsed some time ago and came up for review by the Land Board last year. At present, renewal of those leases is still under consideration. Under the old legislation, Alexandria did lose some of its former property and this is the reason that Benmara, Mittiebah and Mount Drummond Stations now exist. Also, I believe that Alexandria lost a further lease near Nicholson River which subsequently became crown land. Despite the fact that Alexandria lost at least 4 of its earlier leases, it certainly has not been hard done by. The following leases were held under the name of Alexandria Station by the North Australia Pastoral Company Limited until their expiration: Pastoral Lease 427 - area 8,562 square kilometres; 428 - 1,435 square kilometres; and 431 - 1,199 square kilometres. That is a total area of 16,295 square kilometres. For the benefit of members who may not yet have grasped thoroughly the metric system, this represents a property of 6,292 square miles which is quite a healthy sort of a paddock in anyone's estimation.

Alexandria contains some of the best cattle country in the Barkly Tablelands. Surely, to be a viable economical proposition, all of this vast area is not required. I am not suggesting for a minute that Alexandria should lose all its pastoral leases. For instance, it would be quite unreasonable and totally unfair for the North Australia Pastoral Company Limited to lose the homestead block and perhaps more than a couple of other blocks. But this company formerly held 5 separate pastoral leases which, having expired, should have been balloted for with the company having first choice of retaining

a substantial part of the total area under lease but, at the same time, giving the opportunity to private individuals or smaller Australian companies to take up blocks large enough to be viable economic prospects. Under existing legislation, the lessee formerly holding the leases has first bite of the cherry and I think that this is wrong. I have not done a search to determine who actually owns the North Australian Pastoral Company Limited. Considering the devious means to which people go to hide the actual owners of a company, it could very well belong to the Ayatollah Khomeiny for all I know.

In any case, whoever really owns the company should not be permitted to retain such an enormous tract of land and exclude smaller operators from having the opportunity to take up pastoral leases. This government has continually promoted the idea of closer settlement of the north and this is an ideal opportunity for it to prove how genuine its words are. My information is that the Land Board has not made a final decision on renewing all 5 leases reapplied for by the company. I believe this government should step in and arrange for at least some of the blocks to be balloted for by interested parties and, as you would well know, Mr Speaker, there are interested parties.

I believe also that the old legislation which resulted in an automatic roll-over of certain leases held by companies with ridiculously large land holdings should still apply and I would urge this government to have a good hard look at the matter if they are genuine in saying that they desire closer settlement of the Territory and that they want people to stay in this country. I again refer to what happened with Camfield, Montejinni and Killarney. If these leases had not been excluded from the giant VRD holdings, instead of now being viable pastoral properties on which considerable development and improvements have been carried out, they would in all probability still be undeveloped, unimproved parts of Victoria River Downs and it would be fortunate if they were mustered once in 2 years.

Mr PERRON (Stuart Park): Mr Speaker, I wish to comment on matters which were raised in this House by the honourable members for Sanderson and Fannie Bay. The honourable member for Sanderson attempted to convince the House last Thursday and yesterday that the government was not doing enough about providing emergency housing for people. She made some rather surprising remarks which I will just touch on briefly.

The honourable member mentioned that a number of people came to see her because they were allegedly in dire straits. She mentioned families living in cars and it seems that their only options were $130-a-week, 3-bedroom houses. She proposed a couple of solutions to this. One of these is a scheme which was tried and failed in that famous Labor state of Tasmania, that is, a housing subsidy voucher scheme. It was abandoned because it was unsuccessful. Secondly, she proposed that rent control in a formal sense be reintroduced to try to prevent rising prices.

The type of person that she described was destitute and living in a car. In one case, people saw her late in the day and did not even have the bus fare to come to town to pick up social security benefits. I would say that they got their priorities wrong. They should not have spent the bus fare going to see the honourable member but should have travelled to pick up benefits if they were entitled to them. A housing voucher subsidy scheme is hardly going to help a person who is destitute unless it is a 100% rental subsidy. I do not know whether or not she was suggesting such a rental subsidy system whereby persons are subsidised presumably the whole $130 a week which they need to obtain private accommodation. It does not sound like a very sensible sort of scheme to me. She said that, if such a scheme was introduced to avoid the possibility of private rents rising, we should introduce rent control. She

referred to an earlier point I made that, if people feel they are paying too much rent in the private sector, they should refer the matter to the Controller of Rents. She said last Thursday: "I do not think that that particular suggestion will afford any assistance to people who complain about high rents". While she was implying that the Rent Controller has lost all his teeth and cannot reduce rents, I can assure her that she is very wrong. In fact, he has done so in some cases. It is true that the criteria the Rent Controller takes into consideration when setting rents is quite different to the absurdities which we were faced with before - a situation which led us to have an inquiry.

The subject of rent control is raised in this House by the opposition as a means of fixing the problem: if rents are rising, instigate rent control. That of course is the typical ALP mentality and that is its only answer. Our philosophy in these situations is to increase the amount of accommodation available and not artifically screw down what can be returned from accommodation. I am pleased to say that, after a long period of virtually no construction of rental accommodation in the Northern Territory following the cyclone, as a result of changes to the rent control act and also some stimulus to the Territory through this government's activities, we now have a very real interest in the construction of rental accommodation. That is the answer to the problem, not artifically setting rents.

In referring to these people and their relationship with the Housing Commission, the honourable member stated that they virtually have no recourse to emergency housing whatsoever. That is not correct. When referring to the Housing Commission system of considering persons for emergency accommodation, she said: "I gather that the limit of assistance that is so far offered is that certain welfare officers in the Housing Commission will ring up private real estate agents and ask them what they have to let". I presume that she is implying that some welfare officers in the Housing Commission will not even do that for an applicant for emergency accommodation. I think it is a shame that the honourable member has that low an opinion of welfare officers in the Housing Commission - people who have the most unrewarding task of assessing the very sad stories that are put forward by people in dire circumstances when they are applying for emergency housing. I think that it was most unfair that she should pick on people like that.

Over the last 3 months, 85 applications were received by the Housing Commission for emergency housing. As I mentioned before, these applications are looked at in a very hard fashion because regard must be given to all those people on the waiting list who are being jumped every time a person's application for housing is accelerated. During that same 3 months, 779 people joined the Housing Commission's waiting list. Many of those people are facing serious circumstances themselves yet most of them patiently wait on the waiting list for their 12 months or however long it takes to be allocated housing. It is most unfair for people to be allocated housing ahead of them when they are, in many cases, also suffering financial and other hardships. Of the 85 applications received, 13 were deferred pending further investigation. It has been found by the commission that, in some circumstances, people solve their own problems. Seven were approved for accelerated housing allocation.

It is rather a thankless job. For example, a husband and wife with 2 children were recently found emergency, single-room accommodation by the Salvation Army. After 1 night, the people complained that that simply was not good enough. They wanted something better and they were found a crisis flat which is also a unit used by the Salvation Army to house people in emergency circumstances. After another night, that was not good enough either. The Housing Commission officers arranged accommodation in the Baptist Hostel. Admittedly, they were in 1 room. However, that was totally unacceptable to

them and, surprisingly enough, they have since found other accommodation through their own resources. That is fine but it does sometimes make you wonder just how emergent some of the circumstances are when people say, "This roof over my head is simply not good enough. I deserve better".

There are many examples where the commission was successful in emergency situations. For example, a house was destroyed by fire at 11 o'clock at night and at 8 o'clock the next morning the family moved into Housing Commission accommodation. It was arranged through the night by people who are not normally expected to work through the night. The system works but a very hard line is taken in looking at these applications because of the unfairness of emergency allocations to those hundreds of people who are prepared to bide their time and wait for their chance.

The honourable member also had quite a few words to say about my objection to the allocation of 2 houses to the Darwin Women's Centre for emergency accommodation. We have more demand for emergency accommodation than we can meet. I do not think the situation will be assisted by allocating some very valuable houses to a minority group - I am happy to use that term - when in fact that same group is eligible to apply to the Housing Commission. The honourable member for Sanderson said that this group has done a lot of very good work and should be recognised by government: "There is no reason why, in the same way, the government should not recognise the work of the Darwin Women's Centre and the class of persons to whom it affords assistance". The government does recognise the work of this organisation. The honourable member very conveniently overlooked the fact that the women's centres in Darwin and Alice Springs received $246,000 in this year's allocation - a great handout from the government. No mention was made of that.

In addition to that, they are using premises which, in some cases, are on very valuable sites and I do not begrudge them that at all. She claimed that the government totally ignores this group of people who work to service the needs of a particular group. Because we will not provide houses which are used anyway - they are not sitting there vacant - she takes great exception to that. To reinforce her point, she said: "The honourable minister, hopefully, will see fit to look again at the application made by the women's centre with a view to affording some relief to the organisation so that it may continue its very excellent work". One would gather from that remark that rejection of the houses was placing the continuance of the organisation's work in jeopardy. That is nonsense. They have already received $246,000 and, if they cannot do some good with that, there is something very wrong.

The honourable member for Fannie Bay went on at some length about the problem she has in her electorate of dealing with a rezoning matter. I do not propose to pass comment on the rights, wrongs or the desirability or otherwise of the rezoning. Unlike some others, I am involved and I certainly do not propose to pass public comment on it in that regard. I am involved because the Planning Authority's recommendations come to me. It is proper that I do not become involved in passing opinions on matters that are on public display. The honourable member for Fannie Bay, however, has said a couple of things that I thought were quite wrong and I am sure she knows they were wrong. I would just like to point out to the House that I thought honourable members would be beyond that sort of thing. She was quoted in the Darwin Star of 20 December 1979 as saying: "The Darwin Town Plan was approved by Marshall Perron in 1978 and now it has changed again. He did it for the casino, now he is doing it again". The honourable member for Fannie Bay knows that I have not changed the plan and that it is on public exhibition. It seems like a little bit of sensationalism: this evil soul, Marshall Perron, at the stroke of a pen, has changed the plan again.

The report continued: "Mrs O'Neil said the annexed public reserve land had been given to the Paspalis Company by way of a quick land grant". The honourable member knows that the minister cannot grant land contrary to a zoning and there was a zoning on display. She knows that no such grant was made at all. Certainly, should the rezoning be successful, part of the proposal was to grant additional land to the owners to allow car parking etc to be resolved.

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

Mrs LAWRIE (Nightcliff): Mr Speaker, I am going to speak on a subject tonight concerning the aviation industry which is causing great concern. I have paid the minister the courtesy of advising him of the content of what I am about to say. It concerns a Darwin firm, Darwin General Aviation Pty Ltd, which is run by Gerry Luck. He is the managing director. On 24 January 1974, he first applied to the federal Department of Transport for an air charter licence to operate in the Northern Territory. He has applied many times subsequently. On all occasions, the federal department refused his application on the grounds that there were sufficient operators in Darwin.

During this period, 2 companies, Air Fast and SAATAS, have closed down and at least 4 small charter licences have been issued and more aircraft have actually arrived on the charter scene and have been operating. Northern Territory Air Charter and Air North have been issued with a licence to operate in Darwin during this time notwithstanding the fact that Mr Luck could not obtain a licence. Since beginning their operation, they have increased their fleet strength which proves that the reason for the refusal of the Darwin General Aviation application was not a valid one.

With the introduction of these newer companies, Mr Luck, quite understandably, has been more active in trying to establish the reasons for the Department of Transport's answers. He had talks with a Mr Don McDowell and the investigator for the transport industries - remember we had a report commissioned - and there certainly seemed to be a need for further sound operators. On 2 occasions when operators met in Alice Springs and Tennant Creek, Mr Luck had been refused permission to attend despite his demonstrated interest. His company is one of the main businesses on the airfield in Darwin. They cater for 60%-70% of the aircraft in the Darwin and surrounding area, most of which are charter operations. Mr Luck felt that he should have access to the news and happenings of the industry as he plays a vital role in it. He was refused.

In September 1979, Mr Luck became aware that Mr Kel Barclay, a federal Department of Transport representative, was due in Darwin. He asked Mr Don McDowell of the local department to arrange for him to meet Mr Barclay. Mr McDowell said that Mr Barclay would be far too busy and he probably would not be able to see Mr Luck. Subsequently, Mr Luck himself arranged a meeting with Mr Kel Barclay, Mr Keith Collett, John Milton, Cyril McCorrey and Mrs Marie Rose Luck at the Darwin Airport. This meeting took place on 12 September 1979. Mr Barclay and Mr Collett, federal Department of Transport representatives, told the meeting that the talks with the Northern Territory government on Mr Luck's problem was successful and both parties had agreed to grant him a charter licence. All that was needed was a chief pilot, an operation manual and the other usual details.

At a later meeting which took place between Mr Luck and Mr McDowell on 26 November, it appeared that the Northern Territory government had reversed its earlier decision. Somewhat understandably, Mr Luck is both "irate and concerned". He is upset that the Northern Territory government, which is inexperienced in this area, is making decisions which dramatically affect commercial interests. Mr Luck has been operating his company for 5 years. It

is a viable business. The only thing which is holding it back is the money owed to it by the same charter operators whom he is servicing and who have been allowed charter licences notwithstanding the fact that this has been held up. They owe him thousands of dollars. He feels that he is being pressured to act as a finance company and he says that he would prefer to finance his own interests. He wonders why he is being blocked from obtaining a licence while others are given the go ahead after they have been operating illegally for a short time.

In his opinion, which I share on the basis of this evidence, the Northern Territory government hides behind the Northern Territory label but does not support the real Territorians. Mr Luck was born in Darwin and was educated in Darwin. He served his apprenticeship in Darwin and was the first Territorian trained as an aircraft engineer. On top of all that, he is running a viable business servicing these people who are undercutting him. All of the other operators are Territorians by years only. He is a real Territorian who has demonstrated his ability. Where is the local support? He has built up a reputable business. He has supporting companies. He has established a maintenance facility yet other companies, which have obtained licences subsequent to his application, are now putting in their own maintenance facilities in opposition to his and he is not allowed to operate in opposition to them. So much for free enterprise!

On 6 December 1979, Mr Luck met with the minister, Mr Steele. Mr Luck advised the minister of the meeting which had been held with Kel Barclay and Ron Collett. The Minister for Transport and Works was not aware of that meeting. On the same day, Mr Luck met the 2 federal transport people and asked them to notify the local minister of the meeting and the outcome of the meeting which was that he would be granted a charter licence. Subsequently, we are given to understand that that letter had been sent to the Northern Territory minister. Notwithstanding the original application, notwithstanding the undertaking given at that meeting that a charter licence would be issued, the Northern Territory government interceded with the Department of Transport to ensure that the licence was not in fact given to Mr Luck as they said it would be.

The Northern Territory has put an embargo on any charter licence being issued until our new regional airline has decided whether it wants all or which routes or if it will give a few to the charter operators. In fact, we have seen legislation introduced in this House during this sittings which would allow existing charter operators a slice of the cake. I guess they will carve it up amongst themselves. This man, who has been applying for years, whose viability has been demonstrated and who meets all the requirements, is apparently going to miss out again.

Gerry Luck has provided me with an estimate of the loss of potential earnings which he has calculated over the years during which he has been waiting for this phantom licence. I do not intend to release that figure here because, if he wishes to take other action, it might prejudice his case. I have brought these facts before the House with his full knowledge and permission and with the permission to use his name and that of his company. He is a local boy who was born, bred and educated here and the first Territorian to receive aircraft engineering qualifications. Why isn't he given a charter licence? Why is the Northern Territory government actively intervening to stop the federal Department of Transport granting the licence? Why have other charter companies such as Air North and Air Fast been granted licences after his original application? I can tell you what he is not, Mr Speaker. He is not a member of a political party; he does not hold any particular political affiliation. He is just an honest man who has built up a good business and, for some reason, cannot obtain his charter licence.

Mr HARRIS (Port Darwin): Mr Speaker, I wish to raise a subject in this Assembly today which I believe warrants comment in this House. Yesterday, I attended with other members of this Assembly the service to commemorate the bombing of Darwin. An address was given by the Administrator in which he mentioned that a large proportion of our population was not yet born when the bombing of Darwin took place. Like other organisations such as the RSL, time depletes the ranks of those people who remember vividly such events as the bombing of Darwin. It is important that we remember those people and keep alive the memory of those who lost their lives for their country. It is also important that certain historic events such as the bombing of Darwin be remembered.

It was upsetting to see no children at that particular ceremony. The Northern Territory government has instilled in us a greater awareness of the historic events of the Territory and Darwin. I believe that part of that awareness should involve the education of the people in the Northern Territory. I believe that ceremonies like this should be attended by children of certain schools in the area. If not, the importance of the event should be brought to their attention by the principals at their assemblies.

I did not raise this yesterday because I had my office contact 32 schools in the Darwin area this morning. I asked if any mention had been made in their assemblies about the fact that the bombing of Darwin had taken place some 38 years ago yesterday. The result was that 25 schools said no, 2 said yes and 5 could not be contacted because they did not answer the telephone. In defence of these particular schools, I would say that many of them did not have assemblies. That surprised me; I presumed that most schools had assemblies every day. Some mentioned that they will raise the matter when they do have an assembly. Others did not know anything about it. Many of them mentioned in class that the 19th was the date Darwin was bombed 30 years ago.

I only raise the point that we have neglected our history in the past. We have realised that this has been the case and we have done something positive about it. I believe the program for making our people more aware of our history must include education in our schools. I would ask the Minister for Education to include such events as these on the school calendar.

Mrs O'NEIL (Fannie Bay): Health inspectors are not responsible for dogs but they are responsible for a great many other things. They are responsible for following up notifiable infectious diseases. They have responsibilities in the areas of garbage disposal, sewage disposal, vermin control, food hygiene etc. They play a major role in our public health system. They are the front line forces in our struggle to reduce the ever-present risk of contagious diseases in our community. It is a constant struggle simply to maintain the high level of protection which the towns of the Northern Territory enjoy. Bearing in mind the evidence we have of low levels of environmental sanitation in Aboriginal communities and the ever-present risk of the introduction of infectious diseases from overseas, the role of the Northern Territory health inspector is even more important.

However, our health inspectors have not been credited with the importance that is their due. Over a number of years, the Health Department has not been able to attract sufficient people to fill all the positions. In some years, the people employed accounted for only half the required numbers. Not only have they not been able to always fill the positions that are available but the number of positions has been reduced. In 1973, there were 27 positions for health inspectors in the Northern Territory of which 17 were filled. At the moment, there are only 21 positions for health inspectors. One of those is the chief inspector who is not often out in the field anyway. Seventeen of those positions are filled. We are going backward in an area in which we

should be going forward. It is not an area in which the work reduces. The population is increasing; we still have those problems in rural areas and the responsibilities have not developed onto other persons.

As I mentioned before, there have been problems in attracting and maintaining people in this area. Unfortunately, the Health Department has trouble in attracting suitable people to the jobs. Occasionally, people who are attracted are unsatisfactory in positions in the southern states or they are inexperienced people who come up here to seek experience. This element produces an even greater work burden on the few senior stable members of the staff.

In order to overcome this difficult situation, an application was made for an increase in salary for health inspectors. The application was made in January of last year to bring the salary levels of health inspectors in the Northern Territory more in line with those in other states doing comparable work. This was investigated by the Public Service Commissioner's Office and, in May, an investigating officer of that department recommended that the health inspectors' salaries should be increased by 5%. This was certainly not opposed by officers of the Health Department itself. They realised that people would be attracted to these positions by making the salary more attractive and bringing it into line with the other states.

Unfortunately, the Public Service Commissioner rejected that recommendation of his investigating officer and that wish of senior officers of the Health Department. Health inspectors in the Northern Territory will not receive that increase in salary. I believe that that is something that this government, and particularly the Minister for Health, should look at very carefully indeed. I have described how the number of positions is going backwards. Their salaries have gone backwards in relation to their colleagues in other states. They have a vital role to play in the public health services of the Northern Territory and it is time the government recognised that role and rewarded it accordingly.

Mr OLIVER (Alice Springs): Mr Speaker, last week I asked a question without notice of the honourable the Minister for Transport and Works relating to the access road to the powerhouse. The reply I received was not entirely encouraging despite the fact that I have asked that question quite a few times. I would, therefore, take this opportunity to stress the urgency of this situation to the honourable minister. At no time has the Alice Springs powerhouse had an all-weather access road. The earlier access road crossed the Todd River via the golf club causeway. In dry times, that was enough access - a bit corrugated - but, when the river came down, there was no causeway and naturally no access. Incidentally, that access is now closed to the powerhouse.

There is another access road on the far eastern side of the town of Alice Springs which is virtually nothing much more than a flat, graded track through the scrub. Again, in dry times, it is a reasonable access - a bit rough and corrugated - but, after rain, it is virtually a sheet of water. Some of the waterholes are fairly deep. It should be borne in mind that the people who work at the powerhouse have to use private vehicles to get there. The rough roads are bad enough but the constant wet weather that we have had recently has caused severe damage to the vehicles, particularly wheel bearings and brakes because the muddy water is gritty.

There is now a third access to the powerhouse. At least this one is loosely metalled. This road runs off from the southern end of the track I was just talking about and heads west to eventually link up with the Todd Street Bridge near Kharlick Street. The eastern portion of this road lies mainly on

a proposed road that I believe was designed in 1978. When it is constructed, it will form an integral part of the Sadadeen subdivision hence my question to the honourable the Minister for Lands and Housing this morning. I had hoped to get some indication so that I could go back to the people and tell them that the road will be built.

From my experience, this metalled road could well provide all-weather access to the powerhouse for lighter vehicles only. But, unfortunately, the road has several undesirable and even dangerous features that are causing concern to the people who use it. The formation of the road is narrow. The loose metal cladding is narrower which makes passing very difficult and dangerous. Despite grading, the road soon becomes very corrugated. With narrow cladding, there is the danger of a vehicle dancing off the road. Towards the western end of the road, towards Kharlick Street, there is a sharp S-bend. I was driving along the road for the first time, doing about 30 kilometres per hour, and I was on the S-bend before I knew it and I very nearly went over the edge.

A major problem too is that the loose metal surface is very dusty. The loose metal is on clay and turns into bulldust when it is dry. The bulk of the traffic is in the morning. Drivers head into the rising sun which, with the dust, makes visibility very difficult. At knock-off time, the workers travel westwards along this road and are faced with the same problem. All in all, the powerhouse is not very well served with access. I ask the honourable Minister for Lands and Housing and the honourable Minister for Transport and Works to get together and see how soon they can have that road built.

Mr VALE (Stuart): Mr Speaker, this afternoon I would like to record a very historic occasion in Central Australia. Cattle were loaded onto the standard gauge train at Kulgera which left Kulgera last Sunday for the Gepps Cross market. Quite a number of people were responsible for that standard gauge line crossing the border and reaching Alice Springs. Obviously, the railway people must be placed highest on the list of those responsible for the hard work, dedication to duty and the fact that that project is many months ahead of schedule. It was due for completion in October of this year. The Minister for Industrial Development and I were in Kulgera last Saturday for the arrival of the first shipment of Centralian cattle from the pastoral property of Erldunda.

It would be remiss of me if I did not pay tribute to Cliff Rideout from the Primary Industry Division for his hard work in getting that yard open and operational in a very short space of time. Cliff Rideout was ably assisted by a number of other people from his department and a private contractor. The success of Central Australia depends on such people. Phil Doherty and his wife worked round the clock welding and constructing that yard. Dave Major, a pastoralist from Central Australia,will look after the feeding, watering and loading of the cattle for South Australia and also deserves a special tribute.

Mr Speaker, I think that,of all major events within the last 50 years in Central Australia, the crossing of the South Australia - Northern Territory border by this standard gauge, all-weather railway line is probably one of the most significant. Freight from Adelaide will be unloaded at Kulgera during the next few months while the railhead in Alice Springs is developed. It is of major economic and industrial importance to Centralians and people north of Alice Springs who depend on an all-weather, road-rail link with our southern supply cities.

The pastoral industry in Central Australia in recent years has had its ups and downs. Prices have fluctuated with the seasons. The Centralian cattlemen, after years of battling, at last have some hope for stable marketing

and development conditions. This government and the federal government deserve recognition for that hope. Alice Springs has had an export abattoir for several years. Tennant Creek, which will also purchase cattle from Central Australia, is about to open their export abattoir. A 24-hour rail service between Alice Springs to Gepps Cross is a major achievement and the credit is due to the federal government and, to a certain extent, to the Territory government. There are 3 markets - Alice, Tennant and Gepps Cross.

Last but not least, there is something that has been sought in Central Australia by pastoralists for many years: cattle yards with auction facilities so that cattle buyers from the south can fly into Central Australia, purchase live cattle and freight them back to the processing plant in the south within 24 hours. All in all, while the climatic conditions in Central Australia are still a worry and will be in the next few months, with the markets, the market prices and the outlets, I think there is some hope for the future.

Ms D'ROZARIO (Sanderson): Mr Speaker, it is a pity indeed that, when one eventually does manage to engage the honourable Minister for Lands and Housing in a discussion about housing for disadvantaged groups, he shows himself to be smug, self-satisfied and typifies the I-am-right-Jack attitude. I do not think that either I or anybody else who has ever taken up the issue of housing for destitute people and people who are in crisis situations has ever managed to get through to the honourable minister. I do not think he has any notion at all of the sort of client that organisations such as the Darwin Women's Centre are dealing with. I point out that it is not just the Darwin Women's Centre which provides emergency housing to families in distress. It is but one organisation which has recently been dealt with unsympathetically by the minister's particular department. That is the reason why I raised the matter of the temporary shelter for women.

I take very great exception to the remarks the honourable minister made in respect of a constituent of mine who came in good faith to see me when she was absolutely desperate as to what she would do next with 3 young children. The honourable minister said that she had her priorities wrong, that she should not have come to see me but should have gone to town. The fact that she was, at that time, temporarily stationed at Wulagi is incidental. Of course, he does not believe that, as members of this Assembly, we should render any assistance to these people. I think this lady showed little confidence in the honourable minister being able to help her otherwise I am sure she would have presented herself on his doorstep. I think that the honourable minister shows himself to be completely heartless, unsympathetic or else completely ignorant of the sort of situations that these families find themselves in.

I do not think he understands that people who go to the Darwin Women's Centre often go in the dead of night carting 2 or 3 children of pre-school age with them. I do not think that any person who is in a comfortable situation would take 2 or 3 distressed children traipsing into town or into Trower Road where the centre has one of its Women's Shelters at 3 am just for the fun of it. The people who do these things are in pretty desperate straits. This apparently passes the honourable minister by.

The honourable minister said that I made some slur on welfare officers in the Housing Commission. I am one of those persons who likes to choose my words with care. When I said that certain officers did this, I meant exactly that. I have been told by no less a person than the Chairman of the Housing Commission that the Housing Commission is not a welfare housing authority. I have been told this to my face in a person-to-peron interview with this gentleman. I have been told that by members of his staff. Indeed, constituents of mine who have asked to be assessed for emergency housing have been told:

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"We are not a welfare housing authority". If I gave the impression that certain welfare officers were unsympathetic to these people, I indeed meant to give exactly that impression.

I have heard from many people not connected with my constituency or with any of my portfolio areas that they too have been dealt with in this manner. Some 12 months ago, I asked the Minister for Lands and Housing a question relating to the welfare housing role of the authority. I asked him whether he considered it to be a welfare housing authority and, if not, why the Housing Commission received funds in the past, as indeed it does at present, for the purpose of providing welfare housing. I well remember the minister's reply: "This question is ridiculous". I wonder why he is so surprised now that I should say to him that not every welfare officer in the Housing Commission deals with these requests for emergency allocations sympathetically. I am not at all ashamed or apologetic in saying that. I am very sorry to have to say to the minister that, in fact, it is so. I think he should look much more closely at the operations of the Housing Commission because he seems to be totally oblivious of matters such as these.

The honourable minister also said that I had suggested to him that he reintroduce rent control. I said no such thing. What I did say was in response to a suggestion that he made that people who were aggrieved by the high level of rents ought to see the Commissioner for Tenancies. I made no reference to rent control at all. What I said was that the honourable minister had so much faith and confidence in the office of the Commissioner for Tenancies that should he or his government introduce the housing allowance voucher, which I suggested might be a means of overcoming at least some of the problems of these people, then that office might be able to oversee this particular scheme and whether or not landlords were unduly raising rents by the level of assistance offered. I made no suggestion at all about rent control and involving the Commissioner for Tenancies in that. The reason I did not is because I have given up all hope for the Tenancy Act altogether. This government's record does not give me much confidence that I should think otherwise.

Whilst I am speaking about the access that the poor have to housing, let me inform the honourable minister that, a few months ago, his government fought vigorously to reintroduce the bond system for rents. That was bad enough and members of this House would certainly remember the fight put up by this side to reverse those particular provisions. That government went further. It made it a provision that a landlord could ask for the equivalent of 4 weeks' rent as a bond and, for the dubious inconvenience of requesting a sum of money as a bond, he could also collect the interest that accrued on that money as a fee for holding that money for the tenant. Is any landlord stupid enough to ask for 1 or 2 weeks' rent when he knows he can collect the interest on 4?

I point out to the honourable minister opposite, because he is smug and apparently never sees any destitute or homeless people, that this measure has further decreased the access to housing that the poor have. I ask him to have a look at those provisions and see how much in real terms this amounts to. Last week, a person of my acquaintance sought to get into a new flat. I was astounded to be told that 4 weeks' rent for the bond and 2 weeks' rent in advance amounted to over $800. I would say that that in itself is a very great barrier to entry when it comes to housing the poor. If you have $800 in your pocket to hand over to the landlord, then I am afraid that you are not the sort of person that I am concerned about. I am concerned about the sort of person who does not have 20c - and I meant that quite literally despite the insults of the honourable minister - to travel into town to collect emergency payments. Whatever the honourable minister might say about the class of my constituents, I represent a Labor electorate and that is the class

of constituent that I am proud to represent. The honourable minister should look at the impact the new bond system is having on the access to housing by the poor. I think his remarks today here were a disgrace.

I rarely turn to the commercial television station, but I have seen recently a wonderful advertisement put out - no doubt because it is an election year - by the federal Minister for Employment. I am sure members opposite have seen this advertisement which exhorts employers to give the young a go. In fact, the song that these people are singing in a disco setting is "Come on, give us a go". It is very common for governments in election years, when they have not been able to produce the goods, to start blaming the victims of their poor management. As far as the honourable minister is concerned, there are the deserving poor and the undeserving poor. I do not agree with that sort of argument. As far as I am concerned, if you are poor, you are entitled to be assisted. You are not entitled to have your lifestyle judged by the likes of the Minister for Lands and Housing or by the people in the Housing Commission. Certain welfare officers have certainly made judgments on whether or not certain people should be given housing because, in their opinion, they have not been able to demonstrate their capacity to be good housekeepers. Does anybody march into the house of the honourable Minister for Lands and Housing and ask him whether he or his wife is a good housekeeper? Why should the poor be subjected to this sort of scrutiny? This is the sort of problem with which I wish the Minister for Lands and Housing would make himself familiar. This is the sort of operation in the Housing Commission and these are the sorts of judgments. If the honourable minister is not aware of this, then I suggest that he take himself off to Palmerston House or out to the office in Casuarina Square and make himself aware of it - that is what he is here for - but let him not cast aspersions on my constituents.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the chair at 10am.

MESSAGES FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have messages Nos. 14 and 15 from the Administrator of the Northern Territory. Message No. 14 reads:

I, John Armstrong England, the Administrator of the Northern Territory of Australia, pursuant to section II of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill to provide for pensions to judges.

Dated this 20th day of February 1980.

J.A. England, Administrator.

Message No. 15:

I, John Armstrong England, the Administrator of the Northern Territory of Australia, pursuant to section II of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill to provide for long leave payments to judges.

Dated this 20th day of February 1980.

J.A. England, Administrator.

PETITION
Proposed Hotel Development

Mrs O'NEIL (Fannie Bay): I present a petition from 171 residents of Fannie Bay and other Darwin areas expressing their concern at the proposed hotel development near a residential area. 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 the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens respectfully showeth that the proposal to rezone lots 1667, 1668 and part of lot 1785 Town of Darwin to B5 tourist development is undesirable in that it would allow the development of hotels near a residential area which could result in increased noise, traffic and other disturbances and a decrease in land values. Your petitioners believe that hotel development would be detrimental to the adjacent residential area and also the peaceful recreational nature of nearby East Point Reserve. Your petitioners, therefore, humbly pray that the land not be rezoned to B5 and your petitioners, as in duty bound, will ever pray.

MINISTERIAL STATEMENT
Private Land Development

Mr PERRON (Lands and Housing) (by leave): Mr Speaker, last October the

government launched a campaign to attract private investors to develop 430 hectares of raw land in Darwin's northern suburbs. Our intention was to encourage greater amounts of private capital into urban land and housing development in the Territory and to bring to an end the dominance of the public dollar in this area.

Response to the Northern Territory government's initiative was encouraging and, from 9 applicant companies, 5 developers have been selected to create 2 new residential suburbs at Leanyer and Karama. Development rights in the form of town land subdivisional leases have been approved to these companies. Initially, the government was optimistic that the first serviced land in Karama and Leanyer would be available for sale by Christmas 1980. I am now able to inform the House that company projections are to have the first serviced lots on the market within 6 months and, by the end of this year, more than 700 lots are expected to be available as well as some company-built houses. Karama and Leanyer are scheduled to be fully completed by mid-1983 and the 5 developers will spend at least $20m in that period on subdivisional costs alone.

The 5 developers are required to design and construct all services, including roads, drainage, underground electricity, lighting, sewerage and water supply. The government will provide headworks, including arterial roads, mains water and power supplies and mains sewerage and drainage outfalls. In a capital works program estimated at $5.4m over the next 3 years. The combined Leanyer-Karama project will provide Darwin with in excess of 2,300 serviced lots over the next 40 months.

Leanyer is located east of Wanguri and north of Wulagi in the corner bounded by Vanderlin Drive and Lee Point Road. Three developers will produce an estimated 1,154 lots in this area including seventeen 2.5 hectare rural blocks, special purpose blocks, a business site and flat sites from 240 hectares of crown land. The 3 developers for Leanyer are Hooker Rex Pty Ltd, a Townsville based property development, building and quarrying group which has interests throughout Queensland and New South Wales, and Sid Hatch Pty Ltd, a Geraldton based company which has extensive development, business and pastoral interests in Western Australia.

Karama will extend east of the recently developed Malak subdivision and will be bounded by McMillans Road and an extended Vanderlin Drive. An estimated 1,212 serviced residential sites and sites for flats, schools and businesses will be produced by 2 developers from 192 hectares of crown land. The Karama developers are: Henry Walker Pty Ltd, a long standing Darwin company operating primarily as a civil engineering contracting company and having interests in prawning and the pastoral industries and Sanderson Development Company Pty Ltd, a new Territory company owned by a Sydney-based group which has a background of development and business interests in southern states and mining interests in the Territory. The government is pleased that 1 established local company is participating in a form of urban development unique to the Territory but common interstate. Additionally, the government is encouraging maximum involvement of local contractors, consultants, builders, suppliers and sub-contractors and will continue to do so through the Department of Lands and Housing which is coordinating these developments.

At this early stage of the Leanyer-Karama project, the developers are already utilising local consulting engineers and planners. Karama and Leanyer were each split into 4 development areas for the purpose of this exercise. Under conditions offered, it was open to developers to require the government to buy back up to half the number of residential lots. Those lots bought back by the government will be used principally by the Housing Commission.

The Karama and Leanyer projects will be landmarks in Territory urban development. The turnoff of serviced land in Darwin will be speeded up by the injection of at least $20m of private capital. Additionally, it is expected that this sum will be well exceeded by amounts the developers will commit on housing construction. Marketing programs are now being formulated by the developers to provide for the construction of display homes, as is the practice elsewhere, thus giving buyers an opportunity to inspect a product before purchase. There will also be a new range of styles introduced into the Darwin housing scene which will be an added advantage to the home buyer.

The government wishes to further extend the involvement of the private sector into Territory land and housing development and, already, preliminary consideration is being given to a repeat of the Leanyer-Karama concept in Alice Springs.

Ms D'ROZARIO (Sanderson)(by leave): I move that the statement made by the honourable Minister for Lands and Housing be noted.

The outline that the minister has given us is very interesting indeed. This government is embarking on a program which is the exact reverse of what other states are doing in terms of trying to make housing available and trying to influence the market by having land available on which houses can be constructed when and if the supply is constrained. The opposition certainly does not object to the notion of private residential developments. There is no doubt that there is a sector of the market which prefers to buy the sort of development which the minister has outlined rather than a house in a government subdivision. There is no doubt either that there are a number of people who fit into the class of the luxury home buyer who is the sort of person who is looking for something non-standard. We certainly do not object to the notion that there should be some development of residential suburbs by private industry. However, I think that it is a most dreadful mistake to place all remaining land which is available for housing in the Darwin area into the hands of private developers. As I said, this is precisely the reverse of the trend that all other state governments are pursuing. In the other states, governments have noticed that fluctuations in housing demand have a very significant effect on other sections of the industry. Many of these governments have seen fit to set up mechanisms, either legislatively or administratively, to purchase broad acres of land usually on the fringes of the urban areas in order to release this land for residential development when the ordinary supply influences of the market are found to be deficient.

The honourable minister will know that, in a few states, there exists land commissions. The major reason for these land commissions is to purchase, by open-market transactions, broad acres in order to be able to undertake housing development when the private sector of the market does not work to bring about this result. What we have here is the entire remaining broad acre land stock available in the Darwin area - and I mean this quite literally - placed in the hand of private developers. As the honourable minister well knows, the Leanyer and Karama districts are the last areas to be developed in Darwin. After those areas are developed and settled, the only other areas that remain to us in the near vicinity of Darwin will be at Darwin East.

Mr Speaker, the honourable minister said that the Territory government has taken this step to end the dominance of the public dollar in housing development. I think that the government has gone a lot further than that. It is moving the public sector input from one of dominance to one of virtual non-existence because, aside from the provision of headworks, the government will have no further input into residential subdivisions in Darwin.

In the 1950s and 1960s, there was a golden age in Australia when housing was becoming more of a reality for the ordinary family. In the 1970s, the trend was reversed somewhat and the purchase of a house was moving out of the grasp of the ordinary family. In order to reverse that trend and to get back to the situation which had hitherto been enjoyed by Australian families, the state governments set up mechanisms where they could amass broad acres in order to influence the market. I stress here that these were all open-market transactions. The land was bought on the open market and the government sought to influence the market by open-market transactions. The element of competition still existed; a consumer could choose to buy into a Jennings subdivision, a Hooker-Rex subdivision or a Housing Commission subdivision. There was no element of compulsion; there was no need to force people to see the merits of Housing Commission developments of Land Commission developments etc. Therefore, I stress, for the benefit of the honourable minister, that these were all open-market transactions. In one case, a government tried to compulsorily acquire land but failed. It was found that the commission had no right to do this and that the only way it could do it was by open-market transaction.

The honourable minister had said that we will have nearly 2,300 lots over the next 40 months. I welcome such an influx of residential allotments into the housing market but there are a number of points that need to be raised in respect of this influx of lots. Perhaps the first and most important one is that, under the conditions of the town land subdivision leases that have been given to the developers, they may require the government to buy back up to half the number of residential lots. What this means is that these developers do not have to make land available to the government but it is open to them to do so. They have the choice of saying to the government that it can have up to half the stock back, but what is more likely in a situation of constrained supply is that the developers will do no such thing. They will be in complete control of the supply side of the market. They are not bound to make land available back to the government. Should that happen, we can see the complete termination of Housing Commission activity in the housing market. That is the most important point. I think the least the government could have done was to guarantee the Housing Commission continued access to residential allotments in Leanyer and Karama.

The second point that needs to be raised is that private developers are not in this business for the sake of their health. They are in the business of producing residential allotments and, in the process, making a profit. I am not against the making of profits; I am quite happy to concede that there is a sector of the housing consumer market which wants this sort of development. If they want it, it is quite correct for the minister to make sure that they have some avenue in which to obtain it. However, we have placed 100% of the housing stock into the hands of private developers who now have complete control over the supply side of the market.

We come to the question of the demand side of the market. How is the demand for residential allotments determined? It is common for governments to engage in the practice of determining the demand side of the market. It is common for governments to have at their disposal the data which permit the model to be designed. It is common for the government to make those data available to private developers when and if they require them. The demand side of the housing market is determined by a number of factors. One sub-set of factors is referred to as that which determines household formation and that in itself is determined by the demographic characteristics of the population, the disposable income of the population and so on. It is clear that

these data are collected by the government agencies. It is not common for private companies to collect such data at all.

The second subsection of the demand side of the market relates to the housing inventory. This relates to the age and condition of dwellings, their number, the rate of re-development, the inventory of vacant land and so on. Again, it is common for governments to keep these data. If the government cannot undertake housing developments because it does not have the data at its disposal, how can we expect private developers to have the data? I mentioned to the honourable minister that it is common for private developers to obtain this from government agencies. When he announced that he was going to embark on this campaign to lure private developers into this particular area of activity, the minister said that they would be able to bring about land turnoff much more quickly than the government. The only circumstance in which this could happen was if the government did not have at its disposal the data which I mentioned earlier which would enable it to calculate the demand for residential allotments. If the government does not have it, it is very unlikely that private developers will have it.

What will happen is that private developers will sit on allotments until the supply situation becomes such that they can profit by making land available at their own price which will bear no relationship to the cost of production. We have seen in other places that governments have sought to minimise this influence by having at their disposal broad acres by which they can influence these market influences. While everybody in this House would agree that there is a sector of the housing market that would prefer to live in a privately developed subdivision, I think it is a great mistake for the government to turn over all remaining land to private developers.

Mr PERRON (Lands and Housing): What we have really is a conflict of philosophies between the 2 sides of the House. We have heard the usual spiel from the socialists. The honourable member for Sanderson claimed that every state in Australia was getting out of private land subdivision and was buying up large tracts of land, subdividing them itself and then turning them off to the public. That simply is not so. The honourable should go down and talk to some of these people and find out exactly what is happening in other states. Those states have undertaken to attempt to influence the price of land in urban areas by buying up broad acres on the edge of development where they know development will proceed in the future because they intend to eventually release that land at reasonable prices for private development. It is true that some state housing commissions undertake a degree of subdivision themselves in their own estates but even South Australia Land Commission is not a great bureaucracy which buys up land subdivides it and sells it. They do buy parcels of land on fringe areas. The South Australian Land Commission, if my memory serves me correctly, has a staff of about 22 people, and it releases land to private developers which is exactly what the Northern Territory government is doing. Fortunately, it does not have to go and buy up fringe land in Darwin. We own the land already and we are releasing it to private developers in much the same way as the past Labor state of South Australia did. The honourable member would propose that we simply forgo this scheme or continue it on a much smaller scale and proceed to pour millions of taxpayers' dollars into uneconomical subdivisions. This is an opportunity for $20m of private money - not out of the taxpayers' pockets - to be injected into the Northern Territory.

The honourable member said that the land developers will now have total control of the situation and that they may miserably turnoff blocks bit by bit to keep prices as high as they possibly can. They will not have to sell them

to the Northern Territory government at all. The offer to buy back 50% of the blocks was made primarily to bring private developers to the Territory. They were assured that they had a ready market. Some developers said that it would not be necessary for the government to give them a guarantee to buy back 50% of the land. Some developers took up the option that the government would purchase land from them at fixed prices. Others have left the option open and the government, like any other purchaser, can buy land from them. The honourable member is trying to give us the impression that they could indeed refuse to sell land to the government. I think they would be in awful trouble if they tried.

Ms D'Rozario: How can you stop them?

Mr PERRON: The government, purchasing land from a developer? How can they stop anybody?

Mr Speaker, the government owns all the crown land in the vicinity of Darwin. It owns 32-square miles just down the track and it can move at any time to release further land for subdivisional purposes. The government still owns the land currently under a rezoning application at Brinken. It has a substantial component of residential development which is yet to be released. There are small parcels of land throughout Darwin which can be subdivided. The government will not get into the business of subdividing land in competition with the private developers unless it is necessary but that option certainly exists and the developers know it.

The honourable member also said that the government has no information whatsoever on future demands or future projections for the Territory and, in the absence of this information, anybody would be crazy to be interested in the place. There are 5 developers who are prepared to spend up to $20m on the information that has been supplied to them. The honourable member is alleged to be a town planner. That very profession includes the forecasting of future projections. We have an armful of them in the Department of Lands and Housing. We have a housing policy unit in the department and in the Housing Commission. Together with Treasury future projection personnel and the Bureau of Census and Statistics, they do a great deal of work on the future projections of the various forms of housing needs in the Northern Territory. If the honourable member lacks faith in the public servants whose very job it is to forward plans, advise government and, in this case, advise private developers, I feel sorry for her, for her lack of information. She proposes to perpetuate a system that has been condemned in the past by almost every former member of this Assembly and the Legislative Council: pouring millions of taxpayers' dollars into land, turning it out at gold-plated standards and losing money on it at almost every sale undertaken.

Mrs LAWRIE (Nightcliff): Mr Speaker, the . . .

Mr Robertson: Make it short!

Mrs LAWRIE: Mr Speaker, a point of order! I object to these insulting interjections from the Leader of Government Business.

Mr Robertson: Do you want me to move that the motion be put?

Mr SPEAKER: The honourable member for Nightcliff.

Mrs LAWRIE: The honourable minister would have us believe that these

development companies are doing it out of the goodness of their hearts, which they are not. They are developing the land for profit to their companies. The honourable minister also said that he thinks all members of the Assembly and previous members of the Council had objections to the way in which land was developed in the past: by government subdivision. He is quite wrong. There are many former members who believe that profiteering in land is indefensible, particularly when one is referring to the supply of land for people who may never wish to own a home but only to rent one or for the person who wants to build his own home in the fullness of time.

The proposals as outlined by the honourable the minister here have to be read in conjunction with a statement he made earlier about all land in the urban areas becoming freehold. He was very careful to point out in that statement, and we will be talking to that in the future, that there were to be no covenants so the people of relative affluence in our society, many of whom are contractors and have access to finance, will be in a position to buy up lots and sit on them for 6,7 or 8 years. That is allowing for pure speculation and eliminates from the market Joe Blow and his wife who want to build their home or have access to an already built home. I think that the honourable member for Sanderson is quite correct in that the 2 schemes working together will disadvantage the majority of people who are not in the upper financial bracket. I share her reservations about this scheme as announced by the honourable the Treasurer who misunderstood the point. There appears to be no compulsion on any of these companies to sell back to the government the land should the government require it. I believe that was the fear voiced. As regards his saying that the government has the lever by instantly releasing land for its own development in Brinkin, the time lag would be such that the point would be lost. I believe he is enabling companies to operate in a manner that may not be in the best interests of the majority.

Mr EVERINGHAM (Chief Minister): I am aware of a condition in at least one of these contracts to subdivide. I point out that there are 5 developers involved and 1 of them will be competing with the others to sell the land to recover their expenditure as quickly as possible without continuing to pay high interest rates on that expenditure. In at least one contract, there is an arrangement between the developer and the government that the government will purchase upward of 50% of the turnoff of blocks from the particular subdivision.

It has been said by the honourable member for Nightcliff that the fact there are no covenants in freehold titles will perhaps encourage speculation in this land. Quite frankly, I do not see how this subdivisional proposal can be caught up in the freehold legislation as yet. Consider a situation where people buy more than one block. Indeed, there are spec builders, as they are called, who buy half a dozen blocks and build houses on them. People today are very rare who can afford to buy blocks of land and sit on them. Spec builders are interested in buying blocks of land, building the houses on them and turning them off as quickly as they possibly can. In my view, the advent of spec builders in more numbers to the Northern Territory scene would be a welcome development because it gives the home buyer a greater range to look at and generally improves the scene around the town by providing houses of other than standard design.

The fact that there may be speculators does not deter me because of that aspect and the additional fact that, if there are people buying blocks of land, it will encourage more subdividers to come into the market and develop more land. That is what this Territory needs. We need more people, more concerns

interested in developing the vast areas of land that we have available here. Quite frankly, none of the arguments raised convinced me that this proposal is lacking in any way for the simple reason that the situation, especially in Darwin, is quite different to that prevailing in any of the capital cities throughout Australia. The government has total dominance of the land scene right here and now. As the Minister for Lands and Housing said, we have at least 32 square miles of land that the government can release on the land market at any time. South Australia and Victoria intervene in the land market. I do not know whether the Premier of Victoria is pleased that he did or not. However, the situation there is that all the land is owned privately and the government has to buy from private people who, as we have seen in 1 or 2 cases in Victoria, can make large speculative profits out of the government buying the land.

Mrs Lawrie: You don't approve of that?

Mr EVERINGHAM: The honourable member for Nightcliff appears to think that she can interject at will and the honourable Manager of Government Business is not to open his mouth. I believe in the taxpayers' dollar being protected. That will be done by this proposal of my honourable colleague because we will have $20m more available for hospitals, roads, clinics, creches and bridges that would otherwise be uselessly tied up for years developing land.

Ms D'ROZARIO (Sanderson): Mr Speaker, I think that the arguments put by this side of the House completely passed the government ministers by. The Minister for Lands and Housing said in his statement and I will quote it for his edification because he is no good without his notes: "Under the conditions offered, it was open to developers to require the government to buy back up to half the number of residential lots". I interpret that to mean that it is up to the developer to decide whether or not to offer these lots back to the government. It is "open" to them but they do not have to. It is a question of whether they need to or whether they want to. I think that the honourable minister does not understand the point that is being made. The point being made is that, in this respect at least, we could see the complete termination of housing development by the Housing Commission if the developers chose not to exercise their rights to require the government to buy the lots back. That is a simple point and I am sorry that the minister does not understand it.

The honourable minister has also said that we would have this $20m spent by private developers and available for other things, and that the government has consistently developed land at great cost and made losses upon it. If the government, undertaking large-scale development and being able to avail itself of economies of scale cannot provide land cheaply, how on earth does he expect companies which are in the business of making profits to provide land any more cheaply than the government has hitherto been able to? I fail to see how he sees profit-making organisations providing land cheaper than the government, having recourse to economies of scale, can do.

Mr Perron: You have a lot to learn.

Ms D"ROZARIO: I think the honourable minister opposite has even more to learn.

The Chief Minister made the point that there were very few companies which can afford to sit on land with a view to making speculative profits at another date. I think that is true of companies that engage solely in sub-divisional development but if we look at the companies which we have been told will obtain these leases, we see that they have interests in other things as well.

They have interests in quarrying, civil engineering, prawning, pastoral industries and mining. It is very easy for a company with diversified interests to sit on land because it is making profits in its other areas of activity. This has happened time and again. I think that the honourable Chief Minister knows quite well the sort of speculation that can go on in residential development with companies that have diversified interests. I would be the first to concede that it is not easy to make speculative profits if one is engaged solely in residential development but this is not the case with the majority of the companies to whom these leases have been given. Despite the minister's protestations about our fears, I think our fears will be proved in time and I am sure that the minister will regret this day when he has given all remaining residential land to private companies.

Motion agreed to; statement noted.

MINISTERIAL STATEMENT
Mining Industry

Mr TUXWORTH (Mines and Energy)(by leave): Mr Speaker, I would like to draw to the honourable members' attention the lively picture presented by the Territory's mining industry as it is today as a result of the resurgence it has experienced since self-government 18 months ago. The picture is one of returning confidence, of renewed interest, of increased activity and of an overall growth that has been quite remarkable.

It will be recalled that, at the time of self-government, the Territory's mining industry was in a very different state. Through the early and the mid-70s, the policies of various federal governments had shaken confidence throughout the industry to the point where one company after another withdrew completely. In their handling of environmental and land rights issues, the Commonwealth policy makers went so far as to put a practical embargo on the issue of new exploration and mining titles anywhere in the Territory and, not until 1976, was the issuing of titles begun again. The Commonwealth's handling of the uranium issue put a further damper on Territory exploration. As a result of all these factors, the overall atmosphere in the industry was one of confusion, uncertainty and great frustration - and this, it should be emphasised, in our main industry.

Because of the emphasis this government places on the importance of mining, it sought from the beginning of self-government to give full encouragement to the industry. We saw the need to clear the air, so to speak, by laying down clear policies that would remove the uncertainties that were plaguing the industry. We saw the need to speed up the processing of mining title applications by freeing the department of the restrictions that the Commonwealth policies had bound on them. We saw the need to provide increased geological information to encourage renewed exploration and development.

As a result, 224 applicants for exploration licences and 297 mineral leases have been approved from 1 July 1978 to 31 December 1979. During this period, $13.6m has been committed by licence holders to exploration in the Territory and, significantly, 29 major new companies have entered the Territory mining field. At the same time, the value of production of all minerals for this period has increased to $395.2m as compared with the previous 18-month period of $314.8m, an increase of $80.4m. During the same period, the labour force employed by the industry has increased by 20% to more than 3,000 people. This significant increase in the economic growth in the industry augurs well for the future development of our natural resources in the Territory.

I would like to briefly touch on a few of the major mining initiatives which are now proceeding or are likely to proceed in the immediate future.

In the coming years, the development of the Alligator Rivers region uranium deposits, known to contain 330,000 tonnes of uranium oxide, will boost the income from mining in the Territory. The importance of this region to the world energy shortage can be seen by the fact that the present known reserves are believed to contain 10% of the world's known high-grade reserves. By the mid-1980s, uranium from the region is expected to contribute in excess of $300m in export earnings per year and it can also be expected that future exploration in the region will define further deposits and add significantly to these export earnings.

As well as the Alligator Rivers region, the Ngalia and the Amadeus Basins in Central Australia have shown indications of uranium mineralisation and are being actively explored by major Australian, German, Italian and United States companies. To date, several millions of dollars have been spent on preliminary exploration.

The bauxite and alumina development on the Gove Peninsula remains one of the most ambitious single projects organised by private industry in Australia and is by far the largest mineral development completed in the Northern Territory. More than $300m was needed for the initial development in the early 1970s and, during 1979, modifications costing in the order of $30m were completed to the existing plant to produce sandy alumina, a coarser product favoured by aluminium smelters. Total production in the 1978-79 financial year for bauxite and alumina products amounted to $124m.

The Broken Bill Propriety Company, through its subsidiary, Gemco, has been mining manganese on Groote Eylandt since 1965. In the mid-1970s, the company spent over $25m in extensions to their plant production and production from 1978-79 amounted to $76m. The development of the manganese deposits is assured for the next 50 years.

With the increased priced for both copper and gold, the future of Tennant Creek mines is brighter than it has ever been. Peko Mines Ltd have proved further oil reserves at the Gecko Mine and these now stand at 4,000,000 tonnes of copper ore averaging 3.4% copper. Production from both Warrego and Gecko mines is being increased and by 1982 should reach 950,000 tonnes with 500,000 tonnes from Warrego and 450,000 tonnes from Gecko. With the signing of a long-term contract to supply blister copper to Japan, Peko is recommissioning the Warrego smelter at a cost of $25m. The smelter is expected to continue to be in full production by 1981. Australian Development is continuing to mine gold at Nobles Nob and the Golden Forty Mine. Although Golden Forty is nearing the end of its life, the company has signed an agreement with Homestake Australia Ltd to explore the Lone Star prospect with a $550,000 drilling program.

Although there is currently no large-scale production of silver, lead and zinc, major deposits are known to exist in the McArthur River, Keep River and Darwin River areas. Mt Isa Mines Ltd is continuing to investigate the McArthur River deposit discovered in the mid-1950s. This deposit is estimated to contain to 227,000 tonnes of extremely fine-grained inter-grown ore assaying 4.1% lead, 9.2% zinc and 41 grams per tonne of silver. Development of the ore body has been hampered by a need for a metallurgical process to concentrate the complex ore efficiently and economically. Detailed investigation of the treatment problem has been in progress for many years and has included a $6m pilot plant at the mine site. The results of this test program

are being evaluated and it is hoped it will lead to a major open cut mine that will produce 10,000 tonnes of ore per day, making it one of the world's largest silver, lead and zinc mines. Establishment costs, which include the diversion of the McArthur River, establishment of a treatment plant, town, deep water port, road or pipeline links and ancillary services are estimated at $800m. The development will have a stimulating effect on the Northern Territory both economically and socially as it will create employment opportunities and add to the population growth. It will be of immense value to the surrounding region and should act as a catalyst for the development of other industries, notably primary industries and tourism.

Geopeko Ltd hold mineral leases over the Darwin River leasing prospect where there are known reserves of 1,000,000 tonnes of high grade ore. At this stage, the reserves are inadequate to support a mining operation. However, Peko are exploring the region in the hope that additional reserves will be found with a view to the establishment of a viable mine.

In the Keep River region, Aquitaine Australia Minerals Pty Ltd hold leases on both sides of the border with Western Australia. The deposits are known to be of good quality and large. However, total reserves have not yet been established. Exploration is continuing, mainly in Western Australia.

A consortium has applied for exploration rights on the border with Western Australia to explore for diamonds. The expenditure for the initial exploration stage is in excess of $300,000 and both companies and the government have high hopes for the potential of the area and other similar locations to be diamond bearing.

The next 5 to 6 years will see a significant increase in the level of oil and gas exploration both offshore and onshore. Exploration expenditure will be in the order of $150m and will include at least 20,000 kilometres of siesmic survey and 30 exploration wells. The Mereenie oil and gas field is expected to be underway by the end of 1980. This field is estimated to contain in excess of 60m barrels of recoverable oil and the developers, the Magellan-Oilmin group, plan to establish a small refinery in Alice Springs to supply the local market. Tests are also underway to see if the oil is suitable for direct use in the powerhouse generators thus assuring both the developers and the Electricity Commission of long-term market supplies of oil. Approximately 50 development wells will be needed to bring production to the planned rate of 4,000 barrels per day.

Production testing of the Palm Valley gas field could also be underway in the near future. A recent study of the Petrel gas field, some 250 kilometres south-west of Darwin, has indicated that the field could contain up to 14 trillion cubic feet of gas. Further drilling is required to establish accurate reserve figures for this offshore field.

Since my government assumed executive responsibility for mining in July 1978, the industry has progressed at a far greater rate than ever before. It is my government's firm policy to further encourage this continued growth and, with this in mind, a bill for a new mining act was introduced into the Assembly last year. Comments from the mining industry have been favourable and the bill is likely to become law later this year.

Aside from the very important issue of updating our mining legislation, another significant feature of my government's policy has been to encourage the extension of the provision of technical assistance being provided through the Department of Mines and Energy, particularly in the geological survey group.

Since self-government, the geological survey has accepted responsibility to provide the industry with basic geological information by undertaking a program of regional geological mapping in conjunction with the Bureau of Mineral Resources. Such maps provide new insight into the correlation between known mineral deposits and highlight zones of potential. A map of the Pine Creek geosyncline has already encouraged many companies to look again at an area that had been prospected for 100 years. In 1980, 3 such regional mapping programs will be in progress in Darwin, Pine Creek and the Illogwa Creek area. The first of these will be a comprehensive appraisal of the Darwin region. This is a major field project and will culminate in the publication of geological and resource maps for the area covered by Darwin, Koolpinya, Noonamah and Bynoe Harbour map sheets.

The rapid advances in electronic technology within the industry have let to new techniques in geophysical exploration, allowing for the detection of previously hidden anomalies. This has made practical the resurveying of many previously discarded areas and, in places like Tennant Creek, it may produce the next generation of ore bodies. The geological survey will play a big part in this activity as it undertakes a project of airborne geophysical basic information as an incentive to exploration. A large range of other assistance to miners is also available through the Department of Mines and Energy, not the least of which is the metallurgical testing facility just being completed in Darwin.

Mr Speaker, the mining industry in the Northern Territory is now approaching boom conditions once again. I firmly believe that this is predominantly due to the initiatives this government has taken since 1 July 1978. We intend to help this forward movement to continue and will seek every means to encourage the development of mining, our largest industry.

I move that the statement be noted.

Motion agreed to.

CRIMES COMPENSATION BILL

(Serial 418)

Bill presented and read a first time.

Mr ISAACS (Opposition Leader): I move that the bill be now read a second time.

The bill before the Assembly repeals the Criminal Injuries Compensation Act 1976. When honourable members read the bill, I hope they will apply their minds in a constructive fashion to the points raised. The bill will be circulated among interested persons and groups in ensuing weeks for comments and discussion.

This bill seeks to come to grips with the problem and restrictions of the current act. At present, no compensation order can be made to a victim until the alleged offender is brought to trial and convicted. This is the narrowest provision in crimes compensation legislation in Australia. Under the current act, the compensation process is cumbersome and inevitably slow. No compensation order can be made until the alleged offender is brought to trial and subsequently convicted which could well be over a year after the alleged offence. Again, under the present act, if the court specified a sum exceeding $100, the victim then may apply to the minister for payment. Further delays

occur because the minister who makes the payment then has a discretion as to whether or not a payment is justified. A further discretion is the extent to which he should take into account what compensation the victim has received or might receive from other legal action.

The bill which I am proposing adopts a tribunal-based system in determining claims as opposed to a court-based system which would avoid the delays that are inherent in a court-based system. The tribunal system has been adopted in the United Kingdom, Victoria and largely adopted in Tasmania. In addition, the Australian Law Reform Commission has stated it is preferable to the court-based system. I am proposing that the tribunal be consituted of one or more magistrates, the president of the tribunal being the chief magistrate. He will be responsible for the administration and coordination of the work of the tribunal.

As in Victoria, the tribunal will be required to hear applications informally and can proceed without strict regard to the legal rules relating to evidence. The tribunal will have power to obtain any information it requires and summonse witnesses. The tribunal, in determining the cause of injury and the compensation to be awarded, is to act on the civil standard of proof and the balance of probabilities.

Normally, applications are to be made within a year of the injury. A major change in our proposed bill, which has already been adopted in South Australia and Victoria, is that an application for compensation can be made independently of any trial or criminal proceedings against the alleged offender. This allows compensation to be provided to victims where the offender is not known or not apprehended and where the victim is reluctant to press charges. To illustrate, in cases of domestic violence,victims, usually women and children, do not press charges and, if they do, the courts frequently do not punish offenders because the application of criminal sanctions is seen as detrimental to the situation and likely to cause further harm. A tribunal-based system, without the necessity of criminal proceedings, will offer a more accessible and less threatening situation for such victims. This is of critical importance especially in the light of growing community and government concern over battered wives and children. I believe that this proposed bill could provide a significant factor in the control of domestic violence. If victims receive compensation, battered women, for example, will be able to have some initial financial independence and thus will be better placed to make a choice to continue in or leave the relationship.

Another major feature of this bill is to follow the Victorian and British precedent by deleting any reference at all to the relationship of victim and offender in the same household as exists in the current act. Unfortunately, vague wording of the provision in the present act creates a general notion that the fact of being related to the offender, or a member of the household, is of itself a reason for refusing or lessening the amount of compensation. The attitude that criminal law has no place in the home is still prevalent. I believe that this is clearly undesirable. It is sufficient that the bill take into account, in general terms, the probability that the victim contributed directly or indirectly to his or her injury or death.

Another major aspect of this bill is to allow compensation payments, if the injury gives rise to a loss of more than $50, to be not at the discretion of the minister but a matter of legal right and the Northern Territory, not the offender, will pay the victim. This is the case in South Australia, Victoria and the United Kingdom. Thus, this bill will make provision for dependence of a deceased victim as well as victims suffering injury where the

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offender does not pay the compensation ordered. In very few cases does the offender pay the order. Such a system will allow immediate payment to the applicant. In addition, in the case of domestic violence situations, it will reduce the likelihood of the offender seeking retaliation. The tribunal will have the right to recover payment from the offender and this will be a debt due to the Northern Territory.

This bill also increases the maximum compensation payment from $4,000 to $10,000. I might add, Mr Speaker, that the current limit of $4,000 is the lowest payment in Australia. Maximum amounts of compensation payable have gradually increased in the states. The current maximum in South Australia, Tasmania and New South Wales is the level which I propose - $10,000. This is still well below amounts that would be awarded for damages for equivalent injuries in civil actions for negligence. The present low level for maximum amounts can be attributed to government concern at the cost of the schemes, the comparative novelty and the general uncertainty as to the role the government should play in the compensation of victims of crime. However, the schemes are now firmly established and it seems probable that the levels will continue to rise with increased community and government acceptance of the scheme. The United Kingdom scheme has no maximum and, just by way of example, in 1976 there was an award made of approximately $110,000 to a woman blinded by a shotgun.

Mr Speaker, I have outlined the general provisions of the bill. I hope that the presentation of the bill today will open up community discussion on the various concepts involved. I look forward to that discussion. I commend the bill to honourable members.

Debate adjourned.

CONSUMER PROTECTION BILL

(Serial 407)

Bill presented and read a first time.

Mrs O'NEIL (Fannie Bay): I move that the bill be now read a second time.

The Consumer Protection Act was passed by this Assembly in 1979 and, at the same time, the old Consumer Protection Council Act of 1969 was repealed. The Consumer Protection Act, in part II, created a Consumer Affairs Council which replaced the former Consumer Protection Council and, in addition, created under part III the position of Commissioner of Consumer Affairs.

The old act provided for the council's annual report to be tabled in the Assembly and honourable members may recall that the council was very prompt in producing those reports annually. The new act empowers the commissioner to provide a report on behalf of the council, as well as on his own activities, and that this report be tabled in the Assembly. This means that the Consumer Affairs Council does not directly present a report which is tabled in the Legislative Assembly. Honourable members will appreciate that the Commissioner for Consumer Affairs is a public servant who is subject to proper direction from his superiors. The council, on the other hand, is a group of citizens with representatives of consumers as well as persons engaged in commerce. Honourable members will also be aware that the report of such a council can be a most contentious and sensitive document. It can identify businesses or products of which the council believes consumers in the Northern Territory have had bad experiences. It was also the old council's practice to criticise

governments and legislators for not acting promptly in areas of legislation which it thought necessary.

The old council, in its final report, commented on the new act as follows:

> *Council is concerned that the report to the minister of the operations of the Consumer Affairs Council will be made not by the chairman but by the Commissioner of Consumer Affairs. Furthermore, there is no requirement that the report be tabled in the Assembly. The council sees this as a gag applied to the new body and strongly recommends that the ordinance be amended to ensure that the chairman's report is tabled in the Legislative Assembly.*

Mr Speaker, they were fairly strong words and, while it may not have been the intention at the time the bill was drafted for that potential gag to apply, that is nevertheless the effect of the act as it stands. This amendment is in accordance with the wishes of the retiring Consumer Protection Council. It will allow the Consumer Affairs Council to report directly to the minister, through the minister to the Assembly, and thus the public which the Assembly serves, without fear of censorship, amendment or simple misinterpretation. The bill will possibly require amendment as a result of the Public Service Bill which the Chief Minister introduced yesterday. However, its intention will remain unaltered and I commend it to honourable members.

Debate adjourned.

CRIMINAL INJURIES (COMPENSATION) BILL

(Serial 411)

Bill presented and read a first time.

Mr OLIVER (Alice Springs): I move that the bill be now read a second time.

The main thrust of this bill is to provide the vehicle for some compensation to those victims of offences where injuries have been caused to the victims and where no persons have been or are likely to be charged with or convicted of those offences. Certainly, in the existing act, the court in convicting a person of an offence which has resulted in an injury to an aggrieved person may, on that conviction, order that a sum be paid to the aggrieved person out of the property or earnings of the person convicted by way of compensation for the injuries. But, Mr Speaker, I can find nothing in our legislation that allows compensation to a victim of an offence where the perpetrator of that offence is neither brought to trial nor convicted.

I fear that, in our present-day society - and here I speak of the Australia-wide society - there are many instances where ordinary innocent persons have been attacked and assaulted by unknown persons and have suffered personal injury causing sometimes not inconsiderable financial loss. It seems to me totally wrong that this situation should continue and totally wrong that our society continues to shirk its responsibilities to the victims of those unprovoked attacks by members of our society.

There is a case in point of which I am well aware. The victim came to me for assistance but there was no way that I could find help for him. This person was attacked in his flat by 3 assailants. He was badly injured and, off and on, spent some 3 months in hospital. He required extensive dental treatment which he had to pay for out of his own pocket and he could ill afford

that expense. Indeed, he is on the verge of being summonsed to pay for it. The offenders were picked up by the police but, to cut a long story short, they were eventually not prosecuted because I understand there was some doubt over identification. The way the act stands at the moment, the victim has no avenue of redress. Nobody in our society is free from the threat of violence or violence itself. It can happen to anyone at any time.

Clause 4 provides the definition of "acquittal". This is a fairly broad definition. Clause 5 adds the power in the court on the acquittal of a person charged with a criminal offence to make a compensation order. The clause also provides that the minister may, if he is satisfied of certain matters, make an order for payment under the act. This is the statutory enactment of the ex gratia scheme which is operating in New South Wales on an administrative basis. However, it is my desire, and I think it is preferable, to see this compensation for criminal injuries enshrined in legislation. Clauses 6 and 7 make consequential changes. Clause 8 provides that payments under the act are to be made ex gratia and not as a right. Clauses 9 and 10 again make consequential changes.

I do not believe that the adoption of this bill will cause the government nor the community any great expense through the payout of large sums of money. As an example, in New South Wales, the amount paid out over a 6-year period was $70,000 or some $12,000 per year. It is indeed a small sum for society to pay for the offences by a minority within that society. I commend the bill.

Debate adjourned.

ELECTORAL BILL

(Serial 419)

Bill presented and read a first time.

Mr ISAACS (Opposition Leader): I move that the bill be now read a second time.

The purpose of this small bill is to ensure that a redistribution can take effect before the coming election. It will be done in order to preserve the principle of one vote one value. During the discussion of the Electoral Bill in this Assembly, the opposition sought a provision so that, where 25% of the electorates were beyond the 20% tolerance, there must be a redistribution. Honourable members will recall that that proposal was defeated. In recent times, the question of a redistribution of electorates has again been raised and the Chief Minister, on a number occasions, although agreeing with the principle that a redistribution ought to be carried out, has indicated that there was not enough time and that there were a number of other problems which precluded a redistribution taking effect.

The 2 principal agruments are these: the Chief Electoral Officer is not available to take part on the Distribution Committee as proposed in section 9 of the act and, secondly, there is not enough time to have the Distribution Committee sit and consider given that Aboriginal enrolment, made compulsory under this act, will not be completed until May. It seems that those are the 2 arguments being put. In terms of the question of the Aboriginal people not being enrolled until May, and implicit in the agrument is that the Distribution Committee cannot commence its sittings until then . . .

Mr EVERINGHAM (Chief Minister): A point of order, Mr Speaker! The

honourable Leader of the Opposition is presenting an argumentative speech and not a second-reading speech which, as I understand it, is to explain to honourable members the principles involved in the bill.

Mr SPEAKER: There is no point of order.

Mr ISAACS: Mr Speaker, under the current act, the Distribution Committee is required by section 13 to invite suggestions in writing relating to the distribution of the Territory into proposed divisions. These are to be lodged with it within 30 days after the date of notice in the Gazette. It is then to invite comments in writing relating to any suggestions lodged with the Distribution Committee under that preceeding paragraph which are to be lodged with it within 14 days after the expriation of the period referred to. Immediately at the expiration of the period referred to in the first instance, the committee shall make available for public inspection, for a period of 14 days at the office of the Chief Electoral Officer, copies of suggestions lodged with the Distribution Committee.

Mr ROBERTSON: A point of order, Mr Speaker! I really must draw the contents of the Leader of the Opposition's speech again to your attention, Sir. The bill before us does nothing more than add the words "or his nominee" after the words "the Chief Electoral Officer". What the Leader of the Opposition is doing now is completely rehashing a debate formerly held in this House on the Electoral Act itself. The arguments he is putting up have absolutely nothing whatsoever to do with this bill. The matter is irrelevant, Sir.

Mrs O'NEIL (Fannie Bay): Mr Speaker I am at a loss to understand the agrument of the honourable the Manager for Government Business. Is he saying that an amendment to an act has nothing to do with that act itself? It clearly has. If it is an amendment to an act, then one has to look at the provisions of that act. That is exactly what the Leader of the Opposition is doing.

Mr SPEAKER: There is no point of order.

Mr ISAACS: Mr Speaker, the purpose of my explanation is as follows. There were 2 reasons given by the Chief Minister, in no lesser journal than the Katherine Advertiser, as to why a redistribution could not be carried out. The first was that the Chief Electoral Officer was unable to be present and the second was a matter to which I am addressing myself now. I am disposing of that second argument. The fact is that during the first 44 days of the Distribution Committee's deliberations the matter or enrolment does not take place and therefore it is quite possible to commence the sittings of the Distribution Committee prior to the conclusion of Aboriginal enrolment. Members only have to do their calculations to see that that takes the committee up to the middle of April, a couple of weeks prior to the completion date to which the Chief Minister refers.

The first proposition of the Chief Minister is that the Chief Electoral Officer is unable to be present to take his place under section 9 of the Electoral Act. This bill will give the Chief Electoral Officer the power to appoint somebody to take his place on the Distribution Committee. In my view and in the view of legal advice given to me, it probably is not even necessary to do that. Because the matter has been raised by the Chief Minister, I have taken this opportunity to amend the act to make it clear that the Chief Electoral Officer can appoint a nominee. I refer honourable members to section 5 of the Electoral Act which gives the Chief Electoral Officer the power of delegation. Section 5(1) reads: "The Chief Electoral Officer may,

either generally or in relation to a matter or class of matters, by an instrument in writing, delegate to a person all or any of his powers under this act, except this power of delegation". Section 9(2) ensures that the Chief Electoral Officer is part of the Distribution Committee.

Because the Chief Minister has raised the possibility that the Chief Electoral Officer himself is unable to take his place on the Distribution Committee, we now give the government the opportunity to concur with this amendment, to take it up as a matter of urgency, so that the argument about the unavailability of the Chief Electoral Officer is met by his being able to appoint somebody else. In fact, this happens elsewhere. The Chief Minister has said on many occasions that he is in favour of a redistribution. He saidthat last Tuesday in the Assembly but the more continually he says it, the less chance there is to have one. I give the government an opportunity today to have a redistribution. I commend the bill to honourable members.

Debate adjourned.

WORKMEN'S COMPENSATION BILL

(Serial 354)

Continued from 11 October 1979.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it is difficult to talk about the intention of this bill because, as the bill is drafted, it is quite in error. The draftsman has failed to take note of act No 42 of 1979 which substantially altered the structure of the second schedule which this bill proposes to amend. The bill proposes to amend paragraph 1(c) of the second schedule to increase the maximum funeral benefits to $810. I would point out to honourable members that act No 42 of 1979 increased that amount to $1,500. The proposed amendments to paragraphs 1A(a), 1A(b), 1A(c), 1A(ca)(i), 1A(ca)(ii), 1A(d) and 1C(a) have no relevance to the act as it now stands following the 1979 amendment. The proposed amendment to paragraph 12 would impose a limit on payments but the act, as amended, provides for no limit on such payments. I see no further purpose in consideration of this bill as drafted and suggest that the honourable sponsor seek its withdrawal. I oppose the bill.

Mr ISAACS (Opposition Leader): Mr Speaker, the Chief Minister has raised an interesting point and obviously one that will have to be researched. However, it was interesting that he did not come to grips with the very point that was made by the member for Arnhem. The point was that benefits relating to recipients of workmen's compensation benefits have not been increased since 1976. The purpose of the bill was to increase the benefit for those people by the amount of increase in the consumer price index over that time, approximately 36%. It is interesting that the Chief Minister did not address himself to that fact at all. I believe the amendments that he referred to came about probably as a result of the Territory Insurance Office being brought into being.

Since 1976, benefits to injured workmen have not been increased. As the payments have fallen behind, the remarks made by the member for Arnhem bear repeating. Currently, an injured workman, after 6 months off work, finds himself in the position, if he has a dependent spouse and 2 dependent children, of receiving the princely sum of $121 a week. If that is a fair go, then something remarkable has happend to the English language. It was fair go in 1976; it is certainly not fair go now. Even though the Chief Minister has latched onto this technical argument in such a smart fashion, he did not take into account the very serious problems which the member for Arnhem has raised and sought to solve.

Another point which the member for Arnhem made and which again the Chief Minister did not address himself to is that injured workers find themselves in a position whereby the government establishes the rates by legislation and it takes a further legislative act to ensure that those payments keep pace with inflaction. Here we have parliament which, for 3 years, has not addressed itself to the question of payments to injured workmen. The comment made by the member for Arnhem, and I would be delighted to hear what other members opposite have to say about it, was that it ought to be incumbent on government to have a system whereby regulation of the payments made to injured workers can be indexed in exactly the same way as pensions in the federal parliament are indexed; that is, by regulation every 6 months. That is a fair way of doing it and ensures that the level of payments does not fall as a result of inflation. Those are the 2 key issues which the member for Arnhem addressed himself to. It was interesting that the only comments which the Chief Minister could make relate to some technical aspect of the bill.

Mr PERRON (Treasurer): One would expect a person with the background of the Leader of the Opposition to have done his homework a little bit more on this particular bill. Supposedly, he is a man with some significant background in this regard. He just mentioned to us that these figures have not been updated since 1976. Well the information I have in front of me is that the act was amended in this regard in 1977.

Notwithstanding the matters raised by the Chief Minister, the proponent of the bill proposed to catch up with inflation. At least 1 figure in the schedule increases the amount by 100% above the inflation rate.

I oppose the bill.

Mr COLLINS (Arnhem): A matter which has raised comment on a number of occasions by the electorate is the lawyer's approach which this particular government takes to the running of its business. They have demonstrated that on a number of occasions. This morning's effort demonstrates even more clearly that this is certainly the case. The Chief Minister, being the minister primarily responsible for industrial relations, did not at any stage during his speech on the bill address himself to the very great wrong that this bill seeks to redress. He delivered an excellent, 10-minute,draftsman's speech without touching once on the problems that this bill seeks to relieve. The Treasurer then commented on some anomalies that he found in the figures provided for in the bill. I would simply point out to the Treasurer and to the Chief Minister that the purpose of this bill is simply to provide injured workmen with a realistic sum of money in order to support themselves and their families which is obviously a subject that the Chief Minister does not even consider worthy of any comment whatsoever.

I too take on board the drafting criticisms which the minister has made of the bill. Until I have an opportunity to look at it more closely, I cannot comment on those but I am prepared to accept that, because of those problems with the bill, the bill in its present drafting form is not acceptable to the Chief Minister. However, I do not believe that the Chief Minister has done the industrial relations of his government any good whatsoever by the way in which he has treated this very serious problem this morning. The fact is that the compensation payments provided for injured workmen are totally and utterly inadequate for the cost of living that people are currently facing in the Northern Territory today. This bill sought to come to terms with that problem, something which the government has failed to do. Neither the Chief Minister nor the Treasurer, the only 2 government speakers on the bill, addressed themselves to that problem.

Having made those comments, I do accept that there could be some drafting problems with the bill. On those grounds, I seek leave to withdraw the bill.

Leave granted; bill withdrawn.

SUPREME COURT (JUDGES PENSIONS) BILL

(Serial 383)

Bill presented and read a first time.

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

This bill makes provision for payment of pensions to judges or their widows and children upon the retirement or death of a judge. The present judges are entitled to pensions under the Judges Pension Act of the Commonwealth. That is because they are judges of the Federal Court as well as the Supreme Court. Any judge who receives a pension from another source, in respect of his service as a judge in the Territory, will have his pension under this bill reduced accordingly. It would obviously be undesirable to have different judges on the same bench serving under different terms and conditions. This bill therefore closely follows the terms of the Commonwealth act.

A judge who has attained the age of 60 years and has completed 10 years of service is entitled to a pension of 60% of the current salary of a judge. A judge who retires early due to permanent disability or infirmity is entitled to a similar pension. Where a judge dies in office, provision is made for payment of a pension to his widow of five-eighths of the pension the judge would have received had he not died. Where a retired judge dies, his widow will receive five-eighths of the pension that the retired judge was getting but only if the marriage occurred before the judge retired or, if it occurred after his retirement, only if the judge has not attained 60 years of age or the marriage occurred more than 5 years before the judge died.

Finally, this bill makes provision for pensions to be paid to dependent children on the death of a judge or his widow. I commend the bill to honourable members.

Debate adjourned.

LOTTERY AND GAMING BILL

(Serial 409)

Bill present and read a first time.

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

Last week, on the introduction of the Appropriation Bill No 2, I foreshadowed that legislation would be introduced in respect of reductions in turnover tax payable by bookmakers and an increase in the formula under which Territory racing clubs gain finance from government collected revenues. This bill proposes that the existing act be amended to increase the proportion of bookmakers' fees and taxes disbursed to Territory racing clubs from the existing 40% to 55%. The government's share will decline from the existing 60% to 45%.

This bill also provides for the abolition of the sliding scale of turnover tax for shop bookmakers in Darwin and Alice Springs and its replacement by a flat rate of 2%. Turnover tax for country and on-course bookmakers will remain at 1.55%.

There are 2 other measures contained in this bill. It proposes that the Racing and Gaming Commission will become the controlling body for greyhound racing in the Territory allowing the commission to provide rules and regulations under which this sport should be conducted. It further proposes that racing clubs retain the full 12.5% of commission from oncourse totalizator investments. It is intended that the greyhound racing control measures will come into effect on the passage of this bill and after the Racing and Gaming Commission has framed and duly gazetted rules and regulations. The 3 other amendments are proposed to come into effect on 1 July 1980.

By way of background, greyhound racing in the Territory has never been officially recognised by state and national organisations because of the absence of a government controlling authority established by statute. This bill rectifies that position and will put the Territory in a position of seeking the upgrading of its interim affiliate status with the Australia and New Zealand Greyhound Association. More importantly, it will provide for the introduction of controls on Territory greyhound racing similar to those which exist in the states. I am sure all Territorians who participate in the greyhound racing industry will see that this is a positive step forward.

The proposals in this bill follow consideration by the government of the racing industry report prepared by the Racing and Gaming Commission and received early in December. The financial measures will provide additional assistance to a sport which has not been without its difficulties. The government has moved to aid the industry to overcome these difficulties and I instance recent decisions to provide a loan of $80,000 to each of the Darwin Turf Club and the Central Australian Racing Club as well as the decision taken last year to cut betting-ticket tax paid by bookmakers from 10 cents to 2 cents and to abolish the $80 opening fee then imposed on shop bookmakers each local race day.

Funds paid to clubs last financial year amounted to $249,300 and the initial estimate for this year of $290,000 has now been reassessed at $275,000 on current projections. That decline relates directly to the fall-off in reported bookmakers turnover. The decision to raise the share which flows to the industry assistance fund from 40% to 55% will mean that, in 1980-81, an estimated $356,000 will be available to the clubs. That will be a 29.4% increase or $81,000 more than is estimated to be available this financial year.

The disbursement of these funds to clubs is a matter for the Racing and Gaming Commission to determine. The proposal to allow clubs to retain the full 12.5% commission from on-course totalizator investments will not have an immediate effect on clubs. It simply removes the government's existing legislated share of 2.5% from these operations and will thus provide additional encouragement to clubs to consider regular use of on-course totalizators.

As I mentioned earlier, the flat tax of 1.55% on turnover payable by country and on-course bookmakers will remain. This bill proposes to eliminate the year-old sliding scale of turnover tax applicable to licensed off-course bookmakers in Darwin and Alice Springs. The sliding scale, which will continue until the end of this financial year, was structured as an incentive to bookmakers to increase their holds. It ranges from a high of 2.25% on turnover up to $15,000 reducing to 1.5% for amounts over $25,000. As I stated earlier,

reported bookmakers turnover has not increased to the level projected and therefore the sliding scale has not had the effect for which it was designed.

The 2% flat rate provided for in this bill, I am informed, will mean that turnover tax collections will be less than the average rate currently paid under the sliding scale. An accurate estimate of savings to individual bookmakers with this amendment is difficult to assess as tax is derived on a weekly basis and is therefore subject to fluctutations. However, had the 2% rate been applied this financial year, an estimated savings to the 21 licensed bookmakers in Darwin and Alice Springs would have been in the order of $27,300 or approximately 7%.

It is interesting to recall that, last March, when I introduced legislation to cut betting-ticket tax by 80% to abolish opening fees and introduce the new system of turnover tax, it was then estimated that these changes would provide a nett financial gain to bookmakers of some $47,500. In the course of the year, despite higher wages paid in the community and the expansion of our workforce and population, the apparent support for race clubs and bookmakers has not dramatically improved. Given that situation, these proposals will give a concession to licensed bookmakers. Coupled with this is a decision to provide for more funds to flow to the Industries Assistance Fund partly as compensation for revenue which will be forgone by the removal of the sliding scale of turnover tax.

These proposals represent the partial implementation of undertakings I gave last week when I foreshadowed a series of government intentions in the tax concessional area, including continuation of relief in the payroll tax field. The report prepared by the Racing and Gaming Commission contains other recommendations to which the government will be giving further considerations in due course in regard to improving facilities on major race courses. There is, however, regular speculation about whether or not the TAB will be introduced to the Territory. Naturally, comments and rumours have an unsettling effect on any industry and I can now advise that the government has settled a firm policy on this issue. This government will not legislate to introduce TAB for at least 2 years and thereafter only after a full and open inquiry into that question alone. I commend the bill to honourable members.

Debate adjourned.

TEACHING SERVICE BILL

(Serial 412)

Bill presented and read a first time.

Mr ROBERTSON (Education): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, before I go into details of the legislation now before the Assembly, I believe it would be useful to give some of the history and background that has led to this bill. As honourable members are aware, since 1972, teachers in the Northern Territory have been employed by the Commonwealth Teaching Service and, after July last year, by the Northern Territory Department of Education. Honourable members would also be aware that between that period and the period of transfer of the function of education those teachers were deployed by the Northern Territory Division of the Commonwealth Department of Education.

It was an early decision of this government, if it was to be held responsible for the delivery of education, that it must have full control of that service. Our Education Act states in the preamble that the government should "make provision for the availability of education to all people in the Northern Territory and, in particular, to provide for the access of all children to education programs appropriate to their individual needs and abilities".

The people who have had most direct contact with our children are teachers and it therefore follows that they should ultimately be responsible to the Northern Territory government and, through it, this parliament. Owing to the good relationship existing between the Commonwealth education authorities and our own department, there have not been any major difficulties to date in continuing to administer our education service through teachers employed by a Commonwealth agency. However, I believe members would agree that, if NT education is to come of age in the real sense, then we must establish our own Territory employing agency for the teaching profession. The continued lack of a Northern Territory teaching service will mean, in effect, power of direction over policy without a proper close relationship with the people who implement that policy in the classroom.

The government decided therefore some considerable time before the handover of education that our own teaching service was not only desirable but essential. The next task was to convince teachers through their own federation of the advantages of such a service. At our earliest discussions with the federation, it soon became apparent that this would be an achievable aim after assurances concerning conditions of service were given. Broadly, these amounted to guarantees of protection of such rights, benefits, entitlements and conditions of service currently applying to the Commonwealth Teaching Service in any transfer to a future Northern Territory teaching service. Assurances were given and the final act will be phrased in such a way as to continue those conditions in their own Teaching Service Act. The procedure to be followed is similar to that for the transfer of the Commonwealth Public Service to the Northern Territory Public Service. It has always been accepted by the government that teachers should remain outside of the Northern Territory Public Service upon the establishment of a Northern Territory teaching service.

The next question was the type of teaching service that should be established and the models available in other states for study. A cursory look at the situation in other states revealed broad differences between the services and their structure. For instance, the CTS has an independent commissioner while the SA model vests the role of commissioner in a departmental head of education.

After lengthy discussions with the federation, it was decided that a working party to advise the minister be established to advise him on the structure of the Northern Territory teaching service. This working party should comprise 3 representatives of the Northern Territory and 3 members nominated by the minister. Quite deliberately, the terms of reference to the working party were broad. They were: "To advise the Minister for Education on the structure, administration and philosophy of the Northern Territory Teaching Service which will ensure the delivery of the highest possible standard of education to all children of the Northern Territory, having regard to the circumstances of the Territory in general and in particular the needs of the communities and, in doing so, the working party to report to the minister on additional matters such as peer assessment and the preservation of rights, benefits, entitlements and conditions of service".

Mr Speaker, peer assessment is an extremely important principle contained within the CPS among teachers. Although it is not possible at this stage to spell this out in the bill, the government recognises its importance to teachers and is committed to the principle. In cooperation with teachers, a more workable methodology will be arrived at in time.

The working party first met on 9 May 1979. In a letter to the chairman, I drew the group's attention to South Australia as a model for a teaching service. I mention this only because it highlights a crucial consideration which has been of continuing concern to all of those involved in the drawing up of this legislation: the role and independence of the commissioner and that person's relationship with the permanent head. It is now a matter of public record that the working party opted to reject the South Australian model for our own teaching service and instead recommended a system similar to the existing Commonwealth Teaching Service.

It is public record because, upon receiving the working party's recommendations, Cabinet decided to seek the view of the community on the proposals. There was some criticism of that decision. I use this opportunity to state both my personal and government's determination to involve the community in all education matters. An issue of such fundamental importance to the whole structure of education in the Northern Territory should have been, and was, canvassed in the community. Copies of the report were sent to school councils, to teachers of individual schools and to others concerned with or interested in education. Advertisements were subsequently placed inviting submissions from the general public. In broad terms, the principles of the working party's report were supported, while many suggestions, not directly affecting this legislation, are under review. They cover such widely diverging subjects as sex discrimination in education and the membership of teaching assistants within the service and a wide range of recommendations on conditions of service.

Members will recall that it was first envisaged that our own Northern Territory Teaching Service should be established on 1 January 1980. This was necessarily delayed by the exercise I have just detailed plus the necessity of lengthy drafting and redrafting of the bill in such a way as to ensure that the principles set down in the working party's report were incorporated in the legislation.

Over the last few weeks, there has been extremely close government and Teachers's Federation liaison in drawing up this bill. We have had our disagreements but I believe the federation would not deny that close consultation has taken place, particularly in the last few weeks, and this consultation is reflected strongly in the features exhibited by this bill. Much of this discussion has been centred on the need to ensure administrative efficiency while translating into legislation the philosophy contained in the working party's report. The government has shown it accepts that philosophy and has attempted throughout the preparation of this legislation to translate the working party's recommendations into a sound and workable legal framework.

The bill seeks to ensure that the commissioner is responsible for the employment of teachers and he is given appropriate powers to carry out that task. The secretary has a clear responsibility under the Education Act to provide an education service. Each is reliant upon the other in the bill to carry out the duties with which he is charged. I should remind members that there will be a need for cooperation and continued discussion with the Commonwealth leading to necessary federal legislation in order to facilitate the smooth transfer of all teachers from the Commonwealth Teaching Service to the Northern Territory Teaching Service.

Mr Speaker, I will now turn to the more salient points of the legislation before honourable members. The first clause of significance relates, as usual, to definitions. I would draw the attention of honourable members to 4 definitions in particular which have a significant impact on the legislation. These are definitions of "employee" and "officer" and the definitions of "promotion" and "transfer". The reasons for the importance of these definitions will become apparent later on.

Clause 4 deals with the appointment of a commissioner and his terms of employment. Provisions are similar in tenure to those which currently exist in respect of the Commonwealth Teaching Service Act and its commissioner and are generally standard with procedures followed in such matters.

Clause 9 provides a broad statement of functions for the commissioner following on to his powers generally and his power of delegation. As honourable members will appreciate, it will be necessary for the commissioner to have support staff to assist him in his operations and in the administration of his office. It is therefore necessary for the commissioner to be deemed to be a prescribed authority for the purpose of the Public Service Act.

Clause 14 of Division 2 relates to the appointment of officers of the teaching service and provides for the commissioner to determine qualifications and eligibility for employment of such officers and a procedure by which such members will be employed. As will be seen further in the bill, the actual procedures are identical with those of the public service officers within the Northern Territory Public Service.

Clause 15 provides that the secretary, being the person responsible for the delivery of education throughout the Northern Territory and being the person who has power of direction in respect of teachers' day-to-day activities, is subject to appeal from capricious and unreasonable instructions, such appeals being detailed at a later stage of the bill.

Clause 17 relates to the methodology of calling for applications in the service while clause 18 details the requirement that all appointments be for a probationary period not exceeding 1 year unless the commissioner otherwise determines that the probationary period will continue for a further period not exceeding 1 year.

Clause 19 empowers the commissioner to engage temporary employees to perform educational duties. Clearly, no teaching service could function efficiently without such a provision.

As I have already mentioned, Mr Speaker, the bill contains a provision for appeals to the commissioner against instructions of the secretary or his delegates and this provision is found in clause 20. There is nothing unusual in this provision and an equivalent can be found in section 65 of the Public Service Act of the Northern Territory. It is hoped that such a provision will not be used for the purpose of distruptive tactics and, indeed, I am confident that teachers'sense of ethics and professionalism will not allow this to happen. Certainly, such a provision has not been a problem in the operation of the Northern Territory Public Service.

Division 3 outlines the provision for the creation and abolition of positions within the service by the commissioner and also deals with any classification and makes provision for consultation by the commissioner with the secretary before making recommendations as to classification and reclass-

ification of positions to His Honour the Administrator.

We now come to clause 25 which relates to the filling of vacant positions. Subclauses (1), (2) and (3) allow the secretary the minimum flexibility necessary to efficiently conduct his schools and educational programs with which the government charges him. Subclauses (4) and (5) detail the procedure for actual promotion of an officer to a position as distinct from the secretary's quite proper power of transfer of officers horizontally. It is to be made quite clear, having regard to the definitions of "promotion" and "transfer" which I have already drawn to the attention of honourable members, that the secretary's power of transfer is confined to his ability to transfer only officers who hold an equivalent substantive position elsewhere in the service and to make temporary transfers to promotion positions pending the commissioner dealing with the question of permanent promotion of officers in the normal way of application and hearing by him. I would point out that there are some omissions in the drafting of subclauses (1), (2) and (3) of clause 25. I have spoken to the draftsman regarding these subclauses and he has indicated to me that it is normal procedure to provide for a limited period of time in which any promotion position may be temporarily filled without there being a right of appeal. It is normal procedure that, when the period of temporary appointment is likely to be exceeded, an appeal against temporary promotion should lie. It is normal procedure for there to be a limit to the period for which a person can be appointed to an acting promotion position and, when that period is likely to be exceeded, normal promotional procedures should follow as a matter of course. As to these 2 points, I propose, subject to consultation with my department and further negotiations with the federation, to legislate for a maximum non-appealable promotion period of 6 weeks and for a maximum acting promotional period of 6 months. The legislation will provide for appeals against the temporary appointment likely to be of more than 6 weeks' duration and for the matter to be referred automatically to the commissioner for his consideration under subclause (4) of this clause in the event of the period of 6 months being likely to be exceeded. Clearly, the commissioner would need the power to extend this period beyond 6 months without calling for formal applications for a promotion to cover such events such as a principal going on study leave for 12 months.

Clause 27 provides for the promotion of officers to be provisional until such time as any appeals are dealt with under clause 28. I would make mention that, where the word "secretary" appears in clause 28 (2), the word "commissioner" should be sutstituted.

Division 4 provides for the discipline of officers including suspension by the secretary in clause 29 and provision for appeal against such suspension to the commissioner under clause 30. It will be seen that, while the government is insisting upon mechanisms to allow the efficient operation of this teaching service, it recognises the need, as expressed by the Teachers' Federation, for proper checks and balances to be included for the protection of those who have to work under these legislative provisions.

Clause 31 provides for retirement etc and the grounds while clause 32 provides for disciplinary action for misconduct. It will be noticed that clause 33 defines very precisely the meaning of the word "misconduct" and these provisions are very similar to those which are to be found in any legislation dealing with servants of the public anywhere in Australia, including the Northern Territory's own Public Service Act.

A further securing of the rights of officers is to be found in the provision flowing on from clause 34 which entitles disciplined officers the

right of appeal to the appeals board set up under part IV. Clauses 35 and 36 of division 5 deal with tenure of officers and the disposition of excess officers. As I have already mentioned, part IV establishes the appeals board which will have the legislative power to hear and determine appeals both on matters arising of a disciplinary nature or appeals from promotions.

While the working party report recommended 2 separate appeals boards to deal with these questions, the government sees it is more administratively efficient to have a single disciplinary appeals board encompassing a range of panels as envisaged in the working party's report. Clause 43 allows the board to make its own procedural rules and provides for general powers of the board in subsequent sections. Part V allows the establishment of a teacher advisory council and clauses 49, 50 and 51 deal in detail with the composition and method of operating that council.

Part VI makes the general miscellaneous provisions normally found in legislation. Honourable members will recall that, yesterday, the Chief Minister introduced a bill to standardise reporting procedures. As such, clause 53 will most likely now be redundant.

The area which the bill does not touch upon are specific clauses relating to the guarantee and protection of all rights, entitlements and privileges of officers of the Commonwealth Teaching Service who will transfer to the Northern Territory Teaching Service. It has not been intended to include these provisions in the bill at this stage, Mr Speaker, because of the very complex nature of the history of the Commonwealth Teaching Service. The government is anxious to ensure that, when the legislation finally passes through this House, no officer of the new Northern Territory Teaching Service may possibly be disadvantaged in any way. To this end, we are now in the process of negotiation with the Commonwealth as to the form of reciprocal legislation by the Commonwealth and this Assembly. Such legislation will not only require parallel legislative protection in respect of the Commonwealth Teaching Service Act and the Northern Territory Teaching Service Bill but will also require amendment to the regulations under the Commonwealth Superannuation Act to ensure the continuing rights of teachers in that area. The secretary of my department and myself will be travelling to Canberra on Tuesday of next week for this purpose.

Provisions relating to the guarantee of all rights, entitlements, privileges and conditions of service of the Commonwealth Teaching Service personnel will be discussed with the Northern Territory Teachers' Federation before they are brought into this House at its next sittings and introduced by way of amendment in the committee stage. The procedure I have just outlined in relation to these matters has already been discussed with the federation and they fully understand the position in relation to why there are no provisions expressly for the protection of rights.

Mr Speaker, as we consider this legislation - at the risk of sounding a little sanctimonious - we should remember that the real issue is the provision of the highest possible standards of education for the children in the Northern Territory. A teaching service is only a vehicle, within which teachers can travel in reasonable comfort, for the conveyance of that service.

I commend the bill to honourable members.

Debate adjourned.

SUPREME COURT (JUDGES LONG SERVICE LEAVE PAYMENTS) BILL

(Serial 384)

Bill presented and read a first time.

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

This bill makes provision for payments in lieu of long leave not taken upon the death in office or the retirement of a judge of the Supreme Court. The government believes that payments to judges such as those dealt with in the bill should not depend upon the exercise of discretion but on legislation.

As with pensions, the present judges of the Supreme Court are entitled to long leave payments under Commonwealth legislation - the Judges (Long Leave) Payments Act. That is because they are judges of the Federal Court as well as of the Supreme Court. Any judge who receives long leave payments from another source is excluded from receiving benefits under this bill. It will not, therefore, apply to the present judges; it is designed to make provision for future appointees to the bench.

Mr Speaker, as with judges pensions, it would obviously be undesirable to have different judges on the same bench serving under different terms and conditions of this type. This bill, therefore, also closely follows the terms of the Commonwealth act. The bill provides for the payment, on the retirement of a judge who has completed not less than 10 years service or on the death of a judge irrespective of whether he has completed 10 years, of an amount calculated at the rate of 5.2 weeks for each completed year of service or an amount equivalent to 1 year's salary whichever is the lesser.

If, after 10 years, a judge retires or dies in office without having taken any long leave, he, his widow or dependants, as the case may be, are paid a sum equal to the amount of 1 year's salary as at the date of his retirement or death. If, however, he has taken some long leave on retirement or death, an amount is payable calculated on the basis of 5.2 weeks for each year of service less the period of long leave actually taken. The maximum payable is the equivalent of his annual salary at the date of retirement or death. If, on the other hand, the judge should die in office before he completes 10 years' service the amount payable is calculated on the basis of 5.2 weeks for each year of his service. When a judge retires, the payment is made to him. If, however, a judge dies in office, payment is made to the spouse or, if there is none, to his dependants or, in any other case, to the legal personal representative.

Mr Speaker, the bill also provides that, where a payment is made to dependants of the deceased judge, the amount payable is distributed between or among those dependants as directed by the Attorney-General. This enables account to be taken of the particular circumstances.

Finally, Mr Speaker, the bill provides that, where a person who would otherwise be the recipient of a payment is under a legal disability, the Attorney-General may pay an amount payable under the bill to a trustee. I commend the bill to honourable members.

Debate adjourned.

EDUCATION BILL

(Serial 413)

Bill presented and read a first time.

Mr ROBERTSON (Education): Mr Speaker, I move that the bill be now read a second time.

This is a straightforward piece of legislation which merely marries certain provisions of the Teaching Service Bill to the Education Act. It will come into force at the same time as the Teaching Service Act.

Clause 4 has the effect of making the Secretary of the Department of Education subject to ministerial direction in the performance of his duties under both the Education Act and the Teaching Service Act.

Clause 5 has the effect of allowing the secretary to delegate to officers of the Northern Territory Teaching Service in addition to his present authority to delegate to members of the Northern Territory Public Service and Commonwealth Teaching Service.

Mr Speaker, these minor amendments to the principal act are self-explanatory in view of the recently introduced Teaching Service Bill.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Manager of Government Business) (by leave): I move that so much of Standing Orders be suspended as would prevent that passage through all stages at this sittings of the following bills: Interpretation Bill (Serial 399), Power of Attorney Bill (Serial 395), Appropriation Bill (Serial 402) and Electoral Bill (Serial 397).

Mr ISAACS (Opposition Leader): I would oppose the motion in relation to the Electoral Bill only. I do not wish to canvas the amendments at all but the bill is an important one. The next sittings of the Assembly will be in April this year. There really seems to be no reason whatever why those amendments which are of an administrative nature according to the Chief Minister - and I have read them through and that is true; they only relate to polling day itself - should be passed now. I believe that the urgent passage of the Electoral Bill at this stage will unnecessarily create in the minds of our journalists, who are eager to snatch onto anything which even smells of early election, further speculation about the election as they did last Thursday.

This bill has only been in front of us for about a week and it concerns a very important matter, an electoral matter. It would be perfectly proper and appropriate for us to debate it in April. There can be no trouble whatever in our doing that. Maybe the Chief Minister might speak about this. He did say in his second-reading speech that he wanted to have it attended to promptly but the Electoral Act can come into force immediately without these particular amendments being attached to it. I do not understand the somewhat indecent haste for this particular matter.

In regard to the other bills, there is no question whatever about their requirement to pass through the parliament. Certainly, we support the suspension of Standing Orders for those bills. So far as the Electoral Bill is

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concerned, there seems no reason whatever why it should be passed after only a week's scrutiny.

Mr EVERINGHAM: Mr Speaker, I have mentioned privately to the Leader of the Opposition that these machinery amendments are required by the Australian Electoral Office. Apparently, the Australian Electoral Office prefers to work on the basis that the amendments will be passed, not that they may be passed, so that it can proceed with its planning with some certainty. Whilst there may be electoral speculation, which may not only arise in the minds of our journalistic friends but is perhaps fed from time to time by the honourable Leader of the Opposition and perhaps other honourable members opposite, it is important that the . . .

Mr Isaacs: What about your own ministers?

Mr EVERINGHAM: . . .Electoral Bill should be properly cured and these amendments passed and brought into operation so that it is effective legislation. Since the honourable Leader of the Opposition concedes the matters are machinery matters only, the government will be proceeding with its motion for the suspension of Standing Orders.

Motion agreed to.

PAWNBROKERS BILL

(Serial 381)

Continued from 13 February 1980.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr EVERINGHAM: I move amendment 166.1.

This amendment will provide that the 1888 act continues to apply to articles pawned before the commencement of this act. Licences issued under the 1888 act are also saved until they are renewed under this act.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clause 7:

Mr EVERINGHAM: I move amendment 166.2.

This amendment makes it clear that a person can apply for renewal of a licence before that licence has expired.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Ms ISAACS: Clause 8 relates to the matter of the clerk notifying the Police Commissioner or a member of the police force in charge of the nearest police station. Can the Chief Minister inform the committee whether or not the commissioner will be seeking information from the Commissioner for Consumer Affairs.

Mr EVERINGHAM: I will undertake to the committee to give a direction in writing to the commissioner in those terms.

Clause 8 agreed to.

Clause 9:

Mr EVERINGHAM: I move amendment 166.3.

The use of the words "another licence" in paragraph 1(a)(i) and 1(b)(iii) may not have covered renewals of licences. The amendment makes it clear that fraudulently obtaining a licence and fraudulently renewing a licence are gounds for objection by the police. The clause, as amended, provides that the police may object on certain specified grounds to the issue or renewal of a licence.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10:

Mr EVERINGHAM: I move amendments 166.4. and 166.5.

These amendments make it clear that the commissioner may make an objection under clause 9 even if an officer in charge of a police station and not the commissioner was served with notice of the application under clause 8.

Amendments agreed to.

Mr EVERINGHAM: I move amendment 166.6.

This amendment removes any doubt about whether the clerk's power to issue a licence also includes a power to renew a licence. The amendment makes it clear that the clerk does have power to issue renewals of a licence. This clause, as amended, sets out the procedure for the issue or renewal of a licence or, where the police object, setting the application down for hearing.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11 agreed to.

Clause 12:

Mr EVERINGHAM: I move amendment 166.7.

This amendment makes clear that the address of the premises must be

specified on the licence and also provides that any conditions imposed are endorsed on the licence. The clause, as amended, provides for the form of the licence.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13:

Mr EVERINGHAM: I move amendment 166.8.

This amendment makes clause 13(2) subject to all of division 2 except clause 13 (2)(a). Subclause (2) intends that a licence continue in full until an application for renewal has been determined. The continuation of the licence should, however, be subject to its being cancelled under any of the other clauses under which a licence can normally be cancelled. The references to subclause (1)(b) and clause 17 are not wide enough to do this. The amendment will ensure that no licence continues in force where it has been cancelled under any clause in division 2.

Mr ISAACS: I support the proposition put by the Chief Minister but I think the amendment does not quite hang together. You will notice that the substitution will read "subject to this division (subsection 1(a) excepted)". Surely you would have to refer to the section first unless this is meant to refer to 13(1)(a) in which case it ought to say so.

Further consideration of clause 13 postponed.

Clause 14 agreed to.

Clause 15:

Mr EVERINGHAM: I move amendment 166.9.

This clause, as presently drafted, is open to the interpretation that the commission can only request cancellation where the licence was issued by a court. The amendment makes it clear that the commissioner can also request cancellation where a licence has been issued by the clerk of the court.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16:

Mr EVERINGHAM: I move amendment 166.10.

It is obviously unrealistic to expect a clerk of court to always fix a date for hearing immediately. The amendment give a necessary flexibility and requires that the commissioner as well as the pawnbroker be served with a notice of the date of hearing.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clause 17:

Mr EVERINGHAM: I move amendments 166.11 and 166.12.

On hearing a request for cancellation of a licence, the court can only caution the pawnbroker or cancel his licence. It seem desirable to give the court a wider discretion. The amendment will enable the court to vary a licence by imposing conditions on its issue as well as cancel it outright. The clause, as amended, sets out the powers of the court and the procedure to be adopted.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clauses 18 to 20 agreed to.

Clause 21:

Mr EVERINGHAM: I move amendment 166.13.

The age at which a person can pawn an article varies in the states between 14 and 16 years. The government has given considerable thought to the matter and, on reflection, believes it is undesirable for a person under 17 to be pawning articles. One difficulty the government has taken into consideration is that young people can dress to look much older these days. An 11 or 12-year-old can easily look 15. Obviously, an 11 or 12-year-old should not be given any opportunity to pawn articles.

Amendment agreed to.

Clause 21, as amended, agreed to.

New clause 21A:

Mr EVERINGHAM: I move amendment 166.14.

This inserts a new clause 21A which allows for maximum interest rates to be prescribed. It is not, at present, the intention to prescribe such a rate because it is probably best to see how things work out. At least, it will be handy to have the power there should the need arise.

New clause 21A agreed to.

Clauses 22 to 34 agreed to.

Clause 35:

Mr EVERINGHAM: I move amendment 166.15.

This amendment provides for a form to be prescribed for the pawnbroker to apply to change the address in respect to which a licence applies.

Amendment agreed to.

Clause 35, as amended, agreed to.

Clause 36:

Mr EVERINGHAM: I move amendment 166.16.

It is intended that a pawnbroker's licence apply in respect of one set of premises only. The amendment removes words which could imply otherwise. The clause, as amended, provides for a sign to be displayed on the premises specified in the licence.

Amendment agreed to.

Clause 36, as amended, agreed to.

Clauses 37 to 40 agreed to.

Clause 41:

Mr EVERINGHAM: I move amendment 166.17.

This amendment includes the Commissioner of Police in procedural requirements for the service of documents.

Amendment agreed to.

Clause 41, as amended, agreed to.

Clause 42 agreed to.

Postponed clause 13:

Mr EVERINGHAM: In respect of amendment 166.8, I am informed that a reference in a section, here section 13, to a subsection, here subsection (1)(a), is a reference to a subsection so numbered in that section, here section 13(1)(a), pursuant to the provisions of the Interpretation Act. I think that makes it harder to interpret rather than easier.

Amendment agreed to.

Clause 13, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

INTERPRETATION BILL

(Serial 399)

Continued from 13 February 1980.

Mr ISAACS: The opposition supports the amendments to the Interpretation Act to accommodate the new format for bills. I think honourable members will agree that the reasons given by the Chief Minister are extemely practical. They certainly do not affect legislation in any way. We are happy to support any measure which will ensure a more effective and more efficient way of producing bills.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): I move that the third reading of this bill be taken forthwith.

Motion agreed to; bill read a third time.

POWERS OF ATTORNEY BILL

(Serial 395)

Continued from 13 February 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, this bill simply corrects a typographical error. I have read the provisions in this bill and it certainly seems to accommodate the wishes of this parliament.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister)(by leave): I move that the third reading of this bill be taken forthwith.

Motion agreed to; bill read a third time.

RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) BILL

(Serial 387)

Continued from 20 February 1980.

In committee:

Postponed clause 20:

Mr TUXWORTH: Yesterday, the Manager of Government Business raised the issue of whether the penalties were in fact too severe in this particular clause given that the people most likely to be offenders were small people or contractors. I undertook to have a look at the issue and report back to the House. After reflecting on the issue, it seems to me that we have been dealing with penalties over a wide range of activities relating to the storage, transportation and packaging of this particular product. The transporting of the product is no less important than all the other things involved. I cannot see why we should reduce the penalty because the man driving the truck might be a small businessman who is unable to afford the penalty. I would stress that the penalty is a maximum penalty and the court has its own discretion as to whether it imposes the full penalty. I believe that transportation of the product is not a matter to be taken lightly. We would like people involved in this industry to appreciate that we view the matter very seriously.

Amendment agreed to.

Clause 20, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported.

Mr TUXWORTH: Mr Speaker, I move that the bill be recommitted for further consideration of clause 21.

Motion agreed to.

In committee:

Clause 21:

Mr TUXWORTH: Yesterday, I circulated an amendment to clause 21 which we passed. It was no more than a technical amendment rewording the English in the clause. I ask honourable members to support the defeat of existing clause 21 with a view to the insertion of new clause 21.

Clause 21 negatived.

New clause 21 inserted.

Bill passed remaining stage without debate.

DOG BILL

(Serial 348)

Continued from 20 February 1980.

In committee:

Further consideration of postponed clauses.

Clause 6:

Mr DONDAS: I move amendment 169.1.

This amendment will ensure that the extension only applies to those working dogs whilst they are engaged on official business.

Amendment agreed to.

Mr DONDAS I move amendment 169.2.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 17:

Mr DONDAS: I move amendment 169.3.

This ensure that the only conditions placed on the registration of a dog are in respect to its health.

Ms D'ROZARIO: I thought we agreed yesterday when we debated clause 16 that there would be no references to the registrar having to determine the health of animals in order to register them. After defeating clause 16, we seem to be putting that one particular paragraph back into clause 17. I thought the minister conceded yesterday that it was far too onerous a burden to put upon the registrar that he should determine the health of animals.

Mr DONDAS: That might be reasonably true. The honourable member for Nightcliff was a bit worried about dogs having ringworm.

Mr LAWRIE: I certainly raised the point of dogs having ringworm or

tonsillitis, both of which are transmittable to human beings and highly contagious. The point I raised was that these must not be a bar to the registration of the dog because they are easily dealt with. I was quite concerned that the registrar was being put in the position of a pseudo-vet. Later on in the legislation, there is a provision where, if an animal is shown to be injurious to the health of the community, that can be taken into account. In fact, the dog would be then shown to be a nuisance and subject to the provisions applying to nuisance. Therefore, there is no need to have a section on health in the registration section. The minister has completely misinterpreted my concern which was that it should not be a bar to registration. As the honourable minister is well aware, I am in favour of our doing all we possibly can to ensure full registration of dogs.

Amendment agreed to.

Mr DONDAS: I move amendment 169.4.

The registrar cannot refuse to register the first 2 dogs.

Mrs LAWRIE: Further on in the legislation, the honourable minister will be well aware that there are provisions relating to the health of the dog. I believe the amendment 169.4 would be far better if we deleted the reference to health; that is, subclause (1A).

Mr TUXWORTH: Mr Chairman, could I just raise with the committee a point that is relevant to dog health and what constitutes a nuisance. In some of the remote communities, there are large numbers of diseased dogs. Unfortunately, one of our problems is that nobody wants to take on the job of putting down the diseased dogs because it is too hard and there is too much red tape.

I would like to make a plea to the committee to bear this in mind before removing that subclause. The last time I was at Lake Nash, I saw at least 40 dogs. Few of them would have had a hair on their body and most of them had their entrails hanging out of their rectums. They were disgusting creatures; they should have been put down but no one would have a bar of it. I think we should not tie our hands behind our backs by this bill.

Mr ROBERTSON: Mr Chairman, there is something the honourable member for Nightcliff and the minister need to consider here. If we delete subclause (1A), quite clearly we will have to delete clause 26(1) from amendment 169.5. This allows the registrar to simply indicate to the person who applies for the registration of a dog that there is something wrong with that animal and that he should get it fixed. If we repeal that, we must also pull out clause 26A because the only condition that can be applied is a condition relating to health.

Mr DONDAS: Mr Chairman, in light of the debate, I would ask you to put the amendment 169.4 as circulated.

Amendment agreed to.

Cluase 17, as amended, agreed to.

Clause 26 negatived.

New clause 26:

Mr DONDAS: I move amendment 169.5.

This new clause will ensure that there is no delay in determining the application for renewal of registration and that the only grounds for refusal are those in clause 26(3). It also inserts "consistently causing a nuisance" in clause 26(3)(b).

Ms D'ROZARIO: I cannot really support this amendment. It was put forward as a compromise for the opposing views that the honourable minister and I have on this matter. I have stated in the committee before that there should be no reason for which a registrar could refuse the registration of a dog. I am quite prepared to accept that he may apply conditions to the registration of a dog but not that he should have the ability to refuse the registration. The honourable Minister for Health brought up an interesting point in respect of the previous amendment. He referred to large numbers of diseased dogs. The dogs that the honourable Minister for Health spoke about are hardly ones whose owners will seek registration for them. Refusing to register a dog will not put an end to that particular problem.

The second point that does arise is that this is a very strong incentive to an owner to not approach the registrar at all. The reason for this is that, if he is refused registration of his dog, he knows that a record is kept of him and the particular dog for which he sought registration. People are simply not going to come forward to the registrar because they will fear that, after the registrar has refused the registration of the dog, a follow-up check might be done to see whether the owner is still keeping that dog even though it is not registered. If he is found to be keeping an unregistered dog, then he is liable to fine of up to $200. I do not think the people will present their dogs for registration, find that they are not registered and then put themselves at risk of being fined for keeping that dog. This is a very strong incentive for owners not to approach the registrar at all. We will reach the situation where this whole act will be utterly useless because we cannot trace the owners of offending dogs.

Mr TUXWORTH: I disagree with the honourable member that people would not want to register dogs that are in a diseased condition. I can assure the honourable member that the folk in remote communities who own these dogs would be only too pleased to register them if that was required of them. The difficulty is that they may see nothing wrong with the dogs in their present condition. That is what is making it so hard to keep the disease levels down in remote communities.

Mrs LAWRIE: At the recent SPCA seminar, an interesting talk on this particular aspect of the legislation was given by the lady from New South Wales. The first thing that registrars insist on is that you register your dog. They want to get the dogs registered for everybody's benefit. Like the honourable member for Sanderson, I am sorry that this legislation is putting any bar to the registration of dogs whatsoever. I also share her feeling that the non-registration of dogs per se will not stop people behaving in a manner which everybody has found offensive. It is a pity that the registrar has this discretion to refuse to register a dog. In the most populous state in Australia, the emphasis is on registration, not on refusal.

Ms D'ROZARIO: I would just like to say that the honourable Minister for Health put forward a most novel view of the situation. In urban areas, more than two thirds of the dog population is unregistered. God only knows what it is in remote communities - more like 100%. The minister says that these people, if required, would register their dogs. I point out that we have a

Registration of Dogs Ordinance which applies throughout the Territory, not just the municipal area. I do not see these dogs being registered and I am sure the Minister for Health has to agree that these dogs are not registered even though that is the current requirement. I think that the view he has taken is totally unrealistic.

New clause 26 agreed to.

Clause 29:

Mr DONDAS: I move amendment 169.6.

This inserts before "complaints" the word "written".

Mrs LAWRIE: This means that it will not have to be a substantiated complaint but merely a written complaint. I do no think that is good enough. If the registrar refuses to register or only conditionally registers the dog, he has to give notice in writing to the owner of the dog and his reasons for so refusing or imposing a condition. One wonders if he will also include copies of written complaints so that the person has a chance to answer them. In other words, while I think "written" is a step ahead of simply "complaint", it still does not have to be substantiated or proven. It could be malicious or frivolous. There is still no safeguard for the owner to protect his own rights other than going to court as an aggrieved person.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clause 40:

Mr DONDAS: I move amendments 169.7 and 169.8.

This is what the honourable member for Sanderson and I were trying to achieve yesterday.

Amendments agreed to.

Cluase 40, as amended, agreed to.

Clause 44:

Mr DONDAS: I move amendment 169.9.

Amendment agreed to.

Clause 44, as amended, agreed to.

Clause 56 (Previous amendment withdrawn):

Mr DONDAS: I move amendment 169.10.

This will ensure that the manager of the premises has qualifications and experience satisfactory for the handling and control of dogs.

Amendment agreed to.

Clause 56, as amended, agreed to.

Clause 63 (Previous amendment withdrawn):

Mr DONDAS: I move amendment 169.11.

This was the subject of a lengthy discussion yesterday afternoon.

Amendment agreed to.

Mr DONDAS: I move amendment 169.12.

Amendment agreed to.

Mr DONDAS: I move amendment 169.13.

Amendment agreed to.

Clause 63, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported.

Mr DONDAS: I move that the bill be recommitted for further consideration of clauses 5, 13, 35, 48 and 55.

In committee:

Clause 5:

Mr DONDAS: I move amendment 168.1.

This omits from subclause (1) the definition of "predescribed association."

Amendment agreed to.

Cluase 5, as amended, agreed to.

Clause 13:

Mr DONDAS: I move amendment 168.2.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 35:

Mr DONDAS: I move amendment 168.3.

Amendment agreed to.

Clause 35, as amended, agreed to.

Clause 48:

Mr DONDAS: I move amendment 168.4.

Amendment agreed to.

Clause 48, as amended, agreed to.

Clause 55 negatived.

New clause 55 inserted.

In Assembly:

Bill reported; report adopted.

Mr DONDAS: I would like to take a few minutes to thank officers of the Department of Community Development who have worked so hard on this legislation. I would also like to thank the draftsman who has worked very hard in the last 6 months on this legislation. I would also like to say a special thanks to the North Australian Canine Association which put in a lot of time examining the bill. On occasions, we did have some disagreement but we seem to have sorted it all out. Most people are reasonably happy now or, at least, I hope they are. Most importantly, I would like to thank the honourable member for Tiwi who was really responsible for assisting me greatly in relation to the government-sponsored amendments. She has worked pretty hard over the last few months and I am very happy that she was able to assist me. I would like to thank all members for their cooperation in the passage of this bill.

Bill read a third time.

LOCAL GOVERNMENT BILL

(Serial 347)

Continued from 20 September 1979.

Mr DONDAS (Community Development)(by leave): Mr Speaker, I move that the third reading of the bill be taken forthwith.

Motion agreed to; bill read a third time.

APPROPRIATION BILL

(Serial 402)

Continued from 14 February 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the mini-budget introduced by the Treasurer is a vote of no confidence in his own budget of last August. The only reason for which a mini-budget has ever been given any currency is when a government can see a certain problem arising which has to be dealt with and which was unforeseen at the time of its budget. We have belaboured this government for some time now that there ought to be some planning and predictability about budgets. Although the Treasurer does waffle on occasionally about flexibility, he generally regards that as a reasonably important principle. When one looks at the mini-budget, one has to determine what problems have arisen since the last budget and how the government has tackled those problems.

The government is facing an election some time this year; it is due in

August. We know that the government will run its full term. Thus the government has decided, only 6 months after its last budget, to try to pick up a few crumbs and send them out to the electorate. It adopted a pretty sensible approach. It read my speech and the speeches of other honourable members from this side of the House and then it allocated the money accordingly. Honourable members opposite may well laugh but, when you go through the various allocations made by the Treasurer, you find that they have a very strange origin indeed. I will come to that in a moment.

First of all, I would like to discuss the increased revenues, the $24m bonus which has been given great currency in the NT News and the Centralian Advocate. As everybody knows, it is not a $24m bonus at all. I might add, they are not the words of the Treasurer. The NT News decided that it is a bonus in much the same way as it described the Grants Commission allocation of $20m 2 years ago as a bonus. That indicates its complete lack of understanding of the way finances work.

Where did the so-called increased revenues come from? There was an additional $6m from land sales. According to the Treasurer, great strides have been made and great confidence has been injected by this great government. It was able to sell land and make an extra profit of $6m which the Treasurer was quick to add was not really a profit at all. The fact is that, in regard to land, the government's own advisers had been telling them for some time that there had to be an urgent allocation of land. In fact, the Housing Commission submission in the budget said precisely that. I find it difficult to believe that the underestimation could have been that much. I believe that the government was aware that the amount would be significant. It must have known of its land sale program at the time. I cannot accept that it just decided upon it at the drop of a hat. It knew about it at budget time and it must have had a much better idea than it was prepared to admit at the time. How much of that $6m is simply underestimation? One will never know.

The same attitude could be applied to the casino. Imagine the outcry that there would have been if, at the time of the tabling of the budget, the Treasurer had said there would be $750,000 from the casino by way of royalties. Imagine the outcry that there would have been. It is true to say that the casino is of very great concern to the Central Business District of Darwin. There is no doubt about that. The small businessmen are very concerned about how much longer the casino will continue to drain the luxury dollar away from their erstwhile clients. I suppose we will have to wait and see how long it will take before the place settles down. Certainly, there is an air of uneasiness among the central business people in Darwin and the Treasurer must know that. All I am saying is that it would have been in the government's interest to understate the estimate with regard to revenue from the casino.

There have also been increases in payroll tax. The Treasurer very coyly said that all the extra people being employed in the Northern Territory brought about this $4.2m. Well, we can all do our sums and we all know that that $4.2m just did not result from extra people being employed. A great deal of it was due to the increased wages bill for both private employers and the government.

Instead of us getting all carried away by this $24m bonanza, we should realise that the government has re-allocated the money that it has available to try to remedy the very serious problems that have cropped up since the last budget.

Let us have a look at the way the government has spent the money. $7.2m was allocated to cope with the national wage decision. It could hardly have

been an unforeseen circumstance that the Conciliation and Arbitration Commission would grant some kind of a wage increase. In his summing up to the last budget speech, the Treasurer told us that the $7.2m was to cover the national wage decision.

There was a great new initiative by the government. It was so great that the Chief Minister decided to boast about it on his weekly radio program. I refer to the allocation of $200,000 to employers to cover workers' compensation premiums in respect of apprentices - a great initiative by the government. It is so great that it has taken up half of the proposition which we put forward some time ago. There is a great lack of skilled labour in the Territory. There is a great need to encourage our own local people to become apprentices, and the suggestion that we put forward was twofold: a payment by the government to cover workers' compensation premiums for apprentices and the abolition of payroll tax for employers who took on new apprentices. Well, the government has taken up half this scheme at a cost of $200,000 and I suppose we should be thankful for small mercies.

It allocated another $3.2m to the Housing Commission for extra funds for the Home Loans Scheme. As was pointed out by the member for Sanderson at the time, the allocation given for the Home Loans Scheme would prove insignificant. She pointed out a very great need to expand the money available for the Housing Commission. Indeed, the Housing Commission was the only area in the last budget which had its allocation reduced by the government. We certainly are pleased to see the increased allocation to the Housing Commission but it is only taking up the slack which the opposition pointed out on the last occasion.

$300,000 was allocated to provide housing for Aboriginal members of the Northern Territory Public Service who serve in remote communities. It was an historic decision, according to the Treasurer, and we applaud it. My colleage, the member for MacDonnell, has been arguing significantly for this particular measure. He gave the example of some people at Papunya and it is certainly pleasing to see that this money has been allocated.

As pointed out by the member for Stuart when I was masquerading as a member of Gough Whitlam's party some time ago, the health worker at Ti-tree was living in most deplorable circumstances. It was an irony beyond all belief that the health worker, an Aboriginal person, was living in conditions which were totally unhygienic and we are very pleased to see the government allocating $300,000 to this area.

Local government has been given an injection of $5.2m, $3.3m of which has come direct from the federal government and was to be allocated in any event. Again, we are very pleased that local government is getting an increased allocation. I remind members of my speech on the last occasion when I was ridiculed for daring to say that local government ought to get an increased allocation. However, that is where the extra allocation to the local government originated.

In so far as the increased allocation to the Education Department of $2.8m is concerned, by far the bulk of it will go to wages and administrative costs. However, there is an increased allocation of $550,000 to the Darwin and Central Australian Community Colleges. Again, this area has been well covered by Territory newspapers, radio and TV. There has been some argument as to whether or not the Community College of Central Australia was given an appropriate allocation. There was a shortfall of $500,000 but it will receive an increase in excess of $100,000. There was still no mention in this particular mini-budget of the unification of the 2 campuses at Darwin. This is despite the fact that the Minister for Education put out a press release saying that

the matter was in the hands of Cabinet and the decision would come shortly. No money has been allocated in this mini-budget to cope with the problems arising from the 2 campuses in Darwin and that ought to be a number one priority.

We were pleased to see the increased concessions to the pensioners and the grants-in-aid to community organisations. The government also is looking after other poor people in this budget by granting $100,000 to Mount Isa Mines to check out the McArthur River deposit. These poor struggling people have only spent $50m in development and exploration of the McArthur River area. I am pleased to see the government helping them out to the tune of $100,000. If Mt Isa Mines are determined to develop that particular area, let us hope they can do so. I am not too sure what $100,000 will achieve. Maybe the Treasurer can tell us.

Those are all but 2 of the areas in which the government has allocated its money by way of projects which were not accounted for in the former budget. As I have indicated, all of those areas had their origins in comments which we made about the last budget which, funnily enough, were ridiculed. Surely, 2 of the most significant problems which have exacerbated since the last budget have been unemployment and the energy crisis. This government has done its bit to assist those areas. It has allocated $225,000 to the Parks and Wildlife Commission to clean after the wet and it is spending $180,000 to recruit staff related to energy and energy conservation. What a joke! When I suggested last year that the $2.2m which was saved because the water supply system at Tennant Creek would not be proceeding should be used on a job-creation program for projects just like the clean-up after the wet program, the Chief Minister decided that that was an absurd notion, that it would not see the light of day, that you do not just find money here and spend it there, and that that just would not get a guernsey. $225,000 is to be allocated for the Parks and Wildlife Commission to clean up after the wet but that alone will not tackle the increasing problem of unemployment. If the budget attacked unemployment as a specific problem, we would support it. Of course, not once in the speech of the Treasurer was the word "unemployment" used. It does not exist. $225,000 is a measly approach to the problem of unemployment. It is getting worse not just in the Territory but nationally. No amount of talking will overcome the problem of unemployment. Job-creation programs are required. The government has shown that it has the money to do something. It ought to be doing it forthwith.

The energy problems are really quite significant. $180,000 for the recruitment of new staff related to energy and energy conservation is but the tip of the iceberg. The problem is - if honourable members care to look at their budget papers, they will see what I am talking about - the Northern Territory Electricity Commission. While costs have risen significantly, both with wages and most assuredly with fuel bills, the Northern Territory Electricity Commission allocation for this year is in fact going to be $5.7m less than it was last year according to the budget figures presented today. Expenditure in 1978-79 was $35.7m and the expenditure allocation this year was $30m. Quite honestly, I find that unbelievable. As honourable members would know, not only have wages gone up by around 10% since last August but the fuel bill has gone up astronomically. We face such severe problems simply because we have such a great reliance on oil. As the price goes up, it has to be paid for somehow. It is totally unbelievable that the allocation is in fact correct.

What has to be done is the re-orientation of our priorities in regard to energy. The quicker we do it, the better off everybody in the Territory will be.

That is why I announced last Monday the attitude we have towards the crude oil resources in Central Australia. That government refuses to recognise that energy is a problem. I would be interested to hear how the Treasurer can marry the figures which I have put to him because it shows that the government has no concern or understanding of our energy problems.

I said at the beginning that, in order to justify the mini-budget, you need to have a set of circumstances arrived at which need a change of direction, a change of emphasis since the last budget. I believe everybody would agree that most certainly this mini-budget shows no such change. It adds a bit here and there but it does not direct itself to the 2 key problems which we face in the Territory as we turn into the 1980s: unemployment, particularly youth unemployment, and the matter of energy and alternative energy sources. I would hope that, in the debate which follows, the government, particularly the minister for Mines and Energy, can assure the House about the security of the Territory's future in terms of energy. For as long as we rely on oil, as we seem to be doing at the moment, the development of the Territory will be retarded.

The mini-budget is an admission of failure of the previous budget because it does not do what a mini-budget ought to do. It simply patches up the holes which existed so glaringly in the last budget and which were pointed out by many members on this side of the House and which now the Treasurer reluctantly has complied with in his budget.

Many of the programs could have been commenced that much earlier but for the high-handed attitude which the government adopts. It does not matter what the opposition puts up; it does not matter whether it has merit or otherwise because that is not the criterion on which it is rejected. Ideas are rejected simply because they are put up by the opposition. However, gradually the message sinks through. The electorate tells them they are wrong and they apply the ideas with a great fanfare.

With regard to those areas in which the government has picked up the matters which we have raised, we are delighted. However, it has created an atmosphere which frankly does not have any basis. If the government is going to introduce a mini-budget, it ought to set about tackling the problems which have emerged since the last budget. This budget certainly does not do that.

Mr EVERINGHAM (Chief Minister): There is very little to reply to in what the honourable Leader of the Opposition has said. Probably, tomorrow morning the Leader of the Opposition will instruct his press secretary to put out a release advising the world that the Northern Territory parliamentary ALP has invented the wheel and claim copyright. I am pleased that the Leader of the Opposition is pleased with what the government has done in most areas. The only disturbance this may cause me is that I will worry that he is pleased about it because most of what he promotes would be a certain recipe for economic disaster such as the open-ended funding of go-nowhere employment programs of urban beautification.

If the honourable Leader of the Opposition had been honest enough to use the figures instead of talking in vague generalities about employment, and he knows the figures well, it would be seen that this government is succeeding in expanding the workforce in the Northern Territory by an unprecedented amount. In the last full year, it expanded it 9.8%. Let me give you some figures on the percentage increase in civilian employment for some of the states and the Northern Territory. In New South Wales, under the wise management of the learned QC with the bottle of hair tint at home in the bathroom . . .

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Mrs Lawrie: Oh shame!

Mr EVERINGHAM: I did not say it. I am only quoting what the Leader of the Opposition in the federal parliament said and he should know.

In NSW there was a percentage increase in the civilian workforce of 1.8%; in Queensland, where there is development taking place, 2.5%;Tasmania, another standstill Labor state, 1%; the Northern Territory, 9.8%; and Australia as a whole, 1.4%. Those are the sort of figures we should be looking at. The policies that this government has of spending money in areas where it will create employment is paying off: in the construction industry, in the home building industry and civil works. We are taking action to see that more and more young people are trained in the trades.

The honourable Leader of the Opposition went on to talk about energy and whether or not this government was preparing to see that this Territory moves forward with secure energy sources for the 1980s. One of the biggest sources of energy in the world is right out there at Kakadu in the South Alligator region and the honourable members opposite are committed to see that it is not developed. I wonder what their explanation is for that. Assuming that this government is hogtied, and we are not, by such trammels as turning our back on one of the major energy sources in the world, we look around at other areas for useful exploitation in this Northern Territory.

I think the honourable member for Victoria River will agree that I myself have attempted to set up coal exploration out in the Port Keats area. There is a great deal of gas exploration taking place. Tests are proceeding to determine the extent of the major gas field which the Minister for Mines and Energy referred to in his statement on the state of the mining industry this morning. There are quite substantial resources of oil and gas in Central Australia. Once the companies can come to an accommodation with the Central Lands Council, these will be developed.

The honourable Leader of the Opposition has again rushed in to send the taxpayer's dollar where it is not needed. He promised the other day to build a refinery at Alice Springs. It is on public record that Magellan, which would develop the field if it could get it, committed itself to the construction of a refinery in Central Australia years ago. All these things are taking place. I have no doubt that the Minister for Mines and Energy will give further attention to the area of energy exploitation. There are things that are coming into the pipeline such as the investigation that we have entered into jointly with the Commonwealth government with the intention of installing quite a substantial pilot solar power-station at Katherine. Indeed, there is even a proposal to install such a station at Ayers Rock. If any place in Australia could efficiently operate and use a solar power-station, that place would be Ayers Rock.

These decisions have to be made in the light of economics. The government has been working towards a decision on a major new power-generation plant for the Top End. We are a long way along the road with the Ord hydro-electric scheme and I believe that quite firm decisions will be taken there in the next 2 months. At the same time, without being hustled into a decision by the opposition this government will proceed with expert studies that have been commissioned by the Electricity Commission and the Department of Mines and Energy to enable us to determine the best energy source to fuel a major new power-station in the Top End.

I might say that the decision would be a lot easier for the government if

we could change some of the rules about Australian coastal shipping. A tonne of Queensland coal shipped from Queensland to San Francisco can be landed on the American west coast for about $11.60. That same tonne of coal transported from the same place in Queensland to Darwin is estimated to cost $40. We do not know whether it is cheaper to switch to coal or stick to oil because of the way the Australian coastal shipping trade is apparently pricing itself out of business.

This government is taking all the steps necessary to ensure that this Territory keeps progressing, that its leap into the 1980s will be a secure one and that the people of the Northern Territory will continue to prosper and continue to increase in numbers. That is what we are attempting to do by spending money: to create more employment and to bring more people here. That is what it is all about.

Mr TUXWORTH (Mines and Energy): I rise to support the Appropriation Bill put forward by the Treasurer. I will touch on a few remarks made by speakers so far.

The Leader of the Opposition referred to the program of accommodation for the Aboriginal health workers in the remote parts of the Territory who are currently being trained in schools that we have set up at Gove, Alice Springs and Darwin. It has been said that the state of accommodation for these people has not been terribly satisfactory. I would be the first to agree that it would have been nice if we could have had it sooner. I would say that it is a credit to this government's initiative that anything was done at all.

This program of training Aboriginals as health workers was instigated originally by the Commonwealth. Having the program launched was like drawing an eye tooth. The Commonwealth was very reluctant to go into the program and, when it did, it provided barely enough funds to kick it off. The program has been very successful but there has not been much acknowledgment from the Commonwealth in terms of support to the people working in the field. At this stage, I am referring to health workers but there are Aboriginals working in the education field and many other fields of government and are providing service to their community. I am only too pleased to see how this program has developed over the years.

The Leader of the Opposition seems to have quite missed the point of the allocation of $100,000 for the study on the McArthur River project. He suggested by innuendo that we are helping a multi-million-dollar company with a handout of $100,000. I think the suggestion is quite improper. Early this year, the company presented the government with a report of its studies on McArthur River, a report that consisted of 35 volumes that would each be 3 or 4 inches thick. Most of the data has been compiled and collected by the company. The company advised us that the cost of compiling the report and presenting it to the government was $1m. It knew that when it went into it.

The onus is now on the government to have the report assessed. It was our choice to recruit international consultants who are conversant with the problems and the development that is likely to take place in the McArthur River area. The cost of having that consultancy done will be $100,000. Given that the ultimate project cost will be $800m-plus, the $100,000 of government money for an assessment of the program to see whether the company is being fair dinkum with the government is not an unreasonable proposition. Since 1966, the company has spent a total of $22m in the McArthur River area on exploration and the small milling project that they have in that field. Again,

the honourable Leader of the Opposition was not aware of the facts when he quoted the figure of $50m.

He then went on to say that the government had allocated $180,000 for energy which went as payment to employees in the Energy Division. If members look at the appropriation, they will see that there was an extra allocation of $658,000 to the Mines and Energy Department with a saving of $70,000 to offset it. I will outline some of the things that this money is going towards and then reflect on some of the other initiatives we have underway in the energy field. I do not think the honourable member is being quite honest when he suggests that the government is not active in this area.

The $658,000 will go towards salaries and wages for an increase in the Energy Division staff. I might add that we are very thin on the ground there. When we took over the Department of Mines, they did not have anybody who had been involved in energy at all and the former administration did not accept that there was a need for such a division within the department. We will establish in the Northern Territory a nuclear cycle display. We are compiling this in conjunction with the Atomic Energy Commission which will supply the materials and the expertise. We feel that, as we are one of the most productive uranium areas in the country, we should have available for our citizens an exhibition of the nuclear cycle so that they may become familiar with what is going on in their own backyard. The exhibition that I saw at Lucas Heights some time ago is an ideal one that could be copied and put to great advantage here. We are purchasing a hybrid solar wind system which will provide energy for homesteads in remote areas. This is a prototype. We are moving towards providing a new form of energy for the remote areas.

I would like to say that, in many of the things that we are doing, we are really making technological advances. It does not matter how much money you have and how much you want to spend, you can only move so fast when it comes to developing technology. All the money in the world will not help you if you do not have the right answers at the right time. We are moving cautiously in a direction that we believe is the right one.

We are purchasing solar packs to test on government buildings in remote areas. These will be for air-conditioning, hot water systems and photo-voltaic cells whereby we can generate all the power needed by health centres and small schools. We are treading cautiously and the cost is quite considerable. We are purchasing data-logging equipment for the solar packs in a solar wind energy homestead unit. I might add that we are purchasing this equipment in conjunction with the Department of Energy in Western Australia which has been our mentor in this. This is the most advanced department in Australia in the use of solar and wind technology and we keep close to them. They have developed several of these units themselves and we are picking up their expertise for application in the Northern Territory.

I have already mentioned that consultants' fees were included in that $658,000. There are further consultancy fees for assessments of the Mereenie oil and the North-west Shelf pipeline. It is likely to bring gas from the Petrel wells to Darwin in the event of the Petrel wells exploration being successful. We are also participating in research projects conducted by the Solar Energy Research Institute of Western Australia. We are also becoming involved in the printing of brochures and reports for wide distribution throughout the Northern Territory.

The Leader of the Opposition also raised the issue of the subsidy to NTEC

and the use of oil. I will let the Treasurer explain the subsidy issue but I will deal with the concpet of oil burning in Northern Territory powerhouses. I believe, and I am sure many other people agree, that we should not burn oil where we can use another substance. However, we often have to take whatever options are open to us. In the southern part of the Northern Territory, we have several things planned. The first is solar energy for the generation of power at Ayers Rock. So far as being uninterested in solar energy, alleged by the Leader of the Opposition, it is my belief that we are among the world leaders in the application of solar energy. People will be coming to the Northern Territory within the next 5 years to see how it is done because this is where it will be done first. Our negotiations with the MacDonald Douglas Aircraft Corporation for the provision of a solar power unit at Ayers Rock are fairly well advanced and discussions are being held with NTEC and Treasury about the nitty gritty of establishing the unit. Our final decision has to be taken later inconjunction with the Commonwealth.

The prospect of using oil in the Alice Springs powerhouse has always been an attractive one. The government already has plans for the establishment of a separator in the Alice Springs powerhouse which will give us the products we can use. The truth is that this is a very small unit costing $1.2m. This will be built before the refinery is likely to be established in the town. I cannot see that there will be any problem with the establishment of the refinery. The commitment is there, the requirement by government is there and the company will build it when the time is right.

I should say a few words on the Palm Valley gas field because I notice in the press that the honourable Leader of the Opposition promised the people of Alice Springs a gas pipeline from Palm Valley to Alice Springs, which would be ready in 18 months at a cost of about $10m. That is quite a dishonest thing to say. The facts are that we have what appears to be a very large gas field at Palm Valley. Before we can take a decision to spend 2 bits, we must determine what rate of flow we are likely to get. The only way we can do that is to test it. To test it, we have 2 options: burn-off or consume the product in a grid system. We do not have the capacity to consume it in a grid system so the option then is to burn off. The burning off period might prove that the only gas we have is the gas that we use in the burn-off. To promise people $10m worth of pipeline and a conversion of the powerhouse until that sort of thing is done is crazy humbug. I think the honourable the Leader of the Opposition should be more responsible.

The issue of generating power from the Ord is well advanced. The planning and the specifications will be part of a consideration by the Northern Territory government with the Commonwealth government which will be involved in the funding. The prospect of hydro-generation on the Nancar, Daly and Katherine Rivers is being examined in great detail. For the Katherine project, we have the Snowy Mountains Engineering Corporation doing a study at a cost of $450,000. This detailed study will take a little time. If this government and the federal government decide to move into that project, we must do our homework because we cannot afford to run around the country throwing away grab-bags of goodies as the honourable the Leader of the Opposition would do. If the figures stack up, we will be in it; if they do not, we will have to look at our options.

Other energy options include importing gas directly from Indonesia and South-east Asia and also heavy bunker fuel from South-east Asia. To that end, Dr Ted Campbell and Mr Dwyer left today to meet with the people in these countries to see whether there is potential for us to buy and use gas from Indonesia. It has been pooh-poohed in the past that it is not a practical

proposition although I might add that all the infrastructure in Indonesia and Malaysia was built for the Japanese market. The Japanese freight it from Indonesia because they do not have a choice and because it is the best deal they can get. It might be the best deal we are likely to get given the information that the Chief Minister gave about the cost of shipping coal with the Australian coastal shipping service. It might even be a proposition for us to buy our coal from Indonesia.

Proposals have also been made for converting Stokes Hill to coal or gas and also for providing a gas infrastructure here that would enable the majority of the community to transfer its energy consumption to a gas form. I am not discounting the possibility of bringing gas from Palm Valley or from Indonesia by ship to Darwin and having a line up the centre. Five years ago, all these projects would have sounded like pie in the sky but each day brings reality a little closer.

The most important point is that all of these decisions must be taken in conjunction with one another because we must rationalise our resources and our distribution system to obtain the maximum return. I believe the introduction of solar energy, the utilisation of Centralian gas, the import of gas, the use of a coal-fired station and the supplementing of the Darwin generating system with power from the Ord and Nancar Rivers have all to be taken together. We cannot look at them in isolation. That is why this government is not saying terribly much at the moment. We are putting it all together so that we can take decisions in conjunction with the Commonwealth. The reality is that there is no way we will solve our energy difficulties without expending about $200m to $400m, more likely $400m. That decision has to be taken in conjunction with the Commonwealth because it will be bankrolling these projects. We cannot decide all these things in isolation or wander around the country handing out dams, pipelines and refineries as though they were going out of fashion. We must do it rationally and in an orderly manner. I am of the view that the Leader of the Opposition is not aware of what is going on in the energy field because, if he was, he certainly would not have said the things that he did. He should do a little bit of homework because, as soon as he starts to look into it, he will find it is not as easy as it looks. I support the bill.

Mr PERKINS (MacDonnell): In the debate this afternoon, we have heard the Minister for Mines and Energy and the Chief Minister. Quite frankly, I am unimpressed with their rhetoric. The Chief Minister said that this budget was a leap into the 1980s. Obviously, this is quite an impressive term and I would not be suprised if that is the kind of slogan that they might be flaunting around the Territory. However, it is all very well to suggest that you want to leap into the 1980s but, if the honourable Chief Minister is for one minute suggesting that the mini-budget is a leap into the 1980s, then I would suggest that he is quite wrong. I would also suggest that he ought to rethink his attitude in that regard. If he is suggesting that we should be leaping into the 1980s, I would like to know in which direction we are going to leap. If that is the theme which he thinks important in this budget, it is a theme I would like to take up.

When you look at the mini-budget it becomes obvious that there is a lack of direction in relation to priorities in the Northern Territory. The priorities were well outlined by the honourable the Opposition Leader. He advised honourable members that there is an increasing problem of unemployment in the Territory and that this particular problem is not tackled in any effective way in the mini-budget. If you look at the mini-budget and the papers that accompany it, I am sure you will find that there is not one indication in those

papers of any direct action that is designed to come to grips effectively with the problem of unemployment in the Northern Territory. Let's face it, it is a serious problem not only in the Northern Territory but in the rest of Australia. The sooner this government actually realises that it has to come to grips with this problem, particularly the problem of unemployed youth, the better for all Territorians and our future. I do not believe this government has any real understanding of unemployment problems in the Territory. If it did, then we would be seeing corrective action in this budget.

I also agree with the honourable the Opposition Leader that this government does not have a real concern or an understanding of our energy problems otherwise it would be taking effective action. In fact, I can only assume that the mini-budget is an admission of the failure of the previous budget which was brought down in this House. One can only question, as other people would question, the need for the mini-budget.

I was very interested to see in the second-reading speech of the honourable the Treasurer that he said the primary reasons for the Appropriation Bill were new jobs, new activity and new Territorians although I fail to understand what he means by new Territorians. I would disagree with the honourable the Treasurer's analysis in that regard. I do not believe that they are the primary reasons for this mini-budget. I believe that the real reasons for this mini-budget are the elections which are due this year. I believe, as do other people whom I have been able to consult with, that the mini-budget is an election gimmick and is designed to buy votes in the electorate and to try and ensure the re-election of the Northern Territory government. I do not think the government will be successful at that because I believe the people of the Northern Territory will wake up to that fact and will recognise the pork-barrel politics which the government is engaging in with the mini-budget.

As I mentioned earlier, we heard from the honourable the Minister for Mines and Energy and I am afraid to say that, the further he went on, the more monotonous he became. He went into all sorts of details which did not really interest the honourable members in this House and which had no direct relevance to the debate this afternoon.

Let's face it, Mr Speaker, the arguments which were put forward by the honourable Opposition Leader were convincing arguments. I support the arguments which he outlined in the debate and I would commend those arguments to the honourable members opposite. If they took notice of them, they might learn something.

The honourable Minister for Mines and Energy was quick to get to his feet after the honourable Leader of the Opposition spoke. He was quick to claim credit for his government in relation to the $300,000 which has been earmarked in the mini-budget to provide housing for Aboriginal members of the Northern Territory Public Service who serve in outback areas. He said that nobody else can claim the credit; it is a credit due to his government. If he has that attitude, I wonder why it took the government a great deal of time to take action to meet the housing needs of Aboriginal public servants in isolated areas. I would want to remind the honourable Minister for Health that I raised this particular matter last year in this House in relation to one of my constituents who was a health worker in the Docker River area. He was employed by the NT Health Department. I am sad to say that that person is no longer employed with the NT Health Department. He waited so long to get housing accommodation that he became sick and tired and he gave up hope. Although the matter had been raised by himself and his elected representative in this House,

action had not been taken on it and that is why he resigned. The NT Health Department did not take action to provide proper housing from him as it does for non-Aboriginal members in the Northern Territory Public Service. I think it is important that those facts are known.

The government has acted in this area because of the demands which have been made not only by myself in this House as an elected representative but also by other people who have been trying to communicate with the government in the Territory to tell it what their needs are and how they want their needs acted upon. I am not begrudging that $300,000 which is allocated in this mini-budget. As a matter of fact, I think it is a good thing. However, I want to make it clear that I do not believe it is the government's initiative; I think it is the response of a government under pressure in the community. I think that this particular allocation is not before time. I only hope that, in the area of accommodating the needs of Aboriginal public servants in isolated areas, the government has in mind some further action.

Mr Speaker, I will now turn to some items which are outlined in the explanations to the Appropriation Bill and which concern me. Under the allocations to the Chief Minister, there has been an additional appropriation of $285,000. It is recorded on page 5 of the explanations to the Appropriation Bill. This $285,000 will cover inflation, an Aboriginal electoral education program, the Community Leaders Conference and the Inquiry into Leave of Absence in the Northern Territory. However, we have no indication of the breakdown of the $285,000. In fact, there is no indication as to what proportion of this particular amount will be allocated to the Aboriginal electoral education program. In fact, we do not even know if there is a program in the Northern Territory at the moment which is involved in the electoral education of Aboriginal people because we have had no indication from the government whether the program has commenced and, if so, how advanced that particular program might be. We have had no indication from the government as to what areas the program will be concentrated upon. There are obviously many questions which have to be answered, not the least of which is how much money the government will spend on such an Aboriginal electoral education program. I would submit that the electoral education program for Aboriginal people is a very important program and it ought to be treated on a serious level by the government. I would also like to question whether there will be sufficient time in order to ensure that that particular program is carried out effectively in the Northern Territory before the next election of the Legislative Assembly. It is obvious that the Territory covers a very large area. There are many isolated Aboriginal communities. Time is running out. We must have an election by August this year and we have not been able to see a program in operation.

There are many Aboriginal people in isolated areas who are not enrolled and who have not had the benefit of an electoral education program. I do not think it is sufficient for this government to say in a general and a cursory way that an amount of $285,000 will be allocated to a whole range of things but give no indication of just how much will be spent on the Aboriginal electoral education program. I would hope that the government will take that particular point on board. I know there are people in the community who are concerned to ensure that Aboriginal people have the full benefit of a proper electoral education program before the next election of the Legislative Assembly. All I can say is that the government will have to get off its backside and get on with the job of enrolling and educating Aboriginal people.

The second point is in relation to the Territory Parks and Wildlife Commission and the allocation under the Chief Minister's Department which appears

on page 9. It refers to the clean-up campaign which I think was referred to by the honourable Opposition Leader. Under that allocation, we see an additional appropriation of $225,000 for a clean-up campaign on land in all the centres which are the responsibility of the Northern Territory government. Again, what is this clean-up campaign? Is there a program? If so, when will the campaign commence? I would be interested to know whether there has been any actual consultation with other interested parties, in particular Aboriginal groups and other organisations that have vested interests in the litter problem in the Northern Territory. I also want to know what activity is actually planned for Central Australia. Here again, we have a loose reference to a clean-up campaign by the Territory Parks and Wildlife Commission but there is no indication of what that particular campaign will constitute. I believe that this House deserves to have a lot more information in relation to these particular projects when you consider that large sums of taxpayers' money are being allocated to these things.

In the third place, Mr Speaker, I wanted to have a look at the additional allocation for $250,000 which is under the Transport and Works Department for capital works items. This is in relation to the 20-man accommodation unit at the Berrimah Gaol. I would like to lend my support to this project because it is obvious that there is an urgent need for additional accommodation for prisoners at the Berrimah Gaol. However, I was disappointed to note that there is no provision in the mini-budget for funds for a prison farm in the Alice Springs area. I think that it is a disgrace that, even though the Alice Springs area has needed one for quite some time - ever since it was identified by the Hawkins and Misner report in 1973 - it has been neglected in this budget. I would like an indication from the honourable minister responsible for correctional services as to what action is being taken by him or his government to ensure that a prison farm with adequate and proper facilities will be established in the Alice Springs area.

My next point is in relation to the increase in the subsidy which has been allocated for the Darwin Bus Service Trust Account. If you turn to page 35 of the notes on the appropriations, you will find that the amount is $172,000. It seems to me that we have to continually remind this government that there are other needs in the communities in the Northern Territory. It does not end in Katherine or south of the Stuart Highway. There are other major centres in the Territory. I want to remind the government that there have been calls in the Alice Springs area for a public bus service. The honourable member for Alice Springs has been vocal in his calls on the government for an Alice Springs bus service to be established. I am disappointed to note that, in this mini-budget, there is no allocation of funds either to commence or to look at the feasibility of an Alice Springs bus service. I believe that this is unfortunate for the people in Alice Springs who would like to see a bus service established there. I ask the honourable minister responsible to look into this matter and to use all his endeavours to ensure that there is a bus service established in the Alice Springs area to assist those residents of the Territory there.

Under education, there is an allocation of $180,000 for the Community College of Central Australia. This allocation relates to the purchase of plant and equipment. It is of course a capital item. There is no allocation for the purchase of the Sportarama building which has been a source of contention in the Alice Springs area. We have had no definite indication that the government will actually purchase this building for use by the community college. Because of government inaction and because of the bungling of the honourable Minister for Education and the contempt which he shows for the people of Central Australia, that particular building is deteriorating. It is the

subject of vandalism and there is uncertainty as to whether the building will in fact be purchased and be used for the purposes for which . . .

Mr ROBERTSON: A point of order, Mr Speaker!

Mr SPEAKER: Order!

Mr PERKINS: Mr Speaker, the honourable Minister for Education appears to be concerned that, if there is an indication of the funds to be allocated, this might actually prejudice any negotiations going on in relation to the building. This is not true because, as I understand it, the property was valued last year and the Northern Territory government has not taken action to allocate funds for the purchase of the building in question. I believe that this demonstrates the inertia and the incompetence of this government in relation to these types of requirements which are much needed in the community of Alice Springs. In this case, it is obviously a facility which is badly needed by the Community College of Central Australia. What is the government doing to ensure that it happens? I would submit that they have not really done anything of any consequence to date to meet that real need.

Mr Robertson: You have ensured that.

Mr PERKINS: Mr Speaker, the honourable the Education Minister interjects again. He wrongly suggests that I have ensured that that will not happen. He is obviously looking for a scapegoat to blame his own government's incompetence and inertia on this particular problem and I ask him to rethink his attitude because, if he thinks that he can interject and try and intimidate me or anybody else, he has another think coming.

Under the allocation for the Department of Community Development, an amount of $41,000 is set aside for 5 Aboriginal community workers who I understand will be employed under contract. I would like to commend this particular allocation. I think it is worthy of commendation because, in isolated Aboriginal communities, there is an obvious need for Aboriginal community workers to be employed.

I note that there is also an allocation for the purchase of 4 motorcycles for use by the community welfare workers on Aboriginal and other isolated communities. I understand that the motorcycles will be for use in the Top End. I also understand that Cabinet has instructed that no vehicles are to be purchased out of these allocations for use by the community welfare workers in Aboriginal communities and in particular for use by Aboriginal people . . .

Mr Perron: Not true!

Mr PERKINS: . . . and I am disappointed because, in my particular electorate . . .

Mr SPEAKER: Order! I draw honourable members' attention to Standing Order 60 which states that no member may interrupt another member while he is speaking, for various reasons. I intend to enforce that rule. I do not mind interjections but a running commentary is entirely different.

Mr PERKINS: I am utterly disappointed to note that there is no provision for vehicles for use by Aboriginal community workers. My information comes from a very reliable source in Central Australia. I am utterly disappointed that Aboriginal community workers in Central Australia will not be allocated vehicles for use in carrying out the jobs required of them by the Community

Development Department. I would even be more disappointed to find that the 4 motorbikes in question will be allocated to the Top End while my constituents will not have the benefit of a vehicle of some sort to carry out their job.

Just recently, the Community Development Department employed an Aboriginal community worker at Papunya which is in my electorate. He requested the use of a vehicle to carry out his purpose. It is a matter about which I am concerned and about which my constituents are concerned. I ask the honourable ministers responsible to have a look at this particular appropriation again and ensure that these persons can do their jobs effectively by providing the necessary vehicle facilities.

$250,000 is allocated for grants-in-aid for community organisations. It will be interesting to note just which organisations in the Northern Territory will benefit from those grants and how many of those organisations are involved in Central Australia. Perhaps the honourable minister responsible can give me an indication.

I have only touched on a few items which concern me. I am sure that there are a whole range of items in the mini-budget which ought to be scrutinised but not only by honourable members of this House but by the people of the Northern Territory. I hope that the people of the Territory will not be sold out and that they are aware that this government is obviously trying to use this mini-budget as an election gimmick by trying to buy the votes of the people of the Territory. I would like to take this opportunity to at least warn those people in Central Australia and other people who will read Hansard or who are listening to this debate that they ought to be wary of the tactics which underlie this particular mini-budget. I do not for a minute accept the reasons outlined by the honourable the Treasurer when he presented this budget that it is a response to new activity, new jobs and new people in the Territory.

Mrs LAWRIE (Nightcliff): Mr Speaker, in this budget $15.8m has been allocated to government departments over the original Appropriation Bill which is an increase of 3% to 4%. Right throughout this mini-budget there are increases to salaries to accommodate the national wage case. That was a 4.5% increase but, of course, that only takes effect from December and, therefore, only a 3% increase to the original allocation of salaries is necessary. Any increase above 3% must be seen as growth in the public service and is not just covering the national wage case at all. I have not had time to go through each additional expenditure with a calculator but I believe that to simply put down the increase in salaries to the national wage case is a trifle misleading. There has also been a growth in the public service but, unfortunately, in the wrong sectors.

Some departments have received whopping increases. The Racing and Gaming Commission has a 50% increase which will allow extra disbursement to the racing clubs. No doubt, they are very happy about that. There seems to be massive increases in certain areas which leads me to believe that either the original estimating by some departments was woefully inaccurate, and a mini-budget was needed, or some other explanation to that effect. The point I am making is that what is seen as savings in some sections may only be poor estimating in the first place. That can only be determined when we see a budget for next year and refer it back to the original budget for this year.

The Northern Territory Development Corporation only recieved an additional $11,000 which leads me to believe that there has not been a proportionate increase in spending to assist the private sector notwithstanding the fact that

extensions to civil works programs have had some beneficial spin-off. If we look at the Alice Springs Community College, we see savings of $70,000 in salaries. No explanation was given but I have a feeling that it might be because TAFE has taken over some of the facilities and courses previously administered by the Alice Springs Community College. I am not inclined to agree that that is altogether for the better.

The Education Department is a very interesting department when we compare it with the Departments of Industrial Development and Transport and Works. In some sections, those departments are short of staff and are struggling to maintain their equilibrium let alone advance in a way which would help make the Territory prosper.

I spoke earlier of TAFE. In the Commonwealth Gazette, CTS has placed a series of advertisements for appointments to TAFE. There are over 30 positions for which appointments are being solicited and not one of them is worth less than $20,000. I asked why the advertisements had not appeared in the Northern Territory Gazette and the answer was that they are Commonwealth Teaching Service positions. That may be so but they are for TAFE in the Territory and we are about to start paying for that.

Honourable members might like to hear some of the positions: Assistant Director Band 5 Tenchnical and Further Edication, $27,011 - location Darwin; Assistant Director Band 5 Continuing Education, $27,000 - location Darwin; Principal Education Officer Band 4 Adult Education, $24,992 - location Darwin; Principal Education Officer Band 4 Special Projects - location Darwin, $25,000; Principal Band 4 Batchelor College, $25,000; Principal Band 3 Katherine Rural Education Centre, $22,835; Senior Lecturer Curriculum Band 3 Batchelor, $22,835; and Education Officer Band 3 Adult Education Programs, 3 positions, each $22,835 - location Darwin.

Wait for this one, Mr Speaker: Controller Band 3 Driver Education, location Darwin, $22,835. His duties are: responsible to the Assistant Director Technical and Vocational Education for the conduct of driver education programs in high schools and in Aboriginal communities, for the development of curricula and materials and the conduct of training programs for teachers to qualify as driving instructors. The curriculum for driving is the Traffic Act. What are they coming at? However, in case he is pressed and overburdened, we have an Assistant Controller Band 2 Driver Education, $20,527, location Darwin. His duties are: responsible to the Controller of Driver Education to oversight the provision of driver education programs for senior secondary students and adults in Aboriginal communities, assist in the development of material and the conduct of training programs for teachers to qualify as driving instructors. This is incredible. It gets better.

Adult Educator Band 2, several positions, various Aboriginal townships through the Territory, $20,527; Lecturer Band 2 Batchelor 5 positions, salary %20,527; Lecturer Band 2 On Site Teacher Training Program, 3 positions, $20,527; Coordinator Band 2 Education in Correctional Institutions - good - location Darwin, $20,527. Professional Assistant Band 2 who is responsible to the Director of TAFE to provide professional assistance to the Director and the Assistant Directors of the branch as required, $20,527 - location Darwin; Lecturer Band 2 Katherine Rural Education Centre, 2 positions, location Katherine Trade School, $20,527. We have 2 positions at $27,000 and 2 positions at $25,000, all concerned with Aboriginal advancement, of which I approve, but unhappily they all happen to be based in Darwin. The total is $104,138 per annum just for those 4 people. On top of that, we have all the other salaries which I read out. Where it had several positions, I took a

guess and said 5 but, of course, it could be above that. This give a total of at least $746,966 for TAFE per annum. These are all published in the Commonwealth Gazette.

Let us relate this back to what is happening in the branches administered by the Minister for Industrial Development. He is not quite so lucky in having positions attached to his staff. At first glance, it looked good because there is an increase in the appropriation for Fisheries. That increase is for salaries and payments in the nature of salaries, $121,000. When we look at the explanations, it is not quite as rosy as I had hoped. It covers increased overtime by enforcement officers arising from the closed barramundi season and the monitoring of the 200-mile fishing zone, crew for the new patrol boat, staff for Roper Bar Fishery Station - which is excellent - retirements not provided for previously and the effects of the national wage increase. We do not see any increase in establishment, other than the crew for the new patrol boat, to enable the Fisheries Department to adequately monitor the fishing industry and provide the information to the minister so that complete closures will not have to occur again. There is no addition to research staff to provide the necessary research to enable proper decisions to be made about such things as jenny crabs.

The minister's other departments, agriculture in particular, are starved of expert staff. For some reason, the minister who has the care and control of these sensitive areas of vital importance to the Territory is not being given the increases in staff which are necessary if his departments are to adequately serve the people of the Northern Territory. Research on primary industry is still needed. It has fallen into a sad state. I am very unhappy that, if we look at the spread of salary increases and staff increases across the Northern Territory government, there appear to be massive increases where they may not be needed. I would like to hear some justification of this. There are no corresponding increases in the areas which have been sadly depleted.

A couple of members have spoken of the increases under the heading "Community Development". Community welfare received an increase of $305,000 which is over 50% of their original allocation. Community services received $494,000 which is just under 50%. They are massive increases. Whilst I am pleased that some money is going back out into the community, there are problems in granting such large increases at such a time. It would have been far better for this money to have been available over the entire financial year. I am not sure that many of the recipients of this money will be able to spend it before 30 June. Besides the difficulty of spending that money, community organisations which are in reciept of government grants have to budget accordingly. There has been a 50% increase halfway through the year on their original allocations. How will this affect their expectations of what they will get in the budget next year? The way in which these community organisations operate is that, if they have received $30,000 initially and then another big amount making it $50,000, more than they had expected at the beginning of the year, it would lead them to budget and set up programs on the expectation that that rate of allocation will continue in the next budget. The Treasurer may say that they would be very foolish to do that. However, that is the way they operate; they see it as an indication of what they will get next year. If it is a special one-off grant because we are within 6 months of an election, it is perhaps deluding them with false promises of continuing government largesse. Injecting is not as good a proposition as having budgeted better earlier and allowing 12 months for spending the money. It is upsetting to the economy to have it administered in this manner.

Finally, I query the $4.5m still left in the Treasurer's Advance. I have

seen his explanation but I believe it is an inordinately large amount at this stage of the financial year. I would ask him if he could expand on his earlier remarks and those provided in the budget papers. With those remarks, I conclude. I am not at all unhappy that community organisations have received extra money; I am just fearful that they may be led into expecting large-scale funding to continue in next year's budget when it may not be possible.

Mr PERRON (Treasurer): The opposition do not quite know how to take the bill. On the one hand, we have the Leader of the Opposition telling us that it is a great mini-budget because we picked up all his ideas. On the other hand, the following speaker from the opposition benches told us that the budget was an admission of failure. The honourable member for MacDonnell did not quite listen to his boss to know what to echo in that regard. It seems they just cannot make up their minds whether it is a good mini-budget, as they termed it - I do not think that I used that term at any stage - or a bad one.

In his usual style, the Leader of the Opposition plucked $3.2m out of the air which was never allocated as funds and quickly converted it into a brilliant save-the-unemployed scheme. I say "in his usual style" because he has done this many times when speaking in budget debates in this House. The $3.2m that he referred to was for upgrading the Tennant Creek water supply. Of course, that $3.2m was not allocated so those funds were just not available. There was $300,000 allocated for that program. As I understand it, those funds were diverted from the original intention. The upgrading of existing bores at Tennant Creek was decided upon as a more prudent course of action. The $3.2m simply is not there for his crash program to save the unemployed.

The Leader of the Opposition obviously was not listening during the budget debate in this House when we were discussing the NTEC subsidy. The honourable member claims now that NTEC are getting less money this year than they were last year and, quite clearly, with additional fuel increases and additional salaries increases, they will need more money. Indeed they will. The honourable member does not really appreciate that all we allocate to NTEC as a government is its subsidy. It runs on trust accounts. It has revolving funds and the income from electricity consumers is used to assist its operation. Until we receive its annual report, the House does not see the details of the operation or the growth in income that NTEC gets from various increases in electricity charges and numbers of consumers. At the time of the budget, I said that we had allocated $30m to NTEC and I warned that, depending on how the various investigations went during the year, the subsidy for NTEC could be as high as $45m. This matter has not been finally resolved yet. It is still a matter of negotiation between the Commonwealth and the Northern Territory governments as to what the actual NTEC subsidy will be for this year. Everybody in NTEC is being paid and work which NTEC wishes to undertake is not being deferred while this matter is being settled between the Commonwealth and the Northern Territory governments. There are funds available for it to proceed while we negotiate with the Commonwealth. There is no need to be concerned that NTEC is not given a large allocation in this Appropriation Bill.

The member for MacDonnell echoed the nonsense that his leader mouthed about unemployment and energy. However, he did not follow through to say that it was a great little mini-budget based on Labor ideas; he said it was a dismal failure. Perhaps he could explain that to his boss later. He does not know what new Territorians are. I referred in my second-reading speech to new Territorians contributing to the growth in Territory revenue which, in turn, led to the introduction of this bill. For his information, new Territorians are people who come to the Territory and indeed people who are born in the Territory. We have the biggest growth rate of any state in Australia. They

are figures of which we are proud.

The honourable member for MacDonnell alleged that he was greatly concerned that a figure of $285,000 which is listed for the Chief Minister's Department is not split up but the explanation did indicate that some of the money is for an Aboriginal electoral education program. It is true that the explanatory notes are in fairly broad terms. If he wanted to know exactly how much of that particular vote was to be used for the Aboriginal electoral education program, he could well have asked a question on notice. He has had days to obtain that figure.

The same applies to his concern that the Northern Territory government has issued some directive - perhaps even Cabinet I think he whispered - that Aboriginal community workers in Central Australia were not to get vehicles or motorbikes. If he is genuinely concerned with the matter and feels that the government has issued such a ridiculous direction, then he has a range of courses open to him in this House and outside to obtain answers. He chooses to raise it as a side issue in an appropriation debate. I really do not think he is serious.

The honourable member for MacDonnell was greatly concerned because the clean-up campaign allocation simply was not explained in detail. We did not say how much we would spend on mower blades and rakes. It is a terrible shame. He asked whether we consulted all the people concerned with litter. I advise him that we did not; we thought we had better pick it up without talking to them, at least in the first instance. It needs to be cleaned up and it will be cleaned up. We are supposed to run over the Northern Territory talking to all the groups because we want to mow some lawns and pick up some rubbish. They think our public service is big; woe betide us if ever we have a Labor government!

The prison situation in Alice Springs was raised. I am advised that the matter is being studied by the relevant departments at present. Among other things, they are examining the desirability or otherwise of a prison farm in Alice Springs. No doubt the Minister for Community Development will have more announcements on that in due course. The honourable member was concerned that this mini-budget had not laid down that there should be a bus service for Alice Springs. If he had listened at question time this morning, the Minister for Transport and Works explained to the House in fairly clear terms exactly what the situation was in regard to a bus service for Alice Springs.

The honourable member for MacDonnell called us incompetent because we did not list a property in Alice Springs which he believes we should purchase. Indeed, he knows that government is proposing to purchase it but he wants us to list the sum we wish to pay for it and the address. Most people regard acquisitions of property by governments as a fairly sensitive issue, at least initially, between the government and the owner of the land until such time as a stage might be reached perhaps where compulsory acquisition is involved. We have tried behind the scenes to get the honourable member for MacDonnell not to make too much fuss about this particular property in Alice Springs. Obviously, if the property owner knows you really want it badly enough, he may double the price. We are supposed to be protecting taxpayers' money but some people make it very difficult for us to do that.

The member for Nightcliff raised some interesting points about whether we really planned this mini-budget, as she too called it, as a gimmick or whether it really was needed. I can answer her question this way: you cannot really have such an appropriation bill without some additional money. You can

have an appropriation bill which merely reshuffles the funds between departments as we did last year. This time, we had additional funds coming in at a fairly high rate. These were not projected and it is a matter of allocating them at the earliest possible date. As well as the allocation of some $15.9m of additional funds, there is also some reshuffling.

Whether the additional funds were a result of poor estimation or not is probably a question that can never be really answered. I can assure honourable members that there was no plan by this government. It is much easier for departments to spend the money throughout the year knowing the total size of their appropriations. We would have preferred to bring a bigger budget down at the time than to have done this bit of footwork in the middle of the year. It was not designed. It was brought to our attention that unexpected additional funds were coming in as a result of the numbers of houses changing hands, the number of new staff being employed by companies, new companies, land sales etc. For example, you do not know how much you will realise for land at auction. If you decide to release land at a faster rate than you had earlier proposed, additional funds are gained for that reason.

The honourable member mentioned that the TDC did not seem to get very much of an increase which may reflect that we are not directing resources towards that sector of industry. The allocation of funds to various departments depends on whether they are ahead or behind target for their projects and also on their projected needs. We must look at the needs that have come over the barrier in the past 6 months. The budget is framed in early August and anything that occurs later must be taken into consideration in later appropriation bills. The funds for the TDC were allocated having regard to its needs and also its progress in spending the funds that it already had.

The honourable member mentioned that primary industry was an area that we should build up. I appreciate her interest in this area and I am interested in it as well. We have increased spending on areas like fisheries fairly dramatically although the sums are not enormous. In the future, they will escalate at a fairly high rate and the sums will become increasingly bigger. Yesterday, the minister outlined the government's intentions in regard to major primary industries in the Northern Territory. It will cost us very large sums of money. We shall certainly continue to support those types of programs.

The honourable member felt that the grants-in-aid to community organisations have come too late in the year for them to be used properly. Unlike the old Commonwealth days, when every cent had to be spent by 30 June, that is not the case in the Northern Territory any longer. Money does carry over and indeed that has happened a number of times in the past. The most notable example is the first Northern Territory government cheque for $760,000 given to the Municipality of Alice Springs. They can put it in the bank and keep it for years if they wish. It does not have to be accounted for time after time in our budgets once it has been granted to an incorporated or an authorised organisation. The member said that organisations cannot plan properly if they have sudden jumps half way through the year. The applications for assistance often include capital items. They might have bids for extensions to a building, upgrading air-conditioning, vehicles etc. I am sure that they would welcome additional funds on a one-off basis without necessarily the guarantee of that level of funding continuing in later years. However, as regards the foster homes subsidy, we made a decision that the weekly rate paid for foster care would be raised from $25 to $31 per week per child permanently. We are upgrading the rate and that will cost in a full year far more than is indicated in the Appropriation Bill.

I do not think the $4.5m left in the Treasurer's Advance is too high an amount having regard to the fact that it has cost us something like $7m to cover the effects of fuel increases, salary and other increases across the range of departments until the time that this assessment was made. There are also unforeseen expenditures which may come along. I have foreshadowed a payment to employers for time-off from work for apprentices who go to school full time. However, most of the Treasurer's Advance will be used to cover national wage increases, fuel increases and other inflationary effects. I commend the bill.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the question that the bill be read a third time be moved forthwith.

Motion agreed to.

Mr ROBERTSON (Education): I did not intend to speak to the third reading but there is an area of doubt left in the mind of honourable members as a result of some of the comments of the honourable member for Nightcliff. She was misled by the nature of the advertisements appearing under the auspices of the Commonwealth Teaching Service. This is a good example of what governments must guard against in terms of the way in which advertisements are framed. Anyone reading that advertisement could reasonably be expected to reach the same conclusion that the honourable member did. I certainly cast no discredit on her.

Of the TAFE positions to which the honourable member referred, only 6 are new positions. Those 6 comprise a new principal at Batchelor on a new range which is expressly designed for vocational training for Aboriginal students. There are 3 proposed regional coordinators for technical studies. All these are vocationally orientated to make sure we deliver the best possible service. The third position is in Darwin. All the other positions were re-advertised at the insistence of the Northern Territory government when the Commonwealth Teaching Service Commissioner reclassified those positions. I am not knocking the reclassification. I think many of these people deserve those salaries; they are senior and very responsible positions. Nonetheless, the positions were reclassified by the Commonwealth Teaching Service Commissioner. Every one of those positions is already occupied by officers. The reclassification results in a $400 or $500 per year increase in salary. The Northern Territory government put it to the Commonwealth Teaching Service Commissioner that, if he was to be allowed the increases at the Northern Territory taxpayers' expense, then he should re-advertise every position to make absolutely certain we obtain the best value possible for the taxpayers' dollar.

Mrs LAWRIE (Nightcliff): Mr Speaker, I am very pleased the honourable Minister for Education made that point. I would like to express my feeling that the Commonwealth Teaching Service is doing very nicely for its members but we are the ones who will have to pay for it. I appreciate that we have had a Territory Teaching Service Bill introduced into this House and another companion bill. We all appreciate that and we have awaited it for some time. Whilst I accept the explanation by the Minister for Education, I have the gravest reservations that the duties and responsibilities of those persons warrant the salaries advertised and for which we will have to pay.

Bill read a third time.

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SPECIAL ADJOURNMENT

Mr ROBERTSON (Government Business): Mr Speaker, I move that the Assembly, at its rising, do adjourn until Tuesday 22 April 1980 at 10am. For the information of honourable members, this is one week after the date previously advised to honourable members in writing by Mr Speaker. If members have made arrangements for that period, we apologise for the alteration. The change is necessary to enable the Speaker of this Assembly to attend a Presiding Officers Conference along with the Clerk.

Motion agreed to.

ELECTORAL BILL

(Serial 397)

Continued from 14 February 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the Chief Minister in his introductory speech to the amendments, indicated that they were suggested by the Australian Electoral Office, that they were of a minor nature and that they would patch up defects in the administration of the act. In the short time available to me, I have had a chance to go through the provisions and also the amendments circulated by the Chief Minister. I agree that they are of that minor nature. I must stress though that I would have preferred more time to go through the amendments. Nonetheless, I am satisfied that the statements made by the Chief Minister are correct. The amendments will tidy up the administration of the act and for that reason I support them. The Chief Minister has circulated amendment 170.1 which looks very similar to a bill which I presented this morning. I am delighted to see it.

Mr EVERINGHAM (Chief Minister): In reply, I can only say in respect of the amendment 170.1 that the honourable Leader of the Opposition could have circulated his bill by way of amendment to my bill. In fact, it would have been much more tactically sound to have done so because his bill will not come up again until another General Business Day. The honourable Leader of the Opposition is well aware that the next general business day will be after the 13 August date of the election. It would have been less wasteful of the Assembly's time - of course, the honourable Leader of the Opposition would not have been able to make a second-reading speech this morning to this bill - if he had simply circulated an amendment to my bill.

In any event, the Australian Electoral Office would like to see these amendments passed. If they are not passed, proper regulations could not be made to deal with postal vote preliminary determinations and it would require a second set of regulations at a later stage. The matters are of a fairly minor nature and I commend them to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

New clause 4A:

Mr EVERINGHAM: I move amendment 170.1.

There were 2 points which were not brought out by the honourable Leader

of the Opposition. First, his contention that a redistribution process could be started while massive enrolments were still continuing is a fairly artifical argument. Secondly, at the far end of a redistribution process, it will require about 6 weeks for the actual issuing of the writs calling for the election nominations. Even if the Leader of the Opposition were able to save 6 weeks at this end, he has completely ignored the 6 weeks at the other end. I still maintain that the time span available is simply not enough to logistically carry out the operation.

Mrs LAWRIE: Mr Chairman, the honourable Chief Minister said it would have been easier for the Leader of the Opposition to introduce by way of amendment to this bill what he sought to do by way of a private member's bill on General Business Day. I am fairly disquieted by what seems to be a growing practice of introducing a bill in the normal manner so that the public have a couple of months to look at it and, at the last minute, circulate amendments which introduce a whole new set of issues such as this does.

Mr Everingham: A whole new set of issues? A minor amendment.

Mrs LAWRIE: No, it is not a minor amendment. The honourable Chief Minister is obviously missing my point.

Mr Everingham: Humbug.

Mrs LAWRIE: I am objecting to having amendments which introduce new matters brought into bills which have received public scrutiny when the proposed amendments have not had the time to receive the same scrutiny. It is a practice which I deplore and which is growing.

Mr ISAACS: Despite the Chief Minister's assertion that, by pushing down the bubble at this end, it rises at the other end. My advice is different. I suppose that we will just have to leave it at that.

The other matter relates to my presentation of the bill. The Chief Minister gave me a bit of a lecture on parliamentary tactics and for that I thank him. When I discussed the matter with him on Tuesday, it was agreed between us at that stage that there was no need for us to proceed with these particular amendments. He is perfectly entitled to change his mind after further advice but, because of the discussion I had with him, it was quite obvious that, if I wanted to proceed with my proposition that the Chief Electoral Officer could appoint somebody else to take his place in the distribution committee, I had to give notice of the bill yesterday morning, which I did. Subsequent to that, the Chief Minister informed me that he would be proceeding with it. That was fine and so, in some ways, I suppose my motion this morning was redundant. Nonetheless, the ploy seems to have been remarkably successful.

New clause 4A inserted.

Clauses 5 to 7 agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 163.1.

The new paragraphs require a polling officer who receives an envelope bearing a postal vote certificate to sign a record of the name of the elector and the name of the division appearing on the postal vote certificate, deposit the envelope in a ballot box and, at the close of polling, forward the record to his DRO. The amendment varies the procedure from that originally expressed in the bill to ensure that the procedure conforms with standard electoral

practice.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 11 agreed to.

Clause 12:

Mr EVERINGHAM: I move amendment 163.2.

The amendment is to ensure that the procedure required of the polling officer in dealing with the section 80 vote conforms with the standard electoral practice.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clauses 13 and 14 agreed to.

New clause 15:

Mr EVERINGHAM: I move amendment 163.3.

The proposed amendment will expand the section to relate additionally to untrue statements or false information in relation to obtaining a ballot paper and to any documents required to be signed under the act.

New clause 15 inserted.

Title agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr TUXWORTH (Barkly): I move that the Assembly do now adjourn.

I would like to touch on an issue which the honourable member for Arnhem raised last week in adjournment debate concerning a report by Mr Arnold on the safety practices which Queensland Mines and their employees were adopting at Nabarlek. I am sorry that the honourable member is not here for the reply.

I received a copy of the Arnold report in the mail late last year and, as I do with all reports, I asked that it be investigated. I looked at the report and it seemed in order. I noticed on the front that Mr Arnold was a health hygienist reporting on practices in the uranium and nuclear industries. The gentleman made some pertinent points in the report and I sent copies to the Mines Division, to Queensland Mines and to the Supervising Scientist for comment on Mr Arnold's report. Shortly after that, I went away and my position was filled by my colleage, the Chief Minister. I was not aware whether anything had been done on it since. After the outburst by the honourable member the other day when he expressed indignation that something had not been done, I pursued the matter and I found that there was an internal report to me from the department and that comments had been received from the company. No report had been forthcoming from the Supervising Scientist whose prerogative it is to reply to things of this nature.

It would be kind to say that the Queensland Mines and departmental reports were not terribly complimentary of what Mr Arnold had said. Because there has been no response from Mr Fry, I am not in a position to answer the honourable member's points.

However, the honourable member did express his indignation that something had not been done about it. He gets up here and says these things and expects me to be waiting with pen poised and to run off and investigate his every claim. He said that I was not doing my job properly and I think he went so far as to call me a liar. The honourable member obviously thinks that I have a credibility problem but I wonder whether it has ever occurred to the honourable member for Arnhem that he may have a credibility problem. He is regarded in most circles as being very keen to whip up hysteria on the issue of uranium and to raise passions and emotions with broad sweeping statements that often, when they are tracked down, do not have a lot of substance to them at all. I refer honourable members to the Snake Creek issue which was a bit of a fizzer but obtained a great deal of emotional mileage for the honourable member.

More recently, there was the incorrect press report from the Canadian press about the area in the Northern Territory which was supposedly in such a ravaged and wasted state that people could not live there. The honourable members for Arnhem and Fannie Bay were quick to rush to the press and call for a report. Again, they did not do any homework; they did not worry about any facts. They did not want to confuse a good story with any facts but preferred to just whip up a bit of emotional hysteria.

I believe Mr Arnold's report was carried out with good intentions. If he stayed a couple of days extra and talked to the company and the Mines Division, he probably would have had a lot of his queries satisfied. But he did not; he went away and wrote the report.

I am not going to reflect on the character of the honourable member at all. If he wishes to call me a liar and infer that I am negligent in my job, that is fine. I am not going to be drawn into that. I find it very difficult to deal with things that the honourable member raises. He has cried wolf so many times that I find it impossible to believe anything that he says. He has no credibility with departments of government or officials that have to deal with these reports. They cannot take him seriously. It is very hard for my own staff to take him seriously. While he continues to carry on the way he does, he probably will be disappointed with the attention he receives to his claims.

The comments I made about him on air, that he refer things to me in writing, were quite sincere. I am not interested in what he says or tells someone else or reports to the House ...

Mrs Lawrie: Or says in this Assembly?

Mr TUXWORTH: ... or says in this Assembly. I want him to put it on a piece of paper with his name underneath. I will then have it investigated. I find it difficult, to say the least, to rise to the bait every time he goes on with one of those emotional outbursts that he makes on the issue of uranium every chance he gets.

The honourable member for Arnhem is pursuing a philosophy on uranium which I do not mind terribly much but it would be more helpful if he would stand up honestly as an anti-uranium advocate. He should be open about it and stop kidding the electorate instead of mumbling in public that he does not mind uranium mining and then, at every opportunity, whipping up hysteria in

his attempt to create fear in people's minds. I have asked the honourable member and indeed the honourable the Leader of the Oppoisition on several occasions to make the opposition's uranium policy quite clear to the electorate so that everybody understands it. It has a bit of difficulty doing that because it is one that is not terribly palatable. I appreciate that that is a problem that they have in politics. However, the honourable member cannot expect me to run around in circles investigating these wild, inflamed statements that he makes, at the rate he makes them, for that reason.

Mrs O'NEIL (Fannie Bay): I suppose it is a stand that we should expect from the honourable the Minister for Mines and Energy. Unfortunately, the member for Arnhem is sick but the honourable minister does not mind getting up and giving him a bucket when he is not here to reply. The honourable minister does not like people talking about uranium at all; that is, if they disagree with the honourable minister. He has confirmed here today that he is not interested in what members say in this Assembly. He does not even care whether Hansard is up there putting it on paper. We must now put it in writing to him.

It also appears that the honourable minister does not even want this Assembly's own Sessional Committee on the Environment to talk to people about uranium. A gentleman is coming from the commission in British Columbia to Darwin. Apparently, the minister has not even bothered to let this Assembly's own sessional committee know about that gentleman's visit next week. The minister seems to think that uranium is his personal property and that no other members of this House should concern themselves about it or say anything about it. Even if they do say something about it in this Assembly, he said quite clearly that he is not interested in hearing it. I think that is thoroughly disgraceful.

Mr Speaker, that is not why I intended to speak in the adjournment debate this afternoon. I asked a question this morning of the Chief Minister about a business known as Darwin Home Locators. I asked the Chief Minister whether he knew whether this business was registered under the Land and Business Agents Act. Perhaps he has had a chance to find out by now. I believe they are not but I am not really sure. Darwin Home Locators is a business operating here which charges people seeking accommodation the sum of $40. That sum entitles them to view a list of possible accommodation for a period of 3 months. There is no guarantee that they will get anything at all. Some people are quite happy with the operations of that organisation and others are not. I do not intend to go into that aspect.

Last year, after a great deal of preparation by people in the real estate business, the Land and Business Agents Act was passed by this Assembly. One of its principal functions is to regulate the operation of real estate agents. This act is particularly important because those people hold large sums of other people's money from time to time. People acting as agents for persons looking for tenants are also regulated by this act. If, as is possible, businesses such as Darwin Home Locators are not required to be registered under this act and thus have their operations properly supervised, I think there is something wrong with the act. I believe, and I am sure many people agree, that these types of businesses require the attention of the law. I simply mention Darwin Home Locators as an example. That is one that I know of. It charges a prospective tenant; it does not charge the landlord and therefore it is fairly attractive to a certain class of landlord. If it is charging people for whom it says it has no responsibility and accommodation is being arranged without any proper supervision under the Land and Business Agents Act, which we passed in order that supervision of this sort of business would take place, I think the matter needs to be examined by the Chief Minister and his officers.

Mr HARRIS (Port Darwin): Mr Speaker, I was hoping to have been able to table a petition this morning from a number of people in the Central Business District. Unfortunately, due to the lateness of its receipt, I was unable to do so. I will present it at the first day of the next sittings.

The petition was signed by some 400 people who are concerned at the proposed re-opening of the cafeteria in the Chan building. I support their feelings. I think that it is illogical at this time to consider opening that facility. I am well aware that private enterprises have been asked to tender for the operation of that cafeteria at some astronomical figure of $76,000 a year. Quite frankly, I do not think that anyone in his right mind would consider operating with that enormous rent. I am aware of the argument that, if someone wants to build a shopping complex on the Esplanade or Cavenagh Street, he can go ahead and do so. However, the comments that will come back from people who have retail outlets in the city area will definitely indicate reaction to those developments.

Development is based on market needs. There is no need at the present time to have a cafeteria in the city here. The City Circle Traders Association which instigated this petition is there to monitor very closely the needs of the community. Included in its aims are coordination and attracting people into the city area. It is also there to raise any concerns that could threaten and cause disruption to the general business people. No one is knocking development; most of us welcome it. However, I have already mentioned that development is controlled by market needs. I object most strongly to any proposal, such as the opening of this cafeteria, where a need has not been established. The objection to the opening of the cafeteria is soundly based.

At present, we have 76 retail outlets in the Central Business District. With the opening of the Paspalis Centrepoint and the other projects which are still to be completed, that will be doubled by the end of October; there will be 140 retail outlets. When the Darwin Plaza is completed by the end of next year, there will be 200 retail outlets in the Central Business District. This is a large number of retail outlets and I do not know where it will all end. I do not know how everyone will be able to survive.

Most of the traders rely almost entirely on this lunchtime trade. It is not only the people who are dealing in foodstuffs; it is also those people who sell clothes, shoes, gifts etc. There are many activities that benefit from the pedestrian flow. There is always a spin-off to people in that particular area. The Mall development was timely; I have supported and congratulated all the people who were involved with that development. The Northern Territory government contributed $800,000 to that development and the city council has appointed someone to manage the Mall. The council and the Territory government have very good reasons to protect that particular investment.

We heard the Lord Mayor and the Chief Minister say, at the opening of the Mall, that they welcomed it and supported it. What do we see now? We see a proposal to open the cafeteria in the Chan Building. The Chan Building is the principal government office. I do not think that there would be anywhere else in Australia where the principal government office would have a cafeteria that is open to the public, a cafeteria which would have the opportunity of applying for a liquor licence. There is no doubt that the equipment in this cafeteria is of a very high standard and that it could cater for perhaps 10 times the seating space that is presently offered. However, that is not sufficient reason for re-opening the cafeteria. The cafeteria should not have been built there in the first place and that is the problem. The equipment can be removed; let's not use that as an argument.

What can we do with this particular area? The Information Centre that is situated next to the Reserve Bank could be moved to the area proposed to be used as a cafeteria. In most other areas, information centres are situated in the main local government or state government buildings. I think that is probably the place for them. The building vacated by the Information Centre could then be used for an area where mothers could rest or attend to their babies. I believe that is a much-needed facility in the Central Business District. It is only a suggestion but I believe it is the type of suggestion that should be considered if we are to satisfy community needs.

I believe the decision to re-open the cafeteria is illogical. There is no need for such an outlet at this time. I urge the government to reconsider and stop this illogical and what I consider to be a very irresponsible move to have the cafeteria in the Chan Building re-opened.

Mr DONDAS (Casuarina): I cannot let the honourable member for Port Darwin get away with this. I thought that the free enterprise system worked right throughout the world on the basis of providing a service to the consumer. Coles and Woolworths are side by side in every capital city. Coles do not say, "Woolworths are there. We will not get any business if we go there". I have long advocated that "Big Al's", as it was called after the cyclone, be opened.

There has been an inference in the local Labor Star, if I can call it that, that I gave an assurance to one of the people in town that that Chan Building cafeteria would not open. That is not true; I never gave such an assurance. In fact, I said it would probably open about the middle of this year. If the city traders are worried about another facility taking business away from them, why doesn't the council get rid of the mobile food stalls that are parked on the corners and which are now providing a service to public servants? These people do not pay rent, they have no overheads and they have no worker's compensation insurance. They generally do not have the same expenses as a person who is selling sandwiches in a shop; that person has all kinds of overheads. Why don't the city traders make a move to get rid of the mobile food stalls instead of complaining about a facility for public servants?

The point is that the city retailers are crying poor. There are too many shops; we are told there will be 200 shops. Casuarina shopping centre is taking so much trade from the city because the shops are providing better service, have larger stocks and probably more friendly service. That is why everybody shops out there. The shops in town are drab and they hardly have any stock. What do they expect? The point is that the shops in town are in a good position to compete with those at Casuarina because the rents are much lower in the city square than they are at Casuarina Square. If that is not an incentive for city traders to get people from the northern suburbs to shop in town, something is wrong. Another point is that 5,000 to 6,000 people work in the city. They come into town every day and Smith Street is only a short distance from where they work. In other words, the city retailers have a captive market of 7,000 people every day.

I think that the city retailers have been spoonfed. We gave them money for the Mall and we are doing all kinds of things to help them. As far as I am concerned, the cafeteria in Chan Building should open. There is a proposal that I will put to the Chief Minister, and he may accept it or he may not, that we need a small reception centre in town. If the government decides not to open the cafeteria, that equipment could be used for weddings, engagements and other small functions. However, I do not think we would find anybody who would pay $1000 a week to do that.

If I can move on to another matter, $50,000 has been allocated to finish

off the road from Trower Road down to Dripstone Caves or Lions Park on Casuarina Beach. I am very happy that the government has acceded to my request because that stretch is in a very bad state in the wet season. People from all over Darwin go down to Lions Park and use Casuarina Beach. I am very happy to see that allocation and, hopefully, the work will be done before the end of this year.

I was a bit disappointed when the town plan came out that the beautification of the Lakeside Drive area of Rapid Creek was not really included. I first raised the matter of beautifying Rapid Creek but, unfortunately, it all started on the McMillan's Road side. Nevertheless, I have caught up now and I certainly hope that the plan on display now, with a few suggestions from the public, might result in a very nice area.

The honourable member for Nightcliff asked me to table a report on the Carpentaria College. Until such time as we can get a surveyor in there to work out the open space which exists, it is very difficult to give members a copy of the plan. It is only a rough plan but, nevertheless, if members of the House would like to see what the layout is, I am only too pleased to show them. It is rough and I cannot define a certain area on the plan until the playing oval has been established.

Mr VALE (Stuart): Mr Speaker, I am somewhat surprised by the recent publicity surrounding the ALP's energy policy. Most of the options the Leader of the Opposition discussed are not new. They had already been discussed by the government and received limited press coverage. I am just a little surprised at the amount of press coverage those options received when the Opposition Leader discussed them in recent days. The Minister for Mines and Energy more than adequately covered all of those points this afternoon.

The Opposition Leader received press coverage of his proposal for a government-owned $1m distillery. Someone should tell the Opposition Leader that a distillery makes liquor and a refinery produces petroleum products from crude oil. Even so, $1m simply will not pay today's cost for the pickets around the fence of a refinery which, according to the Leader of the Opposition, would produce 660 barrels per day. The figures he used are way out of date. Amongst other things, the refinery in Roma which was constructed in 1972 was built out of second-hand equipment which was adapted by government to utilise the local oil which has entirely different chemical characteristics to the Mereenie crude oil. Today's figures have blown out of all proportion. As I said, $1m would not provide a picket fence around any refinery no matter how small.

The Leader of the Opposition's whole argument is the need to develop resources and to conserve energy yet he proposes that his small $1m oil refinery will not pipeline the crude oil in from Mereenie but will transport it in. There are no qualifications of how long but we must assume from that statement that it would be for ever and a day. Over the 4-year life span of the refinery, that in itself will consume thousands of barrels of automotive distillate which simply is not energy conservation. The most reliable and cheapest method of moving crude oil is purely and simply by pipeline. I really doubt that the Leader of the Opposition knew what he was talking about when he was asked on the ABC how far north the Mereenie oil could supply or would supply. The announcer asked about the people elsewhere in the Territory. He went on to say: "Could it include Tennant Creek"? The Opposition Leader replied: "Well Peter, that's a story for another day". The least the Opposition Leader can do is make public statements that keep the public generally well-informed of his proposals. The proposed refinery for Central Australia is, was and still will be to supply refined petroleum products to the whole of the Alice Springs to Tennant Creek area market. That was the envisaged

market in 1972 and, to my knowledge, still is although recent OPEC prices and transportation costs might well mean that the petroleum products in Central Australia could come as far north as Katherine.

The other point that I would like to make in relation to the ALP policy is that, despite the leader's statements and noises, he does not appear to have the backing of his deputy. The only member in this Assembly who represents an electorate in the Northern Territory in which crude oil and natural gas deposits are known is the honourable member for MacDonnell. In the last 2½ years,he has never spoken in the Assembly on the need to develop it. He has never sought nor obtained meetings with Magellan Petroleum and the Oilmin group and, to my knowledge, he has never used his office to encourage the land councils and the oil companies to get together. I wonder why. You would think that, if for no other reason, the member representing those vast and valuable deposits has a moral responsibility to the whole of the Territory to see that production is brought on stream.

Mrs LAWRIE (Nightcliff): The honourable member for Port Darwin and I have been friends for 20 years and I hope we will be friends for another 20 years but it somewhat surprised me that, when the honourable member made his speech, he did not declare his interest. The honourable Minister for Transport and Works and Industrial Development is always very careful when talking on aviation bills to mention that immediate members of his family had shares in Connair. Not only is that appreciated but it is necessary. I only assume that it was an oversight by the honourable member for Port Darwin because I have great faith in him as a person. I do request that, when he presents his petition or speaks, he declare his interest as far as the Darwin city trading people go.

Mr Speaker, the honourable Minister for Mines and Energy cast some doubts on the integrity of the member for Arnhem and called into question his credibility. Of course, the honourable member for Arnhem was not here to defend himself. I believe that the honourable member for Arnhem demonstrates time and time again far more integrity and credibility than the Minister for Mines and Energy can ever do. He consistently demonstrates an ability to deal with the problems which arise in the industry for which the minister is responsible, which apparently riles the minister because, of all the government ministers, he is clearly the one with the least grasp of his portfolios and the least control over his departments. The mining industry in general does not have a great deal of faith in the Minister for Mines and Energy. In his other portfolio, that of Health, no one has any faith in him. I certainly do not have any faith in him.

On the first sitting day last week, I mentioned problems which had arisen in the administration of Darwin Hospital. His reply was no more than a departmental handout. It surprises me that, in consideration of the view put forward by himself and the feeling in the electorate on this matter, the honourable Minister for Health has still not seen fit to state the policy and tell his department to implement it. All he has done is to put forward departmental policy and abide meekly by it no matter what the people of the Northern Territory might think. That is not self-government; that is rule by bureaucracy in a manner which I had not hoped to see from any minister of any Northern Territory government regardless of its political complexion.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon I would like to speak on 2 or 3 matters. Last night, I was travelling down Howard Springs Road which is a bitumen road. The speed limit is 80 kph and I was only doing 60 kph. Suddenly, I went over something in the road. I wondered what it was so I stopped and looked back and saw that it was just a pile of gravel so I went on. When I came back, I stopped and had a look at it. At first, I

thought the road had been dug up but it had not. It seemed to be gravel that had dropped out of the back of a truck - perhaps the tipper part was not working properly. This gravel lay diagonally across the road and made the best speed-bump that I have ever been over because it was not at right angles to the edge of the road. It was at a very interesting angle which gave the car a new movement as I went over it. And then I got to thinking of speed-bumps. Mr Speaker, if you have been to the airport, you would have noticed that there are 2 speed-bumps there. People from the rural area just do not notice them; they only notice the danger signs up at the side. If they are dangerous, the roads in the rural area are completely impassable. I was beginning to think that perhaps the Minister for Industrial Development should be approached for some sort of subsidy so that the people in the rural area can all purchase riding hacks because the roads are becoming completely impassable.

While we are on the subject of the roads at the airport, it was also mentioned to me recently that - I have not had a chance to check this up but I will be asking the minister about the status of the roads there - if they are public roads, what is the status of the vehicles used by the airline companies to bring out the luggage onto these roads. I have not checked this but I have been told that these vehicles are not registered as road vehicles. I distinctly remember that, some years ago, a chap was going along a road in Fannie Bay on a self-propelled motor-mower. He did not have a licence to travel on the road and he was copped for it. It seems to me that these tractors that tow the luggage wagons outside the airport may not be quite in that category but they are very similar and they may be travelling on public roads.

I also noticed last night that there is a sign pointing to the road down which I turn - Yarrawonga Road. Perhaps the Place Names Committee gazetted the name of this road some years ago. It has been called that name for a number of years but I cannot remember exactly when it received that name. I am very pleased to see the sign up. I am not surprised that it has taken all this time to put the sign up because the Place Names Committee seems to be a law unto itself.

I remember reading an advertisement in the paper requesting local people to contribute any information on the history of the Northern Territory so that roads and streets could be named after important people. The public were asked to present all the details with their applications. I have spoken of this repeatedly but it really irks me that this Place Names Committee has so much bureaucratic control. I seriously ask the minister to consider its terms of reference because they can arbitrarily name roads and rename roads and they do not consult anybody; they do not even think of anything that happened before in that area.

I will quote another instance. The road leading to the showgrounds, which the Show Society requested be named after the late Roy Shean, took more than a year to be named officially Shean Road. There was no reason for that delay because the Show Society presented full and adequate reasons for their wish for it to be named Shean Road. If these people on the Place Names Committee are so conversant with the history of the Northern Territory they would not need to be told that Roy Shean was quite a character when he was alive.

Mrs Lawrie: We do not know what he is like now.

Mrs PADGHAM-PURICH: He is probably the same as we would be if we had been dead as long as that.

I have mentioned before that the name of McMinn's Bore Road was changed to Girraween Road. No doubt this was because of the swamp in the area.

Recently, I learned that the name is also used in Queensland. Somebody from Queensland probably named that swamp Girraween. If the locals knew it as McMinn's Bore Road for so long, why is it called Girraween Road just because there happens to be a swamp in that area.

There is a road out in the rural area which was called by a very unusual name - Wobbly Downs Road. I have not been able to find out why it was called Wobby Downs but, for no apparent reason, the Place Names Committee decided to call it Kennedy Road. My knowledge of the history of the Northern Territory is not that extensive. I think Kennedy was a surveyor of some sort. It appears that all surveyors are dead certain to be remembered by history because the Place Names Committee will name something after them somewhere. I cannot understand, in that particular case, why Wobbly Downs Road could not have kept its original name.

Talking about surveyors, there is the case of Fred. Fred was the chap who came up to the Northern Territory and went to the Arafura Sea. Fred made a pass and this is still called Fred's Pass. I could not understand this when I first heard of Fred's Pass in the Howard Springs area some years ago. Fred was a surveyor. I understand Fred's last name was Litchfield. No doubt he was a good chap and Fred's Pass, in those days, was quite an achievement and we should remember him. But I cannot understand why other people have not been remembered similarly.

I will cite the case of Pruen Road in Berrimah. I have been told by a lady who was born here some years ago that old Mr Pruen lived on the beach at Casuarina and existed on coconuts and barramundi. He lived out in the area where Casuarina is now. This was when there was bush between Darwin and Parap. If the Place Names Committee really knew their job and really knew who Pruen was, they would have named a street after him in Casuarina. However, they put his name on a street in Berrimah and, to this lady's knowledge, Pruen never actually lived in Berrimah.

I turn now to the name of Fitzgerald. I do not know his first name. Mr Fitzgerald was one of those well-known and probably notorious people who went to gaol about 1919 as a result of the protests against no taxation without representation. To my knowledge, Mr Fitzgerald has not had a street named after him.

Mr Steele: Why?

Mrs PADGHAM-PURICH: There probably are reasons why. If we examined the histories of some of the people who have streets named after them, we would not have many streets named after many people.

Mr Fitzgerald lived in Parap and he also owned many hundreds of acres of land at Howard Springs, some of which was taken from him by the Commonwealth in the 1930s and for which neither he nor his daughter nor his sons nor his grandsons nor his great grandchildren have ever received a penny in compensation. Mr Fitzgerald has not had anything named after him. Perhaps his daughter could have applied to the Place Names Committee but, if the Place Names Committee people were up on their local history, they would not need to be told this.

I will just touch on something which was brought to my attention at lunch-time. I feel that the people in the Education Department ought to be told that there is an imminent fuel shortage and we should conserve as much fuel as possible. I am referring to an application made by a resident of Acacia Hill to obtain a car allowance for taking his children to the nearest school because there is no bus. I understand this allowance has been reduced from 13 cents to 7 cents a kilometre. That is not the point I am arguing about at

the moment. What I am arguing with is that there seems to be a policy of the Education Department that this allowance will not be paid to the person who takes the child to school if that person does so while on a trip somewhere else. For these people at Acacia Hills, Berry Springs School would be about the nearest, a distance of about 10 to 12 miles. To obtain the allowance, they would have to go back home, touch the front gate or the front fence and then go to work. They do not get that allowance if they just take the child to school and drive on to work. I feel that this policy must be reconsidered in view of the increasing fuel shortage and also to bring a bit of rationality into the whole thing.

Mr BALLANTYNE (Nhulunbuy): Mr Speaker, I would like to report on my visit to New Zealand recently as a representative of the CPA Branch here. The 25th Commonwealth Parliamentary Association Conference was held in Wellington New Zealand and I attended in place of the member for Alice Springs who was unable to attend. Unfortunately, because of the Legislative Assembly sittings in Darwin, I was unable to attend the first week of the conference which was mainly taken up with tours of the North Island. Delegates met in Auckland and made their way down to Wellington on various tours. From all reports, they were very well received wherever they went and they had an absolutely marvellous time. They were shown some very good hospitality by the New Zealanders, particularly the Maori people.

I arrived in Wellington on the Sunday. The conference, which began the next day, was held in the old Upper House. It was opened by the Speaker, Mr Dick Harrison, who was a guest of our CPA Branch here last year. The Governor-General, Sir Keith Holyoake, opened the plenary sessions and I do not think I have ever been more inspired by a person's oratory. It started off the conference in a fine spirit; his speech was awe-inspiring.

Mr Speaker, the New Zealand Speaker and President of the CPA, Dick Harrison, asked me to convey a message to you from him and his wife. They send their best wishes and wish to say how greatly they enjoyed their stay here during their visit to CPA branches throughout the Commonwealth countries.

The main conferences were held in the Beehive building - the executive building. It is really quite an exciting and marvellous piece of architecture. It is adjacent to the old Parliament House and it blends in quite well. The design is not very practical in some ways. It has some faults in that the big reception halls are of a semi-circular design. However, there are very high ceilings and the decor is beautiful. It is quite an exciting building indeed.

The main plenary sessions related to the energy crisis, the refugee problem, the security of the smaller countries of the Commonwealth and Africa south of the Sahara. There were also a number of panel sessions on the Year of the Child, pollution, protection of the environment, the drug problem, population growth, economic assistance to developing countries, international terrorism and the functions and responsibilities of MPs. I was able to attend a couple of those as an official observer and I made some comment. On the final day, there was discussion on "Parliament, the Executive and the Civil Service", "Freedom of the Individual and Human Rights" and the "Authority of Government in a Parliamentary Democracy". I attended every day and found the conference very stimulating.

Speaking again on the Beehive, the conference was held in a very large reception hall which is adjacent to a couple of restaurants. The CPA have their own bar, rooms and restaurant. The other restaurant is mainly used by the parliamentary staff. As I said, the architecture is really magnificent. In fact, I have sent away to obtain some more information on it because it could be a guideline for us when we build our parliament house and associated

buildings. It is built on very solid foundations and is earthquake proof. I sent a post card to some honourable members and I think they could see by the photographs that it stands out magnificently.

Since I was an official observer, I did not participate in all of the panel sessions because the delegates are split up into 3 or 4 different groups. I did get a chance to speak on the International Year of the Child. Whilst I was over there, I found there was a great interest in the Territory. Many people approached me to talk about the Territory. People were interested in constitutional law, our transfer to self-government, the problems we experienced and our development. I found there was a tremendous interest in the Territory wherever I went.

We have many friends in Commonwealth countries. Some of our past delegates who have represented this branch have made friends. Those delegates have been always very well received. People still ask about these past delegates. Mr Justice Ward's name was mentioned by one person who had met him on a number of occasions. Rupert Kentish was also mentioned. So we are well known wherever we go.

I would like to thank the Clerk and his staff for making the arrangements for myself and my wife. Everything was above expectation. We were given red-carpet treatment when we arrived at Auckland and at Wellington 2 days later. We were given a big welcome from the New Zealand branch. The Clerk, Mr Littlejohn, was a wonderful host. He passes on his best wishes to the Clerk and his staff, to you, Mr Speaker, and to the Assembly generally. I found that New Zealand people are very warm, polite and helpful. New Zealand is a very fascinating place. I only visited the major cities of the North Island and part of the South Island but it is certainly a picturesque and scenic place. I would like to thank the branch for giving me the opportunity of attending the conference. I believe every member should have an opportunity to attend one of these conferences at some time.

Mr DOOLAN (Victoria River): Mr Speaker, I hope nobody takes seriously the suggestion of the Minister for Community Development that the council close down street vendors. I am a regular customer of the "Cafe de Kerb" and I saw the look on the face of the Minister for Transport and Works at the suggestion: one of absolute shock and horror. I hope that establishment remains because it is very handy to the Assembly.

Mr Speaker, there are several matters that I would like to mention today. Firstly, I would draw to the attention of the Minister for Transport and Works the conditions of the road into Oolloo Station. This road is in quite reasonable condition as country roads go but all the work done on the road is a virtual waste of time because of the non-existence of culverts on crossings at Hayes Creek, Douglas River and Middle Creek. At present, it requires only very little rain to make this road completely impassable to motor vehicles. However, if a 6 ft culvert was constructed on each of these crossings, this road could be used for at least half of the wet season. In actual fact, the road has been rendered even more useless because the crossing at Middle Creek has been dug out but the culvert has not been installed. It is impossible to cross there.

I am aware that the owners of Oolloo have written recently to the responsible minister and that receipt of this letter has at least been acknowledged. It is also obious that nothing can be done this late in the wet. I am asking that the matter be attended to as early as possible during the next dry season. It is a very important thing to this station because they are missing out on wet season high prices due to their inability to truck cattle to Point Stuart abattoirs. There is also room for improvement on the

road to Point Stuart because Top End pastoralists are experiencing considerable difficulty at the moment in getting cattle to Point Stuart. It has been rumoured that this abattoir was on the verge of closing down because of lack of cattle for killing. This would be a tragedy because Point Stuart opened in early February and it has done the pastoral industry a great service by opening up in the late wet. I think that you will agree that an extended killing season should certainly be encouraged.

Again on the subject of roads, I would like to mention the road from Top Springs to the Victoria Highway. VRD homestead is approximately half way along this road and VRD truck almost all their cattle to Wyndham. The road from VRD, north to the bitumen leading to Kununurra and Wyndham, is in such a shocking condition that VRD has to truck its cattle back in the opposite direction to Top Springs, from Top Springs in a north-easterly direction all the way back to Willeroo turn-off and then along the Victoria Highway to Wyndham. This means literally hundreds of miles of extra travel. They do this because of the state of the road. Road-train operators refuse to use the northern road due to the damage done to their trucks and trailers. This road is not just used by VRD and its outstations; it is a very popular road used by many local people and increasingly by tourists who wish to look at the very beautiful but seldom seen and very little known Jasper Gorge. I feel, as the people of the area feel, that the whole road from Top Springs to the Victoria Highway, should be upgraded and sealed. The section from VRD to the northern Victoria Highway in particular needs urgent attention. Admittedly, it might be considered the very prince of roads in comparison to the poor thing that goes from Daly River to Port Keats but, nevertheless, road-trains or even conventional vehicles can hardly negotiate this top road from VRD to the Victoria Highway.

The second matter to which I wish to refer concerns convenants on pastoral leases. Early last year, one of my constituents had occasion to lodge with the Ombudsman various complaints concerning a pastoral lease. One of the complaints lodged was in relation to covenants. The chief cause of complaint was the covenant which reads:

> *In addition to the existing pasture - (a) he will establish annually 40 hectares of improved pasture so that, by 30 June 1983, he will have established the total of 200 hectares of improved pasture; thereafter (b) he will establish annually 200 hectares of improved pasture so that, by 30 June 1986, he will have established a total of 800 hectares of improved pasture; and then (c) he will establish annually 400 hectares of improved pasture so that, by 30 June 1992, he will have established a total of 3,200 hectares of improved pasture over a period of 14 years.*

That is what the covenant says, Mr Speaker. The Ombudsman said:

> *In pursuance of the Crown Lands Act, the Northern Territory Land Board is an administrative tribunal. The action of recommending the amendment of covenants is clearly a matter of administration and therefore within my jurisdiction to investigate. In addition, in accordance with standard practice, I may concern myself with the manner and procedures in which an authority and its officers have gone about the matter. It is a fact that covenants of a similar nature existed in respect of PLX when it was created and they existed in relation to other properties. It is a fact that there has been no significant development of agriculture on pastoral lease X or any of the other aforementioned properties in the Tipperary land system. Nevertheless, I considered it not to be my prerogative to analyse the administrative circumstances ...*
>
> *Arising from my investigation which has included visits to properties, Northern Territory research stations, CSIRO, discussions with employees*

of the Northern Territory government, discussions with agriculturalists outside the orbit of government, review of technical papers and previous reports and various other inquiries, I am of the opinion that the apparent potential for the development of improved pasture on pastoral leases in the Top End has yet to be proven on other than a technical level.

The goals set down in the covenants may well be admirable but there is a need for integrated administrative processes to develop the means of achieving the goal. The covenants place the onus on the complainant to develop the means to meet the goals. It is my view that, when pioneering is envisaged, both the political and administrative arms of government should give serious consideration to active participation.

In addition, I offer the comment that I see the administrative problem as one of considerable magnitude. Basically, improved pastures, intensive cattle management and closer settlement require farmers in the traditional sense, not pastoralists. The introduction of farming to the Top End requires complementary introduction of traditional infrastructure and a subsistence system which currenly does not exist. It requires extensive education at the more intensive level than was currently practised or available through the Department of Primary Production. It requires management by government by means such as covenants which provide management control additional to developmental control.

It is evident from information which has come to our notice - for instance, the current fertiliser freight subsidy and the study undertaken by the Queensland Department of Primary Industry - that the Northern Territory government is cognizant of the overall administrative need. I am of the opinion, however, that, on 13 September 1978, the Northern Territory Land Board did not take such factors into consideration when recommending amendment of covenants 19 and 20 of the lease applicable to pastoral lease X. I am of the opinion the goals were set in good faith but all relevant factors were not considered. Having regard to the fact that the work of the Northern Territory experimental farms in relation to improved pasture has yet to be proven on a commercial scale, the economics on a practical scale have yet to be costed and viability established, techniques and skills associated with intensive cattle management have yet to be firmly established in the Top End and crop development and marketing has yet to be developed in the Northern Territory, I recommend that covenants 19 and 20 applicable to pastoral lease X be reviewed immediately, taking into consideration farming in the total context at this date in the Top End of the Northern Territory. In addition, I recommend that all similar covenants applicable to pastoral leases in the Northern Territory be reviewed.

Mr Acting Speaker, I find the Ombudsman's findings in this matter valid and extremely interesting. In his reply to the Ombudsman, however, the Minister for Lands and Housing did not accept the Ombudsman's recommendation in waiving all similar covenants on pastoral leases in the NT but preferred to draw lessees' attention to section 37A of the Crown Lands Act which relates to procedures of varying covenants as the need arises. It is quite certain that all similar covenants should be deleted until, as the Ombudsman has said, the apparent potential for the development of improved pasture on pastoral leases in the Top End has been proven at other than a technical level. Experts in the Department of Primary Production say they cannot prove that the apparent potential of improved pastures can be demonstrated until pastoralists establish large pastures. It would seem that an impasse has been reached. The solution could be to have improved pastures grown on a large scale rather

than a technical level on government experimental farms which would, of course, necessitate the expansion rather than the present reduction of experimental farms and a considerable increase in staff in many categories in the Department of Primary Production.

There is a final matter which I would like to mention. It follows a question which I asked the Minister for Industrial Development on 12 February. That question was in regard to the refusal of permission for the librarian of the Department of Primary Production to attend the conference and workshop for librarians in Manila in March, which would be a great benefit not only to the librarian but also to the Department of Primary Production. The minister replied that, despite his personal support, she had been refused permission on the instructions of the Overseas Travel Committee. I know that the minister did support her application to attend this important conference. This lady is a qualified librarian, a specialist in a particular field, and is considered to be both extremely helpful and knowledgeable in her job. My information is that she was apparently refused on the grounds that she was not of a sufficiently high grade as a librarian to qualify for an overseas trip. Yet, Mr Acting Speaker, she is the only qualified librarian in her special field in the Northern Territory and her fellow employees of the Department of Primary Production, including very senior officers, are disgusted at the treatment she is receiving.

Mr Acting Speaker, if this conference was to be held in say Hobart or Perth, which are further away from Darwin than Manila, the Overseas Travel Committee would have no say in the matter and she would have been given the approval to attend such a conference. I have the following information to offer which I have obtained from a Travel Agency. There is an excursion rate which requires a person to be away from Darwin for at least 2 weeks and which is available as a return fare Darwin to Manila at a cost of $799. This flight could be booked a day before travel. If 3 weeks notice is given, the cost is $562 return Darwin to Manila. Return fare Darwin to Hobart costs $591.60. Thus, it is possible to travel on a return flight from Darwin to Manila for $29.60 less than the Darwin to Hobart return.

I would ask that the minister again take what steps he can to assure that this lady is able to attend this conference and workshop for librarians. I have been informed that her attendance at the conference would be advantageous not only to her but to the Department of Primary Production.

Mr STEELE (Ludmilla): Mr Speaker, I did not want to say too much tonight but I will say a few words about roads in rural areas. Wherever I travel in the Northern Territory, there is a great demand on the money provided for rural roads. Indeed, in the Appropriation Act passed today, there are specific items. I will cite one. The road from Anthony Lagoon to Elliott would have a greater priority than the road which the honourable member spoke about, through Jasper Gorge. It will support a Territory abattoir which was established last year and will provide competition for cattle travelling interstate to Mount Isa. For that reason, I rate that as a very high priority. The road which the honourable gentleman referred to is a scenic drive. I have been up and down it many times myself and, in due course, it will receive the treatment that he thinks it should receive. It is a supply route for the abattoirs in Wyndham and I would prefer to have those cattle killed in Katherine. The honourable member has been a great supporter of that belief over the last year or so. Strangely enough, that is another matter that found its way into the hands of the Ombudsman at one particular time. He found nothing wrong with the government's policy in that respect.

I would point out to the honourable gentleman that the support the government has given Point Stuart over the last couple of years in relation to the

access road exceeded $100,000 by way of repairs and maintenance. I might point out also that, because of the wet season, many big road construction jobs have just ground completely to a halt because of the wet season. The connector road is a case in point. The connector road was planned originally to be completed in March but, because of the savage wet season, there is no hope of that road being completed before May.

The honourable member for Tiwi was under the apprehension that the Place Names Committee made the decisions on the naming of streets and roads in the Northern Terriotry. My understanding of the position is that the Place Names Committee makes reference to Executive Council and the Executive Council authorises those names.

I agree with one point that she made. I have been bitterly disappointed over the years at seeing names change. Years ago, I managed a place for the Hooker Corporation. Before I managed the place, it was called Lejuna. It was later bastardised to Lejune and now I find it on the pastoral map as Legune. I think that is a crying shame. When I was a kid working stock along the Barkly Tablelands, the Rankin River was spelled Rankin. It then became Rankine and now, on the latest pastoral map, which is a few years old, it is Ranken. I thought that was another great shame. The crowning glory of bastardisation in names, and I call it that rather than official changes, is the change from Ti Tree to Tea Tree.

The honourable member for Tiwi raised the name of a fellow called Fitzgerald. That brought to mind the names of some police in Darwin back in the early 1950s. Those names are Rabe, nicknamed Mudguts, Tom Hollow, Millgate and a fellow named Tunney. They were constables. Jean is still kicking; he is living at Katherine these days. Of course, Greg Ryall was a sergeant of police. A fellow called Fitzgerald and I shared favouritism for their respective endeavours during 1951. I thank her for reminding me of it.

Motion agreed to; Assembly adjourned.

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