

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly

# Parliamentary Record

Tuesday 24 February 1981  
Wednesday 25 February 1981  
Thursday 26 February 1981  
Tuesday 3 March 1981  
Wednesday 4 March 1981

Part I—Debates  
Part II—Questions  
Part III—Minutes

## PART I

## DEBATES

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## DEBATES

Tuesday 24 February 1981

Mr Speaker MacFarlane took the Chair at 10 am.

### MESSAGE FROM THE ADMINISTRATOR

MR SPEAKER: Honourable members, I read message No. 2 from the Administrator of the Northern Territory:

*I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to appropriate a sum out of the Consolidation Fund additional to the sums appropriated by the Appropriation Act 1980-81 for the services of the year ending on 30 June 1981, and to apply certain moneys in aid of the services for that year out of savings effected in expenditure on other services.*

*Dated this 21st day of February 1981.*

*E.E. JOHNSTON,  
Administrator.*

### REPLY TO MESSAGE OF LOYALTY

MR SPEAKER: Honourable members, I have received through the office of His Honour the Administrator a letter from the Official Secretary to the Governor-General conveying the reply from the Private Secretary to the Queen to the message of loyalty contained in the Address in Reply to the speech delivered by the Administrator at the opening of the first session of the Third Assembly. The expressions of loyalty from the Speaker and other members of the Northern Territory Legislative Assembly have been laid before the Queen who has asked that her thanks be passed to the Assembly by His Honour the Administrator of the Northern Territory.

### MOTION OF CONDOLENCE

Death of A.G.W. Greateorex

MR EVERINGHAM (Chief Minister): Mr Speaker, I move that this Assembly expresses its deep regret at the death on the night of 26 January 1981 of Anthony George Worsley Greateorex AM, OBE, MC, JP, MLC for the Northern Territory for the electorate of Stuart from 30 October 1965 until 19 October 1974 and President of the Legislative Council for the last 4 years of his service, and places on record its appreciation of his distinguished service to the Legislative Council and to the people of the Northern Territory, and tenders its profound sympathy to his family.

In support of that motion, I would like to say that Tony Greateorex was one of those rare people about whom no one had a harsh word to say. To use a hackneyed phrase, he was a proper gentleman. He was known either personally or by reputation by all members of this Assembly, in the communities of Central Australia, in the whole Territory and in his home state of Western Australia. He commenced his working life in the great tradition of jackeroo, going on to become overseer of several Western Australian stations before becoming manager of Bonney Downs Station, Nullagine, Western Australia for 6 years before World War 2. Following his distinguished war service in the AIF in the Middle East, New Guinea and Tarakan, he finished up with the rank of captain and came to the Territory

after the cessation of hostilities to join the Lands Branch of the old Northern Territory Administration where he worked for 7 years. After managing Palmer Valley Station, south of Alice Springs, from 1953 to 1956, he set up his own business in Alice Springs. He ran that business for 13 years, establishing himself as a leading and well-loved figure in the community. In 1965, as I mentioned in the text of the motion, Tony Greateorex was first elected to the Legislative Council. He became President of the Council in 1969.

On his retirement, he was not satisfied with just going back into private life: when the call came, in an emergency situation in Alice Springs, he agreed to take on the job as mayor of that town for a further 18 months. He had a strong interest in civic affairs and was Chairman of both the Northern Territory Bush Fires Council and the Road Safety Council. He was a keen participator and follower of cricket and bowls. Mr Speaker, the Territory has lost one of its greatest figures.

Mr ISAACS (Opposition Leader): Mr Speaker, I would like to associate the opposition with the motion of condolence moved by the Chief Minister. Any gentleman who was a member of the Legislative Council deserves at least that but the figure of Tony Greateorex loomed very large in Territory and civic affairs. That he was President of the Legislative Council, Mayor of Alice Springs, Chairman of the Bush Fires Council and Road Safety Council indicates that he has contributed greatly to the development of the Territory. He also contributed greatly to the cause of the cattlemen in the Northern Territory. Their organisation is not one that I would ordinarily agree with but I admired the competence with which he carried out his desires and views. In my very infrequent dealings with him, I found Mr Greateorex to be a man of sincerity, a very straight man.

I wish to endorse the comments of the Chief Minister. Most certainly, the Territory has lost a fighter for its cause, a person who held the Territory in high regard and whom, I am sure, the Territory also held in high regard.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise to express my sympathy to the family of Tony Greateorex and to associate myself with the motion moved by the Chief Minister. You and I, Sir, are the only 2 people here who served with Tony Greateorex in the Legislative Council days and I remember him as a most benevolent person in his dealings with that fairly unruly group of people. There are some who think that the present Assembly may see stirring times; I think that some of the scenes witnessed on the precincts during the Legislative Council days make this Assembly fairly pale by comparison.

As President of the Council, Tony Greateorex at times had the unenviable job of keeping peace and presiding over disparate groups who, in their own way, were working for the benefit of the Territory. Tony Greateorex, Mr Speaker, at times shared your feelings of frustration in being unable to join in debate. I know how intensely he felt about the development of the Territory and he had very strong views about the way in which that should be put forward, particularly in relation to the cattle industry. My memories of Tony Greateorex as President and as presiding officer of the Council arouse in me admiration and respect and a very sincere liking for a very gentle but strong person. I express my sympathy to the remaining members of his family.

Mr TUXWORTH (Health): Mr Speaker, as a former friend of Mr Tony Greateorex and as a member for a constituency in which he had a great interest, I rise to speak on behalf of people in the southern part of the Territory who would also wish to have their condolences passed on to the surviving members of his family. My first introduction to Tony Greateorex was many years ago when I was a teenager. The thing that impressed me most about Tony Greateorex - and I am sure this



held him in high esteem with the whole community - was the man's dignity. He had great dignity. He had a respect for all men and I know that all men respected him. His knowledge of the Northern Territory and of the people in the Territory as individuals was quite extraordinary. You could talk to Tony Greatorex about any aspect of Territory life and, although he may not have had a great depth of detailed understanding in the particular sphere, he could certainly contribute to the discussion as a man who understood and who felt for all things,

The thing I remember most about Tony Greatorex was the remark he made to me when I was starting my political career and he was ending his. He said, 'The important thing is to keep going. We have to get rid of those guys down there'. He was referring to the people in Canberra who, he felt, just as some of us have felt, had been strangulating the Territory. Mr Speaker, I mourn the passing of Tony Greatorex as do many of my constituents and Territorians in the southern part of the Territory.

Mr VALE (Stuart): Mr Speaker, I would also like to support the motion of condolence for Tony Greatorex, a man I first met when I entered the Northern Territory back in 1965. I was very honoured to be elected as Tony's successor to the electorate of Stuart. It is probably not publicly realised that Tony entered this legislature as a member of the North Australia Party and I was one of his campaign workers way back in those early days. He went on to become President of the Legislative Council. What is probably not realised today is that he represented the electorate of Stuart which, in those days, took in the entire area of the electorates of both MacDonnell and Stuart. The member for MacDonnell and myself both still complain that our electorates are too big to be able to cover adequately but Tony Greatorex adequately covered and represented, on a much smaller salary than we have, a large electorate.

After retiring from the Northern Territory Legislative Council, Tony's community life had still not finished. During his time in the Council, he held a large number of public office positions as chairman of various community organisations. He then became the third Mayor of Alice Springs. Mr Speaker, he was not a man who demanded respect but, nonetheless, he achieved respect of all members of the Northern Territory community. He was held in high esteem by his political foes as he was by his friends. It is somewhat ironical for a man who had left the Territory to live in retirement in South Australia to return to Alice Springs a few days before his death. It could probably be said that he had come back to his home country to die. The Northern Territory has lost its elder statesman and, to all members of his family, I offer my condolences,

Mr SPEAKER: Honourable members, I first met Tony Greatorex at Borroloola in 1950. He and Ted Wharton, another Lands Branch officer, had met there to do a land survey and Wharton had driven across country from Roper Bar. His was possibly one of the first motor vehicles to do so. Later, through the intervening 30 years, either as Secretary of the Centralian Pastoralists Association or in Alice Springs, I ran into Tony. However, it was when I was elected for the first time in 1968 that I had my first real contact with him. He, Bernie Kilgariff, Rupert Kentish and I formed the first Country Party in the Legislative Council. Tony was Chairman of Committees and often deputised for the terminally-ill President, Harry Chan.

Tony seldom left the Chair to speak but, when he did, he spoke with authority and sometimes with venom. He called the member for Fannie Bay, Joe Fisher, during a debate on land, 'the pastoral consultant to the mining companies', which outraged Joe. We had a boisterous meeting one lunch-time during the difficult days to decide whether Martyn Finger, leader of the official members, should be allowed on the Business Committee, and I can still hear Tony bellowing 'Order, order!' to get some semblance of peace into the 10 divided and argumentative members,

One other recollection I have is of his last night as President when the staff of the Hotel Darwin decided to give him a surprise party. Since he had stayed at the Darwin in the same room for years and years, Tony was genuinely loved by the staff and on his last day they asked whether he would be in tonight, 'Yes', he said, but he was waylaid somewhere. When he found out, Tony was more upset than the surprise party organisers who, incidentally, were going to literally take him to the dogs.

Tony was a gentle man. He was predeceased by his wife - he missed her awfully - but never complained. Tony, I feel, was ready to meet his maker. He was 74 years old and never had an enemy. He was a man who had done nothing but good in his time. He was a successful politician, a distinguished soldier and a gentleman.

I ask honourable members to rise and observe one minute's silence as a tribute to Anthony George Worsley Greateorex, member for Stuart 1966-74 and President of the Legislative Council 1969-74.

Members stood for one minute's silence.

#### DEATH OF W.S. FLYNN

Mr SPEAKER: Honourable members, I draw to your notice the death of W.S. Flynn, an official member of the first Legislative Council,

Mr EVERINGHAM (Chief Minister): On this side of the Assembly, we would like to note the debt that the Territory and this Assembly owes Bob Flynn because he was the man who drafted all the early bills that went before the Legislative Council. Bob Flynn was appointed a member of the first Legislative Council for the Northern Territory in January 1948 and served until August 1951. He was a prodigious worker and had a direct way about him which endeared him to the many people who knew him. Mr Speaker, I obviously do not include myself amongst those.

As a down-to-earth character, he showed impatience with the bureaucracy and held a genuine interest in the cause of Aboriginal advancement, both in the Territory and later in Canberra. He did much to contribute to the debate over apparent conflict between traditional Aboriginal and European law,

Bob Flynn, who lost an ear to cancer while working in the Territory during the 1940s, was fond of talking of one-eyed justice in his Court of Petty Sessions in Canberra, often referring to a colleague who had a glass eye as running a court of one-eyed justice.

On leaving the Territory in 1951 due to poor health, Bob Flynn worked as an Assistant Crown Solicitor with the Snowy Mountains Hydro-Electric Scheme and became very well known in the Cooma area where he died.

In 1969, he returned to the Territory to conduct an inquiry into members of the local police force in a case that was known locally as the case of Madam X, and I think some of us would remember that. His early work in Darwin as a Crown Law Officer during the war period required subtlety. He commuted between Darwin and Alice Springs and he had to make decisions on fine distinctions between civilian and military law for much of his period of service. I am told, Mr Speaker, that after his retirement in Cooma, his home-brew recipe was famed as best in New South Wales.

Mr SPEAKER: Honourable members, I associate myself with the tributes made to the former member and I ask all members to rise as a mark of respect.

Members rose.

CENSURE MOTION  
Collapse of Northern Airlines

Mr ROBERTSON (Education): Mr Speaker, I note the notice of motion given by the opposition. In conformance with normal convention, the government accepts the motion and I seek leave that the motion be brought on forthwith.

Leave granted.

Ms D'ROZARIO (Sanderson): I move that this Assembly censures the government of the Northern Territory for its failure to take positive action to prevent the collapse of Northern Airlines.

On 23 January 1980, a memorandum of understanding was agreed to by the following 3 parties: the Northern Territory government, East West Airlines Limited and East West Northern Territory Pty Ltd. This memorandum was signed by the Chairman of East West Airlines, the Managing Director of East West Airlines and the then Minister for Transport and Works, the present member for Ludmilla. At that time, the Minister for Transport and Works informed the Assembly that the provisions of the memorandum were in line with the specifications for a Territory airline as issued by the Northern Territory government.

The key undertakings given in this memorandum were as follows: the government would be committed to police all aviation licences; government support would be given through the use of the regional airline for government travel and cargo movement, aviation and engineering work. An assurance was further given that favourable consideration would be given by the government to a request for financial guarantees from East West Airlines or Northern Airlines. Finally, the government gave an assurance that it would monitor the progress of the Territory airline with officers of both the airline and its own department. This last assurance was presumably to correct problems and to take ameliorative action before the problems got out of hand.

The government should be strongly censured for its failure to honour its commitments made in that memorandum of understanding. In November 1979, the then Minister for Transport and Works, the member for Ludmilla, said in this Assembly: 'It is the government's intention that a viable regional airline is to be established. It will be protected from unfair and highly-damaging illegal competition'. Let there be no mistake, the minister was talking about illegal competition. He continued: 'I would like to make it clear that any infringement of a licence will bring down the full force of government counteraction'. So, at the end of 1979, the government was geared up to stomp on any illegal charter operators and, Mr Speaker, lest members of the government accuse us of wanting to be over-protective towards industries, let me again stress that all of this action was to be taken against illegal operators.

What happened to this powerful legislation? What occurred with the promised government protection of the Territory's regional airline? On 21 January 1981 - just a few weeks ago when the balloon had finally gone up - Northern Airlines Manager, Mr Cooney, said, 'The charter operators have run rampant over Northern Airlines' routes. Not once was the act policed'. He was speaking of the Aviation Act. 'Not once was the fine of \$10,000 for charters on RPT routes ever followed through'. In fact, the catalogue of incidents that Northern Airlines reported is quite incredible. Between 1 October and 3 October 1980, 20 illegal operations were reported. Between 1 November and 11 November, Northern Airlines reported to the Transport and Works Department another 20 illegal charters. Between 13 November and 25 November, a further 9 illegal charters were brought to the attention of the Department of Transport and Works. In all, during one 90-day period, Northern Airlines were able to report 141 incidents where illegal charters had operated.

I think this catalogue speaks for itself. It shows a blatant disregard for the law by certain charter operators. But much worse than that, it indicates that the government condoned these breaches by continually failing to take any action to prevent them. The Assembly should be reminded that the then Minister for Transport and Works, the present member for Ludmilla, said in this Assembly that illegal charters had given Connair a very hard time in the past and he assured the Assembly that this would not happen again. The records of the Aviation Advisory Committee, a committee set up to advise the Minister for Transport and Works of problems with the illegal charters, show numerous complaints were made by Northern Airlines. The Manager, Northern Territory Division, Mr Cooney, wrote to the Department of Transport and Works regarding the number of illegal charters over Northern Airlines' routes. Mr Cooney said that no replies had been received to his letters.

What I am suggesting to this Assembly, Mr Speaker, is that a committee, established by the present Minister for Transport and Works to monitor licence breaches, monitored those illegal charters and informed the minister. That was one duty with which it was charged. According to the chairman of the committee, no response was received from either the minister or his department. I think all right-thinking parliamentarians would agree that this was a clear dereliction of the minister's responsibility, and this alone would warrant his resignation.

The minister promised protection of the Territory's regional airline. He had the powers to do it under the Aviation Act. He not only failed to act on the advice of his own Aviation Advisory Committee but he did not even bother to acknowledge its correspondence. He did not even acknowledge that he knew that the problems had been reported to him.

Now we turn to the role of the Chief Minister. What was the attitude of this person who had played such a major role in the creation of a regional airline for the Northern Territory? In reference to illegal charter operators, the Chief Minister has been quoted as saying: 'It is one thing to report incidents but it is another thing to prove them'. So what the Chief Minister is saying is that the aviation powers available to this government under the Aviation Act are insufficient. This act - which we all supported when it passed through this Assembly and which we all agreed was the most powerful act in Australia - gave to the Northern Territory minister more powers than are available to some state ministers who have control over aviation matters.

Yet again, we found that the relevant ministers failed to act. I would have thought that there were some devices available - namely, regulations of the Department of Transport and Works - whereby pilots are expected to lodge flight plans and take-offs and landings could be closely monitored. After all, let us not forget that many of the destinations are physically small and, in many cases, these take-offs and landings could be observed by any person who happened to be at the terminal at the time. It does not take a high degree of detection ability to prosecute illegal charter operators.

The previous Transport and Works minister told this Assembly in November 1979 that the power to control aviation in the Northern Territory was well and truly embodied in the legislation. Mr Speaker, we all believed him. I remember speaking in support of the legislation and even contributing one or two amendments which had the effect of strengthening the powers available to the minister. The minister said: 'It is important that the government have powers to act quickly and appropriately'. He said that members had already noted that certain powers had been vested in members of the police force and inspectors under the bill. In fact, the former minister apologised to the previous member for Alice Springs, Mr Rod Oliver, in this Assembly, saying that he was sorry that the powers were

that strong but that we needed strong powers to enforce the legislation. The former minister felt that he had to justify the power available to the Northern Territory government through the Aviation Act. I repeat again that all members of this Assembly applauded that sentiment.

I would suggest that the present Minister for Transport and Works has utterly failed to meet the responsibilities in this area of his portfolio. He had the power to act, he failed to use his powers and, as a consequence, the regional airline for which he had responsibility was driven to the wall.

In signing the memorandum of understanding, the government pledged unequivocal support for the regional airline. Clause 21(c) of the memorandum of understanding reads as follows: 'Subject to the laws of the Territory and as far as practicable, the Territory shall utilise available services of the regional airline for appropriate government travel, cargo movement, aviation and engineering work'. In effect, the then Minister for Transport and Works had pledged total government support for the Territory's regional airline. Not only was this pledge not honoured, it was blatantly and consciously dishonoured by a member of the government ministry.

Until recently, the Minister for Mines and Energy lived in a centre which was on the main Northern Airlines route. Last year, the Minister for Mines and Energy actually used the Northern Airlines service on only 2 occasions. He was booked with Northern Airlines on other occasions but then he chose to switch to charters at the last minute. Last year, the Minister for Mines and Energy clocked up nearly \$100,000 on charter flights - \$99,996 to be exact. We estimate that he has spent approximately \$500 of the taxpayers' money on Northern Airlines' flights. That is a most monstrous breach of the assurances given in the memorandum of understanding.

The Northern Territory News took up this issue with some vigour and, quite reasonably, asked the member for Barkly last November how many of the charter flights that he used paralleled the scheduled services of Northern Airlines and what were the costs involved. The minister declined to give any answer. The Northern Territory News has made the same request on several occasions and, so far, the information has not been forthcoming. Perhaps the Minister for Mines and Energy would care to give in the Assembly an assurance that he will provide this information.

What of the general government support for the Territory airline? In a letter written to the member for Stuart, a Northern Airlines pilot said, 'It seems incredible that so much work was and is being granted to charter operators while it is quite obvious Northern Airlines needed so much assistance to establish the viability of the airline'. I am sure that members of the Assembly, at least those on this side, would be interested to hear the response given by that member to that particular pilot.

In November last year the Chairman of East West Airlines, Mr John Riley, personally advised the Chief Minister that Northern Airlines had not been receiving the amount of government support and business which was part of the original regional airline concept and, indeed, part of the deal. Again, the government failed to honour its commitment - not through an oversight, not inadvertently, but in the face of specific advice from a party which had signed the memorandum of understanding.

Clause 22(2) of the memorandum states: 'It is acknowledged by East West Airlines and the regional airline that the Territory would not ordinarily consider a request of the type specified in subclause (1) of this clause'. This reads: 'the Territory shall give favourable consideration' - I must stress that phrase -

'to such a request if it is demonstrated by East West Airlines or the regional airline that there would be: (a) significant adverse effect on East West in its operations outside the Territory or its borrowing capacity for its operations outside the Territory; or (b) significant adverse effect on the regional airline if a guarantee was not provided by the Territory'. The government was in fact telling East West Airlines that, ordinarily, it would not guarantee loans but, if the parent company or the Territory airline found itself in trouble, then the Northern Territory would give favourable consideration to proposals for assistance.

The government attracted investment of many millions of dollars into the Territory with a pledge of support if things became financially difficult. I understand that East West Airlines applied to the Northern Territory government on behalf of Northern Airlines for guarantees of finance in circumstances such as described in clause 22 of the memorandum of understanding. East West Airlines, Treasury officials and officials of the Department of Transport and Works together worked on a submission regarding the guarantees before it went to the Cabinet. Not only that, but other expertise was also recruited and a consultant from a merchant banker, Hill Samuel, was also engaged to work on these proposals. Despite all these efforts, nothing happened. According to East West Airlines' Chairman, Mr Riley, an application was made and Northern Airlines was advised after 6 months' consideration by the government that the guarantee was approved in principle subject to documentation.

The company did the right thing. It set about getting the documentation. When documentation was virtually finalised according to the Chairman of East West Airlines, the government backed away from its approval in principle and required from East West Airlines a back-to-back guarantee and other restrictive terms to ensure that there was no possibility of loss to the Northern Territory government. The eleventh-hour terms were not acceptable to East West Airlines. The government enticed East West Airlines to invest heavily in the Territory by promising it financial support in specific circumstances but, when these circumstances arose, the government backed away from its promise. When it came to the crunch, the government failed to honour its promise.

I turn now to clause 16 of the memorandum of understanding. Clause 16 (2) states: 'In order to keep under review the matters in subclause (1), officers of the regional airline and officers of the Territory shall meet regularly'. One would have assumed that the government would have been fully aware of any difficulties facing the regional airline and would have taken immediate action to rectify the problem. Indeed, staff of the regional airline and staff of the Department of Transport and Works did meet regularly. Again, the government failed to honour its obligations as described.

Early in April last year, the Minister for Mines and Energy himself expressed grave doubts about the future of the regional airline and he sent a telex to the Chief Minister on 18 April 1980. That telex contained one statement that is of particular interest to me. He said: 'There are many complicating factors in the proposed introduction of East West Airlines that are starting to worry me'.

Mr Speaker, he was not alone in that. In reference to Northern Airlines taking over the aerial-medical contract, the minister said in his telex: 'I believe it has the potential to be a political time bomb and, for this reason, I would like to keep the aerial-medical operation separate as I do not believe we should allow this part of the Health Department to be involved in what might become a fiasco'.

The Minister for Health clearly wanted no aspect of Northern Airlines' operations to infringe on any area of his portfolio. He wanted out. He saw

that there was trouble as early as last April and he did not want any part of it. In concluding his telex to the Chief Minister, he very considerably said that he noted that the Chief Minister was as concerned as he was. Thus, there was concern all round, as well there should have been. The question is what was done about it? There were grave doubts about the regional airline's future as early as April 1980. What action was taken? None - none to save the airline in any event.

In examining an application by Northern Airlines for a fare increase in August, the Department of Transport and Works reported the following observations to its minister: 'Examination of airline financial management documents - that is, balance sheet, profit and loss statements and monthly financial reports - show that the company has significant and serious trading difficulties with one cause being inordinately high overheads'. This report continued: 'If the airline is to continue its services as required under the memorandum of understanding and soon the deed' - which incidentally, Mr Speaker, was never signed - 'and in accordance with its licence, there will have to be a dramatic increase in revenue'. This clearly points to the fact that the minister was told by his department that the airline was in grave trouble and that, if things continued the way they were going, its future would be in doubt. We speak with hindsight when we note the veracity of those particular comments.

What happened to the Aviation Advisory Committee, an industry body specifically set up and designed to keep the minister informed? Clearly, no mechanism is sufficient to keep this particular minister informed. Records of the meeting of that committee show that many complaints were made by the chairman to the minister about the pirating of Northern Airlines' passengers and cargo. Do not forget that the minister constantly reminded both the airline and the public that he had the powers to deal with these illegal operations, powers that were so strong that the former minister found himself apologising for the strength of those powers to the former member for Alice Springs. Not only did the present minister fail to use his powers but he did not even bother to answer the committee's letters.

It is clear that the minister and, through him, this government were constantly reminded from many sources that the Territory airline was in trouble. In these circumstances, the government's failure to act was a palpable breach of its obligations under a legal agreement and the government's responsibility in the collapse of Northern Airlines is beyond dispute.

After being given one month's notice that his services would no longer be required since the company was folding, one Northern Airlines' employee went out to find that the minister responsible for this portfolio was at the Casuarina Library presiding over a game of chess. This particular employee said: 'The government wanted Northern Airlines here provided we retained our jobs from Connair. The airline was set up along guidelines laid down by the government and the government must now accept some responsibility'. Mr Speaker, this was the voice of moderation indeed because I believe that this employee understated the government's share of responsibility in this matter. The government was not only responsible for selecting East West Airlines as the party to set up the regional airline but, as a result of its neglect, incompetence and complete failure to act, it is clearly responsible for hammering many of the nails into the coffin of Northern Airlines.

Mr Speaker, I say that this government stands condemned for allowing Northern Airlines to collapse by not lifting a finger where it had the power to do so.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the comments of the member for Sanderson that the government was reminded from many sources that East West

Airlines and Northern Airlines were in some difficulty are remarkable because the member for Sanderson herself on 27 October said in a press statement: 'Northern Airlines and its parent, East West, have been helped a great deal to get off to a good start as the Territory's own regional airline. The Territory government should be asking some tough questions about the rapid disappearance of East West's assurances that it could provide high quality services and remain viable. So far the Northern Airlines story has been one of frequent fare rises, declining services and choice of inappropriate aircraft'.

We heard a completely different story this morning from the member for Sanderson because she says what suits her when it suits her. Indeed, on 28 November last, the member for Sanderson said: 'It will be left to the NT government to bail out the airline which means that Territory taxpayers will have to foot the bill'. On 21 January, just to contradict herself again, she said: 'The government should use some of its \$16m surplus to keep Northern flying'. If you listened to what the member for Sanderson said, you would not know where you were.

The simple fact of the matter is that the government's decision to give the regional airline service franchise - call it what you may - to East West Airlines to operate in the Territory was a good decision and a right decision for certain reasons. East West Airlines had operated a regional airline - and I emphasise the words 'regional airline' - in New South Wales successfully for 30 years. Both TAA and Ansett, the only other 2 companies to make credible offers to the government at the time, had been withdrawing from regional services over the last 30 years and farmed them out to people like Kendal Airlines, Davey Air Services, Bush Pilots, Sky West and all the rest of them.

Additional to that, the government was mindful of the interests of the then Connair staff. We said that we would do our best to look after their interests and the Connair staff themselves agreed that East West Airlines was the airline in which they would probably find the greatest satisfaction, the greatest career opportunities and the least likelihood of being rendered redundant in 3, 6 or 9 months' time if it suited the particular airline to do so.

This motion of censure before the Assembly this morning is a tissue of nonsense. It is totally irresponsible for the opposition to say that this government would want to see the failure of a Northern Territory regional airline. The failure of that airline was brought about regrettably by its failure to plan and to manage properly.

If I can just refer to another page of that memorandum of understanding that the member for Sanderson referred to earlier, I would refer to page 20 where, amongst the responsibilities of East West Airlines, in clause 19(2), it says: 'A senior full-time executive presently contemplated to be the General Manager shall be responsible for the operations of the regional airline and that person shall ordinarily reside in the Territory'. That person did not ordinarily reside in the Territory or even start his job in the Territory till about September of last year.

When you look at it in hindsight, although the signs were not evident to all of us then, the Northern Airlines situation had got to some extent out of hand because staff numbers had grown from about 120 to 190. If the staff numbers had been contained, they would not have been losing \$200,000 a month. They would have probably just been breaking even. That is a failure of management: an attempt by the management of East West Airlines to run the airline by remote control from Sydney.

To give some small reason for why they were preoccupied with other things, I will just read an excerpt from the aviation supplement of the Bulletin of



20 January: 'The airline which last year took over the ailing Connair and established Northern Airlines is about to take an equally big step this year. It will get its first jet, a Fokker F28-4000 Fellowship which the airline is calling the Super F28. It will deploy the 80-passenger aircraft, plus a second it is buying next year, on its tourist routes to Tasmania, Norfolk Island...'. Therefore, East West Airlines was in the middle of a big expansion campaign and it was not paying enough attention to poor little Northern Airlines. That is the simple fact of the matter.

Mr Riley certainly complained to me in November about the fact that Northern Airlines was not getting sufficient support from the government. Quite frankly, I did not accept his protests because the government had given him the aerial-medical contract. It was expending, over the dead bodies of the people opposite, almost \$6m to upgrade airstrips in remote communities so that Northern aircraft could service those communities. Of course, \$6m is a mere bagatelle in Northern terms. Like hell it is, Mr Speaker! But it would not have been spent if we had listened to the members opposite.

Mr Riley complained to me that Queensland Mines would not give him its contract. I went and spoke to Queensland Mines about this. I understand a number of other members on this side spoke to Queensland Mines. It expressed its abhorrence at having to deal with Northern Airlines. There is no way that you can force a company to deal with another company against its total opposition. It is the first time that I have lobbied one company to do something for another. I did it on that occasion and I certainly did not get anywhere because Northern Airlines had been chivvying Queensland Mines with its services to Nabarlek ever since it took over.

We heard from the member for Sanderson that there had been illegal charter operators on the various routes being operated by Northern Airlines. Mr Riley raised that with me in November and I agreed. I said: 'Connair had suffered through illegal competition from charter operations and your company knew this from the start. The government sponsored a 3 months' trial of limited operation by charter operators on Northern Airlines routes. The 3 months' period expired mid-November and was not successful. Aviation charter policy will soon be considered by the government'. Northern Airlines was part and parcel of that 3 months' trial.

I might just say this about the number of incidents alleged to have been reported by Northern Airlines: we can have the toughest laws in the world, but we still have to get evidence to bring forward prosecutions; that is, unless we wish to make simple averments in the legislation itself. There is a great deal of difference between knowing that someone is operating because someone said he saw such and such an operator's plane land on an airstrip and actually proving that people got on or got off. The fact of landing on an airstrip is not an offence; it is the carrying of passengers over the route. That is the difficult thing to prove because we cannot get access to the information that we need and the passengers are simply not going to give evidence to get the people who carried them around into trouble.

We heard that the government had delayed the negotiations on the guarantee, back to back or otherwise, for many months. Could I just read an excerpt from a telex dated 27 November from Hill Samuel, merchant bankers, who are advising the Northern Territory Department of Law on this matter:

4. *Back-to-back guarantee:*

(a) *We have never been told the details of East West's borrowing facilities although we did ask for these and their own cash forecasts some months ago*

and they were refused.

*(b) Notwithstanding (a) above, it would be our view that none of the existing East West borrowing facilities, Rural Bank etc, are likely to contain any covenants restricting the giving of guarantees. It is also our view that any East West off-balance-sheet borrowing, leases and so on are similarly unlikely to contain anything restricting East West in the giving of the proposed guarantee to the Territory.*

Mr Speaker, I put it to you that it was prudent for the Northern Territory to seek to obtain a back-to-back guarantee and it is quite incorrect to state that the back-to-back guarantee was asked for at the eleventh hour. The back-to-back guarantee was asked for at the very outset and refused by East West Airlines at the very outset. When it came to ministers to decide whether they would give the back-to-back guarantee, which had been pushed by government officers all along the line, the ministers decided that they should stick to the requirement for the back-to-back guarantee. Why not, Mr Speaker? We have seen what East West Airlines has done. If there was one mistake that the government made, it was that the government let East West Airlines run this operation through a subsidiary. The government should have had East West Airlines right here in the Territory, in the gun. That is the mistake the government made. East West Airlines' morality can be judged by the fact that it bounced the cheques of its employees on the afternoon that it paid them off.

There has been much rubbish in the papers recently about the government's dealing with Ansett. I want to put one aspect of this to you, Mr Speaker. The government has spoken to both Ansett and TAA because it is our duty and obligation to see that air services of the best possible standard are provided to Northern Territorians. I want to know from the member for Nhulunbuy and the member for Arnhem, in his capacity as representative of the towns of Alyangula, Angurugu and Umbakumba, whether they want those services to go to TAA. It will not be using F28s like MMA on those runs; it will be using Fokker Friendships. I would like to hear from those members during this sittings what they have to say about their constituents going back from jets to Fokker Friendships. That is the big hurdle with TAA and it sticks out for miles. I have spoken to TAA representatives about this and asked if they could try to get over it by providing increased frequencies of Fokker Friendships. I would like to hear what the members have to say about that. We would like to know if they want TAA to have the franchise to run the Territory's regional airline.

Mr Speaker, I do not know if there is much more that I can add to this debate. As I said, there has been very little said by the member for Sanderson. My colleague, the Minister for Transport and Works, will deal in detail with the matter of the illegal air charters. I cannot believe that the member is sincere in what she says. I have before me excerpts from her various statements made over the past few months which conflict with one another and are opportunistic, as indeed is this motion before the Assembly today. I call on members to defeat the motion.

Mr B. COLLINS (Arnhem): Mr Speaker, the Chief Minister's contribution to the debate this morning is totally consistent with the way he behaved when Northern Airlines was falling apart around the government's ears: 'no answer' was the stern reply. We have just had an extraordinary contribution from the Chief Minister this morning. It contained nothing of substance, no replies to the allegations made by the opposition and nothing but personal abuse of the previous speaker, all of which took about 10 minutes - a fairly extraordinary performance. I suppose we will have to wait for the responsible minister to answer.

Mr Speaker, I will not have enough time in the debate this morning to cover all the aspects of this fiasco that I would like to cover. What I would like to say initially is that I am taking part in this debate with some considerable degree of personal sadness. I have spoken on this subject before and members would be aware of my views. I used the services of Northern Airlines, formerly Connair, for something like 15 years. In fact, I am the only member of this Assembly who regularly and frequently utilised the services of Northern Airlines. I commented in the Assembly on some of the problems that I personally saw and gave all the cooperation that I possibly could. That is something which I have no doubt the company would attest to. I assisted them by accompanying officers of the company out into the electorate and personally sorting out problems and so on.

I am certainly sad to be participating in this debate because, over the years that I flew with Connair and then Northern Airlines, I came to know the staff of Northern Airlines on a very personal basis. In fact, some of them are friends of mine as a result of that association, and a more dedicated, loyal bunch of men and women you could never hope to meet. With all of the annual crises they had to meet, the unstinting loyalty that they gave the company and, in fact, the Territory, it is a crying shame that those people have been put in the position in which they are today.

Since the announcement on 1 January that Northern Airlines was going to close down, a great deal has been said on the matter. I must add that not very much has been done by the Chief Minister. The Northern Airlines issue certainly is not one on which the opposition and the government have simply exchanged press releases. The whole community of the Northern Territory has been deeply affected by the collapse of this airline and has participated in the debate. Because of the diversity of interests affected by the Northern Airlines collapse, it is no longer possible for the government to continue to cover up and distort the truth of the collapse. There are too many people in the community who know too many things. On this occasion, because they have nothing else to lose, they are quite willing to stand up and be counted.

The government has continued and is continuing to cover up many aspects of the Northern Airlines collapse and to wriggle out from any responsibility in the matter at all. The government, and we have just heard the Chief Minister doing it again, has blamed East West Airlines mismanagement of the airline for its demise. That certainly has contributed to it; there is no doubt about that. It has been to the credit of all concerned in this matter that the government, in fact, has not been able to wriggle out.

In January, there was a suggestion in the press that the Minister for Transport and Works, Mr Dondas, had been made aware of the difficulties facing Northern Airlines in October last year. In fact, the Northern Territory News submitted a series of questions to the minister on 16 January. One was: 'Was the government warned by a report in August that the airline was in difficulties and, if so, what action was taken?' The official answer received to that question was: 'No, not applicable'. That was very informative.

This denial was also reinforced by the minister's press secretary who said that the minister had received no warning of the collapse. He claimed that the first indication of the airline's problems was in mid-December last year. We now know that that is totally false. The truth is that the minister was told by his department at the beginning of October, in a document that was prepared in August: 'Examination of airline financial management documents showed that the company has significant and serious trading difficulties'. The document went on to say: 'If the airline is to continue its services as required under

the memorandum of understanding, there will have to be a dramatic increase in revenue'. That is plain to everybody. The minister misled the public, and there is no doubt about that.

On 27 November last year, the Minister for Transport and Works told this Assembly: 'Communications have been far better, administratively, since I became Minister for Transport and Works'. Not only was he giving his own ego a treat by criticising the performance of the former minister, the member for Ludmilla, he was suggesting that communications between his department and the transport industry were working well. It was this same self-admiring minister who told an Alice Springs paper, the Centralian Advocate, that he had acted on 'a rumour' that Northern Airlines was in financial difficulty when he commenced negotiations with Ansett in early December. I remember hearing that statement and I thought what a laughable statement it was that the responsible minister, the man at the top, would open negotiations with one of Australia's 2 major airlines on taking over a Territory airline on the basis of a rumour that he had heard.

The minister again attempted to mislead the public but again he failed. On 27 November 1980, the Chief Minister said in this Assembly: 'No airline can operate and maintain a frequency of flights in circumstances where charter operators continue to operate over routes within minutes of the RPT flights'. The Chief Minister went on to say: 'The very communities for which we are trying to provide a high-standard, regular passenger transport service are the ones that are doing the most to sabotage the provision of the high standard service by their continued use of charter flights'. What a nonsensical statement that was. The people he was specifically referring to were Aboriginal communities who have far less money to throw around than the Chief Minister has and, like any other members of the community, will take the best deal they can get. Obviously, it is up to the government to regulate and protect the industry; that is what the Aviation Act is all about. That is why we had so much talk about why it was the most powerful piece of aviation legislation in Australia.

After making that statement about the dereliction of duty of Aboriginal communities in not paying more money to Northern Airlines, the Chief Minister must have been highly impressed with the support of the member for Barkly. The member for Barkly in fact only used Northern Airlines on a couple of occasions. I happen to know this, Mr Speaker, because I spend half my life flying on that airline. Let me assure the minister that his misuse of charters and his non-use of Northern Airlines was a subject for continual comment by the staff of that airline. They were very depressed and it did not do much for their morale when the minister booked seats on the aircraft, cancelled the bookings and then went on charters. I would be very interested to know whether the Minister for Mines and Energy paid any cancellation fees to Northern Airlines.

Last November, the Chief Minister stated that, if communities would not support Northern Airlines, it was no wonder it was having trouble staying afloat. At the same time as he said that, a minister of his own government, apparently the heir apparent to the throne, turns out to be the worst offender of all. The member spent \$6 short of \$100,000 on charters. He spent \$500 travelling on Northern Airlines despite the fact that he lived on one of its routes. The Chief Minister was berating the Northern Territory Aboriginal communities for failing to support the airline and one of his own ministers, the Minister for Mines and Energy, was spending a fortune in taxpayers' money on charters. What happened to the government's pledge to ensure that charter operators did not poach passengers and cargo from Northern Airlines?

The minister told the Assembly in November last year: 'A decision was taken to compromise and allow charter operators to operate over RPT routes which

Northern has held. We now know that that particular decision to allow the charter industry to operate over RPT routes has not been successful'. The Chief Minister, on the same day, reinforced his minister's comments. He said: 'You cannot have RPT standard and have charter as well'. I completely agree. Honourable members will remember that I spoke at some length in the debate on the Aviation Bill. I gave personal examples of where I had seen SAATAS thieving Connair's passengers off the strip while they were actually waiting for Connair to land at the airstrip.

Why was the trial period unsuccessful? On 23 January this year, the Chief Minister repeated that an agreement had been set up between the charter operators and Northern for a 3-month trial period. The charter operators had agreed not to operate 2 hours on either side of the scheduled times. The Chief Minister said: 'We told Northern Airlines that, on its routes, we will crack down on charter operators'. The same pledge had already been made 9 months before. In fact, appropriate legislation was drawn up to allow the government to protect Northern Airlines against this very thing, legislation which was never acted on by the government. Also on 23 January, the Minister for Transport and Works commented on the 3-month trial of charter operations: 'It was a total moratorium; there was no intention to prosecute'.

When you stand the statement of the Chief Minister - in the same period of time - against the statements of the Minister for Transport and Works, you could be forgiven for wondering if they were members of the same government. The Chief Minister said: 'We will protect Northern and, if the charters break the rules, we will prosecute'. At the same time, the Minister for Transport and Works was saying: 'We won't prosecute because we have agreed to a moratorium'. Meanwhile, 141 violations of the agreement were reported to the Minister for Transport and Works and he did not even acknowledge correspondence on the matter despite the fact that these very violations were formally reported to him by Barry Cooney acting as Chairman of the minister's own Aviation Advisory Committee. The minister set up a committee to advise him on the problems of Northern Airlines. It wrote to him detailing the infringements of the Aviation Act and he did not even reply to the letters. It is something the Chief Minister did not address himself to this morning at all but no doubt the minister will.

During this period, I personally noticed a number of violations on Northern Airlines routes. I went to Northern Airlines and said that I saw so and so doing such and such and I was told quite reasonably: 'Look, we know it is going on. We do not want you to make waves. We are cooperating with the government' - in fact, I was even shown the manifest - 'and we are routinely reporting these breaches to the minister'. To quote one of the pilots, 'We have no doubt at all that he will act'. The pilot concerned showed me the manifest and showed me the manner in which Northern Airlines pilots were routinely noting and reporting infringements of the Northern Territory government's Aviation Act: 'No, do not do anything about it. Thanks for your interest but it is okay. We have noted these infringements that you have told us are being reported routinely to the government'.

On 18 January, the member for Elsey said: 'Northern Airlines pilots should use their industrial muscle against East West Airlines' operations in New South Wales to force it to honour its obligations to the Northern Territory rather than imposing bans that can only cause hardship to outback Territorians'. We had a government member urging a union to take industrial action to achieve this objective. The member for Elsey was in fact in very good company because the Chief Minister said: 'If the pilots are determined on industrial action, they should put pressure on East West in New South Wales to honour its obligations and not impose hardship on Territory people'. So we had the member for Elsey and the Chief Minister encouraging a union to take strike action provided it did it somewhere else and not in the Territory.

On the following day, East West Airlines Chairman, Mr John Riley, commented that the attempt by the Chief Minister and other members of his government to have East West Airlines staff take industrial action to save Northern Airlines was inflammatory and remarkable. If that was not bad enough, on 22 January, some 4 days after the Chief Minister and the member for Elsey spoke about strike action by pilots, the Transport Minister, Mr Dondas, publicly denied that the government had encouraged industrial action.

The saga continued on 23 January. East West Airlines spokesman, Mr Parker, said that the denial of the Minister for Transport and Works about what had happened was untrue. He said: 'There were 2 of our company representatives at the meeting when the head of the Department of Transport and Works, Mr Purcell, did it'. So not only did the member for Elsey push for it, not only did the Chief Minister do it, but the head of the Department of Transport and Works did it as well. In fact, I got this personally from one of the Northern Airlines pilots. Mr Parker was referring to a meeting between East West Airlines, Pilots Federation representatives, whom I spoke to, and the Northern Territory government. The pilots at the meeting said: 'We are going to give East West 48 hours to respond to a demand for an extra month's severance pay for Northern pilots or else face a strike by East West pilots'. Mr Purcell said: 'Look, this is a serious matter: 48 hours is too long. Give them 24 hours'. That was much to the surprise of the East West Airlines representatives who were at the meeting.

The Airline Pilots Federation later decided themselves to drop the ultimatum but this does not alter the fact that the head of the Department of Transport and Works strongly supported industrial action on tougher terms than the pilots themselves wanted. I will be very interested to hear the minister's reply in this regard, particularly after carefully reading the Chief Minister's address on splitting responsibility between public servants and ministers. Did his departmental head push for strike action without seeking advice from the minister first, or did he do it on his own behalf? If the latter is the case, what action will the minister take to ensure that top public servants in the government do not promote strikes as a means of achieving an industrial end?

Whatever the case, ultimately the minister himself must be responsible. The minister's position must be in grave doubt. The fact is that we now have a situation where the Chief Minister cannot afford another crisis such as the collapse of Northern Airlines. The Minister for Transport and Works quite frankly is a luxury that the Northern Territory government can no longer afford.

Unfortunately, the distortion and half-truths have not been confined to the Minister for Transport and Works. In a press release dated 18 January, the Chief Minister said: 'The government was told the shock news that East West was going to close down Northern at the same time as the public'. Quite simply, that statement was not correct. The East West Airlines Chairman, Mr Riley, stated 2 days later: 'I personally advised the Chief Minister in late November that the company was not receiving the amount of government support and business which was part of the original regional airline concept and, in this lack of support of business, we were sustaining loss which we could not afford to sustain'. Mr Speaker, the Chief Minister was then forced to go back on his original statement and acknowledged that Mr Riley's comments were correct: 'Mr Riley personally informed me of the problems the company was in'.

Northern Airlines' closure was far from a 'stock announcement' as it was described by the Chief Minister. Surely the Chief Minister was aware that the Acting Secretary of the Department of Transport and Works was holding discussions with Ansett in mid-December to ascertain whether that organisation was prepared to take over the services being operated by Northern Airlines. We know why he

was doing it. He had been instructed to do it because the minister had heard a rumour. We have the minister's own word for that. The Chief Minister has attempted to mislead both the staff of Northern Airlines and the Territory community and he has failed dismally on both counts.

Mr Speaker, the government has done its best and it is continuing to do its best to cover up the whole Northern Airlines collapse. The Chief Minister himself did not make any comment for some 18 days after the collapse was announced. I must comment on that as well. When he got back to the Territory, the Chief Minister said: 'What did you expect me to say? What was I supposed to say?' Well, let me tell you what you were supposed to say: an acknowledgment that you were aware of the problem would have done a lot for the staff of Northern Airlines, some of whom had been working for the company for over 12 years, to indicate that you were even interested. They were facing a desperate personal crisis. They were facing having to deal with a totally inept minister who did not know what was going on. Some acknowledgment from the Chief Minister that he knew what was happening would have been a big help at that time. It was not forthcoming. Total silence is what we got from the Chief Minister.

The Chief Minister then claimed it was a shock to him that the airline had collapsed when he knew in fact that its closure was almost inevitable unless something had been done some time before December last year. The Chief Minister told Northern Airlines he would protect them from illegal charters by prosecuting offenders. He told the public he was going to do it. His Minister for Transport and Works then said that they were not going to do it because they had had a moratorium. Both these statements, I might add, were said in the same time-frame. The Chief Minister encouraged pilots to use strike action. Then the Minister for Transport and Works denied that he had. The transport minister claimed that, under his control, communications in the Department of Transport and Works were better than ever - 'a dramatic improvement' was his description. What a reflection on the previous minister. But then he claimed that, except for a rumour, he had heard nothing of problems until mid-December last year. He received a report on 4 October from his department informing him that Northern Airlines would be in a serious financial situation if nothing was done.

The Minister for Transport and Works claimed he had activated discussions with Ansett to take over Northern Airlines because he had heard a rumour that Northern Airlines was in trouble. Does he mean that his department was also unaware of any of these problems despite the fact that the memorandum of understanding says that the government and the airline had to regularly get together to discuss these problems. What about the report handed to the minister in October pointing out the disastrous position of the airline. It takes a great deal of skill to mislead a large number of people especially when your own incompetence has caused them all of this great hardship.

Mr Speaker, this government stands not only condemned for a significant degree of responsibility in the collapse of this airline but it has revealed itself as being both incompetent and dishonest as well.

Mr DONDAS (Transport and Works): Mr Speaker, I too would like to start my debate with quotes from the opposition spokesman for transport: 'In secret talks the Northern Territory government last year discussed the possibility of Ansett Airlines taking over Northern Airlines. In contrast, the government was warned in August the company was in dire financial difficulties. Mr Everingham must explain why his government did not take remedial action'.

The member for Arnhem has attacked the government without any compunction or taking into consideration the full and true facts of Northern's collapse.

He harped on the secret arrangements and that I, as minister, did not know what was going on in those particular places. What utter nonsense. We have to go back to 20 November. On 20 November, members of the East West Airlines Board came to Darwin to have discussions with the Northern Territory government regarding the back-to-back guarantees. In fact, that particular meeting was held on the last sitting day of the Assembly. We were to have met them at about 6 pm. The Assembly did not adjourn until 7.30 pm and we met them at 8 pm.

The members opposite said that the Northern Territory government was aware of the financial difficulties that Northern Airlines was facing because of a report that was given to me on 14 August last year. The only report that I received on 14 August last year was when it put in another application for a fare increase. In July, Northern Airlines put in an application for a fare increase of 6%. It was eventually approved. Then, on 14 August, it put in another application for another fare increase - one month later. At that time, I can remember the member for Arnhem jumping up and down about the service that was being provided by Northern Airlines to his community: 'I have records of people from Galiwinku' - no doubt he told them to do this - 'who sent the minister a telegram of protest or regret that they are not getting the service. I have got them on record for him to have a look at'.

On 4 October, I did receive a document that they all talk about over there as being the document that advised the Northern Territory government of the inability of Northern Airlines to perform. There were 4 recommendations and I approved them on 6 October. The first recommendation was that I approve a general tariff rise of 4.7% on existing fares to apply to all Northern Airlines passengers and cargo rates for all routes other than Darwin, Katherine, Tennant Creek and Alice Springs. This is the document that the opposition keeps saying informed the government that Northern Airlines was going bad. It recommends that I approve that this rise be implemented at midnight 6 October 1980, that I approve the new fare rates to be rounded off to the nearest 10¢ instead of to the nearest dollar both on that occasion and on future occasions, that I approve the use of standard-class fare formula being applied to Northern Airlines, Darwin-Alice Springs end-to-end fare and that I approve the new fare of \$154.70.

This is a clause from the same document which the opposition quoted: 'If the airline is to continue its services as required by the memorandum of understanding, and soon the deed, and in accordance with its licence, then there will have to be a dramatic increase in the revenue to offset overheads, increases in direct operating costs, fuel, and the loss of a Commonwealth subsidy'. The department in fact did not accept the recommendation of Northern Airlines for a 4.6% increase but it went one further because it thought that Northern Airlines' calculations were wrong and asked me to grant a 4.7% increase, which I did.

The anticipated revenue at that time to June 1981 was in the vicinity of \$4m. An amount of \$4,012,950 was the projected revenue that Northern Airlines had advised the department of to the year ending 30 June 1981. Northern Airlines still did not have the aerial-medical contract. That happened in early October. It was still waiting for the Nomad aircraft to come from the aircraft factory for its air surveillance contract. On 15 September, it had only just started the Centre routes between Alice Springs and Darwin with the Fokker Friendshipships. In August, when this particular application was made, Northern Airlines had not accepted, or had not taken responsibility for those 3 particular functions which would probably have made it a lot more viable. But the Northern Territory government cannot accept the responsibility for the Australian aircraft manufacturing industry if it does not provide the Nomads. Our Nomads for the aerial-medical service contract were there and they were being used when Northern Airlines eventually got the contract.



We were told that the Northern Territory government was informed and knew at that time that Northern Airlines was going bad. We were aware that there were some problems as far as its cash flow was concerned but we felt it would improve when it started the aerial-medical service contract, it would improve when it got the air-surveillance contract and it would improve when it started on the Centre run. That is the document of 4 October that the opposition referred to constantly. In fact, to consider an application for a fare increase in July and then another application only a month later for another increase really takes a bit of time. I will read the officer's final remarks regarding the whole document:

*Finally, the investigations proved to me that the airline's management accounting systems are not yet geared to being able to provide accurate data, categorised in such a way as to demonstrate properly, where and why, tariff deficiency arose. I therefore recommend that the particular points for evaluation and validation in future tariff cases should include the basis for revenue projection, the separation of revenue and costing information to identify RPT and charter elements on the basis of payroll on-cost allowance to 20.5%.*

That is where the difference was in the 4.6% to the 4.7% that we finally agreed to approve. Northern Airlines had forgotten to take holiday pay into consideration.

Let me hark back to the accusations that the Northern Territory government did not enforce sections 9 and 11 of the Aviation Act. It is quite true that there was a moratorium, and I have the minutes of those 2 meetings that were held by the Aviation Advisory Committee. I did not set up that committee so I do not know where it got that information. I inherited it but it is a good organisation.

Let me read the recommendations of that advisory committee. I will tell you who was present at the 2 meetings. General aviation was represented by Ossie Osgood, John Tilley, Brian Smith; flying training - Bob Miller; helicopter operators - Ann Timms; Northern Airlines Limited - Barry Cooney, General Manager, Peter Sugg, Marketing Manager; and the Department of Transport and Works by John Riley, Ann Haywood and Keith Ellis.

On page 3 - and I will give honourable members opposite a copy - of the recommendations of that particular committee, recommendation 4 reads: 'Operation over RPT routes, trial period - 3 months: that the minister approve the conditions below as conditions under which specific provisions may be made to authorise a licence to carry out charter operations over an RPT route or a section of an RPT route'. We know what the results were of these particular recommendations.

We have to go back to the timing of the particular moratorium on the service that Northern Airlines, at that particular time, was unable to provide. I refer to what the member for Arnhem said on Territory Tracks at that particular time. He made a statement that Northern Airlines operations in his particular area were not very good and that the freight was being left behind and that even medical supplies had been left behind. If there was a moratorium which was agreed to by all the charter operators and the Northern Airlines General Manager who was chairman of that particular advisory committee, why would we want to impose penalties on the alleged 141 infringements? To this day, I have not been given a copy of any of the infringements as purported by members opposite. It may be in existence but I have not sighted it. Nevertheless, I do not think that, during the moratorium period agreed to by Northern Airlines and the charter operators, the government should turn around and stab charter operators in the back for providing

a service that Northern Airlines was not providing. The member for Arnhem would have been the first one to jump up and down if, for example, a charter operator had been summonsed by the government for providing medical service and equipment out in his particular electorate. He would have been bleeding all over the carpet.

Mention was made of the 141 infringements. In fact, that first meeting was on 14 August 1980 and the moratorium was ratified again on 3 September 1980. Quite rightly, the Chief Minister said that we thought the moratorium was going to work and at least we were trying it. In the old days, SAATAS did it to Con-nair. We cannot really stop some of these people because it is very hard to prove that charters are illegal. The moratorium had to be in existence for the 3-month period. In the discussions that we had with Northern Airlines on 20 November, the last sitting day of the Assembly, John Riley certainly did say that the government had not really backed up the aviation agreement. We said that we were aware of that but he and his company were part of an agreement regarding a moratorium. We did give him an assurance that, when it rationalised its routes, the government would do its part and enforce those particular sections of the Aviation Act. I just want to discount the opposition's statement that we did not take any interest in the fact that charter operators were taking business away from Northern Airlines on the RPT routes. There was a moratorium and Northern Airlines was unable to provide the necessary service to those communities.

The opposition asked why we did not know what was going on with Northern Airlines; why we did not know that it was going broke? I have a letter signed by Barry J. Cooney, General Manager of Northern Airlines, to the Northern Territory News on Wednesday 5 November 1980. No doubt the member has a copy of that.

Mr B. Collins: I read it in the paper.

Mr DONDAS: If he read it in the paper, it just shows you how dense they are on the other side of the fence, Mr Speaker.

I will not read the whole letter but the earlier part is the most interesting:

*Our staff strength has risen from 152 to over 190 at the moment. Our pilot strength has increased from 26 in January to 51 right now. We are maintaining a total of over 25 aircraft against 12 last January, not counting outside contract work. The airline only took over the Centre run on 15 September, 7 weeks ago, and the Northern Territory Aerial-Medical Service on 1 October, 5 weeks ago. We also took over coastal surveillance during September. Quite an achievement in such a short time! The jobs we have created have meant more jobs for Northern Territorians and skilled jobs. We are the largest commercial enterprise employing in the Northern Territory.*

We had the General Manager of Northern Airlines, in early November, saying that everything looks good.

Mr B. Collins: What did you expect him to tell you?

Mr DONDAS: He was not telling me. He was writing to the public, not to me. Nevertheless, that particular statement on 5 November would certainly support the document that I received of 4 October recommending a fare increase only. At that particular time, we thought that there may have been some warning signs because Northern Airlines was not being backed up by East West Airlines and the capital injection and the flow of money was not coming through as quickly as Northern Airlines wanted it.

Let me elaborate on the rumour. I heard through a reliable source on 18 December that Northern Airlines was going to cease to operate in the Territory. I was not sure and I could not really prove it but, nevertheless, we made some further inquiries. We made inquiries between the 19th and 22nd and it looked as if the rumour would be true. Whilst an officer of my department was in the eastern states, I asked him to ask Sir Peter Abeles what would be the best way of involving a major airline or another operator in a Territory operation in the event of a Northern Airlines collapse or a withdrawal. The government went to see Sir Peter Abeles for advice. After all, the airline is a very large organisation and would have the financial resources if it was interested in the operation.

In January last year, TAA and Ansett both submitted proposals to the Northern Territory government for the Centre route and other routes in the Territory. We were looking for advice from Sir Peter Abeles on whether Ansett might still be interested. There was no harm in that because we had heard a rumour that had almost become substantiated. What was going to happen to the tourist industry if Northern Airlines pulled out? It is all right, Mr Speaker, for the other side to laugh and giggle but this is serious. If the airline did pull out, we would be looking for an interim service. They can laugh; they can do as they like over there. I am not interested in their views; I am only interested in the Northern Territory people being served properly with an airline...

Mr B. Collins: They got served all right.

Mr DONDAS: We made a mistake. In hindsight, nobody denies that we made a mistake with East West Airlines. Let us look at the original proposal at the time when we had East West Airlines, TAA and Ansett all saying that they would provide this service. At the time, East West Airlines looked to be the best deal on paper. It had expertise and was already operating a regional airline in the eastern states. It had equipment, expertise and backup services. Our policy at the time was to try to encourage a regional airline operation that would be better than Connair. Connair served the Territory well for 40 years, and nobody denies that, but the Territory is changing and developing rapidly. We were looking for a regional airline that would develop with the rapid development of the Territory.

They can laugh and giggle and do what they like over there but, at the time when we heard the disturbing news that East West Airlines may be pulling out, we had to act quickly. We eventually did talk with the company. In fact, we sent them a telex within a few days. We advised Ansett that our information was not true, thanked it for the discussions and advised that East West Airlines would continue to operate in the Territory. That was on 23 December. The rumour was right yet they were still telling lies down there.

Let us talk about how the Northern Territory government was informed of East West Airlines' withdrawal. How were we informed? I was informed at 7.20 pm on 1 January on the ABC News.

Mr B. Collins: I rang you up.

Mr DONDAS: You rang me up at 7.25 pm. Paul Doherty rang me up at 7.20 pm. That was the first that I had heard of it, Mr Speaker.

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

Mr B. COLLINS: I move an extension of time for the honourable Minister for Transport and Works.

Motion agreed to.

Mr DONDAS (Transport and Works): I thank honourable members. We were informed by telex at 11.20 am on 2 January 1981. However, it was despatched on 31 December. On New Year's morning, I was phoned and, after hearing it, I thought that it could not be true. I phoned the General Manager of Northern Airlines here to find out what was going on. He said, 'I received a telex yesterday afternoon about 4 o'clock'. I said, 'Fine, would you mind if I had a copy of your telex'. I went around to his place at 9.30 and picked up a copy of the telex which in fact was also a copy of the telex to us except his was addressed to him and ours was addressed to us. It had sat in the telex machine over the holiday and we finally received it on the day after New Year's Day. It read:

*Since our meeting on 10 December, the management of Northern Airlines conducted a rationalisation study of its operation. This study demonstrates that Northern Airlines is not able to operate profitably in the existing environment nor is East West Airlines able to continue underwriting Northern Airlines' operating losses. Arrangements will accordingly be implemented forthwith to terminate or dispose of Northern Airlines' various operations. A copy of the rationalisation study and other background information is being provided to the Secretary, Department of Transport and Works this afternoon.*

Earlier in December, we had agreed that it would come back with a rationalisation program of its RPT routes and this was handed to the Secretary of the Department of Transport and Works on New Year's Eve. His concluding sentence read: 'A special meeting of East West Airlines board will be held within the next 10 days to consider this matter. Signed John G. Riley'. Sentence 4 says, 'implemented forthwith to terminate' and yet sentence 6 says that the board would consider it 'within the next 10 days'. It is confusing to say the least.

I will now turn back to the period just before that particular telex was sent. We met on 20 November. On 10 December, ministers again met with East West Airlines directors. One was a gentleman by the name of Richardson, another by the name of Shand and the third was East West Airlines' John Riley. At that particular time, 10 December, East West Airlines was going to come back with other proposals for the Northern Territory government to evaluate. On 17 and 18 December, I heard rumours that it was going to pull out. On 18 December, I asked officers of my department to have discussions with Ansett. We were asked: 'Were they informed?' My secretary had discussions with John Riley of East West Airlines who, on 19 January, unequivocally stated that East West Airlines would not pull out. Of course, we know what happened from there: it pulled out without notifying the government. In fact, from information that I have, it did not advise Northern Airlines directors of its intentions to withdraw until 18 or 19 January. East West Airlines did not inform its directors in the Territory that it was going to officially pull out until 18 January. Now how in the hell can you do business with people like that anyway?

The important thing that we had to consider was the interim arrangements. I will table in the Assembly copies of letters from tourist operators not only in the Northern Territory but Australia-wide and overseas asking: 'What is going on?' We have bookings for 6,000 people between now and the end of March and they are going to have to be moved. How are we going to move them? We cannot move them with Metroliners. In fact, there was only one Metroliner operating on the last dying day.

There had to be a conscious decision from us to start pushing for an interim service not only for the tourist industry but for people living in Katherine and

in Tennant Creek. Let us talk about Katherine and Tennant Creek before we speak about Ayers Rock and Alice Springs. Northern Airlines' licence was to expire on midnight 15 January. It pulled out its Fokker one week before ostensibly to take it down to Tamworth for servicing but knowing full well that that Fokker was not going to come back to the Territory. It reconstructed its Metroliners to do the job. That was on 15 January, just before the school holidays were due to finish and people would be returning home from annual leave. How could the little Metroliners carry the traffic between Alice Springs and Tennant Creek?

We put pressure on it to bring that particular Fokker back. We told it that, if it did not, its licence would not be renewed past 15 or 16 January. However, we did finish up renewing it to 21 January because, when we entered discussions with Ansett for the interim service, there were bans placed on the operation of the airline - pilot bans, hostess bans and transport workers union bans. But the unions really did not mind if the people of the Territory were going to be disadvantaged provided that their members got what they asked for, which in actual fact was an extra month's salary for the pilots. Nevertheless, those bans were placed and, consequently, we could not get the interim service operating.

The alternative measures that we took were to ask the local charter operators to operate 203 licences between Alice Springs, Tennant Creek, Katherine and Darwin, and thus try and move some of the people returning home. We even went to the extreme of asking Greyhound buses to put on an extra service to cater for some of the travelling public. That service operated for a couple of days. The milk run operation ceased on 15 January. We had interim services operating by Tillair, by Tennant Air and by Chartair. I believe that they responded and assisted people in those particular communities.

The important thing is that, if we did not take immediate steps to provide an interim service between Alice Springs and Ayers Rock - at least a reliable service in the interim until long-term arrangements could be made - not only would our tourist industry have suffered but also the tourist industry of Australia. There was a lot at stake.

We were fortunate that the bans were lifted. The F27 service is now operating. We are now waiting for 28 February when both Ansett and TAA will put in firm proposals for the long-term operation of those services. They will be evaluated in the next couple of weeks and a decision will be taken by the government as to who will have the operation.

I would also like to add at this stage, because of the importance of the F27 service to Tennant Creek and Katherine, that I intend having discussions with local government in that area before appointing a franchise operator.

There has been a lot said this morning. There has been much criticism levelled at this government for its inaction, its supposedly carefree attitude towards the collapse of Northern Airlines. But what has not been said is that, when Northern Airlines, through East West Airlines, purchased Connair, we had the opportunity at least to exert some leverage for Connair staff positions to be preserved. As Mr Cooney said, staff numbers had increased from 152 to 190 in that short time. But with its unequivocal withdrawal on 1 January, the government was not in a position to say to the staff of Northern Airlines that we would guarantee their employment. However, we did say that, where possible in the negotiations, we would take all the particular points relevant to their employment into consideration. With the pilot ban and the other bans placed on the operations, it was very difficult to negotiate for even an interim period for the staff of Northern Airlines.

It is still the government's intention, where jobs can be found for Northern Airlines staff, to try to do that. We will certainly try in negotiations, whoever it might be with, to say: 'Look, you have to be able to take some of its staff'. But we cannot make the same mistake with the new operator and force it to take over 120 to 130 employees of whom probably 40 or 50 will not be needed. We have admitted the mistake; we cannot do it again. I do not believe that members opposite would condone that.

We are hopeful of receiving reasonable submissions on 28 February which will allow us to negotiate for some of the staffing positions within that particular area of concern. We have been concerned but we could not give an unequivocal guarantee that all those jobs could be saved. It just was not on.

Mr ISAACS (Opposition Leader): Mr Speaker, the Chief Minister spoke in this debate for about 10 minutes and the Minister for Transport and Works spoke for about 30 minutes. I think it is obvious now what the problems with Northern Airlines are. It is not, as the Chief Minister said, the failure of East West Airlines or Northern Airlines to manage and plan properly. The problems are simply that we have a Chief Minister who has passing whims and fancies and his ministers following are just not able to keep up with him. He chops and changes so rapidly, his views are so vehement in one direction one minute and so vehement in the alternative direction the next minute, that his ministers are left holding the bag.

That is certainly the position with the Minister for Transport and Works. If anybody ever wanted to talk about incompetence - half an hour of chasing telexes going to other people which he finds out now are addressed to him and even going to him; a most extraordinary situation - I do not think the Minister for Transport and Works could be given a department which has the responsibility for allocating even \$2 considering the way he has carried on this morning. It is a most extraordinary set of circumstances.

I think that what has happened with Northern Airlines is clear. The Chief Minister set off with grim determination to ensure that East West Airlines was given the job of operating the regional airline. No sooner had the ink dried on the memorandum - as we understand it, the deed was not even signed - that members of the government set about to sabotage East West Airlines and its operations in the Northern Territory. We now have a situation where it is pretty clear that Ansett Airlines have been given the running to carry on the airline operations in the Northern Territory.

And as I say, it is a matter of trying to fathom where the Chief Minister happens to be at a particular time. He was a great champion of East West Airlines to start with; he was tilting at the two-airline agreement as the most reprehensible document in the history of aviation in Australia. The Chief Minister was going to make a mark in Australian history by blasting apart the two-airline agreement. We do not hear so much on that particular subject from the Chief Minister any more. One wonders why. Apparently, he has acquired a fairly powerful friend who has acquired half an interest in an airline in Australia.

Mr Speaker, the member for Sanderson and the member for Arnhem both made out a pretty telling case about the incompetence of this government. It came down to one thing: the failure of the government to back up with action the very fine words it uttered at the time of granting Northern Airlines the Franchise to run an airline here and during the passage of the Aviation Act.

It is amazing to now find out all the problems with the Aviation Act -

the strongest in Australia. We were told by ministers at the time that this Aviation Act would protect Northern Airlines, that no longer would we have the idiots in Canberra running the aviation industry in the Northern Territory and that we in the Territory know how to do it best and we will protect our own regional airline. Those were very fine words. The Chief Minister now tells us that the Aviation Act is not worth a bumper because it cannot be policed. He has an idea of what the problem is. As a former lawyer, he knows the problems. He said that it is all very well if an aircraft lands on an airstrip but how do you know if it picks up people? Well everybody who has travelled in a charter aircraft knows the answer to that question. You simply look at the manifest of the flight. Those flights have been reported by Northern Airlines pilots. The government said that it could not be done. If it wanted to, it would find out and prosecute. It could find the manifest. Details were provided by Northern pilots: dates, times, even aircraft insignia. If it wanted to prosecute, if it had a desire to prosecute and protect the airline, then it would have done so.

What we had is the Minister for Transport and Works saying: 'We allowed the Chief Minister his flights of fancy. He's a lawyer so he likes to tell us about the law, but we'll tell you the real reason'. Thank God the minister did speak for half an hour. The real reason he says is because Northern Airlines could not provide the service. That is what it is all about. However, he did say to them: 'When you can provide the service, then we will protect you'. One wonders whether or not the ministers have even talked together. The Chief Minister says that the government cannot protect it; the minister says: 'We know you cannot provide the service but, when you can, we will protect you'. Frankly, the whole thing is a pack of lies.

The simple answer is this: the Territory government had no intention whatsoever of protecting Northern Airlines. It knew that the charter companies were pirating the routes of Northern Airlines. It is not a matter of Northern Airlines not being there. These reports are from Northern Airlines pilots who have flown to the various centres and seen charter aircraft taking off with passengers. They have seen them where the service was provided. Never mind getting sidetracked about whether or not Northern Airlines could provide the service. The fact is that, when it was providing the service on its RPT routes, they were being pirated. The Territory government, through its department, knew about that. The minister says that he has not seen it. He looks at us all with that very friendly face that he has, and says: 'But I did not see it'.

People knew from the Northern Territory News and Alice Springs papers that pirating was taking place. The minister stands here and says: 'I did not see the document'. He should have. If he did not, it proves that he is incompetent. We know the government had been given details by Northern Airlines pilots of pirating. Let us not have any of this rubbish, this red herring nonsense, about Northern Airlines not providing the service so the government let the charters go in. What kind of an argument is that? The government knows that, at the time when services were being provided and details of pirating were given, action was not taken. The minister himself was confused about the moratorium and what it meant. When he was first accosted, he said: 'The simple fact is we had an agreement over the last 3 months. Charter operators can land as they like; we are testing it out'. Of course, that is not what it said. He then got the message straight and realised that his previous rationale went straight down the gurgle where it ought to have gone. There was incompetence on the part of the government in not taking up rapidly the evidence given to it by Northern Airlines pilots. Let us not hear in this Assembly that the Aviation Act cannot be policed. We have details from pilots, times, dates and statements from personnel in the air traffic control. If you want details of passengers, then the Chief Minister knows, and everybody who travels in charter aircraft knows, that the company has to fill out the names of passengers. If the government is

saying, 'Who knows whether or not the charter companies are writing down the details?', if the government is reduced to that argument, then what it is saying is that it is giving licences to people whom it cannot trust, I do not know whether it is prepared to say that,

The fact is that the details are there. The prosecutions could and should have taken place but did not. The government knows full well that the principal reason Connair was in strife was also the principal concern of the new airline: whether or not its routes would have integrity and that pirating did not take place. One can only assume that the government listened to the charter operators more than to the regional airline that it sought to establish and maintain,

It seems to me that, as soon as the decision was taken to support East West Airlines in the running of the regional airline, undermining started almost immediately. The Minister for Health - he sometimes forgets about that title - sent a telex to the Chief Minister saying: 'I do not know whether we can give Northern Airlines the aerial-medical service. I think we are in for a bit of a political fiasco, a bit of a bun fight, and I am getting out. I do not want to have anything to do with it'. For heavens sake, part of the memorandum of understanding was that Northern Airlines would be given every assistance possible and it was publicly stated that Northern Airlines would receive the aerial-medical service. The undermining had already begun by the Minister for Health. Pilots employed by Northern Airlines told me that, in about August of last year, they had approaches from Ansett pilots saying: 'Why don't you join us. It seems that there is something on and Ansett might be getting the running of the regional airline'. In August, pilots from the national pilots organisation had spoken to pilots about it. In October, the minister himself even asked one of the pilots federation executives: 'How would you like to work for Ansett?' It was on all right.

Let me come to this other point about the minister saying: 'We went to Sir Peter Abeles in December because it knew it was in one hell of a spot. The advice given to it by Abeles was that he had already made an offer and, so far as he was concerned, that was it. However, there was a new ball game. Ansett were only too happy to help out as I am sure it would have been. It could see a very nice cherry up here for the picking. It would like to help out if it could. It could not guarantee the staff. Mind you, it was prepared to do it 12 months earlier when the takeover of Connair was on, but it could not do it now. Ansett Airlines said, 'We will help out but do not put it on us at the last minute. We will need a bit of time to sort something out'. On the matter of advice, I do not know whether the minister is saying that he has no expertise in his department. It went to Ansett to bail it out. Why to Ansett? Why not go to both of the airlines and say: 'Look, this is the position. Let's have some assistance from you. Can we have a look at this thing all over again?'

The Chief Minister quite disarmingly says: 'It is unfair to say that we have not spoken to TAA. We have'. Yes, it has, but only very belatedly and with TAA pushing and shoving to be included. Since the Chief Minister lost interest in the whole regional airline concept and decided that the two-airline agreement was a reasonable document after all, he wanted to protect it and, certainly, to protect the interests of Ansett Airlines. It became apparent that East West Airlines was set for the high jump. That is where it went.

I do not know whether TAA's proposition to the Territory government is any better than Ansett's. I would not know; I have not seen it, I would like to think that its proposal would get even-handed treatment. It probably is not enough just to hear from the Minister for Transport and Works that the government



will look at them both. Perhaps it will now, I hope it does because, without question, until 31 January this year, TAA was not in the running. It could not run an airline as far as the Northern Territory government was concerned,

Mr Speaker, I think that what we have heard today is quite typical of the way the Northern Territory government is operating. It has not attempted to justify the very strong criticisms which have been made. It likes to say in the good old-fashioned way: 'We have made a mistake. What is wrong with that?' What is wrong with that is that not only has the Territory itself been brought into disrepute by the way the government has handled East West Airlines, the Chief Minister in the parliament said that the senior officers of the company are a bunch of liars who cannot be trusted and whose morality is in question. That is not a bad sort of an even-handed dispassionate comment about a major corporation in Australia. Not only is the Territory's reputation at stake because of the way the government has handled the affair but there are also the questions raised by the member for Sanderson as to whether or not the Territory government complied with its undertakings in a legal document. There is also the question of Territory commuters, people in outlying communities and regional centres, and what sort of a service they will receive. Finally, there is the question of the tourist industry and just how people can reliably invest their money in industry when they know it depends so significantly on air transport and the manner in which the Territory government had handled this particular crisis. It has been a fiasco. The Minister for Mines and Energy in a rare moment of perspicacity was right: it has turned out to be a complete and utter disaster,

I would hope that the lessons are learnt and that the government realises that it is not sufficient simply to shrug its shoulders and say: 'We have made a mistake; let's hope it will be better next time'. We do not want platitudes from the Chief Minister about our not wanting a government of inertia. We do want a government which has competence. That is something this government has amply demonstrated today that it knows absolutely nothing about. The motion moved by the member for Sanderson is not only timely, as was disputed by the Chief Minister and the Minister for Transport and Works, it is apt and it is correct. The government deserves the most grave censure of this parliament for its treatment not only of Northern Airlines but its treatment of the Territory community and its failure to come clean about the problems facing the airline industry in the Territory.

Mr PERRON (Treasurer): Mr Speaker, listening to the debate to date, one can hardly help but think that the opposition is really scratching around for an issue for this particular sittings. It must have been with great reluctance that Northern Airlines was chosen.

On 27 November last year, the member for Sanderson finished a little burst she gave us on Northern Airlines at the time by saying: 'Communities will suffer because Northern Airlines finds it cannot live up to its responsibilities'. She was right. Of course, as the Chief Minister pointed out, her tune has changed considerably since that time. Just listening to the debate here to really see what substance the opposition has in its allegations of incompetence in the government's handling of this particular matter, I find that the entire thrust of the 3 speakers from the opposition is based on the supposition that, had alleged illegal air charters been prevented from taking passengers away from Northern Airlines on small settlements mainly radiating from Darwin, that is all that was required to save Northern Airlines. It is quite clear that the 3 speakers spent almost their entire time debating that very question. The member for Sanderson claimed that the minister's failure to act in this regard drove Northern Airlines to the wall. The member for Arnhem alleged that, had illegal charters on smaller settlements been prevented, it would have saved Northern Airlines and the Leader

of the Opposition came in on the same theme again. I find it very difficult to comprehend how a company which has accumulated losses possibly in excess of \$7m could attribute this financial position to a loss of traffic on what are really very minor routes.

What about the other Northern Airlines problems that have been well bandied about in the press? We heard very little from the opposition about the poor selection of aircraft right at the beginning. The company proposed to put Metro-liners in. Certainly the government endorsed the use of Metroliners. The company was supposedly a very efficiently-run operation and should have been able to select the aircraft that it believed could do the job. It proposed to the government that Metroliners were the most suitable and the government licensed these aircraft.

The failure to appoint a general manager early enough is an important matter in this debate. There were increases in staff, new aircraft put onto runs, new aircraft selected and a whole range of matters that directly affected the company's operations in Katherine, Tennant Creek, Alice Springs and Darwin. All these things took place prior to the appointment of a general manager. Presumably the company was being run largely from New South Wales and with an air of some disinterest. There was a massive growth in staff numbers. As we have heard here today, a report alleged that the company had unusually high overheads.

The failure of the company to tender competitively for new work was also a significant factor in Northern Airlines' demise. There was considerable bungling of staff transfers and pilot training. I do not know any of the details of this other than what was reported by Northern Airlines staff in the press about the shifting of staff around the Territory after accommodating them at expensive lodgings and having people retrained interstate on particular aircraft and bringing them back to the Territory but not using them on those aircraft. I guess the opposition would claim that that is all the fault of the government. Not a single word has been mentioned here today about these things - obviously the types of things that could contribute to very substantial losses by the company.

The company failed to provide an efficient cargo-passenger service on trunk routes. Very early in the piece, the opposition complained about stories of cargo being left behind and about passengers not making their connections. This no doubt was where there was a quid to be made but the company lost support. I guess we will never know how much support this cost the company or how many people started transporting their goods by road or driving their cars and making alternative arrangements to the services provided by Northern Airlines. Not a mention of this has been made here today. It is all the government's fault because some charter operators are alleged to have stolen some passengers running between here and Bathurst Island.

The pilots' industrial action of course has not even raised a murmur here today from the opposition. It is true that last year the Leader of the Opposition and the member for Arnhem both spoke of the unfortunate situation where an internal industrial dispute within the Airline Pilots Federation over pilot seniority had arisen and that, tut tut, hopefully it would all be resolved. The Leader of the Opposition expressed his deep sympathy with the union leadership because it was an internal dispute and therefore it had 2 ends pulling against the middle, and how it was really awful. Of course, we do not really know what effect that dispute had on Northern Airlines financially but I suspect it would have been quite substantial.

On the question of the failure of the company to tender competitively for the Queensland Mines run from Darwin to Nabarlek, I was at a meeting with

directors of Northern Airlines where this matter was raised. Northern Airlines' representatives asked us why we gave Jet Charter a licence to fly an aircraft for Queensland Mines and why didn't we make it use Northern Airlines. This attitude was a bit surprising. Northern Airlines directors seemed to think they had a divine right to virtually every additional aerial contract in the Northern Territory.

Northern Airlines was in the box seat to pick up that contract from Queensland Mines. It was already running the service, which was inherited from Connair, with 2 small aeroplanes. Unfortunately, as I understand it, they were falling apart. Why did it fail if it was in this prime position. It was running the service; the customer wanted a bigger, more flashy aeroplane and, no doubt, was prepared to pay. As I understand it, Northern Airlines demonstrated a level of service in running these 2 light aircraft to Nabarlek which Queensland Mines considered to be absolutely outrageous. If I was a director of Queensland Mines who, it is alleged, flew on the plane while the door was tied up with rope, I would have considered it fairly outrageous too. This was the fault of the Northern Territory government I guess. It was not mentioned here this morning.

The second reason why Northern Airlines missed out on the Queensland Mines contract is that Northern Airlines kept telling Queensland Mines that it should use an F27 on the run when Queensland Mines, the customer, specified that it wanted a Short 330. If that is the way it ran the business - telling the customer he does not want what he thinks he wants then losing the contract and whingeing about it - then I am amazed.

Northern Airlines directors thought it their divine right to do other work, including a contract the government put out for the hire of an executive aircraft for a minimum number of hours a year. I understand Northern Airlines' tender for the aerial-medical service was greatly higher than other operators but, in fact, it did end up with the contract. It was negotiated down to a reasonable level. But it expected to get the service because it was Northern Airlines and it was here in the Northern Territory. It was as simple as that. That is no way to run a competitive business.

I have not got a great deal more to say on this. The entire thrust of the opposition's case is that the government failed to stop illegal charters. That is about all it has said of any substance whatsoever right through the entire debate. I contend that there is no way in the world that any loss of work in that regard, if indeed there was any, contributed more than a tiny fraction to the financial collapse of the company. It was through mismanagement - a whole range of bad decisions - which continued month after month by Northern Airlines and by the directors of East West Airlines that the company collapsed. It was not because of any failure of this government to accept its responsibilities. We wanted Northern Airlines to succeed. We held it up for as long as we possibly could; we did what we could for it but it was going down the drain.

In an overnight telex which surprised everybody, it gave us 28 days notice that it was on the way out: 'Do not worry about the submission that we were going to put to you for rationalising services. We've forgotten to even include that now. We're just not interested'.

The motion before the Assembly is completely without substance. I think it is just the opposition clutching at straws because it simply does not have anything better to do.

Mr ROBERTSON (Education): I move that the question be now put.

The Assembly divided:

Ayes 11

Mr D.W. Collins  
Mr Dondas  
Mr Everingham  
Mr Harris  
Mr MacFarlane  
Mrs Padgham-Purich  
Mr Perron  
Mr Robertson  
Mr Steele  
Mr Tuxworth  
Mr Vale

Noes 8

Mr B. Collins  
Mr Doolan  
Ms D'Rozario  
Mr Isaacs  
Mrs Lawrie  
Mr Leo  
Mrs O'Neil  
Mr Perkins

The Assembly divided on the question that the motion be agreed to:

Ayes 8

Mr B. Collins  
Mr Doolan  
Ms D'Rozario  
Mr Isaacs  
Mrs Lawrie  
Mr Leo  
Mr Perkins  
Mrs O'Neil

Noes 11

Mr D.W. Collins  
Mr Dondas  
Mr Everingham  
Mr Harris  
Mr MacFarlane  
Mrs Padgham-Purich  
Mr Perron  
Mr Robertson  
Mr Steele  
Mr Tuxworth  
Mr Vale

#### PERSONAL EXPLANATION

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, during the Leader of the Opposition's contribution to the censure motion debate earlier today, he used the words: 'The Chief Minister said the two-airline agreement is a reasonable document'. The Leader of the Opposition was inferring that my attitude to the two-airline agreement has changed because, again to use his terms, I have 'become friendly with someone powerful'. Mr Speaker, simply by way of explanation, I would like to table these documents. They include the Northern Territory government's submission to the independent public inquiry on domestic airfares of October 1980 and correspondence between myself and federal politicians, including the Minister for Transport, between that date and the present time, all of which seek the overturning of the two-airline agreement.

#### FIRST REPORT OF SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE

Mr HARRIS (Port Darwin): Mr Speaker, I present the first report of the Subordinate Legislation and Tabled Papers Committee. I move that the Assembly take note of the report and seek leave to continue my remarks at a later hour.

Leave granted.

TEACHING SERVICE BILL  
(Serial 20)

Mr B. COLLINS (Arnhem): Mr Speaker, there is no need to go into tedious debate on this bill because it has been discussed at length by both the Minister for Education and myself in the Assembly on previous occasions. We are now at the very happy stage of actually seeing its passage through the Assembly. Commonwealth legislation is either proceeding this week or will proceed early in this sittings of the federal parliament. Perhaps the minister can advise us later in the debate.

The opposition has consistently supported the formation of a teaching service independent of the Department of Education. Certainly, one of the major reasons that we have done so is because the establishment of an independent teaching service is seen by the teachers of the Northern Territory, and certainly by their industrial representatives, the Northern Territory Teachers Federation, as the most important condition of service which they enjoyed under the federal administration of education services in the Territory which must be transferred to the Northern Territory. The government has agreed to this and hence we see the passage of this legislation through the Assembly.

The opposition has circulated a number of amendments to the bill and I understand from a discussion earlier today with the minister that some of these matters will be covered by government amendments. The opposition amendments seek to tighten up those clauses of the bill which are involved with discipline of teachers and measures which can be taken by the commissioner against teachers, such as demotion, reduction in salary and dismissal if all else fails when teachers do something which, in the commissioner's view, is not proper.

I have commented in the Assembly on certain actions of the Department of Education, which have disturbed me greatly, and on the very low morale in the department which has been caused by these actions. In the main, they are involved with that part of the administration which deals with telling teachers what they can and cannot do and with employment and promotion. I have said before that I have some very disturbing correspondence - and I am sure that the minister would be equally concerned - which has been sent out by the department. I am not laying the blame for all of this at the feet of the minister. In some cases, it has been caused by perhaps over-zealous officers thinking that they were doing the right thing. It is extraordinary.

I have never tabled that correspondence in the Assembly for one very good reason: unfortunately, there are a large number of employees of the Department of Education - this is a term I must use - running scared. Officers have been placed under intimidation by senior officers of the department. In fact, recently I approached the department with information I had and the immediate response of the department afterwards, as I was told very reliably, was to run around trying to find out - I think 'witch hunt' is the popular term - who gave me the information. In fact, I had come by it in a perfectly proper manner; no one from the department had told me. I have not used that correspondence because people have been unwilling for it to be used and my view is that I cannot use it. However, I have a letter which is only part of the correspondence I have seen. Hopefully, at a later stage during the life of this Assembly, people who may have either resigned or left in disgust will allow me to use the other correspondence I have.

I might add, Mr Speaker, that this is totally relevant to the bill we are discussing because of the clause that deals with discrimination in employing teachers. A few years ago, a teacher of good repute, good enough to have

represented the Territory on a number of educational matters, left the Territory to teach at a private school down south. He left at a time when - and there are few people who would argue the point - the Department of Education was not in a particularly healthy state. In fact, I give all credit to the former Director of the Department of Education, Dr James Eedle, for improving the situation. Honourable members will recall one particular year where our results in the matriculation examination were a disgrace. This officer left the department and took the trouble, when he resigned from the department, to advise the department of his reasons for resignation and his dissatisfaction with the state of affairs. While he was down south he saw in Teachers Federation magazines advertisements seeking teachers to come to the Northern Territory. He wrote to the department and said he was available. I might add that at no stage was this teacher held in anything but good repute, as far as his teaching was concerned, by the Department of Education. He wrote to a responsible officer of the department and received what I consider to be a most extraordinary reply from the officer in charge of staffing in the Education Department. I would like to read out at least part of that letter. This is in response to an application by a teacher to bring his family here and to teach in the Northern Territory. I will not mention the name of course. It is an official departmental letter on headed paper. In fact, it is signed on behalf of the secretary of the department:

*Dear Mr X,*

*Mr Merv Brooks recently returned from leave and has asked me to reply to your letter in which you indicated an interest in returning to the Northern Territory to teach. I remind you that, in your notice of resignation form of 2 January 1978, you stated that you were 'deplored by the pathetic standard of education in the Northern Territory and the notable lack of talent in many senior teachers'. Hence, I am surprised that you even contemplate the possibility of returning unless of course you have a very short memory. I can give you no guarantee that you would find the situation any better now than it was in 1977 and I am consequently of the opinion that you could be doing yourself a disservice if you did return. Notwithstanding this possibility, I must advise you that I am not in the least interested in making your services available to any school in the Northern Territory, either now or at any foreseeable time in the future.*

That letter is signed by the officer in charge of staffing policies for the Department of Education on behalf of the secretary of the department. The officer who received the letter is now lecturing at the Darwin Community College. The officer wrote a letter of protest to the gentleman who wrote this letter and, in fact, said that perhaps the letter was even actionable. He received an even more extraordinary official reply which I may read at some other time.

I am most disturbed by this being put in an official reply to an application to join the Territory teaching service. I have other correspondence of a similar nature which, hopefully, I will be able to disclose at some time in the future. This is simply the tip of the iceberg. It is most disturbing that this kind of thing can occur. It was simply personal dislike coming to the surface and officers abusing the powers and positions they have. The extraordinary thing about this letter is that the proper answer for the officer to have written was simply to advise the gentleman concerned that, because the Department of Education in the Territory only deployed teachers and did not employ teachers, his proper course of action was to write to the Commonwealth Teaching Service seeking a position in the Northern Territory.

I commend the minister for the clauses in the Teaching Service Bill which talk about unjustified discrimination in employment and I hope to see a tighter implementation of that principle in the operations of this new teaching service.

The opposition is seeking to move amendments to clause 18 of the bill to insert into the bill a clause providing for appeals against termination of appointment. This refers to officers who are on probation and all the amendment does in fact is seek to include in the bill principles and procedures which are currently exercised by the CTS. In fact, this is how it is normally done,

In clause 21 of the bill, we seek to change the wording from 'appointment by the secretary of the department' to 'deployment by the secretary of the department' as the definition of the word 'appoint' is contained in the bill. Appointments are made by the commissioner, not the secretary, and the secretary merely deploys the staff and this clears up any confusion over the definition of that word.

In clause 32 of the bill we seek to delete the words 'and the commissioner's decision shall be final'. We think the wording is unnecessary. It does not need to be there. As the minister would know, there are other bodies of law which are available to all people working for a public service or a statutory authority and the commissioner's decision may well not be final; for example, bodies of law such as natural justice. We just do not think that it is necessary to have that in the bill.

There is a provision in the bill which did attract some criticism from teachers: the power of the commissioner to fine teachers and to deduct money from their wages. A lot of teachers objected to this on the principle that the only people empowered to take money away from you in this country should be the courts. But the opposition does not agree with this suggestion. Perhaps I can save the member for Alice Springs the trouble of having a heart attack because we feel that it does provide a very valuable soft option for the commissioner should he decide to exercise it. However, the number of occasions that this has been exercised in the past, and I have no doubt that the number of occasions it will be exercised in the future, are very few indeed. Therefore, we cannot see any reason why the officer concerned should only be able to appeal if an amount above \$50 is taken from his salary. It is not going to impose a horrible administrative burden on the department to hear these appeals. They do not happen very often and we feel the principle is important that, where an officer has any penalty imposed upon him of this nature, where he has money taken out of his wages, then he should be able to appeal whether it is over \$50 or not.

I would like to turn to the area of excess officers. This particular clause in the bill provides that, where the secretary - and we have no argument that he is not the proper person to determine it - decides, for example, that he has too many band 3s or too many band 2s in a particular area, he can say that there are a number of excess officers in this area. However, it is then up to the commissioner in the final move to dismiss the officers from the service. He must have that power because he is the person who employs them. We think it is not consistent that the commissioner of this new teaching service should be given the axe to wield but not be able to select his victims. What we are suggesting is that this is an unnecessary power to give to the secretary of the department. It is certainly proper for that gentleman to decide that there are only three band 3s needed instead of six but it should be up to him then to advise the commissioner and for the commissioner then to decide which officers. The bill provides for the secretary to identify the officers and we do not think this is proper. It should be the commissioner who decides which officer is excess. Although there would be circumstances where it would not be applied, the principle

of last on, first off would in normal circumstances apply.

I would like to turn back to a very important section of the bill, clause 36, which defines the meaning of 'misconduct'. As the minister is aware, this whole area of misconduct is a very emotive one indeed, not just for teachers but for parents' organisations and parents generally. Teachers cannot expect to be treated in the same manner as other public servants. I do not think that it is reasonable that they should be because teachers are, in fact, in loco parentis. They have a heavy responsibility in being in a position of authority and influence over other people's children. Therefore, it is proper that some degree of control should be exercised.

In the Northern Territory Public Service Act, section 52(2), it specifically states that an officer's misconduct shall be while he is an employee of the public service. It is careful to point out that an officer's misconduct outside of the public service is not included in this particular definition. However, this particular clause in the Teaching Service Bill does just the opposite. I am not suggesting that that is an improper thing. I am merely saying that it is an area where discretion will have to be very carefully exercised.

I would like to use one more example, and I have plenty of them, where this kind of power to move against teachers was misused badly. It concerned a teacher in a Darwin high school. In my view, the teacher behaved very foolishly by penning certain risque verses at a function outside of his teaching activities. The principal of the school took action against this teacher. The principal, I suppose because he thought it was proper, submitted a written report to the department that this action had taken place. He included in the report the procedure he had adopted, which was to reprimand the teacher concerned. Basically, he said: 'Listen, don't pull a stupid stunt like that again'. So far as the principal was concerned, the matter was closed. An officer of the department - it was the same officer who penned the letter I read out a little earlier - without any further contact with the principal, suspended the teacher from duty.

The department had only become aware that this piece of stupidity had occurred because the principal himself had advised the department of it in a written report. Otherwise, it would never have known about it. On the basis of the report from the principal, the department, without any further reference to the officer who wrote the report, suspended the teacher. I might add that there was action taken by the teacher, which was successful. He was reinstated but at a lower band. There is ample evidence to show that these particular provisions are misused by the department and it is necessary, because we are starting off with a new leaf, to make sure that these particular misuses of power do not happen again.

Clause 36(d) states: 'For the purposes of sections 31 and 34, an officer is guilty of misconduct if, and only if, he used intoxicating liquor or drugs to excess'. Of course, if that provision was stringently applied in Darwin, we would lose half the public service, quite a considerable portion of the teaching service and probably half the private industry employees in Darwin as well. I do not object to that being in there. I am simply saying that the inference is that it can be intoxicating liquor and drugs used off the job as well as on the job. It is something that is going to have to be administered scrupulously and fairly.

The clause goes on to say: 'If he was guilty of disgraceful or improper conduct, whether as an officer or otherwise'. So it spells out that it is off the job as well as on the job. The opposition is seeking to amend that



particular clause to delete the words 'whether as an officer or otherwise' which would simply make it consistent with the previous provision. It would then read: 'That the officer was guilty of disgraceful or improper conduct'. Certainly it would still cover the situation where the disgraceful or improper conduct occurred outside of the teaching hours. It just does not need to be spelt out in the bill. I am well aware that that particular provision is contained word for word in the current CTS act. However, I do not see that that is any proper reason why it necessarily should continue to be enshrined in this piece of legislation.

I would like to put a question to the minister concerning clause 38(4) which says: 'If an officer continues in the service after he has attained the minimum prescribed age, the officer may at any time before attaining the maximum prescribed age be retired by the commissioner from the service'. The only difference between this clause and a similar provision in the CTS act is that, in the CTS act, the actual minimum and maximum ages are contained in the act: 60 and 65 respectively. What I would like to know is if the minister intends to maintain those same minimum and maximum ages in the regulations to this bill or whether in fact he is seeking to lower them. I would certainly like to know that. I know that the Leader of the Opposition will be taking up that particular matter during the committee stage of this bill so I will not speak any further on that.

In the section of the bill which deals with setting up the disciplinary appeal board, clause 41, we would like to suggest a more sensible and a more practical arrangement. Clauses 41 and 42 provide for the setting up of a disciplinary appeal board. That appeal board is to be drawn from a number of panels which are then gazetted. The opposition feels that it would be a far more sensible procedure - considering the nature of the Territory's population and the fact that we lose lots of people - instead of going through the procedure of continually reselecting these panels, to retain the membership of the board at 3. The chairman of the board would be appointed by the minister and, when it was necessary to constitute the board to hear an appeal, the minister would ask for a nomination from the federation and a nomination from the commissioner. The opposition feels that that would be a far more sensible arrangement. That would require the defeat of clause 42.

I would also like to comment on clause 43(2)(b). I would like some indication from the minister as to what he thinks would be a proper time-lapse in hearing appeals. I would anticipate the minister would say that the appeals should be heard as swiftly as possible. This leads me to subclause (5) of the same clause which says: 'Where the board does not, within one year after the date set under subsection (2), determine an appeal submitted to it under this section, the decision against which the appeal is made is set aside'. The circumstances that would be involved in this would be fairly traumatic for the teacher concerned. The opposition feels that one year is far too long a period to have to wait for the axe to drop or otherwise. We are aware that the Teachers Federation is asking for a 3-month period. We concede that there could be a few problems with that so we are asking the government to split the difference and set a period of 6 months instead of a year.

I have a query on clause 47. We have not actually proposed this as an amendment but I would like to raise it with the minister. Clause 47 says: 'A person shall not obstruct a member of the board in the exercise of the powers conferred under this act on the member'. This particular clause is consistent with a great many other Northern Territory acts. I would like to comment on the proposed amendment by the Teachers Federation which seeks to include another

clause providing a penalty for people who direct the board in its deliberations. It is fairly clear what the inference is: that somebody from the Department of Education may go to someone on the board and say, 'This is the way you will determine this particular appeal'. If the minister is agreeable to strengthening the clause, perhaps a simple amendment inserting the words 'or direct' would satisfy that.

The opposition is also seeking to amend clause 51 of the bill. This is purely in line with recommendations of the working party that was set up to establish the teaching service. We wish to ensure that the Chairman of the Teacher Advisory Council shall be the Commissioner of the Teaching Service.

Mr Speaker, I have concluded my remarks on the bill and I find that I do have some time left. For the edification of the members of the Assembly, I will read the second letter from the Department of Education which I find even more extraordinary than the first. The gentleman who received the original correspondence wrote back to the officer concerned and said that he thought it was 'a bit rough'. He then received a reply which reads:

*Dear Mr X,*

*I have received your correspondence and must say that its contents intrigue me. It would seem that I did not make myself sufficiently clear so I shall try again. As I can give you no guarantee that you would find the situation in the Education Department any better than in 1977, I am not in the least interested, lest I should do you a disservice, in making your services available to any school in the Northern Territory. Similarly, as I presently perceive the situation, I could not give a guarantee for the future. Hence my statement, 'either now or in the foreseeable future'.*

*I am surprised that you found the tone of my letter to be malicious and vindictive. However, as I do not intend to partake in a debate on this issue, I have elected to ignore the rather imaginative and intemperate tone of remarks regarding my personal and political feelings. As this department is responsible for the deployment of teachers and not their employment, I suggest that you formally apply to join the Commonwealth Teaching Service by writing to the Commissioner at PO Box 39, ACT 2606.*

*In conclusion, I would like to indicate that the senator to whom you may elect to write is named Robertson and not Robinson.*

*Yours faithfully,  
Principal Education Adviser Staffing  
for the Secretary of the Education Department.*

You might say that that letter is funny. I would call it 'half smart' and totally out of place in formal departmental correspondence in response to an application to join the Territory's teaching service. That is the kind of abuse that I have been referring to earlier in debates in this Assembly. It is the kind of abuse that I hope will not occur under this new Northern Territory Teaching Service. I am very pleased to be able to indicate the opposition's support for the formation of the Northern Territory Teaching Service and I wish it well.

Mr D. W. COLLINS (Alice Springs): Mr Speaker, I would like to put it on record that I give my wholehearted support to the Territory taking on this responsibility of recruitment and employment of staff for the Department of Education. It is a natural progression in responsible self-government and it is something which we must do. The control of education should be totally in the hands of Territorians and we rise or fall by our own efforts, I have discussed this bill with the minister and I have expressed certain concerns to him about it. At this stage, some of those concerns still remain. I wish to take this opportunity to discuss some of those concerns.

My main concern is the two-headed system which is proposed: the commissioner as the employer and the secretary as the deployer. I feel that education would be far better served by the secretary taking the responsibility. As a government, we charge the secretary with the responsibility for delivering educational services and I believe he should have the power to carry out that responsibility. As I have already mentioned, I am certainly happier with the new bill than the bill which was put forward in the previous Assembly. The previous bill was the result of a democratic process which the minister undertook. He set up a working party to look at the situation in other states and to obtain the views of teachers throughout the Territory. He agreed to act upon their recommendations and he has done that. However, he asked that the South Australian system be specifically investigated. It seems that the South Australian system was dismissed by the working party virtually without any adequate reason,

I have spoken personally to the South Australian Director-General of Education, Mr John Steinle, who spent some time in the Territory in education. He told me that he had expressed to the working party his very strong reservations about this two-headed system. Nowhere in the report was that indicated. He also said that, although the South Australian system is not perfect, he felt it would be far more workable for us than the proposed one. His views were not indicated in the working party's report. I was a teacher at the time when all of this was going on and the South Australian system was by no means fairly explained to teachers. I can only remember a few brief sentences being circulated. What was put to teachers was virtually a single choice. This was presented to teachers and to the minister. On reflection, I feel it was a little like what is happening in Moscow at the moment. You have an enormous number of people making a big so-called choice about one thing.

In my study of the former bill, I came to certain conclusions. There was an opportunity for anybody who wanted to be unscrupulous to play the secretary and the commissioner off against each other. That would certainly have been to the detriment of the children's education and the entire system. The suggested appeal system would be an unwieldy, costly and time-wasting exercise. There is also a matter that I see foreshadowed in an opposition amendment; the Teachers Federation influence on education was intended to come in through the back door. The Teachers Federation is very keen to say the government should keep out of education. As far as it is concerned, all that the government should do is provide the money and have nothing else to do with it. However, in its proposed amendments and in the original bill with the 4 to 2 advisory body - 4 Teachers Federation members and 2 others - and in the desire to have the commissioner as chairman of his own advisory body, the Teachers Federation intended to exercise a subtle influence over the commissioner and his decisions. I feel that was very poor indeed. I am very pleased that the new bill eliminated that particular possibility.

Mr B. Collins: Are you a federation member?

Mr SPEAKER: Order! The honourable member for Arnhem, I will not allow a running commentary. Interjections are one thing; a running commentary is another.

Mr D.W. COLLINS: The government must be deeply involved in education. We have to listen to what the electorate is saying about it and, as a result of the many views which are expressed in the electorate, policies should be developed and implemented to try to remedy faults. After all, election day comes around every so often and the people have a democratic process. If they are not satisfied with what we are doing, they can say so at that particular stage. That is right and proper and I believe that cries of interference should be pushed into the background. The government is responsible to the people for education.

The minister of course is charged with the main responsibility. He is responsible to the government and the secretary is responsible to him. Officers and employees of the department should be responsible to the secretary. In other words, it all boils down to the fact that it is virtually a service role. The people who are being served are the people out there: the students in our schools and people in educational institutions.

I am not saying that the proposed system cannot work. However, for it to work, the secretary and commissioner cannot function without consulting each other on virtually every issue. That may have some good points. However, I would liken it somewhat to a 3-legged race. If you have good co-ordination and cooperation, you can make reasonable progress. Some might say that one could progress faster alone. Of course, if you do not have that cooperation, if for some reason or other that cooperation breaks down between these 2 people, then we could have anarchy.

I was very much encouraged last Sunday when an educator in Alice Springs, whom I have a considerable amount of time for, told me that the proposed commissioner, Dr Stewart, is indeed a very excellent choice. He said that the government should be congratulated on being able to attract a man of such high calibre. He said that Dr Stewart had been considered by many people to be of up-and-coming Director-General material in the Western Australian education system. That has allayed certain fears that I had. I personally know the present secretary and I hold him in high regard. Good reports of his work are coming through the community and I find that very encouraging.

Maybe my fears are more imagined than real but one has to look to the future. These gentlemen will not last forever. It is possible in the system that is proposed that we could get a secretary and a commissioner who are out of step. If that happens, then we could indeed have a very unhappy system and the students would suffer. And education is for students. In my opinion, teachers who put the kids first deserve the good conditions and the adequate protection and community respect that we are endeavouring to get for them in this bill. There are, however, a few who would rather have the teaching service designed for themselves. By their actions, they see the kids as a necessary evil; something that they have to put up with in order to get the rest of it. I am opposed to people using the system for their undue advantage and to the disadvantage of students.

In talking about the bill, I will attempt to illustrate the interdependence of the secretary and the commissioner and I will express certain concerns and make certain suggestions.

Clause 9(2) deals with the numbers of officers and employees. It says that the numbers and qualifications should be as the secretary requires. There could be some contradiction here with subclauses 14(1) and 14(2) which state

that the number of officers should be as the result of the secretary making a report to the commissioner and then the commissioner making a further report to the Administrator. Subclause 14(3) states that the qualifications are to be determined by the commissioner. There seems to be a certain lack of clarity there. However, if these 2 gentlemen get on well together, they could overcome these difficulties. On the other hand, if they did not get on very well, there would be a real problem. One of my greatest concerns is embodied in subclause 14(5) which says that the conditions should not be less favourable than they were on 1 January 1980 under the Commonwealth Teaching Service.

One thing which concerns me very much is the matter of peer assessment. As far as I am concerned, it should be spelt out here very clearly that peer assessment should not be a definite condition of service. It should be just an option to be considered amongst many other options by the secretary and the commissioner when they seek to outline promotion and probation procedures. I feel very strongly about it. I have had a considerable amount of experience in peer assessment right from the time when it started. I was happy to work along with it in the early days but so many things have gone wrong with it. I cannot afford the time to express all my concerns but my greatest concern is the effect on the students. I know from being involved in these processes and on these panels that my teaching certainly did not improve. The students suffered. I think it needs to be spelt out that peer assessment should not be a part of the conditions of service.

I give my support to the principle outlined in clause 15. In the past, it has often been very difficult to get teachers to stay very long at any one school. Two or three years used to be the average. To get a few teachers to stay longer was something rare. However, at this stage of the game, I feel that it would be in the interests of the students that some teachers could be moved to other schools to revitalise particular situations. I was teaching for 10 years at the one place. I felt that I should move on because I was tending to get stale. So I support the transfer of staff.

I would now like to turn to subclause 18(6). My only concern here is whether the method to be used is related to the present peer assessment situation. Maybe I have a slightly jaundiced view. It seems that getting promotion is like sliding down a greasy pole. All the panel has to do after it has seen you on 2 or 3 occasions, if it is satisfied with you, is say: 'Tick 3 boxes, sign on the dotted line. You are in mate, you are in!' However, to get someone out, you have to write a report and you have to state your reasons. That is fine. However, I was involved in one case where the person was not happy with the report and he threatened legal action. To write a report takes a teacher with a considerable amount of courage. Teachers would prefer to have a quiet life. They do not want to be threatened with legal action. It has happened; I have seen it happen. Such processes certainly cause mental anguish. A person with a conscience would not try and put someone down lightly. I know that it affects teaching.

Clause 20 deals with appeals against directions. In the main, these appeals would not be against the secretary; they would be against senior officers acting under the authority of the secretary. I think that it should be possible - it is done in South Australia - to make appeals to the Director-General. He may well pass them on to an appeals board to be heard. I believe in the right of appeal. If an officer feels that the direction is unreasonable, the right of appeal should be there. It should be heard fairly and it should be heard

quickly. The matter should be resolved. In the system we have before us, the commissioner will have to be truly professional and conciliate between the people concerned so that people do not lose face,

Clauses 22, 23 and 24 simply reinforce the need for the secretary and the commissioner to be in close cooperation, Clause 25(1)(b) states that the promotion is to be made by the secretary, Clause 25(3) states that the qualifications are to be determined by the commissioner. Again, there will need to be cooperation because the 2 areas overlap. I see a bit of injustice in clause 27(2). I am a bit surprised that the member for Arnhem did not mention this. I believe that the person who is doing the job should get paid for the job whether or not he ends up in that actual position after appeals. I think there may be a little bit of injustice there.

Clauses 28 and 29 deal with the promotion appeals board. This is just normal procedure and I have no objection there, Clause 30 deals with recruitment and promotion procedures. This again highlights the vitally important need for consultation and cooperation between the commissioner and the secretary. The clause states that the working of the service must preclude patronage, favouritism and unjustified discrimination. I could not agree more. I could possibly tell a couple of stories myself which are far more personal than those that the member for Arnhem suggested. Now is certainly not the time or place. A fair system whereby everyone can be treated justly in this matter of promotion is important.

If the secretary suspends an officer, which he can only do for a month, he cannot take any pay off him nor take any disciplinary action unless the commissioner agrees. He has to report to the commissioner his reasons. That is fine; there is no complaint there. I seek honourable members' thoughts on clause 32(2) whereby, if an officer has been suspended, he may appeal to the commissioner. What happens if he thinks it is to his advantage not to appeal to the commissioner? Does he end up with just one month's suspension with or without pay? It could be a fairly vital matter. It may be covered in clause 34, I have not been able to resolve that particular matter in my own mind and I seek people with more experience to guide me.

The member for Arnhem mentioned that, under clause 32(2)(b), the commissioner's decision shall be final. He mentioned the possibility of taking it to higher courts. I again question that particular point,

Clause 36(d) relates to the use of intoxicating liquor to excess or drugs to excess. I was under the impression, Mr Speaker, that drugs are illegal. Of course, there are drugs used for medical purposes which are properly legal. I suggest the insertion of the word 'illegal' before the word 'drugs' would clarify that particular situation.

Clause 37 relates to appeals against disciplinary action taken by the commissioner. Clause 32(6) says that the commissioner's decision is final. It is a bit odd to say that the commissioner's word is final and then have appeals against disciplinary action by the commissioner through an appeals board. I would rather take the opposite tack to the member for Arnhem in relation to clause 37(1)(a). I believe there should only be an appeal if an officer is forced to retire or is dismissed. If we take the member for Arnhem's suggestion, we might as well forget about the commissioner having anything to do with discipline at all. It would be a waste of time because anybody could appeal against any decision that he makes. What is the point of having him in that particular position? As far as I am concerned, the commissioner's decision

should only be brought into question and an appeal allowed in the circumstances I mentioned - dismissal or retirement. However, if further evidence to support a person's case can be raised, the commissioner should be in a position to reopen the case and ensure that justice is indeed done.

In relation to clause 38(7), I raise a small matter which is not unimportant as far as the students are concerned, and that is my key concern in all of this. It states that regulations may be made requiring an officer to give a certain period of notice. I would suggest that it should be a minimum of 6 weeks and that resignation should take effect at the end of the term, the end of a semester or possibly at the end of a mid-semester to try to make the disruption to students as minimal as possible and to allow time for the recruitment of a suitable replacement, which is not always easy.

Clause 39 indicates that the commissioner rather than the secretary should have those particular functions. I would agree on one point. If it comes to the dismissal of an officer because a position cannot be found, that should be the function of the commissioner. However, the decision as to who should be the person dismissed should be the function of the secretary. After all, he is the one who is supposed to deploy people; he is the one who should have his finger on the pulse. While I agree in principle with the idea that the last one on should be the first one off, I think the matter has to be examined in the light of the particular circumstances. Let us say that there is one physics teacher at Alice Springs High School and physics students in Darwin leave a particular school and a spare officer results. I would hope that the officer at Alice Springs would not suddenly find himself without a job and another teacher from Darwin being installed half way through the year. That would be disruptive for the kids. I think that is an important point which has to be considered.

In clause 39(2), there is no mention of a time limit. I suggest that one should possibly be considered there. In clause 39(3), I think the word should be 'deploy' rather than 'employ'.

As I said, I express the view that the appeals board should only function in serious cases where dismissal or retirement has been mentioned. Clause 42 relates to the composition of the panels and (c) says that 10 persons shall be nominated by the Northern Territory Teachers Federation. Obviously, that does not preclude non-federation members but it would seem that they are nominated only by federation members. There are a few non-federation members who do a good job in our education system. Might I be so bold as to suggest that somehow some of them could possibly be included. In answer to the member for Arnhem's question about whether I was a federation member, I joined the federation towards the end of my career on the advice of a good friend who said I should see how it functions. I saw how it functions.

Clause 44 states that the decision of the board shall be final. Mention has been made of the possibility of taking further legal action in the courts. How far should these things be dragged? It is a question of cost, time and disruption to the teaching service.

Clause 51(2) relates to the composition of the Teacher Advisory Council. It has been suggested that the chairman should be the commissioner. I find it a little strange that the commissioner should be the chairman of his own advisory council. I have heard the argument that, if he is there to hear all the parry and thrust of the argument, he would be in a better position to understand the full implications and it would save time. However, I see it as possibly applying subtle and moral pressure. If he is there as chairman, he

would be further involved rather than his council being an advisory body. I think that has to be clearly recognised, It is an advisory body. The commissioner should consider the advice of that council but, if he feels strongly against it, he does not have to take that advice, That should be very clear indeed.

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

Mr ISAACS (Opposition Leader): Mr Speaker, I want to briefly draw the attention of the minister to clause 38. It seems to me that, if we gave it a bit of thought, we might find our way clear to deleting clause 38(4). The tenure provisions of the bill are much the same as the provisions in the Commonwealth Teaching Service Act under which teachers currently work. They have found them pretty satisfactory and therefore there ought not be any great trauma or difficulty in translating the provisions of the Commonwealth Teaching Service Act to the Northern Territory Teaching Service.

However, in the matter of tenure, and specifically that relating to the question of retiring of teachers after they have attained the minimum age, there ought to be some uniformity with the public service. What clause 38(4) of the bill seeks to do is to give the commissioner power to retire teachers who have reached the minimum retiring age but who have not yet reached the maximum retiring age. That particular clause seems to have a certain ring about it. It is a matter which is causing Commonwealth public servants a great deal of concern and frustration at the moment. In fact, there is a demonstration in front of Parliament House in Canberra probably at this very moment in relation to the provisions of the Retirement and Redeployment Act which relates to the power of the Public Service Board to compulsorily retire public servants who have reached a minimum retiring age. That currently appears in the Commonwealth Teaching Service Act but it does not appear in the Northern Territory Public Service Act. In fact, the reverse is the case. Under sections 47 and 48 of the Public Service Act of the Northern Territory, there is a minimum retiring age at which an officer can exercise his right to retire and there is a maximum retiring age at which he must retire. However, there is discretion for the Public Service Commissioner to allow that public servant to exceed the age and still remain in employment. Thus, we have the reverse situation to what is being proposed for the Northern Territory Teaching Service.

I believe there ought to be uniformity and I believe the provisions in the Public Service Act are the appropriate ones to prevail. I believe that giving the commissioner the power to retire a person who has reached a minimum retiring age is not a correct position to adopt. What is appropriate is the position which prevails in the Public Service Act: there is a minimum retiring age and the officer may elect to retire at that age. He must retire at the maximum retiring age. The commissioner has the power to enable that officer to remain in employment past the maximum retiring age but he does not have the power to retire compulsorily the employee in that time span between the minimum and the maximum retirement age.

I merely want to point out to the minister that I believe clause 38(4) is not necessary. It is causing tremendous headaches within the Commonwealth Public Service. As a principle of industrial relations, it has been overturned by the full bench of the Conciliation and Arbitration Commission and I believe that we ought to look at the practice in the Northern Territory Public Service. We have a situation where 11,000 people are employed by the government under the Public Service Act. They will have a certain philosophy applied in terms of retirement yet we will have 1,400 teachers under the Teaching Service Act having a different philosophy. It could become a headache in terms of



industrial relations. I do not believe it is a good provision at all. I would ask the minister to look carefully at clause 38(4) and have it removed.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the Teaching Service Bill. There is no doubt in my mind that this bill has generated as much debate and discussion as any other piece of legislation that has come before this Legislative Assembly. Unfortunately, during the progression towards our having a Northern Territory teaching service there are many of us who have become confused and a great many incorrect statements have been made. My contribution to this debate will be directed at correcting those misconceptions and also at recalling the method of arriving at the legislation that we have before us today.

I remember listening to a debate back in April when the Minister for Education made a statement that the Northern Territory government would not be proceeding with the Teaching Service Bill at that particular time. In the discussion which followed, it was stated that the Northern Territory government was holding up the legislation, that the CLP government was going back on its word and that the teachers were hard done by. During the course of that particular debate, the issue of the working party report was raised on 3 occasions, once by the Chief Minister and twice by the member for Arnhem,

I would like to quote what the Chief Minister said during that particular debate. He was referring to the Minister for Education: 'The minister set up the working party to prepare the report on the teaching service last year and that report was tabled in this House and was debated'. The member for Arnhem said in that same debate: 'A working party report containing in July last year'. Later on, he said: 'As the minister knows full well, the bill reflects substantially the recommendations in debates in this House and that is why we supported it'.

Mr Speaker, we are all aware that the philosophies that are enshrined in this bill come from that working party report but what many of us are not aware of is that that report was never tabled in this Assembly and was never debated. It should have been because, as I have said, the philosophies in this bill came from that report, and I would have liked during the embryo stage of forming our Northern Territory Teaching Service to have had the opportunity to debate those particular philosophies. On the introduction of the original bill, the minister spared no effort to gauge the community views on the working party report. Here I must commend him on his efforts; he has put a tremendous amount of effort into trying to gauge community views and reaction to that report. The report was widely distributed to school councils and other organisations on that report.

To give an idea of the number of reports that went out, I will read a question which was asked by the member for Stuart of the minister back in September 1979. He said, 'Can he advise whether copies of the working party report on teaching services in the Northern Territory will be made available to both teachers and parents who are interested in reading that report'. The minister's reply was, 'The question implies that no copies have been made available to teachers and parents. A total of 500 copies have already gone out. I have instructed the department to make available whatever additional copies are required'. I commend the minister for his efforts in getting those reports out to various schools and organisations.

Despite the distribution right throughout the Northern Territory, there was a very poor response. I think some 15 schools and organisations responded

to the government's request for reports. There was also little response from outside sources. Here I refer to parents and teachers as individuals rather than as being represented by organisations. Despite this wide distribution, there was a very poor response and I cannot accept that the philosophies of that working party report were in fact accepted throughout the community.

It was not until the earlier bill was introduced in February 1980 that the debate really started on the Northern Territory Teaching Service. That bill was the catalyst which caused many people to come knocking on my door. Since they had not read the report, they queried the principles that were in that bill. I wrote to all the schools in my area and circulated the bill to them. I would like to read out one paragraph from a reply I received from Darwin High School. This was written in March 1980, nearly a year after the report was released:

*A recent parents subcommittee of the Darwin High School Governing Council discussed the Teaching Service Bill. The subcommittee believed that very few parents were acquainted with the bill and were therefore in need of information concerning the principles involved in the bill. Members suggested that briefing papers setting out the principles should be prepared and made available widely in the community. The committee felt the principles involved in setting teachers' duties, the appointments and appeals are needed and a precise statement on how, where and by whom these points are decided.*

Of course, these are the areas that the member for Arnhem was referring to when he was telling teachers what to do and where to go. I read that letter out because, even though the report was tabled nearly a year earlier, very few people had an understanding of the bill or what was in that report. They also queried the principles.

To complicate matters, from 24 March until mid-April, you could not obtain a copy of that bill from the Legislative Assembly. I would also like to quote 2 paragraphs from a letter from the Larrakeyah Primary School to the minister in April:

*A limited number of copies of the bill and your second-reading speech are currently being circulated to members of the association. Unfortunately, we have not had available sufficient copies of the bill for all interested parents and it will be extremely difficult to convene a suitable discussion with Mr Harris before the next Assembly sittings. Additionally, some members have expressed difficulty in comprehending the available information and would appreciate from you or your officers, a summary in lay language of the implications of the legislation on education systems in the Northern Territory. A comparison with the systems operating in other Australian states is also requested.*

There was indeed confusion in this whole area. Under these circumstances, I was not satisfied that the bill had been given the airing necessary for us to obtain the best possible legislation. All of that is history. I know that the necessary delay could not be avoided because of complementary legislation. But I am pleased that it did happen because it enabled those people who did query those principles to make comments. I think a better piece of legislation has resulted from those comments.

I would like to stress here once more that somewhere the whole process has become very confused. That working party report is what should have been debated in this Assembly.

The establishment of a Northern Territory teaching service has now been accepted throughout the community. People like to be identified with their own group just as people like to be identified with their own area. There are tremendous advantages with the teaching service and one of those is the career opportunities that arise. The problem in the earlier bill was the fear that members of the teaching profession would be able to abuse certain appeal provisions and, as a consequence, would disrupt the education system in the Northern Territory. The present Teaching Service Bill has satisfied the queries which I receive.

One thing I hope is that the Teacher Advisory Council which is to be set up under part V of the bill is able to work a little better than the Education Advisory Council. Whilst the intention was good, there appeared to be some communication breakdown. Members of the Education Advisory Council were not sure of what was required of them. I believe it was just a communication breakdown. These councils are there to be used and they need to work.

I do not wish to say any more about the Northern Territory Teaching Service. Its establishment has been a long drawn-out affair. As I have said, I have written to the schools in my area and their comments have supported the bill. The government has kept its word by allowing teachers the same conditions on transfer. With those few words, I support the bill.

Mrs O'NEIL (Fannie Bay): I support the words of the member for Port Darwin that the establishment of a Northern Territory Teaching Service has been a very long-drawn-out affair. I think my memory of the issue goes back even longer than his. I remember that, in the first half of 1977, prior to the election for the Second Legislative Assembly, the Northern Territory Teachers Federation was most anxious that both political parties support the retention of the Commonwealth Teaching Service as the employer of teachers in the Northern Territory. Both the Country Liberal Party - at that time the member for Stuart Park was its spokesman on education - and the Australian Labor Party - education was my responsibility in those days - supported the wish of the Northern Territory Teachers Federation that teachers stay with the CTS. We seem in those few years to have come around a very large circle - via the working party report and a number of versions of the bill presented in the Assembly. Nevertheless, it seems, although with obvious reservations as expressed by the member for Alice Springs, that this bill does have the support of both sides of the Assembly and the people of the Northern Territory generally. I can only wish the new Northern Territory Teaching Service the best of luck and hope that it is able to ensure that teaching in the Northern Territory is maintained at a standard at least as high as currently prevails.

Mr ROBERTSON (Education): I thank members for their contribution to the debate and I am glad to see that some degree of unanimity has been reached at least in the requirement for a Northern Territory teaching service. I completely agree with the honourable member for Fannie Bay. We indeed have come the full circle. Of course, the member did not mention that both sides of the Assembly in those days were also talking about commissions. I wonder if the opposition has come the full circle on that subject as well. I suppose we will not find out until the next election comes around when once again we will have a raft of you-beaut promises to tantalise the voter.

I also note the comments made by members, particularly the 2 members who chose to speak on the bill from my own side of the Assembly. I do not think that I have ever involved myself in any other subject with such tremendous diversity of opinion: the best method of going about the establishment of a

Northern Territory teaching service. Certainly, despite our differences with the Northern Territory Teachers Federation, I have found my relationship with it right throughout this very difficult exercise to be extremely useful and rewarding. I wish that ministers generally could get on with union officials in relation to legislation which vitally affects the career structure of their members as well as I think we have. I know that the bill is not entirely satisfactory to them. I think, having regard to the words spoken by the members of the opposition, that the Labor movement generally - and I am not necessarily saying the Teachers Federation is much a part of that Labor movement - is in accord with what we have before us.

I apologise to the Assembly for not having the amendment schedule circulated earlier. I did want to see what the opposition would come up with to see what duplication there might be with our proposals. Most of the problems that the opposition has identified are indeed picked up by the government's amendment schedule. As members have not seen that schedule yet, I would not be proposing to proceed through the committee stage at this time. I have noted each and every one of the concerns expressed by members in relation to individual clauses, particularly those relating to clauses 18, 37(1)(a) and 38(4). Clause 38(4) was raised again by the Leader of the Opposition in respect to the retirement provisions.

A number of concerns were raised and enlarged upon by the Leader of the Opposition. I would not wish to do anything through this legislation which is significantly inconsistent with the conditions under which all other members of the public service operate in the Northern Territory.

Indeed it goes beyond our border. There are national issues involved. I will have a very close look at what the Leader of the Opposition had to say here this afternoon. I will consult with my legal advisers as to what amendment, if any, may be necessary in that regard.

After listening to what the member for Port Darwin had to say, I wonder what one must do to attract public discussion. He indicated accurately that the only meaningful comments to come to the attention of the members of this legislature regarding this proposed Northern Territory teaching service was after the first bill was circulated. One wonders what in the hell one has to do to extract information from the community and from parent organisations at an earlier stage than that. We have had a working party of the public service, a task force, which originally examined a structure for education in the Northern Territory upon which the Education Act itself is now based. I remember making exactly the same observations then, over 2 years ago, that I am making now: the only real reaction I got was after the actual bill was prepared. It makes it extremely difficult not to look rather foolish when the public will not give you an indication of what the public is thinking on reports made available to it but then tells you that the legislation, which is based on those reports, is not what it wants. It makes it extremely difficult. Hundreds of copies of every one of these pieces of information have gone out. I really can do no more. In addition to that, simple explanations were sent out - hundreds of them. I had no response at all to any of them, not even from the branches of our own party. I suppose we will have to be happy with the principles at least.

I will look at all of the suggestions put forward by members. I do not share all of the concerns expressed by my colleague, the member for Alice Springs. I suppose that only the eating of many a pudding is going to test the quality of the chef. We will see how this pans out over a period of time. Like any other legislation, it is going to require significant goodwill.

One of the greatest areas of concern was the provision relating to appeals against directions as to duties. The thinking of the people of my political persuasion and the people of the employer private enterprise sector was that that provision would be abused so much that the whole system would collapse around our ears. I can only repeat here for the record that that provision is identical in every respect to the present provision in the Northern Territory Public Service Act. All the 10,000-plus public servants are fully aware - as are the union representatives - of the terms of that equivalent provision - I think it is section 35 of the Public Service Act - whereby they can appeal to the commissioner against directions given by the secretary to their department. The latest information I had is that not a single appeal under that provision has ever been made under the Public Service Act yet we have many 'prickly' professional people right throughout the ranks of the public service; people with very firm professional views as to how they should go about their duties. I refer to people in the medical profession and, very pointedly, to people in the welfare area. These people are trained in a certain discipline and interpret problems in a certain way and are instructed daily in their duties by senior officers. Not one of them has yet seen fit to use the provisions under section 35 of the Public Service Act to appeal against the decision of the secretary of the department or a superior.

I would expect that the Northern Territory Teachers Federation, which claims equal status with such professional ranks, would have a similar attitude. I am not saying it would not occur and I am not saying I would condemn the federation if it ever did occur. Clearly, the fact that I proposed these provisions to this Assembly means that I intend them to be used in the correct circumstances. I do not wish to see them being set up as a vehicle for frustration of the delivery of education with which task the secretary is clearly charged under the Education Act but I do expect there could be certain circumstances under which those provisions would be used. Otherwise I simply would not propose them.

Mr Speaker, I thank honourable members for their contributions and the public generally for their patience in this matter. I cannot govern the pace at which the Commonwealth moves. The Commonwealth has now moved and we are in a position to do so ourselves. I commend the bill.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

#### TRAFFIC AMENDMENT BILL (Serial 44)

Continued from 27 November 1980.

Ms D'ROZARIO (Sanderson): Mr Speaker, the opposition supports the bill. I would like to thank the Minister for Transport and Works for making me aware of the publicity campaign in which the Northern Territory intends to participate. Without wishing to pre-empt the passage of this bill through the Assembly, I was informed that a national publicity program would be undertaken to inform drivers of the intentions of this legislation. As this bill is well supported, the Northern Territory gave its agreement to participate in that publicity campaign.

The bill is quite simple. Basically, it intends to lay down standardised

guidelines for the treatment of T-intersections by drivers. This matter has been taken up in Western Australia and we find that driver approach to a T-intersection and driver behaviour generally has contributed to a greater level of safety than hitherto obtained.

In the Northern Territory, as the minister so rightly remarked in his second-reading speech, there are large numbers of drivers who learnt to drive elsewhere in Australia. All members would probably have had representations from constituents about allegedly unfair treatment of drivers by police at T-intersections. The simple fact is that drivers do as the minister mentioned. They tend to drive according to the rules of their home state and according to the rules which existed when they first learnt to drive.

This is an opportunity to synchronise our actions with those of other states and to standardise driver behaviour at T-intersections. Perhaps my comment that drivers tend to drive not only according to the rules of their home state but also according to the rules applying when they first learnt to drive suggests that there ought to be driver education programs and periodic assessment of drivers' knowledge. This has been mentioned in other states where it is proposed that the automatic renewal of licences will not take place in future. Perhaps we will have to assess drivers' knowledge of current road laws before renewing their licences.

I had the opportunity to look at the material which will be used in the campaign. I must say that it is quite simply put. It is not couched in terms that we see in this bill; for example, 'terminating carriageways' and 'continuing carriageways'. The material outlines in a simple form what a driver is expected to do when he approaches a T-intersection. It is explained simply in terms of a continuing road and a terminating road. It is also spelt out that, where there are traffic directions given or Give Way signs erected, the drivers must obey those particular directions. In effect, this bill takes up only the question of intersections which are completely uncontrolled.

In Northern Territory urban centres, we have embarked upon a traffic engineering policy of minimising the number of 4-way intersections by, wherever possible, having T-junctions. I think that the measure taken in this bill is certainly complementary to that particular policy which is now being pursued in the urban areas. We look forward to a decrease in collisions at these intersections. Mr Speaker, we wholeheartedly support this bill.

Mr STEELE (Primary Production and Tourism): Mr Speaker, I rise to support this legislation. Road safety matters have been of concern to me over the last couple of years, particularly as an executive member of the government. I certainly support uniform traffic laws and I hope that, with experience and driver education, the public can regulate itself a little better, show a bit more courtesy and minimise the number of terrible accidents that take place.

In passing such legislation, the authorities are in effect committing themselves to some expenditure. I believe that an assessment of the road needs will have to be undertaken. Certainly, I would suggest that to leave Fitzer Drive and to endeavour to turn right at Bagot Road will be very difficult with this new rule. Lights will have to be placed at that intersection. That is a financial matter. I am quite sure that there are other places in the bigger towns of the Northern Territory that will need this sort of examination.

Mrs PADGHAM-PURICH (Tiwi): As the Minister for Transport and Works said in his second-reading speech, the introduction of this legislation brings our

thinking on this particular aspect of traffic control into line with other states. However, I do not agree that this is the sole criterion for the acceptability of this legislation. First, we must look at how the legislation affects us in the Northern Territory and then see how it dovetails with state legislation. We must introduce legislation which fits in with our way of life and our interests. We should not consider other states' legislation primarily and ours secondarily. If we took such thinking to its logical conclusion, it would negate the work of this Assembly and we would simply rubber stamp other states' legislation. I feel that this is not the case here.

Another general point I would like to make is that, from my observations, most people are already driving according to this legislation. If they are driving along a highway, they expect the incoming traffic from the terminating road to stop for them; if they are going on to the highway, they expect to stop for the continuing traffic. I do not think there will be confusion when this legislation is introduced.

At the end of his second-reading speech, the minister said that a vehicle on a terminating road will stop whereas the bill says that it does not necessarily have to stop but may slow down. This is referred to in proposed section 35JA(1)(d) and 35JA(2). In his second-reading speech, the minister said the motorist will stop but proposed section 35JA(1) says that the motorist shall either decrease speed or stop. Proposed section 35JA(2) also mentions the driver of the motor vehicle decreasing speed. Perhaps the minister could clarify this point for me.

For proposed section 35JA(1) to read grammatically, an 'and' should be inserted after the semicolon in paragraph (a) as it is included after the semicolon in paragraph (b). As I see it, Mr Speaker, it is not an either/or situation. Paragraphs (a), (b) and (c) are to be considered together and I believe an 'and' is necessary. I would like the minister to also look at that.

Proposed section 35JA(1) covers the vehicles stopped on the terminating road. 35JA(2) covers vehicles on the continuing road and also terminating-road traffic going onto the public street which has stopped or slowed down. Proposed section 35JA(3)(a) mentions traffic lights and the operative word is 'controlled'. This implies full recognition on the part of the travelling public of the power of the traffic lights and the code of colours. A comparable argument holds for 35JA(3)(b) where a member of the police force in uniform controls the traffic. In the interests of simplicity I sincerely hope that, under 35JA(3)(c), there will be one sign only with the terminating-road traffic having right of way over continuing-road traffic. I have spoken about road signs before and I think that a proliferation of road signs defeats the very purpose for which they are erected. Going back to 35JA(1)(c), if a motorist has met his obligations under the act by stopping, another situation is created if he moves again. Proposed section 35JA(2) covers this and also subsequent vehicles.

This T-junction legislation may be considered as 3-legged: if there is control of one leg, the long leg of the T, then the short legs of the T can just flow along. An important point to remember with this legislation is that, once the driver on the terminating road gives way to the first vehicle, he cannot push out onto the public street but must give way to subsequent vehicles because otherwise a dangerous situation or collision could result. This thinking covers all intersections, not just T-junctions. Once the motorist on the terminating road has given way for the first time, he has to continue to give way until it is clear both with or without signs at the intersection. I refer here to clause 7 which deals with proposed section 35K relating to traffic signs. Clause 7 will be seen to be an exact duplication of paragraphs 35JA(2)(a) and (b). One deals with traffic sign situations and the other does not.

Debate adjourned.

### ADJOURNMENT

Mr EVERINGHAM (Chief Minister): I move that the Assembly do now adjourn.

Mr Speaker, I would like to pass a few remarks this afternoon in relation to the retirement of our Public Service Commissioner, Norm Campbell, who left the Territory approximately 9 days ago to take up retirement in Western Australia. I think it is appropriate that I record in Hansard the singular contribution that Mr Campbell has made to the Northern Territory and especially to the Northern Territory Public Service.

He was appointed Public Service Commissioner on 3 November 1977. Immediately previously, he occupied the position of Federal Secretary of the ACOA for 4½ years and prior to that was federal president of that organisation for 9 years. I believe also that he is a life member of the ACOA.

He started work, as have many famous Australians, as a telegraph messenger boy in 1937. During the Second World War, he saw service as both a bomber pilot and a flying instructor in New Guinea amongst other places. When he came back to Australia and was demobbed, he took up duties as a safety officer with the PMG which, after flying Beaufighters, must have been a pretty tame occupation. But he was with the PMG in that position until 1964 when he took up the full-time position with the union.

As Public Service Commissioner of the Northern Territory - I think we were very lucky to get him and that he was the ACOA's loss - he oversaw the smooth transfer of Australian public servants to the Northern Territory Public Service in 1978. I believe that he handled a very difficult period of change with an approachable, courteous and affable manner. He implemented many recommendations of the Coombs Royal Commission into Australian Government Administration during his term as commissioner. In particular, he saw to the amalgamation of the clerical grades, abolished duty statements, introduced promotion according to efficiency and appointments on a merit basis, and he made sure there was no discrimination between staff and industrial employees or, indeed, on grounds of sex, race or religion. He saw to the abolition of temporary employees, decentralisation of administrative control from the commissioner to departments and enlarged the consultation process with staff organisations.

His personal philosophy, both as a union official and as commissioner, was to promote the view that the principal objective of employees and management was to work together to create an efficient, effective and loyal public service. This attitude was a major contribution to the establishment of healthy industrial relations and I think the healthy climate that exists in the Northern Territory Public Service. Mr Campbell retired aged 58 years after 44 years of government and public service. I would like to formally place on record the government's appreciation of his services and to personally wish him a very happy and long retirement and say that it was my pleasure to work with him.

Members: Hear, hear!

Mrs LAWRIE (Nightcliff): Mr Speaker, before someone calls a point of order to me, I am going to refer briefly to the debate which took place this morning because I am somewhat amused at the reporting of that debate in the NT News - perhaps even confused. I had the privilege of briefly scanning the report and I pointed out one item of the reporting to a rather surprised Minister for



Education and an even more surprised Minister for Transport and Works. I would just like to mention that the news report has the vote on the debate going on party lines with the independent member for Nightcliff, Mrs Lawrie, voting with the opposition to defeat the censure motion, which I find a little difficult to accept seeing as the opposition moved the censure motion and at all times was seeking to censure the government. It would appear from the NT News report that the government was attempting to censure itself. We live in stirring times, Mr Speaker.

The main issue I want to raise in the adjournment debate tonight concerns, once again, the administration of Casuarina Hospital. I could have risen in question time this afternoon and asked a series of questions of the Minister for Health but I would have had to preface them at such length that I think Mr Speaker would have lost patience with me and suggested that I place the whole lot on notice, which is a fairly time-consuming procedure. So I am going to apprise the Minister for Health of certain events which have occurred at Casuarina Hospital and I would ask that, before the last day of this sittings, he make his own inquiries and give me the answers to some of the points I am now going to raise.

When the general hospital was operating from Darwin Hospital and then for some time at Casuarina Hospital any patient who had been referred to a specialist at the hospital for particular treatment was classed as a continuing patient and could ring up to make an appointment with that specialist following the first referral. I speak from first-hand experience because I am one such person. I am on the books of the dermatology section of that hospital and I have received first-rate treatment from the dermatologist from time to time, and I have only ever had the first referral from a private practitioner.

I was informed, and I have confirmation from the Department of Health, that patients who present themselves at specialist clinics and whose previous visit was more than 12 months previous again need a referral from a private practitioner notwithstanding it is the same problem at the same clinic. This would appear to be an unfair financial burden on people who have a recurrent problem. Complainants who have brought this to my attention have asked why there is a change in procedure and in at least one case the person was advised: change of doctor; change of policy. I do not believe that was a proper reply. Procedures at a specialist clinic should change only because there is a new superintendent of the hospital and not because a new specialist doctor has arrived.

There were various other reasons given. If the Minister for Health wants any more information, he can get it from me. I reserve the right to keep the names of the patients concerned confidential.

I am very interested to know whether this change of procedure has occurred because it seems to me to be entirely without logic. I visit 2 clinics. Where one has become a dermatology patient - and I have had a skin cancer removed from my face and I think it is a pity that Senator Kilgariff is not free to speak in this place because we both suffer from the same problem - and one knows it is a recurring problem, one is asked to attend as soon as possible for obvious reasons. It has never been the practice to require me, or others - and we get to know each other in these clinics - to go through the rather cumbersome and expensive procedure of getting a referral yet again from a private doctor when we all know what we require.

Another clinic which has instituted this new procedure is the Eye Clinic. Now people with recurrent eye problems know all about them. One tends to get

to know one's complaint first hand. I am not being facetious. They are asking why there has been a sudden change of policy which means that, when they again contact the clinic with the problem which they know will recur as part of a degenerative process, they will be told they cannot enter the specialist clinic; they must go to a private doctor.

I ask the Minister for Health to investigate the reason for this change of procedure. I can assure him it has occurred but I would like to know the reason and if it is his policy because it is not beyond the bounds of imagination for somebody else to set a policy which is disadvantaging and causing distress to a number of people. I cannot put a number to it. I am not aware of all the people attending specialist clinics. But I certainly know that, in regard to dermatology and the Eye Clinic, people are less than happy.

I must also make it quite clear that I have no idea of the attitude of the specialist doctors. Directions did not come from them. I think it is fair for me to say that at least in one case I would think the doctor would be very surprised. I will leave it at that.

Mr B. COLLINS (Arnhem): Mr Speaker, some publicity was given recently to a poll that was conducted in Darwin by that well-known professional group of pollsters, the Roy Morgan Research Centre Pty Ltd. A lot of people wondered why the poll was being conducted and who was conducting it. There was some press speculation on the issue. People suspected that it was the government. Initially, a government spokesman denied that the poll was being conducted by the government, probably because he did not know.

The Chief Minister, in an interview at the Darwin Airport, expressed some lack of knowledge on the subject. That was not surprising because he had been away on leave. However, in the same interview at the airport, the Minister for Mines and Energy confirmed that the poll had been commissioned on behalf of the Department of Mines and Energy. That was later confirmed in the press.

After being presented with that puzzling information from the minister, we obtained a copy of the actual poll to have a look at the questions that were asked. The poll achieved a position on the front page of the Australian Financial Review. Unfortunately, the only questions from the poll that were mentioned in the Australian Financial Review were those questions concerned with the establishment of a nuclear power-station in Darwin and various other questions connected with the nuclear power industry and the uranium industry generally. Unfortunately, the Australian Financial Review did not mention the other questions that were asked in the poll.

I would stress that this poll was conducted with taxpayers' money. Country Liberal Party voters paid for it, Labor Party voters paid for it and Communist Party voters paid for it - everybody paid for it. The people who have no political affiliations paid for it. The way in which the Minister for Mines and Energy commissioned the poll, to use the words of the previous Minister for Transport and Works, is not a laughing matter, particularly when one looks at the questions.

When we look at the poll, we find that a great many of the questions are questions which political parties of all colours routinely pay large amounts of money to have asked; not the taxpayer and not the government. These are questions which the CLP, for example, commissions privately to have asked and pays for with party funds. Political parties of all colours in all states of Australia and federally use their private funds raised for campaigning purposes

to ask these questions. However, we have the Northern Territory government, the Department of Mines and Energy, asking such questions at the expense of the public purse. I will let members and the public in fact judge whether or not this was a justifiable action by the government, specifically the Department of Mines and Energy. I will read from the poll.

It was conducted by the Roy Morgan Research Centre Proprietary Limited. 'Introduction. Good morning, I am conducting a survey... I am not selling anything but just seeking information for statistical purposes... First, let us ask you a question about the area in which you live. What things of importance locally would you like to see something done about?' I suppose that could be a reference to the department. 'Thinking of yourself, what could the Northern Territory government do which could be of most benefit to you and your family? Over all, do you think Aborigines are now better off or worse off than they were 5 years ago?' Then there is a choice: 'Better, worse, no change, no opinion'. It asks, 'In what ways do you think the federal government should be further helping the Aboriginal people?' I draw members' attention to the fact that this was commissioned by the Department of Mines and Energy and the Minister for Mines and Energy confirmed that it had been.

The next question was: 'In what ways do you think the Territory government should be further helping the Aboriginal people?' Certainly, they appear these days to be inextricably linked with the operations of the Department of Mines and Energy. 'Do you think we, as Australians, are doing enough to educate and house Aborigines or should more money be spent on them? If more, a lot more or only a little more?'

Now we come to the really interesting questions. I say again that this was paid for by taxpayers' money, people of all political persuasions. 'We would like your opinion on Australian politics. To make sure we get your views accurately, here is a Gallop poll ballot. Hand the ballot to the interviewee saying, "If another federal election was being held today, which party would receive your first preference?"' The next questions were: 'Would you please write a 1 in the square beside the political party you are now leaning towards? Which party would get your second preference? If a Territory election was being held today, which party would receive your first preference? Which party would receive your second preference at a Territory election? Always say thank you'.

The next questions in this poll commissioned by the Northern Territory government were: 'Do you approve or disapprove of the way Mr Fraser is handling his job as Prime Minister? Do you approve or disapprove of the way Mr Hayden is handling his job as Leader of the Opposition? To the best of your knowledge, who is the Chief Minister of the Northern Territory? Do not help. Actually the Chief Minister is Mr Paul Everingham. Do you approve or disapprove of the way Mr Paul Everingham is handling his job as Chief Minister?' No wonder, Mr Speaker, that the honourable Minister for Mines and Energy will not give a commitment to make this poll public. 'Why especially do you feel that way about Mr Everingham as Chief Minister?' I filled one of these out myself. 'To the best of your knowledge, who is the Leader of the Opposition in the Northern Territory?'

Mr Speaker, I must tell honourable members of this Assembly, for their edification, that poll of which we saw the results said that the Leader of the Opposition in the Northern Territory was a Mr Roger Steele. Actually, the Leader of the Opposition is Mr Jon Isaacs. It is getting to the stage of being ridiculous; it started off with some pretence of being a reasonable poll. 'Do you approve or disapprove of the way Mr Jon Isaacs is handling his job as Leader of the Opposition? Why especially do you feel that way about Mr Isaacs as Leader of the Opposition?'

We come, finally, to some questions that may have some bearing on the Department of Mines and Energy, questions on uranium mining and export. 'Should Australia develop uranium and export it for peaceful purposes? Is there anything about it that worries you? If "yes", what in particular worries you? What else can you tell me about this? After the ore is mined, should it be processed in the Northern Territory? Why especially do you feel that way?' Then it gets on to the subject of nuclear power-stations.

Mr Speaker, I think it is conceivable and fairly supportable that the government would want to poll the people in the Northern Territory, quite legitimately, on the subject of nuclear power-stations and so on, and it is quite supportable that the Department of Mines and Energy would seek...

Mr Everingham: Shouldn't they poll people on Aboriginals too?

Mr B. COLLINS: In response to the Chief Minister's interjection, they certainly should not poll people on where they would place their first preference vote at the next election, not with taxpayers' money.

'What do you think about storing nuclear waste in the Northern Territory? If you are satisfied that it could be stored with complete safety, would you favour or oppose storing nuclear waste in the Northern Territory?' Here is a portent of things to come: 'What country were you born in? How old are you? Are you married, single, engaged or are you planning to get married? Are you de facto, divorced, separated, widowed? What sort of education did you have? Do you work full-time or part-time? Can I have your occupation? Are you employed in the public service or private industry? Are you self-employed? Have you got a television set here?' We all know the reasons why political parties ask that question, Mr Speaker. 'Is it black and white or colour? Does it work? How many children of 17 or younger live here in your family? How many 18 or older? How many people are living in this house? Ask everybody: Can I have your name and initials? What is your phone number? What is your sex? Are you the main bread-winner? If you are not the main bread-winner, what is the main bread-winner's occupation? Are you employed, retired, a pensioner? Are you a working widow? If you are, what was your late husband's occupation? Are you enrolled to vote at the next federal or Territory election? Would you mind telling me your religion? How many other people living in the household work full-time or part-time? What is their sex? What is the sex and age of the people who work full-time or part-time? Are you white, part-Aboriginal, full-blood Aboriginal or other?

It is clear to anybody who reads this that the majority of the questions in this poll are of a totally political nature, questions on which political parties in Australia routinely spend large amounts of money. Not the Northern Territory government; it is a little bit too smart for that. It uses the taxpayers' money. Let me assure the smiling Deputy Chief Minister, if he thinks it is a joke, that there are many people in the Northern Territory who are not members of the CLP, who are not members of any political party or who are members of other political parties and who have some legitimate objection to having their tax money and their excise money used to assist the CLP to conduct a political poll in the Northern Territory.

Mr Perron: That is if you are right.

Mr B. COLLINS: Let's hear if I am or not.

Mrs PADGHAM-PURICH (Tiwi): This afternoon I would like to speak on 2 subjects. I have kept dingoes for more than 8 years and, in those years, I have spent hours and hours watching and noting the behaviour of the dingoes in many situations and, consequently, learning many things about them. I do not have an emotional approach to dingoes as being our dear little doggies of the bush. I regard them as another breed of dog and my notes have always been along the lines of observation, evaluation and extrapolation. To make solid observations, one must have something on which to start. I did not go into dingoes for a whim. I started breeding dingoes as a breed of dog because I have had a lifelong interest in dogs and I have a documented history of breeding other breeds for close on 20 years.

The dingo is a fine dog but, in common with every other breed of dog, it has its good and bad points. The dingo has adjusted to its environment perfectly and it has controlled its breed numbers naturally in 3 main ways. This adjustment to the environment is in keeping with the adjustment that some domestic and native animals make to the environment. The native animals on which I have a little knowledge are marsupials and I am studying their behaviour now. When times are good, they will breed and, when times are bad, their breeding is not quite as efficient.

Unlike people in other places, I say that the dingoes can be domesticated. I have done it to varying degrees for different reasons because I wanted to make observations about different points. Dingoes can be managed in domestic situations provided - and this is a big proviso - the human being involved with the dingo can understand the dingo. Dingoes need strong management like other breeds of dog which are intelligent and strong willed. In this category, I place breeds like German shepherds, cattle dogs and Dobermann pinschers, just to name a few. These breeds cannot be completely subjected and brought into abject submission, and no proper owner would want that to happen. I repeat that the dingo is just another breed of dog and it has breed characteristics the same as other breeds have certain characteristics.

Dingoes have been in Australia for 10,000 to 12,000 years and it is my firm opinion that the dingo is a domestic dog. The dingo is not a European domestic dog like most of the breeds that we see in people's houses in Australia. It is not an American breed; it is not a Chinese breed. I consider it to be an Aboriginal domestic dog which was used by the Aborigines in certain ways.

Survival is a dingo's prime consideration. Two main breed survival considerations are food and procreation but I consider the main survival consideration is flight. It is a dead dingo that carries and it is a wise and a live dog that flees. If any apparent suspected threat is evident, until it is sure that no harm could befall it, it will stop what it may have been doing at the time - eating, playing or fraternising - and it will run away fast.

Mr Speaker, dingoes still carry a breed stigma the same as German shepherds carry in many places in Australia. It is unfortunate because nothing is all bad, neither animal nor human. There is a bit of good in all of us and there is a bit of bad in all of us. It is not uncommon for dingoes to interbreed with other dog breeds. If a cross-breed which looks like a dingo does anything wrong, the dingo in it is usually given as the reason, not because of its kelpie, cattle dog or its cocker spaniel makeup.

I would like to comment on dingoes in national parks. A lot of people regard dingoes as part of our wildlife in the Territory and in Australia. The dingoes are vertebrate wildlife and it is a known fact that tourists are flocking to the Northern Territory to see our wildlife in our national parks. Dingoes have good and bad characteristics. Other animals in national parks also have

good and bad characteristics: crocodiles, snakes, buffaloes and many other feral and native animals. Dingoes may be able to kill people in certain situations, as can buffaloes, snakes and crocodiles. It is time that people started to accept responsibility for their actions.

We have a wide and a beautiful range of wildlife in the Northern Territory of which we are very proud. Tourists are coming to the Northern Territory to see this wildlife. It is one of the main selling points at present. The tourists come in air-conditioned coaches, planes and cars. Do these tourists want to see a sterile bush free from all wildlife? Do they want to see just the bush with no animals in it at all because some of these animals may hunt them or even kill them? If you take that argument to its logical conclusion, the air-conditioned coaches that the tourists come in can kill them - so can their cars, planes and other people. If these people still come and there are no animals in the bush for them to see because the bush has been freed of them, they can still stand under a tree and be killed by a falling branch. Life can be dangerous but one must take ordinary risks in life. If people come to see these animals in our national parks, they must have certain expectations.

I was pleased to see that the Director of the Conservation Commission is not going to be stampeded into placing restrictions willy-nilly in national parks because of certain remarks passed in another place by another person who may have spoken in ignorance of many things albeit meaning well. I believe the officers of the Conservation Commission are sincere and competent and have the interests of the commission and all wildlife to the fore in their employment. Many of these people are known personally to me and I hold them in high regard.

The second subject on which I would like to speak arises from a telephone call that I received very late last night from the husband of a particular nursing sister in my electorate. They are both very worried about possible changes to her employment. This nursing sister is employed by the Department of Health. She works at the Community Health Centre. She is one of the community health sisters. She is very concerned - I will use the words of her husband - that she may be press-ganged into working in another section of the Department of Health against her wish. Her only option is that she ceases her employment with the Department of Health.

This nursing sister and other nursing sisters in my electorate are known to me. I can commend them for the community work they do both for the sick and through their social welfare activities and interests in the prevention of sickness. These nursing sisters are married women with families. They have gone to live in the rural area for certain reasons. They have all arranged their lives so that they can work in a certain way for their own benefit and for the benefit of their families. They have certain timetables to work out with children at school and husbands coming home from working in the city. They like doing the work they are doing and the people out there like them.

If these nursing sisters are forced to go and work in another section of the Department of Health which is not in the rural area, it will mean a great upheaval for their families. It will also mean that they will either cease working with the Department of Health or they will not give their full interest to the work that they have been asked to do.

I am speaking here of the detoxification centre at the old Darwin Hospital to which the minister referred earlier in another context. The sisters working in the Community Health Centre at Howard Springs were asked to volunteer to work in the detoxification centre in the old Darwin Hospital. I think one person

was required. Nobody volunteered and now one nursing sister will be press-ganged. This is not a happy situation. I feel that it cannot be allowed to even start because these nursing sisters in the rural community, as well as doing work among the sick, are also doing a lot of preventative medical work. They do a lot of social welfare work connected with health. I feel they are serving the community more in that context. It is what they want to do. They should not be transferred forcibly to the detoxification centre in the old Darwin Hospital.

I would ask the Minister for Health to consider the interests of these nursing sisters because I think they are worthy of prime consideration. If he expects them to work with the interests of their patients at heart, I do not think they should be forced to change against their will.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, once again I rise to speak about the road leading from the Daly River to Port Keats. I fully realise that this is becoming a hardy perennial because I spoke about it in 1977, 1978, 1979 and 1980. Now I will give a 1981 burst. The only remark I can remember coming from the government benches was after I foolishly mentioned that I had 2 tyres staked whilst driving to Port Keats. The Treasurer accused me of being a whinger because I complained about staking 2 tyres.

I believe that the lack of a road is an absolute scandal. It makes a mockery of the government's continual insistence that it has the interests of the Aboriginal people at heart. I think that insistence is a sham and a mockery as long as nothing is done to provide overland access to an extremely isolated group of people in various communities which have a total population in excess of 1,400 people.

In case members believe that I have over-inflated the number, I will detail as accurately as possible the breakup on wet season figures. At Port Keats, there are about 1,000 Aboriginal people and approximately 60 Europeans. At Nardirri outstation, there are approximately 30 people. That number fluctuates greatly between the seasons. Palumpa cattle station has a population of around 40 residents. Peppimenarti has a wet season population of approximately 300 residents and about 20 people are living on outstations situated at the site of the original mission station on Docherty Island near Port Keats.

Could any member of the Assembly imagine a situation where over 1,400 Europeans were left by the government with no road access at all during the whole of the wet season and an apology for a bush track, accessible with any degree of safety only to a 4-wheel-drive vehicle in the dry season. The few owners of articulated vehicles who have attempted to freight goods overland to Port Keats over the years have never attempted this horror trip again because their vehicles have been ruined after just one trip.

If someone should imagine that Port Keats is not really so badly off when one considers settlements and missions in Arnhem Land which are similarly disadvantaged by having little or no road access, then he would be quite wrong because to compare Port Keats with, say, Maningrida, would be an imperfect analogy. Other coastal Aboriginal communities at least have reasonable barge landings but Port Keats lacks this facility. The only presently available barge landing is several miles inland on a narrow tidal creek which is bordered on both sides by extensive mangrove swamps. Because of the narrowness of this creek - it is shown on the map as Sandfly Creek - and the shallowness of the water, there is only one barge available in the whole of the Northern Territory which can get into the barge landing at Port Keats. Incidentally, the next creek to Sandfly Creek happens to be Anopheles Creek and the one after that is

Dysentery Creek. I guess it was not a very pleasant place to live in the early days.

The community has contracted for 12 barges each year. That costs around \$9,000 each trip. Over and above the contracted barges, there are invariably no less than 3 a year. Thus, there are 15 trips a year at \$9,000 which works out at \$135,000. If we could look at just one comparison of costs of overland cartage against transport by barge - this costing was given to me by a member of the community who is an authority and knows what he is talking about - we might consider the difference in relation to providing gravel for the extensive building program being undertaken at Port Keats. Strangely enough, there is no suitable aggregate in that area which could be used for building purposes. It has to be brought in if the housing program is to be continued and the community is absolutely desperate for housing. As a consequence, gravel has been carted from Darwin overland at a cost of \$40 a cubic yard. The cost per cubic yard delivered by barge would be approximately \$144 a yard. That is over 3 times as expensive as trucking it in. If a decent road existed, this item alone would result in an enormous saving in the cost of erecting houses. It follows that, if 5 houses are erected for \$X and you save \$X in the process, you can build a sixth house. I am not referring only to carting gravel; I am referring to carting all kinds of building materials.

Although gravel has been overlanded by truck on the rare occasions when the road is in a condition which permits road travel under severe difficulties, the real cost to the community should be looked at. The \$40 per yard cost is only theoretical because the actual cost works out at something like the following: a truck brings gravel in and it gets bogged. The community sends out a Caterpillar 920 to pull the vehicle out of the bog and, either in going out to the truck or in pulling it out of the bog or in returning, the loose stones on the road are thrown up from the wheels and damage the main steering line. Nine times out of ten, the driver, whether he is an Aboriginal or a European, will not notice the leak until it is a very large and obvious one. He is not aware of the consequent oil loss and the result is that the community of Waderr is up for around \$4,000 for repairs.

Mr Perron: Who is paying the bill?

Mr DOOLAN: The government. So you want to wake up to yourselves!

To digress, I must say that Waderr has been spelled by linguistic purists now as 'Wadeye' and gazetted under that spelling. If that is not going to be pronounced as 'Wadeye', 'eye' as in optic, I am a gold watch. Nevertheless, the linguists know the drill about phonetics.

If this whole road was upgraded, even to formed level, all this unnecessary expense and non-availability of vehicles and plant due to repairs being effected would be obviated. Given the equipment, the community could handle the road making itself. An alternative would be to let out the work to a contractor which would make it unnecessary for the government to provide extra plant for the community. It would probably prove less costly in the long run although, if the community was supplied with vehicles, it would provide labour and alleviate the unemployment situation. We will leave that to the experts. Whatever is decided is the most economical way to approach the problem should be decided as a matter of the utmost urgency.

Private individuals purchase cars in Darwin in order to have transport around the numerous beaches and places of recreation and scenic interest in the vicinity. There is not much for people to do there. However, in many cases,



they have wrecked their vehicles before they get them from Darwin to Port Keats. They just do not have a chance; it is ridiculous. I have been driving on bush roads for about 30-odd years and I have never seen anything like this. It is washed out to such an extent that it is like going into the Grand Canyon in parts.

The only alternative to the building of a decent road from the Daly River to Port Keats which might be suggested is to have a barge landing constructed in Port Keats itself, rather than several miles inland on Sandfly Creek below the township. This would entail several miles of road building through swampy country but would certainly be worth examining and costing. If a new barge landing and access road was built, it would at least give the community an option to call tenders from other barge operators, and it would give other barge operators the opportunity to bid for the contract rather than a sole operator having a total monopoly. That is what is rotten about the whole thing: there is only one barge operator because no other barge can get into this narrow landing.

I would ask the Minister for Transport and Works to take particular notice of what I have said, and I would ask him to take action either to build a decent road from the Daly River to Port Keats or have an alternative barge landing with access to the township investigated immediately the wet season is finished.

Mr TUXWORTH (Mines and Energy): Mr Deputy Speaker, I would like to comment on 2 things, both of which came up in the adjournment debate this afternoon. The member for Arnhem has given the truth his usual little twist to make it look something terrible and I think the facts are worth presenting to the Assembly.

The uranium poll that was taken over the Christmas period was authorised by myself, through the Department of Mines, with the Morgan Gallup people. There are 2 important things to remember. One is that the questions that we commissioned were agreed to before the poll was taken and they related only to uranium matters. The price that we agreed to pay for the poll was also agreed to before the poll. You get what you pay for and you pay for what you get. Any other questions that may have been asked by the organisation in the poll are questions that it put in for reasons known to itself. I will come to that in a minute. The member accepts that it is not unreasonable for the department to poll the community of uranium matters. In fact, I would have thought it was also reasonable for the department to poll the community on the Aboriginal questions. That is something that I will be discussing with the Chief Minister.

So far as the questions on politics and Aboriginals were concerned, I would just like to emphasise that they were not commissioned by this government at all. From the information I read in most national dailies and periodicals, it would seem to me that information such as that would be sold to other organisations - for example, the Bulletin which prints these things regularly - by the Morgan Gallup people. If the member, is suggesting that we got the benefit of political information out of the poll, he is a long way from the mark. If we wanted to get it, we would probably have to do what his organisation would have to do: pay for it. I guess we could expect an approach from Morgan in the course of time saying, 'We have some information about your group. Do you want to have it? If you do, let us see the colour of your money'. So far as I am concerned, any information that came from the questions asked about political parties, governments and attitudes at that time would have little relevance and would not be worth paying for because it is at least 3 years to the next election.

The member made 2 false assumptions. The first one was that he assumed all the questions were commissioned by us. The second thing he assumed was that

we paid for the entire poll. That is not true either. What we have done is quite within the bounds and responsibilities of good government. As I said a moment ago, the question of the information relating to Aboriginal attitudes in the Northern Territory is an important one and I will be asking the Chief Minister his views about acquiring that information from the Morgan people because we have not sought it and we have not paid for it. If we want it, I guess we will have to pay for it. If the member for Arnhem honestly believes what he was talking about this afternoon, it would be appropriate for him to raise the matter formally with the Auditor-General so that the particular issues canvassed could be investigated in some depth at the time the Auditor-General is reviewing accounts.

Mr Deputy Speaker, I would also like to comment on the suggestion made by the member for Tiwi that members of the nursing fraternity are being press-ganged to work in the detoxification centre. That proposition was put to me early this morning and I have not had a chance to raise it with the department. I do not know whether it is happening or not. However, it would seem to raise a serious problem. I would think that working in a detoxification centre, whether you are a nurse or a doctor or whatever, would be like working in psychiatric or geriatric wards. It is a special field that has an appeal to special sorts of people who have a commitment and seem to do it all their working lives and enjoy it. If you did not have that commitment in that area, you would be as well not to be there. On that premiss, I will be taking the matter up with the Acting Secretary of the department the first chance I get.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I would like to take a few minutes in the adjournment debate to inform the Assembly of the interest the present government seems to have in Nhulunbuy. In November 1979, the government persuaded the supplier of electricity in Nhulunbuy to increase the charges. The increase was approximately 17% and this was done so that the price per unit of electricity throughout the Northern Territory would be uniform under the proposed Northern Territory Electricity Commission. These increases did not affect all the community directly.

However, retailers were forced to pass on the extra cost to the customers so the standardisation of electricity charges forced up the cost of living. The residents of Nhulunbuy accepted this with more than a few reservations but, after all, we are part of the Northern Territory so perhaps we should contribute to the collective cost.

In May 1980, when the government was searching around for something it could promise voters so that it might be returned to power, it struck upon subsidised water rates. It has since made good this promise for all Northern Territory towns except the third largest, Nhulunbuy. However, it became blatantly obvious after the Appropriation Bill, when Nhulunbuy got less than 10% of the capital works expenditure spent on Tennant Creek and Katherine - 2 smaller communities - that Nhulunbuy was going to be subjected to Petersen politics because the community had been intelligent enough to reject the present government.

In the same budget, after many promises to the contrary, the government stopped funding for Dhupuma College and, as I have said before, the extent of damage done by this act on the Aboriginal people of east Arnhem Land will be long term and incalculable in terms of dollars.

Then in February 1981, the government announced that, under the local government tax-sharing arrangements, Darwin city council would receive \$576,467.

Councils in Alice Springs, Tennant Creek and Katherine would get \$257,919. Once again, the third largest town in the Northern Territory would get nothing.

A fortnight and one press release later, the Chief Minister informed the public that the reason Nhulunbuy could not receive payments under the local government scheme was because there was no shire council. He went on further and said that, if the Town Administrator and myself achieved local government, then the town would become party to the local government tax-sharing arrangements. Besides being the same tired words that we have heard on similar problems, the Chief Minister must understand that he is the Chief Minister and in government, and not myself or the Town Administrator in Nhulunbuy. The Chief Minister's attitude contributed to the demise of my predecessor and, if the CLP hopes to have any chance of returning Nhulunbuy to the CLP fold, the Chief Minister must lift his game.

Mr STEELE (Ludmilla): Mr Deputy Speaker, I recently had the pleasure of opening a buffalo seminar which was very well attended by nearly 200 people who showed a great interest in the species. I do not propose to labour that point except to say that the buffalo is a very dangerous animal. If you happen to be riding near one, unlike some of the other bovine species, a buffalo will actually follow you around in circles and try to put one of those horns right where it hurts.

The other animals that I have worked with in the bush have been wild cattle, particularly cleanskin bulls and, in the far outback areas, brown snakes. I remember going to the toilet at Humbert River one dark night and walking a distance of from me to you, Sir. It was a very short distance in the dark. A snake bit me and I am still here to tell the tale which no doubt amazes the lot of you. I recall shaking my foot to get rid of the snake. Of course, the fangs hook backwards and any violent physical reaction on your own part tends to make the snake hang in there. I shook my leg for a little while and finally got rid of the snake. I don't know what happened to the snake but I survived.

I recall another time when I rode back to the camp. A fellow was sitting there scratching at himself with a butcher's knife and insisting that he had been bitten by a snake. I looked at where he said the snake had bitten him and, for the life of me, I could not see where he had been bitten. Anyway, he was duly operated on. There were a couple of marks where he might have been bitten by a snake. This fellow was frothing at the mouth as a result; he was going to die from shock rather than snake bite. Anyway, he got himself into the station that night and he played poker with the lads and he won a lot of money. It was to his profit that he was taken into the station on the pretext of being bitten by a snake.

I have seen plenty of dingoes in action over quite a few years in the bush. I have seen them pulling down calves in packs, although Alan Houston, whose name was mentioned recently, did say that the biological evidence did not prove that they ate many calves and that they fed mainly on small animals in the bush. However, they disfigured calves, they pulled their ears half off, they bit their tails off and they did kill weaker animals. The very word 'dingo' - and I don't know what it says in the dictionary - to my mind is more synonymous with cowardice than with any other characteristic. I think the member for Tiwi made this point rather well. Any time I have seen a dingo, I have seen it run off the road and keep going. It will look back and, certainly, it will run right around you so it can get a smell of you but there is no way in the world that it will have much to do with you. I think this talk of wild animals being put in their place is something that many people must come to grips with.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

### DISTINGUISHED VISITORS

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of the Hon. W.C. Wentworth and Mrs Wentworth. As a former member of and minister in the House of Representatives, the Hon. Billy Wentworth has had a long association with the Territory and this legislature. On behalf of all members, I extend to our distinguished visitors a very warm welcome.

Members: Hear, hear!

### STATEMENT Fisheries Policy

Mr STEELE (Primary Production and Tourism) (by leave); Mr Speaker, reference has been made in this Assembly to the importance of commercial and amateur fishing to the Northern Territory and its economy. The reason for the introduction of new legislation in September 1979 was that the growth of fishing and the development of the industry had overtaken the capacity of the legislation in force at that time. The government's general policy to develop the fishing industry as a major economic base for the Territory was restressed during those debates. My statement today has 2 purposes. The first is to report to this Assembly on the development that has occurred in the fishing industry and the second is to outline my government's policy on fishing and for the fishing industry.

Historically, fishing is the oldest industry in the Northern Territory and dates back to at least the middle of the 17th century when Macassans visited the shores of northern Australia to search for trepang. Since that beginning, the industry has developed in terms of gross value to be the fourth largest in the Northern Territory. The value of production of fish per fisherman is higher than in any state and is twice the national average. In 1978-79, the gross value of commercial fish landings was approximately \$19.5m. This fell to \$17.2m in the 1979-80 financial year. Investment in boats and gear for vessels holding Northern Territory licences in 1979-80 was \$114m and is second only to Queensland. Prawns are the major income earners amongst Northern Territory fisheries providing 80% to 85% of the total revenue. The majority of the prawn catch is exported. The barramundi fishery is the second largest and earned more than \$1.8m in 1978-79. Poor catches and depressed markets forced a fall to \$1.2m in 1979-80. This fishery is based on netting operations in estuaries and coastal waters. Approximately 80% of the catch is sold interstate.

New fisheries legislation came into force on 8 January 1980 to provide the flexibility needed for developing and controlling our Territory fisheries. Major initiatives flowing from the legislation include a revised licensing system and the establishment of the Fishing Industry Research and Development Trust Fund which provides finance for approved research and development projects in the Territory.

During 1980, the government also provided finance for 3 development projects in an attempt to encourage alternatives for barramundi fishermen in inshore waters. These development projects were to train local fishermen in Spanish mackerel troll fishing methods, investigate the mercury content and marketability of Northern Territory shark and analyse all available data on bottom fish resources. The field phase of the mackerel troll fishing training and shark mercury sampling have been completed and are in the final analysis and reporting phase. Analysis of bottom fish resource data will start soon.

During the November 1980 sittings, I introduced an amendment bill to the Fish and Fisheries Act to provide a legislative base for the establishment of joint fisheries authorities in waters adjacent to the Northern Territory. This bill was prepared in accordance with offshore constitutional arrangements agreed to by the Commonwealth and all states at the June 1978 and November 1979 Premiers Conferences. Whilst the legal and administrative provisions contained in the amendment bill are aimed at simplifying and rationalising the management of fisheries adjacent to our coast, the establishment of joint authorities are not obligatory.

Since the Australian government declared the Australian fishing zone on 1 November 1979, there has been considerable progress in administering foreign fishing operations adjacent to Australia and initiatives to increase benefits to Australia from such operations are being implemented. Twenty-seven joint feasibility, 2 bilateral feasibility and 12 licensed foreign fishing proposals relating to proposed operations in adjacent waters have been received by the Commonwealth Department of Primary Industry. Advice has been conveyed to the Commonwealth Minister for Primary Industry of the Northern Territory Cabinet's acceptance of 4 joint feasibility, 2 bilateral feasibility and 5 licensed foreign fishing proposals to operate in adjacent waters.

For a variety of reasons, the only proposals successfully concluded and implemented by the Commonwealth for operation on the North and North-west Shelf, including waters adjacent to the Northern Territory, are: the Sumatril-Ishihira dropline fishing, the Australia-Taiwan gill-net fishing, the Australia-Taiwan demersal trawl fishing, the Australia-Taiwan tuna long-line fishing.

Mr Speaker, this government's fisheries policy is to increase the contribution of the fishing industry to the Northern Territory economy by encouraging increased exploitation and usage of under-utilised fish stocks situated in or adjacent to the Territory coast and to maintain the economic viability of fisheries already developed by the Territory industry by formulating and implementing management regimes that will maintain stock levels. Our fishing industry is still underdeveloped compared to other parts of Australia. There are very important reasons for the government to further encourage this industry. The potential revenue benefits are considerable and a diversified and strong industry would substantially strengthen the Territory's economic base.

The government will continue to support and increase research exploration and stock assessment programs on the Territory's fish resources. The programs will provide the basic information on which sound resource management and development can be based. The existing fishing industry already has a nucleus of enterprise, skill and facilities to take advantage of the opportunities available in the fishing industry, and my government's first priority is to provide locally-based operators with the incentive and assistance that are needed for their development.

On the other hand, if these operators are not able to take full advantage of all the resources that are available, it is my government's policy to encourage their development by persons or companies outside the Northern Territory who will be required to establish themselves in the Territory. It is envisaged that increased development would provide significant advantages and benefits to Territorians.

My government has summarised the policy for the Northern Territory fishing industry as follows: to assist the catching sector of the fishery to exploit alternative stocks by providing training, extension and, where possible, finance incentives; to assist the secondary sector of the industry by providing information and, where necessary, finance incentives for the handling, processing and

marketing of products resulting from the above developments; to increase efforts to obtain and disseminate information on the size and behaviour of fish resources situated off the Northern Territory; and to evaluate regularly the assistance that has been provided so that any future aid can be more effectively applied. These evaluations will be made in consultation with the Northern Territory fishing industry. The government realises the need to safeguard the tourist and recreational fishing industries by implementing management measures in those fisheries where species preferred by anglers are under pressure. We will continue assisting Aboriginal communities to learn fishing techniques or improve their fishing capacity at either subsistence or commercial levels.

During recent years, there has been increased concern expressed by both commercial and amateur fishermen about the state of barramundi stocks in the Northern Territory. Scientific research carried out by my department has shown a marked decline in barramundi stocks over the past 3 years. You will recall, Mr Speaker, that this government has progressively introduced more stringent management measures in an attempt to halt this decline. These measures are being constantly reviewed.

In the development of new fisheries, priority by Territory-based fishermen will be given to pelagic fish, such as Spanish mackerel, shark and tunas, reef fish and squid. The Gulf of Carpentaria is currently closed to foreign fishing operations and only by developing Australian fishing operations can the exclusion of foreign operators be guaranteed. Of particular concern to my government is the development of viable fisheries to provide an alternative to the Northern Territory barramundi industry.

The government has recognised the need to overcome the restraints placed on fisheries development by the geographic isolation of the Territory, the effects of its low population density and the lack of infrastructure. The low population level in the Territory and the lack of a well-developed local market make it difficult to test acceptability of new fish products. Fisheries development policies applicable to the Australian states cannot be applied directly to the Territory due to these factors.

During this year, I propose to hold a seminar to examine the directions that can be taken by the government to increase and improve the processing and marketing of local fish. This seminar will include both local and interstate participants. Investigation of fish prices, both nationally and internationally, indicates there is a narrowing gap in production costs between fish caught from natural populations and fish produced by aquaculture. The government is monitoring this situation and would hope to start further investigations into the potential of the aquaculture industry in the Northern Territory in the next few years.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

#### APPROPRIATION BILL (No. 2) (Serial 64)

Bill presented and read a first time.

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

This second Appropriation Bill for the current financial year allocates \$18.2m for the ongoing services of government and new initiatives planned for

introduction in the remaining months of 1980-81. Continued growth in the population and an upsurge in the economy for the third year running has meant that the government is able to maintain the impetus generated by its budget policies in recent years. The upward spiral that has been evident since self-government is continuing and gives a clear indication that we can expect a further growth budget for 1981-82. The economy will also be given a further boost through the allocation of funds in the order of \$6m to the Home Loans Scheme and \$1m to housing in Alice Springs for construction by the Housing Commission. These funds will come from borrowings by the government and therefore are not shown in the bill. The investment in the Home Loans Scheme means that the government has now poured more than \$50m into home loans in less than 2 years.

Despite new eligibility criteria, the scheme will provide more than \$30m for home purchases in the Northern Territory in 1980-81. The extra funding provided underlines the government's sincerity in assisting home buyers, particularly those on lower incomes. So far the scheme has helped well over 1,000 people to buy their own homes - a significant and lasting contribution to the stability and confidence in the future of the Northern Territory. The government is concerned over the existing shortage of housing in Alice Springs. To ease this shortage, the government is providing \$1m towards the cost of construction of 34 medium-density units and 22 single-unit houses. Construction is to begin shortly.

Honourable members will note that this bill includes the first allocation of funds in respect of the development of the statellite town of Palmerston. Palmerston is planned to cater for a population of 30,000 to 40,000 people. This development is a great challenge to the government and one of its principal aims is in the creation of a healthy and agreeable life-style for Territorians. In this major initiative, the government will continue with its successful policy of private development. Private land development has proved itself in Darwin and the government is confident that the private sector will be enthusiastic about the construction of the new town.

I now turn in more detail to the bill before honourable members. Funds available for the allocation of \$18.2m are made up as follows: savings in amounts allocated for expenditure in the budget and available for reallocation, \$11.7m, and increased revenues to the Northern Territory, \$7m. That is a total of \$18.7m. Of this amount, \$18.2m has been allocated in this bill. The remainder is to be made available as a special appropriation under the Financial Administration and Audit Act to fund the cost of raising and servicing the Territory's public loans.

I will now detail the main sources of these additional revenues which are largely generated by population growth and the associated increase in economic activity. Sales from land are expected to increase by \$4.4m for the year, receipts from stamp duty by \$600,000, increases in liquor licences and fees by \$300,000 and additional interest rates on cash balances by \$900,000. Through the Appropriation Bill, the government is moving quickly to allocate these new revenues for the benefit of Territorians old and new and to give increased impetus to the economy.

I now turn to the expenditure proposals included in the revised budget. By way of explanation, the bill shows amounts originally appropriated in the Appropriation Bill 1980-81, the additional amounts required, the savings available and the revised appropriations. This bill includes provision for the January national wage increase of 3.7% which resulted in an overall increase of \$3.2m. Additionally, increased charges for services, consumer goods and capital expenditure have had an effect throughout the budget.

I will briefly draw the attention of honourable members to some of the expenditure provisions in the bill. Further information is available in the explanatory notes which accompany the bill. Additional funds of \$980,000 have been made available to the Department of the Chief Minister. In part, this provides for the energy consultant, travel and hospitality expenses and an important promotional display at the Royal Easter Show in Sydney. Of the \$918,000 made available to the Conservation Commission, \$783,000 relates to the transfer of functions and the national wage case. A clean-up campaign costing \$100,000 will be conducted in major Territory centres. The police budget will be increased by \$907,000 to provide extra funds for police services in all areas of the Territory and this includes operational costs of the fisheries enforcement vessel, Salloo. An additional \$1.396m has been allocated to the Department of Transport and Works for design work to be carried out by consultants on the capital works program for 1980-81 and on forward design for 1981-82 to ensure the smooth flow of capital projects in the Territory.

Funds available to the Department of Education will increase by \$3.899m mainly to cover the effects of inflation, the determination of a 5.5% increase in teacher's salaries and the national wage case. The government has endorsed the principle of financial assistance to non-government student hostels in the Territory and \$63,000 has been provided for this purpose. The Darwin Community College will benefit by \$315,000 which will allow expansion of vocational courses including welding, air-conditioning, mechanical engineering, teacher education etc. In line with this policy of assisting the employment prospects of young Territorians, the Northern Territory government supports a special youth employment training program which is sponsored by the Commonwealth government. This scheme has been widely introduced throughout the Northern Territory Public Service. Additional funding included in this bill totals \$92,000. The government aims to spend a net \$178,000 in establishing a school training centre under the control of the Industries Training Commission.

Additional funds of \$1.335m will be made available to the Treasury and the bulk of this is related to the operations of the government data processing installation. The government is proceeding full speed with the development of Palmerston. To maintain the impetus already generated, \$1.1m has been allocated in this bill for design and documentation of roads, drainage and sewerage works and for administrative expenses. This bill will assist the mining industry through the provision of \$300,000 to enable an additional 3 airborne geophysical surveys of the Barrow Creek and Huckitta regions and additional contract drilling.

The bulk of the additional \$1.662m made available to the Department of Health relates to the January national wage case and the transfer of responsibilities for maintenance of Gove Hospital from the Department of Transport and Works. \$120,000 is included for Sommerville Homes and other community undertakings will be supported to the extent of \$108,000.

Aboriginal communities throughout the Northern Territory will benefit to the extent of \$2.4m through this bill. \$1.4m has been allocated for the purchase of fuel and oils to provide constant power supplies to the communities. The alternative would be to reduce hours of operations to conserve fuel. However, the government decided against this course of action because of the hardship it might place on Aboriginal communities. \$223,000 will be spent on providing toilet and ablution blocks at Milikapiti and \$649,000 will be provided to cover national wage increases for employees of various Aboriginal communities in the Northern Territory.

In conclusion, the various savings and greater than anticipated revenue increases have made this bill necessary. This reflects a healthy, vigorous and expanding economy for the third year in a row. The fact that we have still been



able to maintain this growth, whilst cutting state taxes, makes the situation even more encouraging for the future of the Territory. I commend the bill to honourable members.

Debate adjourned.

PAROLE ORDERS (TRANSFER) BILL  
(Serial 68)

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 is a product of the Standing Committee of Attorneys-General. It will eventually be introduced in all Australian jurisdictions in order to provide a national system. Its purpose is to formalise and give legislative backing to a system that has operated informally for a number of years. It is also designed to overcome some of the problems that that informal system has faced.

The situation that the bill is designed to cover is where a person on parole in one jurisdiction wishes to move to another state or territory. In the past, this has been achieved by informal arrangements between the parole authorities of the states and the territory. The authority in the state or territory to which the parolee wishes to go takes over the supervision of the order. This creates problems because the authorities of that jurisdiction have no legal authority over the parolee. Therefore, if he breaches the terms and conditions of his parole, any enforcement provisions must be undertaken by the authorities in the state from whence he came. If the parolee commits an offence in a state or territory in which he is living, the authorities in that state have no power to revoke his parole order. If he is convicted of an offence, he may be required to serve a period of imprisonment and then, upon return to his original jurisdiction, he could be required to serve the remainder of his period of imprisonment. However, if he fails to return, he is not liable to serve the remainder of his term of imprisonment unless the authorities in the original jurisdiction undertake extradition proceedings.

This bill will overcome these problems. It provides an administrative system whereby, at the request of the state minister, parole orders may be transferred from the states to the Northern Territory or, upon request from the Northern Territory minister, from the Northern Territory to a state. Once the administrative arrangements have been completed, the order becomes an order of the jurisdiction into which he transferred. Therefore, if the parolee transferred to the Northern Territory commits an offence in the Northern Territory, he is liable to serve the remainder of his original term of imprisonment as if it had been imposed in the Northern Territory.

The bill provides a facility for persons on parole who may wish to move interstate whilst, at the same time, providing that they shall not escape their obligations. Therefore, I think it serves both the needs of the individual and the community. I understand that, at present, the Northern Territory Parole Service is administering at least 8 interstate parole orders and a number of Territory parolees are being supervised by state authorities. This indicates that the bill is designed for an existing and real need. I commend the bill to honourable members.

Debate adjourned.

TRAFFIC AMENDMENT BILL  
(Serial 44)

Continued from 24 February 1981.

Mr DONDAS (Transport and Works): Mr Speaker, I thank honourable members for their remarks regarding this legislation. For members' information, I would like to advise them on the current position in the other states regarding the T-junction rule. In New South Wales, the Executive-Council-approved regulations were expected on 13 February. In Victoria, the regulations were expected to be approved by the Governor-in-Council on 10 February. In Queensland, the Executive-Council-approved regulations were expected on 5 February and South Australia has already gazetted regulations for commencement on 1 March. In Tasmania, regulations are expected to be finalised within 3 weeks of 9 February. In Western Australia regulations have been in force since 1975. In the ACT, regulations passed by the House of Assembly are with the minister for consideration and Executive Council approval.

During the debate yesterday, the honourable member for Tiwi raised a number of queries to which I would like to respond. Firstly, I remind members that the amendment bill must be read in conjunction with the Traffic Act. The honourable member asked me to clarify whether the motorist on a terminating road will either decrease speed or stop at the intersection. The amendment bill provides for both alternatives for motorists as there is no need to stop if there are no vehicles approaching on the continuing road.

The member referred to the grammatical structure in the proposed section 35JA(1). The amendment bill has been prepared in accordance with proper drafting procedure whereby the word 'and' before the last paragraph has the meaning of 'and' in all preceding paragraphs.

The member also mentioned proposed section 35JA(3)(c). The inclusion of this section provides flexibility to traffic engineers where the general rule is impracticable due to traffic flows.

Finally, the member observed that the inclusion of clause 7 is a duplication of an earlier clause. However, clause 7 has been inserted to ensure similar behaviour at Give Way signs and T-junctions. An earlier legal opinion recommends this inclusion to clarify the driver's duty at Give Way signs under the principal act.

Mr Speaker, this particular amendment we are hopeful will reduce the number of traffic accidents at intersections and I thank the honourable members opposite for their cooperation.

Motion agreed to; bill read a second time.

Mr DONDAS (Transport and Works) (by leave): I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

SUMMARY OFFENCES ACT (No. 4) 1979 AMENDMENT BILL  
(Serial 38)

Continued from 20 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, when the Summary Offences Act (No. 4) was debated in this parliament, there was a great deal of discussion

about the existing noise legislation. I agree with the Chief Minister that the amendment to the Summary Offences Act relating to noise after midnight has in fact worked extremely well. It may have been because members of this parliament had kicked up somewhat of a fuss about noise after certain hours that the act was passed 12 months ago. Nonetheless, the number of complaints that I have received as a member of parliament regarding the implementation of this legislation have been very few indeed. From my inquiries, the legislation appears to be operating quite satisfactorily.

The amendment that we are debating now is simply to remove the sunset clause which was introduced by the government last year. I believe it is a system which we should consider for a number of other pieces of legislation. I believe it is appropriate that, 12 months after the introduction of legislation, the parliament be required to review the operation of that legislation. The principle of the sunset clause started in Victoria and I believe it is a good exercise. It requires us to look at the legislation again. Had we not done so at this sitings, the noise legislation which we passed last year would have lapsed.

The opposition supports the removal of the sunset clause which will ensure that the noise legislation as it currently exists will continue.

Mrs LAWRIE (Nightcliff): Mr Speaker, in my electorate, I have found considerable support for this attempt to control the intrusion on people's privacy by undue noise. I have a great deal of sympathy with the original thoughts put forward by the Chief Minister that it is a pity people are not more cooperative and act as neighbours should. I suppose that, if we were all reasonable people, we would not have need for written law.

However, I have discussed the proposed repeal of the sunset clause with people who have complained to me. They agree that the present statute should stand. However, I have received numerous complaints which this act does not seem to cover. I have no hesitation in saying that the vast volume of complaints I receive are generated as a result of the operation of pinball machine parlours, one of which, unfortunately, is in my electorate and is causing intense distress to people in the member for Ludmilla's electorate.

I only mention it in this context because, in any debate dealing with noise pollution, it is incumbent upon members to bring to the attention of the government the loopholes which exist so that it can frame legislation which does not unduly restrict the rights of people to enjoy themselves. The government should still manage to curtail repetitive noises which seem to be the most common cause of nuisance to people in residential areas. It is the repetitive noise, without cessation, which causes the greatest distress. The odd noisy party is covered by this legislation, but it does not seem to deal with the nuisance which I have just outlined.

Mr STEELE (Primary Production and Tourism): Mr Speaker, I would like to lend my support to those remarks, particularly about the pinball machine parlour that operates in Progress Drive. Unfortunately, a couple of hundred of people live opposite that parlour. The effect of the legislation has been at least to give the police the right to be present. I take the point that the member raised that the police do not have sufficient power under the legislation. Certainly, I believe the legislation has had a good effect on the suppression of noise.

There are other types of noise complaints which have been made to me as an elected representative: the loud music at the drive-in theatre after it has closed, the noise made by the exodus of vehicles from the drive-in theatre late at night and the noise from the speedway. I am not sure that this legislation can hope to deal with noise of that nature.

In the main, the legislation does give the police extra authority if not the right powers. I understand that, as a result of many hassles and much debate, the speedway will be moved next year. I certainly hope that that is the case. Perhaps by studying the operations of the legislation in the context of these remarks, we might see fit to recommend further amendments at a later time. I commend the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I have noted the support of the opposition and the comments of the honourable member for Nightcliff and my colleague, the Minister for Primary Production and Tourism. Regrettably, I do not have a copy of the principal act in front of me, but my recollection is that this legislation would be suitable for controlling excessive noise from pinball machine parlours. Of course, this would only be on a one-off basis; that is, by repeated calls to the police and visits by them to the source of the noise. That probably would be necessary on a nightly basis unless the proprietors of these establishments had the decency and good sense to shut down at a certain hour on each evening.

We can certainly look at this particular problem. It occurs to me that a relatively simple amendment could be introduced. I think it should be introduced separately and considered separately. Perhaps honourable members could consider an amendment to the effect that, after a certain number of complaints have been received, a certain number of visits paid and a certain number of orders issued by the police, the superintendent of police for that area - and I would put it at as high a level as members would wish - could issue an order or injunction restraining an establishment from remaining open after a certain hour on the basis that this excessive noise was created. The order would have to relate more to the level of noise than to the hours of operation. In other words, if an establishment could stop the noise, it could stay open. I will discuss with my officers whether something along those lines could be formulated. I will also discuss it with those members who have expressed an interest before the next sittings to see if we can agree on something. We may be able to introduce it at the next sittings.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

#### INDUSTRIES TRAINING AMENDMENT BILL (Serial 32)

Continued from 20 November 1980.

Mr B. COLLINS (Arnhem): This is a very simple bill which increases the membership of the commission from 7 to 8 and provides that one of the members must be from outside of the Darwin area. The opposition supports it. As far as the bill is concerned, that is all one can say about it. So far as the Industries Training Commission itself is concerned, the importance of its work is becoming increasingly obvious with every passing day. We need to encourage as much as we can the young to take up apprenticeships. In fact, it was the Deputy Chief Minister who just a short time ago raised the problem of recruiting suitably qualified tradesmen to work in the Ranger area.

I have spoken about this particular problem on a number of occasions in the Assembly, particularly in reference to some welding courses at the Darwin Community College. I quite freely concede it has the power to determine alloca-

tions of funding within the total restrictions placed on its operations by the allocation of a global budget for the college.

In passing, I would mention a matter which perhaps the Minister for Education can take up. The matter does not appear to have been rectified. My information is that it has not. It does appear rather strange that it has not been done because the Commonwealth Employment Service is perfectly happy to provide the figures. The single trade in the greatest demand is that of boilermaker welder, not just in the Territory but all over Australia. It has particular reference to the Northern Territory because of the large amount of construction and steel fabrication that occurs in the Territory. It appears that particular emphasis needs to be given in training Territory tradesmen so that young people can become qualified in this high demand area of employment and remain in the Territory.

Mr Speaker, one of the features of apprenticeships these days is the growing interest of women in apprenticeships that have conventionally been male preserves. Recently, I saw quite an attractive government publication on apprenticeships available in the Territory. One of its features that does bear comment was that the only photographs of women in the booklet were those dealing with hairdressing. I do not think that is a minor thing because, in the Territory, we have the very encouraging situation where a number of young women are taking apprenticeship positions in other fields, such as auto-electrical work and aviation engineering. I think that trend needs to be encouraged. It is a little unfortunate that, in the areas where young women are being apprenticed, there could not have been included some photographs of both men and women in those professions. Perhaps that could be rectified in later publications.

There is another matter which is being commented on in the community now. The government must keep a close eye on not letting the Industries Training Commission develop into a cumbersome bureaucracy sucking up large amounts of public money when in fact - and I have no doubt that the minister would agree with me - the money very definitely should be spent in those areas where people are actually being trained in jobs. The Industries Training Commission does cost in excess of \$1m. I am not saying that that amount of money is improper but, unfortunately, bureaucracies, once created, have a bad tendency to grow. Some comment has been made in the community, particularly in the trade areas. This is not surprising because they do have an axe to grind. The boilermaker welder people complain that \$1.5m is being spent on the Industries Training Commission yet they cannot be given \$50,000 to buy a bit of steel and some gas to train another 30 students. That is a reasonable criticism and it is something that the government will have to examine.

I cannot stress enough that the Darwin Community College should seriously consider expanding its boilermaker welder courses because every graduate of that course will be employed. In fact, the industry is demanding more people than the course can turn out. The Territory is progressing rapidly and the Deputy Chief Minister put out a reasonable press release a few weeks ago saying the things that I said in this Assembly a few months ago. Territory industry cannot obtain enough tradesmen and the particular skill that is in most demand is that of boilermaker welder.

It is a well-known fact that the North-West Shelf project is proceeding and that, at some time in the future, it will get off the ground. I have no doubt at all that the wages that will be offered to people to go to that isolated area will be astronomical. I have no doubt that an obvious place that will be feeding boilermaker welder to the North-West Shelf will be the Northern Territory. We will be losing people there the same as other states of Australia will be losing them. Unfortunately, we can ill afford to lose them because we have so few in the first place. But no doubt they will be going there. I think

the Industries Training Commission could carefully look at the need to expand the training facilities available for this particular skill.

Mrs LAWRIE (Nightcliff): Mr Speaker, This is really a very simple bill and I support its passage through the Assembly. Like the honourable member for Arnhem, I take the opportunity to pass a few remarks about the Industries Training Commission. Perhaps the honourable minister will follow up the comments I am about to make.

Firstly, I would like to commend the people in the Industries Training Commission for the terrific job they have been doing in counselling young people who wish to take up an apprenticeship. I have been personally involved in this. I have referred students leaving Nightcliff High School, in particular, to various officers of that commission and the time and effort they have put into ensuring that the prospective apprentices obtain the apprenticeship which is most suited not only to industry but to the person concerned has been worthy of commendation. No time nor effort has been spared. The counselling has been sympathetic and, at the same time, quite down to earth. The kids have benefited greatly from the expertise in the advice they have received.

That is the good news. The bad news is that some of the people who have been involving themselves in this area for years under the old Apprentices Board, and now with the Industries Training Commission, suddenly found themselves without a job. The procedures for the retention and appointment of staff in the Industries Training Commission bear a little examination by the honourable minister, particularly the methods of appointment of new staff.

Recently, 3 positions were upgraded and 2 new people were employed. One of them, I believe, was a person who was brought up as a consultant. He liked the look of the place and was given one of the jobs previously occupied by a person who has spent years in this field operating a watching brief over apprentices, counselling them before they take up an apprenticeship. Two of the three people have suddenly found themselves looking for a job. That does not work in the best interests of the Industries Training Commission. It is not only those people about whom I have spoken who are affected. I am aware that staff morale in the Industries Training Commission is low at the moment because of the method of operation of senior people in the appointment of other persons to positions.

Mr Speaker, like other members of the Assembly, I have a very direct interest in ensuring that the apprenticeship schemes in the Territory operate to maximum efficiency to the benefit of industry and to apprentices. If morale in the Industries Training Commission continues to slip, I cannot see that the past excellent record can be upheld. I would hate to see apprentices receive less sympathy, understanding, proper counselling and recognition of what they want to do because of any lowering of morale or arbitrary changes of staff. Some people have devoted years of their life to apprentice training. It is simply not good enough to upgrade their jobs and tell them to look for another one. I am deeply disturbed at events which have occurred within the Industries Training Commission. I hope the minister will follow up the comments I have made because the past record of the people who have been engaged in this field speaks for itself. They have done a marvellous job and I do not like the present trends emerging in the commission.

Mr D.W. COLLINS (Alice Springs): I rise to support this amendment. It is a very simple amendment but an important one, particularly from the point of view of decentralisation. One member shall be a person who ordinarily resides outside the city of Darwin. I do see a slight problem there: that person could be someone in the Darwin rural area. However, I believe that common sense

will prevail and the person who is appointed as that outside member will come from one of the major centres. The Industries Training Commission performs a very important task. The importance of attracting people into apprenticeships and providing trade training is vital to the development of the Territory. I support this move to have a member on the commission who lives outside of the Darwin area. I know cost does play a part and the cost of moving someone from, say, Alice Springs up to Darwin for meetings is not inconsiderable but it is something we have to live with in so many areas. I support this amendment.

Mr ROBERTSON (Education): Mr Speaker, I will accept the advice of the honourable member for Nightcliff and merely take on notice the matters raised by her. I will certainly be seeking information from the Industries Training Commission. Might I say, however, that I have never believed that, when a position is reclassified, the person who previously held that position must automatically be appointed to it. On many occasions, the idea of reclassifying the position is to achieve the very end of getting rid of dead wood. I am not saying that that is the case here. I do not know the answers to the questions the honourable member poses and I will certainly find out. I have no doubt the chairman of the commission will read Hansard and respond to the comments of the honourable member.

I accept the very genuine concern of the member for Arnhem to see that trade courses such as welding and boilermaking are given emphasis. Of course, the Darwin Community College is fully autonomous and I have absolutely no say in the allocation of funds within the college, only in respect to global funds. We cannot have it both ways. We cannot have autonomy on the one hand and demand the minister does something about it on the other hand. One must have cognizance of the realities of the situation. Nonetheless, my information for the member for Arnhem's benefit is that the welding and boilermaker course has been maintained at its previous level and is indeed being expanded next year.

It is interesting that, in the several pages of briefing notes on where the Darwin Community College is going, not one mention is made of this very important trade course. We have everything from seamen's certificates, gasfitting, horticultural trades and the conversion of ladies' to mens' hairdressers. However, the vital course is not mentioned in terms of its initiative or direction in my briefing notes. I will certainly be asking the college for an explanation of that. I am quite sure that the member for Arnhem would be surprised that I do not have those notes.

I will take on board the other matters mentioned. For the information of the Assembly - and I am quite sure His Honour the Administrator will not mind me doing this because I had indicated to the previous Administrator whom we would recommend in order that this person could attend meetings of the Industries Training Commission as an observer from Alice Springs - Mr Keith Castle is the person I will be recommending to His Honour for appointment to the commission. All members would know of Mr Castle. He has had a long-time executive level interest in tourism through the Central Australian Tourist Association. He is a life member of Apex and has been very active in community matters in Central Australia. He is a fine businessman and will make a great contribution to the deliberations of the Industries Training Commission.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Education) (by leave): I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

NURSING AMENDMENT BILL  
(Serial 34)

Continued from 19 November 1980.

Mr B. COLLINS (Arnhem): Mr Speaker, once again we have a simple but a very important bill to deal with. The opposition supports it. The bill in fact demonstrates a healthy development in medical services in the Northern Territory. The bill replaces the Chief Medical Officer as the chairman and member of the Nurses Board which deals with the registration and regulation of nurses' activities in the Northern Territory. The opposition welcomes that.

I know it is trite to say so but this is a good opportunity to say once again that one would be pushing to find a more dedicated profession than the profession of nursing. Recently, when I visited Casuarina Hospital, I ran into a friend of mine who is a male nurse at the hospital. I knew him from my St John Ambulance days. I had a look at the rates of pay for nurses and I discovered just what a dedicated profession nursing is. It is very interesting to compare the degree of training required to become a registered nurse - the hours of work, the shift work and the unpleasantness that can be part of the job - with what is required in the clerical field. Considering the degree of training required, the rates of pay for nurses are low indeed. This particular friend of mine is just about to leave the profession after doing his 3 years of training. He will become an administrative officer with a private company for twice the salary. He said that male nurses were in the unfortunate position of inheriting what traditionally has been a woman's job. His attitude was that, because women had traditionally occupied the profession, it has been traditionally underpaid as a result. Looking at the rates of pay and the amount of work and training required to achieve such a very responsible position, the rates of pay are indeed low.

I would like to conclude by commenting on an aspect of nursing care in the Territory which, I am reliably informed, is the envy of many other parts of Australia; that is, our system of Community Health Centres. I personally have been the recipient of the services of those centres, as has my wife and my son. It is a desirable and attractive service. If ever a service was tailor made to create a community atmosphere of staying healthy and obtaining help when you need it, those centres certainly provide it.

I think that the government's continual downgrading of that service is unfortunate. I have commented previously on the closure of the Peel Street clinic, for example, particularly in respect of the closure of the Darwin Hospital. It is now difficult to obtain medical help in the city area. One example which springs to mind concerns a gentleman who came to see me in a most distressed state. A fight had broken out in front of one of the take-away food stores here in the city area and a man had been knifed. The gentleman concerned thought the proprietor was doing the right thing. The injured person was rushed off to Darwin Hospital in a private car but the door was shut. The person in need of medical care had to wait a considerable time before he reached Casuarina Hospital.

I would like the minister to respond to the questions I shall put to him. The nurses themselves are extremely concerned about this continuing pressure on these health services. I am told that the number that was mentioned in the downgrading of these services in order to service the detoxification centre was 5. I am reliably informed that the department had intended - and I hope that the minister will prevent it from happening - to remove 5 qualified nurses from the Community Health Centres and redirect their services to the detoxification centre. I welcome the minister's comments on the degree of commitment that



is required to work in such a place. I endorse those comments and certainly believe it would be unfortunate for the nurses concerned - and for the people needing the services of the detoxification centre - to have to go to that place when they do not really want to be there.

I would like an undertaking from the minister that the government will not downgrade any further the services in Community Health Centres. There is no doubt at all, and I note that the minister has not denied it, that there was in fact a move by the department to move a significant number of nurses and further downgrade the service provided to the community. The care they provide to schools, to nursing mothers and to people ill at home who are not ambulant is quite extraordinary. I would like an assurance from the minister that this downgrading will not continue; that he will stop it from happening. These services are much admired in other parts of Australia and deserve to be continued.

I have been told that some pressure had been brought to bear by private practitioners in Darwin that the services of these centres should be downgraded. That would not surprise me at all. It would be consistent with the attitude adopted at the Outpatients clinic at the hospital. However, considering the far-flung nature of our city and the fact that we have 40,000-odd people spread over such a large area, which is something which constantly comes up for comment when people talk about providing sewerage and electricity services, these Community Health Centres are an essential part of life here. I would ask the minister to comment on whether it is true that some pressure has been brought to bear by the private medical practitioners in Darwin to have the services that are available in those centres downgraded and to force people into a position where they have to seek private medical attention.

We are supposed to have some sort of public health service in this country. I hope that the government continues to support and encourage this concept. I look forward to hearing the minister's reply to those questions.

Mr DOOLAN (Victoria River): Mr Speaker, I rise to endorse what my colleague, the member for Arnhem, has said in relation to the nursing profession. The registering of nurses and the regulation of the nursing profession was the subject of a belated ordinance in terms of time and fairness to the profession and had been neglected for too long. Until fairly recently, the nursing profession was not at all well looked after compared with other professions. Nurses' pay, their work duties and their shift work responsibilities, in most instances, attracted only dedicated people. Perhaps their work duties and responsibilities will never change, but I still feel that the nursing profession is grossly underpaid. I hope that regulations affecting this profession will be in its best interests.

In this amendment bill, the chairmanship of the Nurses Board goes to the senior nursing officer of the Department of Health rather than the Chief Medical Officer who has been removed, not only as chairman but also as a member of the board. The only member of the board, other than nurses, will be the Medical Superintendent at the Casuarina Hospital. It is my feeling that this is a most important and worthwhile step. Certainly, it seems reasonable to have as the chairman a person who has risen through the ranks and the registered nurse responsible to the Chief Medical Officer could be expected not only to have the working experience and practical knowledge of what is after all the backbone of the profession but also the knowledge of the legislation which concerns nursing.

The minister's second-reading speech in introducing this legislation rather amazes me. Although it is merely a bill to amend the Nursing Act, it constitutes a fairly radical change and a departure from the previously existing situation and yet the honourable Minister for Health, in introducing the amendment, took

up exactly 26 lines of Hansard in speaking to the bill. Perhaps this might be construed or interpreted as a ministerial disinterest. In any case, the opposition supports the bill.

Mrs O'NEIL (Fannie Bay): This bill recognises the changing role of nurses in the NT, a role which is changing throughout the world. Recognition that they are not simply an adjunct to doctors - people who do the dirty work and provide the tender loving - but that they are skilled, well-trained people who take a considerable deal of responsibility and act with greater and greater independence. This trend is particularly clear in the Northern Territory. One must look to the community health services to which the honourable member for Arnhem referred and, in particular, the work carried out by registered nurses in the rural health area. Of necessity, these latter nurses work with a great deal of independence and carry a great load of responsibility. It is most proper that this should be recognised as it is in this bill and in other ways as well.

Nurses in the Northern Territory are considered to be leaders in this field in Australia. This was recognised by the Australian College of Nurses when it selected a Northern Territory person to represent Australia at an international meeting on the role of nurses in primary health care. It is pleasing to see that the Northern Territory nurses are so recognised. There are substantial, practical and legal barriers to further expansion of nurses into the area known as nurse practitioners but I would hope that we in the Northern Territory, because of our conditions, could continue to expand the role of nurses in this area.

In support of the member for Arnhem, I would like to expand further on the question of the community health nurses. From personal experience in my own electorate, I know the most valuable work they do in preventative health as well as providing services to the aged - and I have a considerable number of aged people in my electorate - to invalid people and in the traditional areas such as infant health, health education and services to schools. They play a very valuable role and they work very hard. In fact, in the Parap Community Health Centre, the staffing level is no greater now than it was when it was established in early 1975 and yet clearly its work has expanded. I hate to think of the amount of work that is carried out in such centres in Darwin as the Sanderson Community Health Centre where the population is so large and the Berrimah Community Health Centre where they have an incredible workload to carry with limited staff. From a practical point of view, as I said before in this Assembly, these provide primary health care very cheaply indeed. It is certainly in the government's interest and the interests of people in the Northern Territory to expand their services rather than contract them. I have spoken before in this Assembly about the unfortunate fact that the Dripstone Community Health Centre has not been built although it was planned.

I would like to say a few words on the question of the interests of private doctors. We know inevitably that all professions try to act as a closed shop and keep other people out of their areas of influence. We know, for example, the strong pressure that private doctors Australia-wide exerted against the registration of chiropractors which is something we will discuss later on. Certainly, private doctors in the Northern Territory are not short of work. You only have to ask somebody who tries to consult one; it is very difficult indeed. Their incomes are substantial and they are more than happy to use the sisters in the Community Health Centres to do the dirty work like the daily dressings, particularly on weekends. It is most unfortunate. I rely upon the good sense of the honourable Minister for Health to ensure that this undesirable pressure is resisted.

Mrs LAWRIE (Nightcliff): Mr Speaker, it would be easy to say that everything that I wanted to say has already been said and just sit down. I shall not because, for those members opposite who do not understand quite what the role of community health workers and nurses in the Northern Territory is, it bears repeating again.

I have addressed conferences of nurses in Darwin on the particular aspect of upgrading their professional status. I feel very strongly about it, as does the member for Fannie Bay and any other thinking person in our community who has lived here more than a couple of months and is cognizant of the role that the nursing profession plays, and not only in the urban areas. The bush nursing sisters provide a service which is probably unique, which is of a worldwide standard and which is acclaimed outside our borders as worthy of special recognition. I would look to the Minister for Health to take an active role in taking on the medical profession and allowing these people, be they male or female registered nurses, to have the legal backing for some of the procedures which they already carry out in emergencies. The medical profession has a vested interest in surrounding itself with an aura of sanctity and inviolability which I do not believe it has the right to possess without allowing other people the proper status they have demonstrated is their due. Nursing sisters, in the Territory at least, demand immediate recognition of the particular skills they have and an upgrading of their status.

As far as community health workers go, they are offering a service to the community which private practitioners cannot provide. They are moving out into the community, taking services to the homes of patients where necessary and providing a continuing interest in the welfare not only of the patient but, by extension, to the whole family. They provide all-round support and care for families and this saves the taxpayers many thousands of dollars. Because of that primary health care, the pressure on public hospitals is reduced and the private medical practitioners, who cannot offer that assistance, are relieved of the time necessary to counsel patients. They simply do not have the time for complete counselling which is sometimes necessary for whole families and not just the person presenting for assistance.

To even contemplate a further downgrading of services for community health centres would be a disaster. They are cheap and efficient and, most importantly, what the client wants. People go to the community health centres because they have got to know the sisters in attendance. They have referrals through them to specialist clinics and to private medical practitioners if necessary. The acceptance of Community Health Centres is really 100% and I would hate to contemplate any withdrawal of these essential services.

I was interested in the comments of the honourable member for Arnhem and the questions he posed for the Minister for Health. I certainly hope that he will take the opportunity to indicate what pressure has been put on him either to downgrade or withdraw some of these services. I am a little tired of hearing the story in this Assembly and of seeing official documents which pass across my desk on the necessity for people at all times to first seek the assistance of a private medical practitioner. At times, that can be quite impractical and not in the best interests of the patient who should be the prime concern of all.

I will give an example. Last week, one of my ever-loving children looked as though she had broken her arm playing hockey and she was in extreme pain. She came home at 11 o'clock at night; it was night hockey. I would have been wasting my time and hers to take her to a variety of private practitioners because I knew full well that she needed X-rays and she had to go to Casuarina Hospital to get them. The logical thing for me to do was to take her to Outpatients, to explain the injury and for her to be given an X-ray in the shortest possible time.

Instead of listening to the stories of private medical practitioners or the Private Medical Practitioners Association, if that is in fact what happened, the Minister for Health had better ask around in the community to learn the other side of the story. Reasonable thinking people, when faced with what is perhaps not an emergency but distress on the part of a member of their family, will immediately do what is quickest to relieve that distress and that may not mean going from private practitioner to private practitioner. No amount of legislation or of government intervention will stop people doing what they think is best in the interests of their patients and that includes support for community health services and the upgrading of the status of the nursing profession which I support wholeheartedly.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I would like to say a few words on nursing. I too hold this profession in the highest regard. I think that it is one of the most selfless professions. I include it amongst the ranks of the professions although I do not include avocations amongst the ranks of the professions even though those avocations presently seek to be called professions. Nursing is definitely a profession. I think that nurses deserve the highest commendation in our community not just for what they do on a day-to-day basis but for the service that they have given over many years since the modern profession was established by Florence Nightingale, not to mention all the orders of nuns whose special interest or vocation was to nurse the sick from the Middle Ages and probably before that.

I must say that, whilst nurses have been climbing the ladder of those whose service deserves to be called a profession, some of the other professions have been going down the rungs of the ladder. I include my own profession in the latter and I also include the medical profession. I say that basically because the medical and legal professions have ceased in many ways to serve the public in the way that one would expect of professions. Today, very few professional people will do anything at all except for reward and they will not do it, generally speaking, unless they do it at a time that suits themselves. There are to me 2 hallmarks of a profession: one should be prepared to do things in the public interest and one should be prepared to serve the people at a time when they need one. I know that this often imposes a great deal of inconvenience. I know that it is no longer possible to say that you should be able to call on your doctor at any hour of the day or night, but I do believe that arrangements should be made so that people can have access to professional people at times when they need them most, in times of emergency.

I certainly have the highest regard for the nursing profession. They see people often at their weakest and they help bring them back to a state of health and happiness. They perform what we call demeaning tasks and they gain through that humility a greater stature amongst the people whom they serve. I think that it is time that some of the older established professions and the more arrogant professions looked at the possible advantages of a little bit of humility in the way that they seek to serve people. In particular, the 2 professions that I mentioned earlier have become somewhat arrogant and somewhat grasping in this country in the last 20 years and I think that most people, whether they would say this or not, would certainly agree with me in that regard.

In relation to the community health care that has been raised in this debate as a bit of a red herring to the actual subject of the bill, I do not see any attempts by the government to downgrade such health care in the Northern Territory. There are many health problems and most of those problems were not of this government's making. We have been set up with a magnificent hospital system. In fact, it is excessive to the present needs in almost every town in the Territory. I think you can look at that in 2 ways. I am grateful that the

federal government put in that capital funding. However, it means that, at this time, we are probably having to expend resources unnecessarily in operating what are not, at this stage, efficient institutions. We know the pressures that are being exerted by the federal government on health spending at this present time as a result of the Jamison Report. Money for health is not going to become any freer. We have to face that. We will have to fight to make the best of the resources that we have.

Because much of our money goes towards hospitals, less money can go perhaps to community health. I am not really being specific at this time; I am trying to examine the structure of our health system. What one may have done, had one been able to devise and implement the plan oneself, is vastly different to operating an inherited system. I do not see, for instance, putting off the construction of the Dripstone Health Centre as a downgrading by the government of the requirements for community health. What was in my mind at the time when we removed that item from the capital works program was that the Casuarina Hospital had only recently opened. I appreciate that the Casuarina Hospital is not a community health centre but, nevertheless, it is a very large health institution. It could be that the location of the health centre at Dripstone in all the circumstances would need to be reviewed. I think that one needs to look at what happens out there for some time before one makes a decision as to the siting of a health centre in that area.

I know that people will argue that the purposes of hospitals and health centres are not the same. Nevertheless, the fact is that you can gain services at hospital that you can gain at health centres as well. I did not see the dislocation in the central city area as a downgrading of community health. I understood that these events happened as a result of the Darwin Hospital closure. It had to close because we are stretching our financial resources to operate the hospitals that we are presently operating, especially what is at least half a white elephant at Casuarina. I think that this Assembly, as a body, should seek to see the problems that are being faced and that we as a government will certainly attempt to surmount. We must attempt to make health as efficient an operation as we can. We must extend community health services wherever we can and we must really work in a responsible way to obtain adequate federal funding to do this. This will be the key to the whole operation. If you do not receive enough money to run the hospitals, you have to syphon it off from somewhere. That is where the Jamison Report impinges on us. We will have to fight very hard to maintain the level of funding that we have for hospitals in the face of Jamison's recommendations. The Minister for Health and Treasury officials will be fighting this battle over the course of the next couple of months. I would ask that this Assembly and all Territorians get behind the minister and the government in this fight. These things have a gradual impact. It is something that will be in the headlines very much in the course of the next couple of months. Mr Speaker, I support the bill.

Mr TUXWORTH (Health): Mr Speaker, I thank honourable members for their comments. I would like, if possible, to allay the fears of the honourable members who may feel I have some antipathy towards the nursing profession. In fact, I have a great affection for it and I hold it in very high esteem. My mother was a nurse and my wife is a nurse. I have had as many services from the Northern Territory nursing service and medical service as any other person in the Territory. I think I have an appreciation of the problems the people opposite are talking about.

I take the honourable member for Arnhem's point about salaries. It is important that we try to keep abreast of the salaries paid in other places for the Northern Territory staff because, if we do not, it will not take us very long to lose them to other places and it will not take them very long to become

dissatisfied to the point where they will leave and seek other employment. I believe that a great deal of progress has been made in the last 5 years on salaries for medical staff. We inherited the matter of salaries for medical personnel from the Commonwealth.

I am of the view that people can have just about anything they want. Their wishes are controlled by their capacity to pay. That applies to all of us. The facts are that we would like to erect health centres as often as we could. However, there will always be the restriction of finance. If members cannot accept that premise, then I cannot make them. I put it to them that that is one of the criteria that must be addressed whenever we consider erecting a health centre.

The members opposite referred constantly to the downgrading of health centres. I am not consciously a party to the downgrading of health centres. In fact, I think this government has done a great deal to try to upgrade them. One point that I would make is that I am constantly asking the department to be economically viable, efficient and to rationalise services wherever it can. I would hope that it is carrying out that wish because it is important that every department does just that. If that sort of rationalisation and improvement is seen as downgrading the services because people might be moved from one section to another to provide a better service to the community, then that is a matter for the persons concerned. I do not accept that a downgrading is automatic because changes have been made to the system. I would hope that we continue to improve our system as we go along.

Members opposite queried whether private practitioners were bringing pressure to bear on the government to downgrade the level of community health services. Mr Speaker, I can assure you that I have not received a great deal of pressure from the private practitioners. In fact, the only correspondence I have had concerning the sort of pressure referred to was a recent letter from the private practitioners saying that the staff in the Outpatients clinic at Casuarina Hospital were not advising their patients of the right to see a private practitioner, which is quite the contrary to what members opposite have been saying to me now for a couple of months.

I also put it to members that pressure does not solely come from the private practitioners. There are people within the bureaucratic system who would have a health centre on every corner and would whack a crutch under each arm-pit of every individual from the day he is born till the day he dies. If that is a point of view that people subscribe to, that is fine. The fact is that, on a national average, 50% of the Australian community supports private practitioners, private hospitals etc. Whether we follow that trend in Darwin is something to be considered by this community. I am of the view that, if people want to go to private hospitals or private doctors, that is their choice; they look after themselves. As a government, we have a role to play in providing services that are not available but should be available. We also have an important role to play in the provision of community health centres.

The Territory is going through a phase of very fast development. We will see the emergence of services both at a government level and at a private enterprise level such as we have never seen before. I think we will see things like private nursing homes, private hospitals and the whole gamut of private facilities come to the Territory in the next 5 years. It is incumbent on us to provide the legislative wherewithall for them to operate with professional respectability. I would ask in the course of time for the support of members and their comments on that particular issue.

Mr Speaker, we have moved away from the point of the bill, which was to improve the status of the Nurses Board. I thank members for their support in this legislation.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Health) (by leave): I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to.

Mr B. COLLINS (Arnhem): I wish to speak briefly in the third reading of the bill just to take up some of the remarks made by the Chief Minister and the Minister for Health.

The Minister for Health is very good at expressing broad expansive philosophies such as putting crutches under people's arms and so on from the cradle to the grave. I would like to come back to specifics. In talking about the community health centres and the great need for those services, I reiterate that one of the attractive things about the Community Health Centres is that they are cost effective. They keep people from overloading the medical care at hospitals; they are a primary source of medical contact for people, and it is necessary to keep people healthy.

When we raised this question, it was not because we were trying to be provocative. A situation has arisen where the department proposed to move - and there is no doubt this was going to happen - 5 qualified nursing sisters from an already overworked and overstrained area of medical care in the Territory. At a meeting that was held yesterday with the Nurses Federation, rightly or wrongly, the nurses were told in response to a fairly reasonable question that it was a government decision. Under those circumstances, it is a perfectly reasonable matter to question whether or not the government is downgrading the system. I agree with the Chief Minister that not going ahead with Dripstone Community Health Centre could not necessarily be seen, considering the proximity of Casuarina Hospital, to be a downgrading of community health services. However, a proposition by the department to remove 5 qualified nursing sisters from an already overtaxed area of health care certainly can be seen as downgrading community health care services.

I would like to take up one matter that the Chief Minister mentioned: medical practitioners. I have been in the fortunate position of not needing emergency medical care for as long as I can remember but I did have a very illuminating experience a few weeks ago. I was at Tiwi school talking to a class of gifted children. I found it rather disconcerting to speak to a bunch of 9 and 10-year-old kids who spoke to me as if they were 18 or 19 years of age. In the middle of my talk, one of the teachers at the school received a telephone call saying that his wife was very ill. I went with him into the staff room because he was quite distressed. His wife had rung up and said that she had suddenly been taken ill and that she wanted him to come home and get her. They live out in the rural area. I had never seen this before; it was an interesting experience. He went through the yellow pages because he was not interested in going to Casuarina Hospital. He did not want to wait; he wanted to go home and get his wife and take her to a doctor. He went through the yellow pages and he rang 4 medical practitioners. He was knocked back by each one.

The teacher was becoming more and more distressed. He was quite agitated and kept saying: 'What am I going to do?' One of the other teachers rang her doctor and used her personal influence with the receptionist, whom she knew, and

the husband was able to get his wife in to see a doctor that afternoon. This teacher was in the same position as I in that he did not regularly visit a doctor. He had not asked for a house call; he intended to go home to pick his wife up and take her to the doctor. He tried 5 times before he could get one who would take her and it was only because someone else knew the receptionist.

To then hear the information that some medical practitioners may be putting pressure on the government not to expand community health centres because they see it as a threat to their business was very interesting indeed.

Motion agreed to; bill read a third time.

### CHIROPRACTIC BILL (Serial 37)

Continued from 19 November 1980.

Mr B. COLLINS (Arnhem): Mr Speaker, probably all members of the Assembly have received quite a hefty wad of paper on the subject of this bill. From a discussion that I had with the Minister for Health, I understand it is his intention to let this bill stand over until the next sittings of the Assembly in order for both the government and the opposition to consider carefully all the amendments. As a result, I will simply point out the problem areas that the opposition feels need examining more closely.

The whole area of chiropractic is a very interesting one and honourable members could do no better than to read what is known as the Webb Report. The full title of the report is 'Report of the Committee of Inquiry into Chiropractic, Osteopathy, Homeopathy and Naturopathy'. This report seems to deal with all the 'pathys' that afflict Australians except the major one which is apathy. The report is in fact extremely readable and very interesting indeed. I have read it quite recently. Chiropractic was founded by Mr Daniel David Palmer, originally a Canadian, who was a greengrocer and a fish pedlar. He emigrated from Canada to the United States when he was 20 years of age and, in 1886, set up a clinic of magnetic healing in Davenport in Iowa in the United States. He expounded his philosophy on what chiropractic was in the following way in a book which was published in 1919:

*A subluxed vertebrae is the cause of 95% of all diseases. Luxated bones press against nerves. By their displacement they elongate the pathway of the nerve. This pressure upon a nerve creates greater tension, increased vibration and, consequently, an increased amount of heat. Heat alters tissues, altered tissues modify the transition of impulses and modified impulses cause functions to be performed abnormally.*

'Subluxed', when translated into English, means an imperfect dislocation or sprain. The basis of chiropractic is that - and this is where it comes into conflict with more orthodox fields of medicine - diseases can be cured by manipulation of the spine.

There has been some progression in the field of chiropractic since Daniel David Palmer set up his first magnetic healing studio. His clinic was taken over by his son who bought it from his father after his father was released from jail after being convicted of practising medicine without a licence. B.J. Palmer, the son, also was a person who had very little schooling. He expanded the school and its educational aspect in training other chiropractors. A gentleman called Ralph Lee Smith quotes Mr Palmer as saying in 1869: 'Our school is on a business not a professional basis. We manufacture chiropractors'. Palmer conducted a very brisk mail order business in selling chiropractor adjustment



tables, miniature spine sections and portraits of B.J. Palmer. He lengthened his course at the school to 9 months and established a correspondence course which led to the degree of Doctor of Chiropractic. The degree was made available to those people who could not actually attend the course. The only requirement that was necessary to enter the school was having the necessary \$500 to undertake the course.

Things have progressed since then. The Webb Report gives a 1975 definition of chiropractic:

*Chiropractic is the study of problems of health and disease from a structural point of view with special consideration given to spinal mechanics and neurological relations, presenting the hypothesis that (a) disease may be caused or aggravated by disturbance of the nervous system; and (b) disturbance of the nervous system may be caused by derangement of musculo-skeletal structure; and chiropractic is the science concerned with defects in the mechanics, statics and dynamics of the human body.*

Latterly, there has been some recognition of the value of chiropractic in assisting people with medical problems and the Webb Report found in questioning many people who had been patients of chiropractors that they had indeed experienced some considerable relief from their problems. However, there is, as was stated earlier in proceedings of the Assembly today by the Chief Minister, some degree of opposition to chiropractic and chiropractors. In fact, there is some considerable degree of objection to their even being registered to practise. It is hardly surprising that a great deal of that objection comes from the area of orthodox medicine.

If we could turn to some of the submissions to the Webb Committee, the Australian Association of Manipulative Medicine made a submission to the Webb Committee which said that chiropractors and naturopaths should not be registered on certain grounds - I cannot quote all of this submission: '1. their philosophy that disease can be treated by spinal manipulation; 2. lack of objective scientific proof of the efficacy of the application of their philosophy in practice'.

The report also states that the Australian Association of Surgeons submitted: 'Chiropractors, osteopaths and naturopaths should not be registered. Furthermore, the relationship of these practices to other medical services in the community does not require definition, as any beneficial procedures embraced by these groups are already included in therapy available from trained physiotherapists and registered medical practitioners'.

Mr Speaker, it is absolutely true that conventional medicine has come to recognise that there are benefits that can be derived from manipulative therapy and, in fact, a number of qualified medical practitioners and physiotherapists have started to practise this themselves. That, of course, is what this submission refers to.

The Australian Chiropractors Association, not surprisingly, submitted that it should be registered. The one thing that flows through this entire Webb Report, however, is that there is a considerable body of opinion that believes that chiropractors and osteopaths should be registered in the one piece of legislation because simply registering chiropractors to regulate the industry seems to be self-defeating when, in fact, the kinds of treatment that they both offer are so similar. There is a body of opinion that says that, by simply registering chiropractors and regulating very strictly their activities, people who do not want to go through the trauma of having to comply with all these regulations can simply stop calling themselves chiropractors and refer to themselves

as osteopaths. In fact, the 2 terms, as the Webb Report shows in many examples, are very often interchangeable. The Australian Medical Association stated in its submission:

*The Australian Medical Association in making this submission to the Committee of inquiry into Chiropractic, Osteopathy, Homeopathy and Naturopathy confines its comments to chiropractic and specifically excludes from its consideration osteopathy as practised by osteopaths trained in scientific educational institutions and granted the same legal status as registered medical practitioners.*

*The AMA submits that: (1) it is not in the public interest for practitioners of chiropractic to be registered in Australia because it believes that the health of members of community should not be put at risk by the application of philosophical doctrines not based on scientific knowledge in the diagnosis and treatment of patients; (2) registration of chiropractors would imply the recognition of the philosophical basis of chiropractic despite the complete absence of any scientific evidence to support its recognition and a substantial body of evidence to the contrary; (3) the registration of chiropractors would be interpreted by members of the community as implying that chiropractic treatment is safe...*

The Australian Physiotherapy Association submitted:

*It is the policy of the APA to do all in its power to ensure the best possible health services for the Australian community. On these grounds, we oppose any form of recognition of chiropractic. Those already practising chiropractic should be given the opportunity to qualify, either in medicine or physiotherapy, and after a period of time has elapsed to enable them to do this, no further person should be permitted to practise again as a chiropractor.*

Despite the numerous submissions opposing the registration of chiropractors, the Webb Committee came to the conclusion, which is supported by the opposition, that in fact there is a compelling body of evidence to show that it is in the public interest to register them. When you go through all these submissions, it is not surprising to find that every organisation which made submissions to the committee has done so from its own particular point of view. The Australian Dietetic Council, for example, was simply interested that no chiropractor should give any advice to the public on what to eat or drink or questions of diet. Everybody had his own axe to grind. Once the whole body of submissions was examined, the committee came to the conclusion that it is in the best interests of the public to register chiropractors.

In referring to the question of registration, the report had this to say: 'The committee considers that some form of statutory registration is desirable and it is inevitable for chiropractors and osteopaths'. This is something which runs right through this report: the 2 should be registered jointly. Some states have legislation in preparation to this end. The committee is convinced that chiropractors are not disadvantaged terribly in setting up practice and receiving substantial incomes by lack of registration. It went on to say:

*The committee had had no scientific evidence placed before it, nor has it discovered such scientific evidence from the scrutiny of chiropractic texts or articles to support any claims that chiropractic or osteopathy are complete systems of therapy capable of preventing, curing or alleviating all diseases or disabilities. It is of the opinion that this concept is not valid.*

It then goes on to say that it is important that the legislation does not indicate that in fact chiropractic can replace conventional forms of medicine. The committee has grouped chiropractic and osteopathy together as it is not convinced that there is any difference in the end results of therapy between the 2 groups and it feels that any recommendation should apply equally to both.

To turn to the summary of the recommendations for the registration of chiropractors, the committee says:

*The committee recommends that chiropractic and osteopathy should not be given legal recognition in any form which would imply that they are alternative health systems. The committee recommends chiropractors and osteopaths be registered in each state by means of a Manipulative Therapists (Chiropractors and Osteopaths) Registration Act.*

One of the essential features of the act is that 'no person shall use the title "chiropractor" or "osteopath" unless he is registered under this act. No person shall perform spinal manipulation for fee or reward on human beings unless he is a registered medical practitioner or a registered physiotherapist or a person registered under this act'.

The basis of the recommendation in this voluminous document is that in fact they should be registered but that chiropractors and osteopaths should be registered together and that it should be clear in the legislation that the registration does not constitute a statement by the parliament that chiropractic or osteopathy constitute an alternative form of medicine.

To return to the bill itself, there are a number of clauses that the opposition believes need further discussion. In clause 3, 'chiropractic' is defined as 'the practice of examining and adjusting by hand alone the articulation of the human spinal column'. The Webb Committee recommended strongly that '"chiropractic" and "osteopathy" be not defined in the act as all the official definitions quoted in chapter 2 and other definitions (unquoted in this report) by chiropractic and osteopathic associations include and imply the principle of an alternative healing system which the committee rejects'. What the committee is saying is that the actual science of chiropractic not be defined but the chiropractors themselves be defined.

The opposition supports this because there are so many contradictory definitions of 'chiropractic'. From reading the report, there are 2 basic schools of thought on chiropractic: one is referred to as the mixed school and the other as the straight school. The straight school of thought comprises those chiropractors who believe that the problem solved by chiropractic is solved by manipulation of the spine only. The other school of thought is that you can bring other things such as herbal treatments and massage into the treatment. Both of these have their adherents. Because of the contradictions in the definitions, the Webb Committee recommended that the legislature does not attempt to define the practice but rather the people who practise.

It then went on to say that chiropractors should be defined in the following terms: 'Chiropractors and osteopaths are persons other than registered practitioners or registered physiotherapists or registered manipulative therapists who manipulate the human vertebral column and associated joints for fee or reward'. The difference in that definition from the definition in clause 3 is that this definition refers to the manipulation of the spine only whereas the Webb Committee recommends that it be extended to include the manipulation of associated joints as well.

The opposition also feels that clause 3(2)(b)(i) is unnecessarily restrictive. It says that a chiropractor is guilty of unprofessional conduct if he publishes or distributes or permits the publication or distribution of information in relation to chiropractic otherwise than in a scientific or medical journal. As the Australian Chiropractors Association points out, chiropractors have their own chiropractic journals and it would not be very sensible to stop chiropractors from advertising or having articles in their own journals. It does say further on in this clause that they may publish in other magazines with the approval of the board, but it would not hurt to insert that the definition includes chiropractic journals.

Clause 4 states that the board shall consist of 3 members. There seems to be a few problems attached to this. The bill says that, subject to the act, the minister may appoint a person to be a member and 1 member shall be a legal practitioner, 1 member shall be a medical practitioner and 1 member shall be a chiropractor practising in the Territory. That gives the chiropractic profession 1 representative on its own regulating board. The Australian Chiropractors Association points out that this is totally inconsistent with other regulatory acts in the Territory. It gives some comparisons: on the Dentists Registration Board there are 2 dentists and the Chief Medical Officer; the Medical Practitioners Registration Board has the Chief Medical Officer plus 4 private medical practitioners; the Nurses Board has the Chief Medical Officer and nurses; the Optometrists Board has the Chief Medical Officer and 2 to 3 others, preferably 1 medical practitioner and 1 or 2 private optometrists; and the Radiographers Board has the Commonwealth Director of Health, 1 private radiologist and 2 radiographers with post-graduate qualifications. It is clear in all the regulatory acts that, in fact, the majority on all of the registration boards is drawn from the professions. That does not apply here.

One of the problems in the Territory is that the number of chiropractors is very small. It is not easy to understand why a legal practitioner should necessarily be the chairman of this particular board. In fact, there is some need to discuss why a legal practitioner needs to be on this board at all.

Clause 9(2) says: 'A chiropractor shall not be appointed as a member for more than 2 consecutive terms'. The chiropractor is singled out. He cannot serve more than 2 consecutive terms but the other 2 members of the board can stay on there indefinitely. I do not see that there is anything wrong with limiting the length of time that people serve on this board but there is no reason why that restriction should not apply to all members of the board.

Clause 11 might cause a few problems in Territory terms: 'A member who has a direct or indirect pecuniary interest in any matter which is the subject of consideration at a meeting of the board shall, as soon as possible after he knows that he has the interest and that the board is considering the matter, disclose his interest to the board'. It then says: 'A member who has made a disclosure under subsection (1) shall take no further part in the deliberation of the board in relation to the matter in respect of which his interest was so disclosed'. I understand - I could be wrong about this - that there are 6 chiropractors in the Northern Territory. It would be difficult to know what the board would discuss. In fact, I am sure it would routinely discuss matters which were of financial interest to the chiropractor on the board. At least, they could be construed as such, particularly in matters of what he might see as competition. It might end up that only the doctor and the lawyer are left in the room to discuss the problems of chiropractors.

I have been lobbied on the subject matter in clause 22: 'Title "chiropractor" not to be used by certain persons - a person shall not use in any document, sign or other notice the title "Chiropractor" or "Chiropractic

Manipulative Therapist"...'. Some people felt that this is restrictive. I do not think that they are right. My understanding of that particular clause would not be that you cannot use the words 'manipulative therapist' on their own, which was the problem as they saw it. The key word is 'chiropractic'. My interpretation of that particular clause is that you are not allowed to use the whole term 'chiropractic manipulative therapist'.

Clause 23(1) says: 'A chiropractor shall not use the title "doctor" or any abbreviation thereof...'. The Australia Chiropractors Association does not like that provision and wants it thrown out. The opposition supports its inclusion in the bill.

Clause 23(2) says: 'A chiropractor shall not use or permit to be used a document, sign or other notice used in connection with his practice as a chiropractor, a qualification that he claims to have, unless the qualification is written out in full'. Of course, the Australian Chiropractors Association used that clause as a justification for letting chiropractors use the word 'doctor'. Their claim is that some chiropractors in Australia have qualified for an American degree of Doctor of Chiropractic and, if they had to include the description of the degree and qualifications in full, they would have to use the word 'doctor'. I think common sense would indicate that it is not in the best interests of the public for chiropractors to be allowed to call themselves 'doctors'. The opposition does not support that particular submission.

As I said before, it seems to me that the Webb Committee's recommendation that this particular bill also regulate and license osteopaths should be adhered to because the 2 are so interchangeable.

The requirements to be registered as a chiropractor under this bill are very strict indeed. Clause 24 says: 'In this Division, "approved course" used in relation to a person means a course in chiropractic which is conducted at a school or other educational institution and - (a) the entry qualification for which is not less than the minimum entry qualification required at that time for that person to undertake study for a degree at a university in Australia; (b) the length of which is not less than 4 academic years; and (c) the curriculum which is approved by the board'. The Australian Chiropractic Association objects to the words 'in Australia' but I think they are appropriate.

Clause 26 says: '(1) The board shall determine an application under section 25 by registering or refusing to register the applicant. (2) The board shall not register a person under subsection (1) unless it is satisfied that the person - (a) is not less than 21 years of age; (b) is of good character; and (c) has completed an approved course and holds a diploma, degree or other certifying document in respect of that course'. That approved course has to be not less than 4 years in duration. That is a fairly strict requirement.

The Webb Committee recommended that there should be some method for the board to approve a licence for a chiropractor who has not necessarily qualified in this academic respect but who is held in good standing and has been practising chiropractic for a substantial number of years. I understand it is referred to as the 'grandfather clause'. The committee strongly supports its inclusion. I understand it is included in legislation in other states. There is no flexibility allowed in this bill at all and I suggest it is something the minister could have a look at. I will quote from the Webb Committee Report again:

*It will be appreciated there are some 900 practitioners in Australia who use spinal manipulation to some extent. There are others whose educational standards are such that they should certainly be refused registration. Registration boards would need to consider individual applicants for*

*registration in the light of their past professional experience and it would clearly not be possible to enforce immediately on existing practitioners the same standards the boards will expect for future entrants to the profession. Chiropractors with qualifications from major overseas institutions, particularly North America and the 2 better institutions in Australia, the Sydney College of Chiropractic and the Chiropractic College of Australasia, would probably be found to be acceptable for initial registration.*

It is clear there that the report feels it is a little onerous to expect practitioners already here to meet immediately the 4 years' academic study qualification or be tossed out. I suggest that some sort of transitional provisions be put in the bill for that.

Clause 27 deals with licences. The Chiropractic College of Australasia points out, and the opposition supports this that there should be some provision made for temporary licences. For example, where a chiropractor becomes ill or goes away on leave, he needs to have the services of a locum tenens as doctors have. Providing that that person is properly registered and the board approves it, there perhaps should be consideration given to allowing that to happen.

Clause 31, which deals with the cancellation of licences or registration, needs to be read in conjunction with clause 34 which says that disciplinary action cannot be taken without an inquiry. However, it specifies that clause 31(1)(b) is exempted from the provision. Where a person is convicted of something which, in the opinion of the board, renders him unfit to practise, there is no inquiry into his suspension. I do not think that is reasonable. I do not imagine, particularly considering the number of chiropractors in the Territory, that this problem will arise too often. It is fairly serious if a person is going to be deregistered. I think an inquiry should take place in any case.

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

Mrs O'NEIL: I move that the member for Arnhem be granted an extension of time.

Motion agreed to.

Mr B. COLLINS: I thank the Assembly.

In clause 36, where a notification is given to the chiropractor that action is being taken against him, I do not think that it is unreasonable to ask that the time period provided should be spelt out in the bill.

Clause 47 says that a licence granted to a chiropractor and the registration of a chiropractor is not conferring on the chiropractor the right or authority to practise dentistry, nursing, optometry and radiography. I am not altogether sure about whether or not chiropractors should be allowed to use X-rays. They do elsewhere in Australia. They certainly use X-rays here. This bill would remove that ability. It becomes more specific when you turn to clause 47(e) which says that they are not allowed to treat any abnormal condition of the human body by chemical or biological means or by the use of X-rays or electrical appliances. There is an inconsistency here. If you refer back to the previous part of the bill, which provides commendably stringent provisions for qualifying as a chiropractor, the curricula for the courses provide instruction in the use of X-rays. What the bill is saying is that one has to study for 4 years and will be taught how to use X-rays but, when one practises in the Territory, one will not be allowed to use them. There does seem to be a bit of inconsistency in that.

Clause 47(d) prohibits chiropractors: 'To diagnose or attempt to diagnose any abnormal condition of the human body by chemical or biological means or by the use of electrical devices'. That again seems to be a little restrictive. The Australian Chiropractors Association points out the tables which chiropractors use to manipulate people quite often can be raised and lowered by electrical means. Under the terms of the bill, they would not be allowed to use these. I think that will have to be looked at.

Clause 40 deals with the service of documents. I have some recollection about discussing this problem of registered post in connection with another piece of legislation in this Assembly. The Australian Chiropractors Association has recommended that the service of notice on someone should be by registered post instead of by ordinary post.

To conclude, the industry of chiropractic in the Northern Territory is a very limited one at the moment. There are a very limited number of practitioners. However, as the association representing these people has pointed out, and in consideration of the continuing development of the Territory, it is inevitable that chiropractors will increase in number in the Territory as will osteopaths. I understand that the minister will allow this bill to lie over until the next sittings of the Assembly. I trust he will take into account the comments of the opposition.

Debate adjourned.

#### REMUNERATION TRIBUNAL BILL (Serial 39)

Continued from 26 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the bill to establish a Territory remuneration tribunal. First, I would like to place on record my own appreciation and commendation of the work of the Commonwealth Remuneration Tribunal. I believe that, by and large, it has given members of parliament appropriate salaries and conditions which have enabled us to carry out our functions properly as members of the Northern Territory Legislative Assembly. It has been very worthwhile that the initial conditions of the members of this parliament have been set by a body which has ample experience in the establishment of conditions of service and salaries for members of parliament in Australia. It has served us well and I think it is appropriate to say that at a time when we are establishing our own remuneration tribunal.

There have been a number of bugbears in the decisions of the remuneration tribunal and I know that members on this side of the Assembly had difficulties with interpretations of certain of the provisions. I hope that the Territory remuneration tribunal will be able to speedily interpret its determinations and ensure that its decisions are clear cut. From my own discussions with the Clerk, I know that he is often placed in an invidious position in seeking to interpret what it was the tribunal meant. I would hope that, if there is an area of vagueness in a determination of the new tribunal, it will be able to be cleared up fairly quickly.

The bill before us does mainly what the old act did. There are a number of differences and I think they should be pointed out. One is that the remuneration tribunal determination with regard to members of this parliament will be subject to disallowance by the parliament. I think that is appropriate. Under the old act, the decisions of the remuneration tribunal came into law and there were no provisions under the old act for this parliament to alter them. That is not to say that it is up to the parliament to set wages and other conditions of

service for members of parliament. It is up to us to ratify decisions made by the remuneration tribunal. This will put the acid right on us and I think that is appropriate.

Secondly, the remuneration tribunal will have the power to make recommendations to the executive on salaries of particular officers of the public service. Again, this follows the powers of the Commonwealth tribunal but, of course, it did not apply to the situation in the Northern Territory before. Again, I think that this is appropriate. It is proper that the independent tribunal be empowered to set the wages and conditions of our senior public servants. The Chief Minister, in his second-reading speech, drew members' attention to the problems contained in the self-government act. He rightly drew our attention to the fact that the Northern Territory cannot enact legislation which establishes or has the effect of establishing a further industrial tribunal, other than to set wages and conditions for members of the parliament. Thus, the tribunal cannot set the wages and conditions but it can make recommendations to the Northern Territory executive. I think that is an appropriate power for it to have.

Mr Speaker, let me conclude with general remarks about pay and conditions for members of parliament. Very often, you hear of the public saying that members of parliament are overpaid and underworked. They are entitled to that opinion but I believe that members of parliament ought to be paid well. That does not mean they should be paid extravagantly. I believe they ought to be paid well - and I am happy to say that publicly - to ensure that the level of representation of the community is high and that we are able to attract people of competence. Looking across at the array opposite me, I am not too sure we have achieved that. It is appropriate that salaries of members are established at a rate which can attract competent people. I believe that the remuneration tribunal, to date, has done that. However, that is not to say that the new Territory remuneration tribunal should not have a look at the salary levels determined so far and make further recommendations.

Mr Speaker, let me return to where I started. I believe the Commonwealth Remuneration Tribunal has established a good base from which the new tribunal should work. However, it is appropriate that we should have our own Territory tribunal. I commend the government for introducing the bill.

Mr PERRON (Treasurer): In support of this bill, I rise to say that the Territory on its road to even more self-determination and, presumably, eventual statehood should increasingly look after its own affairs. This piece of legislation seeks to do exactly that. We should no longer be relying on an interstate body to make recommendations on the level of pay and allowances for members of parliament in the Northern Territory. I agree with the Leader of the Opposition that the Commonwealth tribunal has done its job very well.

However, the Territory is dissimilar in a number of ways to other places in Australia and a local tribunal would take those factors into consideration. One is the size of the Assembly; it is certainly unique in Australia. Related to the size of the Assembly is the size of the ministry and that also is a factor that should bear on this question. The state of constitutional development of the Northern Territory has an important bearing on deliberations of tribunals. The size and composition of electorates is very important; surely the Territory must be unique there too, particularly in relation to the composition of electorates and the diversity of population. Because of the small number of members and the size of electorates in outback areas where communications are poor, the extent of travel required by members is also an important factor.

The other states all have their own tribunals of varying sizes but with similar functions to make recommendations to parliament as to the level of



remuneration for various people, not just politicians. Tasmania takes the easy way out by having an act which actually requires an averaging of all the other states' remunerations. I think there is a factor added to that average but it saves anyone making a hard decision. They say that they pay their politicians an average of what everyone else pays theirs.

The tribunal would make recommendations to Executive Council which would have the power to implement them forthwith. However, the determination is tabled in this Assembly and it may be disallowed. I think that is an appropriate way of having the subject fully aired each time a determination is made. I commend the bill to honourable members as being a great step forward in looking after the affairs of the Northern Territory house.

Mr STEELE (Primary Production and Tourism): Mr Speaker, my interest in saying a few words this afternoon is to remind members just how poorly they were being looked after until the 3 gentlemen in charge of the tribunal took a hand after the formation of the Legislative Assembly. I do not know whether it is protocol or not, Mr Speaker, but perhaps a letter from yourself to the Hon. Sir Walter Campbell, Sir Andrew Grimwade and Mr Porter might be an appropriate gesture on behalf of members of this Legislative Assembly. I will leave the matter in your capable hands.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

#### LAW OFFICERS AMENDMENT BILL (Serial 40)

Continued from 20 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the bill before us is very short. It will facilitate administratively the appointment of Acting Solicitor-General and Acting Crown Solicitor. The opposition supports the bill because it is an absurdity that, on each occasion when a temporary vacancy occurs because a particular officer is out of the country or out of the Territory, the Attorney-General has to sign a piece of paper appointing somebody else to act in that position. The amendment to the Law Officers Act simply enables a general application that a particular officer act in place of the Crown Solicitor or Solicitor-General. It is administratively sensible.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

#### OATHS AMENDMENT BILL (Serial 41)

Continued from 20 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition opposes the amendment to the Oaths Act and does so for a number of reasons. It seems to us to be an unnecessary piece of legislation and, where legislation is unnecessary, we do not believe the statute book should be cluttered with it. There are a

number of matters of principle to which I would like to address myself and I ask the Attorney-General to listen carefully and perhaps accede to my arguments.

First, the bill changes the nature of a commissioner. We are talking about commissioners for oaths or affidavits. The substance of the bill is that, where a commissioner for oaths or affidavits has a personal interest in a document on which a signature has to be witnessed by that commissioner, then the commissioner ought not to witness the signature. It is our belief that the commissioner for oaths or affidavits is there to witness signatures in this particular instance and witness signatures only. We believe it is an invasion of privacy for a member of the public to have his document open to the scrutiny of the commissioner for oaths and affidavits. That would be a logical consequence of the passage of this bill because the commissioner would have to satisfy himself as to whether he stood to gain from the document which was being witnessed.

The duty of the commissioner for oaths or affidavits is to witness a person's signature on a document. It does not relate to the question of whether the contents of the document are true or false; his duty is simply to witness that the signature is being put on that piece of paper by a person. It would be an invasion of privacy for the commissioner to peruse that document. I have had a number of documents which I wished a commissioner or a JP to witness. It has not been the practice of either the JP or the commissioner to read through the documents. In many cases, we do not want him to read the document. It has nothing to do with him. What is important is that the commissioner simply attests the fact that I have put my signature to it in front of him and he has witnessed me doing that. That is a very important principle.

There is another problem in regard to documents signed by a person who has the misfortune or otherwise of living in a small town where there is only one person who is capable of witnessing a signature at that one time. If that person happens to have an interest in that document, it cannot be witnessed. It seems to us irrelevant that the person witnessing the signature has an interest in the matter. What is relevant is that the person can say that the document has been signed in front of him.

In his brief second-reading speech, the Chief Minister said that what is important is that we ought to have confidence in the people who are given the responsibility of commissioner for oaths or affidavits. I agree with that and I am sure that everybody in this Assembly agrees with it. If that is what is needed - and I am sure he is not saying that we should not have confidence in those people who have already been appointed - we had better have a look at the ways in which commissioners for oaths and affidavits are appointed. It is a position of trust. If any commissioner for oaths and affidavits was aware that the document had some kind of interest that accrued to himself, the commonsense approach would be for him to send the person elsewhere. If another commissioner is unavailable, he will have to witness the signature.

Commissioners for oaths and affidavits are people of trust. Their duty is to witness a document being signed; they are not there to attest the truth or otherwise of the contents of that document. It seems to us that the bill itself is unnecessary. If we are seeking to enhance the reputation of commissioners for oaths, let us have a look at the way we appoint those people. The bill may be open to abuse in that a commissioner for oaths may be told by the person that he has no interest in it but this may not be true. Some of the documents which have to be witnessed are very lengthy indeed; they might run to 50 or 60 pages. What we are requiring of the commissioner is a whole new range of skills: to go through documents and make inquiries that he does not stand to gain. I believe the bill ought not to be proceeded with. I think it

would simply clutter up the statute book. If we are talking about the types of people who are appointed commissioners for oaths and affidavits, then let us look at the appointment procedures. The opposition does not support this legislation.

Mrs LAWRIE (Nightcliff): If we are talking about the integrity of the people witnessing the documents, I agree entirely with the Leader of the Opposition that that is a subject which should be addressed before their appointment. I am a justice of the peace and I witness many documents in the course of a week. I am one of the few people publicly available in Nightcliff at all hours of the day and night. One thing I do is to explain to people the difference between a statutory declaration and an affidavit. Time and time again, my secretary will tell me there is someone wanting a statutory declaration witnessed and when I go to see them it is not a statutory declaration but an affidavit. I take some time to explain the difference between the documents and to make sure that the person understands the penalties for swearing a false document.

Of course, an affidavit has to be witnessed on each page and attested before it is entered into the court. Amongst the variety of documents to which I put my signature as JP are indeed documents concerning the personal finances of people and they would believe it an intrusion if I took it upon myself to read through them. Even in court matters, I do not read through the documents to see what is being said or sworn; I just make sure the people understand the nature of the documents they are signing and how careful they must be to make sure that the statement is correct.

I had not thought about it before but I share the reservations of the Leader of the Opposition. I can imagine the dislike or the horror of people if they came in with company returns or taxation documents and I said that I had to read through them to make sure that I was not a beneficiary. One wonders if, under the terms of the proposed bill, it would be sufficient simply to take their word that I was not a beneficiary. It appears that it would not be sufficient. From firsthand experience, I know that some people would not wish justices of the peace or commissioners for oaths and affidavits to have to read through some of the documents which they present for signature.

Debate adjourned.

#### LIQUOR AMENDMENT BILL (Serial 42)

Continued from 19 November 1980.

Mr ISAACS (Leader of the Opposition): Mr Speaker, the amendments to the Liquor Act by and large relate to administrative problems and other anomalies which have been found by a review of the provisions of the Liquor Act. By and large, the bill has the support of the opposition. The provision that a licensee, when surrendering a licence, must notify other people who have an interest in that licence 2 weeks prior to the surrender taking effect is a most sensible and reasonable requirement. A \$2 payment for a licence which has been lost is not a matter of great moment and it has the support of the opposition. The situation that arose as the result of a previous amendment to the Liquor Act allowing members of the commission to sit separately and hear applications before them meant that only the chairman could administer the oath or affirmation for those people giving evidence. This bill will rectify that situation and that is sensible.

However, clause 6 is causing us some concern. It relates to section 84 of the principal act and deals with the revocation of decisions by the commission

relating to restricted areas. The current provision in the act is simply that the commission may revoke the restriction on an area. The amendment will enable the commission to do that but will also allow it to vary the boundaries of those restricted areas in 2 ways: first, to exclude an area which currently was part of the restricted area - that seems to us to be a reasonable enough proposition - and, secondly, to vary the boundary to include those areas which were not previously included.

The working of the proposed clause is such that it seems to guarantee certain safeguards; that is, that the variation has to be of a very minor nature - that is spelt out in the clause - and that those people who are living in the area have to be consulted by the commission. From my inquiries of the Liquor Commission, I was unable to determine exactly why we need this particular new clause. In the case of Lajamanu, where a restricted area applies, the boundaries of that restricted area do not coincide with the newly-drawn boundaries of the community government association. It would be a matter of administrative neatness and common sense that the boundaries of the community government association and the restricted area coincide. It would not affect the people. In those circumstances, I think the Liquor Commission ought not have to go through the very extensive procedures and requirements of the Liquor Act. However, it is important that it be of a minor nature and the people in the area are consulted.

It seems to me that there are a number of other applications on the drawing board which it is also intended are to come under proposed section 84. Included in those applications are certain outstations around established communities where a restricted area has been applied. It is my view that, where people are to be affected by a proposed variation, the provisions of the act as they apply now ought to apply to them; that is, the whole inquiry ought to take place. Where it is dealing with an administrative matter, I believe that proposed new section 84 is fine. However, it seems to me that it covers more than simple administrative matters. I am going on advice given to me by officers of the commission.

The minister was not particularly helpful in his second-reading speech and did not tell the sorts of problems which have arisen and which this proposed new section seeks to overcome. If he had done so, I think we all would have been much better off. I have inquired of the commission itself and those were the examples which were given to me. I find one case perfectly acceptable because additional people will not be involved; it is simply a matter of re-drawing boundaries to coincide with accepted boundaries. In the other instances which were given to me, where people are involved and outstations have been included, I do not think that it is appropriate that this proposed new section be used at all.

I draw this to the attention of the minister. I do not say that this proposed new section 84 ought to be thrown out. All I say is that it seems to me to go far wider than is acceptable. Perhaps a redrafting ought to occur. With that exception, the opposition supports the bill.

Mr DOOLAN (Victoria River): Mr Speaker, I rise to support my colleague, the Leader of the Opposition. I do not find much to complain about in this bill except for proposed new section 84. In his second-reading speech, the minister said: 'Further operation of the act and the declaration of dry areas has shown the need to give the commission the power to revoke part of a declaration once made or to otherwise vary it in accordance with community wishes without having to go through all the formal procedures laid down under part VIII of the act'.

I think that, in debating legislation, we should look firstly at whether the people want it and secondly at whether it is in the best interest of the people. It says: 'community wishes'. According to the information the Leader of the Opposition has obtained, I do not know that it follows the wishes of the community at Port Keats. It is fragmented. There are outstations: Nardirri, Palumpa, Old Mission Station, Red Cliffs and so forth. These people have gone out to these stations because they do not belong to the traditional people of Port Keats. What necessarily suits the people of Port Keats does not necessarily suit the people at the outstations.

I think this proposed new section is a little wide. It says that the declaration of an area of land to be restricted is at the discretion of the commissioner. 'Discretion' worries me a little because I doubt the discretion of most people and I include myself in that. I think that even a constituted authority such as this should not have the liberty of a human luxury such as discretion. Discretion is usually overruled by self-interest. It provides too many openings for indiscretion. I think this is an easy way around it for the commission so that it does not have to go to these fragmented communities, these outstations.

We support the bill but I certainly am not happy with proposed new section 84.

Mrs LAWRIE (Nightcliff): I wish to make a couple of comments on this bill. I do not think it is quite as simple as it was portrayed in the second-reading speech. I also rise to question the philosophy of dry areas. It does seem to me that we are only exporting the problem. The people will go to the nearest town or the nearest wet area, make a mess of themselves and probably kill themselves on the way back to the dry area.

I have watched the implementation of the Liquor Act throughout the Territory and I fear that the emphasis on prohibition has meant a consequent decrease in emphasis on education and how to handle liquor. I make that as a general comment on the operation of the act over all. I am not very happy with proposed new section 84 because of my philosophy which I have just expounded.

My main argument with this bill concerns section 121 to which no one has yet addressed himself. In this second-reading speech, the minister said: 'Anomalies in section 121 of the act relating to the exclusion from premises of persons who are intoxicated or disorderly, etc, have been corrected'. That was the end of that. If one looks closely at the amending bill - I have proposed new subsection (1A) of the principal act here - one will find it is worth reading. I am extremely disturbed about this section of the amending bill. Perhaps other members have not quite realised its implications. Under the principal act, we are looking at the power to exclude or remove certain persons from licensed premises. I fear that this whole section is an unwarranted intrusion on the private lives of persons by the Liquor Commission. I ask the honourable minister to have a close look at this entire section of the act and see whether in fact it should be there. Bona fide residents of premises have the status at common law of living in their own premises for the duration of their stay. It seems iniquitous that the Liquor Commission is giving the power to people to throw out guests from what is temporarily their home because they may be drunk.

Honourable members might look at proposed subsection (1A): 'A licensee may exclude or remove from his licensed premises - (a) a bona fide resident of the premises if that resident is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour; or (b) any person (including a bona fide resident) if the presence or continued presence of that person on or at the

premises would or might render the licensee liable to a penalty under this act or any other law of the Territory'. That is fairly sweeping. Under this legislation, the Liquor Act can be used to throw people from their temporary home simply for drinking in their rooms and being as drunk as Chloe, as my mother would have said. When they are bona fide guests or residents, that is their prerogative. It does not say that they are causing distress to other people. It is just that the licensee may be liable to prosecution by their very action. That is fairly passive action.

Remember that we abolished drunkenness as an offence in public places. We are starting to crack down on people being served liquor when they are intoxicated on licensed premises. That is fine but, if we extend that to bona fide residents, we are extending the Liquor Act into private lives in a manner which is not acceptable. If their behaviour is riotous and disorderly, I believe that is adequately covered in other laws of the Territory.

I ask the honourable minister to examine carefully what I have said and perhaps members of the opposition may not have addressed themselves to this particular problem. I have had approaches in relation to this and I think it is extending the Liquor Act in a manner that the community would find unacceptable if it knew about it. Those members of the community who do know about it - I have shown the proposed legislation to several people - object to it. In fact, they believe that proposed section 121(a) should receive the closest scrutiny of this Assembly. It is an unwarranted intrusion into their private lives.

Debate adjourned.

#### POLICE ADMINISTRATION AMENDMENT BILL (Serial 43)

Continued from 27 November 1980.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition has a few doubts about clauses within this bill. Clauses 3 and 4 are about the same problem, the appointment of a commissioner, deputy commissioner or assistant commissioner. It seems appropriate that this power should be given to the minister. It would be a bit unfortunate if the commissioner or deputy commissioner or the assistant commissioner happened to become ill while the Administrator was out of town or whatever. The interim or acting position could not be filled under the present legislation. It seems fitting that the minister should have the power to appoint the acting commissioner, deputy commissioner or assistant commissioner as the case may be.

Clause 5 proposes an alteration to section 52 to avoid any possible misinterpretation of that particular section. Clause 6 amends section 59 by omitting from subsection (1) all words after 'Police Promotions Board' and by omitting subsection (2). It allows for the establishment of the board but it does not detail any responsibilities as are detailed in the present act.

The opposition has an amendment to clause 7. Under the present clause 7, the Police Association and the Police Commissioned Officers Association have approximately the same rights of having a representative as the third member of the Police Promotions Board. Under the proposed subsections (3) and (4) of section 61, the Police Association members would be in the same position as now in relation to the third member of the board. However, the Police Commissioned Officers Association would not. The only way that one of its members could become a third member of the board would be because of a decision made by the commissioner. The bill speaks about an appeal against the decision made by the

commissioner under sections 23 or 24. These are decisions that the commissioner would make if he felt the person was in ill-health or perhaps was not performing his duty. The Police Promotions Board in those particular circumstances would be more appropriately called the 'Police Demotions Board'.

Clause 8 makes changes to section 62(3). It would recognise the changes that were made under section 60. It is a consequence of the changes in clause 7. Clause 9 is much the same. It has to do with recognising the difference between the 2 boards when people wish to terminate their positions on the board. Clause 10 repeals section 64 which I think is irrelevant anyway. There is no real gripe about that particular clause.

Clause 11 deals with section 67. Section 67 details the reasons for which an appeals board can sit. At the moment, these are described as reasons under sections 16(1)(b), 23, 24, 17 and 18(5). Both groups of the police force are allowed to appeal under those provisions. This new clause would remove the right of appeal under section 16(1)(b) which details the promotions in the non-commissioned and commissioned ranks. Under this amendment, the board would only be able to hear appeals against promotions up to the rank of sergeant first-class. I think most members may have received a letter from the Police Association. This letter is addressed to me:

*Please find enclosed the photocopy of the letter despatched to the Chief Minister relating to the bill to amend the Police Administration Act. The members of the Police Association are extremely concerned at this attempt to erode their present conditions, particularly in relation to the right of appeal of members of this association on promotion to the rank of inspector.*

I think that is the crux of the letter. I will read the letter that the association sent to the Chief Minister:

*Dear Sir, in receipt of your reply of 18th inst which was tabled before a special meeting of the executive of this association on 20 February. Whether it is anomalous whether a member of our organisation sits on an appeal board or otherwise in connection with a promotion to a rank which is not represented by this association is really immaterial. What is important in this case is the fact that the Police Administration Act provides for a member of this association to be part of that board as the legislation presently stands. It therefore follows that common courtesy and conformity with what was taken as a guarantee from yourself in 1979 should prevail and that this association should have been thoroughly briefed on the intent and ramifications of the amendment before any attempt was made to push it through the Assembly with indecent haste and in a manner which can only be seen to be an attempt to get it through without the association's knowledge. The apparent stealth with which this bill has been introduced into the Assembly has been the cause of wholesale disillusion amongst members of the Police Association who are beginning to question the support they can expect from the government they work for and support at each election.*

I think that spells out the Police Association's reactions to this particular part of the bill. It would indicate the possible industrial ramifications of this bill if it goes through with that clause 11 intact. The Chief Minister may not be particularly worried about industrial problems within his police force but I can assure him that it is of some concern to the opposition.

The part that particularly worries the Police Association is this right of appeal between the non-commissioned and the commissioned officers, the

transitional period. In one case, I believe a member has been acting for 2½ years in the officer ranks. Somebody from within the ranks of sergeant first-class could pass him and he has no right of appeal because he has only been acting. I think that is certainly a recipe for industrial problems. I would ask the Chief Minister to reconsider clause 11.

The other problem is that the officers association members will have no right of appeal at all against promotions. I would suspect that the commissioner would dearly love to see this provision included. Commissioners tend to be a little more military oriented people and like to see their police force run along the lines of the army. I think one of the biggest problems facing the police force today in the Northern Territory and in many places throughout Australia is the lack of community acceptance or public relations. If there are to be changes made within the police force, I think that those changes should err on the side of the public; that is, turning the police force into a public service oriented organisation rather than becoming a para-military organisation. I think that recent events overseas point out the problems which may occur when this is carried out to any extent.

I would ask all members to support the opposition's amendments to clauses 7 and 11. I think we are going to live with the consequences of those 2 clauses for a long time. Perhaps the consequences will not be seen in the short term but, in the long term, I feel we will come to regret those 2 clauses.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would like to begin my remarks in this debate on a point raised by the member for Nhulunbuy. I also received a letter addressed 'Dear Sir or Madam'. I thought that my sex was pretty obvious to most people but if the writer of this letter was so confused as to not know what sex I am, he might also be confused on other points.

This bill deals with management principles of the Northern Territory Police Force. With the increasing mobility of the community, both in actual physical fact and in its thinking, a consequent mobility must follow with all the services that administer to that community. The old days of moving at a slow pace when changes never happened overnight are gone. The old horse and buggy thinking is a thing of the past. We all must move with speed these days to outstrip technological and scientific discoveries and advances. We have to move with speed just to keep up with them.

Every service that the community relies on must today keep up with the community and in some cases must be ahead of the community. The services that we now acknowledge as ordinary and run of the mill are things like an adequate electricity supply, good water supply, hospitals and good medical services, an army to protect us, a fire brigade to prevent and stop fires and lastly a police force to keep the peace for the community. There are many more services but we are concerned here only with the police.

If the police force cannot move as a unit in times of trouble, with a clear line of command from top to bottom, it will not be very effectual. We have come to expect nothing but the best from our Northern Territory police because of their record of service. This clear line of command must be very evident, not only to the members of the police force themselves but to the public which the police force is serving. If we have the police force acting as a completely disciplined unit with a strong line of command downwards, in the unlikely event of things going wrong and maybe a wrong decision made at the top, all the police resources can be correctly realigned in a very short time. If we have the members going off every which way, then we would have general confusion.



As I said earlier, this bill is concerned mainly with management principles, with the Commissioner of Police having control of the promotion of his commissioned officers. This may seem too autocratic to some but, in speaking with these members of the police force, it is what these commissioned men wish for themselves: no right of appeal against promotion from one rank to another from the commissioned officers' level upwards. It would give a more streamlined running of the force too. It is very important, as the Chief Minister said in his second-reading speech, that the decisions of the commissioner be conveyed through his commissioned officers down the lines of command with this streamlined effect. A very big consideration here is the appointment of a proper person to be the Commissioner of Police. If he is a competent person, his decisions will be good. If he is incompetent, I only hope that the current legislation can act quickly enough to remove him after a prompt evaluation of his competency is considered.

Regarding the point in this proposed legislation about the lack of representation of the Northern Territory Police Association on appeals from sergeant first-class to inspector ranks, I can see the point that the association is making in its objection to this. I think it is more important that the rank a person hopes to end up with be considered as a priority rather than the rank he held when he made the appeal. He may have been an excellent sergeant first-class but he may not make an inspector because different things have to be considered in the commissioned ranks as against the non-commissioned ranks.

Mr ISAACS (Opposition Leader): Mr Speaker, I would like to support the remarks of the member for Nhulunbuy. If the matter is a question of competency in the Police Commissioner, as the member for Tiwi says, I would have thought the competency of his appointments would have been reflected in how the appeal system worked. What we did not hear from the Chief Minister was what the problems were with the current system. Why should we change it? I would have thought that an individual's appeal rights were very important. They ought not to be done away with without very careful consideration.

Quite honestly, I am not impressed by an argument which says that the Police Commissioned Officers Association is satisfied that, as it is currently constituted, it is prepared to do away with its appeal rights and therefore that will apply to those people who make their way up into the commissioned ranks. I would have thought that appeal rights were fundamental to a person's appointment in a government office. I do not know if the appeal system has been clogged up. Perhaps that is a problem. Perhaps the Chief Minister might tell us.

It is quite apparent that the Police Association itself, which represents a significant proportion of the police officers, is most concerned at the manner in which the legislation has been introduced and its substance. It is quite clear, from what they have said, that they were not involved in discussions, although the Chief Minister made great play of the fact that the commissioned officers were. They see it as a fundamental right which they have, and which has been recognised and accepted, being taken away. I simply make the point again which the member for Nhulunbuy made: where these rights are in existence, we must look at why we should take them away.

I have a great deal of confidence in the competence of the Police Commissioner. The immediate effect he had on the police force when he took over was remarkable. It has been put to me recently that that effect is waning but I guess that is a matter of opinion. It seems to me that one way to destroy morale in the police force is to give the Police Commissioner power to appoint people to certain positions in the force and not have that subject to appeal. One way to ensure that you have malaise and discontent amongst the other ranks

and the other officers is to have a situation where the Police Commissioner has sole control over who is appointed to which particular plum. I would think that, if the commissioner is competent, as I believe this one is, then his decision will stick and no appeal tribunal will be able to overturn it on the basis of the best person for the job. But there is one way to destroy that morale, there is one way to increase the malaise amongst the other ranks and that is to provide a situation where the Police Commissioner has the total say as to who is promoted to which particular position.

I think the points made in opposition to proposed section 11 are valid. I believe it would be a retrograde step indeed to take away those rights for the reasons that have been outlined and I would ask the Chief Minister and other members to question whether or not a case has been made out for the exclusion of those rights that are in existence at the moment and which operate, I believe, to the advantage of the police force as a whole. To remove them would be to create the sorts of morale problems which we certainly do not wish to have in the Northern Territory Police Force.

Mr ROBERTSON (Education): Mr Speaker, it seems to me that we have general agreement with the bulk of the legislation before us with the exception of the provision removing appeal from prompt promotions from first-class sergeant to first-class inspector ranks and beyond inspector ranks right through to the top. It is to that which I wish to address myself.

We have heard extracts from the letter. I understand there is now a far better basic understanding by the Police Association of the impact of this legislation than was the case when that letter was written to the Chief Minister. The position at the moment is that there are currently 3 first-class sergeants who have inspector eligibility; that is, they have passed their inspector's barrier exam. There has been ample opportunity for them to operate under the existing legislation. There have been 4 appointments to the inspector ranks recently. Every person who is currently eligible for appointment to the inspector ranks presently has the right of appeal against more positions than there are people who are eligible. No one will be precipitously disadvantaged by the advent of this law.

The prime question here concerns the industrial organisation which is most affected by this piece of legislation and which is satisfied with it: the Police Commissioned Officers Association. I have the approval of the President of the Police Commissioned Officers Association and the Police Commissioner to inform the Assembly as to the arrangements that have been entered into between the Police Commissioner and the Police Commissioned Officers Association. I cannot think of a better system for what is a para-military organisation. That is how the police see themselves and I take issue with the member for Nhulunbuy who said that the police want to see themselves as public servants. Indeed, they do not. This is something that they have steadfastly resisted and I do not blame them. It is a dangerous, difficult, demanding job of a very specialised nature.

When we are talking about the commissioned ranks, we are talking about highly-specialised, highly-trained executives. Let us face it, a commissioned officer at the rank of inspector starts off at \$20,000-plus a year of the taxpayers' money. By the time he gets to Chief Superintendent, he is getting about \$32,000 a year. He is a senior executive of what is a para-military organisation. If we equate the system of promotion through the commissioned and indeed the non-commissioned ranks in any other para-military or military organisation, it is a matter for the commanding officers who have the difficulty of carrying out very difficult assignments and being placed in a position of having to trust impeccably the people who execute their orders in these difficult situations.

The system which has been evolved by agreement between the Police Commissioner and the Police Commissioned Officers Association is a very comprehensive one indeed. There are 8 heads of agreement between the Police Commissioner and the Police Commissioned Officers Association. A selection panel will comprise, whenever practical, the 3 Assistant Commissioners of Police. It is not just a matter of the Commissioner of Police simply sitting in splendid isolation and deciding that Fred Bloggs will get the plum. What an extraordinary term for the Leader of the Opposition to use. The 'plum', as he puts it, is nonetheless a very difficult and a very responsible command position. 'A panel will be established to advise the commissioner. The panel shall consider all of those matters which are contained in the NT Police Manual relative to the objectives of the job' - these are unit specifications, job profiles and the objectives to be achieved - 'and to any particular contained in the Gazette notices of vacancy'. Again, there is nothing underhand about this. It will be gazetted as a position being vacant.

'In formulating the recommendations, the panel shall make whatever inquiries are necessary from any source so that each member satisfies himself that he has in his possession all relevant material reasonably available to facilitate a proper assessment'. Again, we have the 3 most senior officers of the police force independently charged with the responsibility of recommending to the commissioner on a wide range of criteria in order to properly advise the commissioner as to which of the applicants is the most acceptable for the position. 'Each member of the panel will use the officer promotion assessment pro forma to assist in the formulating of an opinion of the applicant's performance and potential'. Again, there is a thorough investigation by each member of that panel.

We come to an appeal provision. Some people opposite might argue that it is an appeal to Caesar from Caesar's decision but it is not because it is an appeal effectively from the recommendations of the panel. 'If any applicant is aggrieved by the assessment or any recommendation contained therein, he may, within 7 days, seek an appointment with the commissioner for the purpose of discussing the assessment or the recommendation'. We do have in effect a panel which makes recommendations to the commissioner but that panel must disclose to the applicant the nature of the recommendations to the commissioner and the nature of the comments on the applicant. If dissatisfied with those comments, the applicant is perfectly at liberty to go to the commissioner and have the matter corrected.

'Further, in the event that a candidate seeks an appointment with the commissioner, the commissioner shall not promote any other candidate until such an interview has taken place'. Again, we have a further check and balance. The commissioner, by agreement with the Police Commissioned Officers Association, will make no decision until such time as everyone has had a proper hearing. We would always hope that a commissioner of any police force is a responsible officer. With these guidelines being properly carried out, there is very little risk of any abuse taking place. The Commissioner of Police, in consultation with the Police Commissioned Officers Association - and the president of that association was within my hearing when this matter was discussed this morning with the Commissioner of Police - had decided on the suspension of examination beyond the rank of inspector. The commissioner is working towards what would probably become an associate diploma in police operations. This is a certificate which is being organised through the cooperation of the Darwin Community College and the police college in Victoria.

What the commissioner is aiming for is a highly-specialised professional elite of police officers to hold commissioned rank. In the transit time between now and when the first officer comes out at the associate diploma level, quite

clearly there will be a hiatus. During that time, it will be a matter for the Police Commissioned Officers Association and the Police Commissioner to co-operate very closely in order to see the best possible people during that interim are made available to the commissioner for the carriage of the difficult duties that I alluded to earlier. Even after the associate diploma is awarded, the commissioner has clearly to make other judgments of his officers prior to appointing them to senior rank.

We have had a fairly interesting campaign by the Northern Territory Police Association. I am somewhat disappointed in the tone of the correspondence although I suppose, when one is fighting for what one believes, it is reasonable to express oneself as one sees fit. I must take objection to any suggestion which may have been contained in these letters, and which may have been reinforced by the opposition, that there is any clandestine plot to ram this legislation through. We were here last November and here we are now at the end of February considering it. That is hardly what one would call 'Sneaky Pete' at his best. In addition, there have been advertisements in the newspapers inviting comment.

The concern of this government in bringing forward this legislation is to facilitate an efficient and harmonious police force. The Leader of the Opposition mentioned earlier a possibility that the government might have been thinking in terms of the appeals system being clogged up. I do not think it is true to say that the appeals system is being clogged up. The Leader of the Opposition also said that, if the commissioner is any good, no one will succeed in an appeal anyway.

What has happened is not a clogging of the appeals procedure. The commissioner has made appointments of commissioned officers and there have been appeals that have been very bitterly contested. It is this that has caused a drop in morale - officer against officer, policeman against policeman. It is now being recognised, at least by those in the commissioned ranks, that it has achieved nothing because the commissioner was right in the first place. It has been agreed by the Police Commissioned Officers Association that it has been counter-productive to morale. It is the sort of thinking in relation to trust in your commissioner and a recognition that appeals of that sort do nothing but cause the difficulty that gives rise to the legislation we currently see before us. It is a result of agreement between the commissioner and the most immediately affected association and a desire for efficiency in promotion which will mean an efficient police force.

Mr EVERINGHAM (Chief Minister): Mr Speaker, after listening to my colleague, the Minister for Education, there is really very little for me to say in reply. My colleague refers to the police as a 'para-military force'. I must concede that they are. I prefer to term them 'a disciplined force'. I think that it is in pursuance of that ideology that the core of this particular amending bill has been put forward.

My colleague has covered almost every point but I would like to reiterate what I said earlier. The provisions for appeal against promotion in respect of officer rank apparently sneaked in at the time that we were transposing the administration from the Police and Police Offences Act and some reliance on the Public Service Act to the Police Administration Act. I refer honourable members to my remarks in that regard in my second-reading speech.

As to allegations that this bill has been introduced and processed by stealth, they are simply ridiculous. They display an element of paranoia on the part of the person who wrote the letters. He first wrote to me on 15 December and I replied. There has been no request to me for a meeting with the

association's representative or the executive of the association. A day or so ago, I received this extraordinary letter out of the blue. It really is little short of extraordinary and I suspect that it results from certain other plans of the gentleman coming rather unstuck. I can simply put it down to that.

The simple fact of the matter is that assertions made in the letter are quite incorrect. It says that it is a unique situation in the police forces in Australia. In at least 2 other police forces in Australia, the situation we are proposing by this amendment is the same. We will be putting our police force back into the position it was prior to the passage of the Police Administration Act.

I have one very good reason for pressing this amendment. It has been put to me by security authorities that Darwin is a potential prime target for any terrorist activity taking place in Australia for the simple reason that Darwin is closest to Asia and other areas of the world. The Northern Territory Police Task Force will be responsible for containing or terminating any terrorist attack that takes place on Darwin for the first 36 to 48 hours after that attack takes place. That is one very strong reason why the Commissioner of Police in the Northern Territory must have a right to select his own officers and not be subject to appeal. I believe that the right should be there anyway because much is expected of the Police Commissioner. In many states in Australia, the history of Police Commissioners is a sorry one. If they are required to produce so much, they should be given a certain amount of flexibility. I support this bill quite wholeheartedly.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 6 agreed to.

Clause 7:

Mr LEO: I move amendment 21.1.

Clause 7 will create divisions between the non-commissioned and the commissioned officers. The government alluded to an elite force within the police force. I believe that is what it said. I think it is divisive. It will do much to destroy confidence within the police force, especially amongst the ranks of the non-commissioned officers.

Amendment negated.

Clause 7 agreed to.

Clauses 8 to 10 agreed to.

Clause 11:

Mr LEO: I invite defeat of clause 11.

Clause 11 varies the rights of appeal between ranks. We have already heard from the Police Association on this matter. Its members have had the right to appeal on promotions across the officer ranks. The Chief Minister said that, in at least 2 other police forces, this right of appeal is excluded. I also see in the letter that the Police Association wrote to the Chief Minister that, in Tasmania and Victoria, this right of appeal is in fact in the hands of the police association non-commissioned officers. As the letter from the Police

Association to the Chief Minister says: 'It is doubtful whether such an amendment would succeed anywhere in the Commonwealth when the 500 members of the Police Association regard it as being iniquitous and a denial of a fundamental right under their present conditions of service, and a right enjoyed by members of almost every other police force in Australia'. That right is enjoyed by policemen in most other forces in Australia but certainly in 2 forces to my personal knowledge. I would ask that this clause be defeated.

Mr EVERINGHAM: If it is to be a question of how much you can throw on the scales from either side, I would like to say that it is not enjoyed by 2 other police forces in Australia that I know of and it was not enjoyed by the Northern Territory Police Force until the passage of the Police Administration Act. We have canvassed this, Mr Chairman. The Minister for Education has put the arguments far more cogently than I could and the simple fact of the matter is that the Police Association has regarded this matter with such urgency that it first wrote to me on 15 December. It received my reply not long after and it then wrote to me again the other day. I replied immediately but it has not sought a meeting with me on the matter.

Mr ISAACS: Wouldn't it be a marvellous thing if, when a minister gives his second-reading speech, he would spell out exactly what the intention of his bill was and the rationale behind it? We have had 2 speeches from the Minister for Education and the Chief Minister which introduced totally new material which certainly add to the arguments. We are required now to try to debate with them in the committee stage. Normally the Chief Minister is specific in his second-reading speeches and it is not a general criticism of him as it is of course of the Minister for Health who says absolutely nothing in his second-reading speeches. When ministers give their second-reading speeches, how about some substantiation of the matters raised so that there can be proper debate?

I think that there has not been sufficient debate on clause 11 and I would like to take up some comments which have been made by the Minister for Education and the Chief Minister. They have tried to purport that what has happened is that the Police Association has become paranoid and believes that the government is trying to push through the legislation by itself. I must admit that, when you look at the letter of 20 February 1981, the Police Association secretary says something to the effect that it can only be seen as an attempt to get it through without the association's knowledge. That is obviously farfetched.

However, the complaint is that the Chief Minister said to them in 1979 that, when the government introduced legislation which affects the association and its members, it would talk with them. That has not been denied by the Chief Minister. The government did not speak to the Police Association prior to the introduction of this particular piece of legislation. I would like to give him that opportunity to deny it. That is the point that is being made. I think the choice of words in that letter of 20 February is unfortunate. I think it is intemperate. Clearly, the complaint is that Police Association members are being affected by legislation without prior consultation with the government. I think it is a point well taken and ought to be taken on board by the government.

The matter of whether or not the appeal provisions were there prior to the introduction of the Police Administration Act is of very great moment indeed. One of the complaints of the police officers in the administration of the police force under its previous commissioner was that the commissioner was making appointments which were not seen as being based on merit. I do not want to go into the argument of whether or not they were based on merit and the competence or otherwise of the previous commissioner, but it was a matter of concern to

the members of the force that these appointments were made without the right of appeal.

I believe that there has been bitterness. We have seen the overturning of the old system. It is a matter of getting the bugs out of that system. I would think that, if it has been bitter in the senior ranks of the force because of what has transpired in the past, it may well be that it is a matter of history. Appeal provisions could now be used without rancour. Quite contrary to the Minister for Education, I feel that appeal rights are necessary to maintain the morale of the police. I disagree with him totally. I believe that their removal will act against the interests of high morale.

The Chief Minister talked about Darwin being a possible target for terrorist attack. I know that the police are taking it very seriously and I am pleased that they do. I am sure that members in the parliament are pleased that they do. Let it not be said that, because we oppose this particular provision of the government, we take this matter lightly. Far from it. It affects this very question of the morale of the force and how they feel about their Police Commissioner. It may well be that the appointments will be made after the very complex procedures that the Minister for Education outlined. I am pleased to hear that. It is the first time that has ever been mentioned. It does go a long way to allaying and assuaging peoples' fear about it. However, it still seems to me that the appeals system will ensure that the rights of police officers and non-commissioned officers are retained. It will not be abused. They will know that the commissioner makes his decisions based on good advice. The rights of the individual officers ought to be retained and the amendment of the member for Nhulunbuy will achieve that.

Mr EVERINGHAM: All I can say, in spite of that, is that the officers association has clearly indicated its agreement with this amendment.

Clause 11 agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

#### ADJOURNMENT

Mr DONDAS (Transport and Works): I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Some time last year, I enjoyed in my home the presence of 2 good friends, Frank Hodgkinson and Clifton Pugh. Since we are all witty, cultured people, we are aware that these 2 men are artists of some renown in Australia. They had been brought to the Northern Territory and went out bush on safari and did some magnificent paintings. In fact, they held an exhibition in Darwin which was well attended and I think the Chief Minister acclaimed the exhibition as well worth while.

I am starting to worry about entertaining in my home these 2 honourable gentlemen and close friends of mine because I see - and I quote from this evening's NT News - that they have very much put Darwin on the map. I quote from the News: 'Nude portrait row. A painting of 2 naked men entered in the prestigious Archibald Prize for portraits to be judged this week has created a furore among Sydney art lovers. The painting by Frank Hodgkinson portrays Melbourne artist Clifton Pugh with no clothes on, holding a pipe and a palette, and also a naked Dr Colin Jack-Hinton, Director of the Northern Territory Museum, seated at a card table'. I restrain from further comment.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would now like to speak on something on which I have spoken before: roads in the rural area. A lot of publicity was given in the press on the bad condition of the roads at Berrimah, and not before time. I have mentioned this before and when the amendment to the local government legislation comes up, I will be speaking on it again. I have written to the minister about it on a number of occasions and I have been to see public servants in the relevant department. I refer to the rates which people at Berrimah pay and the roads they have to put up with.

We all know we have had excessive rain this wet and perhaps conditions have been a little bad. To put it mildly, they have been bloody awful at Berrimah. I do not know whether I am allowed to say that, but that is the only description for them. One particular road had pot-holes 2 feet deep at least. The people who live along the road or have businesses along the road could not get through. The only things which could get through were the loaded trucks travelling to and from a couple of quarries in that area. While I do not want to restrict private enterprise, I feel that, with the road in such a condition, some weight limit should have been put on the road. I do not know if that is practicable. I spoke to the traffic police about it and I approached Transport and Works officers about it. There could be some relief for the people in the future, but it will not be for the people who live in Berrimah and it will not be because they pay their rates. I might add they have no objection to paying rates provided they receive a little bit of value for the money expended.

I asked the Minister for Lands and Housing a question and he told me that it is proposed to establish a cemetery on the eastern end of section 110 in Berrimah. I was also told the new police headquarters will be on part of section 34 and, at a later date, on portion 1154. There is no way in the world that the cemetery authorities and the police - and I do not know if there is any relevance that the cemetery and the police will be in the juxtaposition - will put up with the condition of the roads as they are now. McMillans Road years ago was a gravel road. It was thought that it was not fitting for bereaved relatives to be following a hearse with the coffin bouncing around on the gravel road. It was only fitting that the corrugated and pot-holed McMillans Road should be bituminised. In like manner, I feel that the road to this particular cemetery will be bituminised. It is pretty hard on the people living at Berrimah to have to wait until they are dead to have their road bituminised. Nobody has any complaint about the establishment of a police headquarters there but neither of those 2 establishments will be paying the rates the people in Berrimah are paying now and have paid for a number of years.

It was not only this particular road, Brandt Road, that had 2-foot pot-holes with water in them. I drove down Shoal Bay Road and it was for all the worldlike being in the dykes area in the north of Germany or Holland. There were waving reeds coming up through the water. The water came up either side of the road; there was a sea of water. These are only 2 roads; the others were in nearly as bad a state. I feel that not enough consideration is given to the just demands of the people who live at Berrimah. They have put up with these roads for a long time. Even when and if the roads are bituminised in that area - and I understand there will be a bitumen Palmerston Highway going through there - it will not be built in for their benefit. It will be for the benefit of people who drive through Berrimah. No doubt the people at Berrimah will obtain some benefit but it will not be primarily for their benefit.

I would like to correct an impression that one of the honourable members may have taken from something I said yesterday about dingoes. The Minister for Primary Production and Tourism understood that I said dingoes were cowardly. I would like to correct this. At no time nor place have I said that



dingoes are cowardly. I am sorry for the misconception that I may have engendered in his mind. I did say that dingoes run away from trouble if they feel they cannot handle it. If an animal cannot handle something at a particular time, it is wise for it to go away and come back and fight the next day.

Mr STEELE (Primary Production and Tourism): Mr Speaker, the member for Victoria River asked me yesterday if I would inform the Assembly what research is being done with regard to the adaptability of tropical fruits, nuts and vegetables in the Northern Territory and if there are any plans to develop a plant nursery.

The reply is that there is a great deal being done in this area, particularly regarding tropical fruits and vegetables. The major project is being carried out with the help of rural credit development funds. It is to extend the length of the growing season of temperate climate vegetables by varietal selection. The second project is to extend the vegetable varieties available for cultivation in the wet season. The projects are concentrating mainly on tomatoes, the cabbage family, cucumbers, rock melons, water melons etc with a view to identifying the most productive varieties for both local consumption and possible export markets. Over 200 varieties of tropical and temperate vegetables have been tested with a number of promising varieties being identified. The program will be expanded in the near future.

The department is involved in joint research with the CSIRO Division of Horticultural Research. The project commenced in 1975, concentrating mainly on mango and avocado varieties but including a number of exotic tropical fruits. Over 110 varieties of trees have been imported and grown at Berrimah Experimental Farm. Also there has been recent interest in the commercial production of cashews and mangoes. The department has available suitable grafting material for propagation by commercial nurserymen. There are no plans at present to develop a plant nursery.

I would like to say a few words about the item I raised in response to a question from the member for Port Darwin. I note the Northern Territory News has inflated the prospective figure by \$1m. I will restate some of the functions of the Agricultural Development and Marketing Authority so that the importance of what has been said this morning will not be lost. The authority is acting both as a closer settlement body, which will involve the purchase or acquisition of land for subdivision and subsequent settlement of farmers on that land, and as a marketing body. As a first priority, the authority is to demonstrate that commercial farming in the high rainfall zone of the Northern Territory is economically viable. Priority is being given to establishing the first project farms. The settlement schemes that have been undertaken in other states have invariably been based upon an extension of an established land use system and proven agricultural technology. In the case of the Northern Territory, the agricultural technology has yet to be developed at the commercial level. It is for this reason that the project farms are considered an integral part of the success of the overall program. I can only restate that, if the land is not made available one way or another, the government's plans for the project farms during 1981 will be put back a full 12 months.

Mr B. COLLINS (Arnhem): Mr Speaker, the Chief Minister in the last day or so has been making a great deal of comment about the federal government's refusal to assist the Northern Territory government in funding the 5-year plan for the improvement of Aboriginal communities. This is something which the opposition wholeheartedly supports. We also urge the federal government to make those funds available urgently for the provision of better sanitation and environmental health conditions for the Aboriginal people of the Northern Territory.

The Chief Minister accused the federal Minister for Aboriginal Affairs, quite rightly, for trumpeting abroad the dreadful state of Aboriginal health in Australia and not, at the same time, coming good with the funds. However, considering his own government's performance in the same field, there is a great deal of pious humbug in what the Chief Minister has had to say. We have discussed this before in the Assembly. Certainly, the federal government misused money and spent it on white elephants. The Chief Minister spoke about it yesterday and he has spoken about it on a number of other occasions: spending enormous sums of money which are supposed to go to the benefit and improvement of Aboriginal life on white elephants, things which are no good to anyone! Mr Speaker, in consideration of the government's own recent performance in this particular area, I would be very surprised if the Chief Minister could accuse anybody of that self same thing. In fact, I have no doubt that it must be a consideration of the federal government in refusing to grant this extra money. Certainly, a consideration would be the Northern Territory's mismanagement and misdirection of those very same funds.

We have raised in this Assembly before the minutes of a meeting that was held by senior government officers on the money that is to be spent on remote communities. I hope all members will remember that this 5-year plan was instituted as a result of a report, tabled in this Assembly by the Minister for Health, on the environmental health of Aboriginal communities. These are the minutes of the task force which examined how this money was being spent. I quote from the minutes again: 'Mr chairman asked members for their views on the implications of the budget outcome. Discussion ensued on the provision of airstrips to Metroliner standard. Mr Sinclair advised that \$1.2m of funds available for 1980-81 would be needed for the upgrading of airstrips to Metroliner standard and \$0.3m for the upgrading of the Hooker Creek airstrip. This would mean that \$1.5m would not be available for new projects set aside in the capital works program. The chairman drew members' attention to the apprehension felt by the department that the capital works program for remote communities was being absorbed into the priorities of the total works program of the Northern Territory government'. This is a program specifically for improving Aboriginal health; the very things the Chief Minister has been on about in the last couple of days. 'Members generally agreed that priorities that were enunciated in the Chief Minister's statement in April 1980 have now been altered as a consequence of political decisions with an emphasis on the upgrading of airstrips to Metroliner standard. This had an important effect on the first year of the program. Dr Gurd requested that it be noted that he preferred the use of the word "detrimental" rather than "important". The task force then went on to say: 'The need for an explanation for some Aboriginal communities as to why the building and the sanitation and the improvement in the health services was not going to proceed was discussed by the chairman and he felt that the government should be sparing in its communication to Aboriginal communities to ensure that only essential information is conveyed in plain terms'.

The text of all that has been commented on in this Assembly before. The government put aside huge amounts of money that, according to their own front bench, were specifically set aside for the improvement of Aboriginal health, something which the Chief Minister has been describing in the last 24 hours in the most emotive terms. That money was spent on upgrading airstrips for an aeroplane that no longer exists. It has gone.

Yesterday, the Treasurer made an extraordinary statement when he said that the opposition, in its criticism of the government's handling of Northern Airlines, had not commented at all on the poor choice of aircraft early in the piece. I do not know what more I was supposed to say on the matter. I raised the reservations I had on that aircraft. I raised the reservations I had about an aircraft that needed \$10,000 worth of propellers fitted to it after every

300 hours of service. That is just the cost of fitting new props. It raised it before the Assembly. I raised the problems of the 3-ring circus that Northern Airlines was becoming. I raised the matter of the incredible cost of replacing props on an aircraft which was demonstrably unsuitable for the job that it was doing.

Now the Chief Minister has said again and again: 'East West Airlines said we did not support them. Look at the money we spent on upgrading airstrips'. I would just like to spend some time commenting on that. What a ridiculous statement to make! I went as far as I felt I possibly could in this Assembly in raising the apprehensions I had about the choice of that aircraft. I do not care who the Chief Minister says advised him. What a ridiculous proposition! I accuse the company of being culpable in the choice of aircraft it made.

I spend a lot of time on aircraft. I talk to the pilots, the ground staff and the engineers whenever I see them. What I do know about the aircraft industry is that the overheads in that industry are staggering. When somebody invests millions of dollars in a piece of capital equipment, it has to start making money straight away. Nobody can afford to have a \$1.5m aircraft sitting around for 24 hours particularly when you have two \$1.5m aircraft waiting to earn money. What a nonsensical proposition it was to spend millions of dollars improving the conditions to suit the aircraft instead of purchasing aircraft to suit the conditions. What a nonsensical proposition! I did not want to be criticised for mindlessly knocking a new enterprise but I was concerned. I raised my concerns in this Assembly and I condemned the Minister for Transport and Works for sitting on his hands while Northern Airlines conducted a 3-ring circus surrounding those aircraft.

The Chief Minister, in the last sittings of the Assembly, completely backed the choice of Metroliners despite the fact that the member for Sanderson had commented on it. I had commented on it. I do not know what more we are supposed to say. The Deputy Chief Minister said we never talked about it. It was clear right from the word go that the choice of that aircraft was a disaster and it substantially led to the staggering financial costs of the airline. The overheads were staggering. The aircraft had to start making money right then. What a nonsensical proposition for the Chief Minister to support that any airline will keep millions of dollars of aircraft hanging around with half the seats filled up waiting for the airstrips to be fixed up so the aircraft can land on them. How did the Chief Minister think or the Minister for Transport and Works think that the airline was going to sustain the losses? Were they going to print the money for 3 years while the airstrips were brought up to standard? It was a nonsensical decision.

Many months ago, I could see how completely unsuitable these aircraft were for bush strips. I was talking to pilots about it and I asked them why they bought them. The answer was that they knew the aircraft was not very suitable but they understood it was chosen mainly because of the good financing arrangements that were arrived at with the company. Of course, that is a big factor when you are considering buying aircraft. The charter operator will tell you that various manufacturers offer better or worse deals on financing the planes because of the colossal cost involved in buying them. It did not escape anyone's notice at that time that East West Airlines have a 20% interest in the company which distributes the Metroliners in Australia. In fact, the chairman of East West Airlines is a member of the board of the company that distributes the airlines.

I have no doubt that it was a commercial decision to buy the aircraft. They were demonstrably unsuitable for the job they were being asked to do. What a nonsensical proposition for both the Chief Minister and the head of the

Department of Transport and Works to support. They were going to spend millions of dollars getting airstrips ready for an aircraft to land on. The aircraft had already been purchased; it was accruing monthly operating losses. It was going to sit around for 3 years with the company somehow sustaining these losses while the airstrips were made ready for the aircraft. What a stupid decision! It was not that I did not try to get the Department of Transport and Works active on questioning it. The minister sat around on his hands and we had this nonsense about the training involved with that aircraft. What rubbish that was! The pilots were being sent off to stay in Sydney. They were in Alice Springs when the aircraft were in Darwin and they were in Darwin when the aircraft were in Alice Springs.

This was not a small matter. The activities of the airline in this respect was something which was obvious to everybody with half an eye. It was obvious to the Minister for Mines and Energy in April last year. His perspicacity and political judgment on this matter seems to have been far better than that of the Chief Minister. It was obvious to anyone who travelled on the airline that the aircraft was not suitable. I am not saying the company can escape the blame; of course, it cannot, but what was the Minister for Transport and Works doing about it? Absolutely nothing!

For all the economic judgment of the Chief Minister, I doubt very much whether he and the Minister for Transport and Works in partnership could organise a franchise on a public toilet because certainly their economic judgment seems to be out. I would ask the honourable members to quietly consider the proposition that you have something like \$4m or \$5m tied up in 2 aircraft, spare parts, engineers, training and everything else yet the aircraft cannot land on the airstrips. They are going to wait for X period of time while the government spends millions of dollars on upgrading the airstrips to the aircraft's standard. I do not care who put that to the Chief Minister: he will probably say East West wanted them to do that. What a demonstrably stupid decision. The charter industry was laughing itself sick all last year. What a stupid proposition: you buy the aircraft but you cannot fill the seats because you cannot land on the airstrips. You park it or send it down to Alice Springs and then you gradually send contractors out to upgrade the airstrips while the aircraft is losing money hand over fist running on routes that it cannot land on.

What a stupid proposition, not just for the company but for this government to back it as the Chief Minister did as late as the last sittings of the Assembly when the opposition once again raised this matter. The Chief Minister talks about the federal government misdirecting funds on white elephants! There is no bigger white elephant in the Northern Territory at the moment than the airstrip at Maningrida. It looks like Mascot from the air; it is a bitumen airstrip with taxiways and everything else. You land in your little 206 and you take up about 200 yards at the end of the tar strip. Talk about white elephants!

The money that this government specifically stated again and again was being set aside for improving environmental health in Aboriginal communities was redirected to upgrading airstrips to Metroliner standard. It is also a fact that, almost within weeks of the first airstrip being completed, the aircraft for which it had been upgraded no longer existed. The Chief Minister talks about the federal government misdirecting Aboriginal money that should have been spent on something else. He is culpable of one of the worst single examples of creating a white elephant with money that should have been spent on sanitation, housing, better roads - the very things that the 5-year plan is supposed to fix. It is no wonder that the federal government has a few doubts about putting any more money in the hands of such an incapable Chief Minister.

Mr ROBERTSON (Education): Mr Speaker, at the outset, I wonder if you would extend my sympathy to the Hansard staff in trying to keep up with that million word a minute diatribe. About seven eighths of the way through his speech, he asked us to quietly sit down and think. I will try to be a little slower and a little quieter and perhaps a little more thoughtful without sitting down. Mr Speaker, the honourable member quite clearly reflected upon previous debate without comment from anyone. I suppose that settles the law as to adjournment debates and reflections upon previous debates so I will do so myself.

Yesterday, the honourable member for Arnhem, in the debate on the Teaching Service Bill, did again what I suggested was a very dangerous practice - the practice of anonymously maligning someone without checking all of his facts. Last time, it was Mr Mollison versus the Secretary of my department. On that occasion, the only way that I could have defended the Secretary of my department would have been to malign Mr Mollison. I chose not to although I did point out that his qualifications and his grand experience were not quite what he had indicated.

What we heard yesterday was a conscious, deliberate mixture of distortions, deceptions and blatant fabrications to malign a very easily identifiable officer of my department, a fine officer, someone in whom I have a great deal of confidence. I think that one of the great shames that I have come across in this Assembly is the method which the honourable member for Arnhem uses to go about the character assassination of people he may - and heaven help the Territory if he ever becomes Minister for Education - have to work with.

Mr Speaker, in order to attack that officer, we had a similar vehicle used to that which has become known as Tux of the Yukon'- a very clever play on words. Of course, he gave us about a tenth of the story in order to assassinate that officer. Not only were his facts in respect of this whole matter of the teacher who was refused reappointment in the Northern Territory so utterly inaccurate as to seriously hurt a person who has been involved in education in the Northern Territory since 1966, a person whose own peers have recently had so much confidence in him as to recommend him for Band 4 level, not only were his lack of facts so obvious in trying to assassinate that person for his own vainglorious exercise in this Assembly yesterday, but he also, because he did not check his facts, maligned the Darwin Community College by implication. Quite obviously, in saying that the man was a lecturer at the Darwin Community College, he implied, quite deliberately, that that gentleman was a lecturer in teacher education and, by implication, is poisoning all the other people down the line with his form of venom in his letter writing.

Once again, he has totally misled this Assembly. The person is not a lecturer at the community college at all. He has not shifted his position at all; he is still a senior officer in the Department of Education. If the honourable gentleman does not believe that he said he is a lecturer at the Darwin Community College, I would refer him to the third paragraph of page 39 of the uncorrected Hansard of yesterday. I quote: 'The officer concerned is now lecturing at the Darwin Community College'. It was deliberately done to implant certain suggestions in the minds of the people here, in the minds of people who would read that in Hansard and anyone in the press who might pick it up. Mr Speaker, it was a totally and utterly irresponsible act.

What really was the officer responding to? I have in front of me a notice of resignation. I will not table it because that would disclose the name of the officer who was attacked in this place under the protection of privilege. He is unable to defend himself and is easily identifiable. When the member

began his attack, I indicated to the Chief Minister the name of that person as a result of the first sentence of what the honourable member for Arnhem had to say.

Mr B. Collins: Stupid letter.

Mr ROBERTSON: We talk about stupid letters, do we? What I have in my hand, Mr Speaker, is a notice of resignation. Look at what the honourable member for Arnhem had to say about his departure: 'This officer left the department and took the trouble when he resigned from the department to advise the department of his reasons for resignation and his dissatisfaction with the state of affairs'. Incidentally, let me say that the teacher we are talking about was a good teacher. On the information I have been able to gain, his classroom teaching was excellent. Let us start to make it easy to identify people - he taught at that excellent high school, Casuarina. Its academic results are excellent. This teacher was excellent. But what we are talking about is the response by an officer of my department to the kindly and gratuitous advice to the department as to why he left. He took the trouble when he resigned to advise the department of his reasons for resignation and his dissatisfaction with the state of affairs. One would think that that meant that he was cooperating with the department and this nasty officer in my department, for some vicious reason or other, wrote him odd letters.

Let us have a look at it. The normal form for resignation from the Commonwealth Teaching Service is there: reasons for resignation. It was not referred, as the rules require, through the principal. It has no signature of the assistant principal. It was handwritten, which I do not mind, and was virtually sent out of the blue after departure. It goes something like this: 'Personal and family reasons for moving to Sydney: deplored by pathetic standards of education in NT and notable lack of talent mainly in senior Band 2 teachers'. Do you know why he says that, Mr Speaker? Because a panel of his peers as Band 2s refused him eligibility as a Band 2. His objection was not with the department. It was with peer assessment. The coup de grace in all this is that the member for Arnhem - because he has tried to mislead us into believing that one gentleman is Pius and the other is the Devil - forgot to mention that, when the teacher signed his signature and a date, 2 January 1980, he put after it 'Deo gratias' which means 'thanks be to God'.

Mr B. Collins: That's right. He's a good Catholic.

Mr ROBERTSON: We are still flippant about character assassinations on the other side. The attitude of the member for Arnhem is so typical and so damned annoying. He will use any distortion for a purpose. The fact is that this teacher finishes off a resignation by saying, 'Thanks be to God that I am out of it'. Two years later, he writes an application to return to the same system with the same circumstances and wonders why that system is somewhat reluctant to re-employ him. I do not know whether the member for Arnhem has ever employed anyone but I would hope that, when he does, he has a better sense of people who fit in with systems and who can cope with systems than that. Remember, I have already said that the man is a good classroom teacher on all the information available to me.

Mr Speaker, no wonder officers of the department get a little bit annoyed. We heard from the member for Arnhem the other day that there was a misspelling of the name 'Senator Ted Robertson'. What he did not do of course is tell us what else was in the letter. I know how this government feels about blatant blackmail. The Chief Minister has referred on a number of occasions to undue pressure on the public sector. I think any person responsible for personnel would feel sensitive about people threatening him. 'If you don't give me a job,

I will be taking the matter up with the following people and organisations:

(1) The Northern Territory Teachers Federation'. Indeed he did. So just is his cause that this gentleman slices up an officer in my department and assassinates everything that my people are trying to do.

The federation itself would not even touch it because it believed that the damn thing was not warranted. The federation itself has never supported this person whom the member uses to assassinate a senior officer of my department. '(2) Members of the Northern Territory Legislative Assembly'. That is some threat. '(3) The Northern Territory Trades and Labour Council' of which this gentleman happened to be secretary for some years. There is a threat to the department: 'I was twice re-elected as Secretary of the Trades and Labour Council so listen here little officers of the Commonwealth Teaching Service, that ought to scare you and blackmail you into giving me a job'. The list continues: '(4) The Director of Education in the NT'. Remember, this is before self-government. '(5) Senator Ted "Robinson"; (6) the Commonwealth Ombudsman; (7) members of the Darwin media. If you do not give me a job under my terms and change the system to suit me, I will go to the media. Naturally, I hope that none of these steps will be necessary and look forward to hearing from you shortly'. In other words, 'If you do not buckle under what I am putting to you, then those threats will be implemented'.

As I said, the member for Arnhem wants to use this place to peddle his own pets, assassinating easily identifiable officers - a person who has been in the Northern Territory education system since 1966 and one of the finest people I have known in the education system. He is certainly one of the most dedicated people in the Northern Territory. I would not know what his politics are. I have never asked him and that is on record. I would not have a clue. I do not care. He is a competent, fine officer and he does not deserve to have his character besmirched all over the walls of this Assembly. It does this place no bloody justice; it most certainly does the honourable member for Arnhem no justice!

Mrs LAWRIE (Nightcliff): Mr Speaker, I think there should be a degree of cool, calm reason inserted into this Assembly.

Mr SPEAKER: The member for Nightcliff has spoken in the Adjournment.

Mr DOOLAN (Victoria River): Mr Speaker, I do not intend to enter into debate on the Nursing Amendment Bill but I did want to say something. I do not believe that this is continuing to discuss it at all. I would like also to voice my appreciation of the rural health service. I know the minister has indicated that it will not be reduced but apparently there is some trouble. I have a very personal reason for saying this.

You, Sir, would be aware that on 9 November my son was accidentally shot on Elsey Station. He certainly would have died but for the presence of a male nurse at Mataranka. His name is Mark Misen. My son owes him a tremendous debt and so do I. If that gentleman had not been there on that particular day, my son would have died. He had no pulse and he had no blood pressure. Evidently this male nurse is a former medic who was in Vietnam and he is familiar with gunshot wounds. He put a drip into his arm and kept his veins open long enough to save his life. I would also like to pay tribute to the nursing staff of Katherine Hospital who are a dedicated group of people who did their utmost to keep my son alive, and thankfully, succeeded. I certainly give my total support to the rural health service as I have spent a good deal of my life in the bush and I know just how valuable it is.

I noted with a great deal of interest that quite a lot of attention has been focused by the media over the last few weeks on the subject of providing greater employment opportunities for Aboriginal people. On 16 February, the Minister for Transport and Works issued a press release announcing a program to train 40 Aboriginals to operate diesel powerhouses throughout the Territory. Previously, courses have been organised which gave Aboriginal men sufficient skills to work as assistants in powerhouses. Some of these people had requested further training to develop their skills and knowledge of the operation of powerhouses. As a result, a course for an internal combustion engine driver's certificate was designed by Mr Norm Buchan, training officer of the essential services group at Winnellie. Both the government and Mr Buchan are to be commended for the initiative demonstrated in getting this program off the ground. I think it goes without saying that the Aboriginal men undertaking this course at their own request must also be applauded.

The program is a first and should not stop here as far as work opportunities are concerned for Aboriginals. I note that his program had been worked out 'in line with government policy on self-reliance and communities'. Hopefully, we will see other courses initiated by Mr Buchan and others like him, which will help not only to improve the shocking absence of employment opportunities on Aboriginal communities but, for that matter, anywhere in the Northern Territory. It will also give Aboriginal people the ability, opportunity and qualifications to have a greater involvement in the day-to-day running and administration of the townships in which they live.

In the NT News of 29 January 1981, there was an extensive coverage of what Aboriginal people are doing at Galiwinku off Elcho Island. The Arnhem Land Progress Association has opened an ALPA store-training school at Galiwinku which has been designed to train Aboriginal people to operate a chain of 7 stores generating a multi-million dollar turnover. The school's 4-member faculty consists of a Caucasian husband and wife and 2 Aboriginal lecturers which means that the people now have Aboriginal staff teaching Aboriginal students to run Aboriginal stores. The policy of the ALPA is that Aboriginal people must be fully involved in running their stores and must be trained to take over management as soon as communities desire and sufficiently trained staff are available. This type of enterprise and the bringing into fruition of the stated policy of the ALPA must surely be commended. It must also cause some members of the white community who have long considered Aboriginal people capable of performing only the most menial tasks to have second thoughts; that is, if they are not so blinded by bigotry that they are incapable of having second thoughts.

The kind of things to which I have referred must bring a sense of hope and a message of pride to Aboriginal Territorians. These were foremost in my mind when I watched Nationwide on Monday 23 February. Part of that particular program that was broadcast nationally filled me with absolute disgust and despair that some members of my own race could be so insensitive, so unthinking, so unjust and so unkind. This program, which was no doubt viewed by other members, was filmed in Perth and concerned a campaign backed by the federal Department of Employment and Youth Affairs. It is aimed directly at the employers urging them to create job opportunities for Aboriginals. As an incentive, a subsidy is available to employers for job training. This program is to be launched in April in the Northern Territory.

Apparently in Perth, Aboriginal unemployment runs at 36%, 6 times higher than the national average but still much lower than the Aboriginal unemployment rate in the Northern Territory. The patronising and paternalistic attitudes and opinions voiced by some of the employers interviewed was nauseating. One employer, as a condition of employment for Aboriginals, demanded that the



prospective employees sign a work pledge. This pledge detailed a long list of things which the employee had to promise either to do or not to do and included, among other things, a promise not to express certain views or do certain things which would be considered quite normal and natural for non-Aboriginal employees. It is little wonder that some of these employees left soon after if this was just the beginning of the employer's demand on his workers.

Thankfully, Murray McLoughlin, the Nationwide reporter, covered both sides of the story. Some employers were pleased with their employees whilst others were not. However, even some of the employers who were happy with the work performances of Aboriginal people gave rise to some doubts in my mind. One man interviewed who had given a job to an extremely attractive young lady said that he was so pleased with her that he thought of and treated her as his own daughter. Isn't that lovely? This must surely be the epitome of paternalism. As he himself is a comparatively young man and she a beautiful lady, one can only pray that he is not plagued with incestuous thoughts.

A theme which seemed to permeate the whole program, and which is not only a completely incorrect premise but really a bit sick, was that employers who were satisfied with their Aboriginal workers believed that they were satisfactory - and they stressed the fact - because they were really only part-Aboriginal, thus implying a full-blood would be utterly useless but, if they had some white in them, they might have a rough chance. I was reminded of Thomas Keneally's 'Chant of Jimmy Blacksmith' when Jimmy reflects that perhaps 'the white seed might have been the bad seed'. Poor Jimmy was judged bad more for being black and trying to live like a white man than for his crimes. This paternalistic, racist, insensitive and unforgivable attitude as portrayed in the Nationwide program last Monday is a damning indictment against white Australia. The Perth urban Aborigines have been exposed to white influence for generations and are well aware of the white persons' ethics so the comments are mostly devoid of sense.

Mr Speaker, I have not been talking for quite some time merely to criticise a TV program. What concerns me is that this campaign which is funded by the federal Department of Employment and Youth Affairs is to be launched here in the Northern Territory in April. Hopefully, we might learn from such ignorance when the scheme is introduced up here. It is supposed to be all about giving a chance to Aborigines but, with the kind of bigotry displayed on that TV show, I must admit that I feel despondent at its chances of success, not only for giving work opportunities for Aborigines but also for improving community relations.

When this praiseworthy scheme, which has enormous potential, is launched in the Northern Territory I believe that it will be vital to screen prospective employers so that we do not fall into the same situation which has apparently arisen in Perth. With 25% of our population Aboriginal, we cannot afford to make the same mistakes. It would simply add fuel to the fire of further disorientating Aborigines from the white dominated workforce which would in turn encourage Aboriginal despair and add to the myth of white superiority.

It was quoted in the Darwin Star of 22 February 1981 that 'DAA believes any inroads the campaign can make in the Territory would be valuable in efforts to cement relations between black and white'. Further down the column, it states: 'It will screen Aborigines seeking the jobs created to establish their likely success factor'. I certainly agree with these sentiments but I would like to have some assurances from this government, which at least must have some sort of a role to play in the implementation of the program, that employers as well as employees will be carefully screened. I feel this government must insist that both parties are screened by the Commonwealth Employment

Service to achieve any sort of success factor. I do not believe that there will be any lack of prospective employers because of the generous subsidy of, I believe, in excess of \$60 per week. Some people who could get a competent and willing worker as well as a handsome government subsidy will jump at the opportunity but perhaps they would not be viewing Aboriginal interests and the future of the Northern Territory in the best light and this is what we must guard against.

Finally, there is one last matter which should be looked at. A report to the organising National Aboriginal Employment Development Committee reports another successful operation resulting in a 300% improvement in Aboriginal employment statistics. This may have been so initially but it has degenerated as some dropped out. There will always be drop-outs, both black and white, but we should also concentrate on the area of why people drop out. Still, even if one more Aboriginal secures a job and stays employed, that is success. Nevertheless, we should not become too optimistic with percentages because obviously problems must exist or there would be far fewer drop-outs.

I would again exhort the government to please ensure that the right type of employer is found before providing him with an Aboriginal employee and a handsome subsidy. Employers are entitled to demand work for pay, and rightly so, but they should not be entitled to make demands that are demeaning to the dignity of any worker and, in particular, to an Aboriginal worker coming into a work situation entirely foreign to his former lifestyle. Work output, at least for a while - and the employer will be subsidised in any case - should be really secondary to encouragement, understanding and perhaps a little sympathy until the transition has been made from one world to another, which are really light years apart.

Mr EVERINGHAM (Jingili): Mr Speaker, having just listened to the honourable member for Victoria River, I feel sure that any program by Mr Murray McLoughlin of Nationwide would be a fair and balanced program. I have my own personal experience of Mr Murray McLoughlin's fairness and balance in that he can take as much as 15 minutes film during an interview and show perhaps 30 to 45 seconds of a 15 minute film in his desire to achieve fairness and balance in the segments of Nationwide that he provides. Is the honourable member for Victoria River really going to encourage anyone to employ people if he denigrates the interest an employer might take in an employee, whatever the case may be, by accusing that employer of patronage? Once upon a time people taking an interest in other people was praiseworthy but today it is patronage. Whilst I agree with much of what the honourable member for Victoria River said, a lot that he said was utter hogwash and snide, carping, critical material that is not worthy of him.

Really, I wanted to turn, Mr Speaker, to the honourable member for Arnhem. Like my colleague, the Minister for Education, I have had some experience of the false representation of the honourable member for Arnhem. I can remember the meeting 12 or 18 months ago out on Elcho Island where I was in a room with a number of Aboriginal people and the honourable member for Arnhem. Out of the blue, I was accused by the honourable member for Arnhem for having in some way allowed government employees to desecrate Aboriginal sacred sites in the Liverpool River region somewhere up river from Maningrida. The story was that employees of either the Lands or the Mines Department had been in this area of the Territory without permission of the traditional owners and had desecrated sacred sites in carrying out survey tasks.

The honourable member for Arnhem well knew that the council at Maningrida had granted to the people concerned - who were in fact contractors to the government - permission to be there and to carry out their task. He well knew

that, yet he did not mention any of that when he accused me in front of all these Aboriginal people of having permitted government employees to desecrate sacred sites. That is the way the honourable member for Arnhem can twist facts without regard to the truth and without regard to what he knows. When I apologised and said that I would try to see that the situation was rectified, the honourable member for Arnhem did not say to me, 'Well, Paul, these weren't your employees. These were contractors; they had the approval of the Maningrida Council and the Northern Land Council'. He let it all pass on the basis that I undertook to look into the matter and see that it never happened again. I looked into it and I found out the facts. I found out that the honourable member for Arnhem is nothing but a fraud to put this sort of thing upon Aboriginal people.

Mr ISAACS: A point of order, Mr Speaker! You have allowed the Minister for Education and now the Chief Minister to reflect upon the character of a member of this Assembly and you, as the Speaker, ought to uphold Standing Order 55. The Minister for Education knows that it is out of order totally to cast improper motives or personal reflections on members of the Assembly. The Chief Minister knows it. You, Sir, ought to know it and you should call the Chief Minister to order and have him retract the remark and apologise.

Mr EVERINGHAM: Mr Speaker, the Leader of the Opposition said that I have cast aspersions or reflections on the character of a member of this Assembly. I think I have described actions that he has taken and described what I consider to be the nature that those actions amount to. If any aspersions have been cast upon character this afternoon, the honourable member for Arnhem has cast aspersions on my character as Chief Minister in my conduct of my responsibilities towards Aboriginal people in this Territory.

Mr B. COLLINS: Mr Speaker, I do not want to labour the point, but I think reference to Hansard will show tomorrow that the reference made was directed at me. The Chief Minister said, 'the member is'. It was not an aspersion on what I had done or what I had said. It was in direct reference to myself. The Chief Minister knows full well that, under Standing Order 55, that is totally out of order.

Mr SPEAKER: I request the Chief Minister to withdraw the word 'fraud'.

Mr EVERINGHAM: Mr Speaker, I will withdraw the word 'fraud' and I will say that what the honourable member said was fraudulent.

Mr ISAACS: Mr Speaker, if I might just speak to that, the Chief Minister knows that you are the Presiding Officer of this Assembly and you have an obligation to uphold the Standing Orders. The Standing Orders are clear and they should not be skirted around by smart alec remarks by the Chief Minister. You have asked him to withdraw the word 'fraud'. He should do that without qualification and without the other rejoinder about the remarks being fraudulent. Let him withdraw the remarks as every member of this Assembly would if requested by you to do so.

Mr SPEAKER: The honourable Chief Minister.

Mr EVERINGHAM: Mr Speaker, I have given some indication of the dealings that I have had with the honourable member for Arnhem outside the precincts of this Assembly on his own territory where, in my opinion, he behaves like a fox. We heard this afternoon from the honourable member that this government has wasted money on airstrip construction.

Mr ISAACS: A point of order, Mr Speaker! You asked the Chief Minister to

withdraw the word 'fraud' which he did, but he then embellished upon it. I have asked that he should withdraw the word without qualification and he could then continue his speech. He ought not reflect on a member of this Assembly

Mr SPEAKER: There is no point of order.

Mr EVERINGHAM: Mr Speaker, we are told that we are frittering away on white elephants the money that we had allocated for the provision of Aboriginal essential services. It is said that this money that is being frittered away has been spent on airstrips. May I say that the provision of funds for airstrips, sealed or unsealed, all-weather or otherwise, has been a substantial part of the program of essential services for Aboriginal communities since I don't know when. You know that, Mr Speaker, as well as I know it. Money for barge landings and roads had been a significant proportion of the funds for essential services for Aboriginal communities.

These communities are isolated. They depend on air services and barge services at times for their food. Certainly, in the wet season, on many occasions their bread arrives by air and, in wet seasons and dry seasons, their medical assistance arrives by air. The simple fact of the matter is that \$6.5m is provided over 3 years for a program to upgrade certain airstrips to all-weather standards, including Milingimbi and Elcho Island. Elcho Island airstrip is regarded as unsafe and I understand that Milingimbi airstrip is regarded also as being unsafe. That is \$6.5m over 3 years when, in fact, in this year, the Northern Territory government is spending \$15m on essential services. When it took over essential services from the Commonwealth government in 1978, the amount for essential services was in the order of \$5m.

The contribution to this adjournment debate this afternoon by the honourable member for Arnhem was a sledge-hammer blow at any attempt by this government to gain financial support from the federal government. It was a torpedo, a deliberate act of sabotage, by the opposition spokesman on Aboriginal affairs. The honourable member for Arnhem has sided with the federal government, with the razor gang, with the John Stones of the Treasury and he has done everything that he possibly can to stop the Northern Territory government pursuing its demands upon the Commonwealth for a half contribution towards the 5-year plan. He has not said, Mr Speaker, that the 5-year plan is a bad thing. He in fact praised it. But then he went on to damn it. The member for Arnhem has been the prophet of doom. If we do not succeed in getting this money from the federal government, and the honourable member for Arnhem and the federal Senator for the ACT, Ms Susan Ryan, who keeps yammering about things that she does not know anything about, succeed in doing what they apparently plan to do, then we are certainly playing into the hands of the mandarins of the public service in Canberra who wish to cut out the Aboriginal people of the Northern Territory from their fair share of federal revenue to rectify the position that these people have been left in after 70 years of neglect by the federal government.

Mr ISAACS (Millner): Mr Speaker, if the federal government fails to come forward with the offers of transfer of powers to the Northern Territory government on Aboriginal affairs, it will not be because of any torpedoing or sledge-hammering of the member for Arnhem, it will be because of the actions and that crazy speech that we have just heard from the Chief Minister of the Northern Territory. He knows that, in so far as the provision of services for Aboriginal communities is concerned - and it has been acknowledged by his colleague, the Minister for Education, that one person is well-known in Aboriginal communities as being a champion of their cause, as being a spokesman for the various disabilities which they suffer - the member for Arnhem is at the fore. The Chief Minister knows that and he hates it. He cannot bear it

that the member for Arnhem is so well regarded in his own electorate. That is acknowledged by the Minister for Education himself.

If the Chief Minister is really sincere about getting the money from the Australian government, why doesn't he listen to the arguments from the member for Arnhem and other people. One thing becomes abundantly clear when you deal with the Chief Minister: unless you agree totally with what he says, you are going to be the subject of venom and spleen. He will twist the Standing Orders of this Assembly; he will say anything he can.

Mr ROBERTSON: A point of order, Mr Speaker! That was an entirely improper reflection on your ruling, Sir.

Mr SPEAKER: There is no point of order.

Mr ISAACS: The Chief Minister knows that it is our sincere hope that Aboriginal communities will have their facilities and their services upgraded. The member for Arnhem, at the beginning of his speech, extolled the virtues of a program of upgrading environmental conditions in Aboriginal communities. It was not a negative statement, as the Chief Minister said. He does not oppose it; he positively supports it as do other members of the Australian Labor Party. It was appropriate that the member for Arnhem did point out the apparent inconsistency in the Northern Territory government's approach where, on the one hand, it berates the Australian government for failing to come good with federal funds for the development of Aboriginal communities and yet, on the other hand, was prepared to take money, which had been allocated for essential services for that very environmental program on Aboriginal communities, and to invest that money in airstrips.

Let us not be carried away with the argument that airstrips are needed. Of course they are needed, and there are allocations for that. But what the government did and what the member for Arnhem pointed out is that the Territory government took money which was allocated for roads, for the environmental health programs, and invested it in airstrips.

I have just recently been to Bathurst Island with the Senator for the ACT, Susan Ryan, the Labor Party Shadow Minister for Aboriginal Affairs, and we spoke to the Aboriginal community there. It might do the Chief Minister well to talk to the people there and ask them what they think about their lovely new sealed airstrip. They are delighted with their sealed airstrip but they are not delighted with the order of priority of the Northern Territory government which chose to seal that airstrip, which was not a bad airstrip by the way, instead of upgrading the road from the airstrip into the community. That road, as the member for Tiwi would know, is a disgrace. Talk about pot-holes in roads! That road really defies description as a road. That is what they complain about and that is the very point the member for Arnhem was making.

It seems that writing letters gets people into strife. The Minister for Education took the member for Arnhem to task. Let me say that I believe that, in his address yesterday, the member for Arnhem was punctilious to the point of ensuring that the names of the people involved were not disclosed. It so happens that I know the teacher concerned. I certainly do not know the person from the Education Department. The Minister for Education went out of his way to ensure that the characters of both people were well-known to members of this Assembly and to the community at large. Let us not have this nonsense about character assassination. The member for Arnhem, rightly I believe, drew members' attention to a letter which he believed, as Shadow Minister for Education - and I agree with him - was an inappropriate letter for an officer to write. That is all he said. The Minister for Education went out of his way

to assassinate the character of the teacher who wrote the letter and to make it very clear who was the officer in the Department of Education.

Mr Speaker, the matter of writing letters gets all sorts of people into strife and not least of whom is yourself. You wrote a letter on 12 November 1980 which, I am pleased to note after reading the press and hearing your dulcet tones on an AM program, you regret writing. Be that as it may, you were not the issue and neither should you have been. My views about your views of Aboriginal affairs are well known.

What is important is that the community about which this whole fracas arose receives some consideration. I am talking about the Hodgson Downs community and I am talking about Aboriginal communities on pastoral properties generally. It is my understanding that the Hodgson Downs community is waiting on advice from the Northern Territory government as to how its share of essential services money - I think it is something like \$81,000 - can be used. They are waiting for that money to be made available to them. It has not been told by the appropriate government authority when the money will be coming and what it can be used for. We are getting towards the end of the 1980-81 financial year. This community is typical of many communities on pastoral properties.

Members will be aware that, in December 1971, a report commissioned by the Australian government, the Gibb Committee Report, was handed down. It made certain recommendations about Aboriginal communities on pastoral properties. It was concerned about the impact of award wages and various other matters on Aboriginal employment and Aboriginal communities generally. It made a number of recommendations. I would like to read one into the Hansard because I want to make a comment about it. It relates to land. The recommendation is on page 74 of the report:

*That in appropriate areas, land be obtained by excision or by sublease from the pastoralist for Aboriginal communities for limited village, economic and recreational purposes to enable Aborigines to preserve traditional cultural ties and obligations and to provide the community with a measure of autonomy. Such land naturally needs access to adequate water supplies but, in addition, it should be of such an area and such a quality that some supplementary activities may be encouraged upon it, for example, pig, poultry and fishing, gardening and artefact making, etc.*

That very important recommendation was made in December 1971. The Hodgson Downs community is on a pastoral property and it has no tenure on that land that it can call its own. In fact, most Aboriginal communities which exist on pastoral properties are in precisely that very same position. This is 9 years after the bringing down of the Gibb Committee Report.

I believe that what ought to happen is that those communities ought to be given security of tenure and that excisions ought to be made. Negotiations have commenced and a lot of work has been done. These negotiations should proceed between the community and the station owners concerned. The negotiations ought to concern the granting of land excision to those communities so that they can call it their own and carry out their own lifestyle as suggested by the Gibb Committee Report. I believe that a time limit ought to be put on it. It has gone on far too long. These people ought to be given security of tenure. It would be appropriate that a time limit of perhaps 2 years be placed on it. If negotiations are not completed by then - and many of them are well down the road to being completed - the government ought to request the Land Commissioner to make determinations about each property where such negotiations have not been concluded.

People spend a lot of time talking about Aboriginal affairs and what is right for Aborigines. The Gibb Committee Report was accurate in its assessment of Aboriginal requirements for land on pastoral properties way back in December 1971. We should have acted before, but we ought to be acting now to ensure that those excisions take place, that Aborigines living on pastoral properties are given security of tenure and that those communities are given sufficient support by government to enable them to live in reasonable circumstances.

Mr Speaker, the Yulngu Association of Katherine wrote to the Chief Minister as a result of receiving your letter of 12 November. It used what I would regard as an unfortunate paragraph in its letter and to which the Chief Minister rightly took exception, but it asked a number of pertinent questions. Some of these related to yourself, Sir, and which I am sure you can answer, but some required government responses and, unfortunately, the Chief Minister chose not to respond.

'Is the policy of freedom to vote for the candidate of your choice without fear of intimidation still supported by your party or government?' That is a reasonable question to ask of the Chief Minister. 'Is your government truly committed to the concept of a 5-year development plan for Aboriginal communities or will it be subject to continual change at the whim of unstable politicians?' The Chief Minister answered that. 'Has your government withdrawn all programs from all areas and communities which voted substantially for Labor in the last election?' That is a reasonable question to be answered by the Chief Minister. It also sought support from the government for the various facilities which it requires as any human beings would require living in the Northern Territory in 1981.

Mr Speaker, there is much to be done in Aboriginal affairs in the Northern Territory. There is much which is the responsibility already of the Northern Territory government. There is much which is grey in terms of who has responsibility but one thing is certain: security of tenure of land is at the heart of Aboriginal development. It is true that, until their environment is improved significantly, Aboriginal development also won't take place. They require security of tenure and the question of excisions on pastoral leases is very much in the forefront of the minds of those people living in appalling conditions on many pastoral stations throughout the Northern Territory. I would ask the Chief Minister to give urgent consideration to the modus operandi that I suggested with regard to negotiations taking place and decisions being taken to excise land from pastoral property so that Aboriginal communities on those properties do have security of tenure.

Mr PERRON (Treasurer): Mr Speaker, we have heard a lot this afternoon about the government's 5-year plan and how some funds have supposedly been moved from one area of essential services to another area of essential services in the upgrading of airstrips. The moving of funds from place to place is not an uncommon action by any government and certainly Labor governments have been no exception in that regard. As far as the 5-year plan is concerned, we have seen precious little support for it from the opposition other than a bit of mumbling in this Assembly. I have not seen very much assistance in this regard in any other forum at all. Following the announced rejection by the federal government of further funds that the Territory government has asked for, we have at least a statement from the Chairman of the Tiwi Land Council that was put out publicly. It is fairly short, Mr Speaker, and I would like to read it:

*The NT government's 5-year plan. Commenting on the Commonwealth government refusal to provide appropriate finance for the Northern Territory government's implementation of the 5-year plan, the Chairman of the Tiwi Land Council today described the federal government as unfeeling and callous in its disregard of Northern Territory Aborigines. Mr Rioli said*

*the Prime Minister had firsthand knowledge of the living conditions of Tiwi people. He had visited Bathurst Island in 1979. 'How can the national leader who has seen how some of our people live argue that the Northern Territory government's 5-year plan is not a plan of national urgency', he said. Mr Rioli invited the Prime Minister to live under a tarpaulin with wet blankets through a Northern Territory wet season. 'It's not just a question of finance', he said. 'It is a question of people's lives, reduced life expectancy and infant ill health'.*

Mr Speaker, the Leader of the Opposition just told us that, if we really want to get this act into gear and get the show on the road as far as the 5-year plan is concerned, then we should listen to the member for Arnhem. This was rather an amazing statement. We should listen to the member for Arnhem and he will tell us how we should go about it all and that the federal government will then see fit to deem us a responsible bunch of people and give us the rest of the money.

I wonder whether, in this alleged genuine interest the ALP has in this area, it has colleagues in the federal parliament to lobby on our behalf. I wonder whether its famous senator from the ACT, whatever her name is, can write to the Prime Minister or to the Minister for Aboriginal Affairs or perhaps even the federal Treasurer and call on them to support the 5-year plan as proposed and to fund the balance of it as the Territory government has asked. If it had done those things, I am sure we would have seen some evidence of it. We certainly have no evidence at all that it is doing anything other than whingeing in this Assembly about how it sees the thing run or how it sees it not running.

The Territory government has been processing applications for what are termed 'Gibb communities' on pastoral leases throughout the Northern Territory. There are currently 31 applications being processed. The system to date has not used compulsory acquisition of land to enable Aborigines to take up land on a pastoral lease. It has been a subject of negotiation. Indeed, there have been a number of them successfully completed and there are a number of them in the pipeline. But it is not the sort of situation that can be corrected overnight.

One of the problems which is being driven home more and more as papers cross my desk is the selection of areas of land. We have enough problems in our alleged European society of putting towns in the wrong place; for example, Tennant Creek where, because of population growth, the capital sums required to maintain water supplies for the future are really becoming astronomical. By the time you have a very substantial population, you cannot shift a town.

In the Aboriginal situation, I am finding more and more that, for the communities that do not have acceptable standards of water - and when I say acceptable standards of water in some cases they appear to be acceptable to the Aborigines but from our point of view the water does not meet World Health Organisation standards for human consumption - the cost of putting down bore after bore is running into phenomenal sums of money in areas where there clearly is next to no prospect of obtaining acceptable quality water. To my mind, some of the situations that arise like that can only be resolved by the communities selecting other land or negotiating for land where there are water supplies. As honourable members opposite would know, that will create some difficulty. It will take a long time because people do not like to move from areas to which they have become accustomed or in some way are attached to. There has to be a balance. We cannot spend hundreds of thousands or even millions of dollars finding a water supply for a small number of people. There has to be an end to it and there has to be a change in this area of government activity.



Mr Speaker, there is much to be done in the area of Aboriginal affairs. Those are the words the Leader of the Opposition used and they do not really need repeating. I would just like to say that it would be nice to see the opposition adopt a positive attitude for a change and support some of the actions of this government when it is trying, in an external sense, to obtain assistance for Aborigines. We do not expect it to praise our policies but it could at least do something other than kick us when we are trying to do some good for people and when we are talking about dealings with the federal government.

Mr TUXWORTH (Health): Mr Speaker, I had not intended to speak in the adjournment this afternoon but I would like to touch on a point that has been missed in the various comments that have been put forward this afternoon. I believe the honourable member for Arnhem spoke bitterly on something that he felt strongly about and this really resulted in the difference between his and our priorities.

I would just like to say that, when self-government came to the Northern Territory, one of the things that we were very conscious of was the deplorable state of Aboriginal communities and Aboriginal well-being in general. Doctor Gurd of the Department of Health spearheaded a team of people who documented for the first time the exact state of environmental conditions throughout the Northern Territory, something the Commonwealth could well have done 25 or 30 years ago even given the fact that it was in a position in those years of trying to keep the people alive rather than improve them.

Now that we have identified the problem and we estimate that the cost will be in the order of \$125m, there is no room really in the discussion for the political argle-bargle that we have heard with federal senators and local members and everybody chewing on the bone giving his own point of view. The important point is this: if the Northern Territory takes its allocations for essential services on Aboriginal communities and spends every cent of it for the next 10 years on exactly the right priorities, in exactly the way we wanted and we get the maximum effect of the dollar in those communities, the impact on the backlog will be absolutely nix. What we are talking about is a program of \$125m that will help us catch up the backlog in water supplies, accommodation etc. You name it, Mr Speaker, and we need it.

I think that the effort of the honourable member for Arnhem in picking something that annoys him and sailing into the government about the irresponsible expenditure of money on poor priorities in an essential services budget of \$15m really amounts to his different attitude on priorities rather than what we are all trying to do in the long term and is irrelevant. If the honourable member and his colleagues would care to join with the government in a common approach to the Commonwealth to obtain the money that we all believe is needed to do the job, then we would be about 10 years in front of where we are right now.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

CONSUMER PROTECTION AMENDMENT BILL  
(Serial 31)

Bill presented and read a first time.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that the bill be now read a second time.

The Northern Territory has had a consumer council since 1969 when the then member for Jingili, Mr Tom Bell, introduced the first consumer protection bill. Honourable members will remember that Mr Bell was something of a champion of the interests of consumers in the Northern Territory. The resulting Consumer Protection Council Ordinance provided for the council's annual report to be tabled in the Assembly.

In 1978, during the course of the Second Assembly, the Consumer Protection Council Ordinance was replaced by the Consumer Protection Act under which was created the Consumer Affairs Council which replaced the former Consumer Protection Council. In addition, a position of a Commissioner of Consumer Affairs was created under part III. 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 Legislative Assembly. We have one of those reports before us at this time. However, this means that the Consumer Affairs Council does not directly present a report to be tabled in the Legislative Assembly.

The old council in its final report commented on the new act as follows: 'The council is concerned that the report to the minister on the operations of the Consumer Affairs Council will be made not by the Chairman but by the Commissioner of Consumer Affairs. The council sees this as a gag applied to the body and strongly recommends that the ordinance be amended to ensure that the chairman's report is tabled in the Legislative Assembly'. Following that report, I introduced a Consumer Protection Bill into the Second Assembly but that bill lapsed at the time of the 1980 elections. This Consumer Protection Bill is identical with the one introduced in 1980. I commend the bill to honourable members.

Debate adjourned.

TRAFFIC AMENDMENT BILL  
(Serial 35)

Bill presented and read a first time.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that the bill be now read a second time.

The greatest problem facing the Northern Territory is perhaps the abuse of alcohol, and its most obvious manifestation is probably the drunken driver. The Assembly has acknowledged this grave problem and has taken a number of steps, many of them unpopular, to act upon it. The courts have also acknowledged that this is a grave problem, and have handed out some fairly stiff sentences and long suspensions of drivers licences, particularly for continual offenders.

It sometimes happens that an offender is rehabilitated after such a suspension. Indeed, I am sure that one of the motives of a magistrate in ordering a long suspension is to encourage a realisation by the offender of the seriousness of the problem and the need to change his drinking habits. In cases where a person who has a long period of suspension reforms his drinking habits, unfortunately, there is no provision for review of the sentence. Such provisions still occur in New South Wales legislation for example. It is my belief that provisions allowing review of long suspensions will encourage rehabilitation of offenders. If the suspension stays in force regardless of the person's drinking habits, then he has less motivation for changing them.

It is for this reason that I have introduced this private member's bill. It allows a person who has been disqualified for a period of 3 years or more from obtaining or renewing a driver's licence to apply after 2 years for the disqualification to be terminated. After considering the evidence, the courts may terminate this disqualification, but may also stipulate conditions, such as those relating to the consumption of intoxicating liquor, on a new licence. I commend the bill to honourable members.

Debate adjourned.

### CRIMES COMPENSATION BILL (Serial 59)

Bill presented and read a first time.

Mr ISAACS (Opposition Leader): Mr Speaker, I move that the bill be now read a second time.

The bill before the Assembly seeks the repeal and replacement of the Criminal Injuries Compensation Act of 1979. This bill has several new amendments to the one presented last year. The bill is of paramount importance as it extends the responsibility presently assumed by the government for victims for whom crime control measures have failed. Despite the Northern Territory's extremely high crime rate, the government has been negligent in the assistance given to innocent victims. I am sure that most members will acknowledge the fact that the present legislation is fraught with serious difficulties. Frequently, victims are left with no hope of obtaining compensation. Under the current act, in order to qualify for compensation, the offender must be brought to trial and convicted. This provision is the narrowest to be found in crimes compensation legislation throughout Australia.

In the event that a victim does qualify for compensation, the court-based system means the process will be slow and complex and therefore unable to respond to the sometimes immediate needs of the victim or his dependants. Again, further delays arise as payment does not automatically follow a court order to do so. Currently, the minister, who is not involved in the court proceedings, reserves the discretion to authorise payment and has the additional discretion of taking into account compensation the victim has received or might receive from other legal action. I will highlight further deficiencies as I proceed to outline the substantially improved provisions in the bill before you. It is largely based on the Victorian compensation scheme which is also favoured by the Australian Law Reform Commission, with modifications, for introduction at the federal level. It adopts a tribunal-based system for determining claims which will be required to informally hear applications without strict regard to the legal rules relating to evidence and is to act on the civil standard of proof and the balance of probabilities. Hearings are to be open to the public but the tribunal may close a hearing or prohibit publication where this is necessary to protect the victim.

The tribunal will be able to conduct any inquiry or inspection necessary to validate a claim. It is to be constituted by one or more magistrates and the president is to be the Chief Magistrate responsible for the administration and co-ordination of the work of the tribunal.

A major feature of the proposed bill is that the tribunal will be empowered to hear applications independently of any trial or criminal proceedings against the alleged offender, as occurs in South Australia and Victoria. Normally, applications are to be made within a year of the offences. This allows compensation to be paid where the victim is reluctant to press charges as frequently occurs with victims of domestic violence or sexual assault.

This follows on from another major feature of the bill which deletes any reference to the relationship of victim and offender in the same household as presently exists. This serves to imply a reason for lessening or refusing to make an award. Instead, it will be sufficient that the bill take into account the probability that the victim contributed directly or indirectly to his or her injury or death as applies to all other victims. Unfortunately, the attitude that criminal law has no place in the home is still prevalent in some jurisdictions, such as Victoria. In 1979, the United Kingdom extended its crimes compensation legislation to cover victims of violence in the family. I think it is highly desirable that the government's stance on this grave social problem be made clear. In addition, it will mean a family victim is better able to decide on whether to continue a relationship or not and a successful application will mean financial independence.

Another major feature of this bill is to allow compensation payment, where an injury gives rise to a loss of more than \$50 - at present, the minimum is \$100 - to be a matter of legal right, and the Crown, not the offender, will pay the victim or dependants. Apart from the advantage that payment will be immediate, it will lessen the likelihood of retaliation being sought by the offender in domestic violence situations. This is the case in South Australia, Victoria and the United Kingdom. The tribunal may, if an offender has been convicted, order recovery from that person but this will be a debt due to the Crown.

Further, this bill proposes to have no artificial ceiling on the amount that can be awarded, as currently exists in the United Kingdom legislation and is also endorsed by the Australian Law Reform Commission. The current limit in the Northern Territory is \$4,000 which is the lowest and least adequate anywhere in Australia. Despite the fact that, in the majority of cases, victims were awarded much less than \$4,000, occasional claims will warrant far in excess of this limit. By way of example, Mr Speaker, in the United Kingdom, 60% of all awards are below \$700 but, in 1976, there was an award of approximately \$110,000 to a woman blinded by a shotgun. The ceilings of awards in other jurisdictions are gradually rising with a heightening government recognition of the inadequacies of low ceilings and an increased sense of responsibility felt for the plight of innocent victims.

There will be matters to take into account in determining the awards such as pecuniary loss, expenses actually and reasonably incurred as a result of the victim's injury or death, pain and suffering of the victim and so on. Relatives will also be awarded compensation if the victim has died and they are wholly or substantially dependent on the income of the deceased person. I foreshadow an amendment which has resulted from the Australian Law Reform Commission's draft of a bill for compensation at a federal level. This will introduce the notion of partial dependency where the relative is the spouse, de facto spouse or child of the victim. In addition, an amendment will be introduced to allow a relative

to be an applicant not only if the victim is deceased but also if the victim is suffering incapacity.

Compensation will also cover persons who have died or suffered an injury as a result of public-spirited behaviour, thus covering civilians who may be assisting police or are hurt rescuing a person who is the subject of a criminal offence. The tribunal will have the power to vary an order whether by increasing or decreasing the amount ordered to pay. An applicant will have the right of appeal in the Supreme Court.

Mr Speaker, I hope that the community at large will discuss the contents of this bill and let me have its views. I look forward to support from honourable members on both sides of the Assembly. I commend the bill.

Debate adjourned.

### MOTION

#### Standing Committee on Public Expenditure

Mr ISAACS (Opposition Leader): Mr Speaker, I move that a Standing Committee be appointed to -

- 1.(a) consider any papers on public expenditure presented to the Legislative Assembly and such of the estimates as it sees fit to examine;
- (b) consider how, if at all, policies implied in the figures of expenditure and in the estimates may be carried out more economically;
- (c) examine the relationship between the costs and benefits of implementing government programs;
- (d) inquire into and report upon any question in connection with public expenditure which is referred to it by the Legislative Assembly.
2. The committee consist of 5 members, 3 of whom will be nominated by the Chief Minister and 2 nominated by the Leader of the Opposition.
3. Every nomination of a member of the committee be forthwith notified in writing to the Speaker.
4. The members of the committee will hold office for the full term of the Legislative Assembly.
5. The committee elect one of its members as chairman.
6. The committee elect a deputy chairman who shall perform the duties of the chairman of the committee at any time when the chairman is not present at a meeting of the committee, and at any time when the chairman and deputy chairman are not present at a meeting of the committee the members present shall elect another member to perform the duties of the chairman at that meeting.
7. The committee have power to appoint subcommittees consisting of 3 or more of its members, and shall appoint the chairman of each subcommittee who shall have a casting vote only and refer to any such subcommittee any matter which the committee is empowered to examine.
8. A majority of the members of the subcommittee constitute a quorum of that subcommittee.

9. Members of the committee who are not members of a subcommittee may take part in the public proceedings of that subcommittee but shall not vote or move any motion or constitute a quorum.
10. The committee or any subcommittee have power to send for persons, papers and records.
11. The committee have power to move from place to place and to sit during any recess.
12. Any subcommittee have power to move from place to place, adjourn from time to time and to sit during any recess, sitting or adjournment.
13. The committee or any subcommittee have power to authorise publication of any evidence given before it and any document presented to it.
14. Three members of the committee constitute a quorum of the committee.
15. The committee be provided with necessary staff, facilities and resources.
16. The committee, in selecting particular matters for investigation, take account of the investigations of other committees of the Assembly and avoid duplication.
17. The committee have leave to report from time to time and that any member of the committee have power to add a protest or dissent to any report.
18. The foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Mr Speaker, I do not wish to go over the arguments which were canvassed the last time a motion like this was discussed in the Assembly. Suffice to say that I believe the arguments that were put have validity today and that there is no doubt that a public expenditure committee ought to be established. At that time, the Treasurer said that, in the new Assembly, he would be setting up a public accounts committee. The reason that I have moved this motion today is simply because, when I asked the Treasurer at the last sittings what his proposal was, he indicated that the government would not be establishing a committee.

I want to canvass some new arguments in support of the establishment of a public expenditure committee for the Northern Territory Legislative Assembly. The key to the committee is that it would have the power to scrutinise expenditures on behalf of the government and to preview estimates and budgets to ensure the maximum cost benefits are obtained. It would have both a watch-dog and an assessment role in relation to government programs. This Assembly will sit in 1981 for 24 days. We will be discussing 2 budgets which will probably take 3 or 4 days of that 24 days to scrutinise. We will be discussing a budget of \$650m for 1980-81 and, for 1981-82, probably in excess of \$750m. To say that there is appropriate scrutiny of the expenditure of this Assembly in 3 or 4 sitting days is, of course, a joke.

Lest the government members believe that the establishment of this committee will in any way be hostile to the government, let me put their minds at rest. It has been found that committees of this sort have not been interested in nailing any particular government member or minister to the mast. The role has been to ensure that expenditures approved by the parliament are carried out in a

proper way and that the taxpayers' money is properly spent. The Rae Senate committee, of which all members are aware, has in fact unearthed a series of misdemeanours which have been carried out by people who have been given the task of expending the money which has been allocated by their parliament. It is not a matter of putting the Treasurer or any other minister on the mat; it is a matter of ensuring that expenditures are carried out properly and in the interests of the people of the Northern Territory.

The parliament has established a number of statutory corporations which are lovingly referred to as qangos. It is important that statutory corporations are given a free enough rein to carry out their responsibilities but they cannot and should not be given carte blanche as evidenced by the rorts which have taken place. I am not referring to Northern Territory statutory corporations. Royal Commissions into the operations of certain statutory corporations around Australia have shown that, where these statutory corporations are given their head, they can abuse their funds. It is appropriate therefore that this parliament have a committee which will scrutinise carefully the expenditures which are made on its behalf and that the statutory bodies and government departments know that there is an effective body of this parliament which will scrutinise their activities.

The arguments for a public expenditure committee are not only well-known; they are accepted. It is a matter of dragging the government to the line in order to get it to take up what ought to be an accepted proposition in any parliament and specifically in this parliament because we sit so infrequently - 24 days in 1981. Anybody would agree that we sit for a small amount of time. I do not wish to canvass that particular matter. What I wish to point out is that, because we sit so infrequently, it is appropriate that a committee of the parliament is able to sit during recesses to ensure that the money which we approve - it is not the government which approves it; it is the parliament which approves it - is spent in the proper manner.

In the previous debate, the Chief Minister protested that the opposition had question time available to it. We saw today the argument which knocks down that particular proposition. The Minister for Transport and Works was asked 8 or 9 questions on a very important matter for the Northern Territory, Northern Airlines, and each question was requested to be put on notice. Sometimes information is required urgently and that is no way to provide this Assembly with that sort of information. There ought to be a committee which has the power to investigate, to question people who are spending money on its behalf and to find out whether or not the money is being properly spent.

I stress again that the purpose of the committee is not to put the government on the line but to ensure that this Assembly assumes its proper role in the scrutiny of expenditure which is made on its behalf. I hope that the debate carries on today and is not adjourned as it was on the last occasion and that the Assembly agrees that such an expenditure committee ought to be established.

Mr PERRON (Treasurer): In speaking on the motion before the Assembly, I think it is important for us to consider the situation in the Territory as we do on other occasions when matters come before the Assembly that affect the constitutional status and advancement of the Northern Territory. As we said only yesterday, the Territory is in fact in a different situation to that of the states in a number of ways. One of them is the size of the Assembly. We are not a parliament of 150 members dealing with a budget across the entire country that is of such complexity that probably few people can comprehend the whole of it. We are a parliament that is in a position where members do have the opportunity to solicit information both during sittings and in between sittings. I understand

that the question time available to members of the federal parliament is really quite appalling when compared to the time that this Assembly spends seeking and providing information. The information laid before this Assembly also has to be taken into consideration in this matter. In fact, we provide more detailed information before this Assembly than any other parliament. We have certainly yet to have it demonstrated that another parliament has more information laid before it as a regular practice in regard to revenue and expenditure proposals by the government.

The opportunities for members to obtain information are certainly quite frequent. Detailed notes are provided with every appropriation bill which comes before this Assembly. In addition, we have annual reports by every statutory corporation in the Northern Territory tabled in the Assembly complete with financial statements. Variations to the budget as passed through this Assembly are tabled in the Assembly within 6 sitting days of those expenditures being varied. We have questions on notice, which the Leader of the Opposition referred to, and we have questions without notice. It was interesting to hear him say that questions without notice are not an appropriate way of obtaining information. It seems to me that they do elicit a fair bit of information. Obviously, the information cannot always be provided immediately.

The research work and background that goes into the preparation of answers to questions on notice is really quite substantial. Some government departments have people working for days, sometimes weeks, researching information for questions on notice. I think that to say that it is not an appropriate way of obtaining information is simply stretching the truth a bit too far.

In addition, opportunities to debate the budget, particularly in committee, are not really taken in this Assembly. The opportunity is there. I cannot recall any time when a budget debate was cut off in the 3 years that we have been presenting budgets here. Of course, debate on the budget is usually fairly shallow from the opposition.

The Leader of the Opposition said that one of the roles of the committee would be to scrutinise expenditure and act as a watch-dog on the government. I wonder why we are paying \$0.5m a year to the Auditor-General. The Auditor-General for the Northern Territory, who indeed is the Auditor-General for the Commonwealth, has a staff of 19 people in the Northern Territory. They work full-time scrutinising government expenditure, not just after it has occurred but while it is being incurred.

The Auditor-General's office has constant liaison with a range of government departments and statutory authorities regarding their financial accounting. It is not a situation of an authority or government department presenting a set of books for audit at the end of the year to have the figures ticked and to see if they add up right. We would not be paying \$0.5m per year for that. Perhaps the committee would examine the cost benefits of that government expenditure.

I noticed in this motion - and I have not compared it to the terms of reference of committees elsewhere because I am relating it to the situation in the Territory - that the proposed committee can form a subcommittee, the quorum of which is 2. We have a position where 2 members of the Assembly will have the fairly outrageous power to publish any paper, submission or document that it receives before it has been referred to or tabled in this Assembly. It seems to me, irrespective of what happens elsewhere, that it is a subversion of the right of this Assembly to consider subrogating to 2 members the right to publish information that they have called for. One can understand that public submissions



should be published but not the necessity to publish any paper or submission that it receives. Presumably, that would include contract documents, tender documents and agreements in negotiations. The committee can call for and publish all these documents without any reference whatsoever to this Assembly. That is a power that I find totally unacceptable.

The Leader of the Opposition indicated that Royal Commissions into various statutory authorities have revealed some wrongdoings that truly should have been brought to light, and indeed they were. He has the opportunity in this Assembly to move a motion to set up an inquiry into any particular area of government or into the operations of any statutory authority; that is, if there are justifiable grounds for such an inquiry or Royal Commission. That option has always been before us and no doubt it always will be.

The cost benefits aspect of the committee is interesting. I appreciate that, in some areas, such committees do look at cost benefits. But it is not a simple area at all. It is not a clearly-defined area because of the range of government activities. This is the reason why membership on such committees was once described by a politician in England as being the last blood sport left. In many cases, cost benefits of the government programs are very difficult to gauge. Take the example of the cost benefits of the north-south railway. If one were to take a Treasury view of the cost benefits of the Alice Springs to Darwin railway, one would say the return does not add up to the cost; it is going to run at a loss. The cost benefits are quite clearly in the negative and the thing should never go ahead. Of course, there is a whole range of factors to consider: policy factors and political factors. There are factors like the acts of national faith and the development which would follow the construction of a railway to the north. How does one assess those cost benefits other than by purely subjective judgment?

How do you really determine the cost benefits of apprenticeship subsidies or pensioner subsidies? Hospitality spending in the Chief Minister's Department is quite high these days because we act as host to all sorts of people who come to the Territory: politicians, heads of state, businessmen and such. How would one attempt to assess the cost benefits of that? Yet, would anyone contemplate that we should stop doing it? Should we buy a cappuccino down the road for a big wheel getting more than \$50,000 a year? We must consider policies and political expediency, and not simply tick facts and figures and see whether government departments are looking after the dollar.

Perhaps the committee could look at things like the cost of new schools. That is of concern to the government. The cost of outback police stations is outrageous. The cost of roadworks in desert areas is frightening. I cannot see how the proposed committee would be any better at examining those costs from an economical point of view than can be done in-house by the government.

If a particular member wants to take an interest in one of these subjects, we can certainly arrange for material to be provided to him on the technical aspects or the reasons for contract prices. There is every opportunity. I do not see the need for a committee to look into it.

How does one establish the cost benefits of fisheries research programs? Goodness me, we have to spend a lot of money on research. In some cases, the programs end up absolute failures. The cost benefits estimated at the beginning of a project are very subjective and are dictated by government policy. They can certainly be criticised. One can always say, 'Why on earth would you research into fisheries when you should be doing more research on forestry or providing

information to mining companies?'

Mr Speaker, members of this Assembly have every opportunity now to obtain detailed information. In fact, much of it is before them; it is just never read. They have detailed information on the operation of every government department, staff changes, numbers of people promoted, the activities of the departments are supplied in the departmental annual reports that are tabled here. Enormous work goes into them but goodness knows if the front page has ever been turned on any of them. Statutory authority reports are usually less detailed as far as administration is concerned but information on those factors can be elicited at any time through this Assembly or even in between sittings by questions on notice.

I suggest that the first thing the Leader of the Opposition should do after the defeat of this motion is to consider the cost benefit of establishing the committee he is talking about. He is talking about a committee which would probably need to be serviced by something like 4 or 5 persons. It will travel throughout the Territory; it will involve enormous indirect costs for the preparation of detailed submissions in a form suitable to the committee. We have never had a decent debate in this Assembly on a budget. I think that is a condemnation of members for not looking into these matters in some detail. In this situation, they merely want a committee established to do their work for them and to try to find some little piece of information which they can then clamp on to and say, 'We have justified our existence because we found where a few dollars may have been misspent'.

Mr Speaker, I oppose the motion. I think it is a move by the opposition to have a committee do its work for it. I do not think there is justification in derogating from the role of this Assembly to establish a committee in which only 2 people are needed to exercise all its powers and functions, and without any reference to this Assembly. I think that is an outrage.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Treasurer is even a worse specimen of a parliamentarian than he is of a Treasurer. He clearly has absolutely no concept of the idea of the role of parliament. The Treasurer would like to think that he is the Treasurer, and indeed he is, and therefore he can do what he likes and it is not the parliament's business to question him or the executive at all. For goodness sake, Mr Speaker, as a parliamentarian, you know the debate on the question of the role of parliament in scrutinising finance has been raging in Commonwealth parliaments and in other legislatures such as in the United States for years. There are volumes on the matter. There are special international committees of the CPA looking at the matter. In every part of the world, the fact that the parliament gets less and less information on a more and more complicated topic, that of public finance, is a matter of grave concern to everyone who really cares for the principle of the supremacy of parliament. We all learnt in history lessons at school about the power of the purse.

The Treasurer thinks that that is all just a waste of time. We should let him sit there and have his chats with the Auditor-General, a most eminent man, and this Assembly should be just ignored. The Treasurer says we have question time. We saw this morning what happens in question time: we were told to put questions on notice. In my experience, when you put questions on notice, you wait several months for an answer. If the question can be avoided, it is avoided and you have to ask it again in some slightly different form. We will only sit for 24 days this year. That is a disgrace in itself when I think how often the Darwin city council sits - a couple of times a month - for very small reward. The Treasurer has the gall to suggest that we obtain enough information out of questions without notice which we are then told to put on notice and which are then answered several months later. It is a thorough disgrace and he is a

disgrace as a parliamentarian. I can refer him to vast volumes of work on the need for a parliament to have adequate scrutiny of public finance

The Treasurer referred us to the explanation papers that we receive with the budget documents. In the 4 years that I have sat here, each year the amount of information in those documents has been less than the year before. There is no doubt that there is a deliberate attempt, particularly in some departments, to obscure what is happening. The documents become thinner, year by year. The Treasurer smiles; he thinks that is a bloody good idea. It is certainly an insult to the parliament and it is an insult to the people of the Northern Territory whom we are supposed to be representing. Our business at appropriation time is to approve expenditures of moneys of the people of the Northern Territory but we do not receive enough information to make an appropriate judgment on that matter.

The Treasurer seems to think we are too small and we do not have enough people to run such a committee properly. I was interested to read in the most recent issue of the *Parliamentarian* - which has some most interesting articles in it, including one on the Northern Territory this time - an article on how the legislature of the Yukon Territory of Canada, which has a membership even smaller than ours, has just established a public accounts committee. Those members are very much part-time members; the committee convenes between sessions of the Assembly. In almost every Commonwealth parliament of the world, regardless of the size of the state, there is some financial committee to look at this matter because, increasingly, public finance has become more complex. It is difficult, if not impossible, for members of the Assembly to scrutinise it in the short amount of time we have and with the inadequate information we receive.

We receive the quarterly accounts. We receive the Auditor-General's Report which is a fascinating document. I look forward to debating it; it is getting thicker and thicker every year, unlike the budget papers. There are more inadequacies of government financial management for the Auditor-General to report on. It is a fascinating document and I am sure that members have read it with interest. Of course, the Auditor-General should have a very special relationship to the Assembly. He is not just an ordinary public servant. He has a special relationship to the Assembly, not just to the executive but to the Assembly.

I referred to the Yukon Territory a moment ago. In that report, the chairman of that committee spoke of the valuable role of the Auditor-General in providing guidance and information to the committee. That happens also in Canberra. For the Treasurer to think that he is the only person who should be able to talk to the Auditor-General, as seems to be the case, is just a lot of hogwash. He really is a very poor specimen of a parliamentarian. I hope the Minister for Education, who frequently discourses on the role of parliament, will perhaps sit him down and have a talk to him about what we are supposed to be doing in here. He clearly does not know. He wants to be a mini-dictator, keeping all the information to himself and denying it to the elected representatives of the people of the Northern Territory.

The Treasurer said so little, even though he took an awful long time to say it, that really there is not much we can reply to. Clearly, apart from the fact that he does not understand what parliament is all about, he must have some fear of this committee. Let us not forget that the whole principle of such a committee was espoused by no less eminent a person than the Rt Hon Malcolm Fraser, the Prime Minister of Australia. I cannot understand his total fear; it is simply based on arrogance and ignorance.

Mr B. COLLINS (Arnhem): Mr Speaker, I disagree with the member for Fannie Bay that the Treasurer does not understand this Assembly. He understands it all right; he just has total contempt for it.

Mr Perron: Only some members of it, Bob.

Mr B. COLLINS: I must say with a great deal of regret that I was just thinking about that particular attitude of the honourable member yesterday.

Mr Speaker, we need no better authority on the attitude to this parliament of the Treasurer than the words he has used in this Assembly on a previous occasion. I have never heard it so succinctly put. When we were trying to get some financial information on a previous occasion, the Treasurer said: 'If you want that information, win government'. Yes, the Treasurer remembers that and nods.

It is easy for all members of the Assembly to carry on with a great deal of sanctimony at times. I suppose I am as bad an offender as anyone in relation to procedures of parliament and the Westminster system. But I do believe that there are some valuable traditions and conventions of parliament that do need to be observed, although we may at times depart from them. The one thing that I do object to is hearing members on the front bench blatantly tramp all over those conventions inside the Assembly itself. They have become conventions because parliaments all over the world which have adopted the Westminster system have come to regard them as being the proper way to run the parliament. That is why they have become conventions.

The one member of this Assembly, and it is a pity that he is on the front bench, who has quite arrogantly, consistently and publicly trampled all over those conventions is the Treasurer. It is not sanctimony on my part to say that because I think that some of his statements in regard to the procedures of this Assembly are outrageous. They do not add to the dignity or the stature of this Assembly in any way at all.

I think one of the most apt comments I have heard this morning was from the member for Fannie Bay when she said that it is very interesting to note that, the thinner the explanations to the appropriation bills become, the thicker becomes the Auditor-General's report. It is perfectly true.

Despite what the Treasurer has to say, the access of this parliament to information on expenditure of public money is not adequate - not nearly. The Treasurer knows that. It has been commented on before in this Assembly that it is even quite interesting to notice the difference between the explanations of various departments. Some are very good. It has been commented on by both sides of the Assembly. Some are equally very bad. It is literally impossible to get any useful information about expenditure at all from some of them.

I must comment again on that utter nonsense about using question time and about putting questions on notice. The other thing that gets thicker with every passing sittings of this parliament is the unanswered questions section of the question paper. We consistently hear from this government: put it on notice. I am speaking from personal experience. We put the questions on notice, we wait at least several months for an answer from some ministers, and sometimes we get no answers at all. The question paper grows thicker all the time. We have 24 sitting days of parliament this year, 30 minutes of question time on an average, and I do not think it will come as any surprise to the Minister for Education to know that I have reams of questions, a great many of which are not going to get asked let alone answered.

Mr Robertson: We didn't see you at question time.

Mr B. COLLINS: Ten points for that. I think the Minister for Education would have to concede that, after the 4 years that I have been here, my absence from question time is most unusual.

Mr Robertson: You had a good reason.

Mr Steele: Only twice, Bob.

Mr B. COLLINS: You remember both occasions do you? It really is a very frustrating experience to see the procedures of parliamentary practice misused so much. Question time is not an adequate way to get details from the government as to the administration of its departments. It is very frustrating to continually ask questions, particularly the controversial ones, and have them placed on notice without any reply. The member for Nightcliff has quite rightly pointed out before that the 30 minutes that we get at question time have to be shared with government back benchers who have far greater access already - by virtue of the fact that they are members of the government - than we do on this side of the Assembly.

Effectively, we get only 15 minutes question time, if we are lucky, on this side of the Assembly because the questions have to be shared from one side to the other. The member for Nightcliff gets even less on occasions.

Mrs Lawrie: I'll say.

Mr B. COLLINS: The reason that I am labouring this particular point is that it is nonsense to suggest that question time is in any way a substitute for a parliamentary committee when it comes to scrutinising the expenditure of public finance.

I am sure that all members routinely read the publications of the Commonwealth Parliamentary Association whose hospitality we enjoyed only last night. They would know that the question of the parliamentary scrutiny of public finance is one on which the CPA has done a great deal of work and prepared some fairly impressive documents, discussion papers and reports. The conclusion of the CPA, supported totally by the Prime Minister of Australia, is that it is a very good thing.

The other thing about committees of this nature - it is a fact - is that most parliamentary members wish to observe some of the basic conventions of the procedures of parliament. Being a member of a parliamentary committee, I have found that committee meetings never develop into discussions of a partisan nature. Certainly, at committee meetings such as those of the environment committee, we forthrightly express our views, which quite often are motivated by our political stance. However, never at a single parliamentary committee meeting, in the 4 years I have been here, has the discussion ever turned into a partisan discussion. I might add that is a convention of parliament which is observed by most members of this Assembly and every other parliament.

It happens to be a fact that, on committees which scrutinise the expenditure of public moneys, the same thing applies. No member of the opposition regularly and routinely tries to use his position on those committees in any attempt to criticise directly a minister of the government or to have a go at the government.

Once you accept the membership of a parliamentary committee, you accept certain obligations, certain responsibilities and certain rules of procedure. And we all know what they are. It would be totally improper for me, as a member of the Sessional Committee on the Environment, to speak publicly on behalf of that committee. I would never do it. That privilege belongs to the chairman of the committee. That is a valuable convention of parliament. If we are going to flout continually the conventions of parliament, it will mean nothing but disaster for the system which is the basis of our government.

I might make a comment about this whole system of parliamentary and ministerial responsibility. In the adjournment debate last night, we saw a good example of how dangerous it is to play around too much with that system. The Chief Minister made public comments that he favours a system of shared responsibility between parliamentarians and public servants. I understand the logic for arguing for such a system but I deplore utterly the implementation of such a system. The public servants are not here in this parliament to answer for themselves. I intend to take this matter up again because I thought it was a shining example of what a dangerous philosophy this can be. The Minister for Education last night quite properly defended an officer of his department in this parliament - not by name. It is called ministerial responsibility. I think that once we even start to talk about passing the buck, it gives ministers an out that they do not deserve to have and the public should demand that they do not have it. The buck stops on the front bench.

The Chief Minister himself said that everybody on the front bench, the back bench and on this side of the Assembly is a willing victim of the system. It is a fact. Some of us might have our arms twisted to enter parliament but we all agreed to do so and we have a commitment to the job. As the Chief Minister said, we are willing victims of the system. Nobody has to be forced onto the front bench. It is a conscious decision. When he takes on the job and the very high responsibility of being a minister of the government, he must observe the convention of parliament that the Cabinet is responsible and the buck stops there. I reject utterly, considering the nature of the public service that we have today, the suggestion that we should adopt any other system. Ministers are responsible and they should remain so. There was a perfect demonstration of that last night by the Minister for Education.

The conventions of parliament must be adhered to. It is the parliament that is responsible for putting the Appropriation Bill through this Assembly, not the government. It does not happen across the road in the Chan Building. This is where the bills are tabled. It is the Assembly which passes them, not the government. It is spending public money, not Country Liberal Party money, Labor Party money or any other party's money. It is public money and this Assembly has the right to scrutinise the expenditure.

Despite what the Treasurer said, the procedures he talked about for making information available to this Assembly are not adequate. That has been demonstrated again and again. How many times have we read in the papers political comment and criticism of the Queensland parliament for its lack of sitting days, for its lack of opportunity to debate the issues and so on? This year, we find that this Assembly is sitting on even fewer days than the infamous Queensland parliament which has certainly been the subject of a lot of political comment over the years. We are sitting 24 days this year. That means we will have a total of 12 hours of question time if we are lucky. The opposition would have about 6 hours of that. We have the opportunity for 6 hours in 365 days to question the government.

When we take out of that the questions we are asked to place on notice, we might manage, in 12 months, to have 3 hours of effective questioning of the government. I do not believe that is adequate.

We have spoken in the Assembly of the inadequacy of the explanations to appropriation bills. Some of them are demonstrably inadequate; many of them are very inadequate. The fact is that this Assembly is not being given proper access to information in order to scrutinise responsibly how the government is spending public money. A sensible way to do it would be to agree to the motion and set up this committee. In the past, we have received some positive indications from the government that it would agree to setting up such a committee. Of course, it has not done so.

I will not bother to comment on some of the Treasurer's speech that I heard this morning. He was waffling on about how the government will decide whether spending money on fisheries research or this research or that research was proper. What a lot of nonsense! Every member of this Assembly, as a matter of principle, should have the opportunity of carefully looking at everything the government spends its money on. I support the motion of the Leader of the Opposition.

Mrs LAWRIE (Nightliff): Mr Speaker, I have slightly different ideas to the member for Arnhem. The paucity or the wealth of information contained in budget documents is fairly irrelevant. There is still a need for a public accounts committee which has the specific role of scrutinising the expenditure of public money. I would have been interested to hear the Treasurer's criticism of the proposal because, aside from 2 fairly minor points, he did not have much to say about the substance. I cannot quite understand his opposition to the proposal when all the most conservative governments, notwithstanding their size, accept them. I would have been more interested to hear the Treasurer indicate some acceptance with a couple of amendments.

I will address myself specifically to the 2 areas which concerned him. One was the size of the subcommittee. It would only require an amendment to this motion to do away with his dissatisfaction. His other concern was item 1(c), the examination of the relationship between the costs and benefits of implementing government programs. As I listened to the Treasurer, it became abundantly clear that he was wasting time thinking of a variety of schemes which he felt could not be objectively considered. I accept that as fair criticism but all he has to do is move for a deletion of 1(c). I have some sympathy with his points, but I cannot understand why he is throwing out the entire concept because of the 2 small points he raised.

The motion proposes a standing committee with 3 government members and 2 opposition members to consider any papers on public expenditure presented to the Legislative Assembly and such of the estimates that it deems fit to examine. What we are really saying is that we are going to establish a specialist committee which will devote a large amount of its time to these public documents. There is nothing sinister in that and, indeed, I believe the government could benefit. After all, we would have 3 government members on it who would greatly assist the committee in the performance of its functions. It would look at how policies implied in the figures of expenditure and in the estimates may possibly be carried out more economically. What is wrong with that? How could any government object to an impartial committee looking at economising in the matter of public expenditure. It would not be questioning or determining the policy, which is the prerogative of the government, but it would look at ways of carrying out the policy more economically. What an assistance to the Treasurer. How much

he could look forward to the deliberations of this committee. If he had proposed a deletion of 1(c), I would have agreed with him.

Let us have a look at 1(d): 'Inquire into and report upon any questions in connection with public expenditure which is referred to it by the Legislative Assembly'. The Assembly consists of a government and an opposition. The Assembly is hardly likely to refer to this particular committee any matter the government does not want referred because the government has the numbers to make the reference. It is inconceivable that the Treasurer or any other front bench member could object to 1(d). The committee would be kept to a reasonable size: 5 members, 3 of whom would be nominated by the Chief Minister and 2 nominated by the Leader of the Opposition. Again, the government would make that decision. It would have the preponderance of members as it should have. Members of the committee would hold office for the full term of the Assembly. That is logical. It would elect one of its members as chairman. Remember again that the government would have 3 members and the opposition only 2. The government would decide who will be chairman and that is typical of all committees of the Assembly.

The Leader of the Opposition then went into some detail of the powers and functions of the committee. If there are some points to which the government takes exception, or on which it disagrees, let it discuss those areas of disagreement with a view to amendment to make the concept acceptable to the Treasurer and his front bench. I have spoken before any other government member because I want someone - and I know the Treasurer cannot speak again - to explain why the entire concept is being thrown out when the most influential voice speaking in opposition to the proposal did not speak broadly to the concept but merely raised 2 small points, which can be easily remedied, and also suggested that perhaps this Assembly was too small to warrant such a committee.

I would say that, because of the small size of this Assembly, it is even more imperative that we have the committee to do this job. Certainly, there are only 19 members, 8 of whom have the job in particular of addressing themselves to the scrutiny of budget papers. There is inadequate time to do that. I agree with the criticism that question time is demonstrably inadequate to provide information, either by questions on notice or questions without notice, which should be conveyed to the Assembly. The best way to do that would be through this committee. I see this committee as being of great assistance to the Treasurer; it would not be obstructive. His own government would have the majority at all times on the committee. The one point on which I was in sympathy with him was the deletion of the cost benefits in implementing government programs. I see it not only as being an almost impossible task and one which could bog down the committee in detail but it is also encroaching on the right of governments to set their own policies. It is not the province of a public accounts committee to quarrel with the policies but I do think it has a role in seeing that those policies are carried out in the most economical manner. I would ask government members to reconsider their opposition to the entire concept when only small criticisms have so far been levelled.

Ms D'ROZARIO (Sanderson): Mr Speaker, I can perhaps suggest an answer to the question posed by the member for Nightcliff. The member for Nightcliff has asked why the most influential speaker on the government side, and so far the only speaker, the Treasurer, finds this proposal so objectionable. My view is that the Treasurer finds this motion objectionable because he is determined to maintain, as much as he can, complete control of the knowledge of the financial affairs of the government. The Treasurer regards it as his divine right to keep this information to himself. As the member for Fannie Bay pointed out, he is completely contemptuous of the role of this Assembly. He does not consider



that, although there are members on this side of the Assembly who are not members of the government, we are as entitled as any other member of this Assembly to share in the decision-making powers of this parliament.

As the member for Nightcliff said, the Treasurer has pointed out certain rather trivial objections to the content of this motion. He is completely averse to having any knowledge made available to the Assembly, let alone the public. The Treasurer talks about the information that is printed. Were it not for the fact that the printed information is so defective, we certainly would not be putting this motion forward today. The Treasurer said that we receive sufficient information both inside and outside this Assembly. The member for Arnhem quite clearly demonstrated the amount of time that we have available to question members opposite.

Turning to the information which is available outside the Assembly, I can well remember a laughable sequence of events that occurred on one occasion when I found the quarterly public accounts defective and sought from the Treasurer a briefing with one of the officers of the Treasury. It consisted of my presenting myself at the time appointed by this particular officer only to be told that none of the figures that I was seeking could be given to me. The Treasurer would well recall that, at the time, I was asking for a breakdown of the revenue figures because we had been presented these in lump sum form. Having explained this to the officer, who was extremely civil, he informed me that he was acting upon the instructions of his minister. I told him that the information that I was seeking related to particulars of the revenue sources and that, if he could not give it to me, could he kindly seek a further direction from the Treasurer in order that these figures would be given. Needless to say, on that particular occasion, I was not given the figures. I then left that gentleman's office and inquired again 2 days later as to whether the information that I had sought was to be made available. I was told that the Treasurer was out of town. The Treasurer was visiting Ayers Rock. I remember this well. I can see that the Treasurer is alarmed at my memory. He was visiting Ayers Rock and the officer about whom I have referred decided that he would ring the minister. The minister said, 'Well, what do you think? Should I give the information?' The officer concerned said that this was a decision for him. Then the press of Darwin also sought to get the same information and they, too, were told that the minister was deciding whether he should make the decision to give the information or whether he should ask his officers whether the information should be given.

This entire episode points out that the Treasurer - he stands there and says we have plenty of information - is at times unwilling to make a decision as to what information should be given. After some toing and froing, about 10 days later, I received a letter from this Treasury officer giving me the information that I wanted. I was more than grateful to that gentleman because I could see he had as hard a time as I had trying to push his minister to a decision. So much for the public accounts.

The Treasurer has some difficulty with part 1(c) of this motion. He gave us a few examples where he thought the committee could not possibly determine the cost benefits of implementing government programs. Some people would sympathise with the minister. Indeed, the technique of cost-benefit analysis is nowhere near as objective as its adherents would have us believe. Nevertheless, it is a technique which is used, quite consistently, in all legislatures to examine whether or not public funds - the people's money - are being spent in the best possible way.

The Treasurer raised questions about whether some of these decisions were policy matters made for political reasons rather than for economic ones. Everybody accepts that. Even the adherents of cost-benefit analysis accept that some decisions are made not purely because of their economic benefits but also because of the social benefits and the policy directions that are being followed by the government. This is a trivial objection to the content of this motion. The Treasurer could well have moved an amendment to this motion and accepted it in principle but he chose not to because he does not believe that the public of the Northern Territory ought to have any information about public expenditure.

The bulk of the motion is contained in its first paragraph: the 4 roles which the committee would be expected to discharge. The member for Nightcliff has gone through some of these and perhaps I could go through one or two others since the Treasurer raised them himself. I refer particularly to part 1(b): the committee would be appointed to 'consider how, if at all, policies implied in the figures of expenditure and in the estimates may be carried out more economically'. The Treasurer said that he and the Cabinet were very concerned about the cost of providing new schools in the Territory. I suggest to him that his concern is certainly shared by members on this side of the Assembly and we also would like to be involved in these decisions as to how things can be done more economically. He sits there as though this concern is completely unique to himself and that he can stand up here and tell us how concerned he is and that we need not bother about it because he is concerned. Well we are paid to be concerned. We are paid to be concerned about the way money is spent by the government.

Not only does the Treasurer treat us with contempt but he treats the electors of the Northern Territory with contempt. If the Treasurer had any regard for the electors of the Northern Territory, for the dignity of this parliament and its proper role, he would support this motion. We would consider any amendment which he cares to put.

Mr ROBERTSON (Education): Mr Speaker, in the First Assembly, I was sent by Grant Tambling, in his capacity as Executive Member for Finance, to attend a 10-day Conference of Chairmen of Public Accounts Committees in Sydney. It was one of the most frustrating conferences I think I have ever been to. I spent 2 days at it and departed more confused than I arrived. We subsequently received a resume of the conference, about 700 pages, which I gave to various members of the CLP which was the majority party at the time. There were no ALP members to be provided with copies. Not one person who read it could understand it either. The very difficult nature of these exercises and the various methods by which accounts committees are conducted became very evident. There was perhaps one clear line through the whole of the conference and that was that no one wanted what the opposition has presented us this morning: not a public accounts committee but a public expenditure committee.

There is only one public expenditure committee in this country and that is the Commonwealth one. The Rt Hon Malcolm Fraser has a very large number of very restless and perhaps somewhat dangerous back benchers. I would suggest that one of the best methods of keeping them out of his hair is to put them on committees ad nauseum. The only committee of this type in this country is in the Commonwealth Parliament, set up by the Prime Minister to keep his back benchers busy. Look at us here. We have only 4 back benchers on this side. One of those back benchers is also Chairman of Committees and Deputy Speaker. That leaves us with 3. Under this proposal, every back bencher would be involved in something that the Commonwealth invented to keep its back benchers busy.

The terms of reference before us are not those of a public accounts committee. A public accounts committee would examine the statements and reports transmitted by the Auditor-General pursuant to the Audit Act. It would make comments upon audit reports. It would report to the Assembly on any alteration to the method of reporting to the parliament it may see fit. It could inquire into and report to the Assembly by its own initiative or by a referral from the parliament on any question in connection with public accounts. That is a public accounts committee. It is totally different to the motion before us.

I have thought long about this matter. I think my attitude is fairly well-known on parliamentary practice, the dignity of the Assembly and the processes which should flow. Quite frankly, we must think beyond what we may deem as being desirable in terms of involvement of members in matters of finance to what is practical; what is possible for us to achieve. There is one very significant concern that this government has had for some time and that is to deliver its program with a minimum of overhead costs. Notwithstanding that, we have a situation in the Northern Territory where nearly 10% of the working population are public servants. I constantly have frank discussions with my department when it comes forward with propositions for more staff.

There are only 6 ministers doing the job that takes most other states a minimum of 13 - that is in Tasmania. This type of committee would place an awesome additional workload on ministers. It is through ministers that all the information would be passed on to a committee of this nature. I think the member for Arnhem would be the first to recognise the inordinate workload placed upon ministers in such a tiny parliament having regard to the fact that we have the same responsibilities as the largest state. It matters not, in terms of policy workload, whether you are serving 10 people or a million. The workload is precisely the same although the volume is different.

Given the nature of this motion and the nature of the size of the ministry, I doubt that such a committee would be justly served. For my own part, considering that the education portfolio will have perhaps a \$90m budget next year, all the complexities that go with that and all of the questions which could be asked, I am afraid I would not be able to offer much assistance to a committee of this type unless it put forward a table of required information for the department to provide. With that sort of notice structure, I could help such a committee notwithstanding that that would create a workload in itself. It is open to any member of this parliament to do precisely the same thing through a question on notice. I think the workload of questions on notice, while they are severe, would pale into insignificance to the officer workload that could be created by a public expenditure committee of this nature.

If it were a public accounts committee, I would still be nervous about it in terms of the impact it would have on a very small system. A public expenditure committee, in relation to policy analysis and cost-benefit analysis, would have a very great impact indeed.

As an aside, I had occasion to drop a note to the member for MacDonnell recently. He had asked a question and I am not denying his right to ask questions seeking detail and data. I pointed out to him that, in providing the answer to that one question on notice, we expended something like 25 man-hours of a senior officer's time. That was just one question. The system of questions on notice is there to be used to extract information. There are more opportunities in this Assembly to probe ministers by way of questions without notice than in any other parliament, for the simple reason that there are so few of us. In the Commonwealth parliament, if you ask one question in a fortnight's sittings you are

lucky. Here, we have up to 40 questions a day. We are talking about 2 or 4 questions per member eligible to ask questions. That is vastly more than in any other parliament that I can conceive of other than perhaps some very small Pacific island nation.

Mr Speaker, I would ask each member, before he agrees to create a thing like this with all of its burdens - there are many desirable elements in it too; I am not denying that - to go back over Hansard and ask himself honestly, 'Have I used question time well?' The standard of questions generally, if I may pass a comment on my colleagues as well, is quite poor. It is difficult for someone in the government to ask a difficult question of the government side because it looks as if he is disloyal, but the questions coming from the opposite side are just not probing in any sense of the word at all.

Mrs O'Neil: We are told to put them on notice.

Mr ROBERTSON: You find out how many times I have not answered a question unless it is calling for details and data.

There are many vehicles available for members to question the government's fiscal management. We talk about documents getting thinner. I would hardly call that a thin document for an Appropriation Bill (No. 2). I would call it a very expansive document. The Treasurer has pointed out to the Assembly all of the other documents made available in the matters of public finance. By way of interjection, he indicated that 2 tonnes of financial documents have been made available to members and the public.

Mr Perron: That would be conservative.

Mr ROBERTSON: There is no attempt to hide anything here, Sir. What the government is concerned about is the attempt to do too much. We are a small Assembly. The proposal before us would involve every one of my back bench colleagues on the committee. In effect, we would not have any member of the back bench who was not tied up in what could be a very time-consuming exercise. It is all very well for the opposition, of course, because it only provides 2 and it has 6. It could always ask the member for Nightcliff to join as well. The committee would probably end up with the Leader of the Opposition and the member for Nightcliff.

Given all of the circumstances, I believe that there are better tasks for the energies of the back bench members on my side of the Assembly than this exercise which I initially considered to be a substitute for the opposition's failure to gain government.

We seem to have homed in on 1(c) but I find 1(b) even more objectionable. It talks about how 'policies implied in the figures of expenditure and in the estimates may be carried out more economically'. We are not even talking about stated policies; we are talking about implied policies. I accept what the member for Arnhem says about select committees or standing committees being bipartisan but, given 1(b) and (c), it would be absolutely impossible for it to remain bipartisan because we are talking about the effect of expenditure on policies. The word 'politics' is a derivative of 'policies'. Automatically, it becomes partisan. For the first time, Mr Speaker, given all of the circumstances, we would find a committee of the Assembly indeed becoming politicised.

Mr TUXWORTH (Mines and Energy): Mr Speaker, it was not my intention to speak on the motion proposed by the Leader of the Opposition but, after listening to the debate this morning, I thought there were 2 or 3 relevant points that I could touch on. This morning we heard from the opposition about the

crying need for utilising every avenue to scrutinise the government's performance in its expenditure and its fiscal management. We also hear how, despite its efforts, the opposition could not obtain answers to questions seeking information from the government on financial matters.

During a 12-month period, the opposition asked a total of 5 questions of the Treasurer, all of which were answered. Of those 5, 2 related to the amount and expenditure of the Treasurer's Advance, one related to the amount of sitting fees required by members of statutory authorities, one queried the availability of an amount of \$105,000 for cycle tracks in Alice Springs and the other queried funding for standby generators in a remote community. I would hardly think such a strenuous interrogation by the opposition of the Treasurer's portfolio would indicate the need for such a committee. However, I think what we are talking about goes a little deeper.

I would like to put a point of view that, although it may not be agreed to, I think is very relevant. The opposition is really having a great deal of difficulty in grasping the financial operations of government. It is looking for a mechanism to help it do that. I can appreciate that the opposition would have that difficulty because I have been on the outside in the cold looking in myself in the days when I was involved in local government. I regularly had great difficulty understanding the papers put before me couched in Treasury terms. Treasury documents never seemed to make too much sense. However, after you have been in the game for a while, you gain an understanding of it.

I can appreciate that the opposition does not have the understanding of the financial modus operandi of government and that it is indeed trying to overcome that. I do not believe that this particular committee that the Leader of the Opposition proposes is the way to go about it. I would not go so far as to accuse the opposition of laziness or dereliction of duty. I can appreciate that the opposition does have difficulty grasping the nettle and understanding the issues. I do not hold any grievance about that at all; it is a learning process. I do not believe that we should set up a committee of public servants which could develop into a small army to enable the opposition to further its cause in this exercise. I would not support the proposition.

Mr ISAACS (Opposition Leader): Mr Speaker, it is pretty difficult to reply when there has not been a debate. We have heard from members opposite, not their own personal views but the views of their various government departments. We heard from the Treasurer not the Treasurer's views but the views of the Treasury. There is no doubt that Treasury does not want a committee of this sort. Treasuries are the same the world over: they want to accumulate to themselves all the financial information that is possible and give it to nobody. They build up their own empire and they determine that nobody else will enter into that domain of sanctity which they have built. It is a great shame and really a condemnation of the government that it is unable to present any argument whatever against this proposition for an expenditure committee.

I will comment on the arguments put forward by the Treasurer, the Minister for Education and the Minister for Mines and Energy with regard to this public expenditure committee. I will leave aside the nonsense which the Minister for Mines and Energy uttered about our motives; we are used to those sorts of gratuitous comments from the Minister for Mines and Energy. He says that it is simply that the opposition wishes to embark on some kind of escapade to grasp financial management. It certainly is not that. The committee is a committee of 5 people, 3 of whom are members of the government. It is not an opposition enterprise; it is a parliamentary enterprise. If that message could be got

across to members opposite, that would be a fine thing. However, it will not penetrate. They have read their departmental briefs and that is the end of it.

The Treasurer decided that question time was an appropriate way of eliciting answers. He knows that, in seeking information on financial matters, question time is unsuitable. Information traditionally would be obtained by committees cross-examining witnesses and examining documents. You cannot obtain it through questions, with or without notice, and members opposite know that full well.

It is interesting that the Treasurer said that we have financial statements for departments and that statutory corporations and other bodies make their financial papers known by tabling them in the Assembly. It is just as well that the member for Port Darwin tabled 2 days ago the report of the Subordinate Legislation and Tabled Papers Committee. That report has a few of those statutory corporation financial papers. We have the annual report of the Department of Health for 1978-79. We have the annual report under the Uranium Mining (Environment Control) Act of 1979. It is now 1981! We have the annual report of the Department of Mines and Energy for 1978-79. Best of all, we have financial statements for the year ended 30 June 1976 for the Corporation of the City of Darwin. This Assembly does not have an adequate overview of how statutory corporations are behaving. We do not have an adequate view of their financial papers at an appropriate time. We have it years after. Members would remember a series of questions asked by the opposition at the last sittings about the financial papers of statutory corporations and the length of time which was taken for those corporations to submit their annual reports.

The other argument raised by members opposite was the cost of the committee. The Treasurer seemed to think that that would be a great difficulty. It may well be that the cost of the committee would be money very well spent indeed; obviously, most parliaments think so. Most of the argument relates to the sort of committee we are proposing. We are proposing something that operates currently in the federal parliament: a public expenditure committee. Members opposite have said that we do not need a public expenditure committee because it is far too wide-ranging and what we are really talking about is a public accounts committee. If they are serious about that proposition, let them propose it. Let them do exactly what the Treasurer said he would do about 15 months ago: establish in this Assembly a public accounts committee. The public expenditure committee which we have proposed incorporates the sorts of things which a public accounts committee would do but it goes further. The government says that it is the going further which it is concerned about. All right, let it take up the offer of the member for Nightcliff: delete those sections which it does not particularly like and have a public accounts committee. Let us have scrutiny by this Assembly of the public expenditure exercised on behalf of this Assembly.

Mr Speaker, it is a great disappointment to me, and I would hope to the people of Darwin at large, that the debate from the other side has been so paltry. Not one back bench speaker spoke and only 3 ministers spoke - one spoke as an afterthought, one read the Treasury brief and one, the Minister for Education, at least tried to grapple with some of the problems. The latter is a little interested in matters to do with the parliament and the questions of parliamentary supremacy. I believe he was the one who was talking more along the lines of a public accounts committee. Let us ask the government, once again, to act on what it agreed to do 15 months ago: establish a public accounts committee. That would not go as far as we would like but it would certainly go a long way towards restoring some public faith in the supremacy of parliament and its overview of public expenditure. It is not as though this government would be leading the way so far as conservative governments are concerned. I am sure that all members would be aware of the Liberal Party in Queensland's promises during the last Queensland state election that it would also establish a public accounts committee.

It really is a shame that the debate from the other side on this particular subject has been as paltry as it has been. They have not sought to come to grips with the matter; they have treated the debate with contempt. They have not disposed themselves to tussle with the problems; they have simply thrown out the gauntlet to us and said, 'We are in government, you are in opposition. We have financial control and you are not going to get a look at it'. It is a question of the supremacy of this Assembly. An accounts committee or an expenditure committee is what this Assembly ought to have because of its size and because of the number of days it sits. It is to this Assembly's detriment that it does not have such a committee. I urge all members to support the motion.

Motion negatived.

LOCAL GOVERNMENT AMENDMENT BILL  
(Serial 46)

Continued from 20 November 1980.

Mr PERKINS (MacDonnell): I rise in the debate this afternoon to indicate that we are basically in favour of this bill. We understand it is designed to enable councils to manage their surplus funds, firstly, by investing in the guaranteed investments and, secondly, by being able to actually create insurance reserves. The councils also will be given a great deal of autonomy in relation to spending powers. As a result of this, they will be able to discharge their responsibilities to their ratepayers.

One of the major reasons why the bill is under consideration in this Assembly at this time is that there are long delays in the payments of rates. This results in other problems with councils, particularly in relation to cashflows.

The bill also provides for the term 'council' to be included in the formal title. There are a number of consequential amendments which arise from the council's terms of office being extended from 3 to 4 years.

We support this bill because it reflects the policy of encouraging responsible local government and it also has the support of local government authorities in the Northern Territory.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I support this legislation although I do not think it goes far enough. When I first read the bill, I thought there might be some relief for people living in Berrimah. I thought their land could be included as urban farmland but I find this is not the case. The urban farmland in this bill relates to land within a municipality. It does not consider the land in the Berrimah area which is prescribed area in the Darwin Rates Act. The area is governed by the boundaries drawn up in the federal Darwin Lands Acquisition Act 1945.

The first thing that came to my attention in the bill was the fact that the Administrator determines the status of the municipality. Clause 7 is interesting but only common sense: the position of mayor must be filled immediately but the position of alderman can wait.

Clause 8 relates to proposed new section 165C and defines 'urban farmland'. I do not really have any argument with that but I would like to see it more streamlined. 'Viticulture' is mentioned but obviously the draftsman did not know that bee-keeping is referred to as 'apiculture'. 'Horticulture' is mentioned but then it mentions crops without reference to 'agriculture'. Having

regard to where this bill will apply, I think a gross omission from this description was the commercial stabling of horses. It will apply to urban farmland within a municipality; that is, if the municipality decides that it will grant a special rebate in view of the nature of the use of that land.

I know Darwin fairly well and it seems to me that this urban farmland would mainly relate to the Rapid Creek-Freshwater Road area. A commercial stable is one of the big rural industries in that area. I do not see that mentioned as one use of urban farmland which is allowable. It does not come under grazing. I would like the minister to look at the description.

I think it is very good that, if a land-owner who is carrying on farming in an urban area within the restrictions I have mentioned wishes to have his land considered for this provision, he can apply. I would like to think that this will be the thin edge of the wedge and the local government area out at Berrimah would follow suit if the municipality decides to charge rates according to this legislation. It does not necessarily have to.

If the municipality decides to give the people on urban farmland within the municipality a certain reduction in their rates, will this reduction automatically apply to the people in Berrimah? If the municipality in Darwin does not decide to give a rebate in the rates, will the people in the Berrimah area get a rebate? If so, how much will they get? If that rebate that is allowed by the municipality in the urban areas varies up or down, will the people in Berrimah have their rates varied up and down to follow it exactly? I would like the minister to give his attention to that and perhaps give me an indication of what would be decided upon.

In the interests of encouraging agriculture, which is a government policy, all facets of agriculture should be encouraged, not only the broader aspects, provided that it does not detract from the main thrust of the agricultural impetus.

This system of special rebating of rates could be used to encourage people to stay on and use agricultural land in the Berrimah area. I am not saying that, if this rating was introduced into the Berrimah area, everybody would be able to get some relief from it because some people live on blocks and are not engaged in agricultural pursuits. But many are. Some people cannot afford to engage in agricultural pursuits because they can get more income from other forms of land use. If these people get a rebate as a result of this bill, then it might encourage them to use the land for agricultural pursuits. It would not be a very big deal but it would still be part of the agricultural development of the Northern Territory.

To my knowledge, there are many blocks in the rural area in Berrimah which are still used for agricultural purposes: plant nurseries, stables, extensive grazing and pastoral growth. There still are lots of people in the rural area who are engaging in agricultural pursuits on their land and I would like to see some relief flowing on to them from this bill.

Ms D'ROZARIO (Sanderson): One sympathises with the member for Tiwi. In fact, the comments she has just made reflect the intention of this bill. Quite clearly, the dilemma is how we can allow residents of Berrimah, particularly the occupants of agricultural blocks, to avail themselves of this legislation when, in fact, they are not within the boundaries of the municipality. I support the concept of this bill. The urban farmland rating proposal is a fairly popular device which is used within the boundaries of urban areas in order to do several things. One objective is the preservation of utility open spaces. By 'utility open spaces', we normally mean small-scale farming and also some broad-scale recreational uses.



Much has been said in recent times about the disappearing rural fringe and it is something to be lamented upon. It seems that the pressures for conversion of these lands are completely unable to be halted and, when methods are devised whereby occupants can obtain some taxation incentive to retain these lands for less intensive uses, this is to be heartily commended.

A disincentive for the conversion to higher purpose is sought to be obtained by differential urban farmland rating. I should not imagine this particular mechanism would have a great effect, particularly in Darwin, because most of the lands which would ordinarily avail themselves of it are beyond the boundaries of the municipality. Nevertheless, I believe there are some agricultural leases which will soon be converted and which are still within the boundaries of the municipalities of Katherine and Alice Springs. One hopes that this particular measure will retain those lands in those uses for some years to come.

The disincentive to conversion to more intensive purposes results, by and large, from economic pressures to convert to higher use. The reason I say that I do not think that this particular mechanism will achieve its end within the present municipal boundaries but could well do so in the area that the member for Tiwi spoke about is that the existing pressures are not the result of taxation differentials but are clearly a result of the shortage of serviced land for intense urban purposes. I do not wish to bring down the wrath of the member for Tiwi upon my head but, when at some future time the boundaries are extended, perhaps we can look forward to the preservation of our farmlands on the boundaries beyond the present municipality.

This particular device is more useful to us now than it was before because a number of the agricultural leases will be freehold as a result of legislation passed at the last sittings of the Assembly. As members would know, hitherto we had the device of being able to prescribe a land use by reference to its lease purpose and that in itself ensured that the land remained in that purpose until it could be clearly shown that it was no longer economical to keep it for that purpose or until economic pressures became such that the lessee was able to change the lease purpose. Now that we have a conversion to freehold available to the lessee of agricultural leases, this particular mechanism may contribute to the preservation of land for green spaces, not necessarily recreation spaces, in the urban area.

Mr Speaker, I have made some passing reference to recreation uses as well and that is because, in a number of other states, there is a mechanism available whereby the occupants of land used for broad-scale recreation purposes can apply to have the land exempted from rates and taxes so long as it remains in that particular use. This mechanism has been used to ensure that there are no undue economic pressures to convert areas like playing fields - run privately I might add - to other uses.

Members who know the Adelaide district will know that many of the vineyards which are very near to town have availed themselves of similar legislation to this in order to make sure that the vineyards are not relocated out of the city. This device lends itself to providing a more open atmosphere in urban areas than would otherwise prevail. Like the member for Tiwi, I hope that we can take this proposal a bit further in the future. At the moment, there is not much that can be done with it in respect of recreation uses because recreation uses tend to be on Crown lands or on special purposes leases which have been given to sporting organisations and which are rated at extremely discounted levels. However, I feel that, in the future, we may have to extend this measure also for the preservation of recreation spaces in cities.

There are one or two other things about this bill which are quite commendable. One is the rebate for early payment of rates. As a result of recent changes in the departments, particularly the Department of Transport and Works, occupants of blocks of land within the municipalities are now being asked to pay things like water and sewerage rates in advance whereas, previously, they have paid in arrears. It is nice to know that, where occupants choose to make their payments early, they will be entitled to a rebate. It is very nice to know that one can actually obtain some economic advantage from paying early rather than simply paying in advance and getting nothing for it until the consumption occurs later in the year.

The converse of this proposal is to charge a penalty for late payment. It is true that all rational economic beings would defer the payment of their rates and taxes until the last allowable date. This is a device that is used by people in order to gain interest for themselves perhaps on money that they otherwise would have paid to the corporation. Both these devices - rebates for early payment and penalties for late payment - are used extensively by commercial enterprises to provide an incentive for the collection of accounts receivable and they defer payment of the accounts payable to obtain interest while they are holding other people's money. Those provisions will certainly help the cash-flow problems that some municipalities have faced in the past.

Another interesting proposal in this bill is the ability for investment by local councils. We know that there is presently a move all over Australia for a more equitable sharing of revenue between the federal, state or territory and local governments. It does seem inevitable that the local governments' share of the revenue will be increasing. It behoves this Assembly to give local governments some autonomous control over the manner in which they not only collect this revenue but in what they do with it and how they invest it on behalf of their ratepayers. The local government councils already have the ability to borrow as semi-government authorities. Again, we must have regard to the fact that they are autonomous organisations and are more responsible to their ratepayers than to the general taxpayer. This particular proposal will certainly assist in making local governments not only accept a greater responsibility for their own financial management but also to handle the funds of their ratepayers well.

We see this particular bill as an attempt to give local governments more responsibility and this is quite concomitant with the responsibilities that this legislature has had conferred upon it in recent times. We do hear from time to time that local government has asked for progressively greater powers as the power of the Northern Territory government increases. Some people have said, and at times I myself might have cynically remarked, that by its actions, local government may not be ready for this sort of development. Having regard to the fact that there is an Australia-wide trend for a greater share of responsibility to be given to local government and that local government is the first point of contact with many citizens, I commend this bill and I look forward to seeing its specific provisions with respect to rating having some effect on preserving some green spaces within municipalities.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would like to speak briefly to the bill and comment mainly on areas covered by other speakers. I particularly welcome the proposed new sections 189A and 190 relating to a discount for prompt payment of rates and a fine for late payment of rates. It is unfortunate but true that the very low fine of 5% imposed some months after the rates are due has encouraged people to abuse the system and deliberately pay their rates late. The system of compounding interest which is applied in this new section will overcome that problem. It is to be welcomed.

I confess that, while I support the principle which has been discussed by other members this afternoon on differential rates in respect of urban farmland, I found the working of this section particularly obscure or convoluted. It seemed to me that it was fairly subjective, particularly in relation to the use of the concept of the substantial part of the occupier's livelihood which is not defined. The other problem which comes to mind is that the differential rate will depend on whether the occupier derives the whole of that substantial part, whatever that may be, of his livelihood but in fact it is the owner not the occupier who is rateable. I wonder if the minister can explain to me how those problems will be overcome. I found that particular section fairly convoluted although I support the principle.

I would like also to discuss briefly the proposed new section 232B relating to insurance reserves. While I have no objection to this, I wonder if the minister would explain to me why workmen's compensation and public liability insurance are exempted from this section and will not be payable out of the reserve funds. Without being an expert, I would have thought that workmen's compensation and certainly public liability are a fairly important part of local government insurance cover and I wonder if he can explain what the intention of those exemptions is.

I support the bill. We know that the Local Government Act is one that constantly needs review and we are certainly constantly amending it. If, as a result of the passage of this bill, a local government is able to work more effectively, then the community will certainly benefit.

Mr PERRON (Community Development): Mr Speaker, I appreciate members' contribution and support for this bill. The Local Government Act seems to have many amendments before the Assembly and on the drawing board. We will continue to see this act amended from time to time because local government is in an evolutionary phase in the Northern Territory.

The member for Fannie Bay raised a question about local governments making payments from insurance reserves which they can build up from workmen's compensation and public liability. These are excluded from the area of self-insurance. What that section does is allow corporations to self-insure in all areas except workmen's compensation and public liability. The reason those 2 are excluded is that they can involve enormous claims. It is felt that it would be imprudent to allow even a municipality to attempt to self-insure on such matters.

The member for Tiwi asked why the provisions that allow reductions in rates for urban farmland do not extend to such matters as horse stabling. There is a number of open space, low-intensity uses on the fringes of cities or even within cities that should receive the benefit of lower rates in order to maintain them. At this stage, that principle has not been accepted on such a broad scale. The bill is specifically designed to allow reductions in rates only for that land which is genuinely being used for agricultural production and not for any other purpose. I think that is very important for members to note. We are not talking about rural residential land nor horse stables nor a number of other low intensity uses; we are talking about land from which the occupier derives the whole or a substantial part of his livelihood. In Darwin, that will not involve very many people. Out of Darwin, in other municipalities, a number of people may be affected and will be able to enjoy reductions in rates on this basis.

If members wish to name other uses that could be included in such a provision, I am happy to listen to them. As I understand it, the bill is designed to allow what is becoming quite rare in Australia: good farmland and market-

garden land. As the member for Sanderson said, these lands are gobbled up all too frequently by urban expansion and I believe that, on an Australia-wide basis, the situation is becoming quite serious.

There are a number of other uses. Horse stables is one. Whilst it would be convenient for horse stables to be located near urban centres, I suspect that a horse stable could be run almost anywhere because the horses do not graze; the feed is brought to them. The demands of preserving the soil are not present in that situation.

The member for Sanderson mentioned the conversion to freehold whereupon lease conditions and such will be changed. We require the financial incentives that are embodied in this bill to enable people to hang in there with their lower economic uses. The second one that assists in this position is statutory planning. If a planning authority, normally local government, wishes to stick to its guns so that areas zoned for agricultural activity are not encroached upon by urban development, well it can certainly do that - freehold or not. Therefore, apart from the economic encouragement for people to stay on farmland in an urban environment, there is also the power of regulation which authorities should exercise to contain the urban sprawl.

That is all I have to say on the bill. I have circulated a list of amendments, one of which proposes a different definition of 'footpath'. The bill and the amendment express the same thing in 2 ways. It is six of one and half a dozen of the other. The local government association is not happy with the definition in the bill. I think the one in the amendment is probably better. Its concern has been to try to prosecute people parking on footpaths. A judicial ruling some time back ruled that the area of a footpath which was set aside for the public was that area which is sealed. The land between the sealed strip and the gutter was, in a sense, a no man's land. We need that area cleared up.

The other amendments relate to a matter not covered in the bill. I will be proposing the deferment of the committee stage until next week so that members can consider this matter which has been brought to my attention only recently.

The Local Government Act currently says that, to be enrolled on the local government electoral roll, one has to be enrolled on the electoral roll for the federal parliament. The persons eligible to vote in a local government election are those eligible to vote in the federal election. The Northern Territory Electoral Act allows 2 groups of people to be enrolled who are not allowed on the federal electoral roll: prisoners and Aborigines.

We have the opportunity now to catch the next local council elections and change the enrolment stipulation from the federal electoral roll to the Northern Territory electoral roll. I leave members to contemplate the matter. It is not one that the government is pushing hard. There are only 30 to 50 people in Darwin who would be affected. The difference would be that prisoners in the Northern Territory would be able to vote in the forthcoming council elections. In the case of Aborigines, the Northern Territory Electoral Act requires compulsory enrolment and compulsory voting whereas enrolment on the House of Representatives roll is optional, although voting is compulsory for Aborigines who are enrolled.

The government is not pushing the point. There is time to introduce a bill and pass it before the council elections. There is an opportunity to make those changes now and I will leave it with members to contemplate.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

PRIVATE HOSPITALS AND NURSING HOMES BILL  
(Serial 47)

Continued from 26 November 1980.

Mr B. COLLINS (Arnhem): Mr Speaker, the bill before the Assembly is to licence and regulate the activities of private nursing homes in the Northern Territory. At this time, we do not have any private nursing home in the Northern Territory. This bill is ahead of time and that is sensible. As the Minister for Health said the other day, the establishment of organisations such as this, considering the growth of the Territory, is inevitable.

The bill seems to provide fairly sensible licence and regulation provisions for nursing homes and I intend to comment specifically on only 2 clauses. The nursing homes situation in Australia and the whole area of care for the aged in Australia is in a dreadful state. The blame for that situation can be laid squarely at the feet of the federal government. It has often been said in this Assembly by this side that one of the unfortunate tendencies of conservative governments is to continually increase the gap between those people who are very well off and those people who are not well off. Nothing illustrates this point more than the federal government's attitude towards the care of the ageing and the funding of nursing homes.

Nursing homes are in great demand. 95% of all beds available in Australian nursing homes are filled. Prior to the 1977 federal elections, the funding position in nursing homes was desperate. Because of increasing rises in costs, patients or their relatives were in a position of having to fork out about \$20 a week on top of the pension to meet the gap between the benefit provided by the government and the actual fee that was being charged by the nursing home.

In 1977, as one of its major election campaign promises, the federal government promised that it would redress this situation. That is an election promise the federal government has never kept. It has yet to honour that promise and the situation is deteriorating. That 1977 broken promise is responsible for the very desperate state in which patients in nursing homes find themselves today. The federal government's commitment simply was that it agreed that, by the use of the ordinary care subsidy, it would bring about a situation where 70% of the beds available in nursing homes would be within the means of the patient by making up the difference between 87.5% of a patient's pension and that charged by the nursing home. This would still allow something which is absolutely essential for the dignity of the people concerned: a few dollars in their pockets so that they were not in absolute penury.

The federal government has not kept that promise. There is trouble built into the system. Under the Commonwealth Department of Health, nursing homes are allowed to increase their fees 4 to 6 times a year in line with Consumer Price Index rises. However, the government only adjusts its subsidy once a year and reviews pensions twice a year. Problems are inbuilt in the system. The nursing homes can make 6 increases a year in their fees but pensioners only get a chance twice a year to have that imbalance corrected.

In a survey last year that was carried out by the nursing homes national standing committee to determine how many states achieved the situation of 70% of their beds being within the means of the patients who used them, the following

figures emerged: in Queensland, only 19.9% of beds were covered by the standard fee - that is, the government nursing home benefit plus the pension; 21% in Tasmania; and 38.8% in New South Wales. Even in South Australia and Western Australia which had the highest percentage of beds covered, fewer than 60% of beds were covered by the standard subsidy plus the pension. The situation now is that those people who are in nursing homes - and I must say from personal experience that they are often forgotten not only by the government but quite often by their families - are in a fairly desperate position.

There is another inbuilt problem with the system. The government also provides a \$6-per-day benefit, the extensive care subsidy, for non-ambulatory patients who require complete nursing care. This has produced some of the well-publicised horrors of Australian nursing home care. The majority of nursing homes in Australia provide a decent caring service for ageing people but I am sure that many members would be aware that there have been scandals connected with Australian nursing homes. The Australian consumer magazine *Choice*, whose integrity is unquestioned, carried out a survey into nursing home care in Australia and visited without notice a number of nursing homes. Some of the things it found were dreadful: patients who were tied to commodes so that they could not move around; groups of patients who were tranquillised out of their brains, sitting in rows in rooms in complete darkness with curtains drawn; patients who were sitting in pools of their own urine; nursing homes where the actual premises themselves were decrepit; and nursing homes where there was absolutely no attempt whatever to provide any kind of vocational therapy or diversionary therapy to assist the patients. The problem is that there is no incentive whatever built into the system to encourage nursing homes to provide a real caring service.

Physiotherapy attracts no subsidy from the federal government. If a nursing home decides to have a physiotherapist on the staff, it does so at its own expense and has to recover the cost in whatever way it sees fit. There is a \$6-per-day-per-patient extra benefit for non-ambulatory patients who require constant care. It was found that 65% of the patients in one of the nursing homes investigated were in this condition and there are some fairly horrific stories surrounding this particular aspect of nursing home care. Many of the patients have been given massive and unnecessary daily doses of tranquillisers simply to keep them in that condition.

I will quote from this article in *Choice* magazine. This is a letter from a person who had a relative in a nursing home and he visited the home:

*When we next visited, her deterioration was appalling. She sat in a room with 2 other women who were unable to talk at all. They were all in night dress even though it was mid-afternoon. They were tied into chairs and unable to move and the room stank of urine. Her eyes were glazed and she could barely talk to us and hardly seemed to recognise us. A vacancy came up in another nursing home and we had her transferred. This nursing home discovered that she had been regularly injected with a drug which is normally used to subdue dangerously aggressive patients which of course she wasn't. Several weeks later, I can't tell you how well she looks. She's walking, talking and making friends. Anyone seeing her today would never believe that it was the same person.*

Mr John Gilroy, the national secretary of the nursing homes standing committee made a comment on the inspection of nursing homes which is relevant to clause 23 of the bill. He said that one of the unfortunate things about the way in which these homes were inspected was that, quite often, the inspectors

were simply worried about cobwebs and had no interest at all in assessing the degree, the excellence or otherwise of the patient care.

Clause 23 provides for inspection of nursing institutions and says: '(1) The Chief Medical Officer shall cause each nursing institution to be inspected not less than once a year'. It also provides that the Chief Medical Officer may, in writing, authorise a person to enter a nursing institution at any reasonable time for the purpose of inspecting that nursing institution and may inspect the register, the premises and the equipment of the institution, and such things as are specified in an authorisation. Certainly, some provision could be written into the authorisation under this clause to ensure that the inspector examined the meals, the provision of diversionary therapy, the condition of the patients, their general demeanour, morale and so on. I suggest to the Minister for Health that it would be a very simple amendment to put that positive emphasis in this particular clause so that not only would inspectors be specifically empowered to inspect the register of the premises and the equipment but they could also inspect the standard of patient care.

One of the features of nursing homes in Australia is that most of them do not have any active program of diversionary therapy for the old people whom they look after. One of the great problems with patients who are not helped to be active and who are not given some sort of interest is that it is a vicious circle. The longer it goes on, the worse it gets until, eventually, the people become so moribund that no amount of rehabilitative therapy or physiotherapy is effective. One of the specific problems is that, if the ageing people are kept in chairs or in beds and sedated so that they are no problem to the nursing staff, their muscles suffer from atrophy and eventually they cannot move around. I would ask the Minister for Health to urge his federal colleagues to have a look at this inbuilt problem in the subsidies that are provided because some nursing homes have certainly not encouraged patients who are not ambulatory to become ambulatory because they lose a \$6-a-day subsidy from the federal government once the patients start walking around.

This brings me to something which has been mentioned in this Assembly before. Instead of having elderly people or people requiring nursing care in homes, they can be kept at home. The figures I will give you now are contemporary figures. If you are looking after someone, you receive a subsidy from the federal government to do so, but this particular area is so full of catch-22s that it is ridiculous. First of all, you have to be caring for the person on a full-time basis. In fact, one organisation found examples where the Department of Social Security so closely monitored whether recipients looking after patients did so on a full-time basis that people who went out more than twice a week to go shopping were removed from the subsidy. The subsidy for this full-time, 24 hours a day, 7 days a week care is \$21 a week. There was a rise of \$7 in the 1977 budget, the first rise since 1973. The problem is that, if you do not look after the patient 24 hours a day, 7 days a week, you lose the \$21.

You can of course apply for a special benefit, the absolute maximum of which is \$51.45 a week. I am bringing this to the attention of the minister so he can put pressure on his federal colleagues to do something about this. He can mention it at the annual conference of federal and state Ministers for Health. If you apply for this \$51 subsidy, you are subjected to a means test. If you earn more than \$6 a week, you lose the subsidy dollar for dollar. If you earn the princely sum of \$57 a week, you receive no subsidy at all.

The New South Wales Council for the Ageing asks a very pertinent question: 'Is the person looking after an aged person at home of any less benefit to the community than, for example, a single mother looking after a child?' The single

parent looking after the child can get a full pension and earn \$20 a week without losing any of that pension. Somebody in the possibly even more onerous position of having to care for a bedridden patient receives \$21 a week or \$51 a week special benefit if he agrees to be means tested. In 1981, that is a shocking state of affairs. Obviously, ageing people have been totally overlooked by the federal government. It is a continuing disgrace that this situation exists because the federal government has yet to honour an election pledge which it made in 1977. I would urge the Minister for Health to press his federal colleagues to honour that election undertaking.

I would like to read something into Hansard because I think that it needs to be stood against the Northern Territory bill. This is a bill of rights for the elderly in nursing homes which has been put out by the Private Hospital and Nursing Homes Association of Australia. It reads as follows:

1. *Every resident is an individual to be treated with respect and should be accepted as he or she is.*
2. *The resident has the right to the quality of excellence in care, environment, furnishings, food and activities, and the nursing home should maintain this standard.*
3. *The resident's right to privacy must be respected in the room, the bath, records, personal possessions and relationships. There should be freedom for the residents to choose and pursue companionships with their own or the opposite sex without fear, criticism and censure from staff or other residents.*
4. *The resident's family should feel welcome at the home and become part of it by visiting and participating in the activities subject to nursing regulations.*
5. *The resident should be encouraged to do as much as possible for him or herself as long as he or she is able to do so.*
6. *The resident has a right to a rehabilitation and resocialisation that emphasises his or her abilities. The resident has the opportunity and responsibility to avail him or herself of these offered programs.*
7. *The rationale behind necessary examinations, medical care and in-house changes in both schedule and accommodation should be explained to the resident consistent with his or her comprehension. The resident also has a right to know medications by name and effect. He or she has a right to refuse treatment and, if desired, should know about this condition.*
8. *The resident has the right to know in advance what appointments have been made or changed and when and where the physicians are available. The resident has the right to adequate time either from the physician or some authorised personnel in nursing and, to the extent possible, a personal relationship with them should exist.*
9. *The resident has the right to know the home rules and regulations and to have a vehicle for involvement in the decisions that concern his welfare and functioning.*
10. *The resident should receive all messages or phone calls left for him and receive and send mail uncensored.*



11. *The resident has the right to manage his own finances and to examine and receive an explanation of his monthly fee for services.*

12. *An evaluation of relationships between a resident and a staff member may be made if there is an ongoing friction.*

13. *The resident is entitled to life, love, moral support and comfort from staff, family and friends.*

14. *The resident has a right to die with dignity, with strength, with courage and in peace.*

I understand, Mr Speaker, that that particular bill of rights, which is a very sensible one and one not difficult to achieve, has been specifically drawn up to try to overcome some of the abuses that have existed in the very areas that this legislation seeks to cover. I would urge the Minister for Health to take up with his federal colleagues their failure to honour that 1977 election promise and to correct the deficiencies in the benefits available for the ageing in nursing homes. I also ask him to include a positive provision in this bill to provide that an inspector shall be able to investigate the level of nursing care, morale and so on of the patients concerned and to ensure that any nursing home - and we certainly have the opportunity here to start off on the right foot because we do not have any yet - provides a positive program of diversionary therapy for its patients.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the Private Hospitals and Nursing Homes Bill. As most members would be aware, and I know the Minister for Health is aware, I have supported the principle of the establishment of a private hospital in the Darwin area for quite some time now.

The legislation to enable private hospitals and nursing homes to be licensed exists in all the states of Australia. Although the homes vary from state to state, the general provisions which are provided for in this bill are the same as in the other states. The most important thing to ensure in all legislation dealing with the care of people is that that care is adequate in private institutions. I believe that this does that.

The legislation contains provisions relating to the management of these institutions, the purpose of which is to ensure that responsible persons are in charge of management at all times. The institutions are also subject to various controls under the direction of the Chief Medical Officer. It is important that the Chief Medical Officer does have the powers which are given to him in this particular bill to make sure that strict control is kept. If something happens and the people who are using that particular facility are put at risk, immediate action should be taken if it is required.

The powers that the Chief Medical Officer will have under this bill include the power to determine applications for transfers and licences, take action following inspections, revoke or vary licences and close down a nursing institution. All of those decisions may be appealed against by the management of the private hospital. As such, there are no complaints about the Chief Medical Officer having these powers. I believe it is important that he does.

Private hospitals have been an issue for a number of years and I am very pleased to see legislation being debated to enable them to be licensed. From the answer to a question I asked of the minister this morning, it is obvious that we still have the opportunity to establish a private hospital in the Darwin area.

I would like to make it clear that at no stage have I been looking to have a private hospital developed from the ground up. The costs would be prohibitive and I do not believe anyone would consider such a proposal. The opportunity for us to have a private hospital established here in Darwin arose when the decision was made to proceed with the building of the Casuarina Hospital. It was felt that, when Darwin Hospital patients moved to Casuarina, sections of that old hospital could be used for a private hospital facility.

There are arguments for and against the setting up of private hospitals but I believe that people should have the opportunity of choice between a private and a public facility. I have the same view with education. I believe that people should have the opportunity of choice between a private and a public facility and I feel the same way about education. I believe that parents should be able to choose whether they want their children to go to a private or a public school. Of course, the debate on those philosophies is a continuing one. I do not wish to canvass the issues here.

The other area I do not wish to touch on is the economics of running private hospitals. I believe that is something which should be left to the experts. They are the people who have prepared the various reports and submissions to government. I feel they are the ones who should be looking at that particular aspect.

I would like to stress the point that we do have the opportunity to establish a private hospital at this particular time. Provided it is at no extra cost to the taxpayer, I think we should welcome such a proposal with open arms. I was a little concerned after listening to the Minister for Health's comment this morning about the Commonwealth government's attitude towards the funding of the maintenance of hospitals and the continuing costs of the Casuarina Hospital. Clearly, if a private hospital is established in Darwin, the cost per bed at Casuarina could be affected.

There are many benefits that the establishment of a private hospital would have in our community. It would provide an uplift to the medical profession and it would encourage competition in that particular profession. It would also encourage specialists to come to Darwin. It is only by providing improved private facilities that we will improve the quality of care to our people. I believe that is an important point to bear in mind. More people would invest in private health insurance and once again we would have an operating theatre in close proximity to the centre of the city.

The last point, that of the operating theatre, is one of the reasons for my objecting to the removal of the Darwin Hospital to the northern suburbs in the first place. We lost the availability of a facility that could cater for emergencies. The main city area has more motels, hotels and high-rise buildings which house many hundreds of employees. Because of the fuel storage depots, there is the potential for a disaster. It also has the wharf and the power-station. The city is a high-risk area.

One of the things that we will have to face in the near future as far as hospitals are concerned is that eventually the public will have to pay for out-patient treatment. The unfortunate aspect of this whole affair is that there are many people who are abusing the system. Many people who can afford treatment by private doctors are putting a strain on the services that are provided for those who cannot afford that treatment. Although, at this particular time, everyone can afford to see a private doctor. However, we have to come to some rationale with this particular problem. Perhaps the whole matter is one of convenience of seeing a private doctor. It is important that this whole issue be re-examined.

I would like to touch on a point which was raised by the member for Arnhem yesterday. He related a story about someone making various phone calls to doctors after consulting the yellow pages in the phone book. Might I say here that there is no shortage of doctors in the city. There are new doctors complaining that they do not have enough work to do. If I looked through the yellow pages, I would not be surprised to find out that the first batch of doctors were well established. I think this is where the problem is: people who come to Darwin do not realise who has been here for a number of years and who has not been. There is no way that this can be indicated because doctors are not allowed to advertise. I think it is a problem that we have to look at.

Mr Speaker, I am very pleased to support this bill to enable the licensing of private hospitals and nursing homes in the Northern Territory. I hope that we are able to have such facilities here in Darwin in the very near future.

Mrs LAWRIE (Nightcliff): Mr Speaker, I support the bill in that, if private hospitals and nursing homes are to be set up, they will help to obviate some of the problems which have occurred in other parts of Australia and which the member for Arnhem so eloquently outlined. But I am prompted to rise to my feet because of some of the remarks of the member for Port Darwin and the tremendous difference in philosophy which I see between us.

It does seem to me that it is in the interests of the nation as a whole if we are as healthy as possible. We pay taxes and, as the Chief Minister outlined fairly graphically, we pay those taxes to build very expensive hospitals with very expensive equipment in them albeit that the decision was taken before the local people had much say in the matter. Along with a group of other citizens, I gave evidence to the parliamentary works committee at that time. I might say that federal body was very critical of the local people's opinions and dismissed us almost out of hand.

However, this claptrap about most of us being able to afford private medical insurance and how that solves all society's ills deserves the same contempt with which we were treated by the parliamentary works committee.

Mr Everingham: He didn't say that.

Mrs LAWRIE: Mr Speaker, the Chief Minister can get up and defend his back bench in a moment to the best of his undoubted ability but the member for Port Darwin has taken an interest in the administration of hospitals, both public and private, since his entry into this place. I was a bit saddened and surprised to hear him say: 'People tend to abuse the system by attending public hospitals when they could afford to attend a private doctor'. These days, such statements deserve a little more examination.

One of the ills of the private insurance funds is that the profits from those funds are not ploughed back into the community for the provision of more health facilities. The funds are established to run at a profit which advantages themselves and one of the best things that the Whitlam government did, whilst I do not agree with everything it did, was to establish a universal scheme. Successive Australian governments have dismembered it and distorted it until it is an almost unrecognisable entity now. If this nation as a whole cares about the basic health care of its citizens, it should get back to a universal health scheme so that basic health care is provided to all. Anyone wanting an option above and beyond that, and who can afford to pay for it, can do so.

In this community today, there are large numbers of people on relatively high incomes who, along with the high cost of living in the Northern Territory, find it an imposition to pay through the nose for these private health funds

for what should be the right of every Australian in this community. That is basic health care. I cross swords with the member for Port Darwin in his commitment to private insurance and private hospitals.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I did not intend to speak in this debate. However, I thought it was timely to inform people in the Top End that, in essence, we already have one private hospital in Alice Springs. Attached to the Old Timers' Home is a hospital section which is run very efficiently, It is right there in the middle of the whole complex and any of the old timers who fall ill are cared for in that section. It is right where visitors enter the place. They see the people there. There is also what I would consider to be a nursing home for those people who are not entirely bedridden but who still need some help to get along during the day. They are looked after in that particular place.

I say that we already have, in essence, a private hospital which is run very efficiently and very pleasantly. It is a very homely place indeed. People are welcome to go out there to visit. The community of Alice Springs makes quite an effort to go and help entertain in that particular place.

There is also another institution in the town: the Hetty Perkins Home. It is in my electorate and it provides nursing care too. It also has a hospital section. I would pay tribute to both those institutions and to the staff for the quality of care and treatment provided.

I have read some of the horrific stories in the Bulletin which the member for Arnhem spoke about. I share his concern. But I am very pleased indeed to report that, in these 2 institutions, the quality of care is absolutely Al.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would like to endorse the remarks of the member for Alice Springs. He is quite right. Those organisations exist in Alice Springs. I have not seen the Hetty Perkins Home but the Old Timers' Home indeed performs that function. I understand it is registered under the Commonwealth legislation as a nursing home and I presume that it will qualify for registration under the new Northern Territory act. It does a very good job in Alice Springs. I understand that the Department of Health in fact has an arrangement with that establishment which alleviates the department of the extra burden of having a geriatric ward in the Alice Springs Hospital. That certainly was the arrangement and I think it still stands. I hope that one day the Top End will have a similar home for its older citizens not all of whom can be cared for at home. Many of them do not have relations to care for them up here anyway.

I would also like to continue on the theme raised by the member for Port Darwin. While violently disagreeing with some of his comments, I have no objection to the establishment of a private hospital in Darwin. If people want that choice, if they can afford that choice and if they can have it without any net cost to the people of the Northern Territory, well that is fine. I think that the crux of the matter in relation to the establishment of such a hospital in the old Darwin Hospital was that it should not be at any net cost to the Department of Health or to the people of the Northern Territory. That is one of the reasons why such an establishment has been so delayed.

I was most interested to listen to the reply of the Minister for Health to the question of the member for Port Darwin about a proposed private hospital. To be honest, the whole thing has been a farce. We had a suggestion in 1979 that part of the old Darwin Hospital, which was still occupied then, could be converted to a private hospital. The Northern Territory government, quite properly, had consultants from the New South Wales Health Commission examine the

issue. Those consultants presented a report in December 1979 arguing quite strongly against such a proposal because of the financial problems involved. Notwithstanding that report, and of course it is the government's right to disregard the recommendations of reports it receives, this government proceeded to call for tenders for the establishment of a private hospital at the site of the old Darwin Hospital. In his answer this morning, the minister implied that there is still only one person interested. He gave an interesting explanation for this. He said that, since tenders were called, some interesting developments have occurred in the interim period.

The Jamison Report, the Report of the Commission of Inquiry into the Efficiency of Administration of Hospitals, has had the effect of discouraging people from putting in tenders and there is uncertainty as to the hospital funding throughout Australia, all of which is perfectly true. However, the Jamison inquiry was in train before the government called for tenders so it should have been aware that hospital funding in the 1980s was very much up in the air and any prudent investor in the private hospital field was unlikely to be responding to these sorts of suggestions. One really wonders whether the government was serious when it called tenders in 1980 because the chance of getting anybody either mad enough or wise enough to see a definite financial return in the current uncertain situation regarding hospital funding was most unlikely.

I do not object to a private hospital anywhere in the Northern Territory and I am pleased to see this legislation, particularly in regard to nursing homes. As the member for Alice Springs pointed out, we already have one of these and I hope we have more of them. I do hope the member for Port Darwin does not get too excited at the prospect of the establishment of a private hospital in the old Darwin Hospital because I think that is still a very long way off.

Ms D'ROZARIO (Sanderson): Mr Speaker, this bill deals with private hospitals as well as nursing homes. I suppose we are used to thinking of nursing homes in terms of their being mainly aimed to provide a service to elderly people. We must remember that the content of this bill applies also to non-geriatric patients who may just be ill and be seeking a service from a private hospital. It is as well that we take the step now to have legislation to license these sorts of institutions to ensure that the people who are charged with the responsibility of providing health care can be controlled, are properly qualified and in fact discharge a standard of care which our community has come to expect.

My main concern in this matter is for the elderly. The member for Arnhem outlined some of the instances where independent organisations have found, if not direct mal-treatment, certainly the withholding of good treatment from elderly patients. I think that elderly people are particularly vulnerable when it comes to this sort of service. We have in Australia an ageing population and, whilst we do not have many homes for the elderly in the Territory, at least 2 such homes presently operate under Commonwealth legislation.

In answer to a question from the member for Tiwi yesterday, the Treasurer said that he supported a philosophy whereby the elderly could remain with their own families and in the environment with which they are familiar. Certainly, I commend that philosophy but, unfortunately, the people who are most likely to be affected by this legislation are not in that happy situation. They are people who perhaps have no family or who are in such a state of disability that the family is unable to care for them. These are the people, at least in some instances, who are exploited by unethical practitioners in this area of medical care. One can hardly term it 'medical care' when one reads of the instances which have been outlined and referred to by the members for Alice Springs and Arnhem.

Like the member for Arnhem, I think that perhaps this bill does not go far enough in prescribing the standard of care. We have tended in this bill to stress the qualifications of the people giving the care and the physical facilities available to them within which this care can take place. I do not for a moment deny that these aspects are extremely important. We know what can happen when unqualified people enter this field because they are not subject to any code of ethics and placing elderly people in large numbers in their care can be sometimes downright dangerous. As far as the adequacy of physical facilities is concerned, I certainly do not argue because there have been instances where the physical facilities, the buildings and structures, have been so inadequate as to pose a hazard to the life of the inmates. There have been one or two instances where non-existent fire protection resulted in a large number of deaths of elderly patients. Fortunately, these incidents were not within Australia but I just point out that it can happen.

We should also show more concern for what might be called the quality of life for these people in their declining years. As the member for Arnhem said, they are often forgotten, not just by their families and friends but by society at large. We tend not to think so much in terms of how the elderly can live out their years fruitfully: we tend to think of them as marking time waiting for the end of life. In these enlightened times, we ought to have a bit more regard for the contribution that the elderly can make, not just in being active in their final years but also in still being able to teach us a thing or two. I support the member for Arnhem's call that not only the matters listed in clause 23 of the bill be a matter of concern to the Chief Medical Officer but also such things as the therapeutic services available, the standard of food supplied at these places, the types and the reasons for the drugs administered and the general standard of care that is given towards these patients.

Mr Speaker, I do not want to paint a horror picture but I do feel that, in other parts of Australia where these homes flourish, there have been instances where elderly people were exploited. I hope that the legislation that we put through this Assembly during this sittings can ensure that that cannot happen to any Northern Territorian who is elderly and in need of the care provided by private hospitals.

With those few remarks, I support the concept of this bill and hope that it can make some contribution towards increasing the standard of care that we have in the Territory especially that which we can offer our elderly.

Debate adjourned.

LOCAL COURTS ACT (No.2) 1979 AMENDMENT BILL  
(Serial 48)

Continued from 20 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the proposed amendments to the Local Courts Act arise as a result of a review of the Local Courts Amendment Act that was passed in 1979. Regrettably, that has not yet been able to be put into effect. The principal measure of that amendment was to raise the level of the local court's jurisdiction from \$2,000 to \$10,000. The amendments in the bill before us are simply designed to ensure that appropriate measures are taken to correct the anomalies.

There is one matter that I would like to reflect upon which relates to the procedure for appeal from interlocutory orders. As I understand it, the current position is that, according to the rules of the court, 8 days are given for which

appeals can be made by way of interlocutory orders. It has been put to me that, with the increase in the level of jurisdiction from \$2,000 to \$10,000, there is a fair amount at stake. When solicitors require briefing from their clients, this may take time. For example, when people are living on pastoral stations, it takes some time to obtain instructions, take the appropriate action and report. It has been put to me that the 28 days provision ought to be retained. I realise that it is there only as a result of a drafting error.

If the 28 days is seen as too long by the Chief Minister, perhaps consideration could be given to extending the period for which interlocutory orders can be made from 8 days to 14 days. That proposition deserves some regard because, with the increasing of the threshold from \$2,000 to \$10,000, a lot is at stake and those instructions ought to be gained. Sometimes it is difficult to obtain those instructions and an extension of time from 8 days to 14 days would not cause a great hardship. With those remarks, the opposition supports the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I would not want to oppose the suggestion of the Leader of the Opposition in this matter. I do not really see that it is necessary to do so in this particular situation because of the time limit as well as the other procedures for appeals against interlocutory decisions which will be handled under rules of court. I am fortunate to have with me in my hand the existing rules of local court matters. At the present, rule 4 relating to the time for appealing against interlocutory orders reads: 'Every application of the Judge of the Supreme Court for leave to appeal from an interlocutory order will be made to the Judge in chambers within 8 days of making the order'. That is the case at the moment. I can give an indication to honourable members that consideration will be given as to whether the time should be extended from 8 days to 14 days or 21 days. It will definitely be extended from 8 days.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

#### COMPANIES (TRUSTEES AND PERSONAL REPRESENTATIVES) BILL (Serial 49)

Continued from 27 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports this bill. We debated this particular measure at least 2 years ago. That bill lapsed and has been reintroduced by the Chief Minister in much the same form. There are 3 substantial differences between this bill and the previous bill. I would like to talk about those very briefly but I notice in the amendment schedule which the Chief Minister has circulated today that one of the principal measures had been reversed.

The bill will repeal 4 acts of South Australia, dating back to 1885, which relate to the operations of 3 public trustee companies in South Australia which had exclusive operation in the Northern Territory. This bill will set up legislation by which public trustee companies can operate under the authorisation of the Administrator.

When the Chief Minister spoke about the differences between this particular bill and the bill introduced in the previous Assembly, he spoke about the cancellation of those authorisations and he put a case which I found compelling.

The cancellation of those authorisations would be a matter for the Supreme Court and ought not to be a matter in which the government would intervene. If the company had in some way failed to comply with its conditions, that would be a matter for determination by the court and, if the court so found, the authorisation could be revoked. I found that argument compelling as no doubt he did at one stage. However, the amendment schedule has an amendment inviting the defeat of clause 10 and the cancellation of the authorisation is to return to the province of the minister. Perhaps the Chief Minister might indicate what has caused his change of heart and that might be sufficient to convince us.

The requirement for companies to register their operations in a statutory declaration twice a year on a prescribed form seems a perfectly reasonable proposition. Another matter relates to the ability of trustee companies to accumulate a common fund and to invest a certain amount of that common fund in land. This bill allows the companies to invest no more than 10% of their common pool in land. I believe that is an appropriate percentage. Investments in land certainly can be problematic at best. Even though the price of land in the Territory does not seem to be doing anything but spiralling upwards, we know the booms and busts in land sales and it is appropriate that a very small amount of the common pool of these public trustee companies be allowed to be invested in land. I notice that clause 25 is to be amended by the government. The amendment is to delete the reference to 10% and have an amount determined by regulation in the Gazette. Again, I would like to hear from the Chief Minister what he has in mind because it seems to me that we ought to be putting a ceiling on the amount that can be invested by public trustee companies in land. It is appropriate that it should be specified by law. If the government wishes to do it in some other way, perhaps by regulation, so be it. I would like to hear the reasons for the change from its previous view that it ought to be stipulated.

Apart from that, the bill is timely. It repeals acts dating back to 1885 of South Australia. It is appropriate we have our own laws to regulate the operation of public trustee companies in the Northern Territory. It has the support of the opposition but I would like to hear the Chief Minister's comments on the 2 matters that I have raised.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to say at the outset that the bill has gained general acceptance from the people who are involved with trustee companies. There are not all that many in Australia. Victoria, New South Wales and Tasmania have 4 trustee companies, Queensland has 3 and Western Australia one. The total number in Australia is about 20. By having our own act which enables us to have trustee companies authorised, I do not think it will alter that number to any great extent. I think there is one company at the moment that could take up the option.

The aim of the bill is not to have trustee companies set up all over the place. We are aiming at giving our people the opportunity of having a means of fulfilling certain requirements of law in the Northern Territory. Probate work in the Northern Territory can become a very complicated affair and there are a number of reasons for this. One of the reasons is a split in the family. Mum and Dad may live in Darwin while the kids live down south or vice versa. Whenever someone lives outside the jurisdiction which is administered by a trustee company, and in many cases it is over 2,000 miles away, it makes probate work very difficult indeed. The office of the Public Trustee in any of the other states is very large and employs experienced people. In the Territory the office of the Public Trustee is small and the people are less experienced in complicated matters of estate work.



When one does have complicated estates, it is necessary on occasions to call in outside firms of solicitors and accountants. Coupled with the person's lack of knowledge as to what is actually required, this can often cost a great deal. Another problem is the lack of stable and long-established firms of solicitors and accountants here in the Northern Territory, not so much in name but in stability of staff. Some southern firms have been dealing with particular families for generations and, over that period, they have built up a great deal of trust. In Darwin, we have a situation where people tend to move from a company not because of dissatisfaction with that particular company but because the person they have been dealing with in that company moves. Quite often, in complicated estates, a person will develop a very close relationship with an employee who understands his affairs and, whenever that employee moves to another company, the business goes with him.

As we develop, we must make provisions and amend our laws otherwise these problems will become worse and Territorians will definitely be disadvantaged. We have a bill that has general acceptance throughout the community but there are a few points that I would like to raise.

The first clause I would like to comment on is clause 13. An amendment has been circulated which fits in with what I have suggested. Declarations are to be made by trustee companies twice a year. It has been put to me that the period of 7 days referred to in paragraph (1)(a) may be a little short. Obviously, when the trustee companies are outside the Northern Territory in other states and signatures are required, it would be quite reasonable to extend that to 14 days.

There is an amendment circulating to clause 19 which stipulates that the trustee may act under a power of attorney. The directors of a company should definitely be included in paragraph (a).

The Leader of the Opposition commented on clause 25(4). This restricts the value of investment in freehold land in the Northern Territory to 10% of the total value. It has been put to me that this perhaps is too restrictive and people involved with trustee companies feel that the restrictions to trust fund investments should be included in the Trustee Act as is the case in Victoria. I would like to point out here that trustee companies are generally only interested in properties which are capable of producing income, properties that are developed. They are not interested in freehold, undeveloped or virgin land. Whilst I am not arguing that these particular provisions should necessarily be included in the Trustee Act, I believe that there should be a 10% restriction placed on virgin land. With the Leader of the Opposition, I ask the Chief Minister to comment on that. Trustee companies are responsible for other people's moneys and I believe that, when they are investing these moneys in risk areas, there should definitely be some form of restriction. I am opposed to trustee companies investing in the bush. I do not think that is what it is about and I feel that trustee companies would agree. There appears to be some confusion in this particular clause. Perhaps this could be included in the Trustee Act together with the 10% restriction on investment in freehold land.

In clause 27(4), there appears need for some provision whereby, where an estate is not likely to be realised for many years, outstanding commissions may be drawn. There is provision in subclause (12) which relates to payment for commission but, if one of the beneficiaries does not agree or infants are involved, it could be many years before final payment is made. I believe that there needs to be some other fair means of judging whether or not the commission should be drawn on the remaining 50% of an estate. The court is possibly where this decision should be made.

The only other matter that I would like to comment on is part III. This is the part on which most criticism was voiced from within the trustee companies themselves. It is only natural that, when you feel threatened, you will make comment. I can understand the concern that they have that this particular part could be abused to some extent but I do not believe that that would be the case. Their argument is that no one knows who these companies are until they apply for probate and the companies are authorised by virtue of this bill. No one vets the proceedings. It is felt that parts of this bill will allow for firms of solicitors and accountants to set themselves up as trustee companies. The part is not included for that purpose. I do not feel that this abuse will occur. The part is obviously directed at the family company situation that has to meet certain prerequisites to act as executors.

Perhaps I could sum it up by reading out clause 43(4) which deals with advertising. It reads: 'No director, officer, employee or agent of an authorised company, or any other person on behalf of the authorised company, shall advertise or hold out to the public, either expressly or by implication, that the authorised company is authorised, empowered or otherwise entitled to act as an executor of a will or administer the estate of a deceased person. Penalty: \$1,000 or imprisonment for 6 months'. I do not believe any company worth its salt would try to set itself up as a trustee company under this particular part. I think the risks are too great and the penalties are too severe. I also feel sure that, if there was abuse of this particular part, it would be brought to the attention of the authorities very quickly and amendments to the act would be made.

Mr Speaker, I am very pleased to see that, where companies meet certain criteria, they will be able to be authorised to carry on business as trustee companies in the Northern Territory. The bill is in line with the government's trust to give to the Territory people equal opportunities and similar services to those provided in other states of Australia. I support the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, in reply I would like to thank the member for Port Darwin and the Leader of the Opposition for the interest that they have obviously shown in this legislation. The member for Port Darwin has obviously made a close study of it and, by the sound of it, has been strongly lobbied by representatives of the trustee companies to put their points of view, some of which I found a little harder to swallow than others.

The member for Port Darwin commented on commission being received quickly in interests that may linger for quite a long while. I think that is just one of the incidents of being in the trustee company business. I always had a fear of trustee companies when I practised as a solicitor. I was fearful often that they would create life interests just to keep the estate dragging on and money coming back through the accounts more than once and receiving commission on it more than once. For that reason, I believe they should be made wait for their commission until matters are finalised. Even so, I seem to have a recollection that they can go to the court to attempt to obtain their commission early. The court is competent to judge but I believe it is just one of the incidents of being in the public trustee company business. Considering their profits, I do not think they will do too badly by waiting a while for this particular part of their commission. It should be a matter of policy to attempt to urge through the legislation that estates be wound up as quickly as possible. Being paid before you collect the money or do the work is certainly no encouragement.

Mr Speaker, the Leader of the Opposition referred to 2 points. I must admit that, when I introduced this bill, I indicated that we would leave the courts as the arbiter of whether the trustee companies should in effect remain registered

or authorised. Since then, I have given the matter further consideration possibly because I have been jogged so much by the trustee companies with their lobbying. I believe that it is a matter of policy for politicians to decide whether trustee companies should trade and be authorised rather than a matter for judicial decision. In any event, the minister must act in accordance with the provisions of the act which states that you cannot take away their authorisation unless they breach certain clauses of the act and the terms of their authorisation. There are reasonable safeguards for the trustee companies. I believe the matter is essentially a political one and not a judicial one.

As to the share of the pool, I think some explanation of that is deserved because we are foreshadowing the introduction of amendments to the Trustee Act which will be somewhat cognate to this legislation. That bill will propose that any trustee, whether company or personal, may invest up to one third of the trust funds in his hands in the purchase of freehold land in the Territory. There will be safeguards. To escape any possible liability, the trustee will have to get a proper valuation and ensure that the land is income-producing and has improvements on it. Trustee investments are things like government bonds and blue chip investments. Land is really one of the safest investments provided that a proper price is paid for it. There have been people caught buying land but we are talking about practised investors not people being sold blocks of land under the high tide mark by salesmen for Russell Island Pty Ltd or something like that. It is not unreasonable that we allow this situation. We therefore will be proposing to the Assembly in a later bill that up to one third of the trust funds may be invested in the purchase of freehold land.

Those are the only points that I would like to make in reply, Mr Speaker. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 25.1.

I have outlined my reasons for the change.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7:

Mr EVERINGHAM: I move amendments 25.2 and 25.3.

My earlier remarks apply as these are consequential.

Amendments agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr EVERINGHAM: I move amendments 25.4 and 25.5.

Amendments agreed to.

Clause 8, as amended, agreed to.

Clause 9:

Mr EVERINGHAM: I move amendment 25.6.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10:

Mr EVERINGHAM: I invite defeat of clause 10.

Clause 10 negatived.

New clause 10:

Mr EVERINGHAM: I move amendment 25.7.

In substance, this is the same as the old clause but gives the power to cancel an authorisation to the minister instead of the court.

New clause 10 agreed to.

Clauses 11 and 12 agreed to.

Clause 13:

Mr EVERINGHAM: I move amendment 25.8.

On the basis that representations have been made to the government that 7 days is too short a time to ensure that documents can be sent from a southern capital to Darwin, the government believes that 14 days is more reasonable and the regulation will require a statutory declaration to give information on a trustee company's capital and shares and its assets and liabilities.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 18 agreed to.

Clause 19:

Mr EVERINGHAM: I move amendment 25.9.

The government has also received representations that directors as well as the managing director, manager or secretary of the trustee company be included in the category of those who may exercise the powers conferred on a trustee company under a power of attorney without having to be specially authorised under seal. Directors can do this in most other jurisdictions and I think the suggestion is reasonable.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 24 agreed to.

Clause 25:

Mr EVERINGHAM: I move amendment 25.10.

This is the point raised by the Leader of the Opposition. As I previously mentioned, I foreshadowed the introduction of a bill to amend the situation in respect of trustees generally to enable them to invest up to a third in real property, subject to the safeguards that I mentioned.

Mr ISAACS: Mr Chairman, I am not sure that I accept the proposition of the Chief Minister. By way of interjection when he was speaking, I mentioned the famous name, Sir Paul Strasser. He invested a lot of money in land. I would not have thought that he was a novice in the field of finance yet he found himself in all sorts of strife as we all know. I think the present provision, the 10% requirement, is a good requirement. I am somewhat conservative regarding the investment of other people's money. I am not particularly happy with the Chief Minister's proposal that up to one third of the common pool will be able to be invested in land. I do not find that acceptable. He says that it will be valued appropriately and these people are not Johnny-come-latelys or fly-by-nights. They are people who are well versed in investment procedures. However, I think it is advisable to be conservative when it comes to the investment of other people's money.

I cannot see any reason why we could not leave the 10%. If it is seen that there is a problem in, say, 12 months time, let us then have a look at enlarging it. I do not think there will be any hardship caused to any estate by not having the 33 $\frac{1}{3}$ %. I would be much happier to leave it at 10% and, therefore, I would invite defeat of this particular amendment.

Mr EVERINGHAM: Mr Chairman, I am quite firmly of the belief that it is quite conservative to allow not more than one third of the pool to be invested in land. Let us face it, even if they do make foolish investments, the land must still be worth something. You would have two thirds of the pool left plus whatever the value of the land is should the bottom fall out of the market. If the bottom falls out of the land market, some of those other investments will not be worth too much either. But I will take up the Leader of the Opposition's suggestion that we give it a go for 12 months at 10% and review the situation then.

Amendment withdrawn.

Mr EVERINGHAM: I move amendment 25.11.

The existing subclause (15) now provides that the prospectus provisions of the Companies Act do not apply to trustee company common funds. This amendment will provide that the minister may, by notice in the Gazette, determine that this provision in relation to prospectuses need apply in relation to these funds.

Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26 agreed to.

Clause 27:

Mr EVERINGHAM: I move amendment 25.12.

This is to clarify the time that the debt in relation to commission arises.

Amendments agreed to.

Clause 27, as amended, agreed to.

Clauses 28 and 29 agreed to.

Clause 30:

Mr EVERINGHAM: I move amendment 25.13.

This amendment is merely consequential on the amendment to clause 10.

Amendment agreed to.

Clause 30, as amended, agreed to.

Clauses 31 to 41 agreed to.

Clause 42:

Mr EVERINGHAM: I move amendments 25.14.

This is for the same reason as the first few amendments.

Amendment agreed to.

Clause 42, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

COMMERCIAL AND PRIVATE AGENTS LICENSING AMENDMENT BILL  
(Serial 50)

Continued from 26 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the amendments to the Commercial and Private Agents Licensing Act, otherwise known as the 'Snoops Act'. There are 2 matters of major moment in this amendment. The first is really more a matter of clarification rather than one of additional people being excluded from the operation of the act, as suggested by the Chief Minister.

Section 4 of the act, which is the definitions part, is being amended so that loss adjusters are not included. Already, insurance brokers are excluded and I think it is probably a matter of clarification more than anything else which has prompted this particular amendment. In any event, we agree that it is not appropriate that the insurance industry be regulated by this particular means. We therefore support the amendment as proposed.

The other major amendment relates to the registration of companies which are able to operate as private agents. The requirement which we placed when we first debated this legislation was that the company which was being registered had to have a resident officer in the Northern Territory. As the Chief Minister quite rightly says, this would simply either drive out of the Territory certain reputable private agencies which operate from the south or encourage those companies merely to set up a front in the Northern Territory, neither of which seems particularly appropriate. There are, in fact, sufficient safeguards on the registration of companies and on the people who are given private agents' licences as well as various character requirements. The residency requirement really is an artificial requirement and certainly not germane to the task at hand.

There are other amendments which seek to clarify certain measures of the bill. In all, they will add to the streamlining of the operation of the act. As the Chief Minister said, it is not an industry which employs a great number of people nor is it an industry which too many people have a great deal of regard for. I certainly have some views about that. Nonetheless, they operate and so long as they operate under proper regulation and supervision, the opposition is happy to support this particular legislation.

Mr EVERINGHAM (Chief Minister): Mr Speaker, in reply I would like to inform members that there are some further amendments which I do not think we have as yet circulated. I would not be proposing, naturally enough, to proceed with the committee stage of the bill until later next week. I will provide the Leader of the Opposition with a copy of the proposed amendment schedule in a short time. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

### FISH AND FISHERIES AMENDMENT BILL (Serial 51)

Continued from 26 November 1980.

Mr DOOLAN (Victoria River): Mr Speaker, this bill is simply a piece of legislation to complement the Commonwealth Fisheries Amendment Act 1980. In saying that it is simply a piece of legislation, I certainly do not infer that it is a simple piece of legislation.

Under the Commonwealth Fisheries Act 1980, which makes reference to a state or states, the Northern Territory is included as if it were a state. As the minister said in his second-reading speech, the act creates a legal and administrative structure, the objective of which is to rationalise the role of the Commonwealth, the Northern Territory and the states in managing Australia's fisheries. One of the most practical things which this bill seeks to achieve is to liberate fishermen from the need to hold a multiplicity of licences in order to comply with both the Commonwealth and the Territory fishing laws.

In his second-reading speech, the minister gave a brief summary of events leading to the presentation of this legislation. It appears that, prior to 1973, the states assumed that state boundaries extended seawards for a distance of 3 miles. But in 1973, the federal parliament passed a Seas and Submerged Lands Act vesting sovereignty of territorial seas over a 200-mile zone in the Commonwealth. The act was challenged in the High Court by the state of New South Wales and it survived the challenge and was declared valid.

The bill before the Assembly has been prepared from a draft model of complementary legislation drawn up by the New South Wales Crown Solicitor as a model for the states and relates to jurisdiction over the 200-mile Australian fishing zone. The second last paragraph of the minister's second-reading speech details exactly what the basic amendments of this bill provide for. There is a lot of legalistic jargon used therein. It is pretty heavy stuff which I will not repeat. However, part of it says: 'The Commonwealth act provides initially for the establishment of 4 joint authorities each comprising of the appropriate federal minister and the corresponding minister or ministers of the state or states concerned. This seems to be a bit top heavy and even confusing. How many ministers, I would like to know, are needed to totally confuse the issue?

The minister talks about the legislation simply providing the consultative mechanism for the management of a particular fishery: 'Consultation agreement would determine which fishery would be involved, what law will apply and over what area'. To me, this sounds fairly abstract. Consultation in itself could determine one interest benefit over another without really determining anything. It sounds to me that it is a formula for confusing the layman. It details, however, various circumstances concerning species of fish and geographical areas, some of which are controlled by joint authorities consisting of the Commonwealth minister administering fisheries and his counterpart in the Territory. It also provides for special circumstances where there is no arrangement for a fishery to be managed by a joint authority, in which case it seeks to define the extent to which the Territory has powers to legislate extra-territorially with respect to fisheries.

I can find nothing specific in this bill to which I am able to object, possibly because it is so obscure in parts as to be almost unintelligible to any person other than a skilled legal draftsman. I think the Minister for Primary Production and Tourism would agree with me. It is a bill, as it says, to enable arrangements with respect to the management of certain fisheries to be entered into between, and given effect to by, the Commonwealth, the Territory and the states. The opposition supports the bill.

Mrs LAWRIE (Nightcliff): A man of substance in another place referred to himself as just a simple sailor. Might I say that all my friends who are just simple fishermen have been able to read through the bill and agree that it may help to streamline the procedures by which they can fish in certain waters.

Surprisingly, the second-reading speech outlined rather well the intent of the bill. I draw to the attention of the Assembly in particular the section which says: 'To provide that the law to be applied by joint authority would be Commonwealth law where more than one state or territory is a member of the joint authority'. I draw that to the attention of the Assembly because that has met with acclamation from the fishermen with whom I deal who, in many cases, cannot decide whether they are Queensland fishermen or Northern Territory fishermen. They want to get about the business of fishing with the least possible delay and with the least possible red tape. As the minister is well aware, red tape these days is proceeding to tie up the fishing industry in a way which hitherto has been undreamed of.

The fishermen with whom I have discussed the bill have also asked me to mention in passing their increasing concern that Commonwealth and state authorities are, in their opinion, not protecting their interests sufficiently and that foreign fishing interests have the ear of government. At the moment, they do not see this as particularly applicable to the Northern Territory but I raise this here because this is one of those boring bills which have largely been



decided on at joint meetings of Commonwealth and state ministers. It is presented to the Assembly as a fait accompli and to attempt to amend it would lead to the greatest opposition on the part of the government because all has been agreed to hitherto.

I would hope that the application of this bill will be discussed at the seminar which the minister has stated he is going to host in Darwin later in the year. By and large, the fishermen support the bill and welcome anything which will streamline the procedures which are causing them some distress at the moment.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to speak in support of this bill. This bill honours the agreement at the Premiers Conference in June 1978 and November 1979 which was to introduce complementary fisheries legislation. The states of Western Australia, New South Wales and Victoria are at a similar stage to us: they have the bill before their houses. The states of Queensland, South Australia and Tasmania are still in the drafting stages.

The relationships between governments leaves many overlapping areas of responsibility. I refer here to the governments of various countries, the Commonwealth government, the state governments, down to local governments. There needs to be some degree of consultation and cooperation to reach satisfactory agreements with areas of common interest. An example of this in the Australian scene is with laws relating to motor vehicles. Fisheries is another area where responsibilities overlap.

As has already been pointed out by the member for Victoria River, the fish and fisheries area is a very complicated one. I believe that more and more emphasis will be placed on fisheries in northern waters. The potential for development and expansion in the fishing industry is enormous. Legislation must be the starting point in examining this potential and any problems.

As far as I know, the contents of the bill have not caused anyone from within the industry to comment unfavourably on it. It is in line with the fishing industry's wishes. They also realise that there are areas where conflict could arise and they have supported this proposal.

The Northern Territory Fishing Industry Council met 2 weeks ago. At that meeting, members were asked to comment on the legislation and there were no unfavourable remarks. Again, the opportunity arose for comments to come forward from the Northern Territory Fishing Industry Council's consultative body which met on 14 February. This is the body which liaises with the Northern Territory government. Again, there was no comment from that particular consultative body. The only point the industry made is that it requires input into these joint authorities should they be set up. That is consistent with the Northern Territory government's efforts to interested people to comment about legislation which affects them.

When introducing the Commonwealth legislation, the Minister for Primary Industry, P.J. Nixon, made mention that the Australian Fisheries Industry Council had also asked to have included in the act provision for representation on the various committees that would be established to advise the joint authorities. As a result of those representations to the minister, we see that each joint authority can decide to establish an advisory body and to choose the membership for that particular body. Therefore, the industry is able to have that all important input. As a result of those representations to the minister, we see that, if each joint authority decides it needs to establish an advisory body, it will be able to choose the membership on that particular body. Therefore, the industry is able to have that all-important input.

I do not think it is necessary to go through what this bill does. The main point is that the joint authorities do not have to be established and we are not losing out by being able to make agreements with the other governments. The bill gives a means to protect the specific interests and rights of the Northern Territory. I understand that the minister will be introducing some technical amendments next week. I support the bill.

Debate adjourned.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL  
(Serial 53)

Continued from 26 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, I rise to indicate that the opposition supports the bill. Like the previous bill, this bill arises from a consultation between the appropriate state and federal ministers and the Attorney-General of Papua New Guinea. Under the Foreign Judgments (Reciprocal Enforcement) Act, Australia has arrangements with other countries regarding the reciprocal enforcement of laws which exist in their countries relating to specific legislation. Currently, that legislation refers only to judgments for the payment of money in respect of compensation for damages to an injured party. Papua New Guinea has notified the Australian government that it has a particular problem with regard to the enforcement of the tax judgments on some of its citizens - expatriate Australians - who delay paying the court and skip back to Australia. This is causing Papua New Guinea tremendous loss of revenue and, naturally enough, it is concerned and seeks our cooperation to rectify that situation.

Before I deal with this particular bill, I would like to spend a few minutes simply talking about the nature of joint legislation; that is, state and federal legislation. My attitude is that, where it is uniform legislation proposed as a result of meetings of state, territory and federal Attorneys-General, we ought to support it as a matter of principle. We ought to ensure, however, that our support does not in any way prejudice the Northern Territory's position. Certainly, with regard to this particular measure, that is not the case. Papua New Guinea has agreed that it will introduce similar legislation to ensure that people who have tax judgments made against them in Australia and who abscond to Papua New Guinea will suffer the penalty under Papua New Guinea legislation as well.

One can see that the consultations which take place between the Attorneys-General of countries may have a beneficial effect on Australia generally. If it will help Papua New Guinea recover revenue which rightly belongs to it and we have some arrangement as well that it will introduce similar legislation, the bill is indeed worthy of our support. For that reason, the opposition welcomes the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

STOCK DISEASES AMENDMENT BILL  
(Serial 54)

Continued from 20 November 1980.

Mr DOOLAN (Victoria River): Mr Speaker, this bill is concerned only with a change in definition. Section 4 of the Stock Diseases Act is amended by omitting the definition of 'holding' and substituting the following, "'holding" means land held by a person under any form of tenure'. It is a most necessary piece of legislation. As the minister explained in his second-reading speech, as it is at present defined, 'holding' is limited to land which is held under leasehold. This government has expressed its intention to convert much of the land now held under leasehold into freehold. It would be quite ridiculous for people holding freehold land not to be subject to the same stringent controls on various movements of diseased stock under the Stock Diseases Act as those who hold land under leasehold tenure. The opposition supports the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, as the member for Victoria River said, this is minor legislation. It will bring a certain definition in the Stock Diseases Act into line with the freeholding legislation which was passed earlier this year. The subject of stock diseases is becoming important in the Northern Territory in view of the 1984 deadline by which the Territory must be free of TB and brucellosis. We have one of the largest numbers of feral animals in Australia and also the largest variety of species of feral animals. To try to control the stock diseases which could be present in these feral animals, they must be brought under control one way or another.

Feral animals are a valuable source of capital investment for the people who own them, whether it is the Crown or property owners. I would hate to see them destroyed and their carcasses left to rot. A couple of years ago, many hundreds of buffaloes were just left out on the plains in the Northern Territory. There was a recent symposium on buffaloes. I attended a meeting held at Adelaide River by the Agricultural Development and Marketing Authority and other meetings of farmers. At all these meetings, the subjects of disease control and fencing were discussed in different ways and from different angles. With the Northern Territory government placing increasing importance on the development of agriculture in the Northern Territory, this legislation dealing with stock diseases is becoming more and more important.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I seek leave to take over the conduct of this bill in view of the absence from the Assembly of the Minister for Lands and Housing. He has had to leave at midday on a plane to attend a housing ministers' conference in Canberra.

Leave granted.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I move that the motion that the bill be read a third time be moved forthwith.

Motion agreed to; bill read a third time.

NOTIFIABLE DISEASES BILL  
(Serial 56)

Continued from 26 November 1980.

Mr B. COLLINS (Arnhem): Mr Speaker, this bill is a sensible consolidation of a number of the Northern Territory acts dealing with notifiable diseases. In fact, one of the things I noticed that this bill does is that it substantially eliminates a very small problem which was raised by the member for Victoria River earlier in the sittings when he talked about the current moves that are being made in other parts of Australia not to refer to the disease of leprosy as 'leprosy' but as 'Hansen's Disease'. The deletion of all of the leprosy acts and their consolidation with other notifiable diseases acts under this one bill substantially removes that problem. The many references to leprosy that were contained in that act are not contained in the bill.

The acts that are being repealed by this bill include the 3 venereal diseases acts, the endemic disease acts or ordinances and the 2 leprosy ordinances. A total of 12 ordinances are repealed, one of which has been on the books since 1923. It is a sensible consolidation. Certainly, anyone would be justified in saying that there are many provisions of the bill which are very strict and very harsh.

The possible application of this bill is to a situation which could be fairly grim indeed. There have been many recorded instances of notifiable diseases causing great distress and indeed many deaths in various places around the world. In fact, some very extraordinary and interesting stories are available on the kind of forensic detection, if you like, of medical teams and pathological teams in tracking down these diseases to their source - diseases such as cholera. I believe that the strict provisions of this bill are certainly justifiable because they are provisions that would be invoked only when they are absolutely necessary.

There is one clause of the bill on which I would like some comment from the Minister for Health: clause 15 which deals with bodies and the disposal of bodies. Some comment has been made in the past on this by Aboriginal people. The Chief Minister will recall a conference where there was some considerable debate, some of it very entertaining, dealing with the ways in which bodies of Aboriginal people were often dealt with in the past. I am happy to say that instances of that sort no longer occur. The clause reads:

*(1) If a medical practitioner considers that a deceased person was, at the time of his death, an infected person or suspect person, the medical practitioner shall notify a medical officer of that fact by the fastest practicable form of communication.*

*(2) A medical officer may give such order as he thinks fit in relation to the disposal of the body of a deceased person who, at the time of his death, was an infected person or suspect person.*

*(3) A person in charge of the body of a deceased person who, at the time of his death was an infected person or suspect person shall comply with an order of a medical officer in relation to the treatment and disposal of that body.*

No one on this side of the Assembly doubts the potential need for such provisions in the bill. However, I would like some comment from the Minister for Health as to what circumstances he would perceive in which a medical officer

would direct a relative for example to dispose of the body in a certain way or treat a body in a certain way where that person had died of a notifiable disease. I would also like him to enlarge on the actual directions that might be given and the way in which the body would be directed to be disposed of. With those comments, the opposition supports the bill.

Mr DOOLAN (Victoria River): Mr Speaker, to consolidate and amend the law relating to notifiable, infectious and other diseases is a very sensible and necessary action to take. Perhaps the one concern which I have about consolidating acts is that to generalise terms relating to more than one subject is to lose something by definition. However, if efficiency is to be gained and the law simplified, it would appear to be a very sensible and worthwhile move in the right direction.

It is good to note that the list of diseases set out in the schedules has been prepared on the basis of information and advice from the National Health and Medical Research Council. Obviously, the minister feels that such a source of respectability and counsel is unquestionable and not objectionable to the layman. However, if the minister is prepared to rely almost solely on the findings of the National Health and Medical Research Council, which his second-reading speech would indicate, it seems a pity he has not taken stronger notice of the trachoma report by the Royal Australian College of Ophthalmologists, a body whose information on that particular disease I consider equally impeccable. I commend the special measures required for venereal disease contained in this bill, which are indeed essential to the chances of controlling this social disease and as a preventative measure.

Clause 5(4) says: 'Where an obligation under this act is placed upon a child, the parent or guardian of the child shall be liable for carrying out that obligation or ensuring that the obligation is carried out, unless the contrary intention appears'. I would like to know what 'unless the contrary intention appears' means. I would like to see 'contrary' defined or at least referred to something relevant. I think that acts should at least be tangible in their written expression.

In part II, 'Notifiable diseases', clause 6 states: 'The minister may, by notice in the Gazette, declare a disease to be a notifiable disease for the purposes of this act'. I presume that, before a minister declares a particular disease to be a notifiable disease, he would only take such action on the advice of the Chief Medical Officer and I believe that such a provision should be provided in this bill.

Clause 12, 'Appeal from notice', states: '(1) Where a person is served with a notice under section 11(1), he may appeal to a magistrate against the notice or a direction contained in the notice; (2) 'A magistrate before whom an appeal under subsection (1) is brought, may, by order - (a) confirm that notice; (b) vary a direction contained in the notice; or (c) revoke the notice...'. What qualifications does a magistrate have for such a ruling? If he is required to seek medical opinion before making a ruling, I think it should be stated.

Clause 14 says: 'The Chief Medical Officer may, by notice in the Gazette, require - (a) a specified person; or (b) persons who are members of a specified class of persons, to attend at specified times and places for medical examinations and to answer such questions to determine whether that person or any of those persons of that specified class of persons is an infected person or suspect person'. I can understand 'persons who are members of a specified class of persons' but 'a specified person' seems to me ludicrous when, at a later stage, this bill talks of secrecy to be preserved. I may have misunderstood but, if

that means what it seems to mean to me, why not just put a notice on the front page of the NT News which says, 'John Doe is hereby summoned for pox examination at a specified time and place'.

Clause 17, dealing with the declaration of an isolated area, worries me a bit. I would like to know if the provision in the bill for the Administrator or minister to isolate an area for a short period of time rests solely on the premise that those persons act on the recommendation of the Chief Medical Officer with or without question. My concern is that, through some form of bureaucratic bungling, people concerned might by accident or otherwise be affected adversely. I refer mainly to the short period which is mentioned in clause 12 which can extend up to 2 months. The period during which the particular area is isolated would have to be under constant review to ensure that hardship and inconvenience are not experienced by people within the declared area. If an area is declared initially as an isolated area for a period of 2 months, for example, and it is found that the area is free of the particular notifiable disease in 2 or 3 weeks, then the area should not continue as an isolated area until the expiration of the whole 2 months. I would like somebody to have a look at that.

In clause 19, 'Powers within isolation area', subclause (3) says: 'It is not a defence to a prosecution under this section if a person did not know that - (a) he was entering, leaving or located in an isolation area; (b) the person asking questions under subsection (1) was a medical officer or authorised person; or (c) he was required to truly answer to the best of his knowledge all questions put to him'. This means that ignorance of the law cannot be used as a defence, which is common knowledge. Nevertheless, I think that it could be quite unfair to persons belonging to various ethnic groups who have little knowledge or comprehension of the English language, either written or spoken. For example, in my electorate recently, a cattle station dropped 1080 baits around an Aboriginal camp 9 miles from the homestead. It was quite dangerous. As I said at the time, if they wanted to get rid of some of the mongrel dogs around the place, I had no objections. But it was within 40 yards of the boundary of this place. Children could have picked up the baits and the results could have been quite drastic. The management advised me that notices had been posted 9 miles away at the homestead. Most Aboriginals, particularly that group, cannot read. I do not believe that they were properly informed because they could not read. What I am getting at is that, for people who do not understand the English language, it should be some sort of defence for them that they did not understand. It is okay to say that, if you speak English, ignorance is not a defence, but I think some provision should be made for people who are non-literate. In any case, the opposition does support the law.

Before I finish, I would like to put a plug in. As the framing of this bill presently before the Assembly is the Notifiable Diseases Bill and repeals other ordinances including the Leprosy Ordinance 1954 and 1957, the only mention of leprosy which I can find in the bill appears in schedule 3. I would suggest therefore that it would be an ideal opportunity to delete a notifiable disease name which has been dropped many years ago in most civilised countries. I support what my colleagues said - I said it first - that it would be an ideal opportunity to do this. I was under the impression that there was going to be an amendment circulated by our spokesman on health. I would ask again that the Minister for Health take notice of that and, if possible, delete the word 'leprosy' and substitute 'Hansen's Disease'.

Debate adjourned.

STATUTE LAW REVISION BILL  
(Serial 57)

Continued from 27 November 1980

Mr ISAACS (Opposition Leader): Mr Speaker, this bill is part of the ongoing review by the legislation section to update the law of the Northern Territory. I would like to commend the officers in charge of this particular review. It must be a most painstaking and tedious job but it is a necessary job if the law of the Territory is to have any integrity.

On each occasion that such a bill is presented to the Assembly, I check, at random, references in the bill to see that they do match. I notice also that the Chief Minister has circulated a schedule which inserts another couple of amendments which the legislative draftsmen have picked up. As I say, it is a job which has to be done. It does not amend the law in any substantial way. It ensures the integrity of the law by correcting any slip-ups. The opposition supports the procedure and this bill.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Schedule 1:

Mr EVERINGHAM: I move amendment 16.1.

This amendment does 2 things. First, it omits from the schedule the proposed formal amendments to the Construction Safety Act which members may recall were picked up in a schedule to a construction safety amendment bill recently passed by this Assembly, and which became law in January this year. Secondly, it proposes formal amendments to the Traffic Act, the major one being to overcome a rather unusual problem that recently has been the subject of a decision of the courts in a case calling into question certain aspects of the random breath testing scheme.

Honourable members will recall that, in 1979, 4 acts to amend the Traffic Act were passed by this Assembly. The first 2 acts however were passed in a different order to the order in which the bills were presented and the Clerk, following normal procedures and with proper authority, corrected the titles of each to reflect that fact. Unfortunately, there was also a cross-reference in one of the bills that was thrown out as a consequence. As mentioned, the court has now considered the matter and has decided that the intention of the Assembly was clear and is prepared to read the disputed reference as a reference to the appropriate act but this amendment regularises the matter.

Amendment agreed to.

Schedule 1, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr DONDAS (Transport and Works): Mr Speaker, I move that the Assembly do

now adjourn.

Mr PERKINS (MacDonnell): Mr Speaker, it is with a certain amount of trepidation and deep regret that I rise in the adjournment debate this afternoon to inform the Assembly that, in the near future, I intend to resign as the member for MacDonnell. I think that I also ought to inform the Assembly that, after that particular resignation takes place - I have not formally resigned as yet - I expect to take up a position in Canberra with the Aboriginal Development Commission as the assistant manager in the Lands Section.

In view of the speculation of late in relation to my political career in the Territory and the fact that I had been considering a change in career, I thought it would be appropriate to inform all members. I was elected to the Legislative Assembly to represent the interests of the people of MacDonnell and to sit as the member for MacDonnell in this Legislative Assembly.

I want to place on the record of this Assembly that the major reasons why I am resigning have to do with family and with personal considerations. I am not announcing those reasons without some mixed feelings and some deep regrets. I think that most members are aware of the situation which exists in my family and the fact that a certain member of my family has an ongoing illness which has not improved over the past 12 months. For those reasons, we had to make decisions in the family interest and in the interest of Joanne who I think is known by most people here in the Assembly. I think most people would know of her particular illness and the fact that she needs to be close to specialist advice and facilities in order to help her with her medical problem. Unfortunately, that sort of help does not exist in Alice Springs or Darwin. Therefore, I think it is important to place on record that I have discussed at length my decision with a great many friends and supporters. I know that I leave with their understanding and their good wishes.

I also want to place on record the fact that I have had a proud association with the Australian Labor Party in the Northern Territory over the years. I first became a member of the Australian Labor Party in 1974. I guess I was caught up in the euphoria associated with the years of the Whitlam Labor government. In the main, I joined the party because the Australian Labor Party had Aboriginal policies to which I had been attracted. I have been proud to participate in the development of those policies in the Australian Labor Party.

I think it would be quite in order if I also placed on record my appreciation of the assistance and the support which has been given to me by the members of the parliamentary Labor Party and indeed the people in the Labor movement generally. I have made a decision in the interests of my family and for personal considerations and not for any falling out with the Australian Labor Party. In fact, the most appealing policies in respect of the Aborigines in the Territory are in the policy platforms of the Australian Labor Party.

Having said that, I suppose that one ought to contend that the logical sequence of events in the electorate of MacDonnell will be that the Labor Party continues to hold the seat. Obviously, we will not know what the outcome of that particular situation is until the figures go up after the by-election.

Mr Speaker, I thought I would take this opportunity in the Assembly to make a few observations which I hope are pertinent to all members. Before I do so, I would like to thank all members for their cooperation over the years I have been a member here. I would also like to place on record my sincere appreciation to the Clerk and to all the staff in the Legislative Assembly for their assistance and cooperation which I needed at the time that I have been a member



of the Legislative Assembly. Certainly, I am leaving this place with some deep regrets and feelings which are mixed. I will certainly be leaving with good memories, not only of the debates in this Assembly and the good times and the bad times, but also of the excellent service which has been provided by the Legislative Assembly staff and indeed also the staff who have worked in my office in Alice Springs.

It is important that I indicate to this Assembly that I am in fact proud of my Aboriginal ancestry and my birthright as a Territorian. Indeed, I would be one of the very few people in this legislature who has the distinction of being born and bred in the Territory. If there is anything I want to be known for, it is the fact that I am proud to be a Territorian by birthright. I have a proud ancestry which goes back for many thousands of years in Aboriginal society.

I have enjoyed the honour and the privilege of serving the many electors in the MacDonnell electorate over the years. I hope that, in some way, I will be able to continue to work in their service in my new career. Working with and in the interests of my constituents and being interested in their concerns has been my most important duty here in the Legislative Assembly and out in the electorate. Over many years, I have been involved with many people in the MacDonnell electorate and I have always regarded the job of looking after the interests of my constituents as my first and foremost responsibility. No doubt there are other members here who might have that view.

In leaving the parliamentary political arena in the Territory, I do not think I will be turning away from the major preoccupations and concerns which have virtually dominated my life over the past decade. I have been working with Aboriginal people - my people - to advance their status and their conditions, particularly in the Territory, but now I will be redirecting my energies to new areas. Much has changed in the Northern Territory over the years but there are problems which are still immense and deep-rooted. I was involved initially in Aboriginal affairs in an active way with the federal Council for the Advancement of Aborigines and Torres Strait Islanders as one of the founders of the Central Australian Aboriginal Congress and the Central Australian Aboriginal Legal Service. At that time, many of the improvements were still to come. It is very pleasing to see that there are a considerable number of viable Aboriginal organisations which are providing support and assistance.

It is important to note that, over the years, the rhetoric at least of the major political parties has changed. All the political parties now appear to agree that the direction which must be taken in Aboriginal affairs is one where Aboriginal people themselves are able to plan, implement and control the nature and the pace of the development within their communities. I see that as a most encouraging development.

Initially, my work in the Centre was to assist in the practicalities of such developments amongst Aboriginal people and in the development of policies which were more or less on a regional level. In 1977, I thought I could advance the interests of my people if I entered the political arena and promoted their interests in the area where the policy was decided. I think now, Mr Speaker, that I can do my best in an executive and administrative capacity working for Aboriginal organisations and communities. That will now be on a national rather than a regional level. I believe I can do this because of some of the achievements of the past years, achievements whereby the main tasks in Aboriginal affairs relate to translating positive policies into actions rather than merely persuading people of the rightness of such policies.

In this context, I believe there is a great need to reduce the polarisation

in the Northern Territory community in relation to Aboriginal affairs. In fact, I hold the view that Aboriginal affairs really ought not to be a party political issue but that all the parties ought to adopt a bipartisan approach on this most important aspect of the Territory's development. I believe that major political parties have a responsibility to assist in this process by refraining from exploiting Aboriginal people and issues as a political football and by firmly rejecting those who seek to exploit party politics in the Territory to further racism which is still apparent in the Territory although, thankfully, it is found within a diminishing section of the community.

In the decade of the 1980s, I would like to participate in some of these challenges which are important. At this stage, I have made a choice that I ought to change from Northern Territory politics and move into a career in which I will specialise in advancing the Aboriginal cause. In that area, I see a number of challenges which are important. Firstly, there is the development of Aboriginal land rights across the nation. Secondly, I see as an important priority the protection of Aboriginal culture and Aboriginal sacred sites across the nation. Thirdly, I will work for the improvement of the facilities and the quality of life for Aboriginal Australians under policies of self-management and self-sufficiency. Fourthly, I will work to urge the effective use of Commonwealth powers to protect Aboriginal rights. Last but not least, I would like to be involved in the improvement of race relations in Australia. In the area of Aboriginal affairs in the 1980s, I would naturally regard those issues as the most important.

Mr Speaker, I would like to thank my constituents and my supporters. I have had to make a decision in the interests of my family and my future. I certainly feel a moral obligation to devote my efforts towards helping Aboriginal people. Coming from a shanty town, I was fortunate to have had the benefit of education both in Alice Springs and Sydney. I had the benefit of obtaining a degree from the University of Sydney. Having had those benefits, a person like myself has, in some way, a moral obligation to put that to good use by helping my own people.

I suppose it is a turning point in my life in that it is a change from being a politician to an administrator. I will be able to get my teeth into a new career and utilise the opportunity of being able to help Aboriginal people who are perhaps the most unfortunate and disadvantaged minority in Australian society. There is certainly a great deal of help which is required in that area. I thought I would make that clear to all members of the Assembly. I also wanted to make it clear that money has not really played a role in my decision because the position which I expect to take up will pay significantly less than what I am receiving here as a member of the Legislative Assembly, a position which I have been honoured to hold over the years. However, my new career ought to give me more scope to do the things which are important in relation to the Aboriginal cause at the national level.

Mr ISAACS (Opposition Leader): Mr Speaker, I would like to pay tribute not only to the dignified statement of the member for MacDonnell and my Deputy Leader of the Opposition but also to the contribution he has made to Territory politics and to Territory life prior to his entering the Northern Territory Legislative Assembly in 1977. Prior to his entry into politics, he was a most active person for the Aboriginal cause in Central Australia and a most active person in the establishment of those various organisations about which he has just spoken and which now are acting in such a positive and effective way to improve the living standards and lifestyle of Aboriginal people in Central Australia. The strength

and effectiveness of those organisations is due, in a very large part, to the efforts in the early years of the member for MacDonnell and in the years since then as well because he has maintained his interest in those organisations as a bit of a father confessor and has provided excellent advice to those organisations. The effectiveness and strength of those organisations now is mainly due to the efforts, time and energy spent by the member for MacDonnell, Mr Neville Perkins.

The member for MacDonnell has been a very strong and articulate advocate for his people in Central Australia. They have been extremely well served by him and it was with real regret on my part too to first discuss with my deputy leader the question of his move to Canberra and away from Northern Territory politics. I deeply regret his leaving because I believe his services in a future Labor government would have been very useful indeed. Nonetheless, he has made a decision.

All members will be aware of the difficult personal circumstances which he faces and emotional pressures placed on him due to the continuing debilitating illness of his wife. It certainly could not have been an easy decision for him to make. I believe he was fully justified in taking that decision and I am sure all members would join with me in wishing him and his family well.

I believe that his new career in Canberra will be a successful one. I am sure Aboriginal people around Australia will benefit greatly from the skills of the current member for MacDonnell even though he will just be plain Neville George Perkins when he takes up his job with the ADC. I would like to wish him well on behalf of the Australian Labor Party in his new job. I am quite sure that he will be able to be as effective in his new job as he has been in the interests of his people in Central Australia.

The other matter that I wish to talk about this evening is in relation to the airline industry and the fact that, in 2 days' time, the prospective airline companies around Australia will have to have their submissions to the Northern Territory government. I am prompted to speak this evening because of an advertisement in the Centralian Advocate and I think the Northern Territory News about a week and a half ago. It was in the form of an open letter to the Chief Minister and to other Territorians. It was inserted by employees of Northern Airlines engineering facility in Alice Springs. Those people - about a dozen - not only outlined how long they had been employed - ranging from 2 to 15 years - but also their very great concern that the standard of that engineering facility be maintained.

I would ask the Minister for Transport and Works to take note of that advertisement and the spirit behind it in the hope that the Cabinet in its deliberations about the various proposals put forward by the airline companies - and I guess we are talking about TAA and Ansett - require of the prospective operator of airlines in the Northern Territory that the standard of that engineering facility be retained up to RPT standard.

It is my fervent hope that, in the not too distant future, the concept of a regional airline in the Northern Territory will be reintroduced. I hope that, as a result of the current proposals, we have a regional airline concept. But if it is the belief - I recall one of the ministers of the government saying as much at one stage of the fracas over Northern Airlines - that a regional airline concept just is not appropriate for 1981, I simply put to them that I believe the Territory is best served by a regional airline.

I believe that, if we allow the standard of the engineering facility to be downgraded from its current very high and excellent RPT standard, then our options for having a regional airline in the future will be that much diminished.

I would hope that the Northern Territory government, in its consideration of the applications by the 2 airlines and any other airlines that happen to put in a proposition, insists that part of the arrangements be that the engineering facility at Alice Springs be retained at an RPT standard and that those airlines give an undertaking that they will so maintain that standard.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I would like to take this opportunity to wish the member for MacDonnell well in his future career. I view with regret the circumstances that require him to terminate his membership of the Assembly and, although I do not personally know of the nature of his wife's illness, I hope that it is of a kind that will respond to treatment. In taking the action of moving south, which I appreciate is a most serious step and one that I would hope to never be placed in, I would hope that the illness responds to treatment. I do wish Mr Perkins all that one as a political foe can wish in the way of good fortune to someone for the future.

I cannot say that I know Neville Perkins very well. On the occasions that I have had dealings with him, he has been a pleasant chap and has always appeared to be trying to view the most humorous side of any situation. He is not a bloke whom I would regard lightly. Mr Deputy Speaker, through you, I say to the member for MacDonnell: go forward with our personal but perhaps not political good wishes.

There is a very cleverly written article in the NT News this afternoon which headlines: 'Adams sacked from the public service'. I say 'very cleverly written' because I think it is so cleverly written that that was one of the reasons why magistrate Barritt feared the media and decided to go direct to the public on TV. No where does it claim Mr Adams says he has been sacked. It simply says in the article that he has been sacked and later quotes him on various other topics.

I would like to make it quite plain that Mr Adams has been retired at his own request. He was occupying a very high position of executive level E6 in the Northern Territory Treasury and he approached recently the former Public Service Commissioner, Mr Norm Campbell, with a request. I will read out the note that I have:

*Mr Adams requested the former Public Service Commissioner to give consideration to his retirement from the service as no suitable position, in his opinion, appeared to be available for him. I interviewed Mr Adams subsequent to Mr Campbell's departure and ascertained that he indeed wished to retire from the service. I confirmed that no suitable alternative position at an appropriate salary was available to him and, pursuant to section 48 of the Public Service Act, I found him to be excess to the requirements of the service.*

This was done for Mr Adams because, if he had resigned, he would have received only a refund of his superannuation contributions; he would have received no special salary after the time his resignation took effect and he would not have received removal expenses. Because he was retired at his request in that way, he will receive  $2\frac{1}{2}$  times his superannuation contributions, 4 months salary in advance until the end of June and his removal expenses will be paid in full. In effect, the Northern Territory government has behaved pretty reasonably towards Mr Adams in the circumstances. I simply wish to make that quite clear because Mr Adams has not been sacked; he has been performing a job in the Northern Territory Treasury. As far as I have heard from the Treasurer, he has been performing it satisfactorily. He originally came to us from the Western Australian Treasury.

I would like to turn to a couple of other matters that were raised by the member for Nhulunbuy yesterday about electricity and water charges at Gove.

The position is that Gove is a company town. The land is a special purposes lease held from the traditional Aboriginal owners. The Crown has no interest in the land or the town at all. As the Minister for Mines and Energy said earlier today, it is complicated by the statutory agreement between the Commonwealth and Nabalco to which the Northern Territory government is not a party and which Nabalco continues to rely upon because it contains certain provisions that Nabalco must attempt to rely on for the sake of its future operations.

The position is that we have nothing to do with the provision of, or charging for, water and sewerage services in Nhulunbuy. The water and sewerage charges in Nhulunbuy are set by the corporation which is funded by Nabalco. The current charges for Nhulunbuy are: water - \$52 per annum basic charge; excess water is charged at the same rate as the basic allowance; and sewerage - \$57.67 per annum basic charge. Territory government charges are: water - \$50 per annum basic charge; excess water charges; and sewerage - \$75 basic charge. Therefore, it looks as if people in Nhulunbuy pay more than other Territorians for water but less for sewerage. The combined water and sewerage charges are about the same. If people in Nhulunbuy are to pay less for water, what we are being asked, in effect, by the member for Nhulunbuy is for the Northern Territory government to subsidise a multi-national company responsible for setting whatever price it likes through the Nhulunbuy corporation for the provision of these services. In fact, the corporation, Nabalco, which runs the mine at Nhulunbuy is paying the lowest royalty rate in Australia for bauxite. It is paying very much lower royalty rates than are being paid for bauxite, for instance, in Queensland. I am not being critical; I am simply stating a fact. The agreement was negotiated years ago. Are we to weigh in with more taxpayers' money when already this company is benefiting to the extent that it is paying the lowest bauxite royalty in the Commonwealth of Australia and perhaps in the world?

I would ask the member for Nhulunbuy to take these things into account before he attempts to slight the Northern Territory government for not weighing in with more money to subsidise the operations of the Nhulunbuy Town Board which is a fully-owned subsidiary of Nabalco. We also heard that the price of electricity had risen over there a year or so ago by 17%. I regret that but it is to comply with the requirement of the Electricity Commission Act that there is to be a standard charge for electricity throughout the Northern Territory approximating to the situation in north Queensland. If the company wants to subsidise the electricity charges for its employees, there is nothing at all to stop it because it still runs the electricity operation over there and, if it does anything at all, it just sells electricity to NTEC.

I would like to conclude by saying to the member for Nhulunbuy that the Northern Territory government would welcome the accession of Nhulunbuy to the ranks of a self-governing Territory town under our Local Government Act. We will do everything we can to progress in this matter. We first raised it with Nabalco as early as 1978 and we have been attempting to continue negotiations ever since. As you know, there are big problems with the nature of the land holding there.

Finally, I would like once again to ask the members for Nhulunbuy and Arnhem to tell me whether they want the MMA Fellowship jets to continue their services to Gove and Groote Eylandt. The simple fact is that TAA has no similar jet aircraft and has no jet aircraft suitable for Groote Eylandt. It would have to use Fokker Friendships to service Groote Eylandt. As I have said, perhaps the difference could be made up by more frequent flights but I would be very interested to have the opinion of these 2 gentlemen on what the government should do on the particular point when weighing up the applications of TAA and Ansett just before this Assembly rises in 4 or 5 days' time.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, after 4 years of very close association with the member for MacDonnell, it was with a considerable degree of personal sadness that I heard him make the statement which he had to make in this Assembly this afternoon. Over the 4 years that we have been associated in the Australian Labor Party, Neville and I have become close friends. The electorates of MacDonnell and Arnhem are very similar in many respects and Neville and I agree on most things in respect of those electorates.

Mr Deputy Speaker, I not only know Neville Perkins very well but also members of his family. Neville, in fact, was brought up in what was in every sense a shanty town. Honourable members who come from the area will know the place to which I am referring. In fact, it was known in those days - and I hope Neville will forgive me for saying it - as Rainbow Town because of the people who lived there in that very depressed environment. It is of enormous credit to the man that, very largely through his own devices, he was able to bring himself from that kind of environment to the position that he holds today and the position he is going to hold.

I know the very great personal dilemma that the member for MacDonnell went through in making the statement to the Assembly. In fact, he told me a few moments ago that certainly one of the hardest things he has ever had to do was to lay bare some of the reasons behind his move. He did so - and I believe it is of great credit to him - because he felt he owed the Assembly an explanation.

Mr Deputy Speaker, the member for Tiwi is a close personal friend of Neville's wife and both the member for Tiwi and myself had discussed on previous occasions the serious problems that Neville's family has been facing. I know that the member for Tiwi agrees with me that Joanne exhibits a remarkable degree of courage for somebody who is suffering from a chronic and very debilitating illness. All of us in this Assembly are very vulnerable people. It is a difficult job. It is a job which has enormous pressure for those members - and I guess I have a personal axe to grind here - who have large rural electorates such as the members for Barkly, Stuart etc. It is a very difficult job indeed.

The member for MacDonnell was the only Labor member from the Centre. Not only did the member for MacDonnell have the task of maintaining a number of important portfolios, representing a huge electorate extending to the South Australian and Western Australian borders but also had the very onerous task of representing the Labor Party in Alice Springs and the Centre generally. I believe he has done it with a great deal of credit to both himself and the party.

Mr Deputy Speaker, it must have been an extremely difficult job, and indeed I know it was, for the honourable member to discuss, in the very frank way he did, the reasons behind his move. I join the Leader of the Opposition in commending the member for being so frank with the Assembly and for leaving it with the dignity in which he did. I join the Leader of the Opposition and, I am sure, all members of this Assembly in wishing Neville all the best for his future career. I also express a very fervent wish that the particular problem that has precipitated this crisis in his life one day will be happily resolved.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this afternoon I would also like to add my personal good wishes to the member for MacDonnell in his new life. I have not known him very well as a personal friend but, as the member for Arnhem said, I do know his wife very well. She is also a deep personal friend of one of my daughters and, if my memory serves me correctly, I think she went to school with one of my sons many years ago. I know it must have been a very hard decision for him to make, but I also know that her illness is very serious and I think that Canberra is about the only place where she could receive treatment. He knows that he has my best personal wishes for better fortune for both he and his family in the future.

This afternoon, I would like to comment briefly on a place of great interest that I visited near Perth on a recent trip to Western Australia. I went to see the Alcoa project at Jarrahdale about 16 miles from Perth. I had been to this place before on previous visits and I asked to go again because I was very interested to see the continuing work Alcoa is doing there. I had seen it a couple of years ago and was very impressed by the reclamation work it is doing after mining for bauxite. I only saw the project at Jarrahdale but I was told of Alcoa's other projects. It seems to be one of the most progressive mining companies in relation to its interest in reclaiming the countryside after mining. It works in close cooperation with the Forestry Department of the Western Australian government, both experimentally and theoretically. In some instances, it has been ahead of the Forestry Department in work it has done.

When I was down there, I was taken to see the different reclamation plots that it had. These varied from something like 20 acres to 100 acres. I saw the areas being mined. I saw other areas where the topsoil had been put back and ripped. I saw other areas where the young bush seedlings had finally developed. It was very interesting to be told of the different experiments that had taken place.

In the early days of the reclamation work, the Alcoa company, working with the Forestry Department regenerated the bush in strict orchard monoculture style, that is, one species of tree was planted in a geometric design. This proved to be not very satisfactory. It certainly was not a natural looking plot but also a lot of the undergrowth did not come through as expected.

In other areas, experiments had been carried out using different levels of fertiliser and different levels of seeding. In one area, there was quite a jungle plot; Alcoa was a little bit generous with the seeding and fertiliser at that particular time. In the beginning of its reclamation work, it would take about the top 5 centimetres of topsoil away and put it in a heap to be used later. When that area was mined free of bauxite-bearing material, it put the topsoil back. This did not prove to be very satisfactory because, in between the taking of the topsoil away and putting it back, some time had elapsed - it could be a couple of years - and it found that the regeneration and the germination of the seeds of the undercover bush plants was very slow or negligible.

Now it takes the topsoil off from one area before it is mined and it uses that topsoil directly on another area that is just about ready for a topsoil cover. When it puts the topsoil back, it also does some ripping so that the seeds do not have an impenetrable barrier between the hard top surface, brought about by the heavy machinery, and the little bit of topsoil. Fertiliser is added also. By using the topsoil with natural seed content and then adding fertiliser and ripping the ground, it appears to be turning bush back to its natural condition. It is very similar to the bush before it started mining with the exception of one big item which is missing and which is not due to the mining.

There is a very serious problem in Western Australia which has been there for some years: dieback in jarrah. The jarrah is a beautiful tree and it is very sad to see these trees just dying in the bush because nobody is quite sure what causes the dieback in jarrah. In the regeneration areas, until something is found to combat this dieback in jarrah - Alcoa is working actively with the forestry branch to find the causative agent - other species of trees are planted in place of jarrah.

When I was down there, I asked about the return of the fauna to these regenerated flora areas. When I first saw the area, I was told that there was very little return of the fauna. I made myself known to a particular person

who has an interest in wildlife in Western Australia. She has 67 marsupials in her personal care as well as other forms of wildlife; I thought I had problems at home with 4 marsupials. She kept them at her own expense and she took them from people when they brought them to her because they had been treated cruelly or they had been found abandoned.

This lady, who is now a friend of mine, had an interest in returning some of her adult marsupials to this area. When I went down this time, I was told that most of the fauna that was there before the mining started had returned. Some of it had only returned to visit and some of the fauna had returned there to nest and regenerate.

While there, I also saw evidence of anti-erosion practices that the company was undertaking: small mounds at the side of the road sprayed with a gelatinous or bituminous solution which had small grass seeds and something resembling sawdust in it. This solution was sprayed onto these mounds on the sides of the roads and naturally regenerated the grass.

I also saw another anti-erosion measure used: the use of hempen matting in the erosion gullies on the sides of the roads. This hempen matting was sprayed with a bituminous substance. Finally, I was told the hempen matting would degenerate and rot but not before some grass or little seedlings had germinated to prevent erosion.

Another interesting feature of the work that Alcoa is doing is its active dispersion to the public - especially to schools in the area - of what it is doing. In fact, wherever it is asked to go, it actively cooperates with the Western Australian government. It also conducts other very important experiments in the area.

The area that the Alcoa company is mining is the catchment area for part of the water supply for Perth. With the dieback of the jarrah, this could have presented some problems in that there would not have been as great a retention of the soil water. There would have been greater erosion with consequent pollution of the water in the catchment areas. But with careful working with the Forestry Department because of the different care and attention it gave to these areas, although there has been a greater run-off of water, there has been a greater purity of water. The lack of large trees is more than made up for by the other underbrush which is in the area. This water level run-off was increased but the company is optimistic about its effects. It is looking to work with further experiments in this field with the Forestry Department.

It has also done work with the composition of the run-off water, both from the fertiliser content and the chemical spray content. It has found that, because of its very careful screening, there has been no run-off of noxious substances into this water supply for the Perth area.

If time permits, I will touch briefly on a further place of interest that I went to see: Alcoa's Kwinana refinery which is where the bauxite is processed into an aluminium salt. Again, because of the nature of the refining process, certain noxious materials were used. These had to be disposed of and/or held for further use.

Great care was taken, in this particular big lake I saw, to monitor the reaction of the caustic soda content of the lake on the wildlife in the area. Not only does it work with the Forestry Department up at Jarrahdale but it was working very closely with the conservation commission, or whatever it is called in Western Australia. I was particularly impressed by the safety standards in



the plant itself. Even if I had wanted to, I could not have got out of the car because I was not dressed appropriately. It has strict standards of footwear, clothing and hard hats which people must adhere to before they are allowed in these areas in the plant itself.

I would like to speak at a later date of another place of interest that I also saw in Western Australia when I visited there. That is in relation to rural education.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I will be brief. I have a telegram here from 64 people in the Katherine district urging the government to buy Willeroo Station. The telegram reads:

*We the undersigned respectfully request you and your government give immediate consideration to the purchase of Willeroo Station for the projected agricultural development scheme. We accept the concept of the Douglas-Daly scheme. However, we insist that the Katherine district is ready now and should be upgraded to Stage 1 of the Agricultural Development Scheme. Willeroo has 30,000 acres fenced and ready to plough now. Douglas-Daly area is still virgin bush. Housing and education. Willeroo has 14 houses available now with schooling available in Katherine pre-schools. Primary and high schools serviced by a school bus. Access. Willeroo is serviced by the all-weather Victoria Highway. In contrast the Douglas-Daly area to be brought to a comparable all-weather access level would cost in excess of \$2.5m at a conservative estimate. Shopping and Recreation. Katherine has all the normal recreation facilities-golf, tennis, bowls, cricket, athletics, baseball, drive-in theatre, stores, machinery agents and other services all well established and staffed as well as a daily air service. Infrastructure. 4 large grain and machinery sheds, commercial seed-grading machine, large workshop and spare parts store and the largest weighbridge in the Northern Territory and a close proximity to a good meatworks. Power. Power can be transmitted to this area for less than \$500,000 from Katherine power house. The Willeroo portion of Scott Creek has an estimated 28,000 head of cattle and this could be sold off to defray the establishment cost. Private negotiations close on March 15 1981 therefore please put this matter forward as of the utmost urgency.*

There are 64 signatures and the Chief Minister has a copy of this: Kevin Hickey, Basil Hickey, Bob Warbrook, Nic Cholsh, Ted Morris, Rob Lawrie, Graham Michell, Dick Field, Jim Bailly, Frank Hickey, Kevin Anilsark, Jeff McLeod, Ian McBean, John MacNamara, Peter Bellinger, Peter Beyer, George Bates, Charlie Reilly, Keith Landsdown, John Tilley, Pat Sullivan, Jim Forscutt, Brian Lambert, Neil O'May, John Pfitzner, Paddy Fitzgerald, Des Smith, Dave Chandler, John Renfree, John Richards, Paul Vandeleur, Flip Phillips, Len Brodie, Bruce Morrow, Derek Sweetman, Pat Murphy, Stan Putland, Neil Dalgleish, Doug Peake, George Thompson, Doug Collins, Dot Morris, Robert Hold, Jody Holt, Ray Snodgrass, Eugene Betti, Allan Williams, Jim Bitossi, John Fitzgerald, Ike Maher, Jim Witte, Max Nelson, Vic Fox, Wilson Weight, Slug Winstanley, Ian Banks, Barry Phillips, Robbie Phillips, Mal Womersley, Len Hayes, Richard Sallis, Mick Flynn, Peter Flynn and Don Hoar.

One of the interesting points is that, on the price that the Douglas partners want for their 50,000 acres, it would be \$20 an acre. Willeroo-Scotts Creek would be less than \$4 an acre with the cattle thrown in. I think this is a very interesting proposition and I think the government should look at it. The Chairman of the Agricultural Development and Marketing Authority was in Katherine looking at the farms 2 or 3 weeks ago and he was very impressed. Of course, it is not his responsibility to buy and sell but he thought that the

crops were excellent. I can only suggest that the government take notice of so many notable people in the Katherine district, quite apart from me and the good meatworks, and do something about it.

Ms D'ROZARIO (Sanderson): This morning in question time the member for Alice Springs asked a question relating to the Holcroft inquiry into domestic airfares. He was urging the Chief Minister and other members of the government to urge our federal representatives to have the federal government act upon this report. I very much fear that this is one of those reports which, having been presented to the federal government, will probably end up in the garbage bin. The simple reason is of course that it contains recommendations which are totally unpalatable to the federal government.

The matters which have concerned this inquiry, not only from the point of view of its terms of reference but because of the manner in which members of the inquiry and the inquiry itself was treated by the federal Minister for Transport, deserve some condemnation. We who are on the extremities of the domestic aviation routes ought to express our disapproval of the manner in which the results of this inquiry have been treated.

The Chief Minister made reference to the government's submission to this inquiry. We on this side of the Assembly have something for which to thank those officers who put together the submission. They certainly deserve our thanks. The officers were kind enough to give us a copy of the submission before they appeared at the public hearing. They also shared some of the data that they had, which was not in our possession, and, on the basis of that data, we were able to put together our own submission which was very much in support of the government's submission except for one or two areas in which we reserved our support.

Mr Deputy Speaker, on AM this morning, the federal Transport Minister was interviewed about the tabling of this report in the federal parliament earlier this week. His attitude does not augur very well for consumers of aviation services in Western Australia or the Northern Territory. The Minister for Transport made it quite clear that he had allowed the new 2-airline agreement to be signed before the tabling of this document. He did not see anything particularly wrong with that. In fact, he went on to say that he would never swerve, and nor would his government swerve, from the 2-airline policy.

The minister also chopped short the time that the inquiry had to submit its report and some areas did not receive public hearings and examination of the submissions. We on this side were in the position of having to put an interim submission to the inquiry and had the inquiry apologise for the fact that the submission would not have a public examination. It was quite regretful about that but, of course, it had to inform us that the federal minister had laid down a deadline and it had to meet that deadline.

Mr Deputy Speaker, the results of the inquiry clearly vindicated the view that consumers in the Northern Territory and in Western Australia took at that inquiry: that long haul passengers have consistently subsidised travellers on the short haul routes and that there ought to be some reflection of that fact in the air fares. The Chief Minister quantified the extent to which southern passengers are being subsidised by remote area passengers, but I think the plain fact of the matter is that the federal government has not taken this inquiry seriously and that is to be regretted by people who live in the Northern Territory. It has shown some cavalier attitudes towards the members of that inquiry who took the terms of reference extremely seriously and, quite clearly, by allowing the 2-airline agreement to be signed in advance of that document being tabled, had never any intention of doing anything about amending domestic air fares.

The federal election in October of course has come and gone and so also have the 3 by-elections that we saw last weekend. I very much fear that, unless the Northern Territory representatives continue pressuring the federal government, we will get nowhere with our submissions.

I think the plain fact of the matter is that we are few in number. We all know that the majority of electors are in south-east Australia and we will continue to subsidise those people as far as air travel is concerned unless the federal government can be persuaded to see the merits of the findings of this particular inquiry. I hope that the Northern Territory government will not let up in its efforts to persuade the federal government to favour long haul passengers as far as domestic air travel is concerned.

The other thing to remember is that we do not have the choice of modes that is available to other people in south-east Australia. The submission on zone allowances, which was kindly given to us by the Chief Minister, outlines a number of issues including the comparison between the modes of transport that are available and the frequency of those modes that are available to us in the Northern Territory as compared with the people in south-east Australia.

Mr Deputy Speaker, the reason for my taking up this matter in the adjournment debate here today is simply to express my extreme disappointment at the performance of the federal Minister for Transport in this morning's AM program.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

STATEMENT  
Earthquake in Greece

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, on behalf of the Northern Territory government, I express sympathy and condolences to those who lost relatives and friends or who suffered materially in the earthquake which struck Athens and other Greek cities at 2055 GMT on Tuesday 24 February. According to information supplied by the Greek Consular Office in Darwin, at least 16 people were killed and many more injured in the earthquake which measured 6.6 on the Richter scale. Others are still missing. It is surprising, Mr Speaker, that I did not notice anything of this earthquake in the local media at all. The worst hit areas were Athens, Pireus, Vrahati, Megara and Kaneta. The damage was widespread with reports of injury emanating from all parts of the region of Corinth. The earthquake's epicentre is believed to have been in the Corinthian Gulf. Hundreds of homes and other buildings were destroyed in the region and power and communication links were cut for a time.

The Greek Consul in Darwin has informed my department that there are not a large number amongst the Greek community in the Northern Territory who have relatives or friends in the affected areas. However, I need hardly inform this Assembly of the cultural and family ties which link this part of Australia with Greece. One family, I am pleased to say, has established that its relatives in the area are safe. The Consular Office informs me that communications have now been re-established and that persons seeking information may do so through the Greek Consular Office or through the International Red Cross. Although serious, the earthquake was not, in terms of loss of life or damage, on the scale of the recent disastrous earthquake which struck southern Italy. Although there are some fund raising efforts being made amongst the Northern Territory's Greek community, there are no plans for a more widespread appeal at this stage. However, I have informed the Greek Consular Office that the Northern Territory government stands ready to assist in any way it can, should the need arise.

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I would like to associate the opposition with the statement made by the Chief Minister. I am sure the Greek community in Darwin is suffering some anguish at the effects of the earthquake in Greece and I would like through you, Sir, to indicate to the Greek Consul the support of the opposition and, I am sure, of the whole of the Northern Territory for the remarks made by the Chief Minister.

STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL  
(Serial 74)

REAL PROPERTY AMENDMENT BILL  
(Serial 73)

HOUSING AMENDMENT BILL  
(Serial 72)

UNIT TITLES AMENDMENT BILL  
(Serial 75)

Bills presented together by leave and read a first time.

Mr ROBERTSON (Lands and Housing): Mr Speaker, I move that the bills be now read a second time.

These bills have been drafted as a consequence of the freeholding legislation passed in the Assembly in November 1980 and which came into force on 1 January 1981. I will address myself first to the Housing Amendment Bill (Serial 72). The amendments to the Housing Act are consequential to the recent amendments made to the Crown Lands Act in respect of freeholding and will have the effect of removing the requirement for leases and transactions of the Housing Commission. They will further remove the requirement to use lease rent components in the calculation of capital cost and economic rent and leave this as a discretionary power as appropriate.

The Real Property Amendment Bill will permit the Territory to lease any land which it holds under fee simple title in terms of the Real Property Act and without reference to the Crown Lands Act. It further removes the provisions relating to the registration of certificates of rights of leases which will no longer be issued.

The amendments under the Stock Routes and Travelling Stock Amendment Bill will enable the Territory, if it considers it necessary and with the consent of the owner, to construct dips, fences, grids and yards on estates in fee simple which have recently been converted by virtue of the freeholding provisions of the Crown Lands Act. It will also extend the right to drive stock across these converted freehold lands where there are no stock routes available.

Finally, the Unit Titles Amendment Bill will permit the registered proprietor of the lease under the Crown Lands Act as recently amended to apply to subdivide his lease into unit titles. At the same time, it will remove the references to Darwin town area leases and leases of town lands which no longer exist. Furthermore, it will remove the reference to the Freehold Titles Ordinance which has been repealed and consequently no conversions to freehold under these provisions can take place.

Debate adjourned.

#### PORTS AMENDMENT BILL (Serial 58)

Continued from 27 November 1980.

Ms D'ROZARIO (Sanderson): Mr Speaker, the opposition supports this bill and certainly its intention as stated by the minister. It is quite clear that, having regard to the immense amounts of money invested in capital projects and in the administration of the Port of Darwin, it can no longer be conducted by a group of people who hold part-time positions.

The bill provides for the appointment of a full-time chairman after selection by the minister and for the terms and conditions of that chairman's tenure of office to be at the pleasure of the minister. The composition of the Port Authority is further rationalised. At the moment, it is a part-time chairman and 6 members but it will now be a full-time chairman and 2 members. Mr Speaker, there has been some public comment about the intentions of this government in taking this step. I believe that the objections that have been put forward cannot be sustained. We are speaking about an immense amount of money in infrastructure for the port and also an increasingly complex role that the Port of Darwin will be expected to discharge. Therefore, any objection which has been forthcoming about the rise of the bureaucracy and the responsibility of this authority to the minister certainly cannot be sustained.

I was pleased to hear that the minister mentioned that his department, and certainly his ministry, would be taking a co-ordinated approach to all transport

modes in the Territory. I might say that, in this regard, his views and mine coincide. It is true that the government, a large number of ordinary citizens and this opposition have given their support to the construction of a railway. Our urging to the government was that, when the railway finally arrived in Darwin, there should be a co-ordinated port development as well. I was pleased to hear that the minister intends to give this direction to his department.

There are some fairly interesting provisions of this bill which point out the seriousness with which the government is now to approach the Port Authority. We have a provision in new clause 5A of the bill that the Port Authority, in the exercise of its powers and the performance of its functions under this act, is subject to the directions of the minister. This provision has given some members of the community some offence. Really, I do not see how we can have such a key element of the infrastructure other than under the direction of the minister.

In new clause 6A, we have a provision whereby the chairman shall, subject to the directions of the Port Authority, administer the affairs of the Port Authority. Here again, the Port Authority is subject to the direction of the minister and the chairman cannot act on his own behalf. He must act subject to the directions of the Port Authority. I think this is a very good provision indeed.

Further, there is a provision which prescribes the frequency with which the Port Authority must meet. Whilst there is a general provision that the Port Authority will meet as frequently as required for the efficient discharge of its duty, there is a further qualification to that: there must not elapse more than 3 months between 2 successive meetings. This particular provision will ensure that the Port Authority meets a minimum of 4 times a year.

As I mentioned, the opposition supports this bill but I do have a question for the minister. It is a question in much the same terms as was put to the minister this morning by the member for Nightcliff. We see in the schedules to this bill that all references to other declared ports will be removed. This is consistent with the intention stated by the minister in his second-reading speech that the Port Authority would be responsible only for the Port of Darwin and for no other ports anywhere else in the Northern Territory. I am not aware whether there are a large number of declared ports. I rather suspected that there are none. But the fact remains that we do have some sea traffic and some cargo carriage to other places in the Northern Territory. I am wondering who will be responsible for that area of operation. That is the question that was put to the minister earlier.

I have no objection to the Port Authority being responsible only for the Port of Darwin but I am wondering what administrative arrangements have been made both for the maintenance of structures in other parts of the Territory and also for the regulation of sea traffic between the Port of Darwin and those other outlying ports. I wonder whether the minister could clear up that little matter for me.

In general, I think it is time that we took a more business-like approach to the Port Authority. In time, as our applications to the Grants Commission become more complicated, we will find that the Grants Commission will, as is required, look at such enterprises as business undertakings. I think that it behoves the minister and this parliament to take a business-like approach to this key element of our infrastructure.

Mr HARRIS (Port Darwin): I rise to speak in support of this bill. I was a little worried when the Minister for Transport and Works introduced this bill that perhaps we had gone a little too far with the 'Big Daddy' approach and that

perhaps the chairman would end up being some form of little dictator. After I had made inquiries into the operations of the ports in various other states, I realised that this legislation is indeed responsible legislation and is based on sound principles.

There are controls to check the actions of the Port Authority itself and the chairman is not able to have his own way as some others in the community would have us believe. The problem here is that, whenever established and to some degree settled principles are disturbed in any way - and I speak here about the Port Authority as it exists at the present time - then it is only natural for people who are involved to make comment and respond. I feel that, wherever anyone has put a lot of time and effort into any area of endeavour, he will react in some way. It is very difficult for us as legislators under these particular circumstances to look at proposals that may improve the operations of the port. Like other members here, I have known personally the people who are involved in the Port Authority at the present time for a number of years. I think we have to be very careful that we do not debate the personality issue; we must debate the operations of the Port Authority.

I believe we have reached a situation where responsible initiatives must be implemented in order for us to keep pace with the time and to have our development progress in the normal fashion. The port is the future of Darwin. I have said that on other occasions and I guess I will say it again. Shipping is the most economical means of transporting goods that we have available to us. We have a wonderful facility down at the port and yet no one uses it.

I have been a little upset over the years because I believe people have lost the confidence in our ability to move goods on arrival from ship to shore to the customers' doorstep. I have said this before and I believe that is one of the reasons for the lack of confidence in our wharves at the present time. The delays have occurred in the past. It is not easy to forget those delays particularly if they have affected employment in any way, or if they have cost companies large amounts of money. If we are to succeed in regaining attention for our port and having confidence restored in our handling of goods, then the government must look to improved methods of operation. It must look to educating the public that we have a facility that can work.

I am not saying that the authority in the past has not done a good job; I believe it has done a very good job. I would like to join others who have complimented the members on a job well done. I feel at this very early stage that there is a need to look at the best method of operation; a method of operation that will meet the immediate needs and the future needs of the people of the Northern Territory.

I have made inquiries of the operations of the ports in other parts of Australia. There are many different methods of operation. It did not necessarily mean that, because one port had a large number on the board, it operated any more effectively or efficiently than a port that had few members and vice versa. It did not necessarily mean that, because there are a few members, that it operates any more efficiently or effectively than a board with many members. But one thing stood out: there was always room for improvement. Two state boards in particular, those in Western Australia and South Australia, both of which have been established for many years, are considering changes to their present system. I believe that, if authorities and boards which have been established for a number of years can still consider change, then it is never too late to make alterations to existing systems.

I feel that what we need in a port authority is a method whereby someone is able to direct but not abuse that power. This will be able to be carried out with the small board that we are suggesting. We must be able to form a

link between the minister, the department and the Port Authority. This is something the government has pursued in the past. I believe that all of these points that I have raised are covered in this particular bill and the amendments that are before us.

I do not want to talk about the operation of the port authorities in the other states, other than to say that they do vary considerably in representation, in methods of operation and also in size of operation, but I would like to mention 3. Firstly, New South Wales, which has a Maritime Services Board, has 3 full-time members - the president, vice-president and a commissioner - and 4 part-time commissioners. It has 7 members running an enormous operation. New South Wales has a tremendous amount of shipping going through its ports and a tremendous amount of tonnage going across the wharves. In Victoria, both Geelong and Portland are run by harbour trusts. Both of these have a part-time chairman and 2 part-time commissioners to run those operations. In Queensland, it is a very different scene. The Port of Brisbane Authority has a part-time chairman, 6 part-time members and a general manager who is a full-time member of the authority. The other ports are run by harbour boards which have shire council representation. I wonder how some members of this Assembly, after listening to their comments in years gone by, would feel about having the type of representation that Mackay, for example, has on its Port Authority. Mackay has a chairman and 1 member nominated by the government and 9 members nominated by the shire council. I just use that as an example to show that there are variations in the running of ports throughout Australia.

The area about which people approached me the most was on the size of the actual board itself. As I said at the start, I was initially worried about the size of the board. But provided care is taken with the selection - and I believe the minister has to make sure that selection comes from local people rather than from interstate although there is no provision here which prevents him from going interstate to obtain members for the port authority - all 3 members will be able to attend every meeting of that particular port authority. As I said, if the selections are made with care, then the port authority will operate smoothly and effectively.

The section that worried some people was proposed new section 8A which deals with the procedures of the meetings: 'The chairman and one member shall constitute a quorum; the chairman shall preside ... the chairman has a deliberating vote and, in the event of an equality of votes, has also a casting vote'. Some people were worried that, if the 3 members did not arrive, the chairman would be it. That is not right because, under proposed new section 5A, there is a provision that the authority at all times is subject to the direction of the minister. I believe it is easy to appoint 2 responsible people who will attend all meetings and, if some unforeseen circumstances do arise, proposed new section 5A could come into operation.

Looking back at the attendances of the 6 members of the board in 1980, there were only 4 occasions out of 14 meetings where fewer than 5 members attended. I believe that, as you reduce your numbers, the percentage attendance must improve. I could pick 3 members from this Assembly whom I could guarantee would attend every meeting that I call. When 4, 5 or 6 members are involved, I would start to have my doubts. As the member for Arnhem knows, we have had problems in having some of our committees meet. There is nothing to fear in this particular bill from the way the membership is structured. There is protection to ensure that no one is able to stand over anyone else.

The only point I would like to comment on relates to the schedule. The purpose of the schedule is to include the land portion of lot 5262 Town of Darwin, Hundred of Bagot, in the port area and this will allow for future expansion. I have had the area of the port plotted as per the schedule and there appears to be



this error which has been carried over from the previous schedule. The seventh line from the bottom of the first schedule refers to 'west 6 (six) chains along the said Hundred boundary to high water mark of West Arm'. If we went west 6 chains, we would end up 12 chains away from the high water mark. It does appear the idea of the gazettal was to bring the Port Authority boundaries back to the high water mark. I believe that 'west' should in fact be 'east'.

In conclusion, at the start, I was concerned about the implications of this particular bill but, having looked at the operation of other ports in other parts of Australia, I find that the proposal put forward by the government is reasonable and it will make the port work. I support the bill.

Mrs LAWRIE (Nightcliff): Mr Speaker, I will obviously be more critical of this bill than any of the other members. I am a little surprised at the continuing support and comments about how much more efficient the port will be because of the eventual passage of this bill. Nothing in the minister's second-reading speech and nothing which has been said this morning gives any indication of why a 3-member board will be more efficient than the present constitution of the board.

I read the honourable minister's speech about 10 times and it is remarkable for what it does not say. This morning, I asked a question which I also asked at the last sittings. I asked what was to happen to any port likely to be declared in the Northern Territory other than the Port of Darwin. The minister would have us believe that, because the Darwin Port Authority is now to be under direct ministerial and departmental control, things will be a lot better and more efficient. The member for Port Darwin would have us believe that public confidence and shipping confidence will increase because of this yet I cannot obtain any indication from the minister as to what level of expertise exists within his department in affairs maritime. We have had a dramatic indication of the level of expertise existing in his department in relation to the aviation industry. Not so long ago, we passed the Aviation Act and we all applauded the entry into aviation affairs of the Northern Territory government and the fact that we would control our own destiny. That has proved to be an absolute disaster. Because of that previous debate, I believe we should receive from the minister some indication why a maritime section of his department will operate more efficiently and better than the aviation section. There has been no such indication.

The paucity of the information provided in the second-reading speech condemns the minister and his department. All that has been said, in essence, is that the Port Authority numbers will be reduced, it will be under direct ministerial control, it will exclude any other port from its area of administration and that this is the best thing for Darwin and the Territory. Why is it the best thing? I am still waiting to hear. The minister's and my ideas of efficiency vary dramatically. I must judge him on the past performance of his department and indeed his own past performance. I do not know which has been the more inept, the incredible foul-ups occurring in the section of his department which deals with transport or his handling of questions in this Assembly on vital transport matters, be they maritime or aviation. On neither matters has this Assembly received satisfactory answers to the very proper questions members have asked. Not only members of the Australian Labor Party but also 1 independent member and members of his own back bench have asked questions. They have not been satisfactorily answered.

Where are we to find our confidence that the Port of Darwin's efficiency is to increase dramatically because of this change of emphasis? I for one do not share the honourable member for Sanderson's feelings that things will get better. The honourable member for Sanderson said that it is time we had a more business-like approach to the Port Authority. That is a statement with

which I have no quarrel. However, I ask again: would the minister, in his reply to the second reading, indicate why the passage of this bill will mean a more business-like approach? What is the level of expertise to be introduced? Is it not a fact that the only people with any expertise in maritime affairs at the moment are either on the board or within the Port Authority itself? Who in his department will create this dramatic improvement?

The honourable member for Port Darwin can hardly be too critical of any government legislation because he is a government back bencher and I do believe he is waiting in the wings to be called to higher places.

Mr Everingham: He is certain to be as this government goes from strength to strength.

Mrs LAWRIE: Mr Speaker, I love the asides of the honourable Chief Minister. They are more informative than any of his ministers.

The member for Port Darwin said that, when established principles are disturbed, people are understandably upset. That is an obvious reference to a member of the Port Authority who has written to members criticising the bill. Again, I have no quarrel with that. That gentleman has the right to criticise as has any member of the public, but I am not standing here today to debate his particular letter or his particular argument even though I have a great deal of sympathy with it - and, politically, he and I would be poles apart. In his criticism of the proposed legislation, which has appeared in the press, he has posed questions which were not answered in the second-reading speech and which should have been. Why and in what way will this new streamlined port authority be more efficient than the old one?

The honourable member for Port Darwin alluded to the lack of confidence by the shipping industry in the operations of the Port of Darwin. If that was a veiled reference to the wharfies, then I refute it. I have been down that wharf and I have seen the tremendous overcrowding that has occurred when a few ships are discharging cargo at the same time. It is highly dangerous and very difficult to work. The thing that will cure that is not a new constitution of the Port Authority but the new wharf itself which is presently under construction. Until we have a better physical facility, the ship handling facilities cannot improve. That is not the fault of the people working on the wharf. There has been a limitation of space, inadequate machinery and inadequate safety measures.

The minister in his second-reading speech stated: 'Further, it is proposed that the Northern Territory Port Authority from now on will concern itself only with the Port of Darwin'. I raised this question this morning and did not receive a satisfactory answer. If the honourable minister does not know what he will do with maritime affairs, he would be far better off to leave them in the hands of people who do have some knowledge of the industry and who have served in it for quite a while.

There has been constant reference to the new Port Authority being under the control of the minister. As the honourable Minister for Education and I agree that the buck does stop with ministers of the Crown, it is logical for the minister to be the final arbiter on these things. However, I would like to have a little more faith in the advice that he receives. It would appear that, prior to the introduction of this legislation, no consultation took place with the present Port Authority as to the reasons for its introduction or its effect. The minister was only receiving departmental advice prior to the introduction of the bill. If that is correct, that gives me no confidence in the bill either. I have little confidence at the moment, on the facts presented to me, as to the level of expertise within his department for preparing ministerial briefs.

Quite obviously, this bill will be accepted. I would ask for an assurance from the minister in his reply to this second-reading debate that the part-time commissioners to be appointed will be local people. I have outlined my 2 basic objections to the bill which are based on the paucity of the information presented by the minister. If he had indicated clearly and logically the necessity for this bill, I would have been much happier but all he has said is that there will be a change, it will be under his direction, the numbers will be reduced and it will be more efficient. Mr Speaker, my question remains: why will it be much better? What extra expertise does he have to bring forward which is greater than that which presently exists within the Port Authority? What expertise have we to look towards the declaration and expansion of ports other than presently exist within the Port Authority or within its board?

Mr PERRON (Treasurer): Mr Speaker, listening to the honourable member for Nightcliff, it seems strange that I heard her not so long ago asking for a minister's policy on a particular subject, not the policy of his department. She was not interested in what the Department of Health said. Although she admitted later in her speech that it was reasonable for a minister to have control over an authority, earlier she implied that it seemed somehow unfair to have ministerial control. She implied that he would only accept advice from his department and not from the authority. She also implied that the department had no demonstrable expertise and therefore it would be totally inappropriate for the minister to accept advice from his department on matters relating to the Port Authority or marine matters.

That is obviously not very sensible, Mr Speaker. The department may well have expertise within it and, if not, it may well obtain it. The public service is not exactly static. Ministers in this government are in every case responsible not only for departments but also for statutory authorities. Almost without exception, the acts provide that the minister shall be able to direct the authority.

What the member for Nightcliff is complaining about is where a minister may obtain this advice. Of course, the minister receives advice not only from his department. He certainly gets it from the statutory authority because it has a whole range of staff there. The executive members of statutory authorities also have direct access to a minister. A minister also learns all sorts of things in the course of events. He learns from his colleagues, he learns things at the pub or the football or from social engagements or letters that are written to him by experts or academics. There is no limit to where he might pick up his advice on a particular subject. I am sure the honourable member for Nightcliff has picked up plenty of information outside the Assembly.

To imply that putting a reference into the bill that the Port Authority shall be subject to ministerial direction is a departmental take-over of the Port Authority is nothing but a load of nonsense. Even if there were no changes to the port authority act, there would still be an ability for the minister to direct. If there is not an ability for him to direct, there is certainly an ability for him to replace members. The honourable member says that these moves are a take-over by the department. I think that is simply a load of nonsense.

Mr Speaker, she also could not understand why we were limiting the role of the Port Authority to the Port of Darwin. She will find if she examines the situation elsewhere - and I appreciate that we do not have to follow the rules elsewhere all the time - that, in some states, a port authority is established for each new port. There is no reason why the Northern Territory could not adopt a similar procedure: to have a structure set up under legislation, with its own board if necessary, in much the same way as the Darwin Port Authority. It could possibly be created for other ports or, depending on the level of

development in a new port, it could indeed be run in a more administrative way.

The member for Nightcliff leapt quickly to the defence of the wharfies after a reference from the member for Port Darwin as to their efficiency. It is interesting to hear that the member for Nightcliff has been down to the wharf while they have been working. I claim a little bit more knowledge of that subject because I have spent more time working on the wharf than anywhere else in my working life. I can assure her that the reputation that Darwin got as a port internationally was not solely as a result of insufficient facilities; it was certainly the result of industrial disputation during the 3 or 4 years after 1965.

I can assure the member that, up until 1965 or thereabouts, the wharf was a very active place and so was the harbour. I think we had in excess of 300 watersiders at the time. We were working - I was not a watersider but I was working on the wharf as a clerk - 7 days a week and quite often 6 nights a week. Interestingly enough, we were never allowed to work Saturday nights for some reason. The money was very good. We had a stream of ships anchored down the harbour waiting to obtain a berth and the atmosphere was one of considerable activity. It probably was not a very efficient set up; I will admit that. There were not enough berths, there was not enough deck space for unloading ships and there was not enough shed space for covering cargo. Quite often, there was not enough equipment to hire from the Port Authority and others to handle the cargo and not enough trucks in Darwin. However, it was an area of massive activity and seemingly the future was fairly bright.

There came a period of industrial unrest and it was quite remarkable to work during that period. Over a period of years, the port had been, I believe, deliberately broken. Subsequently, we ended up with completely different arrangements whereby we have now 100 or 120 permanent watersiders instead of the casual workers that we had at the time - casual but certainly very regular. We were down to just the occasional boat and to a position of men working 3 days a week for long periods. Admittedly, some people would argue that some of the vessels we had in the port were still turning over a very substantial amount of cargo. That is true because containerisation had come and accelerated very dramatically the methods of handling large quantities of cargo. Also, bulk cement had its effect. The situation which used to prevail was that ships would come in with bagged cement and it would take several weeks to discharge a few thousand tons that had taken 48 hours to load. That was under different labour but, just the same, the economics simply were not there.

I can assure the member for Nightcliff that the international reputation which Darwin got at the time and wore very badly - shipping companies almost en masse simply abandoned the Port of Darwin and shipped via other ports around Australia or stopped shipping altogether - was not a result of poor facilities. That was a small contributing factor but that is all it was. Inefficient facilities make it a bit slower and a bit more difficult to turn a ship around, and that is what a ship-owner is interested in: how long is he going to have to leave his ship in the port lying idle waiting to be unloaded. That sort of efficiency was slowed in the inefficient port which we had. The time delays that were added to that inefficiency were simply an outrage.

I will not go on with personal details of my experience where - and I must admit to not having been closely associated with it in the last few years - I worked closely with members of the Port Authority and its staff. In general, I had a good relationship with them. But the administration of the port, to my mind, left a great deal to be desired in those times.

I believe that if one cares to question the people closely involved with many of the shipping companies in the Territory, one will hear a fair degree of

criticism of the administration of the port. That may not be unusual; it may well be the situation with whoever is running the port. However, I believe there is room for improvement and I believe that the bill is a step in the right direction.

Mr ISAACS (Opposition Leader): Mr Speaker, I was not going to take part in this particular debate but the previous speaker has prompted me to do so. The previous speaker's title, as I understand it, is the Minister for Industrial Development among other titles which he has. The speech he has just given, if it is transmitted far and wide, will assist industrial destruction in the Northern Territory. I am sick and tired of members oppositè - and, I must say, some of the members of the current Northern Territory Port Authority - who wax eloquent about some historical episode of over 10 years ago as being some kind of flag that they wave which is somehow to absolve them of any responsibility.

The fact is that speeches of the order that we have just heard and letters to the editor we have become used to from a particular current member of the Northern Territory Port Authority do a great deal of damage to the industrial reputation of the Northern Territory, particularly as a place for investment. People in very significant positions in the Northern Territory continually harping back on what was a very sorry episode in the Northern Territory's history will only add to the reputation that the minister, I think, seeks to reverse.

I would like to speak positively about the Port of Darwin because I believe, in terms of the Northern Territory's development over the next 8 to 10 years, that port and the railway will be a great boost to Northern Territory development not just within Australia but overseas as well. I would hope the minister would rethink the sort of speech which he has just given and start to speak positively about the Port of Darwin and the activities, the development and the potential which that port represents.

The facts as outlined by the member for Nightcliff with regard to that period of time in fact are correct. They are the facts of the situation. The minister well knows it. He worked on the wharf and the wharfies at that stage did work under very poor conditions indeed. Let us not forget either that that was a period when waterside workers around Australia were reduced in number from something like 39,000 to a little over 13,000. There was great technological change on waterfronts right around Australia and that was felt in Darwin. Let us not try to pick something out and blame the waterside workers. The member for Port Darwin was a bit cute about it. He referred to it somewhat obliquely and then said by way of interjection that he was not really referring to it. The Minister for Industrial Development, of course, could not help himself because he has been on this tack for some time, and espoused the position which members opposite hold.

Conditions at that time were appalling. I am not going to make apologies for that. But I do say that we now have a situation where, with a railway, with a land-backed wharf and with waterside workers who have been involved in the discussions about the facilities which are going to be put into effect on that wharf, we have a great chance to say to the shipping companies and to potential importers and exporters that the Darwin port will be a place in which they can have confidence. Hopefully, everybody in the Territory, both the labour force and the employers, will see the great potential and great use of the Darwin port. Let us hope that the speech which the Minister for Industrial Development just delivered is the last that we hear from people of prominence in the Northern Territory. He damned and condemned industrial relations in the Northern Territory which occurred at least 10 years ago.

The Minister for Industrial Development also made an interesting comment with regard to the administration of the port. I am not quite sure who to believe because the Minister for Transport and Works - he is very bashful about this bill - was at pains to point out somewhat belatedly that he was not having a go at the current administration of the port. He said that he had nothing but the highest praise for it. The Minister for Industrial Development now tells us that there are some administrative criticisms. I guess he makes that point because he wishes to make something of it.

I spent 4 years on the Northern Territory Port Authority and I believe that, leaving aside the personalities involved, the cross-section of opinion which existed was to the benefit of the Port of Darwin and the people of the Northern Territory. When I resigned to enter parliament, this government chose to replace me with a person who did not represent labour and I believe that decision was to its very great discredit. The person who did replace me, as it turns out, is a person for whom I have a great deal of time in regard to his business acumen and capacity for work. He is a very fine person but the fact is that, in the history of the port from its commencement, there has been a representative of labour and that ought to have been maintained. This government has in fact been party to the whittling away of the representation on that Port Authority and, I believe, its effectiveness.

Let us consider the administrative criticism which the minister spoke about because I think it is important. One of the matters which did not occupy the time of the Port Authority but preoccupied the time of the Port Authority to the point where it became a joke was the question of leases in the Port of Darwin, in particular the lease owned by V.B. Perkins & Co Pty Ltd. I do not wish to go into the history of that. One of these days, I will write a book about it. It will be a very lengthy book indeed. The fact is that the history of that, as the Minister for Primary Production and Tourism well knows, is not a very good one indeed. The reason that that matter dragged on and on was not because the Northern Territory Port Authority was not keen to resolve the matter and settle it - it was - but because the independence of the Port Authority was checked at every turn. The moment agreement, as we understood it - I was a member of the Port Authority then - had been reached, we had a ministerial direction to redirect us into some kind of negotiation. This went on and on and the fact is that, even with the emasculation of the Port Authority which took place some time ago - with the excision of land in the port area from its control to that of the government - that matter is still unresolved with regard to certain transactions which are outstanding between the Northern Territory Port Authority and V.B. Perkins & Co Pty Ltd. The fact is that you cannot blame the Northern Territory Port Authority for that. I speak about this matter with some feeling. You can blame very squarely the activities, not only of the company - and I do not blame it for trying its hardest to get the best deal possible - but members opposite, the ministry, in allowing that sort of thing to take place.

Mr Speaker, as I said at the beginning, I did not intend to speak on this bill. I guess it was important though that I should speak having served some time on the Port Authority. I would be interested in listening to the comments of the minister in reply with regard to the appointment of the 2 part-time commissioners. I echo the sentiments of the member for Port Darwin. If the answer from the minister is unsatisfactory, I look forward to the member for Port Darwin's support in the committee stage. If the answer is not satisfactory, we will move an amendment which will ensure that the part-time commissioners are in fact residents of the Northern Territory.

Mr STEELE (Primary Production and Tourism): I would like to join with the member for Port Darwin in support of the passage of this legislation. The management of the port under the new act will be handled by a 3-man board. This

proposal parallels the constitution of the Agricultural Development and Marketing Authority and the Northern Territory Tourist Commission. I believe it reflects a new style that the government is adopting in respect of management of some of its statutory authorities. There are reasons for this. I believe that, in some cases, it is far more flexible if the general manager is the chairman of the board as well. I have no criticism of the way the Northern Territory Tourist Commission or the Agricultural Development and Marketing Authority are operating in a management sense. The matter of part-time commissioners coming from the Northern Territory is a matter of fine judgment. The Northern Territory Agricultural Development and Marketing Authority will draw both of its members from interstate and for a very good reason.

The honourable member for Nightcliff raised the question of expertise in the management of future port operations around the coast. She asked whether the adequate level of expertise exists in the Northern Territory. I do not believe that bridge has yet been approached and therefore I do not believe that the question is valid in the short term. You would need a very good horoscope to obtain the answer for the long term. It would depend on future industrial development plans that take place in the Northern Territory.

In adding my support to the bill, I will briefly touch on the important role the Port of Darwin and its board will play in relation to the relevant areas of my portfolio. In 1979-80, the revenue earned by port operations totalled \$2,979,801 and expenditure was \$2,618,414. During the same period, imports of general cargo were 156,236 tonnes while overseas exports were 25,415 tonnes. These exports included 19,570 head of cattle and 673 tonnes of prawns as compared with 585 tonnes the previous year. During the same period, a total of 859 fishing vessels entered the port. That number of fishing vessels is a huge leap over the average of 324 vessels that annually called at the port in the period from 1970 to 1979 and was caused by the influx of vessels from the Taiwanese fleet following agreements between the governments of the Northern Territory, the Commonwealth and Taiwan.

In talking about the restriction of the geographic limits of the port, it is my view that the port does warrant an organisation which has the administrative combinations to manage that particular port effectively. There is no way in the world that I would support the continuation of a Northern Territory Port Authority whose efforts were diluted around the northern coastline. I believe that the Department of Transport and Works has, will have and can obtain whatever level of expertise is required to investigate port requirements by mining companies or whatever, extending right around the northern coastline. Indeed, the Department of Transport and Works with the Department of Community Development currently concerns itself with barge landings. I know the honourable member for Arnhem has some difficulty with the standard of some of the existing infrastructures but, certainly, that is not to say that the expertise and level of management is not available in the department. To make any comparison with the Aviation Act is quite misleading.

The industrial development of the port has always been something to which I have been closely attuned. Members will recall the debates raging about the small ships facility. It is developments like this that will involve the new port management to the exclusion of moving around the northern coastline. We have not even commenced really as far as fishing development is concerned. It is my belief that future processing of Northern Territory fish will be handled in the port. The existing demountable that you see down there providing a small market will disappear in the next couple of years and there will be a larger and better facility to provide extra facilities for fishermen. I think that the full efforts and powers of the port should be put behind the industrial development requirements. I support this legislation.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I did not intend to join in this debate but, having listened to the misrepresentations of the Leader of the Opposition, I think that I should put a few facts straight. Firstly, it was imputed, if not directly alleged, by the Leader of the Opposition - I think he pointed when he said it - that the ministry was responsible for the situation in which the Port Authority found itself with V.B. Perkins. He imputed that to a previous Northern Territory ministry. As I recall the genesis of the Port Authority's dispute with V.B. Perkins, it arose during the time of the federal Labor government and federal Labor ministers were the first people to stick their murky fingers into what was certainly a very dirty pie. By the time it was inherited by this government, it was in such a state that the people from whom you might have expected reason had divided themselves into 2 fairly bloody-minded camps that were determined to have their point of view on everything and there were to be no concessions on either side. What this government finally did was at least to defuse the situation even if it did not totally solve it. In fact, reason had long flown out the window in the V.B. Perkins dispute with the Port Authority before this government ever inherited the matter.

Mr Speaker, I would also like to pay tribute to the work of the people who have been on the Port Authority over the years. The fact of the matter is that Darwin as a port has wound down as a result of the sealing of the roads from interstate and so on. People have found it more convenient to use road transport and coastal shipping has declined. Turn-around is all important to shipowners and shippers and excessive delays will deter people from using a place like the Port of Darwin. I do not want to look back and I am sure that none of my colleagues want to look back at the history of the Port of Darwin. We want to look forward and we hope that, in the future, much more will be achieved by all concerned with the port - the shippers, the waterside workers and the Port Authority itself.

The Leader of the Opposition said that, when he was on the Port Authority, there was a broad cross-section of opinions and, by implication, it used to hold many meetings at which stirring debates were held. Opinions are fine and conclusions reached by mature argument are better still. However, what is needed is somebody to carry those decisions that are reached by mature argument into action. We have reached a stage where the Port of Darwin may well be about to receive its last chance. The railway will not solve anything for the Port of Darwin unless the Port of Darwin is operating efficiently. Ship owners regard efficiency in terms of swift and low-cost turn-around of their vessels. I am asking all concerned with this enterprise to put their backs into it and try to make it work because that railway will become another ghost railway unless the Port of Darwin is operating as a port should.

Mr DONDAS (Transport and Works): I thank honourable members on both sides of the Assembly for participating in this debate. I would like to provide information to questions raised in the debate. The honourable member for Sanderson asked me to explain how we were going to operate in other parts of the Territory regarding marine matters once the area of the port had been defined. Gove and Groote Eylandt are privately-owned ports and therefore we have no jurisdiction there. However, marine legislation will be introduced shortly regarding intra-Territory services. That is how we hope the new port commission will be able to direct and control shipping matters in the Territory.

State Ships of Western Australia has played a very important part in the development of the port and the whole of the Territory. It is now putting on an extra 2 ships to carry foods from Western Australia to the Northern Territory. In fact, it has converted 2 of its ships into bulk carriers for cement which will be used for Dampier and Darwin. In another 6 or 7 months, we will be faced with problems regarding the eastern seaboard shipping. Most members would be aware that the ANL's Darwin Trader is not the ship for Darwin. It was



built in earlier days to carry manganese ore from Groote Eylandt to other ports. The facilities of the ports will be upgraded. A roll-on, roll-off facility will be provided and also crane facilities. We are looking at changing the structure not only of the port itself but also the management.

The honourable member for Nightcliff has indicated that she has asked questions on several occasions regarding maritime expertise in the department. The department does not have that maritime expertise but, by the employment of a full-time chairman, that expertise would be gained by the government and in turn used for the operation of the port. Until such time as we select a person to do the job, that expertise will not be available to us. I am hopeful that we will be able to make an announcement shortly regarding that appointment. At that time, the honourable member may be in a position to criticise whether the expertise is available to the government and the department.

I believe that, since 1963, the Port Authority has done a good job. I have said that once before and I say it again. I believe that the members who have participated over the years have all played a part in the running of the Authority and its particular responsibilities. However, it is time to look at the future developments: the rail link and the development of a coal-fired power-station. These will require land for storage, unloading and berthing facilities. It is a whole new ball game. I believe that the reputation of this port is here to stay. I am not going to thump it around as the Leader of the Opposition did. We do not have a good reputation overseas and it is just one of those things. It has resulted from a combination of factors. I believe that, if the new commission can improve the reputation of the Darwin Port just a little, it would be doing its job. There are organisations in the Territory that cannot obtain the shipping services they require. For example, the newsprint the Northern Territory News requires is shipped from Canada to Fremantle, offloaded and then trans-shipped to Darwin. The ships' steaming time would only be 9 or 10 hours from the Port of Darwin. There is shipping overseas that will not come into the Darwin Harbour. If the new Port Commission can improve that reputation, then it will have done its job.

The other point that the members raised related to the part-time commissioners. They have asked me to give an undertaking that the 2 part-time commissioners would be from the Northern Territory. Mr Speaker, I give the undertaking that, where possible, local people will be used as part-time commissioners. That has always been my intention. However, there may come a time when there may be some particular expertise that we need in the form of a part-time commissioner who might not be available in the Northern Territory. Initially, I would say that I would be quite happy to ensure that the 2 persons who are selected as part-time commissioners at least be Territory residents.

The member for Port Darwin alluded to amendments in the schedule. I intend introducing legislation later on in the year to update the schedules to take into account the various changes in land descriptions of the town of Nightcliff and the town of Darwin. They will also include the Port of Darwin boundary limits and various parcels of land which have been handed over to the care of the Port Authority in recent years, including lot 5262 to which the member referred.

In summing up, I believe that the department's role will be to assist the new commission where possible. The chairman of the commission will come under the direct control of the minister who in turn must go to Cabinet in regard to any serious matter that pertains to the Port Commission. I believe that, in selecting a person to take over the full-time position, we should expect him to have the expertise that would be required. Once again, this has not been a slight on the members of the Port Authority. I would like to go on the public record as thanking them for a job very well done.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

OATHS AMENDMENT BILL  
(Serial 41)

Continued from 25 February 1981.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr EVERINGHAM: I move amendment 26.1.

The proposed amendment inserts the word 'knowingly' after the words 'a Commissioner for Oaths or a Commissioner for Affidavits shall not'. In the preamble to section 25B, the word 'knowingly' is there inserted and, after the words 'upon him' in the final paragraph of the proposed new section, the words 'or his employer' are inserted.

The reason for the insertion of the word 'knowingly' is to cure the situation that was raised by the Leader of the Opposition where he was concerned that people witnessing these documents should not really be held in any way responsible for the contents of the documents. I believe that this secures that position. I would point out that the situation we are looking at is where someone is witnessing a document or someone proposes to witness a document that surrenders a legal interest to that person or, it is proposed, to that person's employer. It is a fairly specific case and I do not believe that what the government is proposing, especially with these amendments, will in any way prejudice the position of commissioners.

Amendment agreed to.

Clause 5, as amended, agreed to.

Bill passed remaining stages without debate.

COMMERCIAL AND PRIVATE AGENTS LICENSING AMENDMENT  
BILL  
(Serial 50)

Continued from 26 February 1981.

In committee:

Clauses 1 to 11 agreed to.

Clause 12:

Mr EVERINGHAM: I move amendment 29.1.

The purpose of this amendment is to make it clear that a bailiff who collects money on a warrant is subject to the direction of a clerk of courts in respect of money received by him. The power to direct is placed in the act by clause 12 of this bill.

Amendment agreed to.

Clause 12, as amended, agreed to.

New clause 12A:

Mr EVERINGHAM: I move amendment 29.2.

This new clause is to make it clear that a private bailiff can serve warrants of execution, commitment and arrest under the Local Courts Act. The principal act at the present time only mentions warrants of arrest and execution.

New clause 12A agreed to.

Clause 13:

Mr EVERINGHAM: I move amendments 29.3 and 29.4.

These make the new sections 33(1) and 33(1)(a) consistent in their wording.

Amendments agreed to.

Clause 13, as amended, agreed to.

New clause 13A:

Mr EVERINGHAM: I move amendment 29.5.

This inserts new section 33A after section 33 in the principal act. The new section is to remove any doubt as to the effect of the employment of a private bailiff on costs payable by the defendant. Its effect is that the defendant will pay the same cost whether or not the plaintiff employs a private bailiff and regardless of the amount paid to the bailiff by the plaintiff. The effect is to ensure that the defendant pays no more costs than the Local Courts Act sets by way of bailiff's fees.

New clause 13A agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

#### PRIVATE HOSPITALS AND NURSING HOMES BILL (Serial 47)

Continued from 26 February 1981.

Mr TUXWORTH (Health): Mr Speaker, I would like to thank honourable members who have supported the government's initiative in the preparation of this legislation. While honourable members covered a lot of ground in their second-reading speeches the other day in matters that relate to private hospitals and nursing homes and the practices therein, much of it referred to the Commonwealth government and reference was made to Commonwealth funding policies. I must say that honourable members have my support in the points that they raised. I do not think there is a great deal of joy in the way we approach the funding of nursing homes in today's environment. I think it would be well for the Commonwealth to review some of its attitudes. The

points that the member for Arnhem made during the debate will be brought to the attention of my colleagues in the federal parliament, the Ministers for Social Security and Health who have a very important interest and involvement in the matter.

Honourable members touched on some of the things that they felt should not be permitted to happen in private hospitals and nursing homes. I guess that is what the legislation is all about: the creation of an environment and a working framework that would prevent some of the more unsavoury practices that are exposed from time to time from occurring in the Northern Territory. I do not believe that our bill would prevent all the unsavoury practices that we would like to stop because, if people took notice of our laws, we could probably disband the police force. However, it will certainly provide an important piece of machinery for inspectors within the Health Department and other government agencies to monitor the activities of people operating private hospitals and nursing homes to make sure that they carry out practices that are in accord with human dignity.

The member for Arnhem presented a list of 10 points that he felt we should include in the bill. I am rather sorry that the member could not have presented them to me a little earlier so that they could have been included in the bill. I think all the things that were outlined in those points are basic to what we are all trying to achieve.

I do not have any amendments to the bill and I thank members for their support.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Health) (by leave): I move that the motion that the bill be read a third time be moved forthwith.

Motion agreed to; bill read a third time.

#### LOCAL GOVERNMENT AMENDMENT BILL (Serial 46)

Continued from 26 February 1981.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: I move amendment 23.1.

As I mentioned in the reply in the second reading, the question of a definition of 'footpath' is one of some contention. It is one that we do want very clear for the purposes of the administration of council bylaws. The suggested amendment which really declares all that part of a road not set aside for vehicles to be footpath is a more suitable amendment than the one that appears in the bill which basically says the same thing around the other way. It has been argued that the narrow bitumen strip that is on what I would call a footpath on many of our urban streets has been determined as a footpath. That is insufficient as far as the council is concerned. I would propose to the committee the adoption of the amendment as circulated.

Amendment agreed to.

Clause 4, as amended, agreed to.

Remainder of the bill:

Mr ISAACS: I would ask the minister whether or not the Northern Territory Electoral Office will run the local government elections which are due in the last week of May, and also the by-election in Alice Springs.

Mr PERRON: Perhaps the Chief Minister may have an opportunity to speak on this question. He is responsible for the Electoral Office. I do not have the information to hand.

Mr EVERINGHAM: The position is that the Territory government has taken a decision to establish an electoral office. This was taken after a fair bit of heartburn because we do not like setting up authorities that duplicate the functions of other authorities. For instance, we use the Commonwealth Auditor-General on an agency basis. I have always believed that we ought to continue to use the Australian Electoral Office. Nevertheless, it appears that, because we have different provisions for enrolment to the Australian Electoral Office, a small cell of people consisting of an electoral officer, a junior clerical person and a stenographer is needed. The Territory government recently took the decision that we would maintain this establishment as an electoral office, to be called the Northern Territory Electoral Office, on a permanent basis. I would certainly indicate to the committee that those people are available to local governments for the conduct of their elections. I am not certain at this stage whether it can be anything more than an offer by the government to local governments and a voluntary acceptance by local governments of that offer if they desire to do so. I can arrange for the Director-General - if he has not already done so because we did decide that the Northern Territory Electoral Office should make its services available to local government - to write to the municipalities in the Territory to formally make these services available. I certainly cannot advise the committee on whether they will be used.

Mrs PADGHAM-PURICH: In my second-reading speech, I made observations about certain definitions, particularly the definition of 'urban farmland'. I do not believe the minister has said anything further about this. Could he answer me now.

Mr PERRON: The honourable member for Tiwi raised the question of the possible inclusion of stables in the definition of 'urban farmland' in relation to the ability of a council to provide a reduction in rates. In looking into this question, one will find that the definition of 'urban farmland' includes almost exclusively food production uses. The only exception, I understand, is horticulture which covers nurseries. Of course, many nurseries do produce, if not food stuffs themselves, fruit trees and the like. Nowhere in that definition is there any reference to a recreational pursuit such as horse riding. If they were racing stables as distinct from hobby stables, one could argue that would be straight business. The section of the act has been taken from New South Wales and in fact has been cleared through the Local Government Association in the Northern Territory. Some of the requirements will probably improperly fit into the urban environment in the Territory inasmuch as the definition includes things like pig farming which, on health and other grounds, simply would not be acceptable in an urban scene. Let us hope that such uniformity would not be conducted in our respective electorates in the cities.

I cannot see my way clear to acceding to the member for Tiwi's request, at this stage, to consider including stables in the list. I will be receptive to having further argument of this question with a view to a possible subsequent amendment. The Local Government Act will be amended very regularly in this Assembly. I can ask the department to examine this question further and discuss it with the Local Government Association to see whether stables and other

things may be included in this list. I point out to members that a council that seeks to exercise its discretion in this regard will be exercising that discretion across the board for the uses here. It does not have the ability to select uses out of that definition of urban farmland. If it seeks to grant a lesser rate of up to 50%, that would apply to all businesses and land uses, the owners of which can justify to the respective corporation that the uses fit the criteria. If members seek that that system should be varied in some way, I am happy to receive arguments. At this stage, I prefer to process the bill as presented.

Mrs PADGHAM-PURICH: Could I continue further on this same definition. The words 'viticulture' and 'horticulture' are used. I would have expected, in keeping with the use of those 2 words, that the words 'apiculture' for bee-keeping and 'agriculture' for the growing of crops would also be included.

Remainder of the bill agreed to.

Bill passed remaining stages without debate.

#### FISH AND FISHERIES AMENDMENT BILL (Serial 51)

Continued from 26 February 1981.

Mr STEELE (Primary Production and Tourism): Since the introduction of the Fish and Fisheries Amendment Bill at the last sittings of the Assembly in 1980, the bill, together with my second-reading speech, has been available for consideration by members of the fishing industry, other interested groups and appropriate Commonwealth authorities. The Seas and Submerged Lands Act passed by the Commonwealth in 1973 refers to the continental shelf and not the 200-mile Australian fishing zone. The Commonwealth proclaimed the 200-mile Australian fishing zone on 1 November 1979.

The bill before the Assembly provides a legal framework within which arrangements between the Commonwealth and the Northern Territory can be implemented within the 200-mile Australian fishing zone by agreement. Consultation and agreement are the frame upon which this legislation and its implementation is based. As a consequence of this, specific interests and rights of the Northern Territory can be protected at all times. I wish to assure honourable members, particularly the member for Nightcliff, that there will need to be a great deal of discussion between the department, myself and the fishing industry before I would contemplate consideration of any arrangements under the provisions of this bill.

The member for Port Darwin advised this Assembly of the stages reached by other state legislatures in preparing complementary legislation to the Commonwealth Fisheries Amendment Act 1980. Briefly these are that Western Australia, Victoria, and New South Wales have bills before their respective Houses while Queensland, South Australia and Tasmania are still at the drafting stage. I wish to restate the assurances given to this Assembly both by the honourable member for Port Darwin and myself that, following the establishment of any joint authority, provision will then be made for the establishment of a fishing industry advisory body to advise that joint authority.

I wish to advise that several amendments have been prepared but, unfortunately, I have not had a chance to circulate them. I propose that they be circulated and we may be able to deal with them tomorrow or the next day. I commend the legislation to the Assembly.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

NOTIFIABLE DISEASES BILL  
(Serial 52)

Continued from 26 February 1981.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr TUXWORTH: I move amendment 28.1.

This will insert in subclause (1) after 'schedule' the words 'and the Leprosy Amendment Act 1980'. This amendment proposes that a further act be repealed. At the time of introducing this bill, the Leprosy Amendment Act 1980 had not been passed and it is only now that this further amendment can be added to these acts to be repealed.

Mr ISAACS: I suggest to the minister that it would be far more appropriate that the Leprosy Amendment Act 1980 go into schedule 1 rather than in clause 3. It does not make any difference to the import of what the minister is doing but it seems to me it would be a tidier way of doing it.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 12 agreed to.

Clause 13:

Mr TUXWORTH: I move amendment 28.2.

This amendment provides for the change of the word 'infection' to 'contamination'. It might be noted that in clause 13(2)(d) this word was adopted for inanimate objects.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 18 agreed to.

Clause 19:

Mr TUXWORTH: Mr Chairman, I move amendments 28.3 and 28.4.

These are drafting amendments.

Amendments agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 22 agreed to.

Clause 23:

Mr TUXWORTH: Mr Chairman, I move amendment 28.5.

This amendment adds the words 'for the purposes of this act' and puts beyond doubt any suggestion that the scope of an offence created by clause 23 could apply to circumstances not the concern of this act.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 28.6.

This is a drafting amendment to strengthen clause 25 dealing with compensation. I foreshadow that an amendment will also be necessary to clause 25.

Amendment agreed to.

Clause 23, as amended, agreed to.

Clause 24 agreed to.

Clause 25:

Mr TUXWORTH: Mr Chairman, I move amendment 28.7.

This drafting amendment is to tighten up the relationship of when compensation is paid and when it is recoverable. The result is the same as it was in the original clause 25.

Amendment agreed to.

Clause 25, as amended, agreed to.

Clauses 26 to 36 agreed to.

Clause 37:

Mr TUXWORTH: Mr Chairman, I move amendment 28.8.

This amendment extends the averment power granted in paragraph (b) and is a logical extension.

Amendment agreed to.

Clause 37, as amended, agreed to.

Clause 38 agreed to.

Clause 39 negatived.

New clause 39:

Mr TUXWORTH: I move amendment 28.9.

This amendment repeats the existing clause 39 and adds a subclause which specifies 2 important matters which it is thought necessary to express as a part of the general regulation-making power.

New clause 39 agreed to.



Schedules 1 and 2 agreed to.

Schedule 3:

Mr B. COLLINS: Mr Chairman, I have an unscheduled amendment to schedule 3 to omit the word 'leprosy' and substitute 'Hansen's Disease' after 'Granuloma inguinale'. The only reference in the bill proper to 'leprosy' is back in clause 4 because it is a transitional clause and that cannot be changed. I did discuss this in the second reading. The bill itself does satisfy the general trend in all other states to remove references to 'leprosy' where they occur because in fact the actual title of the bill does substantially remove all reference.

Mr TUXWORTH: Mr Chairman, I appreciate the move by the member for Arnhem. I do not have a problem with it. I say that without having had the opportunity to consult with the draftsman about any possible consequential problems. I would be happy to accept the proposal on the basis that, if we do have any problems, we will recommit the bill at another time.

Amendment agreed to.

Schedule 3, as amended, agreed to.

Bill passed remaining stages without debate.

#### LIQUOR AMENDMENT BILL (Serial 42)

Continued from 25 February 1981.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would like to concern myself briefly with 2 points. The fact that these amendments have been introduced shows our government's concern with not only introducing legislation but in how the legislation works in the community. The reason for these amendments to the Liquor Act is that certain situations have arisen in certain communities which necessitate these changes.

Clause 6 deals with section 84: 'Revocation or Variation of Declaration'. The current Liquor Act says that the commission, at its discretion, may only revoke the area of land to be a restricted area. The amendment will allow it also to vary the boundaries so that parts of an area may no longer be restricted. This will give a greater latitude of operation to the Liquor Commission if the communities so wish.

Clause 8 refers to the power to exclude or remove persons. Mention has been made before about these bona fide residents having the premises for the time being considered as their own homes. Perhaps objection was raised regarding the restrictions put on these bona fide residents if they are intoxicated, violent, quarrelsome, disorderly or incapable of controlling their behaviour. I see no bone of contention there at all because a bona fide resident of a licensed premises is on licensed premises and he does not only have to consider himself but he has to consider other people who are clients of the establishment at the time. I think that their convenience has to be considered as well as the bona fide resident who may be misbehaving at the time.

The operation of the Liquor Act is very important in certain parts of my electorate. I refer to the 2 Tiwi islands. More people on the islands are becoming aware of the dangers that unrestricted consumption of alcohol can bring. I have had representations made to me on behalf of and by the women of the 3

communities over there. Unfortunately, when liquor is consumed to excess, it is usually the woman who bears the brunt of it in more ways than one. She bears the brunt of it in that there is not as much money to buy necessities, there is not as much money to buy things not only for herself but for the children and also she often has to put up with a lot of physical maltreatment.

I had representations made to me from one of my constituents at Bathurst Island last week who has been concerned for some time with the increasing consumption of alcohol. I would like to point out that, compared to other Aboriginal communities, the communities on Bathurst and Melville Islands do not have as many problems. The women have made representations to me because they feel there are restrictions. I have pointed out to them that they should make their representations to the Liquor Commission and I have done so on their behalf. The Liquor Commission's view is that the majority in the community must be considered before the single parts of the community.

I think the Liquor Commission has a very important job to do in deciding how the Liquor Act will work not only in Aboriginal communities but in other communities. It behoves it to always keep its finger on the pulse of the community and to see how its laws are working. It is doing this and I would hate to see it ever relax its awareness of the dangers that over-consumption of alcohol can bring. The restrictions that the Liquor Commission has imposed on the consumption of liquor in certain places around Darwin has contributed to the fall in the number of road accidents, especially on the highways and especially in the rural areas. The operation of the random breath testing by the police has also contributed. I think that the situation is gradually sorting itself out.

One of the members said earlier that education was more important than restriction. I think that is a valid point. The education possibly would only be effective with younger members of the community although I would like to think that education in the consumption of alcohol would apply to all members of the community. In the interests of the people who made the representations to me, I will be watching carefully how these new amendments and any future amendments to the Liquor Act operate.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I had not intended to speak but I have been asked by other members who have already used their opportunity to speak to ask the Minister for Health a question. He indicated in November that he would have some amendments. We have not received them yet. There is a great deal of interest in the community concerning liquor legislation. I have been asked to ask the minister if he can ensure that those amendments are circulated today, in view of the fact that they will presumably be debated tomorrow.

Mr TUXWORTH (Health): Mr Speaker, it was my intention to close the debate tomorrow and recap with a few points that members raised. In order to satisfy the points that some members have raised this afternoon, it is appropriate that I say a few things now and then tomorrow, in the committee stage, I can finish off my remarks. We have some further amendments to the bill but, unfortunately, they are still not ready for circulation. I have been advised by the draftsmen that they will be available tomorrow. I will endeavour to have the amendments in the hands of the members first thing in the morning. If they think it will be helpful, we could get the drafting people to speak to them about any complications that they may see. There are some other points that I will deal with in the committee stage.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

## ADJOURNMENT

Mr ROBERTSON (Education): I move that the Assembly do now adjourn.

Mr HARRIS (Port Darwin): Mr Speaker, I have a couple of points that I would like to raise in the adjournment debate today. Firstly, I would like to comment about some of the footpaths in my electorate. Perhaps I could begin by saying that walking the streets of Darwin can be a very dangerous occupation. Many of the footpaths in my electorate, particularly in the residential areas, are in a very poor state and, in some cases, a very dangerous state. I believe that something has to be done to fix these as soon as possible.

The city council has been conducting a program of upgrading the footpaths in the inner-city area for the past year or so now. I am sure that members of this Assembly have witnessed the paving of footpaths from Daly Street to the city area and the council is to be commended for the work it is doing in this regard. However, I believe that some of the residential area footpaths are a disgrace.

I have received reports and I have also made reports of holes having been left where power poles have been cut off by oxy-torches leaving the serrated edge open. An unsuspecting foot may be cut on these. One can imagine the type of injury that one could receive. There have been reports of long grass growing on footpaths. People have not been able to find a path through the grass and have had to move out onto the street to get from point A to point B. There have also been reports of loose rocks and rough surfaces where people find it difficult to hold their footing. Finally, we have had reports about lengths of steel, which have been used as 'dead men' for the straining of power poles, protruding from the ground. There is a good example of one of these pieces of steel on the corner of Parap Road and the Stuart Highway where the sealed footpath ends just before the bus stop on the left side past Parap Road. This piece of steel has been there for a long time. I wonder how many people have come in contact with it.

There are more and more people coming to the city area to live and there are town houses being built everywhere. I believe we should give the people something safe to walk on. The only people we can contact to have the footpaths upgraded are the aldermen. We cannot do anything here except complain. I think we have to make the aldermen aware of the seriousness of the footpath situation. There is an election coming up and I think that issues such as this should be put fairly and squarely in the laps of the candidates standing for election. As I have said, if nothing is done in the near future, there will be nasty accidents. Many aged people in my electorate use the footpaths of Darwin and a fall could be fatal for them. I have had reports where people have broken bones. I would also like to make it quite clear that I am not saying that all the footpaths in Darwin should be sealed or paved but I believe that the footpaths should be at least level, stable and free from obstacles. Perhaps I could sum it up by saying that you should not have to front up to obstacle courses every time you want to walk to town.

Mr Speaker, the second point I would like to raise this afternoon relates to street lighting in residential areas. This is one of the services which has been downgraded to some extent. A survey of street lighting in other cities was carried out by the city council and it found that Darwin was well and truly overlit. I believe that this is the reason why the city council decided to downgrade lighting in certain areas. When the Northern Territory Electricity Commission was carrying out the upgrading of the electrical reticulation system, the council felt that perhaps this was an opportune time for it to reduce the number of lights in certain areas. As a general rule, their lights are placed 90 metres apart with a light on each corner. That is

fine until one of the lights goes out, particularly one of those that are 90 metres apart. You then have an area of darkness and this has contributed to the number of break-and-enter offences in residential areas of the Port Darwin electorate recently.

I am not complaining about the downgrading of certain services provided they are consistent and equally shared. There are occasions when, if we are to be responsible, we have to look at reducing some services. I believe the residents can do something to help with the security of these residential areas by first of all reporting to the authorities any street light that is not working so that it can be repaired and, secondly, if there is an area which is exceptionally dark, the people could contact their alderman or their member in the Legislative Assembly to investigate that particular matter further.

The other point I wish to raise relates to the development of the mall and, as such, I would like to declare an interest. Members are aware that I have a complex which fronts onto the mall itself. Break-and-enter offences in residential areas have been mentioned; the number of such offences involving businesses is quite frightening. I am not saying that there has been an increase in such offences in the city area but I am saying that the incidence is high. It is a very serious problem. The number of break-ins in the central business district in December was 24 and, in January, 23. Nightcliff had 20 in December and 27 in January. In the greater Darwin area, we had 95 break-ins in December and 102 in January. The numbers are quite high and I believe something has to be done about this. In most cases, when someone breaks into a business in the central business area, there is not a lot taken, but there is a tremendous amount of damage done to the premises on entry and also when searching for something to remove. The member for Arnhem has not been so lucky; when they broke into his home, they took the lot. Generally speaking, in the central business district, the people who come onto the property do not take much but they leave a tremendous amount of destruction and damage.

The property owners and the traders have been looking to coming to grips with this particular problem. I believe that the Northern Territory government and the council have a very important role to play in providing security for the main business area. The investment in the central business district is enormous. This investment has been provided by individual people investing in developments, by companies investing in developments and also by the city council building projects such as the mall and the high rise car park which has a great amount of funding from the Northern Territory government. These large investments need to be protected. The only way these investments can be protected is to have police patrolling the inner-city areas on foot. I know the arguments that patrol cars can cover greater areas on a more frequent basis but I believe that, in the inner-city area, this method is completely useless. The greatest deterrent of all is to see a policeman walking on the beat. Coupled with the existing security patrols that we have in the city area, this could give us some chance of reducing crime in the central business district. Apart from deterring the would-be thieves, we would also have a means of placing some control on the activities in the mall.

Two instances come to mind that I can recall which show that these activities are to some extent getting out of control. The first occurred last Friday when I was talking with an aged pensioner in the mall on a particular issue that had been debated in the Assembly and 3 young boys came riding past on bicycles at a rate of knots. If one of us had moved, there could have been a serious accident and this type of incident where bicycles are racing up and down the mall is becoming more frequent all the time. The other instance was a case where 5 young boys between the ages of 12 and 16 were trying to remove an object from the mall. They were wobbling it around,

tipping it over and making an awful noise. That was during the evening shopping period. The people were looking at this going on; they did not worry all that much about it.

Unless we are able to curtail these activities and have someone patrol the mall who is able to make people aware that there is some control in this area, I believe we are putting at threat the good work that has been done by the city council and by others in developing the mall. I believe that we have a wonderful city area; we have a wonderful mall. The activities that I have mentioned, if not checked, will definitely destroy the good work that has been done. Very serious consideration must be given to reintroducing foot patrols by police in the city area on a regular basis. It is the only method to control crime in the city area and also to control the activities of some people in the mall.

Mrs O'NEIL (Fannie Bay): The member for Port Darwin's electorate has very many problems in common with mine. The matter of footpaths and lights is a very familiar problem because I certainly receive constant complaints about these matters, especially the state of the footpaths. They are certainly dangerous in some places. I have electors who twist their ankles and otherwise injure themselves negotiating the footpaths, some of which still have damage which was inflicted by flying debris during the cyclone. This is an explanation which the city council has given me. I understand that it is an expensive business to straighten them all out. Nevertheless, time has passed and the people in these areas pay substantial amounts in rates and, since the footpaths are in fact dangerous, I do hope the city council will listen to the pleas of the member for Port Darwin and others and do something about the state of the footpaths, and also the street lighting which has been complained about in my electorate too.

Another matter of great interest to my electorate is the proposal that a marina be established at Vestey's Beach. A study was undertaken by consultants for the government and I am certainly very impressed with the report they presented. It is in great depth and I believe it to be a very impressive report and a major study. It points out the economic problems of such a proposal and the fact that the economic viability is questionable to say the least. Nevertheless, it is a most interesting study and one which many people in my electorate and throughout Darwin - there are very many boat owners in Darwin - are interested to see.

I asked the Minister for Transport and Works this morning to ensure that members of the public would be given the opportunity to express their views on any such proposal before it went ahead. I had very good reasons for doing this. It is a very great concern to the people in that area. It will affect in one way or another their land values and it certainly will affect their way of life to have such a facility built immediately adjacent to them. I appreciate that the government itself has not had an opportunity to come to a final decision on this matter. Nevertheless, I wanted to get in early with the minister on this one because people have said to me they do not want to see happening what happened with the casino. They want to be sure that they will have a right to comment on the proposal before it goes ahead. By that, they do not simply mean having a look at a model on display in a shopping centre, although that in itself is admirable. They would like to know that, if such a proposal goes ahead, it is done through some such mechanism as an application before the Planning Authority and members of the public be given a formal right to express their points of view.

I notice that the minister is nodding and I am very happy to see that he appreciates that point. It is of great interest and I think that that would be the appropriate way to do it. I think the study is an excellent one and I

would like to commend the consultants and others involved in its preparation. It does point out the disadvantages as well as the advantages and the great amount of engineering complexity that is involved in these facilities, particularly because of the high tides involved.

One final matter I wanted to raise relates to the question I asked this morning of the Minister for Education. I was very pleased with his reply. He indicated to me that it is definitely not true that school councils will only receive from the Department of Education as a grant the equivalent of half of the amount they have raised by fund raising. They will receive the full amount. I have no axe to grind in favour of the dollar-for-dollar subsidy scheme. I certainly have very grave reservations about it because I can see the disadvantages that such schemes have for schools in the poorer areas. Nevertheless, the government did give that undertaking of a dollar-for-dollar subsidy and I have been told in fact that it was the Department of Education's decision to interpret that scheme in such a way that school councils would only get the equivalent of half of the amount that they had raised. I am pleased that the minister has indicated that councils can anticipate receiving the full amount as promised by the government.

I am very appreciative of the fact that it is not an equitable scheme. It certainly favours - and I can say this quite honestly - schools such as the one in my electorate which has been very active in fund raising and, through fortuitous circumstances, has been able to raise a considerable amount of money. I admire the parents for doing that. They appreciate that they are fortunate in that they are able to do it. They also appreciate that there are areas of the Territory where other people are not in such favoured circumstances. I thank the minister for his reply and I am pleased to see that the undertaking will be fulfilled.

Mr DONDAS (Casuarina): Mr Speaker, I rise briefly to make some comment regarding the adjournment debate last Tuesday. The honourable member for Victoria River criticised the government for not providing an all-weather access road to Port Keats. He also mentioned that a suitable access road or barge landing should be constructed. Planning commenced by the department to upgrade the existing access road to Port Keats from Daly River. However, the alignment selected traversed Aboriginal land and the Northern Land Council objected to this alignment. The department could not accept the land council's suggestion to utilise the existing alignment as the engineering and surveying investigations revealed that it is not economical. Consequently, the proposal has been held in abeyance, although the existing track is graded wherever possible.

In regard to the barge landing, there are 2 items included in the 1980-81 essential services program to upgrade the existing facilities. The first item for \$10,000 provides for concreting the existing earth landing and the work is being carried out by the local community. A further \$80,000 will be spent on constructing a shed and lighting facility at the landing. This project is due for committal in June 1981. The community initially asked for the landing to be relocated 1 kilometre downstream. However, the community has agreed to retention of the existing site. I hope that that information is sufficient for the member to note that his particular requests over the last couple of years have not gone unheeded.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, I would like to speak this afternoon on a subject that I raised in the Assembly last week. I have been given further information regarding the operation of the Community Health Centres in the rural areas. I am speaking specifically about the Howard Springs Community Health Centre. I have also been given general figures relating to the 6 Community Health Centres in the Darwin area.

I was not quite aware of the work done by the women in these centres nor the extensive nature of their work. I thought the nursing sisters who worked out in the Howard Springs area did a mighty job but, on the general figures that I have, they have seen in the last year on an average far fewer patients than the sisters in the clinics in town have seen. These are the average monthly figures for the last 12 months: Sanderson clinic - 3,800; Nightcliff clinic - 4,200; central clinic - 2,700; Parap clinic - 3,850; Berrimah clinic - 1,800; and Howard Springs clinic - 2,000. These figures will vary from month to month, but it is a pretty fair average.

These figures include the patients seen daily - clinic visits, home visits, school visits, immunisations - and do not include the visits to the doctors at the clinic. The total Community Health Centres staff is 55 and from Monday to Friday there could be 100 patients per clinic per day. I will give exact figures for Howard Springs Community Health Centre. There are 6 nursing sisters employed at that clinic. However, of those 6 nursing sisters, 3 are on the road all the time. They visit homes, the 3 schools in the area, Aboriginal camps and reserves. Two sisters are concerned with infant health work and dressings at the clinic and there is 1 sister in charge. For 36 weeks during the year, there is 1 staff member on holidays because 6 staff each have 6 weeks leave per year. In addition, there is sick leave and study leave to be covered. Therefore, in effect, there is 1 staff member less. If, as was contemplated earlier, 1 nursing sister was to be taken from the Howard Springs clinic to staff the detoxification centre - although I understand that this will not happen - it would not really reduce the number to 5 but rather to 4. That would be a 20% drop in the number of the nursing sisters at the Howard Springs clinic or any other clinic if there are 6 sisters there.

The figures I have been given are for October 1980. There were 1,085 patients seen at the clinic. This averages out at 271 per week. We should not forget that there are 20 working days in the month, not 28. As well as seeing patients in the clinic, the staff have other duties. They must write reports, do administrative work, co-ordinate with other agencies and health workers, supply statistical information for public health planning and also clean their equipment. The sisters at the Howard Springs Community Health Centre also made 761 home visits. The average number of persons seen at each house is more than 2. These sisters also spend a lot of time travelling. I have been told that a sister would average 80 or 100 kilometres per day. As well as home visits and attending to people who come to the clinic, about 40 children are screened from the 3 schools in the rural area - Humpty Doo School, Howard Springs School and Berry Springs School.

I sincerely believe that these community health centres are certainly cost effective in the community. Not only are they cost effective for the patients themselves but they also save the taxpayer money. I was told that, when the doctor comes to the Howard Springs School, he sees an average number of 40 patients per day. If those same patients had to go to Outpatients at the Casuarina Hospital, this would cost the patient more money and time. The doctor's time would be used more effectively by seeing these people one after the other instead of perhaps waiting for people to come along. The longest trip that the sisters do is from the Berrimah Community Health Centre to the Wagait Reserve and that is 5 hours travelling time. That is a pretty long time for them to be on the road.

Another point that I would like to touch on today is something that I was made aware of last week when I joined a particular minority ethnic musical group. They may not like me referring to them as that but that is what they are. I would like to speak seriously about the grossly unfair attitude adopted by the federal government towards this minority ethnic musical group, particularly the Department of Business and Consumer Affairs.

For some time, no matter which government was in power, much attention, money and consideration have been given to the interests of ethnic minorities, their culture, their social gatherings and the dissemination of their literature and music. This particular group pointed out that it is the only group treated in this completely unfair way. I have contacted the Minister for Business and Consumer Affairs and will be writing him a detailed letter later. The department in Darwin has been contacted but its hands are tied because the decisions are made in Canberra. The minority musical ethnic group to which I refer is the Rural Pipe Band of which I have recently become a member. I was amazed when I was told last Thursday night that, on a kilt imported from Scotland at the cost of \$150, the customs duty payable is \$70 which brings it up to a grand total of \$220 for 1 kilt. That is grossly unfair when you consider that every other ethnic group - if one considers the Scots as an ethnic group - can bring in their national costumes completely free of customs duty. In support of this customs imposition, I was told that there were 4 kilt makers in Australia. But there is no way that anybody will convince me that there are no local makers of other ethnic costumes in Australia. If it is good enough to allow importation of other ethnic national costumes into Australia, it is good enough to have Scots kilts come in free of customs duty.

We hear a lot of talk these days about women having equal rights with men and men having equal rights with women. The Scots are one group of people which has equal rights. They all wear the same kilt, which is more than you can say when you consider the ethnic costumes of say the Greeks. Some Greek soldiers, as I understand from pictures, wear pleated skirts and pompoms. If the department says that the reason for this completely prohibitive customs duty on kilts is because a kilt is considered women's clothing, then surely the pleated skirt that some Greeks wear is women's clothing. I am trying to do everything I can to see that this situation is considered a lot more fairly than it is at the moment.

Mr DOOLAN (Victoria River): On Wednesday last week, I made a speech in the adjournment debate relating to the scheme which hopes to provide better employment opportunities for Aboriginal people throughout Australia. The program has been organised by the federal Department of Employment and Youth Affairs and I was highly critical of a TV Nationwide program which consisted of interviews with people who had employed Aboriginals under this scheme. I also mentioned another program organised within the Northern Territory which provides training for Aborigines whereby they can obtain internal combustion engine certificates.

In relation to the Territory scheme, I said: 'Both the government and Mr Buchan are to be commended for the initiative demonstrated in getting this program off the ground'. However, in replying to my speech, all the Chief Minister could say was: 'Is the honourable member for Victoria River really going to encourage anyone to employ people if he denigrates the interest an employer might take in an employee whatever the case may be by accusing the employer of patronage? Once upon a time, people taking an interest in other people was praiseworthy, but today it is patronage. Whilst I agree with much of what the honourable member said, a lot of what he said was utter hog-wash and snide, carping, critical material that is not worthy of him'. Actually, I got off pretty lightly in comparison with the member for Arnhem. The Chief Minister showed by his comments that he had completely missed my point. He then launched into a tirade of condemnation against the honourable member for Arnhem.

After watching the Chief Minister's theatrical performances for a few years, I have to acknowledge that he is a master at the art of dissembling. He can act and speak according to whichever way the wind blows. He can wax eloquent



on the most trivial subject and talk for ages on unimportant matters and say nothing in the process, which I suppose is the art of being a successful politician. He can talk in a pious and unctuous manner and appear so humble that, beside our Chief Minister, Uriah Heep would sound like a blatherskite. At other times, he can rage like a lion. I can well remember the Chief Minister in this Assembly once shaking his fist at me and in a trembling voice warning me that I had better look out. I was terrified.

On the subject of being patronising or paternal, I would like to inform the Chief Minister that possibly no other person in the old Social Welfare Branch or the Department of Aboriginal Affairs that followed got into more trouble for backing up some people who were accused of being patronising, and I stress the word 'some' - they were mainly pastoralists - than I did. The Chief Minister might like to check this with Creed Lovegrove or Jim Gallacher. I did in fact get into strife for backing up people who were accused of being paternalistic. When the policy of self-determination was formulated, there were some pretty radical people about who seemed to feel that any show of interest or kindness automatically constituted paternalism, even if it meant that some unfortunate Aboriginal groups were virtually starving to death. I can assure the Chief Minister that I never agreed with this theory.

There are 2 definitions of 'paternalism', in the Oxford Dictionary, one of which says 'of or like a father'. To demonstrate this type of paternalism which is not always bad or wrong - in some cases it is very good - we could look at people like the Durack family on Kildurk Station. Old Reg Durack was like a father in the sense that he cared and worried about his Aboriginal people on Kildurk. Mrs Durack might equally be classed as maternal. She knew every Aboriginal on the place and could tell you their forbears for some generations and their relatives 3 or 4 times removed. She had assisted in bringing many of the youngsters into this world and, as far as the Duracks were concerned, the Aboriginal people were part of the place and part of the family and were treated as such. Those people really belonged and the Duracks really cared. I criticised the gentleman on the television program who said that he treated and thought of his only recently employed and beautiful part-Aboriginal employee as a father would because there is no way in the world that he was cast in the Reg Durack mould. Blind Freddy would have seen it.

There is a second definition of 'paternalism' that says, 'limiting freedom of the subject by well-meant regulation'. This is the type of paternalism to which I object. How can it be said that our Chief Minister talks in 'human terms' - Northern Territory News of 24 February 1981 - about Aborigines when he heads a government which has opposed either overtly or covertly - and I know he will dispute this - each and every land claim which has come before the Land Commissioner with the exception of the Amadeus claim. The Chief Minister must have read and, as an intelligent person, must realise that, even though he might close his mind to the truth, land is the very pivot and essence of life and culture to Aboriginal people. Father Frank Flynn in his book 'The Living Heart', which is in the Assembly library - it was published 18 years ago - wrote: 'The Aborigine suffers in comparison with the New Guinean because he has been dispossessed of his tribal cultural land and is now a person without dignity. This has been his greatest loss'.

When the Aboriginal dignity has been restored through getting back some of the land which has rightfully belonged to them anyway, then the Chief Minister's plans for essential environmental health services, which I agree are absolutely vital, may begin to show some real benefits. Over the years, I have seen similar plans go awry. I well remember in the Social Welfare Branch the setting up of community dining halls on Aboriginal settlements to ensure that the residents received an adequate and balanced diet. These dining halls were set up with the very best of intentions. Food was plentiful and nutritional

and community health improved out of sight. But, in the long run, community dining was an absolute disaster because it destroyed the whole social aspect of the family. People lined up in queues, grabbed a meal and sat anywhere at all, wherever they could find a chair or a table space. Consequently, it was seldom, if ever, a family managed to eat together as a family should do. The people who put this health improvement program into operation gave no thought to the fact that a family meal was not just a feed but rather a social occasion where Mum, Dad and the kids sat down together and not only filled their stomachs but discussed the day's events, what they would do tomorrow and plan next week's hunting trip.

I watched a happy, contented, energetic but probably under-nourished group of people turn into a lazy, apathetic, pot-bellied, physically healthy but mentally sick group devoid of almost all avenues of social intercourse. Fortunately, a more enlightened administration in 1972 closed these awful community dining halls, made a greater variety of food available in stores that had previously sold mainly soft drinks, lollies and tobacco and let the people cook and eat their own meals. I am not suggesting this type of stupidity will be repeated but I am suggesting that this type of aspect can be looked at in conjunction with improving environmental health services. It is interesting to note that, in regard to outstations where conditions are normally fairly primitive, some medical opinion - and it is not meant to denigrate Aborigines - holds that the people in outstations are dirtier but healthier. Sometimes happiness and peace of mind are more dependent on psychological and emotional health than on physical wellbeing.

In his determined efforts to be included in the 'vision splendid', the Chief Minister misses one point. If he really wants to understand Aboriginal people, he must try a little harder to become a humanitarian. Some honourable members may recall a petition which I presented in 1977 from leaders of Aboriginal communities throughout my electorate in which many and various groups made a request that members of the police force be advised by circular that Aboriginal people resented being habitually referred to as 'coons and niggers' by members of the Northern Territory Police Force, that they felt ashamed and humiliated by such derogatory terms and 'prayed and begged', according to the petition, that the Northern Territory police desist from using such terms. It was even stated in that petition that they had no objection to being called blackfellows, which is fair enough. The Chief Minister, in reply, gave another of his celebrated acting performances, crying in righteous indignation that the petition was an insult, or words to that effect, and it was a scandalous accusation that I was making. I was not making it anyhow; the people were. Let me assure the Chief Minister that these derogatory terms were in popular use by policemen in 1977 and still are in 1981. As an interesting aside, they are not even Australian terms but copied from the Yanks.

The Chief Minister's reaction was hardly that of a person claiming to be speaking, as quoted in the NT News, 'in human terms'. I agree with almost everything the Chief Minister was quoted as having said in the long article in the NT News, and I applaud and endorse his sentiments. I believe that not 1 noun nor 1 adjective that he used to depict the plight of the Aboriginal people as 'a festering blight on Australia's social history' was an exaggeration. I agree that community-based development plans, including essential environmental health services, are vital and urgent, but I cannot agree that therein lies a total solution. It goes deeper than that. I feel that what I have quoted from Fr Flynn's book constitutes the very taproot of the problem.

The Chief Minister has castigated the member for Arnhem in a most insulting way considering that the member for Arnhem is a person who is deeply and genuinely concerned with the welfare and the future of Aborigines. The

Chief Minister said: 'The contribution to this adjournment debate by the honourable member for Arnhem was a sledgehammer blow at any attempt by this government to gain financial support from the federal government. It was a torpedo, a deliberate act of sabotage by the opposition spokesman on Aboriginal affairs'. Mr Deputy Speaker, the member for Arnhem is not of course the opposition spokesman on Aboriginal affairs, as the Chief Minister should know.

The Chief Minister's accusation is rot and nonsense and a despicable attempt at sheeting home the blame onto someone else for his own inadequacy in extracting funds from the federal government. If he wishes to lay the blame solely on the shoulders of the member for Arnhem, then he has my full permission to add me to his hatchet list as well as I totally agree with everything the honourable member said. I think that the inability of the Chief Minister to secure the \$125m which he needs is a perfect example of someone being hoist with his own petard.

Honourable members will recall that the much-discussed, 5-year plan was instituted as a result of a report tabled in the Assembly by the Minister for Health on the environmental health of Aboriginal communities. I will quote from the minutes of the task force that looked at how money was being spent. Those minutes said:

*Mr Chairman asked members for their views on the implications of budget outcome. Discussion ensued on the provision of airstrips to Metroliner standard. Mr Sinclair advised that \$1.2m of funds available for 1980-81 would be needed for the upgrading of airstrips to Metroliner standard and \$0.3m for upgrading the Hooker Creek airstrip. This would mean that \$1.5m would not be available for new projects set aside in the capital works program. The Chairman drew members' attention to the apprehension felt by the department that the capital works program for remote communities was being absorbed into the priorities of the total works program of the Northern Territory government. Members generally agreed that priorities that were enunciated in the Chief Minister's statement in April 1980 have now been altered as a consequence of political decisions with an emphasis on the upgrading of airstrips to Metroliner standard. This had an important effect on the first year of the program. Dr Gurd requested that it be noted that he preferred the use of the word 'detrimental' rather than 'important'.*

Mr Deputy Speaker, I think the Chief Minister showed a great deal of cunning because the upgrading of airstrips to accommodate Metroliners, an aircraft universally agreed to be totally unsuited for bush airstrips, might technically qualify as an improvement to the services in Aboriginal communities. One may now alight from an aircraft on a magnificent tarmac only to drop into a gigantic pothole or become bogged on the road between the airstrip and the township. The \$1.5m was never meant to be used on airstrips. It was set aside specifically for improving Aboriginal health but, by a subterfuge and an extremely loose interpretation of needs, the Chief Minister managed to syphon off a vast amount of money which would have gone a long way towards improving health and sanitation and alleviating the desperate plight of Aboriginal people about whom he expresses such concern.

Together with the Chief Minister and the member for Arnhem, I deplore the federal government's actions in refusing to grant \$125m in order to implement the Northern Territory's plans to provide improved sanitation and water services. But, like the member for Arnhem, I also feel that the federal government, having been once bitten, is now twice shy. The mandarins of the public service in Canberra, as the Chief Minister has called them, may well be mandarins but they

are certainly not idiots. They are hard-headed economic experts and, having seen the misdirection of other funds by this government, they would be very wary about providing something in the order of \$125m which could conceivably be likewise misdirected.

The Chief Minister's attempt to lay the blame on the member for Arnhem for torpedoing or sabotaging any attempt by this government to gain support from the federal government was a cowardly attack. He should put the blame where it really lies and that is squarely on the shoulders of himself and his government with their stupid and puerile attempt to accommodate Metroliners rather than save Aboriginal lives.

Finally, I will quote one last passage from the Chief Minister's speech. After bleating in righteous indignation about the importance of airstrips, sealed or unsealed, he made an impassioned plea to the Speaker: 'You know that, Mr Speaker, as well as I know it. Money for barge landings and roads has been a significant proportion of the funds for essential services for Aboriginal communities'. The Minister for Transport and Works has just advised me that they are looking at the possibility of roads in the Port Keats area and that the Northern Land Council did not agree with the siting. He said that they will improve the barge landing down there. I am prepared to bet the minister - and I will go to Port Keats with him - that they do not want the barge landing there. I can tell him that and I can tell him why.

For 5 consecutive years since 1977, I have talked about that. The road has to service in excess of 1,400 people. If they put another barge landing on Port Keats itself rather than up Sandfly Creek, it would allow the barge service to become competitive. It would break the monopoly of 1 of the party faithful - that is what would happen because there is 1 barge and 1 barge only in the Northern Territory that can negotiate that creek. He has no competition. All my pleas, except for what the Minister for Transport and Works said today, have fallen on deaf ears and I do not think this is a humanitarian attitude.

The Chief Minister said in his press article that 'Australia should put its money where its mouth is'. I say that his government should put 'their money where their respective mouths are'. Talk is pretty cheap. When I see some action . . .

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

Mr MacFARLANE (Else): Mr Deputy Speaker, I would like to see the honourable member for Tiwi in the Padgham-Purich tartan. Apart from that, I would like to bring to the notice of the Assembly a letter I have from the chairman of the school board of Katherine High School:

*Please find enclosed copies of letters to the Department of Education and the Minister for Education and their replies on the subject of the employment of Mr Francis Charlie De La Coeur. We seem to have come to a dead end in our endeavours to retain the services of this very promising young man. Charlie has proved himself to be a willing and reliable technical studies assistant with a very beneficial influence over Aboriginal and part-Aboriginal students with whom he has excellent rapport. His consistent efforts to improve himself, e.g. his application to enter Batchelor Teachers College, and to obtain employment with the Department of Health have met with a similar lack of success. He has spent some time voluntarily helping to organise the technical studies workshop at the beginning of this school year. It would be a great pity to see this young man, who promises to develop into an excellent*

*citizen, be denied the opportunity to work especially when the school has such great need of his particular services. We would greatly appreciate . . .*

Another letter to the Minister for Education reads:

*Earlier this year, another Aboriginal, Mrs Erica Lake, a pre-school teaching assistant who had been left at the high school since it was an area school, moved across to Katherine South Primary School where she is presently happily and usefully employed. Her position is, however, still held against Katherine High School. Would it be possible to transfer Mrs Lake to Katherine South Primary School and give Mr De La Coeur the teaching assistant position at the High School?*

This is one of the pities of the system. We come up against an inflexible public service or minister. There is a reply from the minister and he says that there is no room for this man. The man wants to work and I think a position should be created for him. Work is what it is all about. If people want to work, they should be given the opportunity. We have the principal's report. The man shows excellent ability. We have a dead end being created by a person who is employed at a different school but her position is held against the Katherine High School. Surely to goodness, we can get around this problem by putting Mrs Erica Lake on the Katherine South School staff and moving Mr De La Coeur into that position at the high school. It seems simple to me, but I am not very well versed in public service matters, thank God.

There was a meeting of the Kalano Association, the town council and others in Katherine on Monday of last week and some alarming revelations were made. It was estimated that there are 300 permanent Aboriginals in the town area without accommodation and, at any one time, there are 120 holidaymakers or transients - people who come to town for a bit of a spell and get on the grog and things like that. There is nothing wrong with that; I used to do it myself. I have seen the light.

Some of the observations by the councillors about the area of land that the Kalano Association wanted within the town boundaries were quite revealing. Why that area of land - only 500 or 600 yards from the new swimming pool - was chosen was because it was close to town. One alderman remarked that the location seemed to be chosen as the limit of a man's endurance to carry a carton of beer without its becoming hot. If you are going to have a camping area, you have to decide what is going to happen to it. If there is a need, where and who will manage it? Who will manage it is a very important consideration. Another alderman asked what is wrong with the Corroboree Motel. It is there for transients. These people are travellers. It was disclosed that, of the 40 rooms at the Corroboree, 13 have been damaged beyond utilisation. They are completely out of action. The Corroboree is \$12,000 in the red. When our man, Mr Clifford Lew Fatt, gets into Aboriginal Hostels, I hope he comes down to Katherine and straightens them up a bit.

Other things came up on the subject of the need for housing in Katherine. There are 6 pensioner houses pretty well opposite the Transport and Works Depot. In 1 of those houses, there were 5 pensioners plus 3 families in a 2-bedroom house. The need for accommodation is very real. These are not figures I dreamed up. These are figures given to me by the new boss of the Kalano Association. He seems to be moving around and making a very good job of things. If you are going to have a camp for transients, you have to supervise it otherwise it will become a slum.

I heard on the news this morning that the Kalano Association had started a bus service. I agree that there has to be somewhere for these people to go. If they come to town, they should not be out in the rain. They must have basic facilities. I spoke about this to the Director of Aboriginal Affairs, Mr Ford. Early last year, I spoke on the phone to Mr Charlie Perkins in Canberra about it but we have not got anywhere. The problem is still there. There seems to be no land; there seems to be no plan. What do you do? It is a pretty good question.

We have heard the Everingham government slated a fair bit today. I would like to draw some attention to the failings of the federal government. At Numbulwar there is a population of about 500 people. There are about 76 families without accommodation there. I have been working on this for quite some time with Mr Wauchope of Aboriginal Affairs. He told me that, until the Housing Commission builds the houses, there will not be any houses built. It is a fairly simple thing. The money is being provided for 2 or 3 houses. The federal department said that, when the commission erects those houses, it will give them more money. How they are going to make up this backlog of 72 houses, I do not know.

One of the things I insist we should have for these people is work. I think that is a saviour. They always had it before. What comes first, the chicken or the egg, the houses or the work? This is exactly what the Department of Aboriginal Affairs is saying. If they want houses, if they will do the work, if they will build the airstrip, if they will do these things, it will give them the finance. I say it is a very serious problem.

Some houses out at Numbulwar were built 20 to 30 years ago by the Church Missionary Society. They erected sawmills and supervised the Aboriginal labour. They built their houses and they did all this work for nothing. What we have now is a community that has slipped back to existing on handouts. The Department of Aboriginal Affairs insists that the people will not do the work. It insists that, until they do a fair day's work, they will not get the money they deserve. There is a situation for you. I understand the member for Nightcliff was out there late last year and she spoke in glowing terms of the place.

Mrs Lawrie: What?

Mr MacFARLANE: I thought you spoke in glowing terms of Numbulwar. They had a good vegetable garden and a great market at Groote Eylandt. They fished, they caught crabs, and now they have buffalo and cattle. They also have tourism.

I say that neither this government nor the federal government is encouraging the people to do what they must do: occupy their days. How they occupy it - with hunting, fishing, working or making artefacts - does not really matter. I insist that work must not be regarded as a dirty, 4-letter word.

Ms D'ROZARIO (Sanderson): Mr Speaker, I want to raise 2 matters of interest to my electorate. The first, I believe, the Minister for Lands and Housing already knows about: the efforts of a group of citizens in the Malak area to retain an area of land which was formerly parkland. I must commend the efforts of these people. I think it shows the type of organisation that local citizens can arrange and the sort of pressure they can bring to bear upon elected members in local government as well as in the Legislative Assembly. I think that the manner in which they went about the task of attempting to have the land reverted to open space certainly does them a great deal of credit.

I hope that their efforts will be successful. Up to now, we have heard some statements that perhaps the city council is amenable disposed to the idea

of having the land rezoned from R2 to open space. The city council may well be amenable to requesting the Planning Authority to rezone the land. I believe that the minister has also had some discussions with the representatives of the citizens' organisation concerned and that he too is looking into the matter to see what is available to him under the Planning Act in order to achieve the objective. The entirely reasonable and civilised manner in which these people have approached this problem is extremely creditable. There was no hysteria among the people. They sat down and thought out for themselves what were the options available to them and what were the rational approaches that could be taken. They then extremely diligently organised 300 or 400 people to carry out the task. When one realised the extent of the work that they did - the large number of people who were involved in this project - in so short a time, it certainly shows elected members of both the local government and this Assembly the power of people when they are really upset about something.

I hope that the proposal that they are seeking does come about. It was a poor decision by the Planning Authority to rezone that land to R2 and alienate a parkland system which had been planned for the residential suburb from the start. I think that it was an ill-conceived proposal of the Planning Authority and I hope that it will take note of the large number of letters that have been written and attempt to rectify the situation.

I would like to take up a matter with the Minister for Health. I regret to say that it has been brought to my attention by a trader in my electorate that the practice of sniffing glue is developing in the northern suburbs. I do not claim to know what to do about this particular matter. I think it is a very severe indication that there is something wrong. This must be seen as a symptom of some greater evil in the area. I wonder whether the Minister for Health might be able to assist us through the Department of Health.

On this matter, I have written to the schools in my electorate in the hope that the newsletters that go out would alert parents to this practice. As I say, it is a practice which one finds difficult to control in the sense of trying to limit access to these products. They are available in a wide range of outlets which include service stations, supermarkets, department stores, hardware stores and newsagents. Many of the people who would ordinarily buy them, particularly children, are buying them for legitimate reasons: to pursue hobbies such as model making etc. One hesitates to suggest that the sales of these goods ought to be restricted but, at the same time, I think that the dangers which are inherent in this practice ought to be addressed by the Department of Health. I would ask the minister to make arrangements for an information leaflet to be published by the Department of Health and distributed through the Community Health Centres. When the staff of the Community Health Centres visit schools, they could give some advice on the dangers of the practice and the type of first-aid that should be given to a person who has indulged in it.

The matter of street lighting has been raised by other members today and this is a grass roots matter for which members use this particular forum to air. The matter of the reduction of street lighting, as raised by the member for Port Darwin, can be looked at from many points of view. One is the matter raised by the member himself - the reduction could give rise to increased vandalism and petty crime. The other matter was one which concerned the city council when it took this decision to reduce the frequency of street lighting - the charges incurred in providing this particular service. Instead of making a blanket decision to reduce the amount of street lighting and the hours in which it operates, the city could work out what areas are more often used during the evening and try to reduce the street lighting in areas that are not so heavily used.

Speaking of my own electorate, we have a system of extremely well-designed street lights which are integrated into our walkway systems which occasionally widen out into usable open spaces. These spaces are very well used in the evenings. On the other hand, there are certain local streets which are not used that much by pedestrians. I am suggesting that, rather than make a blanket decision to cut down on street lighting, the city council ought to try to observe the pattern of usage and make its decision on that basis. I can certainly appreciate that the cost of street lighting can be quite enormous to ratepayers.

Mr EVERINGHAM (Jingili): Mr Deputy Speaker, this afternoon I would like to pass a few remarks on a few disparate subjects. The first is that, in the report from 1978-79 of the Museums and Art Galleries Board, I see a list of the acquisitions for that year. I am quite impressed by the quality of that list. There are a considerable number of paintings there that I can really hardly wait to see. It will be a matter of considerable pleasure for people of the Northern Territory when they are able to see the Territory's art collection displayed in the surroundings of the new museum that has almost reached completion on Bullocky Point. Amongst the works that have been collected, I can see a number by quite well-known artists, including Sir Hans Heysen. There is a painting entitled 'Head of Lake Te Anau'. There is also 'Tasmanian Coast', 'Emus in Central Australia', 'Victor Harbour' and 'Apple Orchard'. I should mention that a couple have been donated by various people. I think that I would express the feeling of all members when I take this opportunity to publicly express our thanks for those donations which appear on the list. One of them is an oil entitled 'Port Darwin'. It does not say who the artist is - unless it is also Robert Campbell - but I do thank the people who made those donations.

One or two things raised by members of the opposition in the course of adjournment debates over the past week or so have been worth mentioning. The Leader of the Opposition commended to the government that we should endeavour to foster the engineering establishment previously operated by Connair and Northern Airlines in Alice Springs. I agree that the government should do its best to see that an engineering facility remains in Alice Springs. However, the position is that Northern Airlines which owns this facility has put a price of \$1m on it. When you consider that it paid \$1.8m for Connair and it shipped out about \$300,000 worth of spare parts when it took the Fokker Friendship back to Sydney in January, I think the cupboard must be pretty bare in the engineering workshop in Alice Springs. Anyone foolhardy enough to pay \$1m for that engineering workshop to Northern Airlines at this stage could not be much of a businessman because I do understand that it was something of a millstone around the neck of Connair even before Northern Airlines took it over. I believe that perhaps it contributed, in its own small way, to the downfall of Northern Airlines.

The member for Victoria River came back at me after the discussion we had last week when he made comments about a television program on unemployment amongst Aboriginal people in Perth and I indicated that I did not very much like his thoughts on the subject of what was patronising and what was not. I still do not like what the member for Victoria River said, as best as I could understand it. The honourable member seems to have taken a set against this gentleman who appeared on television and said that he took an interest in a young Aboriginal lady. It appears that the member for Victoria River implies lust in this gentleman who appeared on television and whom the member for Victoria River does not know from a sheet of bark. This gentleman's reputation and character have been bandied around in this Assembly, a couple of thousand miles away from his home, much to his detriment. I would invite the honourable member for Victoria River to say outside this Assembly all the things that he



has said inside this Assembly about this gentleman who no doubt can easily be identified and who can easily identify the honourable member for Victoria River. He can then have reasonable recourse against the honourable member if he wants it. He should be entitled to it because the honourable member for Victoria River has been using this place as a coward's castle against this anonymous person who may be well-known to many people in Perth.

Mr Deputy Speaker, we also heard this afternoon the honourable member carry on about the would-be achievements in Aboriginal affairs of the party that he represents. One almost gains the impression that the honourable member is worthy of canonisation - he has been such a great bloke by his own description. Nothing that this government does could possibly be right or made for honest or reasonable motives; everything that this government does is imputed to be done for bad motives. It seems to me that the argument put forward by the honourable member for Victoria River this afternoon - and I think he joined himself to the honourable member for Arnhem in some unholy juxtaposition, perhaps one of those thousand and one versions - has been destroyed out of the mouth of one of its own former candidates. I read the remarks attributed to Mr Hampton of Alice Springs who was a former candidate for the seat of Alice Springs. I read from the Northern Territory News of this afternoon, Tuesday 3 March 1981:

*Mr Hampton said the decision to endorse Mr Bell was wrong, and did not reflect electoral realities at MacDonnell. There were capable and responsible Aborigines to carry the ALP flag in the by-elections. Mr Hampton said the ALP had strong policy on Aboriginal rights yet, when it came to the crunch, the party had decided not to put an Aboriginal back into the Assembly. The ALP had shown its true colours. Mr Hampton said both the ALP and the CLP had poor histories of exploiting Aborigines and using them as political footballs.*

Mr Deputy Speaker, I do not need to say any more.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, I too have a number of disparate topics to talk about in the adjournment this afternoon. First of all, I would like to say to the honourable member for Tiwi, as a male chauvinist Scot, that women should not wear kilts. They can wear skirts if they like but they are not supposed to wear kilts. I was interested in the honourable member's remarks, Mr Deputy Speaker. I was not in the Assembly at the time. I obtain my kilts from Christies in Sydney and a vision of sartorial splendour I am indeed when I dress in my balmoral and kilt, as I occasionally do.

The Chief Minister once again touched on the question of Northern Airlines this afternoon. In fact, he has made some remarks in the 'popular press', as he likes to term it himself, about my remarks on the subject. Although I did reply to the Chief Minister in the press, I would like to again say in this Assembly that I have supported the government consistently in its 5-year plan. I think that the efforts of the local Department of Health certainly showed up the federal authorities by what was a very telling and authoritative document that was tabled in this Assembly.

I understand that the federal Minister for Aboriginal Affairs made some statement which I thought was a press release but now turns out to be an answer to a question in parliament. Perhaps I could invite the Chief Minister to reply tomorrow in the adjournment debate to what I understand was a statement by the federal Minister for Aboriginal Affairs as to why the Territory government should not get that money. I did try to obtain a copy of that answer which I am sure will be in the federal Hansard. I tried to get it today but was not able to. Perhaps the Chief Minister can reply to that in the Assembly before we adjourn tomorrow.

It is always very useful when other members do your running for you and make your points for you. I must refer to one of the comments that was made by the Chief Minister in reference to the criticisms I made of the redirection of money from the environmental health program. He said how necessary it was to upgrade airstrips such as Maningrida and what terrible condition the airstrips at Milingimbi and Elcho Island were in. I can do no more than agree with the Chief Minister and to point out what utter foolishness it was to spend the amount of money on bituminising the airstrip at Maningrida because the Chief Minister is quite right: the airstrip at Elcho Island is the bane of all pilots. I do not think I have spoken to a pilot who likes landing on the airstrip at Elcho Island because, as the Chief Minister would know full well, it has a great rise in the middle which tends to launch aircraft into space before they are supposed to be launched into space. In fact, because of the cross-currents on the seaward end of the airstrip, it can be a very dicey airstrip to take off and land on. I would advise the Chief Minister that it is still in that condition.

Mr Everingham: Not for much longer.

Mr B. COLLINS: Certainly, I am glad to hear it. I simply point out the nonsense of holding up the example of spending money on the airstrip at Maningrida. The Maningrida community certainly is grateful for having a bitumen airstrip should it ever be needed at some time in the future. The thing was that the Maningrida airstrip already was one of the best maintained, longest and safest gravel strips on the coast. It was certainly in a much safer condition than the airstrips either at Milingimbi, which is also a fairly dicey strip, and the one at Elcho Island.

If the government - which has criticised so often and so justifiably in the past the federal government departments getting their priorities wrong and spending money in the wrong places - was serious about that, the airstrip that had the priority from the very aspect that the Chief Minister mentioned, that of safety, would have been Elcho Island by a mile. But the Chief Minister knows, as I know, that the reason that Maningrida airstrip was upgraded was not because it was necessary from the point of safety but because it was the most important port commercially for Northern Airlines on that particular Top End route. I am delighted to hear the Chief Minister's interjection that Elcho Island will not remain in its dicey condition for much longer, but certainly his statement the other day that Maningrida airstrip was bituminised for reasons of safety and so on, when Elcho Island is in such bad condition, is rubbish.

The domicile of individual members of this Assembly is a matter for the members themselves and is really the business of no one else. It is a matter between the members and their electorates. It is certainly the business of the people in his electorate as to what they think about where their member lives. The Minister for Mines and Energy is in the habit of releasing embargoed press releases, which I have commented on before. They are embargoed for the consumption of the residents of Tennant Creek - embargoed to the Tennant Creek Times. He has released yet another one. The reason I comment on this is not because I have any criticism at all as to where the member chooses to live but because he gives me a mention in the press release. The press release which was in the Tennant Creek Times on 27 February 1981 is the minister's farewell to Tennant Creek. The headline of the press release is 'Tuxworth moves to Darwin'.

In this press release, the minister said - I like this comment and I hope that the minister himself did not say these exact words but that he was misquoted by the paper: 'The minister announced last week that he moved his wife and children to take up residence in Darwin'. I had an instant mental image of the minister packing his wife and children up in a crate and putting them on the first charter from Tennant Creek to Darwin. The paper

went on to say: 'Mr Tuxworth said that it was interesting to note that the member for Arnhem ALP, Mr Collins, had just taken up residence in the northern suburbs with his family and the member for MacDonnell ...'.

For the information of the Minister for Mines and Energy, my residence in Darwin and his move to the delights of Fannie Bay are in no way analogous. I can certainly understand the minister moving. As a political gentleman, he knows how important good political representation is. I can understand the minister despairing of getting any in Barkly and moving to an electorate where he can be better represented. At least, I had thought so after reading in the newspaper that he moved to Fannie Bay. But I find on checking the electoral map that he actually is in the electorate of Stuart Park. Thus, he has actually jumped from the frying pan into the fire. I enjoy the benefits of being a resident in the electorate of the Chief Minister himself. I am quite overwhelmed by the honour.

We all have problems with our electorates. I remarked the other day on the perspicacity that the minister had shown in the matter of Northern Airlines. He has given us another lead in the most efficient way of handling all these troublesome problems of the electorate. Certainly, the best way I know to solve those problems is to move 1,000 km away from the electorate. Of course, that is a matter for the minister himself and his electorate.

I must say, to correct the gentleman, I do not live in Darwin out of choice. I have in fact lived out of my electorate for some years now. I was a resident in the rural rump of Darwin. I was in fact a constituent of the member for Tiwi, Mrs Padgham-Purich. I did not so much move out of my house as was moved out of my house. I must say that burglars make moving very easy when all you have to do is pack a suitcase. I have left the rural rump of Darwin with a great many regrets. I will certainly miss being woken by the neighing of horses, the barking of dogs, the howling of dingoes, the braying of donkeys and the bleating of goats and sheep. I shall also miss cattle in the garden, cattle dogs in the swimming pool and king browns on the back door step. I will miss all of those delights now I am living in the Chief Minister's electorate.

What I would like to point out to the Minister for Mines and Energy is that I did live in my electorate but, unfortunately, a problem in my electorate is that there is a great lack of housing. As the Chief Minister knows, the housing situation everywhere is bad but, certainly, in Aboriginal communities, the situation is desperate. I lived in Maningrida and was very happy to do so. For family reasons, living in the electorate would certainly made life a lot easier for me. I occupied a house which belonged to the Department of Education. After very happily living in the electorate - and I can certainly assure the Minister for Mines and Energy that if the opportunity arises for me to do it again, I will grab it with both hands - I was approached by the principal of the local school at Maningrida who, knowing my great interest in Aboriginal education, particularly outstation education, told me that they were not able to employ an outstation teacher in Maningrida because they had nowhere for him to live. Because of the long periods of time that the house was vacant anyway as a result of my movements through the electorate, he asked if I would consider giving up my house to the school teacher, which I did. For the Minister for Mines and Energy to use my living outside my electorate as being in any way analogous with his position is just not the case. Having said that, I would repeat what I said before: in no way would I criticise the Minister for Mines and Energy for his move as many people would be inclined to do. I understand fully the reasons behind it and have great sympathy with the minister. I do not say or even think for a minute that it was a decision that he took lightly or in fact with any great degree of happiness.

I want to conclude by touching on a matter that was raised earlier by the

member for Tiwi - I do intend to speak more on this later during this sittings - and that is the question of Community Health Centres. The minister would know that quite a large number of petitions are circulating in Darwin at the moment regarding the attempted downgrading of the establishments of the Community Health Centres in the Northern Territory. The community health services are the envy of much of Australia. One of the reasons for that is that they are so cost effective because they deal very largely with preventative medicine, that area of medicine that stops people from needing to go to doctors and hospitals. One of the important areas of preventative medicine that they deal with is the screening of schoolchildren. It is a very complete screening, checking eyes, ears, speech and everything else that is necessary to pick up things which may have a bearing on the educational side of the child's activity at school. Because of these screenings and the attention that is given at school, if a medical problem does exist, a parent can send the child off to school knowing quite happily that he will be attended to at the school. This means that the child does not have to miss any time at school to attend a private medical practitioner. I was very disturbed to hear that one of the suggested cuts in the services provided by community health sisters is this service of screening schoolchildren. I would be very grateful to hear from the honourable minister that this is not the case.

Mr ROBERTSON (Education): Mr Deputy Speaker, I could not really help but make an observation about the contribution of the honourable member for Arnhem. Of course, I can well understand why members opposite, particularly that gentleman, perhaps would not be critical of the Minister for Mines and Energy moving from Tennant Creek to Darwin. After all, it was the party opposite which, at the last elections, endorsed for the seat of Barkly a candidate who lived at Alice Springs and the time before that a candidate who lived in Queensland. Peggy Hadden was a student in Queensland and, if elected, would come back to live in Tennant Creek. Might I say that Peggy Hadden is a very good friend of mine and a very fine person and, notwithstanding her political affiliations, would have made a good member of this place but, of course, the best man won.

Mr Deputy Speaker, the thing I wanted to mention was the contribution, shall we call it, of the honourable member for Elsey in relation to a Mr De La Coeur who has been employed at the Katherine High School and a person who is held in very high regard by the Katherine community, a person who did a lot of voluntary work in the manual arts or technical studies area and, as was accurately pointed out by the honourable member for Elsey, a person in whom I see quite a future and, hopefully, this government can help people like that achieve that future. I must take issue with the honourable member for Elsey that, simply because a person wishes to work, the government cannot automatically create positions. It is reasonable to assume that, of the 400,000 unemployed in this country, probably 300,000 genuinely want to work. Of course, governments simply cannot create positions to absorb them.

Nonetheless, I have had not only representations from the honourable member for Elsey but, in my last visit to Katherine, representations from the community in respect of Mr De La Coeur. As a result perhaps of the final blow struck by the honourable member for Elsey in this matter, I have instructed my department this afternoon, after his adjournment contribution, that Mr De La Coeur is to be offered a part-time instructor's position of 20 hours a week for the remainder of the school year. Hopefully, by the end of that period, if he accepts that, we will be able to find something permanent for him. I have no doubt he will make a great contribution not only to the practical education of Aboriginal children in the Katherine area but indeed to many other non-Aboriginal children as well.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

## PETITIONS

### Community Health Service Staff

Mrs PADGHAM-PURICH (Tiwi): I present a petition from 793 citizens of the Northern Territory expressing their concern on the reduction in nursing staff of the Community Health Service. 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 the Northern Territory respectfully sheweth that if the nursing staff levels of the Community Health Service be reduced it will not be possible for the present standard of care to be provided to the public. Your petitioners therefore humbly pray that the government will not reduce any further the nursing establishment of the Community Health Service and your petitioners, as in duty bound, will ever pray.*

### Community Health Service Staff

Mr B. COLLINS (Arnhem): I present a petition from 2,588 citizens of the Northern Territory expressing their concern on the proposed reduction in nursing staff of the Community Health Service. That is quite an extraordinary response considering the petition has only been in the community for 3 days. I move the petition be received.

Motion agreed to; petition received.

### White Gums Road Alice Springs

Mr D.W. COLLINS (Alice Springs): I present a petition on behalf of 99 citizens of Central Australia expressing their concern at the poor condition of White Gums Road. The petition has received 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 certain citizens of the Northern Territory, electors of Central Australia, users of the dirt road known as White Gums Road, respectfully sheweth that, due to the amount of traffic and the nature of the soil, the road rapidly becomes severely corrugated after maintenance. As a result, vehicle damage is considerable, vehicular accidents have occurred and Fresher Products, the marketing agent for Central Poultry Products, have experienced heavy losses from egg breakages. Your petitioners therefore humbly pray that this road be sealed and your petitioners, as in duty bound, will ever pray.*

Community Health Service Staff

Mrs LAWRIE (Nightcliff): Mr Speaker, I present a petition from 916 citizens of the Northern Territory expressing their concern on the proposed reduction in nursing staff in the Community Health Service. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

*To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully sheweth that, if nursing staff levels of the Community Health Service be reduced, it will not be possible for the present standard of care to be provided to the public. Your petitioners therefore humbly pray that the government will not reduce any further the nursing establishment of the Community Health Services and your petitioners, as in duty bound, will ever pray.*

MOTION

Subordinate Legislation and Tabled Papers Committee

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I move that Mrs O'Neil replace Mr Perkins on the Subordinate Legislation and Tabled Papers Committee. By way of explanation, the member for MacDonnell indicated last Thursday that he will be resigning shortly from this Assembly. Because the committee on which he is represented is likely to meet between this sittings and the next, it is appropriate that the Assembly ensure the full complement is on that committee.

Mr ROBERTSON (Education): Mr Speaker, the government notes the motion of the Leader of the Opposition and certainly has no objection to Mrs O'Neil succeeding Mr Perkins. I might say, though, that I feel that I have to comment on the statement of the Leader of the Opposition that the member for MacDonnell will be retiring shortly. It would seem to be a gross discourtesy to this Assembly to have a man who has previously stated that he no longer has any interest in this Assembly. It is an even grosser discourtesy, if that is possible within the English language, that he so treats his electors. Over quite some time, he has indicated that he has absolutely no intention of participating further in the affairs of this Assembly. I would have thought he would do the decent thing and resign forthwith so that we can get on with the business of a by-election so that the people of MacDonnell are properly represented in this Assembly and that further taxpayers' funds are not uselessly expended on his extended tenure.

Motion agreed to.

TABLED PAPER

Tourism Promotion Mission Report

Mr STEELE (Primary Production and Tourism): Mr Speaker, I table a report and attachments which deal with an overseas trip undertaken by myself. I move that the Assembly take note of the report and seek leave to continue my remarks at a later hour.

Leave granted.

## MOTION

### Green Paper on Primary and Secondary Education in NT

Mr ROBERTSON (Education): Mr Speaker, I table the 'Green Paper on Primary and Secondary Education in the Northern Territory - Directions for the 80s' and move that the Assembly take note of the paper.

In so moving, I would say that a great deal of time and careful thought has gone into the preparation of this paper. The need for such a paper arose from the first meeting I had with the new secretary of the department and the executive group in Katherine early in August. This departmental executive group has been set up in the style of a corporate management group to streamline the department's operations and facilitate responsiveness to the public. The Katherine meeting had been set up as a kind of stocktaking exercise to review the department's performance and to canvass ideas for the future. It became obvious then that what was needed was a rethink of the direction of the department and a comprehensive charting of future directions.

Accordingly, the secretary had prepared a draft document with the full involvement of the department's executive group which he presented to the Annual Conference of the Northern Territory Teachers Federation in late August and to the Annual Conference of Principals in early September. At the same time, copies were circulated to schools, parent organisations, other educational groups and individual educators for comment so that their thoughts, aspirations and criticisms might be included in finalising the document before wide public comment was sought.

I am delighted to say that the opportunity was taken up and resulted in a range of excellent comments, including a number of very detailed and well-thought-out submissions. For example, comments or submissions were received from the Education Advisory Council, the Northern Territory Council of Schools Organisation, the Northern Territory Teachers Federation, the Post-school Advisory Council and professional associations as well as the Isolated Children's Association, Katherine Branch, individual schools, school councils, parents, teachers and departmental officers. I cannot stress too much my appreciation of the many hours of work that these individuals and groups contributed.

A drafting group was then established which included the principals of primary, secondary and Aboriginal area schools and the Chairman of the Education Advisory Council to bring this document to its present form. Detailed acknowledgment of the work of those who contributed is made in the document. I must emphasise that it is not meant to be a complete document at this stage. In other words, it is a Green Paper not a White Paper. However, it is now at the stage at which honourable members and the general public should be given the opportunity to debate. To facilitate this, I will initially be making 2,000 copies available which will be distributed by the department. Extra copies will be held to meet the needs of groups who wish to discuss it. The closing date for public submissions is 25 May which allows approximately 3 months for discussions and submissions. All submissions will be discussed by an expert but widely-representative working party, chaired by the secretary, with a view to developing a White Paper on primary and secondary education in the Northern Territory for consideration by the Northern Territory government. During the next 3 months, therefore, it is my hope that individuals and groups interested in education in the Northern Territory will make the necessary constructive input to enable the government to set policies which represent the aspirations of Territorians for education of their children in the 1980s and beyond.

I would like to mention my thanks to Mr Geoff Spring of the department and his professional assistant, Mr Michael Fong, who I understand, because of the workload difficulties of the Government Printer - and this is not a criticism in any way whatsoever of the Government Printer - remained until midnight personally collating all the copies we have before us. I place on record my thanks to them.

Debate adjourned.

## MOTION

### Report of Inquiry into Pastoral Land Tenure in NT

Mr ROBERTSON (Lands and Housing): Mr Speaker, I table the Report of the Inquiry into Pastoral Land Tenure in the Northern Territory October 1980 and move that the Assembly take note of the report.

On 26 January 1980, the former Minister for Lands appointed a committee to inquire into the most appropriate form of tenure for Northern Territory pastoral land, having regard to a number of terms of reference. The committee comprised: chairman, Mr B.F. Martin, solicitor of Alice Springs, now Solicitor General for the Northern Territory, member Mr P.J. Wells, Surveyor-General for the Northern Territory and member Mr W. Lanhupuy, member of the Northern Land Council, Darwin. The committee began its inquiries by advertising terms of reference, seeking written submissions and conducting hearings in Alice Springs, Katherine and Darwin. All pastoralists and major organisations having an interest in the field were invited to respond. A total of 73 written submissions were received and the committee discussed the issue with 59 people whose contributions, I have been led to believe, were of great assistance. In releasing this report, all interested parties will have the opportunity to consider the recommendations and to make submissions to the government before any decisions are made on the recommendations contained in the report.

Because of the limited number of copies which will be available in the immediate future, it is appropriate to outline the principal recommendations contained therein. They are: that the reservation in favour of Aborigines be preserved whatever the tenure; that the question of creating community areas be pursued as recommended in the Gibb Report and that the process be by negotiation and not by compulsion; that a public reserve of not less than 30 metres in width from the top of the bank on either side of a major watercourse and of a width of 100 metres from high water mark on beaches be created; that a study be undertaken to ascertain methods to alleviate or overcome problems associated with public access to reserved areas within adjoining pastoral properties; that lessees be allowed to mortgage a pastoral lease without consent; that, except where the interests of others are involved, the nature, location and extent of future development be left to landholders; that any pastoralist who makes a genuine effort to achieve and maintain the status of being free from tuberculosis and brucellosis be granted greater security of tenure; that the Crown Lands Act be amended to allow lessees to be fined as an alternative to forfeiture for non-compliance with lease covenants; that land needed for closer settlement or agricultural development be acquired using the Crown's resumption or acquisition powers; that the policy of limiting the subdivision of pastoral stations for pastoral purposes to economic areas and consolidation of uneconomical areas with adjoining stations be retained; and that a system of perpetual leasehold tenure for pastoral lands be introduced into the Northern Territory.

Debate adjourned.



TRUSTEE AMENDMENT BILL  
(Serial 79)

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 existing Trustee Act is one of those old pieces of legislation which have been inherited from South Australia. The whole act needs to be reviewed. That is being done but it will take some time. There are certain areas of immediate concern and this bill deals with those areas. A bill to enable trustee companies to operate in the Territory was passed by this Assembly during this sittings. That act now establishes that trustee companies be authorised to establish one or more common funds. We have amended it to provide that 10% of those common funds can be invested in the purchase of freehold land in the Territory. The trustee company industry has made representations to the government that their common funds should themselves be authorised trustee investments. The government is sympathetic to that idea. It certainly seems reasonable that a common fund invested in authorised trustee investments should itself be an authorised trustee investment.

Clause 6 proposes that the trustees be able to invest not more than one third of the trust funds in their hands in the purchase of freehold land in the Territory. We amended the provision in the Trustee Act on the representations of the Leader of the Opposition to one tenth and, even though this bill as printed still retains the one third, I will be seeking to amend that to one tenth. For present purposes, the question arises whether or not a common fund more than one tenth of which is invested in land should be an authorised trustee investment. It is reasonable that a common fund be authorised as a trustee investment.

Clause 5 proposes that only those trustee company common funds as are determined by the minister will be authorised trustee investments. In all jurisdictions except the Northern Territory, trustees are statutorily empowered to retain or purchase a dwelling house for the use of beneficiaries provided the will or trust instrument does not specifically prohibit it. If there is money available and such a purchase would not unfairly prejudice the interests of any other beneficiary, the government believes it should be possible to do this. The government also thinks it is reasonable to enable a trustee to buy furniture and fittings for the house. Clause 6 proposes a new section 4C to give effect to this policy. As I have already indicated, clause 6 also proposes that trustees be able to invest portion of the trust funds in their hands in the purchase of freehold land.

I turn now to clause 7. The common law as to liability of trustees is exceedingly strict. They are liable to make good any loss of or depreciation in trust property even if that loss or depreciation occurs through no fault of their own. In all other jurisdictions, legislation has been in force for 50 years or more enabling the courts to relieve trustees from liability when they have acted honestly and reasonably and ought fairly to be excused. Those requirements are cumulative; that is, it is not enough for a trustee to show that he has acted honestly and reasonably, he must also satisfy the court that, under all the circumstances of the case, he ought fairly to be excused. Proposed new section 49A will remove some of the harshness of the common law and put Territory trustees in the same position as other Australian trustees.

I commend the bill to honourable members.

Debate adjourned.

## RESCISSION OF MOTION

### Adoption of Report and Third Reading of Stock Diseases Amendment Bill 1980 (Serial 54)

Mr ROBERTSON (Education): I move that the adoption of the report and the resolution of the Assembly on the third reading of the Stock Diseases Amendment Bill 1980 (Serial 54) on Thursday 26 February 1981 be rescinded.

At the time that this bill was introduced into the Assembly, I had considered asking the Assembly to suspend Standing Orders to allow it to pass all stages in the one sittings. In view of this, it contained a commencement clause that was designed to ensure that it would commence on the same day as the Crown Lands Amendment Act which brought into effect the freeholding scheme that made the amendment necessary. However, in accordance with my usual policy not to do so unless compelled by circumstances, I did not seek to proceed through all stages but rather left the bill on the Notice Paper to be dealt with during these sittings. In the event, I was away from the Assembly at the time the bill was passed and thus did not have an opportunity to invite defeat of the now inappropriate commencement provision and neither did I bring the need for its defeat to the attention of the Chief Minister who dealt with the bill in my absence. I am informed that, if the bill were to be assented to with the present commencement clause left in it, it would be a nullity. By removing this clause completely, it will commence on the date that the Administrator assents to it. The purpose of the motion is to allow the bill to be recommitted and suitably amended to ensure that it has effect when assented to.

I ask honourable members to bear in mind that I introduced 4 other bills which are a consequence of the Crown Lands Amendment Act, the so-called freeholding legislation, which need to be dealt with at the next sittings. It would seem to me that there is no reason why, if the Assembly agrees to this motion, this bill should not stand over until the next sittings rather than fooling around with it further today.

Motion agreed to.

### LOTTERY AND GAMING AMENDMENT BILL (Serial 65)

Bill presented and read a first time.

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

This bill provides for an increase in the allowable monetary penalty which can be imposed by the Racing and Gaming Commission in the application of its new greyhound racing rules. The existing fine limit of \$100 is considered inadequate to allow for proper control of racing in that it does not serve as a sufficient deterrent or a suitable punishment in certain cases. Alternative penalties that may be available to stewards or the Racing and Gaming Commission allow for suspension or cancellation of licences for varying periods up to life. These relatively stiffer penalties bear no relationship to the low monetary alternative presently available. The increased upper limit will not be applied to all contraventions of the rules. Minor infringements may attract a lesser fine with the more serious breaches attracting up to the limit.

The Racing and Gaming Commission has made rules for the control of greyhound racing which have been tabled at these sittings. Amendment of the act will allow the commission to provide for penalties more in keeping with those

applied elsewhere and more in line with the deterrent or punishment aspect necessary for full control.

I commend the bill to honourable members.

Debate adjourned.

#### CONTROL OF ROADS AMENDMENT BILL (Serial 82)

Bill presented and read a first time.

Mr DONDAS (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to amend the Control of Roads Act by repealing section 50A. That section requires a weighing technique not practised since about 1970 and not relevant to existing weighbridges. It relates to a short deck weighbridge that used to operate at Stuart Park. The long deck weighbridges at Winnellie and elsewhere in the Northern Territory call for a different technique when weighing large combination vehicles. This is known as direct weighing and is not covered by section 50A. The direct weighing method has been used for some time in connection with modern Northern Territory weighbridges until a recent court challenge on the ground that it did not comply with section 50A was successful. The industry recognises the direct weighing method as accurate. The repeal of section 50A of the Control of Roads Act will have the effect that this method may be legally used.

Debate adjourned.

#### LEGAL PRACTITIONERS AMENDMENT BILL (Serial 77)

Bill presented and read a first time.

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

Section 133 of the Legal Practitioners Act presently prohibits persons other than legal practitioners and the curator of estates of deceased persons charging fees for preparing papers relating to applications for probate or letters of administration. The Public Trustee Act was intended to, and probably does, override section 133. However, to remove any possible doubt the government thinks it wise to add the Public Trustee specifically to the list of those with whom the prohibition in that section does not apply. The bill also seeks to add trustee companies to the list.

As members will be aware, a bill to enable trustee companies to operate in the Territory has been passed by the Assembly. Part of the business of trustee companies is to take instructions for and prepare papers relating to applications for probate and letters of administration. While trustee companies may wish to employ solicitors in complicated cases, the government believes it would be unreasonable to require them to employ solicitors to do the work in all cases. To deny trustee companies the right to charge for doing this work would result in beneficiaries incurring significant additional expense by way of legal costs. The bill therefore seeks to add trustee companies to the list of those to whom the prohibition contained in section 133 does not apply. I commend the bill to honourable members.

Debate adjourned.

LOANS REDEMPTION FUND BILL  
(Serial 69)

Bill presented and read a first time.

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

This bill makes provision for a new element in the structure of public finance in the Territory. It will establish a fund for repayment of capital funds raised by way of public loans. Such a fund is the necessary consequence of the entry of the Territory into the public loan market. Whereas loans arranged by private treaty - for example, mortgage loans - are commonly repaid by instalments over the period of the loan, public loans are raised by the issue of securities which are interest bearing only until maturity when the face value of the security is payable by the lender.

The debt of the Commonwealth and state governments and of their authorities is largely represented by securities on issue with a range of maturities. A proportion of maturing debt is renewed by inviting stockholders to convert to new issues offered in cash and conversion loans. A proportion of each maturing loan, however, must be redeemed in cash because some of the stockholders do not wish to convert and because otherwise the debt would grow to unmanageable proportions with the annual addition of new capital funding requirements. To meet this situation the Commonwealth and state governments contribute to the national debt sinking fund from which maturing securities are redeemed.

As the Territory has now issued securities with a total face value of some \$57.7m, it is necessary to make provision for debt redemption in a manner analogous to the management of the national debt. The Northern Territory public loans have been raised on behalf of the authorities of the Territory and the bill accordingly provides for borrowing authorities to make contributions to the loans redemption fund. The fund will be invested and its earnings will add to the growth of the fund and maximise its capacity to redeem maturing securities.

There is a contingency provision for the consolidated fund to come to the aid of the loans redemption fund should the latter have insufficient capacity at any time to meet the demand from stockholders for payment of maturing securities. Such aid would be in the nature of temporary accommodation pending the raising of cash and conversion loans. I commend the bill to honourable members.

Debate adjourned.

HOTEL-KEEPERS BILL  
(Serial 66)

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 know of the importance of tourism to the Territory. Tourism is the Territory's second largest industry and it is greatly encouraged by the government. I think all Territorians have an appreciation of its worth. The Territory is widely advertised in southern states and overseas as an exciting tourist venue. Indeed, features of the Territory - for example, Ayers Rock - rate highly in tourist promotions conducted by the Australian Tourist Commission overseas.

Accommodation is a vital aspect of the tourist industry and it is essential amongst other things that visitors to the Territory and Territory hoteliers are aware of their rights and obligations in respect of accommodation. This need is not restricted to tourists alone but applies equally to people coming to the Territory intending to stay for periods in lodging-type accommodation. The Hotel-keepers Bill is designed to meet this need by regulating the liabilities and rights of hotel-keepers.

Most jurisdictions partly cover the area of liability of hotel-keepers for loss of or theft of guests' goods left in accommodation in their respective inkeepers liability acts or their licensing acts. This liability was also partly regulated in the Territory by section 112 of the old Licensing Ordinance but, since the repeal of that, the Territory has joined Western Australia in having to rely on the common law to cover the liability of hoteliers. At common law, a hotelier's liabilities and rights can only be ascertained by reference to the laws relating to bailments, laws relating to occupiers and under the general principles of contract and tort law. Those areas of law are difficult enough for lawyers let alone laymen and this leaves aside such legal niceties as what exactly an inn, hotel or boarding house is, what exactly a guest is and when the relationship of guest actually commences. This bill is designed to clarify the whole area of hoteliers' liability in clear terms readily understandable to those it most concerns.

I turn now to the bill itself. Honourable members who browse through the legislation of other jurisdictions will note that the bill bears a resemblance to the New South Wales and Victorian inn-keepers liability legislation and, of course, this has an advantage in that it leads to uniformity with corresponding advantages to travellers. However, the bill goes further than its interstate and British counterparts in that it covers questions untouched by other legislation.

Clause 31 defines 'hotels' widely, abolishing the old common law distinction between inns and lodging houses for the purpose of hoteliers' rights and liabilities and the definition also ensures that the rights and liabilities of hoteliers offering accommodation whether the premises are licensed or unlicensed are assimilated. The definition also covers motels but caravan parks, camp sites, mobile homes and cabins are excluded from the definition of 'hotel'. 'Vehicle' is defined in the same clause to include a horse and carriage, no doubt with an eye to the future.

Clause 4 defines 'guest' thus avoiding the problems associated with the definition of 'guest' at common law. Clause 5 provides the basic liability of the hotelier although this liability is subject to the provisions in clauses 6, 7 and 8. The hotelier is liable for loss however caused or damage to guests' property. Clause 6 provides that the hotelier's liability for loss or damage is a strict liability to a maximum of \$200 so long as the hotelier has displayed conspicuously in each guestroom a notice in the terms of the notice in the schedule. This notice clearly outlines the hotelier's liability for the benefit of guests.

Clause 6(3) provides that the \$200 maximum limit ceases to have effect if the hotelier is at fault - clause 6(3)(a) - or if the property was deposited with the hotelier or his servant expressly for safe keeping - clause 6(3)(b) - or if property was offered for safe keeping but the hotelier refused to accept it.

Clause 7 provides that the hotelier is not liable for loss or damage to a guest's vehicle or property in it and does not have a lien over the vehicle.

Clause 8 provides for defences for a hotelier where a guest's goods are lost, damaged or stolen; for example, a hotelier has a good defence that the guest is at fault or had assumed exclusive possession over the accommodation.

So far the bill covers hoteliers' liabilities. Clauses 9, 10 and 11 govern hoteliers' rights and, in doing so, legislatively clarify another complex area of the common law in respect of hoteliers. Clause 9 gives the hotelier a lien over property brought by guests to the hotel to cover the cost of food, accommodation or services rendered by the hotelier to the guest. Clause 10, while not detracting from any other legal rights that the hotelier may have, permits a hotelier to sell by auction any of the guests' property over which the hotelier has a lien where the bill has been unpaid for at least one month. To ensure fairness all round, the hotelier must give notice of the proposed sale and the requirements of this notice are found in clause 10(2) and (3). Clause 11 provides for the application of the proceeds of sale. The amount owed to the hotelier and his expenses are paid off first and any surplus is returned to the guest if he applies for it within one month. Where the guest makes no such application, the surplus goes to the Public Trustee as unclaimed money.

Given the confused state of the common law and the clarity and certainty that the bill will give to the matter of hotel-keepers' liability, I commend the bill to members.

Debate adjourned.

PETROLEUM (PROSPECTING AND MINING) AMENDMENT BILL  
(Serial 81)

Bill presented and read a first time,

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to provide powers for the minister to impose terms and conditions on the grants of a lease under the Petroleum (Prospecting and Mining) Act. Section 46 of the act provides that a lease granted under the act shall be subject to the prescribed terms and conditions. However, no terms and conditions have been prescribed in the legislation. Section 117 of the principal act empowers the Administrator to make regulations not inconsistent with the act prescribing all matters which are necessary for carrying out or giving effect to that act. To overcome this immediate legislative deficiency which would have prevented the drafting of a lease for the Mereenie group of companies, it became necessary to amend the Petroleum (Prospecting and Mining) Regulations to prescribe the terms and conditions. The amending regulations, No. 50 of 1980, were made by the Administrator under section 117 of the principal act.

In order to ensure that the Northern Territory legislation is adequate to meet the variety of circumstances encountered in present day exploration for and production of petroleum, it is necessary to make provision for the imposition by the minister of a wide range of conditions upon a lease. To do this, it is intended to amend the Petroleum (Prospecting and Mining) Act to provide power for the minister to impose such terms and conditions as he thinks fit on the grant of a lease under the act rather than by regulations. The proposed amendments take account of the matters taken up in the regulations proclaimed to cover the Mereenie leases together with several other matters.

The matters upon which the minister will be empowered to impose terms and conditions under the act include, but are not limited to: the calculation of

the value of petroleum produced; the inspection of the measuring device; compliance by the lessee with the law; compliance by the lessee with notices issued by the minister; the giving of notice to and the consent of the minister regarding construction work; the conservation and protection of natural resources; the minister's discretion regarding removal of plant; the restoration of surface areas; preservation of the minister's right to cancel a lease; obligations in relation to Aboriginal land; a requirement that the lessee indemnify the Crown against proceedings; the provision of copies of records; the inspection of records by authorised persons; the processing of products; the marketing of products; the avoidance of wasteful operations; the approval by the minister of engineering practices and production methods; and the approval by the minister of methods of disposal of wastes.

Mr Speaker, the regulations which will be made redundant by the changes in the act will be repealed. The bill now before the Assembly has been designed to update existing legislation to meet modern requirements and I commend the bill to honourable members.

Debate adjourned.

OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL  
(Serial 63)

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 will amend the Ombudsman Act in several respects, most of which are of a minor nature. The bill will, however, effect an important change in relation to complaints relating to members of the police force. At present, any person who has a complaint against the police must lodge his or her complaint with a member of the police force rather than the Ombudsman. The person concerned may require, in due course, the Commissioner of Police to refer the complaint to the Ombudsman but often this is less than satisfactory from a complainant's point of view. I should say at this point that, as an administrative arrangement, the Commissioner of Police does refer all complaints to the Ombudsman immediately on their receipt. What this bill seeks to establish is neutral ground for those who seek it for the submission of their complaints.

Members may be interested to learn that, during the first year of operation, the Ombudsman was approached on police matters on 65 occasions. Each of these potential complaints was directed to the police force but 30 of the complainants did not pursue their complaint. During the second year of operation, 39 such complainants did not proceed with their complaint. More than one inference can be drawn from this but I believe members will agree that it is desirable for members of the public to be able to lodge complaints with the Ombudsman as an alternative to a member of the police force. The Commissioner of Police shares this view. The Ombudsman will be required to forward the complaint to the commissioner and the existing provisions of the act are retained in relation to the investigation and recording. You will recall that, in both the first and second annual reports, the Ombudsman has stated that he has found these provisions and the operation thereof to be satisfactory.

Turning now to other provisions in the bill, clauses 4 and 8 rationalise reporting procedures involved in the notification of the commencement and completion of investigations in relation to councils of municipalities. The effect is to standardise operating practice. There is no change in relation to the intent of the act.

Clauses 5 and 6 propose amendments to the act that could have been made in the Transfer of Powers Act at the time of self-government which were overlooked at that time. Both these sections proposed to be amended made specific reference to the Commonwealth, the first purporting to preclude the Commonwealth from claiming its normal privileges of the Crown in respect of investigations under the act and, the second, including the deliberations of the Commonwealth Cabinet and its committees in the class of matters that may be protected from disclosure.

As the question of Commonwealth privilege is now beyond the power of the Northern Territory to control - I am not sure it ever was within our power - the deletion of the reference in section 24 is proposed in clause 5. Clause 6 proposes to amend section 22 to add to the list of matters, the disclosure of which the Administrator can certify to be not in the public interest, deliberations of the Territory Cabinet and its committees. The act presently provides the Administrator with this power in relation to the Commonwealth Cabinet and its committees and I think members will agree that it is appropriate that the same power exist in relation to the Territory Cabinet.

Clause 7 provides first for the exchanging of information between Australian ombudsmen. This amendment arises from an Australasian conference of ombudsmen in 1978 when a need was seen for legislation to provide for exchange of information to assist other ombudsmen in the conduct of any investigations, such disclosure being considered necessary for the proper performance of the functions of Australian ombudsmen. Legislation already exists in Victoria and the matter is under review in other states.

The second amendment in this clause refers to disclosure of information. While the act already contains certain non-disclosure provisions, it does not cover without question the disclosure by a person, including a complainant, of advice received from the Ombudsman. As you are aware, the Ombudsman may not, except for the purpose of carrying out or giving effect to this act, divulge information received by him under the act. The effect of this amendment is to forbid disclosure of information by a participant in a complaint except for the purpose of an investigation and it applies only when the Ombudsman so directs in writing. Mr Speaker, I commend the bill to members.

Debate adjourned.

PETROLEUM (SUBMERGED LANDS) BILL  
(Serial 87)

Bill presented and read a first time.

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

Mr Speaker, on attainment of self-government on 1 July 1978, the Northern Territory government gained executive responsibility for petroleum. In respect of onshore petroleum, this involved the Northern Territory act, the Petroleum Prospecting and Mining Act and, in respect of offshore waters, the Commonwealth act, the Petroleum (Submerged Lands) Act 1967.

The absence of Northern Territory legislation specifically covering offshore waters has its foundation in the Commonwealth-states agreement in respect to the 1967 act. At that time, there was considerable uncertainty regarding the respective rights and powers of the Commonwealth and the states with regard to offshore waters. Consequently, the Commonwealth and the states joined together in a cooperative scheme to ensure the legal effectiveness of titles.



Subsequent discussion of the underlying constitutional concepts led to the setting up of the Senate Select Committee on Offshore Petroleum Resources which concluded that, notwithstanding the advantages which the legislation and its underlying concepts had produced, the national interest was not served by leaving unresolved the extent of Commonwealth and state authority in the seabed of the territorial sea and the continental shelf. The matter was subsequently resolved by the passage of the Commonwealth Seas and Submerged Lands Act of 1973 in a joint appeal by the states to the High Court. The High Court decision upheld the Commonwealth sovereignty over the territorial sea and continental shelf.

Following discussions at Premiers conferences, it was then agreed that all offshore mining would be conducted in accordance with a common mining code, state legislation would apply within the 3-mile territorial sea and Commonwealth legislation would apply beyond. The present arrangements for sharing of royalties would be preserved. There would be joint authorities in respect of mining operations beyond the 3-mile territorial sea. The joint authorities would be responsible for major matters relating to titles, grant refusal, transfer etc, determining conditions of titles including work programs and expenditure and directions of a permanent nature. The state ministers would continue their roles in respect of both within and beyond the 3-mile territorial sea and the state department would continue to handle day-to-day administration and supervision of operations. The Commonwealth has introduced and passed its package of bills necessary to give effect to its agreement with the states. The states are now in various stages of amending their current acts to complement the federal legislation. It remains for the Northern Territory to pass similar legislation.

Part I of the bill deals with definitions, procedures in respect of petroleum pools extending across licensed boundaries and lines of jurisdiction separating states and the Commonwealth. This part also establishes the joint authority consisting of the Territory minister and the Commonwealth minister for administration purposes. Honourable members will also note the powers conferred on the Northern Territory minister and the Northern Territory public servants to act under the Commonwealth Act.

The divisions within part II of the bill relate to the various forms of titles available - exploration permits, production licences and pipeline licences - as well as other more general administrative matters such as registration procedures, fees and royalties. In general, the provisions of the bill are in line with the provisions of the existing Commonwealth act applying in the Territory to date. Fees set in the 1967 act have been increased significantly.

Finally, I would particularly draw to the attention of members the transition provisions in schedule 4 of the last part of the bill. In essence, existing permits are deemed from the date of commencement of the new act to be 2 permits: firstly, a permit under the Commonwealth act in respect of that portion of the permit area being under Commonwealth jurisdiction and, secondly, a permit under the Northern Territory act in respect of the territorial sea being that portion of the permit area under Northern Territory jurisdiction. Powers to renew and otherwise deal with transitional permits also have to take account of actual work and expenditure.

In recommending this bill to members, I would add that this represents another milestone in the Northern Territory's journey to full self-determination. Since 1 July 1978, significant advances have been made and the Territory is the fastest developing part of this great nation. We look to our current petroleum exploration as the forerunner of significant development and the means to make the Northern Territory, and through it Australia, self-sufficient in its energy needs. I commend the bill to honourable members.

Debate adjourned.

PUBLIC TRUSTEE AMENDMENT BILL  
(Serial 78)

Bill presented and read a first time.

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

This bill seeks to do 3 main things: first, to ensure that the minister can, when appropriate, declare different rates of interest on the different types of investment in the common fund; secondly, to exempt the Public Trustee from having to make application to be appointed manager of unclaimed property when title to that property is already vested in him; and, thirdly, to empower the Public Trustee, as agent for the Northern Territory, to sell or deal with property which vests in the Territory.

Existing section 21(1) of the act provides that the Public Trustee shall establish and maintain a common fund. Section 21(9) provides that the minister may declare the rate of interest to all estates. In the case of short-term estate investments, this often means that the costs of administering the estates are not recovered from those estates that are borne by long-term estate investments. All other state Public Trustees pay different rates of interest depending on whether the investment is long or short term. Clause 7 ensures that the minister can declare different rates of interest on different estate investments. Clause 11 inserts a new provision which seeks to exempt the Public Trustee from having to make unnecessary application to be appointed manager of unclaimed property when title to that property is in fact already vested in him under other provisions of the act or under other acts.

I turn now to clause 13. The expression 'bona vacantia' is not capable of precise definition. In general terms, it consists of property which has no owner other than the Crown - in other words, property which would have no owner unless claimed by the Crown. A good example of this is where a person dies intestate leaving property and has no relatives or next of kin. I should explain that there is a narrow but important distinction between property which vests in the Crown bona vacantia and unclaimed property. Bona vacantia does not include property the owner of which is merely unknown. As one leading textbook writer has said: 'Bona vacantia is not a prerogative lost property office'. Although the number of occasions on which the Territory and therefore the Territory taxpayer will obtain a windfall from bona vacantia will be very few, the government believes it is sensible to make practical provisions for dealing with that situation if and when it arises. Clause 13 of the bill makes such provision.

The opportunity has been taken to correct certain formal errors that have come to light in the act since it came into operation. Existing section 7 conflicts with administrative arrangements orders and is repealed. Section 38(2) is omitted as it makes an unnecessary duplication of proposed new section 72A(3). Section 57 is omitted because it is in the wrong part of the act. It has been slightly redrafted and reinserted as proposed new section 72A.

Debate adjourned.

PALMERSTON DEVELOPMENT AUTHORITY BILL  
(Serial 91)

Bill presented and read a first time.

Mr ROBERTSON (Lands and Housing): Mr Speaker, I move that the bill be now read a second time.

It is with a sense of achievement that the government introduced this legislation that will lead to the creation of the city of Palmerston. The history of the site for this new town is known to most Darwin residents. In the early 1970s, the Commonwealth government recognised the limit that the existing Darwin area could be developed. Suitable land in the Darwin rural area was examined and, in mid-1973, approximately 83 square kilometres, otherwise known as the 32-square-mile acquisition area, was acquired for future residential growth. For a while, this area became known as Darwin East but, as planning progressed in 1980, the government recognised the need to preserve the original historical name of Darwin, that is, Palmerston.

Private development of residential land is now a tried and proven part of the developmental process in the Northern Territory. The Department of Lands has carried out the implementation of these projects with the support and co-operation of other government departments and instrumentalities. It has, however, largely been an exercise in cooperation and assumed authority by the Department of Lands. Whilst the private development process has achieved its original objective within the planned time-scale, it is apparent that, for a project of the scope and urgency as the construction of Palmerston, a more formal and authoritative structure is needed. However, it is essential that any structure devised does not add unnecessary delays to the process.

The development of Palmerston offers an ideal opportunity for an overhaul of many of the land development processes, including financial budgetary control procedures, direct involvement process and reappraisal of standards with a view to cost saving, improvement and innovation. By implementing some new and perhaps radical approaches to the land development process, there are considerable gains to be made in terms of cost saving and improved efficiency in the use of human and other resources. To achieve these aims, a suitable organisational structure must have the inbuilt flexibility and independence in decision-making whilst retaining formal communication links between all involved parties.

The following are the major tasks to be undertaken in the development of Palmerston: forward costing on a 5-year basis of all capital works expenditure, ongoing operational costs and revenue; securing external funding to supplement normal capital works funding if and when required; prompt decision-making on matters such as the distribution of funds in response to changing needs and rate of development; coordination of all activities necessary including community, education and health facilities; consideration of land use issues, subdivision layout, development applications, that is, Planning Authority functions, local government functions, such as acceptance of roads and stormwater drains; coordination of the roles of government departments and private developers, thereby ensuring that tasks are performed in a timely and logical sequence; monitoring the rate of progress of development and making appropriate adjustments in the light of changing circumstances; reviewing and encouraging innovation in the design standards to be applied to Palmerston; and carrying out a promotion and marketing function to attract residents, private enterprise and government departments to Palmerston.

Mr Speaker, the beforementioned task, as seen by this government, is clearly identified within the functions and responsibilities of a development authority as outlined in the bill before us. The objective of the bill is to establish such an authority which, for its allocated life of 5 years, will be responsible for the town planning, development and management of this satellite community. The bill is not dissimilar to previous legislation passed by the Assembly for the formation of government authorities and it is not therefore deemed necessary to spell out those provisions in detail. The functions and

powers of the authority are clearly set out in clauses 12 and 13 of the bill. The authority will utilise the powers of the Planning Act in a similar manner to the NT Planning Authority and will also carry out the town management functions of a local government authority. That is dependent on the resolution of the form of local government to apply ultimately to Palmerston, which is a matter of negotiation between this government, the people who will be affected and the city council.

In summary, to achieve the necessary housing to meet both the current and projected growth rates resulting from this government's development initiative, an initial land turn-off of some 700 residential blocks is required in 1982. This will be no mean task for the authority to undertake as its first objective. I comment the bill to honourable members.

Debate adjourned.

COBOURG PENINSULA ABORIGINAL LAND AND SANCTUARY BILL  
(Serial 86)

Bill presented and read a first time.

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

Following long and detailed discussions between the traditional owners of the Cobourg Peninsula area, representatives of the Northern Land Council, Territory government officials from the Conservation Commission, Department of Law and the Office of Aboriginal Liaison, agreement has been reached for the introduction of a joint plan to allow for the management of this important area of the Northern Territory. It is important to the traditional owners, the people of the Territory and the people of Australia. The Northern Territory has the unique opportunity to show the rest of Australia what can be achieved by cooperation, by goodwill and by the citizens of the Northern Territory working together for the benefit of all.

The area supports a rich and varied flora and fauna typical of the Top End of the Northern Territory. Its value does not depend upon the incorporation of unique environments or rare species but it is the only large coastal reserve set aside for nature conservation. Despite some environmental damage by feral animals, it has been little affected by European influences. Its large size, 191,659 hectares, geographical isolation and state of preservation give it unique value in conserving such a viable sample of this type of environment. It is one of the largest and most significant sanctuaries in tropical Australia and has unique scientific value due in part to the fact that it is a tight reference area.

Many of the tropical plants and animals of Northern Australia were first described from species collected here by scientists and naturalists visiting or living at Port Essington in the 1840s. Its conservation values have been actively and carefully safeguarded by the presence of a resident ranger during the last 20 years. It also has international conservation status, being an area declared under the Convention on Wet Lands of International Importance, especially as a water fowl habitat. After Kakadu National Park, it is the largest conservation park in the Northern Territory and one of the finest coastal parks in Australia.

The area is important to the Aboriginal people who live there. It contains a number of sacred sites of significance. They have a strong attachment to the land, not only spiritual but as an area that has been used for hunting

and fishing. Involvement with the area has been continuous and they have a strong desire to live in the area. The traditional owners made it quite clear that, if their title was recognised, they were quite happy for the peninsula to remain a wildlife sanctuary. They are quite enthusiastic about working with the Conservation Commission for the protection of the land and preserving it for future generations of Australians.

The bill provides for a board of management consisting of 8 people, 4 nominated by the land councils from the traditional owners and 4 from the Conservation Commission. The chairman and deputy chairman will be selected from the traditional owners with the chairman having a casting vote ensuring that, at all times, the traditional owners will have the ultimate say in the policy for the sanctuary. The draft legislation has been prepared with help from the Aboriginal land councils. It allows land claims to be settled under Territory law by agreement. This opens the door for potential controversial land claims to be negotiated. We have always recognised the rights of Aboriginals to have title to land and, now that we have reached agreement on the Cobourg Peninsula, I am hopeful we can have further talks on the vital issue of land tenure.

Part of the agreement covers 2 kilometres of sea around the area. However, the Northern Territory will have to wait until the Commonwealth offshore legislation receives royal assent before it will have power to legislate to cover what is envisaged as being a marine park. This will necessitate the introduction of another bill at a later stage. I commend the bill to honourable members.

Debate adjourned.

MINES SAFETY CONTROL AMENDMENT BILL  
(Serial 2)

MINING ASSISTANCE AMENDMENT BILL  
(Serial 3)

URANIUM MINING (ENVIRONMENT CONTROL) BILL  
(Serial 5)

Bills presented together by lease and read a first time.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the bills be now read a second time.

Since self-government, the Northern Territory has developed a modern Mining Act and a competent department to administer and control, through its secretary, the activities of the present mining industry. Members will be aware that some statutory positions need to be redefined when the Mining Act 1980 commences. The amending bills for the Mines Safety Control Act, the Mining Assistance Act and the Uranium Mining (Environmental Control) Act are simple consequential amendments to redefine and rationalise the definitions of 'Director of Mines' and 'Inspector'.

These bills will provide the mines inspectorate with the authority needed to ensure the continuation of safe and technically-acceptable working practices within the industry. It is therefore not proposed that these bills pass through all stages at this sittings. I will not be asking the Assembly for that sort of urgency. I commend the bills to members.

Debate adjourned.

EGG INDUSTRY MANAGEMENT BILL  
(Serial 80)

Bill presented and read a first time.

Mr STEELE (Primary Production and Tourism): I move that the bill be now read a second time.

Mr Speaker, I present this bill in an attempt to prevent the problems of overproduction of eggs experienced over many years in the Australian states. Territory producers have been so concerned that they have voluntarily imposed their own restraints, including the destruction of a large number of laying hens, to ensure that production does not exceed demand. The overproduction problems in the states led to the introduction of similar but far more stringent legislation that that proposed in this bill.

Egg production levels in the states not only had to be reduced but egg marketing boards were established to control sales to domestic and overseas markets. The operating costs are met from the pockets of the producers. Commonwealth enactments imposed a levy on each hen but, unfortunately, our producers were specifically exempted from these levy provisions. There has been recent pressure to rescind that exemption. The Council of Egg Marketing Authorities of Australia, which represents all states, has undertaken to support our continued exemption on the condition that the Territory enacts legislation aimed at ensuring that egg production does not exceed demand. To meet that condition our producers have agreed to contain their production to within 90% of estimated demand with the balance to be made up by interstate suppliers. The bill reflects that agreement.

The continued levy exemption means the saving of more than \$140,000 a year to our producers who have a combined total of 72,000 hens annually laying 1.25 million dozen eggs. To maintain control of production, the bill provides for the licensing of egg producers and the allocation of individual hen quotas which may not be exceeded beyond specified numbers. A producer is defined as a person owning 20 or more laying hens. To arrive at individual quotas, a total Territory quota will be determined annually and apportioned on a district basis. In turn, the district quota will be distributed according to a formula to the individual producers in that district. Flexibility is built into that formula to take account of special circumstances and to allow for increasing demand by annually adjusting the quotas.

At present, it is estimated that our commercial producers are meeting 67% of local demand which indicates scope for considerable increase in the number of hens. Care has been taken in drafting this bill to ensure that a monopolistic situation is not created and the bill recognises that, as the Territory's population grows and the demand for eggs increases, there will be other people wishing to enter the industry. Those people will be provided for by quotas held in reserve. A committee will be established to issue licences and to determine district and individual quotas. Determination of the total Territory quota will be by the responsible minister. Decisions by the licensing committee as they affect individual producers will be subject to appeal to a tribunal whose decision will be final and binding.

The bill provides for special permits to cover, for example, those who breed birds for show purposes or keep hens to breed for the table market. It also provides for exemptions under certain circumstances. These include certain institutions like a prison farm producing only for its own needs, an educational institution which has agricultural training in its curriculum or an isolated community producing only for its own needs. These types of activities pose no threat to the domestic markets of commercial producers. Provisions are also included for quality control through the testing and grading of eggs and, in

certain circumstances, for the regrading of eggs. The purpose here is to provide protection to consumers and producers.

These are the main provisions of the bill and I have the general endorsement of producers. I commend the bill.

Debate adjourned.

JABIRU TOWN DEVELOPMENT AMENDMENT BILL  
(Serial 90)

Bill presented and read a first time.

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

This bill seeks to amend the Jabiru Town Development Act which established the Jabiru Town Development Authority and defined its powers and functions. The purpose of the bill is to give the Jabiru Town Development Authority more specific powers to enable it to exercise its local government powers and functions in the town of Jabiru. Jabiru is currently being constructed to meet the residential needs of Ranger and essential government personnel in the area. The construction stage of the Ranger town is expected to be completed within the next 18 months.

The authority wishes to introduce a form of local government which, to the greatest extent possible, is identifiable with local government elsewhere in the Territory. In an examination by the authority of the processes required to establish municipal bylaws to introduce rating and to do those other things which are normally done in the towns of the Northern Territory, the authority became aware of deficiencies in its act which are primarily related to the location of the town within the Kakadu National Park. It has found that its local government powers are not specific enough in certain areas to enable it to achieve its local government body objectives.

In addition, the unique location of the town within the national park and the relevance of Northern Territory legislation within the park has led the authority to seek a redefinition of some aspects of its role and functions so as to put these beyond doubt. The proposed amendments of a local government nature will not only facilitate the authority's administrative and local government functions within the town but will also facilitate the transfer of its municipal responsibilities to an elected local government body at the appropriate stage by having already established and had in operation the bylaws and other procedural and administrative matters which any normal local government body requires in order to operate effectively. The authority is endeavouring to ensure that Jabiru is a normal town and enjoys the services and privileges one would normally expect to find in any town.

Honourable members may recall that, when I introduced the original bill in November 1978, I stated it was not the government's intention for the authority to manage and operate the town and carry out normal local government functions indefinitely and that the government would review the authority's role when its primary task, which is the construction of the town, draws near to completion.

Mr Speaker, I am pleased to record that the authority is already moving to establish an advisory committee of town citizens by the end of this year and I commend this bill to all members.

Debate adjourned.

MINING ACT 1980 AMENDMENT BILL  
(Serial 84)

Bill presented and read a first time.

Mr TUXWORTH (Mines and Energy): I move that this bill be now read a second time.

Mr Speaker, members may recall that the Mining Act 1980 was passed by this Assembly in April last year and was reserved for the Governor-General's pleasure. The agreement of the Commonwealth is required as a prerequisite to assent. The majority of the amendments proposed in this mining bill are the result of inter-government discussions relating to the constitutional development of the Northern Territory. These discussions included consideration of matters affecting mining in the Northern Territory and these amendments are of a minor nature and in no way detract from the legislation passed last year. The amendments clarify both the application of the act to Commonwealth-owned land and the procedures to be followed in processing applications for mining title on Aboriginal land. In addition, because a large number of lease applications lodged prior to 4 June 1976 over land affected by the Commonwealth Aboriginal Land Rights (Northern Territory) Act remain unprocessed, it has become necessary to preserve the rights of applicants in this act. The other amendment in this mining bill is the clause to carry existing royalty provisions over until the foreshadowed review of royalty systems is completed and legislation prepared.

It is important that the 1980 Mining Act be brought into operation to meet the circumstances of modern industry. It is therefore proposed that this bill be given the closest attention by members so that it can be dealt with early in the next sittings. I commend the bill to honourable members.

Debate adjourned.

MESSAGE FROM ADMINISTRATOR

Mr SPEAKER: Honourable members I read message No. 3 from His Honour the Administrator:

*I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the NORTHERN TERRITORY (SELF-GOVERNMENT) ACT 1978 of the Commonwealth, recommend to the Legislative Assembly a bill entitled the Administrators Pensions Bill 1981 to provide for the payment of pensions to former Administrators and to their spouses.*

*Dated this 4th day of March 1981.*

*E.E. JOHNSTON,  
Administrator.*

Mr EVERINGHAM (Chief Minister): Mr Speaker, I receive His Honour's message with respect and with the comment that perhaps it must be one of the most pleasurable messages ever sent by any Administrator to this Assembly, at least on the part of the Administrator.

ADMINISTRATORS PENSIONS BILL  
(Serial 83)

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 the bill is to establish a superannuation scheme for the incumbent position of Administrator. The bill creates a non-contributory superannuation scheme, allowing a pension to be paid to the Administrator on retirement equal to 50% of the Administrator's basic salary less any other employment-related Crown entitlement that may be payable.

It further provides for a pension to be paid to the Administrator's spouse in the event of the death of the Administrator during office or after retirement. The pension will automatically escalate with increases in the basic salary of the Administrator of the day. The proposed legislation is consistent with state-type arrangements. The superannuation scheme detailed in the bill is in fact largely based upon the state schemes. I should also point out to the honourable members that, although the Administrator is a servant of the Crown, the Northern Territory government is responsible for various conditions of service of the Administrator. A similar situation exists in the states,

The bill ensures that the Administrator's superannuation requirements are catered for properly and, furthermore, the bill clarifies the position regarding superannuation for the present holder of this office and his successor. That brings me to the point that is not mentioned in this speech,

I should like to say for clarification that I do not believe it is the prerogative of the Northern Territory government to concern itself with the superannuation provisions of the predecessors of this Administrator because there was no Northern Territory government which had a voice in the selection of previous Administrators. That is not to say that they did not give yeoman service. Upon an inspection, one will find that most of them are indeed former politicians who are benefiting from a parliamentary superannuation scheme. I therefore think, in practical terms, to look to the past in this situation is unnecessary. I commend this bill to honourable members.

Debate adjourned.

#### DOUGLAS RIVER AGRICULTURAL AREA ACQUISITION BILL (Serial 89)

Bill presented and read a first time.

Mr ROBERTSON (Lands and Housing): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to empower the government to acquire through compulsory processes for agricultural development purposes - that is, without undue delay - that part of Douglas Station as described in the schedule appended to the bill. This bill provides for acquisition only and the question of compensation payable to Douglas Station partners will be determined under existing provisions of the Lands Acquisition Act. This means that the authority could enter the land acquired, commence its 1981 program and then the matter of compensation finally paid would, if necessary, be determined by the Lands Acquisition Tribunal in accordance with parts VII and VIII of the Lands Acquisition Act. The bill provides for compensation to be on a basis of just terms.

Members are aware of this government's commitment to agricultural development in the high rainfall zones of the Northern Territory. Following the passage of the Agricultural Development and Marketing Bill, the authority

was established. The authority, in association with other government departments and in particular the Department of Primary Production, has proceeded with basic resource surveys considering suitability of land, water supplies and road access for the establishment of the first project farms. For these investigations, the Douglas/Daly area was selected. This area enjoys a rainfall in the order of 1200mm per annum and generally has large areas of soil that, under experimental farm conditions, produce good yields.

Negotiations were undertaken with the owners of Douglas Station as a substantial area of that station had the resources considered necessary for stage 1 project farms. These consultations led to the ADMA putting a proposal in writing to Douglas Station partners on 13 November 1980 that identified an area of approximately 40,000 hectares which was required by the authority for the establishment of the farms. The Douglas Station partners responded on 20 November 1980 and agreed to the acquisition as outlined in the authority's letter of 13 November. Following receipt of that letter, it was assumed that the only issue now to be negotiated with the partnership was the question of compensation. It was with surprise that we received advice of 19 January 1981 that the partnership had rejected the area designated previously - and agreed to previously, I might add - and instead offered 10,000 hectares only. The authority met with the partners on 21 January of this year and again on 23 January and, as a result of these meetings, the authority agreed to settle for the acquisition of 21,500 hectares of land situated on the south-west corner of Douglas Station.

The Valuer-General was instructed to proceed with the valuation of this area of land. Following receipt of the valuation, the authority made an offer in writing to the partnership on 17 February this year. A valuer acting for the partnership advised that the offer made by the authority was unacceptable. Following a meeting between the authority and the partnership, it was quite evident that the difference between the government's assessment of value and the price sought by the partnership was so great that further negotiations appeared pointless. However, I am pleased to report that the partnership indicated its willingness to continue negotiations and indeed a further meeting was held on Wednesday 3 March.

The bill before the Assembly refers only to Douglas Station and does not provide a means for the acquisition of other land from pastoral leases. Again, I emphasise that this legislation is considered necessary in order that the authority commence its 1981 development program. For this program to be implemented, the authority must have access to the land within the next 4 or 5 weeks so as to commence timber clearing and site preparation for the first houses. Under normal circumstances, the government would have used the existing provisions of the Lands Acquisition Act but, as these provisions can result in substantial delays, reliance on the act would have led to the abandonment of the authority's 1981 program.

The publicity given to the government's agricultural development plans has already attracted a number of farmers to the Territory to see if land can be obtained in modest parcels. Unfortunately, many of these people returned dissatisfied at this stage because the only offerings available were either of 20-hectare hobby farms or a \$2m pastoral lease. There is a distinct lack of land suitable for agricultural or smaller pastoral pursuits in the Territory other than the land in question. This issue was raised by a number of people attending the recent successful symposium on buffaloes.

In 1980, the government commissioner, Mr Brian Martin, who is now the Solicitor-General, chaired an inquiry into pastoral lease tenure. I make reference to the Martin Report, tabled earlier, because consideration has been

given by the committee of inquiry into the means of making land available for agricultural development purposes. I therefore see this bill as being a one-off situation with a more general question of land being made available for agricultural purposes being considered in the light of the recommendations of the Martin Committee.

Let me say that it is not the wish of this government to see this legislation proceeded with. Indeed, in an effort to overcome the impasse which seems to have been reached, the Attorney-General wrote a letter this morning to the solicitors acting for the Douglas Station partners. This letter indicates the government's willingness to sit down and talk in order to amicably solve this very important matter. I would like to read the contents of the letter for the public record.

Dear Sirs,

*I understand that you act for the owner of land described hereunder. The government is seeking to purchase this land by way of being the nucleus of an agricultural development scheme. I am instructed that negotiations have taken place regarding this purchase since last year and it has at all times been made clear to your client by my principals that clearing work would have to commence at about this time to enable cropping to take place on the land during the course of this dry season otherwise the agricultural scheme will be set back by a period of at least 12 months.*

*I understand that a valuation was carried out of the area concerned by the Valuer-General and an offer was made to you on the basis of that valuation. I further understand that your clients sought their own valuation and that the two valuations are poles apart and the parties appear to be unable to compromise. I must inform you that my government is introducing into the Legislative Assembly a bill which, if passed, will acquire on just terms the area sought. Passage of the bill will proceed 28 days from the date of its introduction as I intend to request the Speaker to hold a special sittings of the Assembly to enable this to take place. However, I would prefer to see the matter resolved by other means and it is for this reason that I propose to nominate to you two valuers, viz. Messrs Mike Mooney and John Patterson, from whom you may select one. I would ask that you nominate to me two valuers, from whom I can select one. Preferably the valuers should come from within the Territory but I would not necessarily oppose your nomination of southern valuers to me. I propose that the valuer selected by your clients from our panel of two and the valuer selected by me from your panel of two should each carry out his own valuation of the property at government expense and the average of the two valuations should be taken and your clients and the government be bound to accept the average of the two valuations as being fair compensation for the land and to forthwith transfer it to the government upon payment of the amount of that compensation.*

*I would ask that you ensure that the persons be available to carry out the valuations forthwith as time is of the essence. I would appreciate your client's reaction to this proposal within three days of today.*

Mr Speaker, I hope that it is not necessary for us to reconvene but, in the interests of agricultural development in the Northern Territory, the present climate would make that absolutely vital. I commend the bill to members.

Debate adjourned.

STATUTE LAW REVISION BILL  
(Serial 85)

Bill presented by leave and read a first time.

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

Mr Speaker, this is another in the series of statute law revision bills that are being prepared to correct errors or anachronisms in the law as it presently stands as the Department of Law and the drafting section move through their consolidation of Northern Territory legislation. I have only recently received this bill and I have not had a great deal of time to absorb it but I believe that it contains nothing other than very ordinary correction provisions. I commend it to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the passage through all stages at this sittings of the Appropriation Bill (No. 2) 1980-81 (Serial 64).

Motion agreed to.

TEACHING SERVICE BILL  
(Serial 20)

Continued from 24 February 1981.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr ROBERTSON: I move amendment 20.1.

The previous title in the bill was a tongue twister to say the least.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

Mr ROBERTSON: I move amendment 20.2.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 12 agreed to.

Clause 13:

Mr ROBERTSON: I move amendment 20.3.

This also involves the title change.

Mr ISAACS: Mr Chairman, is it also the intention to change the heading to part II. It seems to me an appropriate thing to be doing.

Mr ROBERTSON: Mr Chairman, it is standard practice to the best of my knowledge that the margin notes or headings form no part of the interpretation and are therefore automatically corrected by the Clerk in the presentation copy to His Honour.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 20 agreed to.

Clause 21:

Mr ROBERTSON: I move amendment 20.4,

This is for similar reasons to those which were validly raised by the honourable member for Arnhem in his second-reading speech with the exception that we are suggesting to the committee the word 'allocate' rather than 'deploy' because 'deploy' would cause confusion because it is used in a different context elsewhere in the bill.

Amendment agreed to.

Clause 21, as amended, agreed to.

Clauses 22 to 24 agreed to.

Clause 25:

Mr ROBERTSON: I move amendment 20.5.

This is consequential upon the change of terminology in clause 21. It also places the obligation to notify promotions etc to the secretary. It further places the plural term 'officers' in subclause (3).

Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26:

Mr ROBERTSON: I move amendment 20.6.

This makes the meaning of paragraph (2)(b) clearer. In fact, it is a technical amendment for clarity.

Amendment agreed to.

Clause 26, as amended, agreed to.

Clause 27:

Mr ROBERTSON: I move amendment 20.7.

This makes it clear that a promotion after an appeal is not again subject to appeal. Only the original promotion is subject to appeal.

Amendment agreed to.

Clause 27, as amended, agreed to.

Clause 28:

Mr ROBERTSON: I move amendment 20.8.

This is to give effect to a decision that Commonwealth teachers will have no right of appeal against Northern Territory promotions. This is consistent with the Public Service Act.

Amendment agreed to.

Clause 28, as amended, agreed to.

Clause 29:

Mr ROBERTSON: I move amendment 20.9.

This is consequential upon the previous amendment.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clause 30 agreed to.

Clause 31:

Mr ROBERTSON: I move amendment 30.1.

This makes subclause (7) consistent with subclause (6). It would be obvious to the committee that the secretary will make all decisions regarding promotions.

Amendment agreed to.

Clause 31, as amended, agreed to.

Clauses 32 to 37 agreed to.

Clause 38:

Mr ISAACS: I raised, in my second-reading speech, the matter of clause 38(4) and the member for Arnhem referred to it as well. Under clause 38(4), the commissioner may retire from the service an officer who has attained the minimum retiring age. I pointed out to the minister the history of that sort of provision and the conflict it has with the current provisions of the Public Service Act. The minister made some reference to it in his reply and was going to give the committee his views on it. I might remind the minister that, as he rightly pointed out, the question of conditions of service for employees

of the Northern Territory government are wide-ranging. To give one group of employees - a very small number taken in the whole context - conditions different from the vast bulk of the service is wrong. Perhaps he might inform the committee of his deliberations on clause 38(4): whether or not we should be giving the commissioner the right to retire those members of the Northern Territory Teaching Service who have attained the minimum retiring age but, nonetheless, have not exercised their right to retire.

Mr ROBERTSON: I thank the Leader of the Opposition for reminding me of that. I entirely agree with what he said. I seek your guidance, Mr Chairman, as to where to proceed from here. There is little doubt that that is a redundancy clause which is inconsistent with other conditions of public employment.

I move the deletion of subclause (4) of clause 38.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39 agreed to.

Clause 40:

Mr ROBERTSON: I move amendment 20.11.

This clause is to make the structure of the 2 appeals boards consistent. Each will consist of a permanent chairman and 2 other appointees. The bill as it stands follows the recommendations of the working party. The Northern Territory Teachers Federation persuaded me that the proposal in the working party report was extremely cumbersome. I am quite happy to accept the suggestion that it be simplified in this manner.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clauses 41 and 42:

Mr ROBERTSON: I invite defeat of clauses 41 and 42.

Clauses 41 and 42 negatived.

New clause 41:

Mr ROBERTSON: I move amendment 20.12.

This clause replaces clauses 41 and 42 and removes the panel structure of the Disciplinary Appeals Board and gives it the same structure as the Promotions Appeals Board - a permanent chairman and 2 appointees which, once again, is entirely consistent with the Public Service Act.

New clause 41 agreed to.

Clause 43:

Mr ROBERTSON: I move amendment 20.13.

It seems obvious that the government and the opposition reached the same

conclusion as to the time people ought to be left in limbo in terms of their appeal. The government proposes to shift that time to 6 months instead of 12 months.

Amendment agreed to.

Clause 43, as amended, agreed to.

Clause 44 agreed to.

Clause 45:

Mr ROBERTSON: I move amendments 20.14 and 20.15,

These make the chairman's role clear and omit unnecessary words.

Amendments agreed to.

Clause 45, as amended, agreed to.

Clauses 46 to 49 agreed to.

Clause 50:

Mr ROBERTSON: I move amendments 20.16 and 20.17.

These relate to making the chairman's role clear and the omission of unnecessary words.

Amendments agreed to.

Clause 50, as amended, agreed to.

Clause 51:

Mr ROBERTSON: I move amendment 20.18,

This is a matter of clarification and the omission of unwanted words.

Amendment agreed to.

Mr ROBERTSON: I move amendment 20.19.

This change is necessary because of the abolition of the panel structure of the board.

Amendment agreed to.

Mr ROBERTSON: I move amendment 20.20,

This simply provides that the commissioner shall be chairman of the council. I noted in the second-reading debate that some members had a reservation about that. All I can say in answer to that is that it is entirely consistent with the method employed in relation to other commissioners.

Amendment agreed to.

Clause 51, as amended, agreed to.



Clauses 52 and 53 agreed to.

Clause 54:

Mr ROBERTSON: Mr Chairman, I move amendment 20.21.

This is again a name change.

Amendment agreed to.

Clause 54, as amended, agreed to.

Clause 55:

Mr ROBERTSON: Mr Chairman, I move amendment 20.22,

Amendment agreed to.

Clause 55, as amended, agreed to.

Clause 56:

Mr ROBERTSON: Mr Chairman, I move amendment 20.23.

Again, this relates to the name of the service.

Amendment agreed to.

Mr ROBERTSON: Mr Chairman, I move amendments 31.1, 31.2 and 20.24.

All these relate to the complementary legislation of the Commonwealth. They all relate to the preservation of rights and entitlements of transferred CTS officers.

Amendments agreed to.

Clause 56, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported; report adopted.

Bill read a third time.

#### EDUCATION AMENDMENT BILL (Serial 30)

Continued from 21 August 1980.

Mr B. COLLINS (Arnhem): This is a very simple bill complementary to the passage through this Assembly of the Teaching Service Bill. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Education) (by leave): Mr Speaker, I move that the motion that the bill be now read a third time be moved forthwith.

Motion agreed to; bill read a third time.

FISH AND FISHERIES AMENDMENT BILL  
(Serial 51)

Continued from 26 February 1981.

In committee:

Clauses 1 to 3 agreed to,

Clause 4:

Mr STEELE: I move amendment 30.1.

This amendment is really a drafting matter. It is intended to streamline the wording of the definition by removing the word 'the' twice so that it reads 'exercising powers and performing functions' as opposed to 'exercising the powers and performing the functions'.

Amendment agreed to.

Mr STEELE: I move amendment 30.2.

The definition of 'fishery' is an important one although the definition in the bill is more in keeping with Northern Territory style. I recommend this amended definition as it is desirable that the definition in Commonwealth, state and territory acts be uniform and the amended definition will ensure uniformity.

Amendment agreed to.

Mr STEELE: I move amendment 30.3.

This is a consequential amendment to the definition of 'foreign boat' in the principal act following on the inclusion of the definition of 'Commonwealth act' in the bill.

Amendment agreed to.

Mr STEELE: I move amendment 30.4.

This amendment is a drafting correction.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mr STEELE: I move amendment 30.5.

Paragraph (a) of this amendment averts possible legal argument that a delegation cannot be revoked because the joint authority, which is not a body corporate, is constituted by different members than at the time of making the delegation.

Amendment agreed to.

Mr STEELE: I move amendment 30.6.

This is a drafting amendment and changes the tense of the verb used in paragraph (a).

Amendment agreed to.

Mr STEELE: I move amendment 30.7.

This amendment is most interesting legally. The Ashmore and Cartier Islands are an external territory administered by the Commonwealth. Provision for this fact is made in the amended paragraph (b) whilst recognising that the Commonwealth will be party in the arrangement in relation to that territory. However, the arrangement may specify that waters are adjacent to that territory of the Commonwealth.

Amendment agreed to.

Clause 6, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

#### LIQUOR AMENDMENT BILL (Serial 42)

Continued from 25 February 1981.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr TUXWORTH: The Leader of the Opposition and the member for Victoria River were concerned at the part of the bill relating to the excision of boundaries. They suggested that the amendment went too far and allowed the boundaries to be changed. I would not accept that this is necessarily so. The variation to the restricted areas would only be minor. Full consultation with the interested parties relating to such an amendment of the boundary must still occur. The amendments that relate to this will obviate the present requirement that the commission go through all the rigmarole of public hearings which may not be in anyone's interest in particular. It is simply to give effect to a small change requested by a community. These changes would only arise from the initiative of the community and would allow the commission greater flexibility to meet its needs.

Mr ISAACS: The minister's explanation is that boundaries will only be varied at the request of the communities. Of course this is not what new section 84 says. If this is what he wants, then he ought to say so. So far his explanation is worthless. Secondly, he has not explained to the committee what problems have arisen so far which have required the act to be amended in this way. I gave a number of examples which have been given to me by the commission itself, one of which I found absolutely acceptable. That was the situation with Lajamanu where it was wished by the commission to have the boundaries of the restricted area coincide with the community government boundaries, and that is a perfectly acceptable and reasonable approach.

I had also been given to understand, again by officers of the commission, that it was intended to use this particular section with regard to outstations of various communities. I think I cited Port Keats as one such community. If that is the case, I find it quite unacceptable because it would include people who were not necessarily involved in the initial application. I think I made the point, as did the member for Victoria River, that where extra people are included the provisions of the act as they currently stand ought to be invoked rather than the proposed new section 84(2). It is worthless to tell us it is to be only at the behest of the community. That is not said in the proposed amendment. Also, I would like to hear what have been the problems so far which have caused this particular amendment to be brought before us.

Mr TUXWORTH: I thank the Leader of the Opposition for his comments. As I understand it, the problem is an administrative one where, having agreed that there should be variation in the boundary, either to include or exclude a community, the commissioner is obliged to go through the whole procedure, which I believe is quite extensive, of advertising and holding hearings. In an effort to do away with unnecessary formality when there is an agreement for a community to be included or excluded from a given dry area, the commission is saying that it should have the wherewithall to vary the boundary to meet the will of the people. The chairman of the Liquor Commission has stated quite emphatically to me - and he has probably said this on record - that the commission does have full consultation with the people in the communities involved and it does not vary these boundaries unnecessarily or without the consideration of the people concerned.

I accept what the chairman of the commission is saying. I do not know if the honourable Leader of the Opposition knows of any but I certainly do not know of any instances where the commission has operated against the will of the people in varying or wishing to vary a boundary. We are really talking about an administrative process that will save the community and the commission a lot of time and unnecessary bother,

Mr ISAACS: Mr Chairman, I thank the minister for his explanation. Of course, it does not get us any further. It is quite wrong of him to try to indicate that, in some way, we are reflecting on the chairman of the commission. Quite the opposite. The current chairman of the commission will not be the chairman of the commission for ever. We are trying to introduce law which will suit the Liquor Commission for as long as we have such a commission. If it is the intention to have that at the request of the community, then we ought to say so in the legislation. To do that, however, would also cause a problem in relation to the other administrative matter about which I spoke. Quite honestly, I believe that new section 84 opens up a can of worms which ought not to be opened.

Explanations of the minister may be all well and good. The current commissioner would most certainly adhere to the principles espoused by the minister, and I do not have any doubt whatever about that. However, what the law says and what the minister has just said to the committee do not match up. I believe that 84(2) is not an appropriate way of wording the aim that the minister has. We ought to perhaps have 'at the request of a community' if that is the intention of the minister. That could be easily inserted or perhaps something to give effect to the view I expressed where it is not a matter of additional people being involved from the initial application. I cannot word that appropriately off the top of my head and I am quite sure the minister cannot either. If he agrees with the sort of sentiments I am expressing, perhaps we can have the matter stood over to see if an appropriate draft of those principles can be included. It is all very well to say to the committee that the chairman of the commission is a person in whom we have the utmost confidence. That is not the question at all.

Mr TUXWORTH: I can see what the honourable Leader of the Opposition is getting at. I do not think we have divergent views at all. Although there is provision in the wording of the last sentence of proposed subsection (2) that might accommodate what he is saying, I would be quite happy to have the proposal defeated and another bill drawn up in the next sittings or thereafter to accommodate the wording that we are looking for. If the committee is happy with that, Mr Chairman, I would be quite happy to accept defeat of clause 6.

Clause 6 negatived.

Clause 7 agreed to.

Clause 8:

Mr TUXWORTH: The member for Nightcliff raised during the second reading her concern about the invasion of privacy relating to an intoxicated person who is a guest of the licensed premises being removed from the premises at the will of the manager or the licensee. If we look at paragraph (1A)(a), it says, 'if that resident is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour'. I think the only word that the member for Nightcliff is concerned with there is the word 'intoxicated'. I would be quite happy to see the word 'intoxicated' removed. I do not think it is unreasonable, if the man is only intoxicated, for the licensee to put him to bed.

Mrs LAWRIE: Mr Chairman, that goes some way to meeting my objection. If we look at paragraph (1A)(b), it states: 'any person (including a bona fide resident), if the presence or continued presence of that person on or at the premises would or might render the licensee liable to a penalty under this act or any other law of the Territory'. The minister may decide to put the bill through at this stage with the suggested amendment to (1A)(a) but I would ask him to address himself to the wider question relating to (1A)(6) whereby a licensee has the right to evict a bona fide resident because his continued presence might render the licensee liable to a penalty under this act or any other law of the Territory. I really do feel that we are taking the Liquor Commission into areas which were not at first envisaged when we passed the Liquor Act. This could constitute an unwarranted invasion of privacy, by virtue of the Liquor Act, which rightly should be no concern of the commission. All laws of the Territory fall under the ambit of this clause and I have the gravest reservations about it.

I am prepared to accept the offer of the minister. I move that the word 'intoxicated' be omitted from proposed section 121(1A)(a) if the Chair would accept that as an oral amendment.

Mr CHAIRMAN: The Chair will accept the amendment.

Mr TUXWORTH: I accept the omission of the word 'intoxicated' proposed by the member for Nightcliff. I have a little difficulty with the rest of her argument and I could not be persuaded to accept that. If a person chooses to take up abode in a premises, the management must have the capacity to remove the person if the person's presence is injurious to the management or the premises. If the person is simply intoxicated, and I take the honourable member's point, it is not unreasonable for the management to put him in his room.

Mr ISAACS: I do not understand any of that. In fact, I think that, by the minister agreeing to it, he has made a mockery of the liquor legislation. As I read (1A)(a), if a person who has rented a room at a hotel renders himself intoxicated at the bar, with the minister's acceptance of the proposal that he need not be removed, the bar can keep selling him beer or alcohol. It just seems crazy.

As I understood the point that the member for Nightcliff was making, I agreed with her when she made it the other day. She said that where a person resides in a room of a hotel and is intoxicated that person ought not to be able to be removed from that room. I agree with that policy. It comes down to the question of whether or not the rooms of a hotel are part of a licensed premises. If a bona fide resident is in the licensed part of the hotel and is intoxicated, he ought to be removed and he ought not to be served. If that person is intoxicated in his own room, the member for Nightcliff is absolutely right. By removing the word 'intoxicated' from paragraph (1A)(a), the intention will not be achieved because he can stay in the bar and be served.

It comes down to a question of interpretation: whether or not a hotel room is part of the licensed premises. That is the point of subclause (1A). It says: 'A licensee may exclude or remove from his licensed premises a person who is uncontrollable etc'. The minister might be able to get a nod from the adviser who has a pretty wry smile on his face at the moment. If in fact the hotel rooms are not part of the licensed premises - and he says that is correct - then we have no problem. I believe the minister ought to accept the fact that the clause as it stands now is correct and we ought to carry on.

Mr TUXWORTH: I do have a difficulty with what the Leader of the Opposition is saying. I take the argument about a guy who is stuck in his room but let us consider the case of a person who is in the lounge and the management says to him: 'I think you had better go; you have had enough'. As I see it, the management would be within its rights to take the guy and put him on the footpath or have the police cart him away. If he is a guest in the premises, I do not think that would be reasonable. The reasonable thing to do would be for the management to take him to his room. The Leader of the Opposition is differentiating between rooms and bars.

Even if rooms are or are not part of the licensed premises, let us address ourselves to the bona fide guest who has had too much to drink in the lounge. What is his right? Does the management have the right to put him on the footpath and get his bags and put them with him? I think the matter still leaves some questions unanswered. In view of the points that have been taken so far and the fact that we may need different wording, I would ask that we defeat the clause.

Mrs LAWRIE: Mr Chairman, I am quite happy for this debate to be adjourned because it is very unusual. I think the minister in charge of the bill and myself are in accord. We are trying to do the best for the people of the Northern Territory including those who may, from time to time, be bona fide guests of licensed establishments. I have had representations from hoteliers on this issue. They are very concerned that the rights of the guests are not abrogated. If the minister wishes to stand this whole bill over till the next sittings, I am more than content so that all these points can be discussed and decided once and for all.

Mr ROBERTSON: I know it very often is difficult to try to juggle with law which is presented to us by the lawyers. However, I think that what the committee may be doing is confusing the old Licensing Act with the present Licensing Act. In fact, the provisions of the present act are such that each individual bar is individually licensed throughout a premises for a specific purpose at a specific time. The relationship between the bar and the building is no longer applicable.

It would seem to me that we can quite safely proceed with the acceptance of the bill as it stands. I am quite confident that there are no difficulties in that. If there are, we are certainly not going to create a crisis. We

could well do so by dabbling with this at this stage when we really do not know exactly what we are doing. I assure the committee that there is quite a difference between the old act which licensed the premises - you went to court to delineate the licensed limits of the premises - and the present act which licenses bars.

Mr ISAACS: If the law is as the Minister for Education says, then there is no problem with this current provision because it will mean that people in their units are not part of the licensed premises. The problem is that the advice I have been given says the hotel rooms are part of the licensed premises. It is my view that, if in fact the rooms are not part of the licensed premises, the clause is acceptable. If that is not the case - and that is the advice I have been given - then I think we ought to defeat clause 8 because there are other amendments in this bill which ought to go through otherwise there will be all those administrative problems of the commissioner having to give the oaths when he is not presiding and so on. As the minister says, it can be drafted as part of the proposed new section 84. We have already defeated clause 6.

Mr B. COLLINS: Could I ask the minister to give a definitive statement to the committee on whether the rooms in a hotel are part of licensed premises. The point raised by the Minister for Education interests me also. Is it possible to license individual bars in an establishment so that they can operate at different opening and closing times? If so, are the residents' rooms in a hotel part of the licensed premises?

Mr TUXWORTH: The member for Arnhem raised a question I cannot answer off the top of my head. The reason I say that is because I believe each licensing procedure for each premises is different.

Having listened to the debate, could I foreshadow that I intend to proceed with clause 8 and give an undertaking to the committee that, if the problems that we have already discussed prove to be contrary to the intent that we are trying to achieve and that clause 8 does not suffice, we will reconsider the matter at the next sittings. I might also add that I indicated in the second-reading speech that there would be additional amendments that were not included here. Unfortunately, the draftsmen have not been able to get them ready for us in time and I would advise the committee that they will have to be dealt with at a later time. On that basis, I would ask the committee to support clause 8 with an undertaking to look at it in the next sittings.

Amendment negated.

Clause 8 agreed to.

Bill passed remaining stages without debate.

LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) BILL  
(Serial 36)

Continued from 27 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the introduction of legislation to establish a register of members' interests and we support the passage of this particular bill with a number of amendments. I circulated those amendments last week. In the debate last year or the year before, the Assembly agreed to establish a register of members' pecuniary interests. It was really up to the Assembly to seek to police it. I guess it was a first step to what we are now doing.

In the debate in the Assembly on that occasion, both the member for Fannie Bay and myself - we had both done a fair amount of work on this particular matter - had discussions with the Chief Minister about the resolution before the Assembly. We both made the point that it would be far preferable to have the matter of registration of members' interests established by law rather than by a motion of the Assembly. For that reason, we are pleased to see that legislation has been introduced. However, the bill which we have before us is not as effective or as tight as the motion that we had in the last Assembly. If members wished to ensure that their interests which are likely to be of relevance are mentioned, then they most certainly can ensure that those interests are registered but there is a catch-all phrase in clause 5 which allows a member to state those interests which he believes will be relevant to discussion by the Legislative Assembly.

There are a number of matters that I would like to touch on in the bill which are embodied in the amendments which I have circulated. The first related to clause 5. Members will recall that the motion which we had in the last Assembly ensured that the interests of the member and members of his family were to be included in the register which was to be held by the Clerk. In clause 5, which is the main body of the bill, there seems to be inconsistency between when the member's interests ought to be specified and when the interests of members of the member's family are to be inserted. We believe that there is no justification for that kind of inconsistency. If we accept, as a matter of principle, that it is important from a point of view of the member and the public that a member's family's interests be included in one particular clause, then they ought to be included right across the board.

Members will note the amendments I have circulated which ensure uniformity that the interests of members of a member's family are included in each of the categories. I am sure that honourable members will agree that if, for example, we are to include the interests of a member's family with regard to trusts, as we do in clause 5(1)(b), then it seems appropriate that in terms of names and descriptions of companies, partnerships, associations etc that we also include the interests of a member's family. My amendments include that,

Clause 5(1)(c) relates to the address and description of all land in the Territory in which the member has a beneficial interest other than by way of security for a debt. There are 2 points to be made about this. One is that, under the old motion, any land held by a member had to be included in the register of interests. The Minister for Education quite rightly pointed out that, if a member held land in, say, Queensland, the relevance of that to legislation before us in the Northern Territory Assembly would be a very long shot indeed. Members of the opposition agree that the address and description of land in the Territory as opposed to land held anywhere is an appropriate qualification. However, it seems to us unnecessary to exclude those interests which are by way of a security for a debt. Clause 5(1)(c) says that the return shall include the address and description of all land in the Territory in which the member has a beneficial interest other than by way of security for a debt. We believe that it is important that a member notify the Assembly of that interest even if it be by way of security of a debt. We will move for the deletion of those words.

Clause 5(1)(d) requires a member to include in the form the names of each company or other body in which the member holds or held during the return period an office of any kind. It seems to us that the question of the companies in which the member is involved is probably covered in 5(1)(a). In any event, if it is felt that the member's interests in that company are in any way important, then obviously they would be included in 5(1)(e). Further, it seems to us irrelevant, for example, that I am the Vice-patron of the Casuarina Swimming



Club. It seems to me a matter of no relevance whatever to this Assembly that I hold that position or indeed that the member for Sanderson holds a somewhat lofty title with the Canine Association of Northern Australia. I would say that the Minister for Transport and Works probably would not find a piece of paper long enough to include all the bodies and organisations of which he is a patron or member. What is important is that, when you are discussing a piece of legislation in which you have an interest, obviously you notify that interest as the honourable member for Port Darwin frequently does. It seems irrelevant to the import of this particular piece of legislation to register the bodies on which a member happens to hold a particular office. Thus, we seek the deletion of clause 5(1)(d).

I turn now to clause 7 which relates to changes in the register. Under the old motion, members had 60 or 90 days to amend their particular form if there had been a change in excess of a certain amount of money. Clause 7 requires a member to notify the Clerk of any such change within 60 days of that change occurring. That is a reasonable enough proposition but clause 2 says that, if that change occurs after 1 January of that year, then he does not have to notify the Clerk because it will presumably be picked up in the new financial year. It seems to us that, in order to protect members' interests and also ensure that the document is up to date, the proviso in clause 7(2) ought to be deleted. The members ought to have a requirement to update their form within 60 days of the change occurring. This is probably more in the members' interest than not. Members of the public do not read the legislation. They simply go to the register and see that member X has not notified a particular change about which they know, notwithstanding the fact the member has not been obliged by the act to notify it. I believe that 7(2) ought to be deleted so that each of us has an obligation to keep the register current.

The final matter which I wish to comment upon is clause 10 which relates to failure to comply with the act. If members do not comply, it will be treated as a contempt of the Assembly. What that means simply is that, if members of the government fail to comply, they will not be dealt with, but if members of the opposition fail to comply, then they will be dealt with because of the numbers in the Assembly. I believe that it is an inappropriate way of dealing with a wilful contravention of the act. We know that not all members complied with the provisions of the motion in the last Assembly. It may be that the Minister for Mines and Energy fixed up his form. However, I recall an officer employed by me going through the appropriate channels and doing a search on the minister's pecuniary interest statement. There was no statutory declaration attached to his statement. As members would recall, there was an obligation on us all to have our statements accompanied by a statutory declaration. It may be that the minister corrected it in time. I do not know whether he did but there is no doubt that, at the time it was checked by a member of my staff, the minister had not complied.

It seems to us that, in order to ensure compliance of both the opposition and government, it should be a matter for the court to determine whether a contravention has taken place. I do not think it would be acceptable to the community at large if we simply took it upon ourselves to be judges of what is a contravention or otherwise. Even if the numbers were reversed in terms of who held the government benches, the community would not accept a situation where a government-dominated Assembly has to pass judgment on a government member. There ought to be, as there is in South Australia, a monetary penalty if a member failed to comply with the provisions of the bill.

The amendment that I have circulated provides for a monetary fine of up to \$2000. If you have a look at the South Australian legislation, you will find a similar provision. Secondly, the option is open to the Assembly, if it

so wishes, to treat it as a matter of contempt of the Assembly. The opposition welcomes this legislation because we believe it is the appropriate way of dealing with members' interests but we wish to strengthen it so that the public will believe that its representatives are in fact behaving honourably. Our amendments go very much to that very important point.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the Leader of the Opposition makes great play about members of the public having an interest in parliamentarians' financial affairs. Indeed, listening to his speech, one would have thought that you, Mr Speaker, or the Clerk have been besieged by applicants for details of how many mortgages I had and how many cars that I had on time payment. The truth is that the Leader of the Opposition was almost the only one interested in parliamentarians' financial affairs. He was interested in ministers' financial affairs although I think he took an unholy interest for a while in the affairs of the honourable member for Port Darwin who was a bit shaky at one stage when he was putting up the Star Village. Two journalists made application and one person whose connections are not known. Aside from that, multiple inquiries were received from the staff of the Leader of the Opposition. The ordinary man in the street is not in the slightest bit interested in our financial affairs.

As a result of this experience, I am losing a great deal of enthusiasm for this type of self-flagellatory legislation, especially as the honourable Leader of the Opposition is proposing to take it out of the parliamentary sphere, where what we are doing is an entirely voluntary action, in the hope perhaps of improving standards. I do not think that any person in this Assembly deliberately involves himself in financial affairs to the detriment of his parliamentary office. We have this legislation yet the Leader of the Opposition now wants to take it out of the Assembly and into the courts and provide fines and all the rest of it. I think it is quite inappropriate.

I have not looked at the Leader of the Oppositions' amendments in detail but I saw that there were quite a few of them. I do not see any urgency for the passage of this legislation. If we pass it in May, it will be as good as passing it today because I do not think we have to lodge any returns until the completion of the financial year. I have not found time to study the amendments which I will do between now and the next sittings. I can certainly indicate that the idea of fines and penalties finds no merit at all with me.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

#### ROAD SAFETY COUNCIL AMENDMENT BILL (Serial 92)

Bill presented and read a first time.

Mr DONDAS (Transport and Works) (by leave): I move that the bill be now read a second time.

The purpose of this bill is to amend the Road Safety Act in 2 ways: firstly, to reduce the quorum to 7 members to ease problems the council has in holding meetings and, secondly, to make the council capable of receiving, administering and using assets and funds. The council has had difficulty in the past in arranging its meetings. The fact is that members have other jobs that make them unavailable to attend meetings at times. The policy of having members from other Northern Territory centres makes last minute changes of meetings difficult to arrange. The reduction of the quorum to 7 would significantly ease the problem.

To give effect to the second purpose of the bill, it is necessary to upgrade the legal status of the council and that it be made a body corporate. The change will give the council greater control over how road safety funds are used, greater responsibility for the results of this expenditure and better opportunity to draw directly on support other than government funds. It will be able to take over and use the old council's assets which are still technically the property of the Commonwealth. The council, in its present form, commenced in August 1978 and thus has existed for some 29 months. In this time, it has developed as a positive force for greater road safety. It has proved that it warrants and can handle extra responsibility.

My predecessor, as Minister for Transport and Works, the present Minister for Primary Production and Tourism, in appointing members, sought a council of concerned but realistic citizens who were able to contribute to road safety. They were not chosen as representatives of particular organisations or because of their technical skills. I endorsed this approach by recently appointing the remaining 8 original members for another 2-year term. The council adopts a low profile but nevertheless has been very active. It has created sub-committees to research problems and provide advice on technical matters. It has formed regional committees in Katherine, Alice Springs, Nhulunbuy and also in Darwin. It is also continuing investigations into forming a regional committee at Tennant Creek.

Projects of the council to date include: advertising programs, in particular 'Be Here Next Year' and 'Territorians are Worth Saving'; public awareness programs; use of childrens' crossings; annual cycling competitions and the cycling films 'When the Bus Drops You Off', 'School Bus Use' and 'Cycling be seen'; investigation of a hydraulic boom device which, when fitted to a bus, discourages children from walking in front of a bus; support for legislation on the prohibition of the carriage of passengers in the rear loading compartments of utilities and trucks; compulsory use of child restraints; adequate footwear for motorcyclists; random breath testing; and introduction of infringement notices. A submission was prepared and evidence given by the council to the Standing Committee on Road Safety Inquiry into Alcohol, Drugs and Road Safety. Evidence was also given to the South Australian parliamentary inquiry on random breath testing.

These serve to emphasise how the council is discharging its responsibilities. It is anxious to improve its effectiveness and to increase the level of community participation and involvement in road safety. I believe these amendments will greatly assist in this. I commend the bill to honourable members.

Debate adjourned.

#### BUILDING SOCIETIES AMENDMENT BILL (Serial 88)

Bill presented and read a first time.

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

This bill is concerned with a matter of major importance to the Territory. The necessity for such a bill indicates that the local financial system is developing rapidly and is fast approaching some form of maturity. In the past, building societies in the Territory have been something of a non-event. Except for the Territory Building Society which has provided a good service to Territory residents, there have been no building societies whatsoever. Effectively, there has been little control over the activities of building societies.

The Building Societies Act enforces an ancient South Australian act that was passed in South Australia in 1881 and, although it has been amended twice in the Territory in recent years, it is still in effect an antiquated and ineffective piece of legislation. The states have left the Territory far behind in this area. In the last 10 years, most states have introduced comprehensive new building societies legislation. In fact, in the regulation of building societies, the Australian states are fast approaching uniformity. The bill before the Assembly is similar to the acts in the states.

The government considers the building societies legislation should be directed towards achieving 3 objectives: first, the money of the investors must be protected; secondly, the legislation should ensure that money invested in the society is invested by the society in the Territory; and, thirdly, the money lent should be lent primarily for housing purposes. The present act does not achieve any of those objectives. There is no requirement in it for money to be invested in the Territory or that the majority of the money loaned be loaned by the society to individuals in limited amounts suitable for housing loans. It also lacks sufficient liquidity requirements for societies and adequate powers for the registrar to investigate and suspend the society. These problems have not been critical in the past because of the low level of activity.

The Territory Building Society, because of its close association with the Home Building Society in Western Australia, is familiar with the legislation in that state and, in many aspects, has been run in accordance with that act. However, in the last year, there has been interest shown by a number of companies and individuals in establishing further societies in the Territory. Both local and interstate interests have lodged with the registrar of building societies proposals for the establishment of new societies. If the industry is to grow in the Territory, it must be controlled in a manner that provides adequate protection for investors.

I now turn to some of the particular features of the bill. It contains comprehensive investigatory provisions. The registrar is entitled to carry out investigations into the activities of a society and to inspect the records. The registrar is also allowed to suspend the operations of the society and to wind it up on specified grounds. The types of loans which the society may make are limited. The effect of such limits is that society will be required to make the majority of its loans to individuals for housing purposes. The number of loans which may be made to commercial developments is limited. However, a society is entitled to make loans to finance subdivisions if the registrar approves.

Another important feature is that the bill requires a majority of directors of a society to be resident in the Northern Territory. The Territory Building Society presently has 3 out of 7 directors resident. The clause dealing with this point contains an inbuilt transitional provision to allow societies incorporated under the present act time to comply with this provision. The bill, however, does not contain any provisions dealing with interest rates that may be paid by the societies. The government believes that interest rates in the Territory should be controlled by market forces. It believes that the establishment of additional building societies and competition between those societies is the best way of controlling interest rates. Of course, interest rates in the Territory will be influenced by factors outside Territory control. Quite frankly, Mr Speaker, I consider any provision in the bill to control interest rates would be really counter-productive in the Northern Territory situation because I just do not believe that this legislature is capable of controlling interest rates.

This bill contains a great many detailed provisions. I hope that those concerned with the building society industry will take the time to examine the provisions carefully. The government would be pleased to receive any comments on the bill. In summary, this bill and the regulations that will be made under it will provide a comprehensive code for the operation of building societies in the Territory. It will be in the interests of both the management of societies and Territory investors. It will allow the societies to organise with an up-to-date and detailed act as guidance and it will protect Territory investors. I commend the bill to honourable members.

Debate adjourned.

## STATEMENT

### Draft Criminal Code

Mr EVERINGHAM (Attorney-General): Mr Speaker, I table a draft criminal code.

A code of law gathers up all the statute law extant on a particular subject matter but, as well, it attempts to state in statutory form all of the common law rules bearing on that same subject matter. The object of a code is to clarify and simplify the law on a particular matter, and the area of law in the Territory most in need of a code is the criminal law. The criminal law affects all people all the time. Of all areas of law, it must be the area of law most accessible and, as far as the law can be, easy to understand. It is the policy of the government to clarify and simplify the criminal law by way of the code and I take pleasure in tabling in the Assembly the major portion of the Draft Criminal Code.

From the outset, certain points must be made. The draft before you, Sir, is not the complete code. It contains the major offences which affect the everyday life of the citizens of this Territory. The general aspects of criminal responsibility are covered: parties to offences, the offences against the person whether fatal or non-fatal, sexual or non-sexual, theft, fraud, blackmail, criminal damage to property, attempts, conspiracy and other inchoate offences. The areas of the criminal law which are still under consideration are those areas which are not of such immediate significance to people: sedition, crimes against the executive and legislative power, forgery, official secrets, procedure and some other areas. Nevertheless, those areas of the code which have been covered in the draft before you are more than enough to occupy those who wish to consider and comment on them. I am sure I need hardly add that the unfinished areas of the code will be tabled as soon as they are completed.

Another point to note is that, in Australia, we are lucky to have 2 criminal codes in existence already from which to draw experience. I say 2 codes because I treat the Western Australian code, which is virtually identical to the Queensland code, as one with the Queensland code. Of course, the second code is the Tasmanian code. These codes have been of great assistance in the drafting of our code but this is not to say that our code is simply a copy of any existing code. If it can be said that our code resembles any code, it is the Tasmanian code which is the most modern. Since it was enacted in 1924, it had the advantage of the experience gleaned from the other 2 codes. Yet even the Tasmanian code is, in several areas, outdated and in many aspects certainly does not reflect current Northern Territory government policy. I refer to the sexual offence areas, theft areas and criminal damage to property areas. Our draftsmen looked elsewhere for assistance, much of it coming from the English Law Reform Commission which is currently codifying areas of English criminal law with a view to creating a simple code. I might add that the 4th

Report of the Criminal Law Committee of South Australia was also of some assistance.

While our Criminal Law Consolidation Act is a virtual anachronism, some of our criminal statutes are up-to-date pieces of legislation - I refer particularly to the Criminal Law and Procedure Act - and, where possible, the policy, if not the exact provisions, of these pieces of legislation has been incorporated into the code. Where this has occurred, I will not dwell on the provisions as these were appropriately considered by this Assembly when they were enacted.

The Territory Criminal Code, even when completed, will not cover all of the criminal law. No code does this. Our code will cover the major criminal offences and summary offences but individual pieces of legislation will continue to create particular offences - examples being the Aviation Act, the Bushfires Act, the Juries Act, the Food and Drugs Act, the Weights and Measures Act and many other pieces of legislation. However, all these particular offences in other legislation will be governed by and interpreted in the light of the general criminal responsibility provisions in the code.

The final point is perhaps the most important. The draft code before you is intended to be as close as possible to the final provisions relating to the offences covered. The obvious purpose of this is to ensure that everyone gets as accurate as possible an idea of the offences. However, it is anticipated that changes will have to be made. While every effort is being made to cover all aspects of the general criminal law, the very magnitude of the task suggests that omissions may have been made or that there may be duplications within the code itself or between provisions in the code and other laws which will be retained once the code is enacted.

For this reason I encourage - in fact, I go further - I seek comments, criticisms and advice from honourable members, all professional bodies and their individual members, the legal profession most particularly, community and interested bodies and individual members of the public whether in the Territory or elsewhere in Australia and indeed overseas. We all have an interest in this code. The time may even come when our code may be followed in other jurisdictions so I believe we all have a duty to contribute if we feel we have a meaningful contribution to make. This duty is all the more vital as the code will abolish the common law in major areas so, if any point has been missed, our judges and magistrates may not fall back on the common law to provide an answer.

I turn now to the draft code before you. The philosophy behind it can be easily stated and, although difficult to put into the hard phraseology of legislation, I believe the code has put into effect the philosophy, which is simply this: the code aims to give complete protection to the innocent people of the Territory; that is, the innocent victim and the innocent defendant. As an integral part of this protection of the innocent, the code puts into effect the approach that, where a person takes a criminal course of action, he will be responsible to the people of the Territory through the criminal law for the course of action and its logical consequences. A vital aspect of this approach will lie with the jury where appropriate and I, in common, I am sure, with yourself Mr Speaker, and all members, make plain my confidence in the jury system.

The first point to note is that the draft talks in terms of offences only. The effect of this is to abolish the age-old but now anachronistic distinction between felonies and misdemeanours. Theoretically, a felony was a serious offence in the old days involving death or forfeiture of goods or both whereas misdemeanour was a minor offence involving, again in the old days, imprisonment, fines, whipping or the pillory. The distinction between felonies and mis-

demeanours is now irrelevant and a good example of this irrelevancy is that, if a person kills another through culpable driving, he is guilty of a misdemeanour whereas if a person wounds or disfigures a camel, llama or alpaca he is guilty of a felony. For those who find this hard to believe, I refer you to the sections 16A, 116A and 117 of the Criminal Law Consolidation Act, and that act is full of such surprises.

While the criminal code will not itself divide offences into summary and indictable offences, the effect of simply using the term 'offences' read together with other legislation, notably the Justices Act, will be that all offences in the Territory will be divided only into summary and indictable offences, a much more appropriate situation to today's conditions. I point out however that schedules to the code will ultimately identify certain serious offences for the purposes of other sections.

Part I is the preliminary part of the draft. Of particular note is the interpretation clause, clause 4, and I draw your attention particularly to the definitions of 'intention' in clause 4(2) and 'knowledge' in clause 4(3). A person will be presumed to intend the consequences of his act or omission when his object or one of his objects is to cause that consequence, where he foresees or ought reasonably to foresee that the consequence will probably result from that act or omission or when he knows that there is a risk the consequence may result from his act or omission and it is unreasonable for him to take the risk. This is a broad definition of 'intention' and is designed to overcome the difficulties courts have encountered in trying to establish what is meant by 'intention'. This definition of 'intention' also encompasses recklessness as so often the mental element of a crime - for example, murder - encompasses both intention and recklessness. This approach will not work any injustice and, indeed, will avoid some difficulties as to the scope of recklessness as a mental element in crime. Paragraph (b) of the definition puts into effect the aim of the draft to ensure that a person who takes a criminal course of conduct will be liable for the logical consequences of that conduct. 'Knowledge' is defined in similar terms to 'intention'.

Part II establishes the provisions of general application and condones provisions corresponding to those in the other Australian criminal codes. Division 1 provides for when a person will be subject to the criminal code of the Territory. I draw your attention, Mr Speaker, to clauses 12, 13 and 14 which take account of the situation where there is an interstate or international element as well as a Territory element associated with the crime and which establish when these crimes are also crimes in the Territory. Clauses 17 and 18 provide for defences at the bar: double jeopardy, autrefois acquit and convict. Division 2 determines who shall be parties to offences and when a party should be deemed to be a principal offender.

Part III provides for the inchoate offences of an attempt to commit a crime and conspiracy to commit a crime. These offences are well known to the Australian codes and to the common law but have given rise to many difficulties. The attempt provisions in division 1 closely follow the provisions in other codes, particularly the Tasmanian one. However, the other codes have attempt provisions scattered throughout their provisions but, in keeping with the concise approach of this draft, the attempt provisions are largely of general application and kept in one part of the code.

The offence of conspiracy has been the subject of much comment and heated debate in recent years. I am sure that few judges up to and including judges of the High Court and the House of Lords can hear the word 'conspiracy' without flinching. So notorious has this area of the criminal law become that in the

House of Lords case of the Director of Public Prosecutions versus Withers (1974)  
Lord Diplock was driven to comment:

*My Lords, on 5 occasions in the last 3 years, this House has had to consider the protean crime 'conspiracy' under one or other of the various shapes that it assumes. In each of these 5 cases, what was proved against the defendant at the trial was that he had done something of which the judge and jury strongly disapproved. In each of them, what the defendant did was not itself a criminal offence whether done by him alone or in conjunction with other persons or, if it was, that was not an offence with which he was charged. In each of them, the subject matter of the charge was the prior agreement with other persons to do that which they did, to be inferred from the fact that they subsequently did it.*

*It would be disingenuous to try to conceal my personal conviction that this branch of the criminal law of England is irrational in treating as a criminal offence an agreement to do that which if done is not a crime, and that its irrationality becomes injustice if it takes days of legal argument and historical research on appeal to your Lordships' House to discover whether any crime has been committed even though the facts are undisputed. I welcome the fact that this reproach to our criminal jurisprudence is engaging the urgent attention of the Law Commission.*

The English Law Commission has made its report on conspiracy and its recommendations were adopted in the main by the Imperial Criminal Law Act 1977 and a subsequent recommendation has been made by the Law Commission as a result of the difficulties in that act established in the House of Lords case of the Director of Public Prosecutions versus Nock (1978) and appeal cases at page 979.

The drafting of provisions on conspiracy and the draft code has been greatly assisted by the English Act and Law Commission Report. Clause 34 defines 'conspiracy' exactly and limits the scope of the offence to agreement to commit offences against laws in force in the Territory and agreements to do acts which are unlawful in the Territory. Together with the definition section, part IV, criminal responsibility, is the most vital of the draft code. As the heading indicates, this part provides for the basic elements of criminal responsibility and applies to all offences under a law in force in the Territory whether contained in the code or not.

Clause 41 provides the basic principle that mistake of law is no defence to a crime and provides the established exceptions to this rule. Clause 42 follows other Australian codes in providing that a person is not criminally responsible for acts which occur independently of his will although this provision is subject to the provisions of the code relating to negligence. The effect of this provision is that a person will not be held liable for an involuntary act unless he had been negligent in getting into the predicament. Clause 43 operates to take away doubts as to whether an offence is an offence or strict liability.

Unless intention or knowledge is stated to be an element of an offence, the result intended to be caused by an act or omission or the state of knowledge of the accused is immaterial. The effect of this in practical terms is that draftsmen and legislators in creating offences in statute will have to be fully aware from the outset whether or not the offence is to be one of strict liability. Given this awareness on the part of legislators, the courts will be left in no doubt as to parliament's intentions in creating offences. Clause 44 states the common law as it is now and is also mirrored in the other Australian codes.



Clause 45, mistake of fact, is another vital provision. There has never been great doubt at common law that a mistake of fact does exculpate a defendant. The only problem was whether the mistake had to be simply, honestly held by the defendant or whether it had to be honestly held on reasonable grounds. The case law was largely inconclusive until settled by the House of Lords in the case of the Director of Public Prosecutions versus Morgan, a well-known rape case. Although the House of Lords decided that, at common law, a mistake need only be honestly held, this government feels that there is an onus on all people to take some care in establishing the full facts of the situation. Hence the requirement in this draft that a mistake can be both honest and reasonable. In opting for this approach, our draft code follows the other Australian codes and the objective requirement in this clause is in keeping with the general tenor of the draft code itself. Clause 46, extraordinary emergencies, is self-explanatory and follows the other Australian codes. Clause 47 preserves the common law rule that every person is presumed to be sane.

Clause 48 provides for the situation where a person is not criminally responsible by reason of insanity. This clause includes in the scope of insanity both insanity in the accepted sense and also where a person has some physical defect such as a brain tumour which affects his mental capabilities. This might at first seem unfair but this clause must be read in the context of the code as a whole. Members will recall amending the Criminal Law Consolidation Act in 1978 to include in that act a power in the Administrator, where appropriate, to release conditionally or unconditionally a person found not guilty by reason of insanity and placed in safe custody. A provision of a similar nature will be included in this code. Thus, a person found not guilty by reason of insanity due to a rectifiable physical defect of the brain could be released upon condition that he seek or undergo medical treatment for his condition. The days where some poor unfortunate had to languish in an insane asylum on being found not guilty by reason of insanity are now long gone. Clause 48(1)(c) leaves the defence of insanity open to a person who, by reason of insanity, cannot appreciate the legal or moral wrongfulness of his act or omission and subclause (3) provides that a person suffering from a delusion is to be treated for the purpose of the criminal code as though the delusion were true.

Clause 49 relates to intoxication. This area of law has given rise to great difficulty in the past and a recent decision of the High Court necessitated an urgent review of the scope of the defence of intoxication in the criminal law. In the case of the Director of Public Prosecutions v Majewski (1976), the House of Lords embarked upon a major review of the defence of intoxication, whether drink or drug induced, as it applied in the English common law. I believe it is worth quoting Lord Elwyn-Jones who was then the Lord Chancellor. He stated:

*Self-induced alcoholic intoxication has been a factor in crimes of violence, like assault, throughout the history of crime in this country. But voluntary drug taking with the potential and actual dangers to others it may cause has added a new dimension to the old problem with which the courts have had to deal in their endeavour to maintain order and to keep public and private violence under control. To achieve this is the prime purpose of the criminal law.*

These words will not be lost on people in the Territory. Lord Elwyn-Jones noted that, up to the nineteenth century, the English law held that voluntary drunkenness was never an excuse for criminal conduct. Indeed, it was a circumstance of aggravation. However, in England, the judges, while never deviating from the view that drunkenness is not a defence to criminal conduct, permitted drunkenness to act as a mitigating factor applying only to lessen a specific intent crime, such as murder, to a general intent crime such as manslaughter.

The House of Lords in Majewski agreed that this was the appropriate approach but acknowledged the difficulties and uncertainties associated with the definition of specific intent crimes. However, last year the High Court of Australia in the Queen v O'Connor 1980, 29 Australian Law Reports, page 449, by a bare majority of 4 to 3 refused to follow Majewski, in effect holding that drunkenness could be a defence to any crime and of course the courts of the Territory are obliged to follow the High Court, not the House of Lords. Given the current drink and drugs problem in the Territory, the dangers of the High Court decision are self-evident.

Clause 49 states the old common law approach that drunkenness itself is no defence at all to a criminal charge. This is not to say that the over-consumption of alcohol will never be taken into account. Alcohol-induced insanity which meets the fairly stringent tests in relation to insanity has always been considered in the same light as any other insanity. We do not propose to change this.

Clause 50 follows the common law in stipulating the age necessary for criminal responsibility. I emphasise that the ridiculous common law presumption that a male child under 14 is physically incapable of sexual intercourse is abolished in this draft. Clause 51 relates to judicial officers and follows the other codes. Clause 52 concisely and clearly covers the various common law defences relating to self-defence, defence of property, duress, compulsion, acting under orders and others, and, I venture to suggest, adopts a better approach than the other Australian codes. Its aim to remove problems at common law has, I believe, been adequately achieved. The old defence of compulsion available only to a married woman has been abolished and is now covered by general provisions. Clause 53 stipulates when the consent of a person to injury is to be of no effect. This clause is based upon section 53 of the Tasmanian code.

Clause 54, to my knowledge, for the first time states the 'golden thread' running through English law that, except where the legislature expressly provides otherwise, the burden of proving an offence lies on the prosecution and the offence has to be proved beyond reasonable doubt.

Honourable members will forgive me for having dwelt at length on the criminal responsibility part of this draft code but, as this is fundamental to it and will apply to all criminal offences in the Territory, it is essential that the attention of honourable members be drawn to these provisions. The rest of the draft code deals with substantive offences except for the last part which deals with punishments. Part V deals with offences against a person, covering assaults, offences causing bodily harm, homicide and sexual offences.

The provisions in division 1 relating to duties - duty to provide necessities, duty of persons in charge of children and the other duty provisions - follow closely the provisions of the Tasmanian code and the New Zealand Crimes Act which is, to all intents and purposes, the New Zealand criminal code. Reference here has also been made to the Canadian criminal code. Breach of these duties can form the basis of criminal responsibility for homicide or causing bodily harm to persons.

The assault provisions are similar to those in other Australian codes. However, the interpretation of assault in clause 4(1) of the draft code is wider than in other codes in that it covers 2 additional problems. Mr Speaker, you may recall that not so long ago a Sydney magistrate, after much research, held that deliberately blowing cigarette smoke into a person's face amounted to assault at common law. This may be assault under the other codes; it will certainly be assault under our code. Further, at common law and in the other

codes, mere words can amount to assault. Of course, assault will be an offence, as will aggravated assault and serious assault. The clauses covering aggravated and serious assault are self-explanatory.

Offences causing bodily harm cover a variety of offences: intentionally causing grievous bodily harm, clause 71; intentionally causing bodily harm, clause 72; and assault causing bodily harm, clause 73. Clause 74 makes provision for the offence of endangering another person and clause 75 creates the offence of endangering a means of transport. Threats to kill or cause grievous bodily harm will also be an offence under clause 76. These 6 general offences take the place of a wide range of offences currently in existence and follow closely recommendations of the South Australian and English Law Reform Commissions.

The homicide provisions are also based on the Tasmanian, New Zealand and Canadian codes. Culpable homicide may be either murder or manslaughter which are both defined in the provisions of division 3. Of particular note in the homicide provisions is the abolition of the Commonwealth rule that for a person to be guilty of homicide the victim has to die within a year and a day of the criminal act. With today's advances in medical techniques, this rule no longer serves a useful purpose. The particular defences which reduce a homicide from murder to manslaughter - diminished responsibility, provocation, infanticide - are retained. In keeping with the recommendations of the English Criminal Law Commission, the offence of attempted manslaughter, in these 3 instances, is created. The offence of causing death or serious injury by culpable driving, currently an offence in the Territory, is also retained. Suicide and attempted suicide will no longer be offences but aiding suicide and suicide pacts are provided for in the draft.

Sexual offence legislation and reform has recently been given wide publicity. Indeed, I recently issued a press statement outlining the reforms which would be carried out by this draft code. Today, the proposed legislation in respect of sexual offences is here for all to see in division 4 of part V. These sexual offence provisions are based upon a simple philosophy: every person, young, old, male or female is entitled to have his or her bodily integrity defended. The provisions make no distinction between sexes; the offences are strictly neuter. To use a term which will be redundant when the draft code becomes law, both women and men may now be the victims of rape. The provisions of the draft create 5 new offences: aggravated unlawful sexual intercourse, aggravated unlawful sexual act, unlawful sexual intercourse, unlawful sexual act and sexual intercourse with a young person, that is, a person under 13 years of age. Sexual intercourse and sexual acts are to be given wide meanings in clause 88 and this clause also leaves no doubt as to when consent to sexual relations is not free. I particularly draw your attention, Mr Speaker, to these definitions as, only by close reading, can their full effect be appreciated.

Clause 94 preserves the common law rule that a person may not be guilty of a sexual offence in respect of sexual intercourse with his spouse without the consent of his spouse but the provision makes it clear that the spouses must be legally married and must be living together as husband and wife. The clause only applies to sexual intercourse in the natural sense and does not apply if there is a decree of separation in force or where divorce proceedings are in progress or where the spouse has a communicable venereal disease. Nothing in this clause prevents a spouse being criminally responsible for an unlawful sexual act or other assaults on his partner.

Mr Speaker, I noted earlier that the draft code before you does not cover the whole area of criminal law that will eventually be contained in our code.

I anticipate that, by mid-year, the draft code will be in its final form and presented to this Assembly for consideration. Until then, I request that this Assembly note the tabled draft code, the contents of which alone will no doubt raise comment until well beyond mid-year.

Before sitting down, Mr Speaker, I would like to thank the various people associated with the preparation of this draft code. I cannot name them all here but, even so, I have quite a list. I would like to specifically thank Mr Jim Dorling, the Chief Draftsman, Mr Owen Oakey, Mr Frank Gaffy, the Crown Counsel, and Mr Pat Loftus, now in practice privately but who, during his time as Crown Prosecutor, was of great assistance. Mr Frank Connelly, barrister at law in Brisbane, has also been of invaluable assistance. Lastly, I thank the former Solicitor-General, Mr Ian Barker QC, and all who contributed, including the judges of the Supreme Court and magistrates and members of the legal profession.

I move that the Assembly take note of the statement.

Debate adjourned.

APPROPRIATION BILL (No. 2) 1980-81  
(Serial 64)

Continued from 25 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, this bill is an unexceptional piece of public finance legislation although the manner in which it was announced to the public, with great drama and fanfare, was done for a particular purpose. Of course, all convention was breached. We get used to that from this government. All convention was breached in early January when the government announced that this 'you-beaut', new budget would be introduced. If members have any doubt about what I am saying, I simply refer them to the debate on a similar piece of legislation at this time last year.

The reason that convention was breached was that the government was reeling from its complete mishandling of the Northern Airlines collapse. It sought a diversion to show just how exciting the economic times of the Northern Territory were in 1981 and so it announced that a mini-budget was going to be introduced. In fact, what has happened is that the government has found that, in terms of land prices both as to volume and value of sales, there has been an under-estimation of moneys in the August budget of last year. That is a perfectly normal and reasonable thing to have occurred. There are certain items which are not being proceeded with and there are certain amounts - due to the national wage decision - which have to be paid for wages for all government employees. It is normal at this time of the year for the government to introduce a mini-budget.

If one reads the second-reading speech of the Treasurer and indeed the press release which he issued when he announced in January this year that the government was going to introduce a mini-budget, one would have thought that, because of the booming economy of the Northern Territory, those areas which had not received adequate provision in August were going to now get relief; those areas which had been pointed out and accepted as being low in government expenditure would receive some priority from this government. Nothing of the sort has happened.

There was one very strange comment made by the Treasurer in his second-reading speech when he referred to the capital works project - he is very sensitive about his capital works project: 'An additional \$1.396m has been

allocated to the Department of Transport and Works for design work to be carried out by consultants on the capital works program for 1980-81 and on forward design for 1981-82 to ensure the smooth flow of capital projects in the Territory'. The fact is that there has been a reduction of \$1,097m in the Transport and Works budget for capital works. I cannot match these 2 items up: on the one hand, the Treasurer's gobbledegook about the smooth flow of projects and then a savings of \$1.097m. We are used to that kind of gobbledegook from the Treasurer in trying to smooth over the shortcomings of his government.

The opposition has spoken on many occasions about the ever-widening gap between the haves and the have-nots in the Northern Territory community. The government waxes eloquent about its great Home Loans Scheme and how it is assisting those people on low incomes. The fact is that the revised Home Loans Scheme - and I think it is mark 3 by now - is assisting those people who already have available to them bank finance by increasing the deposit required by applicants from \$500, as it was when the scheme was first introduced, to \$5,000. Clearly it is putting the Home Loans Scheme out of reach to very many people who can only raise very small deposits. It does make available to those people who are reasonably well off and who already are able to avail themselves of bank finance very cheap government money for the purchase of a house.

Members opposite ask what is wrong with that. It is encouraging home ownership, isn't it? Why shouldn't we allow those people to purchase their own home? The argument is simply this. Let me give it to the government again. Government finance for the purchase of homes ought to be made available to those people who ordinarily cannot avail themselves of the existing money-lending institutions; that is, those people who cannot raise the necessary deposit and cannot meet hefty loan repayments ought to be able to avail themselves of cheaper government money and therefore lower repayments. The fact is that this scheme is not achieving that. It is providing to those people who already have bank finance and building society loans available to them. It is ensuring that those people simply can avail themselves of this much cheaper government scheme.

I do not decry people taking advantage of that but the fact is that the recent amendments to the scheme by the government, including the increase in the deposit required, is an indication that the government is not assisting those people who cannot afford bank finance. I believe it is a wrong-headed approach to the question of home ownership. What we ought to be doing is allow those people who can already avail themselves of bank finance to stay there but ensure that those people who cannot afford it, who are kept out of home ownership because of the existing rules and regulations, are able to avail themselves of the cheap money available from the government Home Loans Scheme.

There is another area where the government is able to simply dole out money to people with no real effect on the general Northern Territory community. I refer, of course, to that great election promise of the Country Liberal Party, the rebate scheme for sales tax on freight. It was pointed out at the time when this matter was debated that the sales tax scheme was a very complex matter. Sales tax is levied as a result of 4 different acts of the federal parliament. The freight component of various goods is almost unfathomable. Nonetheless, the government decided, for good or for bad - and it was accepted by the people - that such a scheme would be introduced. The only reason I could think of for this promise was to reduce the cost of imported goods to Territory consumers. We endorse the principle. Any scheme which will reduce the cost of living to the Northern Territory residents would have to be applauded.

What has happened to this scheme? It is backdated to 1 July 1980 and the Treasurer stated in the Assembly yesterday that already there have been a small number of applications granted. What it has done of course is to simply

provide a bonus to importers whose goods attract a sales tax - not all goods do - without any requirement whatever on them to pass that benefit on to the consumer. In fact, they are getting an amount paid to them on the basis of goods sold at the higher rate. If that is a reasonable way of spending government money, then perhaps we ought to rethink the whole exercise.

Just how much the benefits will be is a matter that we will have to examine. I think the scheme is worth about \$0.5m and, if it does reduce the cost of living to Territory people, that is a worthwhile objective. The way it has operated to date - and will continue to operate until it has some advantage and consumers will receive the benefit of the sales tax rebate - it is simply providing a bonus to those people who import goods which attract a sales tax.

There are a number of other areas to which the government should have given attention as a result, as it put it, of this very sound and buoyant economic position. The first relates to the fact that this year is the International Year of the Disabled Person. I know that the government has welcomed and supported that concept. Indeed, in answer to a couple of questions which have been asked, it is obviously very keen to do what it can to ensure public awareness of the International Year of the Disabled Person and the inclusion of disabled people into the mainstream of community life. The particular scheme which I am interested in is the taxi-voucher scheme which was announced by the government as part of its election campaign. As far as I know, it has not been implemented. I believe that it is not only long overdue - some 8 months - but, given that it is the International Year of the Disabled Person, there is even more reason why special attention should have been given to it in this mini-budget. The government should have allocated surplus funds and savings into that particular area.

I believe that much more can be done to assist in this particular year. I am pleased to note, for example, that, in answer to a question from myself, the Minister for Transport and Works indicated that there was to be a program of upgrading many government buildings to ensure the widening of the gap between railings and staircases, and also the introduction of ramps for people on wheel-chairs. That sort of awareness is a very good thing indeed. I believe that, if there is a reasonable surplus available, then the government ought to be giving a much greater emphasis to this particular area.

There is another matter which has aroused a lot of comment and in fact drew something like 4,000 signatures, if my additions are correct, from the people of Darwin: the decision of the government to raid the personnel of the Community Health Centres to establish a detoxification unit at the old Darwin Hospital building. I think that probably epitomises the arguments which the opposition is putting. There is a clear need, recognised by the government and by statement after statement of the Minister for Health, for a detoxification unit to be established to cater for what is accepted as a very serious problem right throughout the Northern Territory community. There has been agitation for months for the establishment of a detoxification unit. Statements by the minister in this Assembly late last year indicated that it was receiving Cabinet consideration. Now we find the Health Department was not granted the extra funds - even though the opportunity was clearly presented - and will go ahead with the staffing of the detoxification unit by raiding already existing services. It is our belief that that simply is not good enough. If the government has such a healthy budgetary situation, as it claims to have, then the money ought to have been made available to fund what everybody recognises to be a more than worthwhile project.

There is just one other comment that I would like to make which will be raised during the committee stage. If you look at the schedule to the Appro-

priation Bill, you will see, under column 4, the savings listed. The fact is that those savings are not spelled out at all. You simply get bald figures and how you are meant to find out what they relate to or whether a project has been scrapped or an over-estimation made is not made clear at all. With some of them, it does not particularly matter; for example, a saving of \$50,000 out of \$909,000 on capital items for the police force is not a matter which raises the eyebrows. That is a very small amount in terms of overall figures. But some of the other figures - \$1m being saved, \$290,000, \$246,000 etc - are matters of very great significance. The fact is that no mention is made in the Treasurer's speech of what they mean and there is no explanation in the accompanying document to tell us what they might refer to.

It is true that the explanations to the Appropriation Bill by the Treasurer in his second-reading speech gave some information, but many of the references there also were vague. Here is one other example: the ADMA for 'other services' - whatever that might mean - had a saving of \$0.5m over a budget of \$2.5m. That is a very significant matter indeed, I would have thought it would warrant some comment. If the Treasurer was unable to give some explanation in his second-reading speech, I will certainly be asking for an explanation of it in the committee stage.

We have a situation where the government, having reviewed the estimates of the budget that was brought down in August last year and voted upon at the November sittings, is able by its normal review processes to present to us not only a reallocation of some of the moneys but it has found that there is some extra money in the bag and it has allocated it. As I say, it is a perfectly unexceptional piece of public finance which occurs in every parliament around the world. It is a shame that the government refuses to listen to the sorts of criticisms which are made. If it does listen, it tries to twist them or it tries to answer them by back-door measures at some later stage.

The bill will be passed at today's sittings and so it should be. It will provide worthwhile projects in some areas. Certainly, we support the development at Palmerston and the payment of increased wages as the result of National Wage decisions etc. The opposition certainly supports the mini-budget as presented but there are questions to be answered in the committee stage.

Mrs O'NEIL (Fannie Bay): The lack of enthusiasm by government members for their own budget amazes me. I want to make a few comments today - the opportunity arising while we are debating the Appropriation Bill - on the question of funding health services. It is a matter that has received a lot of attention lately in relation to the debate on Community Health Centres in Darwin, but that is not what I wanted to talk about. Honourable members will know that this is a question which has exercised my mind not simply recently but over a number of years. The question of funding community health services and the proportion of the health budget which is divided between hospital services and community health services is one which I have raised in appropriation debates over a period of years. For example, in the debate of September 1979, I raised the question of the great emphasis again on hospital funding in the health budget.

It is always a matter of concern to me that this happens because, in the Northern Territory, we have an opportunity to move out of the bind which other governments have got themselves into, not only in Australia but throughout the world, of being tied into spending greater and greater proportions of their health budgets on hospitals when they know that they will not get a return from them. Here in the Northern Territory we have a good community health service. It is only really the basis of one; it could be expanded significantly. In this, I include the rural health services which are vitally important. We have the basis of this alternative health care in the Northern Territory yet we find

that it receives less and less of its share of health money.

This is a question of concern to me partly because I worked in the area of health for many years in the 1960s. I was employed at the Commonwealth Health Laboratory which was situated at the Darwin Hospital but was not part of the Darwin Hospital. It did the hospital's work. When other members spoke about Aboriginal health services and the 5-year plan which is so admirable and has universal support, I listened with interest because I have had personal experience as a worker in the health field. I have seen what happened to Aboriginal children when they came to hospital. Some were babies with what we would describe as a failure to thrive. Others were treated for shigella or salmonella dysentery, ear infections, upper respiratory tract infections or hookworm and other intestinal parasites. They returned to a state of good health, went home to intolerable conditions, became sick again, came into the hospital to be treated with a great deal of love and care, went back to their intolerable conditions, came in again and perhaps died the moment they reached the hospital the third time. It was a despairing situation.

It is excellent to see that it is now recognised by the Department of Health, which has done such excellent work in this area, by the government and by the opposition that what we need to do in the area of health care for Aborigines is to spend money on their environment, to improve the water, the sanitation and the housing of people living in rural communities. The answer is not health care delivered in hospitals after people become sick. The answer is preventative measures and not curative measures.

We came to that conclusion as far as Aboriginal health is concerned after a great deal of heart-break and many years of learning. Perhaps we should have come to that conclusion earlier because, if we had examined the experiences of health standards in western society, we would have realised that this is exactly what happened with western society. The decreasing mortality rate and the increased standard of health in western society was related to improved sanitation in the 19th century, to improved diets, to birth control - which so greatly decreased the maternal death rate and the infant death rate - and, more recently, to the introduction of vaccinations, particularly for childhood illnesses, and to antibiotics. Basically, the improvement of health care for European people related to those environmental conditions. We have forgotten that. We only realised that after we had grappled for so long with the problem of Aboriginal health.

Now that we have come to that conclusion with regard to Aboriginal health, we need to turn around again and apply that to the health of the total community in the Northern Territory, not just the Aboriginal community. We have to realise that the maintenance of good health is what counts and that we should be spending money and giving priority to preventative medicine and not curative medicine. History is not just a thing of the past, but it speaks for itself. Everywhere throughout the world, enormous amounts of money are being spent on things like hospitals with little return for it. For example, the life span of people is not improving; people are still dying at about the same age. We are spending an enormous amount of money keeping them alive but they are still dying. We have more and more technology involved in fixing up people as a result of motor vehicle accidents, alcohol abuse, tobacco abuse and over-eating - all these other things that we do to ourselves - yet we are not really improving the health standards of our community much at all because we are spending our money in the wrong direction. This is why it is important for us to apply the lessons we have learnt with regard to Aboriginal health to the health of the total Northern Territory community.

I appreciate that, politically, it is a very difficult problem. The



expectation of the community is to be treated by doctors and to have beautiful hospitals. It is very difficult to convince people that their expectations in regard to health services are unreasonable although it is my view that they are. In the Northern Territory, because of the recognition of the importance of community health and rural health services to our particular situation, we have an opportunity to break away from this disastrous trend in health expenditure which is experienced throughout the world,

I know that the Chief Minister, for example, has grappled with this problem. He has spoken a couple of times in the Assembly about his realisation of this problem. In my view, he has come to the wrong conclusions. The policy of the government with regard to the reductions in the community health area is an example of the fact that it has come to the wrong conclusions. I am sure that it has come to those conclusions probably for what it believes are the best of reasons but nevertheless they are the wrong conclusions.

Bearing in mind that we will be looking at another budget in a few months time, I urge the government to really grapple with the philosophy of health expenditure and to look at the question of the long-term return to the community from the area in which it is spending money. Like other areas in the world, we will not get a return if we continue to pour the money into hospitals. We must pour it into the area of preventative medicine, we must increase the area of community health services and we must give more authority to workers in these areas. That, of course, is a legal question as well. I am disappointed with what has happened in the last few years as far as health expenditure goes. It is happening again in this small Appropriation Bill. I hope the government will take the opportunity to rethink its directions in health expenditure.

Ms D'ROZARIO (Sanderson): Mr Speaker, I wanted to take the opportunity in this debate to raise a few points which the Treasurer has spoken about. We have been accused in the past of not using these opportunities to ask questions so I thought I would pose a few.

As the Leader of the Opposition said, there is little that the opposition can do but support this budget whilst asking a few questions. One of the questions that I would like to ask relates to the Home Loans Scheme. The Treasurer has provided for extra appropriations to be allocated amongst home buyers in the Territory and, certainly, nobody argues with that. The question that concerns me is the distribution of these funds. The Leader of the Opposition has already stated that many people who have been gaining access to funds from the government Home Loans Scheme could well have availed themselves of the commercial institutions that are operative in the Northern Territory.

There are some further points about this particular scheme that I would like to raise with the Treasurer and or the Minister for Lands and Housing. Some reference was made to the new eligibility criteria by the Treasurer and I would like to spend a few minutes talking about the effects of these on persons who aspire to own houses in the Northern Territory. I stand to be corrected on these new criteria, but I believe that the minimum wage which persons can earn and still be eligible to apply for a home loan under the government scheme has been raised from \$175 a week to \$200 a week. The amount available for the purchase of established housing has been reduced. Previously, there was no embargo on purchasing established housing. The government has stated that its policy is to stimulate the purchase of new housing and therefore we have the reduction in the amount available for the purchase of established housing. \$25,000 is the maximum amount one can obtain under this loan to buy an established house. There is also a residency qualification which has been introduced by the minister. Whilst there are some good reasons for this, I feel that it is disadvantageous to some persons who have genuinely made the decision to settle in the

Territory. Single persons are no longer entitled to apply under this particular scheme. I wonder if the minister or the Treasurer would clarify whether single persons would include also persons with dependants; for example, single mothers or widowed people. There has been an increase in the amount that can be borrowed and this has shown itself to be a 2-edged sword. Last but not least, there has been an increase in the minimum equity from \$1,000 to \$5,000.

All of these things have been introduced for reasons which the Minister for Lands and Housing has attempted to explain. But I still find the explanation inadequate. I offer the suggestion to the minister that the only criteria should be, firstly, whether or not the person applying for the loan can obtain the loan from normal commercial sources and, secondly, if he takes out the loan under the government scheme, whether he can keep up the repayments. These new eligibility criteria such as the raising of the minimum wage and the removal of the entitlements to single people to have access to these loans should not enter into it. The thing that ought to concern the government is whether these households have the ability to repay the loan. It seems to me that, by raising the minimum wage criterion from \$175 to \$200, it will do no more than to remove those people who are on the bottom end of the income scale. I would venture to say that there are large numbers of people on much higher incomes who, after examination, would not be able to service the loan yet, by virtue of the fact that they earn high incomes, they would be eligible under this scheme. There are some people who have attempted, by one means or another, to raise their earnings and, having done so, they now find that the threshold has been increased again. After having come within grasp of home ownership, they now find it has been crudely yanked away from them.

The matter of the loan being reduced for established housing is appreciated. The government wishes to stimulate new commencements and not continually recycle established housing amongst different owners. Here again, this does not address the problem which is one of an overall shortage. What this provision has done has been to increase the cost of new housing which is occurring in the private subdivisions. The real estate agents who are currently selling these houses have not hesitated to tell people that the cost has gone up by about \$5,000. Before 1 January 1981, the project price for a house out at the new subdivisions in Karama and Leanyer was \$60,000 and real estate agents are now asking \$65,000 for the same house which had not been sold by that date.

The other side of the coin is the rise in rents which has occurred concomitantly with this particular provision. I wonder if the Minister for Lands and Housing has noticed that, since December last year, the rent on an ordinary 3-bedroom house in the northern suburbs has gone from between \$130 and \$150 to between \$180 and \$200. I think that that sort of jump in just 2 or 3 months is extraordinary to say the least. Rental agencies are putting it down to the fact that house costs have gone up. They see it as a direct relationship between the cost of new housing and the rentals asked for established premises. Far from putting housing within the reach of people, a lot of people who could never afford to buy housing anyway have had their access to rental housing further constrained.

I have some acquaintances who decided to move together into a 3-bedroom house in the northern suburbs. They rang the agencies listed in the public notices of the daily press. When asked what sort of rent they were thinking of, they calmly said they were looking at about \$150 which was of course what the rent was until quite recently. The agent on the other end of the telephone line just laughed and said: 'You must be joking. You have to expect to put out at least \$180 for a house'.

I think that, whilst the government's reason for wanting new commencements might be appreciated, the fact is that the general shortage problem has not been overcome and the ill-effects that this proposal has had are to increase the cost of new housing and concomitantly to raise rentals, at least in Darwin. I do not speak for the other centres.

As to the residency qualifications, the Treasurer has stated before in this Assembly that the government does not wish to be patron to people from down south. I might say that this particular attitude, especially in terms of the shortage of housing, might be applauded as far as the government's intention to provide housing to Territory residents is concerned. On the other hand, I think that, by and large, people do not shift from down south simply to buy a house on the government loans scheme. Housing, as we know, is very expensive in the Northern Territory. As a matter of fact, it is the most expensive place for new commencement in Australia. I would hardly think that a person would move his family simply to be able to avail himself of the housing loans that were available under this particular scheme. It is far more likely that new residents coming to the Territory are coming here for specific purposes such as the offer of a job.

I think that a better way to make sure that these people are not disadvantaged would be for the administrator of the loans scheme to find out whether or not the person has permanent employment. When people move to various other places, they expect to be able to buy a house, not within 12 months but almost immediately. When Territory residents go down south and keep in touch with people up here, it is usual to learn that they have negotiated the purchase of a house and settled in within 3 or 4 months. Sometimes it is an even shorter time. I am asking the minister why there is this blanket qualification on residency. I do not think people come here just to be able to buy a cheap house because houses are not cheap. I think it does prevent access to home purchase for those people who have come here for specific purposes such as employment.

I now come to a contentious new criterion: the removal of access on the part of single-income-earner households. Again, I put to the government the suggestion that the criterion should be the ability of the household to service the loan rather than the composition of the household.

Mr Speaker, I have already spoken about the increase in the amount of the loan at the highest level. If the government chose to make inquiries amongst real estate agents, it would find that it has had an inflationary effect. In the 3 months since the loan has been in operation, the average newly-commenced house in the northern suburbs has increased by around \$5,000.

The next question I will deal with, which again is disadvantaging the low-income household, is the increase in the minimum equity required. Here again, there are some people who have been able to amass the \$1,000 which was the requirement before. Since that amount was made insufficient, they have been able to amass the extra money required to be able to take out the government loan, but they now find that they have to have a minimum of \$5,000. Since the Home Loans Scheme was originally introduced on 1 October 1979, the minimum deposit has risen from \$500 to \$5,000. So, in just a short time, the minimum requirement on the part of the applicant has increased by 10 times. Again, some people have been able to increase their earnings and to increase their savings, but have seen the opportunity for house buying move beyond the threshold of affordability. I suggest to the government that, far from assisting the low income earner to achieve house ownership, these new proposals are making it more difficult.

I do stress that I am not against the allocation of the money for home loans. What I am saying is that the distribution of it leaves a lot to be desired.

I come now to the question of a few other allocations. They are not really in the nature of questions. I see from the Treasurer's speech that we have an amount of \$1.936m allocated to the Department of Transport and Works. The stated reason is that it is for design work to be carried out by consultants under the capital works program for 1980-81 and for forward design for 1981-82 to ensure the smooth flow of capital projects in the Territory. May I just draw to the attention of the Treasurer that I think the figure that is printed in Hansard is probably a misprint. It is \$1.396m. I have added up those figures and it should be \$1.936m. Again, the stated intention of the government is to allow as much work as can reasonably be done more efficiently and cheaply by private consultants. I am certainly not arguing with that. What I would like to draw to the attention of the Minister for Transport and Works is the observation which was made in the Auditor-General's report. We had the Auditor-General look into the engagement of consultants and the fees paid. The Auditor-General stated in his most recent report that there was an absence of written detailed procedures for the engagement and payment of consultants and, upon making this representation to the department, he was informed that procedures for the administration of consultants' commissions were being revised and would include a check list for preparation of payments to consultants.

There is also the sum of some \$1.1m allocated as the first allocation for the development of Palmerston and the bulk of this is again for consultants' fees. The question I would like to ask the Minister for Transport and Works is whether the procedures I mentioned here, which were notified to the Auditor-General by his department, have been completed. When such large sums of money are being paid out for consultants' fees, and to obtain advice on design and documentation, the minister would do well to comply with the suggestions of the Auditor-General. There is no indication in this report that this matter has been attended to and I would ask the Minister for Transport and Works whether in fact it has been attended to, especially since such large amounts of money - nearly \$3m - have been appropriated solely for the payment of consultants. When you look at that \$3m in relation to the total \$18m, you can see my concern.

I would also like to express some delight at the fact that the Darwin Community College is to receive \$315,000 which is for the expansion of vocational courses including welding, air-conditioning, mechanical engineering and teacher education. The reason I am quite pleased about this is because the matter of the welding course has been raised in this Assembly several times, both by the member for Arnhem and myself. We are pleased to see that Darwin Community College will obtain some relief from that allocation of \$315,000. I am sure that members will also be quite pleased with that allocation, considering the fact that all those courses are, in fact, vocational courses about which members have expressed their concern on several occasions.

Those were the few remarks I wished to make. I concentrated mainly on the Home Loans Scheme. I would ask the Minister for Lands and Housing to consider my suggestions. The scheme has caused him some concern in the past but, unfortunately, we are not plugging the holes at the same rate as new holes are opening up. I suggest to him that the new criteria are causing more problems than they were designed to solve.

Mr D.W. COLLINS (Alice Springs): I rise to support this bill. The availability of \$18.2m from savings and increased revenue is very pleasing indeed. It is pleasing to the Treasurer and to all Territorians because it

indicates that we are in a growth situation. Our population is growing and our population is vital. When one realises that the total population of the Territory could be placed in a large Australian rules football stadium, one realises just how small our population is. It is good to see this indication that our population is growing. It also indicates there is a growth in economic activity. Things are on the move in the Territory and it is very pleasing.

\$6m has been allocated to the Home Loans Scheme. It brings the total which has been made available through that scheme to \$50m over 2 years and that is approximately equivalent to 1,000 homes. It will aid, as the Treasurer said, stability and growth. I am particularly pleased with the \$1m which will be allocated to the Housing Commission for Alice Springs to enable 34 medium-density units and 24 single home units to be built.

One of the factors which may not be so pleasing is the matter of inflation and its effect upon that \$18.2m. A considerable amount of it has to be allocated to paying increased wages, the Territory allowance and the Teaching Service 5.5% determination. When you add to that the extra inflationary effects on goods and equipment, it does dent this extra money somewhat. Inflation, as far as our Treasurer is concerned, is an enemy. One might say that, in the federal scene, the Treasurer can cry all the way to the bank because inflation tends to increase taxes and the Treasurer seems to be able to drag it in. I do not believe the federal Treasurer is keen to see inflation increase by any means. I am certain he would rather have it right down to zero, and so would all of us.

I now come to specific items of interest in the bill. I particularly applaud the money provided for the energy consultant and his staff. The gentleman concerned is a top-class man. I do not know him personally. I have not met him as yet. But I do know his brother who is the principal at the Katherine Area School and I have known of him through his brother. He is a top man in the field of energy. He has experience in finance, in the area of nuclear power and also in the area of oil power. He is up to date with the very latest in technology. He has been in America when a new oil field has been tapped and knows how to get much more oil out of the ground than what has been possible with outdated technology. The amount of money that this gentleman could well save us through good advice will repay many times over the money that the government has spent on obtaining his services. I commend the government for it.

I am very pleased to see that there is money allocated for the youth training scheme. The Chief Minister's Department, the Department of Law and the Department of Health have all been allocated money for youth training. This is an important area.

There is money for our display at the Sydney show. One realises when one is down south that the people down south are learning that the Territory is a place on the move. When people learn that you are from the Territory, they show tremendous interest. I believe that the money spent on that show will be well worth while.

I was pleased about the \$100,000 allocated to the Conservation Commission for the clean-up campaign in the major areas. This is in conjunction with the Keep Australia Beautiful 'Territory Tidy Towns Competition' and one would hope to see some good results from that. It is not only better for us to have a clean environment, it is also very helpful to give a good impression to the tourists upon whose spending we depend so much.

It is good to see that the police department has been allocated money for more equipment. It has had a reasonably tight budget and this should help reduce some of the strains. It will help with the running of the vessels which help make sure that the law is not broken in the fishing industry.

I found interesting a couple of items in the Department of Primary Production section. The booklet on pests in the home garden was good. Any Territorian who has a bit of dirt can reduce the cost of living by getting stuck into the home garden. It is also an interest. I applaud incentive in that area. The Adelaide River Experimental Station is also noted with pleasure.

The Department of Education has picked up \$4.4m. Being a labour-intensive industry, \$2.4m of that will go on wages. There is money allocated for furniture for the Jabiru school and there is also money allocated for mission schools. These mission schools do an excellent job. Without them, the cost of education to the government and the Territory would be considerably higher. One applauds their efforts and is pleased to see money being allocated to help them. It is also pleasing to see the money allocated for student assistance schemes and for non-government student hostels.

Coming to the Darwin Community College, there are a number of areas in which the extra finance will be spent. I applaud the welding and air-conditioning courses and the money allocated for them. They are indeed vital areas. I was a little shocked, and maybe I am naive, to find that \$17,000 is provided for a remedial reading course at a tertiary level. I am just a little bit surprised. I will follow that one up and find out what it is all about. \$257,000 is provided for a training centre for the Industries Training Commission. This will be in Darwin. One would like to have it in Alice Springs but this is the sensible place to have it. I hope that people in Alice Springs will have the opportunity to use that centre.

For the Treasury, extra money is provided for computer costs, for a fire-proof safe and for the payroll. This is an indication that things are again on the move. There has been an increase in the agency fee paid to the federal government for the payroll system. For the Department of Lands, money is available for the clearing of Crown land, consultants for the Brinkin subdivision and the supervision of private projects. \$1.1m is allocated for the preliminary work on Palmerston. I applaud this because there is obviously a limit as to how far Darwin itself can expand.

In the Department of Mines and Energy, there is money for mapping equipment and the industrial safety campaign will receive some extra money. I would applaud the promotion of the Safety Sam campaign which has just been launched. I would ask all members of the Assembly to get behind that particular campaign. In Alice Springs, in this last year, at least 2 people were killed in industrial accidents. These accidents cause much heartache and concern. It behoves all of us to get behind this safety campaign and make people safety conscious.

Money is provided for the airborne geological surveys in the Barrow Creek and Huckitta areas. Our mineral finds in the Territory to date may have just been a scratching of the surface. Every effort by the government to give up-to-date data to the mining industry to assist further exploration must be applauded.

The Department of Health has \$69,000 for a special youth employment training program. There is money for Aboriginal and Islander medical services, for up-grading Somerville homes and for the payment of Darwin Womens Centre debts. Particularly pleasing to me is the money available for the Crisis Centre for women and children in Alice Springs and capital grants for the missions. The

Liquor Commission gains extra money for staffing. It has a big job. We all realise the tremendous problems that liquor causes in the Territory. One would hope that the Liquor Commission will be able to come up with at least some of the answers to the problems.

The Department of Community Development has money for extra vehicles for field officers and there is a staggering \$1.5m to cover the increases in the price of oil for the running of the diesel generators at Aboriginal communities. If this were not provided, they would not have a constant power supply. One would hope that the solar ponds experiments that are being conducted in Alice Springs and which were written up in the Alice Springs Star last week will come to fruition and provide a means whereby the smaller communities will be able to have power at a far cheaper price than can be obtained from diesel fuel which costs over a dollar a unit.

I am also pleased to see that there are grants for local government and Aboriginal organisations. The member for Tiwi must be pleased that there is an allocation of \$369,000 for a toilet and ablution block at Snake Bay. I have visions of this magnificent edifice being opened by the honourable member for Tiwi.

In conclusion, I am pleased to support this bill. I am pleased to see all the things that indicate that we are on the move in the Territory.

Mr B. COLLINS (Arnhem): Mr Speaker, I applaud the member for Alice Springs on such a pleasing contribution to the debate this afternoon. It is certainly very pleasing to hear so much applause from a member of the government for its own Appropriation Bill. That seems to be notably lacking everywhere else.

I want to briefly touch upon a few things. First, I would like to comment on the sales tax rebate scheme. I have very clear memories of the government's intention in this regard and I applaud it. The sole purpose of expending public money on this scheme is to provide some savings to consumers. What I would question in this regard is the fact that these payments are being made retrospective. I would ask the government to have a close look at this particular provision because it seems to be totally unnecessary. Perhaps I could have an explanation from the Treasurer. I can understand the future use of this scheme in that the government could make sure that that sole purpose, to provide some relief to the consumer, is adhered to. I fail to see how this particular scheme benefits in any way from payments being made retrospectively to retailers. How can this be passed on to the consumer? I would like some explanation from the Treasurer as to how this will benefit the consumer. I understand that the payments are supposed to be made retrospective to July last year. I really do not see how the consumer will benefit from that in any way.

The other subject I want to touch on is the question of the Home Loans Scheme. I have no reservations in saying that it is a commendable scheme. I am not an expert on housing but, from discussions I have had with people on the application of the scheme, it does not seem to be working in the way that the government perhaps intends it to work. One of the things that is constantly said to me is that, when people seek finance for a home, they approach the normal lending institutions. As a matter of course - and certainly I have no dispute with the people doing this - they are advised to apply, in the first instance, for whatever maximum amount they are entitled to obtain under the Home Loans Scheme. Quite often, the lending institution says: 'Considering your gross income, we are perfectly happy to lend the total amount you want for your home. But we advise you to apply for \$X that you are entitled to under that Home Loans Scheme and we will provide you with the balance'.

In schemes of this kind that are applied right across Australia - schemes to alleviate drought, to provide savings on fertiliser, development schemes etc - the criterion is that the loans of public money, cheap money, are made available to people when they can establish that they have exhausted the normal methods of obtaining money. I am not suggesting that is the total answer to this problem because I am sure that the situation is far more complicated. It is not a simplistic situation. There seems to be a need for an expert analysis and review of the whole money market available in the Northern Territory for home loans because the scheme does not seem to be satisfying the purposes for which the government instituted it.

The whole purpose of the scheme, as stated by the government again and again, is to enable people, particularly those on low incomes, to buy homes. The equity has gone up from \$500 to \$5,000 and single people have been cut out. There is a ceiling set on how much you can borrow to purchase an established house. There are all kinds of restrictions on the scheme now. All of these restrictions are applied in order to restrict the number of people drawing on a finite amount of money. When all these restrictions are applied and people are being stopped from getting this money, there are numerous people who are quite capable of obtaining from recognised lending institutions the entire amount of money necessary to buy the home. However, they are routinely, and properly under the circumstances, advised to apply for a loan under the scheme because it is cheaper money, and to borrow the balance from the lending institution. I suggest that, when that is happening routinely, the scheme is not being operated in the way that the government itself intends it to be operated.

Mr Speaker, I also want to speak on the subject of community health care. I have said before that one of the attractive things about community health care is that it is so cost effective. Any members who were listening to After Eight this morning would have heard a talk with Professor Fred Hollow who, for many years, has been in charge of the national trachoma program. He was talking about the benefits of preventative medicine and, certainly, the evidence that he put forward this morning was overwhelming. He was talking about Aboriginal communities and the health care in Aboriginal communities as provided by Community Health Centres.

Community Health Centres are staffed by sisters who are given the status of senior sisters. That is not accidental. The reason that they are senior sisters rather than ordinary sisters is that the sisters in these Community Health Centres, in very many instances, have to provide primary care. They have to be capable professionally of assessing whether the care for the patient stops with them or whether it is necessary to refer the patients to a general practitioner or to a specialist. They need to be and are experienced, well-qualified senior sisters.

I would suggest to the Minister for Health and the government that the points that Professor Fred Hollow made this morning and the points that the member for Fannie Bay made this afternoon are very valid: the obvious benefits that the government has espoused again and again in applying this principle of preventative medicine to Aboriginal communities should be applied to the community of the Northern Territory as a whole. If this is to be done, it is essential that there is no downgrading at all of Community Health Centres. Since this is the last sitting day, I would appreciate some statement from the minister. I just received the nod from the Minister for Health. However, from past experience, when the Minister for Health speaks, that does not necessarily mean that we will obtain the answers that we want.

A nursing sister yesterday asked me whether the petition will accomplish anything. I told her that whether or not the government agreed not to take away



those 5 positions from Community Health Centres and fund the detoxification centre as it should be funding it, the whole exercise has certainly been a very productive one because the community health sisters have had demonstrated to them the value that the people they serve place on their services. There is no doubt about that. As the honourable Minister for Education has quite rightly said on many occasions, there is very often a great deal of ignorance on the part of people who sign petitions. Quite often, people sign them without carefully going into what is in them. Certainly, that has not been the case with this particular petition. The petition has only been in the community for 3 days and, in those 3 short days, the petitions collected over 4,000 signatures. It was an overwhelming response for what the community of the Northern Territory has clearly demonstrated it sees as a very valuable service. It wants to retain it intact; it does not want to see any downgrading. In fact, it would like to see the services expanded.

I would like also an assurance from the Minister for Health about a matter I raised yesterday. At a meeting held with the nurses, there was some suggestion that at least part of the health screening which is carried out by these nurses on school children will be discontinued or, as it is termed, 'rationalised'. I say that that is false economy when you are spending a relatively small amount of money. The amount of money we are talking about relates to 5 positions to simply maintain services at their current standard. By expending that money, you are alleviating very expensive surgery later required for ear operations. All members will be aware of the great problem of inner ear infections in children in the Northern Territory; both Aboriginal and non-Aboriginal children suffer from this. I spoke to a friend just the other day who, in a month's time, has to face the very unpleasant and complicated surgery of having a number of fused bones removed from inside his ear because of an untreated tropical ear infection. These are the kinds of disease problems and health problems that are picked up in their early stages by these nursing sisters at school.

As I said yesterday, there is also the great advantage for parents of being able to send their children off to school. In the case of Darwin and, to a lesser extent, the Northern Territory generally, there is a very high proportion of working families; that is, both the husband and wife work. Both parents go off to their jobs while the children go to school. The parents can do that in the confidence that their children are going to be given good professional health care at school and not have to miss out on any schooling. They do not have to spend a day waiting in a doctor's surgery and so on.

Mr Speaker, I have a copy of some recommendations that were made to the government by an interdepartmental working party on the question of Community Health Centres.

Mr Perron: It fell off the back of a truck.

Mr B. COLLINS: The Treasurer is almost like a gramophone recording in that respect. I would suggest to the honourable gentleman that there is nothing whatever in reports such as this that should not be made available to the general public. It is called open government. Certainly, there is nothing in here threatening national security, the security of Darwin nor anything else. In fact, it is for the good of the government and the public generally that these sorts of documents be made available routinely. There are some members of the front bench, at least, who hold this view,

The summary of conclusions says: 'The working party accepts that the generally-accepted range of community health services can best be provided in an integrated manner from Community Health Centres located in suburban areas'. This working party was comprised of people from the Co-ordinator-General's

Department, the Health Department and the Transport and Works Department. The conclusions went on to say: 'The working party also accepts that most of the current health centres have been developed in an ad hoc manner in locations which enable as direct public access as possible. Community health services should henceforth be defined, operated, budgeted for and measured in agreed-program terms'. I do not know whether I am being over-sensitive in taking the inference that it was necessarily a bad thing for them to be developed in an ad hoc manner because it does seem to have had, in the terms of this committee's findings, the valuable result of having these centres located with as direct public access as possible. It went on to say: 'The working party recommends that, for the purposes of future planning, Community Health Centres should be designed with agreed facilities to meet the needs of a population approximately equal to that serviced by a suburban secondary school'. I am assured by my colleague, the member for Sanderson, that this means in rough terms that a Community Health Centre should be provided for a watershed of about 15,000 people.

I referred to 'After Eight'. I hope that as many members as possible were also able to watch a very informative documentary on 'The World on Monday' which dealt with the public health services that are available in the city of Chicago in the United States. The opposition has stated repeatedly in this Assembly that we support absolutely the concept of a public health service: good, professional health care on a personal basis that is made available freely to all members of the community. I have some knowledge of the situation in the United States because I have read many articles on the subject. It was very interesting to see that program on Monday night because that is the logical conclusion of the philosophy encapsulated in this quote from the report: 'Dental facilities shall be provided on the basis that facilities will be designed and staffed to only meet the needs of the elderly, the disadvantaged and the handicapped'.

Of course it is necessary for those particular groups to be catered for but it is also essential that a general philosophy exists in government that health care is provided for the public otherwise, inevitably, as this country grows, as conservative governments everywhere continue to attempt to widen the gap between the haves and the have-nots - and America is an ideal example of this - we will end up with a situation similar to that in the United States which, in the area of public health, is truly shameful. The United States is the wealthiest and most powerful country on earth. It is the vanguard of the private enterprise system, and I am certainly not knocking that. It spends billions of dollars a year in foreign aid and is about to spend over 30% of its gross national product in defence yet it has incredible slums and incredible sectors of disadvantaged people.

Just a few years ago, Time magazine published an absolutely appalling account of the ambulance services available in the United States that are totally in line with the kind of thing that we saw on the ABC on Monday night. Time magazine sent a couple of investigative journalists to be trained as fully qualified ambulance officers, got them jobs with a number of ambulance companies in the United States and fitted them out with all the latest silicone chip gadgetry, miniature cameras and tape-recorders etc. In quite a long series, that magazine published the most shocking exposures of the ambulance services in this bastion of the private enterprise system. Those services operated totally in line with the principle that the user pays. There was a great scandal and many heads rolled at the time that it was made public. I am sure there will be some members who recall this series in that magazine. There were instances where an ambulance would be called to attend a victim of a heart attack. They would arrive in the room and find the patient cyanosis extremis on the floor and would sit him up and ask him questions about where his green

card was and whether he had any health insurance. There were documented instances of cases where, if the patient had no green card and had no health insurance, he was left to die in his room. They would not carry him to the hospital because private ambulance companies adhered to principle: user pays. If the user could not pay, he would be left to die. Those instances are not sensationalised; they are documented instances in the United States and are totally in line with the examples that we saw on Monday night. That is the ultimate logical conclusion of an attitude that says that, if the public wants a service, in all cases it will have to pay for it.

We have in the Northern Territory a community health service that is the envy of the rest of this country. It is very important that we keep that resource and build on it. I would like an absolute assurance this afternoon that the nursing staff of the Community Health Centres will not be tampered with, that positions will not be removed progressively - as is the current proposal - as people resign from the service and that the vital services of that particular organisation are expanded instead of degraded.

Mr PERRON (Treasurer): I would like to touch on points that have been raised by members during the course of the debate. I certainly will not touch on much of what was said because much of what was said was mere waffle and hardly related to very much of what is before us at all.

The \$18.7m before us in these bills is made up of savings of \$2.9m, a reduction in the Advance to the Treasurer of \$8.7m and increased revenues of \$6.9m in broad figures. The Leader of the Opposition wanted some details on the savings provisions because they were not provided in the information before members. I will touch on them very quickly to give an idea of what savings there have been in the departments. Most of them are the types of things which happen in all government administrative systems; for example, unexpected delays in the recruitment of staff which, in large departments, can involve substantial sums.

The Chief Minister's Department is saving \$56,000 by delaying the purchase of 3 vehicles and deleting a planned replacement of 3 other vehicles. In the police department, a \$57,000 saving is to be achieved by cutting back on the purchase of replacement equipment. At times, it is found that, when it comes time to replace equipment which has been programmed for replacement, for one reason or another, it is not necessary. The equipment may be in fine condition. It is removed from the program and a savings results.

For the Emergency Services, a photocopier and a word processor which were listed in the original program are not now required. That saved a mere \$11,000. Some of the savings are compensatory: \$411,000 from the Bushfires Council and \$22,000 from the Department of Transport and Works was the result of transfers of functions from one area to the other. The Department of Health funds for repairs and maintenance at the Gove Hospital were transferred from the Department of Transport and Works and the Bushfires Council. There is a transfer of funds to the Conservation Commission from the Department of Transport and Works - \$433,000. Members will find that that is made up of 3 items in the bill. Public works funds totalling \$290,000 were transferred to the Department of Health for repairs and maintenance functions at Gove Hospital. That comes under 2 items: repairs and maintenance, and salaries.

A major item which was raised in the Assembly was the Public Works Division \$1,097,000 shortfall and expenditure on Tertiary Education Commission sponsored projects. The Leader of the Opposition made some issue out of this, which is really a load of nonsense. The situation is that Commonwealth funds are allocated to the Department of Transport and Works through the Tertiary Education Commission for work on educational facilities. The commission operates on a calendar-year basis and funds had to be returned to the Commonwealth where works

had not been committed by 31 December 1980. This particular year \$1.097m was returned as delays occurred at 2 projects: School of Trades and Batchelor College. There is no loss of funds to the Territory government as these funds will be reallocated by the Commonwealth in another financial year. I am sure that that should set members' minds at rest that we are not socking away dollars in strange unknown places.

Under the Department of Primary Production, for agriculture and stock, there is \$174,000 for the transfer of feral animals operations to the Conservation Commission. The Agricultural Marketing and Development Authority saved \$500,000 by delays in setting up the authority and the development of policies. That was a delay in the programmed activities of the government. Such delays can occur for a whole range of reasons. In the case of the Agricultural Development and Marketing Authority, the right chairman or supportive staff could not be recruited. There may be other reasons for delays. The Community College of Central Australia saved \$63,000 on salaries for a recruiting program that could not be completed. Particularly in the academic field, it is often difficult to recruit the right people at the right time. A 3 or 4 month delay in recruiting a few staff can save considerable sums of money. That is an example of the savings that have been made - \$2.999m according to an addition that has been put before me.

The Home Loans Scheme caused much debate this afternoon. The Leader of the Opposition and the members for Sanderson and Arnhem picked at bits and pieces in the scheme. They said that they did not like this and that they did not like that and they felt that it was not achieving what it should achieve. The fact is that the government, as I said in my second-reading speech, has allocated \$50m over the last 2 years for home loans. That is \$50m provided by a government which is administering a group of people the size of the Northern Territory's population. It has helped well over 1,000 people to buy homes.

Instead of saying that it does not like this bit or it does not like that bit, the opposition should be saying: 'Look, this is how we would structure our Home Loans Scheme. These people would be eligible and these people would not be eligible. These houses would fit the bracket and those houses would not. But most important of all, we would allocate total funds of \$Xm to the scheme, irrespective of who is eligible and who is not eligible. How much money are you going to put up?' If it proposes to put up more funds than this government has, that is fine. It has the option of presenting an alternative budget. It would have to indicate where the extra money would come from. However, instead of putting forward a sensible, complete alternative proposal to the people and to the government, it just nit-picks at our scheme and says it is simply not good enough because some people are missing out. Some people will always miss out.

The member for Arnhem gave us the best hint of what the ALP might do: exclude all people from government loans who presumably could afford to buy an average-priced house on their own income and without any assistance.

Mr B. Collins: I did not say that. I said that would be too simplistic.

Mr PERRON: Well, that is what it seemed to me. However, the opportunity still exists for it to put forward a reasonable proposal. Sales tax on freight was also commented on. As usual, the opposition has missed the point. I will read out some of what I said when the scheme was launched. In the budget speech of 1980-81, I said in relation to setting aside funds for the sales tax on freight subsidies to wholesalers: 'The new scheme announced prior to the recent election is a positive step by this government to encourage the development of commerce in the Territory with attendant benefit to consumers through a wholesaling sector competitive with that operating in southern states'. The

intention of the scheme is to have benefits flow on to consumers but that cannot always be a direct flow on. The opposition has always advocated, as we have, reductions in payroll tax, a tax paid by employers or by businesses. We all think it should be abolished. Indeed, this government is working towards that very aim.

Of course, as we are eating away at it, there is no direct and immediate benefit to consumers. The opposition has not screamed in relation to the reduction in payroll tax: 'Where is the benefit to consumers? Maybe the employers are putting it all in their pockets'. Maybe they are, but the ALP, in that instance, accepts the benefits of reducing taxation on business because benefits will flow on to consumers. We live in a competitive world. We cannot have a situation in this instance where there is a direct and immediate flow on to consumers. As far as assisting our local wholesaling sector to stock its shelves with goods available at southern prices plus freight is concerned, that is exactly what this scheme is designed to do. At present, our wholesalers are behind southern wholesalers in that one can buy something from south and ship it here without paying sales tax on freight. If one buys the same item in a local wholesale shop, then one has to pay that extra penalty. That obviously places local people at a disadvantage. That is the way the scheme has been designed to work and has been represented to work but the opposition still does not seem to want to accept it. The scheme is working. Obviously, there are bugs to remove from the system but cheques have been paid under the scheme and it will no doubt become smoother as time goes by.

It is International Year of the Disabled Person. The Leader of the Opposition said that we are 8 months late in introducing a taxi voucher system for disabled persons. In response to that, I can say that the matter of transportation, in particular the feasibility of introducing taxi voucher systems, has been referred to the regional committees for the handicapped which this government established very early this year. I think we are in front of most other states in Australia in regard to preparing for the year. We referred this matter to the committees for their consideration and recommendations. I am now advised by the committees that the introduction of a voucher system would be premature as the number of transport disabled in the Territory is unknown. Both the Department of Transport and Works and the Taxi Advisory Council have also considered this matter but have not made any firm proposals. The taxi voucher system or an alternative scheme will not be implemented until the regional committees complete their review of the transport needs of disabled persons and make their recommendations to government. It would be quite useless for us to set up committees of people expert in the needs of the disabled and committees of disabled people themselves and then dismiss their views and carry on with a range of government programs that we think are terrific. That is why we set up the committees and that is why we will consult with them. There is no reason why the scheme should not be implemented along guidelines recommended by people who are more likely to know what they are talking about.

In closing, the honourable member for Arnhem quoted from a document taken by one of his thieves ...

Mr B. Collins: It is not true.

Mr PERRON: ... from government files. If we did everything that every interdepartmental committee or subcommittee or task force recommended to us, we would not get very far because we have bids upon our finance and resources that would be a hundred times beyond what is available. Quoting from a single document and saying that the government has been advised what it should do by one of its advisers is simply putting the cart before the horse. The government receives advice from a whole range of sources and much of it is conflicting. Its

role in the end is to do exactly what it feels it should do in the light of the evidence that has been made available.

Motion agreed to; bill read a second time.

In committee:

Appropriation for division 11 agreed to.

Appropriation for division 12:

Mr B. COLLINS: Mr Chairman, \$148,000 has been allocated for the energy consultant and staff. I would like to know how much in fact is being paid to the energy consultant.

Mr PERRON: Mr Chairman, I have some notes from the Chief Minister who is temporarily absent but I cannot provide the honourable member for Arnhem with that information. Perhaps he can ask the question on notice later if the Chief Minister does not return. Consultant engagements quite often involve complexities as distinct from a simple salary. I do not have the separate details.

Mr ISAACS: That is not good enough. We had a shellacking the other day about how many questions we ask and how many we do not ask. When we ask a question, the minister asks us to put it on notice. We have \$44,000 in expenses relating to the energy consultant and \$148,000 in division 12. That is \$192,000 which is a lot of money. I believe the committee should be told by the Treasurer, the Chief Minister or perhaps the Minister for Mines and Energy how that money is broken up. We are entitled to that explanation. The Treasurer told us in the debate on the expenditure committee that now was the time to obtain this sort of information. 'Ask away', he said, 'and we will deliver'. How about delivering?

Appropriation for division 12 agreed to.

Appropriation for divisions 14, 16, 17, 18 and 19 agreed to.

Appropriation for division 25:

Mr ISAACS: Mr Chairman, I would like to ask the Attorney-General or somebody in his absence to inform the committee of the breakdown of the \$200,000, which was the additional appropriation for the Department of Law's administrative expenses, division 25, subdivision 2. The explanation in the note says, 'The additional funding relates to a number of factors including inflation, criminal inquiry compensation payments and briefing of non-departmental senior counsel which arose in part from senior staff losses over the last year'. When we discussed the budget last year, the Attorney-General gave me details of the consultancy fees paid up till that date but an additional \$200,000 to cover those various matters is a lot of money and I would like to have a breakdown of that appropriation.

Mr PERRON: I do not have any further breakdown of information than is already available to the Assembly. It does not seem to me that that is an unreasonable explanation - inflation, criminal inquiry compensation payments, and briefing of non-departmental counsel. The briefing of counsel is fairly expensive. One is never quite sure what is liable to crop up overnight in the field of law. I think it is a reasonable explanation.

Mr ISAACS: Mr Chairman, let me disabuse the Treasurer. I think it is a worthless explanation. Honourable members can read English and nobody is

suggesting that it is unreasonable that those matters ought to be paid for. The Treasurer seems to have a mentality that presumes that the opposition believes the government does evil at every turn. What I want the committee to hear from the Treasurer is an explanation of each of the amounts which add up to \$200,000. Nobody is saying that it is inappropriate to have money allocated for those purposes. What we are saying to the Treasurer is that \$200,000 is a significant amount of money. It is important that the Assembly know how much is being spent, for example, on criminal inquiry compensation payments, what is the inflation factor and how much is being spent on the briefing of non-departmental senior counsel. The latter is important because there has been public discussion about certain senior employees of the department in the recent past. It is important to know how much has been spent and who received it. What I am putting to the Treasurer is not an unreasonable request. We are not suggesting that there is any evil intent; we simply want an appropriate explanation of the breakdown of that additional appropriation of \$200,000.

Mr ROBERTSON: Mr Chairman, I am somewhat confused as to what the government is asked to answer. On the one hand, we seem to have a question from the Leader of the Opposition which implies that he wants to know how money has been spent and, on the other, he is asking how it will be spent. The Leader of the Opposition waxes eloquent in this place about his vast knowledge of financial administrative practice. Within division 25, subdivision 2, we have a notional amount as an estimate of expenditure within a subdivision. A minister may manoeuvre money within that subdivision. It is an amount of money to cover various contingencies which the government expects to face between now and the end of this financial year.

It is quite absurd to ask, at any stage other than at the end of the financial year, how the money is being spent. This is a subdivision to cover a number of contingencies which the government expects to raise. Recently, the Leader of the Opposition introduced a very open-ended proposal for criminal compensation. The government has passed in this place a provision for criminal injury compensation. We do not know exactly what it will be, but we would be mindless fools if we did not allow for the possibility of increased expenditure in that area.

When we talk about consultants, we mean legal counsel. Either we have our senior law officers available within reasonable parameters to advise the government on matters of law as they arrive or we have them in court. Quite obviously and quite properly, any government engages counsel for more serious matters in court. We do not know what we are going to be involved in between now and the end of this financial year. Again, it is a contingency. An amount of money is estimated and appropriated for those purposes.

It is impossible for me to give definitive dollars-and-cents answers in respect of my departments' proposed expenditures between now and the end of the financial year. I really think that the Leader of the Opposition is having a lend of himself if he expects those sort of answers to be given in respect of sub-units of one subdivision of a divisional appropriation.

Mr B. COLLINS: Mr Chairman, I thank my learned friend opposite for that explanation but I would like to know about a matter that has received some comment just recently. It is a little frustrating that the Attorney-General is not here because it is his question. I would like to know how much of that allocation is in fact being spent on non-departmental senior counsel.

Mr PERRON: The question was answered fairly well by the Minister for Education inasmuch as it is money that is being allocated to be spent. I further point out that we are talking about 10 percent of an appropriation,

I think that is a relevant factor when the points of the Leader of the Opposition are borne in mind.

Appropriation for division 30 agreed to.

Appropriation for division 31.

Ms D'ROZARIO: Mr Chairman, I raised a question in the second reading of the debate but, as usual, it was not answered. I will now ask the Minister for Transport and Works directly. Have the procedures for the administration of consultants' commissions within his department been revised and do they now contain a check list of procedures for the payment of consultants' fees?

Mr DONDAS: The procedural matters are being considered at the moment. What is happening is that all consultants' commissions are now being approved by the secretary of the department. The Department of Law is considering the legal basis for delegating this authority. A check list for payment of consultants is being developed by the department because, in the old days, engineers and even people at director level were approving payments.

Whilst we are on division 31, the additional funds of \$800,000 are for consultancy fees. Consultancy fees are necessary to provide a continuous capital works program not only for the Department of Transport and Works but also for the other departments. The consultancy fees are necessary. In our original requests for appropriations when we were considering the budget, I requested additional funding for this area. It was not forthcoming but, with this latest Appropriation Bill, we successfully pleaded for the additional funds to employ consultants to allow the capital works programs in those areas to continue.

Mr ROBERTSON: I might advise the committee that 2 days ago the Trade Practices Commission admitted as being fair and proper a scale of fees for consulting engineers. Therefore, it is no longer applicable to the Trade Practices Act. A scale of fees can legally now apply.

Appropriation for division 31 agreed to.

Appropriation for divisions 32 to 37 agreed to.

Appropriation for division 38:

Mr ISAACS: I notice that the Bushfires Council has had its budget virtually cut in half. Perhaps the minister could give an explanation of that.

Mr DONDAS: The reason why it has been cut in half is that it has been transferred from the Department of Transport and Works to the Conservation Commission as of 1 January.

Appropriation for division 38 agreed to.

Appropriation for divisions 39 to 43 agreed to.

Appropriation for division 45:

Mr ISAACS: I should have asked this question earlier but I guess the Minister for Education can answer it as well as anybody else. There have been references to a Territory allowance, payable as from 1 January. The amounts seem to vary greatly. Am I right in assuming that the Territory allowance is to replace the district allowance or is there some other explanation?



Mr ROBERTSON: I must confess, Mr Chairman, I do not have the answer to that question. It is outside of the education sphere. I wonder if the Treasurer can assist in this.

Mr PERRON: It is a form of replacement of the old district allowance. It has been negotiated by the Public Service Commissioner's consultative council.

Appropriation for division 45 agreed to.

Appropriation for divisions 46 to 49 agreed to.

Appropriation for divisions 50, 51 and 53 agreed to.

Appropriation for division 55:

Mr ROBERTSON: Mr Chairman, as there is no division relating directly to the Housing Commission, the additional appropriation to the Home Loans Scheme is done by way of a loan appropriation. I would like to just briefly say to the committee in reference to the second-reading debate of this bill that I have noted with considerable interest the comments made by members both on this side and on the other side of the Assembly. I do not think that the Home Loans Scheme is perfect. I would be the last person to say so. In conjunction with my colleagues, I wish to undertake a thorough examination of where we are heading with this type of home finance between now and the next budget. I will almost certainly take a very dispassionate and conscious note of the things said here today. I think any contribution towards enabling people to achieve home ownership ought to be taken in a bipartisan way. I do accept with thanks the comments made earlier.

Ms D'ROZARIO: It was appreciated by me that there would be no appropriation occurring in this schedule. As explained by the Treasurer, this is to be done by a loan advance. I must thank the Minister for Lands and Housing who has taken a far more tolerant view towards the criticism that has been raised in the community, especially by aspirant home buyers, than that taken by the Treasurer who seems to want to discount any suggestions that I have made whether or not they are made by members of the community or members of the opposition. I can say that they were made with the best of motives.

When the scheme was originally promulgated, whereby the starting interest rate was geared to the earnings of the applicant's household, it was applauded. I remember this quite clearly because it was the sole preoccupation of my budget speech at the time. It was applauded as being an innovative scheme which got away from the fixed mortgage type of loan that we had before. Of course, this did not prevent us from seeing some of the problems that were occurring and which, indeed, are continuing to occur. If the Minister for Lands and Housing can take on board some of the suggestions, particularly with regard to the inflationary nature of the loan limits, I will be very pleased indeed. I will be happy to convey his feelings on the matter to those constituents of mine who have been attempting to purchase houses in Karama and Leanyer.

Appropriation for division 55 agreed to.

Appropriation for division 60 agreed to.

Appropriation for division 62:

Mr ISAACS: Mr Chairman, I have a question of the Minister for Health. I notice that \$9,000 has been granted to the Darwin Women's Centre for payment of outstanding accounts incurred in 1979-80. There is a further amount of \$10,000

for assistance to women and children in need in Alice Springs. Can the minister give an indication of whether discussions have been held with appropriate organisations in Darwin for the commencement of funding of women's centres and centres to assist people in crisis in the foreseeable future, given that money was taken away from those organisations last year?

Mr TUXWORTH: Mr Chairman, I would just say that the money expended in Darwin, about \$9,000, was an amount that was paid by the department to honour debts that had been left by some women's organisations which had ceased to exist. There were debts related to accounts that were run up around the town. In fact, I think we even paid water and telephone accounts for one of the organisations.

The accounts were submitted to us and we paid them. The money was not given to the organisation to pay the bill because we tried that once and it did not work too well. That is why we had to pay them the second time.

The \$10,000 for Alice Springs relates to a grant that was paid to either the Salvation Army or the Catholic Church in Alice Springs or both, whichever took over the provision of emergency accommodation in the town when the women's centre there also became defunct.

In relation to the third point raised by the Leader of the Opposition, we are already funding Dawn House, which is a women's crisis centre, to the tune of \$87,000 a year. There was no revision on that appropriation and, in fact, it has not sought more assistance. It seems to be functioning within its budget which is what we should all be doing. I have not had any other discussions for funding of women's centres.

Appropriation for divisions 62 and 63 agreed to.

Appropriation for division 65:

Mr B. COLLINS: Mr Chairman, I wish to comment on one aspect of the appropriation for division 65: '(a) Increases in the price of fuel oils impacting the operating costs of power-stations in Aboriginal communities'. I have spoken on this before. I would like to take the opportunity of talking about it again. I would be the last person in the Assembly to advocate any downgrading of the quality of services provided to isolated communities. It happens to be coincidental that most of them happen to be Aboriginal communities but I am referring to any isolated community or small town such as Tennant Creek and Katherine. I do not want to see any downgrading of services that use oil for the generation of electricity. I would not like to see any downgrading of services at all but I have spoken about this in the Assembly before.

As the member for Alice Springs pointed out, it is a staggering amount of money. It is no surprise to me because I am well aware of how much each power-station costs to run in every community in my electorate. It is of concern to me. For example, school wings are built with ducted air-conditioning. The Teachers Federation, not unreasonably, has a policy where, if air-conditioning breaks down, the teachers refuse to man the school if it is not repaired within about 10 days. That is not unreasonable because air-conditioned buildings, unfortunately, are designed for air-conditioning. The ones that I am thinking about are absolutely uninhabitable when the air-conditioning breaks down.

When I first lived on Aboriginal communities, I lived in a place where there was no electricity at all. We had kerosene lanterns and kerosene fridges.

Mr Tuxworth: They were the good old days, Bob.

Mr B. COLLINS: They were indeed the good old days, mainly because I was younger then. I then went through a period when electricity was rationed so that we only had it for a certain number of hours a day. That was most inconvenient. I would not like to see that situation come about again. It would cause all sorts of horrific problems, particularly with the running of deep-freezers and cooling equipment in stores.

The planning in these communities which have completely air-conditioned buildings needs to be looked at. There are areas where air-conditioning is desirable and, in fact, necessary. Libraries, for example, have a great deal of valuable equipment which deteriorates very quickly and should be air-conditioned. About 70% of the electricity costs to schools are taken up in the air-conditioning. It is a colossal expense to continue this proliferation of air-conditioning in areas that rely solely on diesel generators for their power supplies, as indeed is the case in the entire Northern Territory. I believe it is an area that needs to be looked at very carefully in future planning.

Mr TUXWORTH: The member raises a very valid point. It comes back to what we can afford, what the community needs and what we want to do about it. I would just like to tell a little story. The member for Arnhem will see the humour in this. One of the first jobs I had when we attained self-government was to go around the traps and see every place. A sister in one of the health centres said: 'This is an awful place. They turn the power off at 10 o'clock every night'. Further investigation revealed that we were dutifully paying out our share of the coin to run the system 24 hours a day yet the recipients were operating it for about 16 or 18 hours a day. If the member knows of problems in his area, I would like to hear about them.

Appropriation for division 65 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

#### SPECIAL ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly, at its rising, do adjourn until Tuesday 26 May 1981 or such time as may be Mr Speaker and notified to members in writing.

Motion agreed to.

#### ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

In the adjournment debate this evening, I would like to pay tribute to 2 people who are leaving the Northern Territory. One is Mr Harold Martin Ford, presently of the Department of Aboriginal Affairs, and the other is Mr Don Sanders of the ABC. Mr Harold Martin Ford retires from the Australian Public Service on 31 March on his 60th birthday. He came to work in the Northern Territory in June 1940 with the Northern Territory Administration as a junior clerk. Just before the bombing of Darwin in 1942, he was responsible with others for the physical transfer of important government documents to Alice Springs for safe keeping. We all recall the Chief Minister talking about setting up a Northern Territory archival building in that centre. In Alice Springs, he enlisted in the army and, during the war, he married his wife,

Doris. After the war in 1946, he returned to Darwin and continued to work with the Northern Territory Administration in the accounts area. In 1953, he joined the Welfare Branch of the Northern Territory Administration, being responsible for finance, personnel and management services. He has remained in the field of Aboriginal affairs since that time, being responsible for the development and implementation of programs aimed at the welfare of Aboriginal people in the Northern Territory. In 1977, he took charge of the NT division of the Department of Aboriginal Affairs. In 1980, Martin's long service was recognised by Her Majesty the Queen when he was awarded the Imperial Service Order.

Martin and Doris Ford have a son and daughter who are both married with families living in the Northern Territory. In over 40 years of public service to the Northern Territory, Martin Ford has always had the interests of the Northern Territory at heart and has given special attention to the needs of its Aboriginal community amongst whom he is greatly respected by his many friends. Martin Ford is one of the longest serving public servants in the Northern Territory and, at the time of his retirement, I think it is fitting that an appreciation of his long service to the Territory be placed in the record of this Assembly.

Mr Speaker, Mr Don Sanders of the ABC commenced duties with the ABC in Adelaide in 1941 and saw service with the Royal Australian Air Force from 1942 with number 2 squadron based at Hughes at the 32-mile near Darwin, thus beginning his first link with the Northern Territory. Don had various postings as a gunnery instructor on Liberators until he was discharged in 1945. He returned to the ABC in 1946 handling such duties as sports coverage and sound effects and, in 1946, went to Perth where he subsequently spent 13 years as an announcer and supervisor with one break at Port Moresby. While in Perth, Don fulfilled a long-time ambition to become a pilot and won the Perth to Busselton air race. He spent some 21 years on the RAAF reserve, 13 years of which were as a flight commander of Darwin's flight of the Air Training Corps. During a tour of duty at Port Moresby, Don developed an interest in tropical areas and saw the potential of Darwin. In 1959, he was appointed ABC representative in Darwin when the population was some 11,000 people and it had just been proclaimed a city. The ABC then consisted of 2 radio stations, Darwin and Alice Springs, and had a staff of 5: 3 announcers, a typist/secretary/record librarian and Don as the representative. Shortly afterwards, Katherine and Tennant Creek stations were established to be followed later by Gove and Jabiru. With the advent of television, the staff grew to over 50 with the TV stations being erected at key points. In 1974, Cyclone Tracy caused staff reductions to approximately 25 and, apart from a short period of recuperation leave immediately following the cyclone, Don carried out the duties of manager during this tense period.

If I might digress slightly, I think a great deal of commendation should be given to people who were working in the public media at that time. We all recall the tremendous lift in morale that occurred when the NT News first hit the street and the same applied when the ABC came on the air. I forget the name of the announcer who was on at the time but, for all Darwin people, it was no doubt a tremendous thing to hear those stations come back on the air. No doubt, Don had a lot to do with it. Since reconstruction, staff numbers have been lifted to some 38 people, mainly with the introduction of the ABC's colour service. The high quality of program material introduced by the Darwin staff has been the subject of frequent favourable comments from experts in other centres.

On a personal level, Don has been active in Rotary for some 19 years and is a past president of that organisation. He is also a member of the Legacy group in Darwin and, last year, was vice-president. He was the foundation president of the Northern Territory division of the Air Force Association, an

active Masonic Lodge member and almoner, a member of the Royal Commonwealth Society and, behind the scenes, rendered invaluable assistance to several Timorese families who have settled here.

Don has travelled widely throughout the Territory and has established strong links with the outback families and communities. His wife, Dee, has also been active in community affairs. Don and Dee will return to Perth after their many long and valuable years with us. With their departure, Darwin and the Northern Territory will see the end of an era in which broadcasting has grown from a small operation of 2 radio stations and a staff of 5 to a major broadcasting and television service which will continue to grow and service this area by the introduction of a domestic satellite service. Mr Speaker, I wish them both well.

Mr HARRIS: Mr Speaker, I would like to also wish Martin Ford and Don Sanders well. They have indeed served the Territory well over those years.

The reason I rise in the adjournment debate today is to speak about the Naval Patrol Boat Base that is being constructed at Larrakeyah Cove. At present, the base is coming under some fire. Unfortunately, wherever there is development, there will be noise-associated problems. I have just been through that experience with the development of the Darwin Plaza which has just been completed. Throughout the evenings, on many occasions, the cranes would operate through to the early hours of the morning. Indeed, when that tree was put on the top of the building, I breathed a sigh of relief.

The residents in the area where the patrol base is being constructed have been very patient and have shown a great deal of restraint since the beginning of the construction. They had to put up with the blasting during the excavation period. They are putting up with the large number of trucks moving down Packard Street with armour to place on the breakwaters. They also put up with the dust when the trucks return for another load of armour. There is a tremendous tonnage going along Packard Street at present. Associated with all this is the noise from those particular trucks.

Unfortunately, there is a great amount of noise generated from the dredging operation which is taking place. That is a very lengthy operation which will go on for a number of months. I would like to say that the cooperation of the Commonwealth Department of Housing and Construction and, in particular, the Controller of Works has been tremendous. They have responded to all the calls I have made. Where there has been a problem, they have examined the complaint. Where there has been a complaint about noise, they have tried to rectify that.

In August 1979, public hearings were held in Darwin by the Commonwealth Parliamentary Standing Committee on Public Works. Those hearings were to deal with the method of construction of the patrol base, the siting of the patrol base and any other relevant points tied in with the construction of the patrol base. My involvement at the time concerned the routes over which the trucks were to carry the enormous tonnages of armour into the patrol base. It was decided that the trucks would use Packard Street and not the streets which service some of the other residential areas. Packard Street was built to take the enormous load that these trucks would be carrying to the base. I believe that is what public hearings are about: to inform the committees about the problems and concerns that people are involved in with a particular construction.

However, it does appear that there is one area where there has been a change in the original proposal that was put before the Standing Committee on Public Works. It relates to the dredging. I have received many complaints

that the noise being generated from the dredging operation, which continued over a 24-hour period, is severe. Since the complaints have been made, the hours of operation have been reduced somewhat but I believe the matter still has to be considered and some satisfactory arrangement made.

My understanding of the original proposal for the dredging procedure was that the spoil material was to be barged to an area for disposal or that the spoil material would be pumped to an area to be reclaimed on site. In both cases, the noise generated would not be all that great. There would still be noise from the dredging operation itself. It appears now that trucks are being used to move that spoil and, whenever trucks are involved, there is a great deal of noise. If the use of trucks had been put forward in the original proposal, I believe comment would have been made by members before the Standing Committee on Public Works saying that there would be noise generated from this particular aspect of the project. I am not saying that those comments would have made any difference to the committee's final decision. A committee such as this has to weigh up the evidence. It must look at the overall project, the requirements of the project and then make a particular decision. I believe the people should be informed of what is happening. They should be notified of any changes to the existing methods of construction.

I was hoping to report to the Assembly on the progress of the naval patrol base. I also was hoping to be able to report on the dredging operation. Unfortunately, the report that I was to obtain will not be ready until next week. I am able to say at this stage that the naval patrol base is on schedule. It is due to be completed in August 1982. In respect of the dredging operation, I understand that the contractors are preparing proposals on the method of disposing of spoil and on ways to reduce the general noise level. Once these proposals are put forward, I believe that everything will be done to implement any recommendations as quickly as possible.

I would like to again compliment the residents for their patience and understanding of this whole situation. As I said at the start, it is unfortunate that this development will cause a noise problem. I would also like to once again thank the Commonwealth Department of Housing and Construction and also the Controller of Works for the responsible approach to the development that he has demonstrated.

Mr DOOLAN (Victoria River): Mr Speaker, I too would like to join with other members in farewelling Don Sanders and Martin Ford. I do not know Don well but I worked for many years with Martin Ford in the Department of Aboriginal Affairs, which was previously the Social Welfare Branch, and back in the old Native Affairs Branch days. Martin Ford had the reputation of being a bit gruff but, if anyone was in trouble, he was a very sympathetic man and would always provide a good hearing. He helped a lot of people. He did not like to be thanked because he liked to pretend that he was unsympathetic. In fact, he would always give you a good hearing if you were in strife. I wish them both the very best.

Mr Speaker, in the adjournment debate this afternoon, I would like to draw members' attention to a scheme which was initiated by the New South Wales government which seeks to provide further employment opportunities for Aboriginal people. This has been advertised nationally and is headed 'Aboriginal Administrative Training Scheme 1981-Public Service of New South Wales'. I would ask that the responsible minister in this government take note of this training scheme which could be of possible benefit to the Northern Territory. The New South Wales experience is to provide opportunities for qualified Aborigines and Torres Strait Islanders to be trained in general administration in the New South Wales public service with the aim of working towards middle and higher management positions.

Aboriginal students who have obtained matriculation or certificates in general studies - and the Aboriginal task force operating at the Winnellie campus and in other states, particularly South Australia where a lot of Aboriginal people from the Territory attend, should have sufficient qualifications for entry into the Northern Territory Public Service - would soon be offered an opportunity for advancement to administrative and other positions.

The last Department of Aboriginal Affairs annual report said that there were well over 600 positions in the Commonwealth Public Service suited to Aboriginal employment. I would like to know if the Northern Territory government has made any investigations into what it can achieve in this area with regard to employment in our own public service. I am aware that there are people of Aboriginal extraction in the Northern Territory Public Service, but there are few who would be employed in middle or higher management positions,

In New South Wales, successful applicants will be appointed as permanent public servants on probation for a period of 12 months. These people will be allocated to work in a particular department. After the training period, successful trainees either continue in the service, may be transferred to positions of a similar salary or may apply for promotion to positions in competition with other officers. The committee which selects applicants will include Aboriginal representation. Each trainee undertakes a 12-months' training program designed in consultation with his department to meet his or her individual needs. The training program will include both on-the-job working experience and attendance at formal training centres. I believe that the New South Wales training scheme will be well worth looking at to provide guidelines for a similar program within the NTPS whereby Aboriginal people may eventually reach a standard to equip them for middle and higher management positions.

In yesterday's adjournment debate, I was naive enough to believe that I was offering something constructive in suggesting that the government investigate ways in which the psychological and emotional health of Aborigines might be investigated in conjunction with the much-discussed program of upgrading environmental health and essential services. At no time did I knock the environmental health program. In fact, I praised the government's initiatives in providing an opportunity for Aborigines to obtain certificates to operate internal combustion engines and I deplored the federal government's action in not coming forward with the \$125m necessary to implement the Aboriginal health program.

The Chief Minister replied that all I could do was to knock everything his government was trying to do, or words to that effect. He further claimed that I was loud in my praise of my own political party and that I was saying that everything we did was right and good. Mr Deputy Speaker, I said no such thing. I never once mentioned the name 'Labor' and I never once said 'ALP', except by inference when I said that, in 1972, an enlightened administration changed things.

The Chief Minister seems to have an uncanny ability to misconstrue everything that he hears to suit his own ends or perhaps he just does not like to listen at all. I am sorry that the Chief Minister is not here this afternoon because I have a suggestion I would like to make to him. I suggest that he sets aside just one day every sittings - and surely to God that is not too much to ask considering how infrequently we sit - to pull the cotton wool out of his ears and shove it in his mouth and listen for a while. Perhaps he might learn something or perhaps some of the inflexible ideas that he has might be changed because, no matter how logical an argument is ever advanced, he just does not listen.

He did, however, give me one good belly-laugh: he said that I thought I should be canonised. Coming from him, I find that really funny. I think he is an unconscious humorist. He shows us every day that, no matter what is said, he believes that he could never be wrong under any circumstances in anything at all. As I say, I regret he is not here. I think that the Chief Minister actually has a secret belief that he could go down to Lameroo Beach and, in perfect safety, walk across the harbour to Mandorah, not get his feet wet and thus save his ferry fare.

He says that I aspired to canonisation. I think that he was motivated by jealousy when he said that. He considers me a potential rival because obviously he has already been canonised. He is known by his own staff and by the media as St Paul. So, Mr Deputy Speaker, I am waiting with bated breath for a Papal bull to come forth from the Vatican to confirm his beatification and his final elevation to sainthood.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this afternoon I would like to speak about the answers to 2 questions which I received earlier. The first one, which I asked of the Chief Minister, related to an increase in cattle duffing. The second one, which I asked of the Minister for Primary Production and Tourism, related to the carriage of horses on highways. The 2 questions were interrelated and, to my way of thinking and from what I have heard around the country, this is only the tip of the iceberg of a rather confused situation up here relating to ownership of stock and presumed ownership of stock. Also, it points out the fact that it is more than time that all the legislation relating to stock - on the slaughtering and transport of stock, stock diseases and a couple of other pieces of legislation - must be updated. I have been through it and some of the points mentioned in the various bills are inconsistent.

I was very interested to hear that, of 20 separate offences of cattle duffing reported to the police, only 9 had been cleared up, which is less than 50%. I do not know whether this would compare favourably with the other instances of theft reported to the police or whether it points out the lack of police in the stock squad. At the moment, there is one person in the stock squad and he is on holidays. Somebody else is doing his job.

I do not have any knowledge of the situation down in the Katherine area or in the Centre but I do have some knowledge of the situation in the Top End. I think that, with the increase in agricultural development on the properties up here, it is about time that more official attention was paid to the subject of cattle duffing.

I mentioned it some months ago to a member of this Assembly and he said that it points out the slack management control of the farms. I did not tell him what I thought of him at the time because I did not have enough time. If anything, I think it pointed out his ignorance of the situation because the farmer - my knowledge is mainly of farmers - is working pretty hard for his living. He cannot afford to be out 24 hours a day patrolling boundary fences. If less than 50% of the cases have been cleared up, it begs the question of what do the farmers have to do. Do they have to patrol their fences and deal with these cattle duffers themselves? I think some of them are quite capable of that. I think some of them might have taken the law into their own hands on some occasions but, certainly, not without good cause. Does it point out the fact that the legislation is not doing what it set out to do; that is, protect these people on the land? Does it point out the fact that there are not enough police engaged in this sort of work?

For somebody to steal one head of cattle from a property owner may not seem much to the person who is doing it at the time. But if you bring that



into the context of a city situation, one head of stock taken from a farmer is not just one beast. It may be the breeding stock. It is exactly the same as taking a tradesman's tools. He cannot work if he does not have any tools. The farmer cannot farm and be in a healthy financial position if somebody is always knocking off his stock.

Regarding the carriage of horses on highways, the Minister for Primary Production and Tourism agreed with me that horses are considered as stock. He said in his reply: 'In general, vehicles are supposed to carry permits for the movement of horses'. I like that word 'supposed'. I think it might apply to lots of other forms of stock. In the next part of his answer, he said: 'There is an exemption in the regulations that provides that horses may travel to local shows, race meetings and things of that nature without permits'.

I was very interested to hear that because I have read through the legislation referring to this and I am darned if I can find an exemption like this anywhere. I have asked other people to look for it for me and they cannot find anything that says that there is an exemption from these permits for horses travelling to local shows, race meetings, gymkhanas and things like that. I am not particularly worried. I am not concerned whether horse owners have these permits or not. If the department recommends that it is not necessary for horse owners to have these permits, I would quite happily agree with it. But the fact is that there is some doubt as to whether exemption legislation has ever been promulgated. If the legislation says - as I understand that it does at the moment - that these horses should have permits, well permits they should have. If they should not have permits, I would like to see that included in the regulations.

While on the subject of permits and inspectors, I think that too much latitude has been given in the policing of the regulations on the carriage of stock on highways. In several cases that have been brought to my attention, that contributed unofficially to instances of cattle duffing. There are 2 types of inspectors: the police and the officers of the Department of Primary Production. Both types do a darn good job but, unfortunately, the job includes being an inspector for the purpose of this legislation. Part of the purpose for this is to protect certain people in the community. Concomitant with that, their inspectors will inevitably upset people. We all like to be friends with people. We do not like to do nasty things to people. We like people to think well of us.

However, I wonder if these inspections are being carried out as actively and as enthusiastically as they have been in the past. I have been told unofficially that, if you ring up a certain government department, you are told that permits are necessary to take cattle to the abattoirs. If you ring up another certain government department, you are told that permits are not necessary to take cattle on public highways to abattoirs. That immediately presents a very interesting situation.

It is pretty easy to load a truck and drive it to the abattoirs. There are regulations in the abattoirs and slaughtering legislation requiring kill sheets to be sent in and, on these kill sheets, the brands on the cattle have to be mentioned. At a farmers meeting some months ago at Adelaide River, certain farmers wondered if the kill sheets were as accurate as they should be. In the old days, if kill sheets were submitted to government departments, they stated very definitely whether anybody else's stock had been brought in inadvertently and named the brand and the number of head. When somebody inadvertently brought in a few of his neighbour's stock, the neighbour was credited with his few head of stock. I understand that it is very unusual for this to happen these days.

The farmers' meeting also questioned whether the inspectors were there all the time during killing. This again presents very interesting questions. If the inspector is not there during the whole period of the killing, are all the stock branded? If they are not branded, where do they come from?

There is a crying need now for some rationalisation to be brought into all the legislation relating to the carriage of stock. It is grossly overdue. Our government would be doing a gross disservice to the primary producer if this did not receive the immediate attention which it deserves.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I would like to pass a few comments this afternoon on the Community Health Centres which have been the subject of debate during the last week. I would like to preface my remarks by saying that neither as minister nor at any other time have I suggested that Community Health Centres in the Northern Territory should be downgraded in any form at all. I would agree with the arguments put forward by members from both sides of the Assembly that they are cost effective and there is only room for expansion in the future because every person kept out of hospital represents a lot of money saved.

The current review that is under way within the department is a departmental review and is not the result of any direction from me. If, in my view, the results of the department's considerations and transfer of staff have any adverse effects on the public, it would be then the time for me to have input as minister. We hear many comments from time to time about political interference. This is one of those occasions when the department is rightfully looking at its own operations in an objective fashion. It would be improper for me at this stage to detract arbitrarily from what it is trying to do.

I would like to reflect for a moment on the community health system. It evolved in the 1970s as a result of a combination of the school services, the infant health service that became very common during the early 1970s and the home health services that we provided to people such as the aged. It is fair to say that the department has welded these 3 units into a very comprehensive community health service. We offer a very wide range of services. The little book that was distributed lists 20 sections of services ranging from child health, maternity health, venereal disease and nutrition to occupational therapy etc. Within those 20 sections, there are 46 subsections of services offered to the public.

The reality is that the Community Health Centres cannot be all things to all people. Any rational person would accept that the Community Health Centres in Pine Creek, Berrimah and Katherine will have a different function from those in Darwin. There is an obvious need for us to assess our efforts. This is a part of the department's review at the moment. It should not be automatically assumed that that is a downgrading.

In discussions that I had during the week with the sisters in charge of our Community Health Centres in the metropolitan area and with a representative from the Royal Australian Nurses Federation, we agreed that there is a need for a reassessment of the effort. I will cite 2 instances that are of concern to me. The Berrimah Community Health Centre is strategically located from the point of view of offering services to Aboriginal camps, the rural area and schools. However, for a great part, this centre has become a first aid centre for the industrial area. It begs the question as to whether that is the role of the centre. I would think not. I think it is the proper role of industry to provide its own first aid. It should not become a community health function because there is a centre there. I would like to put it to industry that it

take an interest in the provision of a first aid centre in that area or perhaps make a contribution in some form for the use of the services. Industry impact has meant that sisters cannot cater for the other things that are just as important. I also accept that it is very difficult for the sister in terms of professional integrity to say to a man who has a cut in his eye: 'You are in the wrong place'. That flies in the face of the ethics of their profession. If that has to be said, it should be said by someone further up the line.

Another concern that sisters in all centres experience - and this is being examined by the working group - is that people go to a private practitioner and later present themselves at the health centre and say: 'I have been to see Dr Fred Nurk and he says that I have to come here for the next 10 days to have my dressing changed'. That is not on. There is a limit to just how the Community Health Centres should be used. I would think that that falls outside what is a fair thing.

As I have said, I have met with the community health sisters and the representative of the Royal Australian Nurses Federation and, for the main part, they agree that there is a need for a review. They have formed a working party with Doctor Reid, the Acting Secretary for Health, to carry out a review. I hope that is a sensible approach to the whole matter and that the sisters see their role in the community in the total perspective of the department. I also feel that the community health sisters, who are pretty thin on the ground by any standards, feel that this is the first nibble in one of many bites at their establishment level. They want to make their position felt and I understand that.

The detoxification unit was set up within the department some time ago with a skeleton staff to operate on a 5-day-a-week basis. The department had planned to review its position in February. When Doctor Reid advised me that he wanted to expand the unit and the service that it offers, my first question was how would it be staffed. He said: 'From within our resources. We are having a look at several areas and we are of the view that we can manage this without a great deal of difficulty'. I said: 'That's fine if you can do that'. At that stage, I did not have the power to tell the secretary that he had an authority to obtain more money or more staff.

The member for Fannie Bay said that we were not directing enough expenditure to our preventative area. I would agree that there would always be more effort that we could direct into that area. One of the unfortunate facts of life is that we have a hospital funding formula with the Department of Health in Canberra on a 50-50 basis by which we receive some \$25m a year to run the hospitals. The Commonwealth contributes 50% of all the bed costs. We work on a formula that encourages us to keep our hospitals full and that is crazy. I cannot get any more joy out of the federal government than the member for Fannie Bay has on this point. I think the whole matter will be reconsidered as a result of the Jamison report. I hope the member for Fannie Bay will give us the benefit of the doubt on that matter.

The member for Arnhem also commented on school programs and wanted an undertaking. As I said earlier, if I feel that public interest will be affected in the revision of the department's priorities, then I will be quite happy to take up the matter at that time. In the meantime, I am prepared to let them do what they are paid to do.

The member also quoted from an interdepartmental study on health centres. I would say that the paper he referred to had a lot of merit. In fact, I have worked on it myself since the member saw it and it has a few more paragraphs.

I would not reflect on the ad hoc nature of the establishment of health centres in the past because I was not a party to the decisions in the 1970s. When we decide to build a community health centre, we must identify the need in the particular area. We can break the area down into respective demographic sections and then talk about the services we want to offer. We should talk about the area from the point of view of the physical ability of the staff in the centre to service that area. As the member for Arnhem said, we can run around Jingili before breakfast but it takes a little longer to get around our own electorates. Having identified those 2 things, we could identify our costs and, from that point, we would know where we are going. My attitude is that you do not keep adding to the health centre and expect the people within it to be able to perform all the services. If you want to vary any one of those 3 parameters, you have to vary all of them. If people can see any holes in that thinking, I would be happy to hear from them.

The members on both sides of the Assembly referred to a downgrading of services. I would like to assure members that this government would not support a downgrading of services. At this stage, there is no intention to downgrade. There is certainly an intention to review what we are doing and this will be done in conjunction with the Royal Australian Nurses Federation, the sisters in the centres and, in the final analysis, myself and the Cabinet.

In conclusion, I will touch on a point that is the crux of it all: Commonwealth funding. The Commonwealth would appear to be going towards a block funding allocation for health services throughout the states. If we can get the formula we want from the Commonwealth, given our special circumstances, it will probably be the most important factor in encouraging us to become more active in the preventative field rather than sit back and rely on the system we have at the moment whereby we receive money for the number of people we have in our hospitals.

I would also make the point that there are some areas in the Northern Territory in which we are very deficient. The alcoholic unit is one; the follow-up services from the Department of Health and nursing homes are others. The provision of services to the elderly and the bedridden at home are carried out by the community health staff who do an admirable job. It would be my intention as soon as possible to get as many nursing homes as we can in the Northern Territory. That would relieve much of the load from the staff in Community Health Centres.

Thus, there will be quite a few prongs in our attack. I am quite happy to join with members of the opposition in overcoming the problems before us. I am happy to listen to any suggestions or criticisms they may have because I am of the view that we are both talking the same language and, if we can work on that basis, then I am sure we will cover a great deal of ground.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, I too would like to comment briefly on the departure of the former manager of the ABC and Mr Martin Ford from the Territory. I had no idea either of those gentlemen were leaving until the Minister for Education mentioned it this afternoon. Martin Ford is a man whom I have known for a long time and I am very saddened to learn that he is leaving the Territory.

I find this one of the most depressing features - although it is changing - of living in the Territory; no sooner do you establish a friendship with people than they are gone. As the member for Victoria River mentioned earlier, Martin Ford is a man who certainly had a reputation for being very gruff on the outside.

Mr Tuxworth: Soft as butter on the inside.

Mr B. COLLINS: Absolutely! But, as is often the case with people like that who are as soft as butter on the inside, on every occasion that I had to go to him - and it was quite frequent - to talk about problems in my electorate, I not only got a hearing but I got action. Martin Ford was known affectionately by a spoonerism of his names, of which he was quite aware.

I welcomed the comments this afternoon by the Minister for Health. I am sure that the public served by the Community Health Centres and the sisters who staff them will welcome the positive approach of the minister as well. I welcome not only reviews in the Department of Health but reviews in any government department of its activities and the continual reassessment of the value and the economics of activities.

However, I must say that the original problem raised by the question of Community Health Centres, the downgrading - we used the word quite deliberately - was not a review. It was a proposition, an intention, by the department to transfer 5 nursing sisters to the detoxification centre. It was later replaced with a definite proposal to transfer not the sisters who objected but their positions as they became vacant. I do want it to go on the record that that is what the opposition was concerned about. By the response to the petition, it is obvious that the community was concerned. They were not concerned about a review by the department. However, once the review is completed, it is not a question of political interference; it is a clear question of policy and the government's attitude on the importance of community health care: whether the minister is prepared to accept recommendations from the department or in fact direct that government funding be placed in another area. That is the absolute right of any minister.

I also want to touch upon the problem of replacing Aboriginal teachers in schools where those teachers go to ATEC. It is unfortunate that the Minister for Education has already spoken in this debate and cannot now respond. I always have believed - and I have said it plenty of times before - that the real key to Aboriginal advancement is education. It is one thing to say that Aboriginal people should determine their own future, which they should, but they have to determine their future in a multi-cultural society and the dominant culture in that society is our own. As a result of that, they have to be given the tools with which to cope with such a society, and education is certainly the key to that.

As far as education is concerned, much mention has been made in this Assembly by myself and others on the misdirection of funds that are spent on Aboriginal affairs. There certainly have been many cases of the misdirection of funds. I have given many instances of where money has been wasted in my own electorate on things that were not necessary. I do not hesitate to say again that, despite good intentions, the present government has continued the policy of spending very large sums of money on unnecessary improvements - air-strips, for example - when the state of environmental health in Aboriginal communities is so desperate that we cannot afford to misdirect one single dollar from those programs.

Education is vital and one of the most vital areas of education is training Aboriginal people to become teachers in their own communities. We have a problem in isolated communities: it is very hard to attract people to those communities. Last year, the Commonwealth Teaching Service could simply not get a sufficient number of applicants for senior positions in isolated communities. Once a teacher becomes a Band 3 or Band 4 teacher, which is required for the position of principal in most schools, he is not interested any more in serving in isolated communities. He wants to move to the big city where the facilities

are much better and life is quite often much more comfortable. It is vital that as much effort and as much government priority be given to the training of the people who live in the communities to carry out these vital educational services.

Principals of Aboriginal schools are put in the position now, because of this situation, of having to make decisions. Does a principal disadvantage the school program which is often a bilingual program by sending away the very people who are vital to that program or does he disadvantage the individual careers and, in fact, the future prospects of Aboriginal teachers generally by keeping those teachers at the school and not sending them to Batchelor? It is a very invidious position for any school principal to be put in and some of those school principals have literally agonised over the decision of whether to send teachers away to Batchelor or keep them at the school. In most cases, I might say to their credit, they have elected to send the teachers to Batchelor. One of them said to me the other day: 'I am not going to be in the position of someone coming to me in 5 years' time and saying, "Why did you stop the progress of training Aboriginal teachers for your school?"'.

I also want to comment briefly on the slogan that the Tourist Commission has adopted: 'Tell a tourist where to go'. It has received some public comment and I would like to add to those comments. The reason I mention it is that I had a gentleman come into my office the other day. He walked in off the street and he was wearing a t-shirt, the first I had seen with 'Tell a tourist where to go' printed on it. He came into my office to tell me that he had been to see the Territory tourist promotion film. He described it as being magnificent and worth every cent that had been spent on it even though he did not know how much it cost. He said it was a magnificent effort. However, he said that he applauded the slogan. He thought it was an excellent slogan because it described accurately the situation existing in the tourist industry in the Northern Territory. He said that they certainly do tell you where to go, and mainly in the place where he was staying.

I have also mentioned this topic in the Assembly before. I have had some unpleasant experiences with it. I get complaints not only from the tourists themselves but quite often from tourist operators. One in particular regularly receives comments from people who use his bus tours about the poor service in the places where they are staying.

Unfortunately, when you start to follow up these complaints, you find that it is not merely a question of not getting their orange juice when they order it or not getting a particular degree of service when they order it. Unfortunately, these complaints often stem from a simple lack of courtesy on the part of the people in these service industries. It is really unfortunate. I would like to see a much higher degree of service in this very vital area of tourism. I think I would make a very good hotel operator myself. I think I would run a very good restaurant actually.

I personally have been appalled with the lack of simple courtesy and it would be a very good thing for the benefit of themselves and the Territory generally if tourist operators would simply tell the people who are working in the industry - and I suggest bringing it up regularly at seminars - to just respond to tourists with simple courtesy. I will just give you an example of an experience I had. I did not worry about it but I thought that I would be embarrassed if that had happened to somebody else. I pulled into a motel in the town - not Darwin - in which I had spent my first year in the Territory. It is a town that I greatly admire and I had driven all day from Oenpelli to

get there. I drove into a motel. I had never been to the motel before. I had my wife and my son with me. We were all very tired and I knew I was in the wrong entrance as soon as I had gone in there. I knew I was not in the reception area. I got out and approached a lady, who later turned out to be a person of some authority, to ask her where reception was. Before I had a chance to open my mouth, I got my head bitten off and I was told very rudely: 'Get that car out of there. That is not the correct entrance. You are blocking the access to the barbecue. Get it out of there'. Now, had I not been as tired as I was and had I not already booked into the motel, I would have left.

That is not an unusual experience. Unfortunately - and I have mentioned it before in the Assembly - I have heard of such incidents many times. The facilities are okay in many cases but the attitude of many of the staff in the industry is not good enough. It should be improved. Unfortunately, the slogan, 'Tell a tourist where to go', is not helping matters. There is a definite connotation of telling people where to go in this country. Perhaps it is a clever play on words. Personally, I think it is an unfortunate slogan. As I say, it was picked up by this gentleman who was visiting Darwin. He thought it was a perfect description of the attitude existing in the tourist industry in the Territory at the moment,

Normally, I attempt to read as much as possible what passes across my desk in the Assembly but I had not got around to reading the report from the Minister for Primary Production and Tourism on his overseas' trip until it was pointed out to me by the member for Fannie Bay that the conference I attended in Zambia rated a paragraph in the report. I must say that the Hansard reporters at the conference in Zambia never got a word of one of my speeches. I had to sit down afterwards and very painstakingly reconstruct the entire speech as I did not have a prepared one to simply give to them. I use the word 'reconstruct', not 'fabricate'. I will quote from the report:

*Sir Robin Vanderfelt, who is the Secretary for the CPA, praised the Clerk of the Territory Legislative Assembly, Mr Keith Thompson, whose unflagging support and enthusiasm for Commonwealth Parliamentary Association matters greatly contributes to the prestige of the Territory and the success of the CPA.*

Without reservation, I join in that praise of the Clerk of this Assembly.

Mr Deputy Speaker, I do want to say in conclusion that I did not have a terribly enthusiastic attitude toward the CPA when I first joined this Assembly as a completely green parliamentarian. But over the years that I have been here, I have developed a greater regard for that organisation. Certainly, my regard increased enormously as a result of attending the conference in Zambia. I am still getting correspondence from some of the delegates and several gentlemen from Singapore. In fact, I got a letter last week from some of the parliamentarians from Singapore who still correspond with me.

In the world today, people tend to play down the importance of organisations such as the CPA and say that they are anachronistic and so on. But with the kinds of weapons that technology has placed in the hands of governments and politicians all over the world, I believe that every possible support should be given everywhere to organisations such as the CPA or in fact any forum that enables politicians and governments to get together and discuss problems instead of fighting them out.

Mr MacFARLANE (Else): Mr Deputy Speaker, on Wednesday, the Leader of the Opposition referred to a letter I wrote some time ago. This letter was widely publicised and I am here to offer my apologies to the Assembly for one word:

'cancelled'. That word was used wrongly and I apologise for that. That is where my apology starts and stops.

The Shadow Minister for Aboriginal Affairs, Senator Ryan, said there had been electoral malpractices. There certainly had been but not by me. I will outline some of these things and what happened, particularly at Hodgson Downs. As you are aware, the mobile polling booths were set up in the week preceding the Saturday of the election. I went out to Hodgson Downs on the Sunday night. The mobile polling booth was already there, ready to start at 8 o'clock in the morning. The person in charge there, Bob Draper - he was born in Alice Springs many years ago and he was caretaker out there - said to me: 'Well, old fella, you're done here'. I said: 'What is wrong now?' He said: 'Maged's got the lot'. He meant Mr Maged Aboutaleb, the ALP candidate. I said: 'Well, break it up'. He said: 'No, he has got the lot'. So I was not very cheerful from then on.

Early next morning, one of the other candidates, Mr Lawrie Hughes, arrived. He is Sergeant of Police in Katherine and he was standing as an independent. We went up to the school and had a look at the mobile polling. As it neared 8 o'clock, we retired. I have a statement from Mr Hughes and all these letters are available to anyone who wants them:

*My full name is Lawrence John Hughes. I reside at 61 Second Street, Katherine. I was a candidate for the Northern Territory elections held in June 1980. I was at Hodgson Downs on polling day. At no time did Mr MacFarlane do anything that was improper. During the voting, he stood some distance from the booth. Most of the time I was standing with him. Aboriginals in the area had been told how to vote and were marshalled to the school yard by Labor supporters. In most cases, they did not take How to Vote cards from anyone except the Labor people. I noticed people I had known for some time did not stay to talk. They seemed to want to get away from the area as soon as they could after voting. I would say that most, if not all, Aboriginals voted Labor at Hodgson Downs. I did not see any ballot papers nor did Mr MacFarlane. The way people voted was only my opinion. It was a similar story to other mobile polling places at Roper Valley, Urapunga and Duck Creek.*

After Hodgson Downs, we went back to Roper Valley and the same thing happened there. Roper Valley is only 25 miles from Moroak. I know most of the people there and they did not want to see me at all. We went round the back of the school and we found Maged reclining in the dust on the scanty lawn surrounded by the Aboriginal people. We joined in and had a bit of a yarn. He told me that he had recommended that I get number 2 on the paper and that he was getting number 1. That was a bit of a gracious gesture on his part.

The next day, we went to Urapunga and my son was a scrutineer for me there. This was written on 24 February and this is what he says:

*I have given a fair amount of thought to your phone call of 2 days ago regarding any malpractice at either Urapunga or Djembere mobile polling booths. I have come to the conclusion, as far as I can see, there was no evidence of this. The population at both centres were very well drilled as to the manner in which to vote and the candidates that they were to vote for, Djembere especially. You yourself were at Urapunga. I will leave that to you and give my views on Djembere. From a scrutineer's point of view, it was faultless. No soliciting of votes within a certain area, no How to Vote cards in the booths etc.*



*I would have protested immediately had there been. When I first arrived at Djembere, almost the entire populace was sitting in a tight circle around Maged about 30 yards from where the booth was being prepared. He was talking to them in a low voice. I could not hear what was being said. They all had his cards and were obviously anxious to vote for him on the strength of his identification with them as a 'fellow black man', a member of the oppressed minority who, with their support, was going to lead them close behind the land rights flag. However, this is only my idea from talking to some of the voters after the booth closed. As I say, I can find no evidence of polling malpractice. His electoral or campaign malpractice may or may not come to light. At least, they will be very hard to substantiate.*

That seems to satisfy Senator Ryan and also the executive officer of Yulnyu Association who made the same allegation. He said: 'How would Mr MacFarlane be privy to the contents of the ballot box at Hodgson Downs on the day of the election?' I suppose I was in good company that day with the sergeant of police. It is only a matter of observation.

On the Tuesday, I went to Roper River and met the Chief Minister. As there was a land claim, the Limmen Bight land claim, in process and some of the people had just come back from the Oenpelli meeting which the Treasurer attended, they were pretty hostile. They gave the Chief Minister a particularly hard time. They did not seem too bad with me but it did not seem much of a place to get any votes, particularly with the land claim there. Mr Justice Toohey and his team were at Urapunga. This is a statement I made that night:

*Yesterday, I went to Bamyili because on Monday I was worried about the Aboriginal vote. At Hodgson Downs and Roper Valley, it appeared that Maged had received almost the entire vote. This was the opinion of Maged also but he assured me I received the number 2 despite his How to Vote card giving this to Mr Davies, and continuing on down the card. At Urapunga on Tuesday, my observer thought I got one vote - that of Ray Fryer, owner - out of 30-odd votes. At Duck Creek the same day, Maged polled very well despite my association with these Aborigines for over 30 years.*

*At Bamyili, I spoke with Hickey Hood, the old man of the community, and gave him How to Vote cards etc. I had noted Maged's presence and he came and spoke with me and Hickey. I mentioned that Dick Ridsdale at Roper settlement had denied Maged's allegations of pulling down Maged's Black Power stickers and conversation got on to the campaign.*

*Maged mentioned to them the Bamyili Road and provision of TV as promises. 'When we get in, we will give them to you, not promises', he said. He then launched into an amazing diatribe speaking directly to Hickey. He accused the CLP government of taking land away from the blacks, of trickery in extending the planning boundaries of Katherine and Darwin, of me chairing the meeting on the riverbank (the one nation, one law). He described how Captain Cook never consulted Aborigines but how the blacks were shot on the banks of the Roper and had to live on damper and salt beef and were not paid. 'Gough Whitlam gave you your land; we will give you your land. Our platform says what we will do'. He said the ALP would fight for them to have their land back and fight for them to find their destiny.*

*I reminded him that Arabs in Egypt did not all have their land and he really erupted. He said the British subjugated Egypt and the Gypo's gave Britain her first defeat. I reminded him of the presence of Israel and he blamed the British, quite rightly, for that too. During this time Maged became most excited and his man Shane came and tried to lead him away.*

Mr B. Collins: Maybe he did not like being called a Gypo.

Mr MacFARLANE: Well, he is an Egyptian.

*I mentioned the Black Power flag on his How to Vote card and he said it was the flag of the Aboriginal people and they are entitled to a flag, not the Northern Territory flag. He denied it was the Black Power flag. After he left I told Hickey again that Maged was trouble, that he wanted trouble, even war, and that we all had to live together. Quite frankly, I was amazed at the venomous racism that spewed from this man's mouth.*

I wrote that and I conveyed it to the Leader of the Opposition on the Wednesday night. He said: 'Look, this is not a Sunday School picnic. Get on with the job'. Of course, he was having a bit of trouble with Shorty Robinson so we could not expect too much.

I wrote to the Chief Electoral Officer on 9 June 1980:

*I request that you inquire into allegations made by Miss Jane Parsons of Nutwood Downs against a candidate for the recent Northern Territory elections in the Legislative Assembly. Miss Parsons is alleged to have told Father Corey, a Roman Catholic minister of Katherine, on Friday 6 June that Aboutaleb, ALP candidate for Elsey electorate, had told Aboriginals on Nutwood Downs that, if they did not vote for him, they would be fined \$2,000 and gaoled for 6 months. I understand a similar occurrence happened at Hodgson River Station.*

If there are any electoral irregularities, I hope people can find them in this lot.

Mr STEELE (Ludmilla): Mr Deputy Speaker, I join in the comments about the 2 departing 'oldies' as I should refer to them. It is always a shame to see the older people leave the Northern Territory when we are so short of them. When I travel south - and I do quite often - I am somewhat surprised to see older people. I guess it is because we live in a community that does not have older people. There is one person who wanted to leave the Northern Territory at a younger age and was unable to do so. They buried him at Corella. Unfortunately, I believe that his tombstone was taken away. This fellow was often referred to as Captain Starlight and I am darned sure he wanted to leave the Territory. He had a reputation of being a cattle duffer or perhaps a poddy dodger - I do not know what he might have been referred to as but I guess a straight thief would have been good enough. Back in those days, fellows like Captain Starlight and perhaps Brady, who was buried a bit further up the track, had the art of lifting livestock from one place to another to suit their own particular fortunes. This practice obviously has not gone away according to the member for Tiwi.

It is a matter of how we come to grips with that particular problem. It is fair to say that part of the legislation that was evolved over the decades

originated back in the horse and buggy times. That is not to say that good, solid officials of the department did not come to grips with the problems as the years progressed and amended the law accordingly. There is one factor that needs to be taken into account. You can introduce as much legislation as you like to into this place but, if it does not work outside, do not waste your breath because all the esoteric utterances under the sun in this place will not fix the practical problems that happen outside. The matter of the movement of stock to shows in the Northern Territory is certainly covered under the Travelling Stock Act - under section 38C.

Last year, there were some 462,000 head of cattle moved in the Northern Territory. Those stock went by railway to Adelaide markets, by road trains into Queensland and elsewhere. They went to 2 or 3 abattoirs in the northern regions of Western Australia. It is fair to say that, if there was any laxness, it was certainly not laxness on the part of stock inspectors whom I have under my control. There might be some problems with amending the law to suit the practical conditions. I would say that the matter of issuing permits for stock travelling long distances has been a problem for a number of years. It is currently being wrestled with by very august bodies such as the various cattlemens associations. It is in their best interests to see that the law is carried out at a high efficiency rate. They have not come up with the answers and it is not clear what direction the government should take in changing the law. As I said before, if you do not have the problem sorted out, do not introduce the legislation.

Turning to stock inspectors stationed at abattoirs, once the cattle are at the meatworks yards, it is a civil matter. If a permit is carried or a weigh bill is carried, that is fair enough. Once the cattle go up the race and are knocked down in the knocking box, it is a civil matter. It is between the owner of the beast, if you are sure of owning it, and the abattoir. It is certainly not a matter for this department or any department. The inspectors on the floors of the abattoirs are there purely for meat inspection purposes.

There is one small matter that I want to raise and it concerns something that planning authorities ought to consider. I refer to some of the roads around Darwin. It seems to me that there is a need to plan ahead for an extension of Goyder Road across to the Darwin High School. It is an idea that I have been toying with for a couple of years now but with the developments that are coming on stream ...

Mrs Lawrie: Not a flyover I hope.

Mr STEELE: I do not know if it would be a flyover. With the construction of the casino and other foreshore developments in the Mindil Beach area - the opening of the museum and the possible development of a marina - there is a need to extend that road through there. I have had this in mind for quite some time but it is obvious I am a lone voice on this. I hope that something is done about it in due course.

I do have a problem with the Planning Authority and perhaps it is one of communication. It seems to me that the Planning Authority takes decisions without adequate advice by road traffic experts. After looking at some of the decisions, I believe that the Planning Authority, particularly because most of the people on it are lay people, should avail itself of quality advice from what is available in the professional ranks to ensure that some of those decisions come out a little bit more in tune with the needs of the ordinary road user.

Mrs LAWRIE (Nightcliff): One of the delights and joys of being a member of this Assembly is the ability to talk to people in the Territory about what their problems and concerns are. As members are aware, we are sworn to work for the good order and peace of the people of the Northern Territory, not necessarily those of Nightcliff, Port Darwin or any other electorate. Consequently, given the controversy surrounding Mt Wells, I took it upon my wicked self to journey to that area some weeks ago and a memorable journey it turned out to be.

From the time I left the Berrimah crossroads - where, the Speaker is wont to say, in the minds of Darwin people, the Territory ends - I was besieged by gougers and small people working in the mining industry who wished to tell me their problems. It is often said that I am simply a member of the opposition and a surrogate member of the ALP, but this is one of the occasions when I came out publicly in print and said that the best thing that could happen for the Mt Wells battery would be for its sale to private enterprise. I know 'private enterprise' might be considered a dirty phrase in some circles. In fact, I am a great proponent of government working in the best interest of the people but it was put to me in very graphic terms that the way in which this government and successive Australian governments had operated Mt Wells advantaged no one and disadvantaged many. Those who were disadvantaged, by and large, were the small-time gougers because of the method of operation of the Mt Wells battery. It operated under public service rules, guidelines and procedures and that is demonstratively ridiculous when dealing with any industry which, for the benefit of the Speaker, takes place past the Berrimah crossroads.

We all know that a pastoral or a tourist industry cannot operate from 8 am to 4.21 pm, nor can a community development or welfare industry. All these things happen around the clock. Certainly, the mining industry cannot operate from 8 am to 4.21 pm if it is to be in any way a viable proposition. I took some pleasure in going into the electorate of the member for Victoria River because I know that he is a friend of the gougers, many of whom had conversations with me. I gained a lot of assistance and pleasure in talking to the member for Victoria River in his own home about the problems of these people. After an invitation, I took it upon myself to see at first hand the problems they were experiencing.

As I stated publicly, a battery, whether it be government or private enterprise, can only run in a manner befitting its entire operation if at least 2 shifts are worked. Because of government restrictions, the battery would start nominally at 8 am and finish at 4.21 pm on the dot. This is demonstrably ridiculous. It was wasteful of public money; it was not putting through the gouger's ore which was being stockpiled because, as all members who have a working knowledge of the industry are aware, a battery is set up to crush certain ores, be it of tin, gold or anything else. It takes time, energy, effort and money to set up the battery for a particular crushing. Therefore, the battery will not be set up until there is sufficient ore to warrant that. The problem was, and is, that the gougers would bring in an amount of ore sufficient to warrant the entire dismantling of the present setting and the starting of another. Therefore, their ore would sit in a holding paddock until such time as that particular kind of ore body warranted crushing. This did them no good and the government no good. It disadvantaged them because they could not receive any money while they were simply awaiting a crushing. Furthermore, there were limitations upon the amount of ore that they could have crushed in one year. This did not encourage enterprise in searching for viable ore bodies and trying to determine the viability of the ore body which they brought to the crusher.

Even more strongly was brought home to me the fact that the procedures for government assays lagged far behind those available to people with the money and the knowledge to go to private assay companies. Apparently, and I must rely on the information given to me, it takes 2 to 3 months to obtain a proper assay report from the government laboratory. Meanwhile, the gouger is out of pocket. He is awaiting returns and the operators of the mill do not know whether or not it is a good proposition to put the ore body through. That is not working in the best interests of the gougers for whom I have the greatest respect and for whom I am making this plea. In his consideration of applications for tenders for the takeover of the Mt Wells battery, I ask the minister to put into effect his statement in this Assembly that those people who have lived and worked and indeed whose entire lives have been as gougers will be respected and that their ore will be processed.

In reply to a question from the member for Sanderson, the minister made a very interesting comment this morning. He said that part of the tender was that the operator of the Mt Wells battery would buy the ore body, not process it. I picked that up particularly and raise it here tonight because that was the point put to me by the gougers. They were not interested in continuing a system whereby they would stockpile their ore and, at some date, it would be put through the battery. They wanted that ore bought on spec by the operator. They would be happy with quick monetary return for their effort.

I have listened with interest to comments from people from the industry, from the gougers and from both sides of the Assembly as to the future of Mt Wells. I must now deliver the coup de grace as to why the government should not operate a battery. Some time ago, the government decided, in its infinite wisdom, that it needed a new crushing mill for Mt Wells. It bought a new mill and installed it at Mt Wells. Ore was put through the mill and the result was less than satisfactory. The crushing procedures were inexplicably lacking. The people were a little concerned. They rang Allis-Chalmers and told the company that its mill was not working. Allis-Chalmers, whose reputation was at stake, flew up a representative to Mt Wells from a southern city. He got out of his jet-propelled conveyance and he said: 'Where are the grain fields?' They had bought a grain mill not an ore mill, because it looked nice in the catalogue.

This is not the way to run a battery. It is, unfortunately, the way that governments tend to operate. I was told this story at the 14-mile and, as I picked myself up off the floor, I said: 'It's a great dinner story but I do not believe you'. When I got to Mt Wells, I heard the story again and again. I checked it out and it is true. Either governments should divorce themselves from normal government procedures and run a battery to its maximum potential or make a conscious decision to hand it over to private enterprise with certain safeguards, paramount amongst which must be the rights and the needs of the gougers of the area. I am well aware that governments are slow to change their procedures, be they federal, state or whatever. On balance, I would think that the best thing that could happen to Mt Wells is for it to be sold with the very clear undertakings - and penalties if those undertakings are not recognised - that the local people who have adopted gouging as their way of life should be able to put through or to sell their ore bodies to the operators with a minimum of fuss and inconvenience to them and at a fair price. My story is not apocryphal; it is true. It grieved me somewhat to bring it forward, but I thought it was too good to miss.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, I wanted to comment on the answer to a question I received this morning from the Minister for Lands and Housing. It is a question of which I had given him some warning. I thank

him for providing an answer. The question was: 'Has a decision been reached as to the allocation of land for the Indo-Pacific Marine aquarium?' Most members will know that Indo-Pacific Marine is an establishment located in Fannie Bay. It is very popular on the tourist circuit in the Northern Territory and it is of recognised scientific and educational value. Unfortunately, it is established in a residential area and it needs to move. It has needed to move for some time. Quite apart from the need for the business to be established on a more suitable site, its continuation in a residential area, as it becomes more popular to tourists, causes problems for nearby residents who find tourist buses parked outside their houses and so forth.

For many years, in fact, the proprietors of this establishment have been having discussions with the land authorities about finding a suitable site. The business has certain requirements and there are not many suitable sites. Eventually, however, an application was made to the Planning Authority for an area of public open-space land to be zoned from O1 to O2 for the purpose of establishing Indo-Pacific Marine. The land applied for was adjacent to the old Fannie Bay Hotel on East Point Road.

The application was heard almost exactly 12 months ago by the Planning Authority. I was present at that hearing and, as I recall, there was no substantial objection, if any at all, to that establishment by interested people, I heard on the grapevine that the recommendations of the Planning Authority to the minister and, through him, to the Executive Council, was that that application should be approved. However, time passed and nothing happened. Twelve months have passed and I have asked the minister questions about it before.

In the interim, the proprietors have been in limbo. They did receive a suggestion that perhaps the facility could be incorporated with the Museums and Art Galleries Board. It is a tribute to the fine work of this organisation and its scientific standing that the Museum and Art Galleries Board is so interested in having a relationship with it. The proprietors were not particularly enthusiastic about this. I understand that negotiations will continue. They will probably have to continue because, in response to the question that I asked the minister this morning, he indicated that indeed a decision had been made. The decision appears to be negative. The Minister for Lands and Housing said: 'There is little we can do to assist Indo-Pacific Marine in a new location for a business venture'. He went on to say how the government has agonised over Indo-Pacific Marine for a long time and recognises its educational and cultural value. He spoke of the proposition that the business liaise with the Museums and Art Galleries Board and said that, nevertheless, it was the type of business which has very questionable viability. That is despite the fact that it has in fact been operating.

The minister also spoke of the question of finance from the Territory Development Corporation which, in my view, is an entirely separate question. In this case, we had an application before the Planning Authority for the rezoning of certain land. The Planning Authority recommended it and one can only gather from the answer to the minister this morning that the government has rejected it. Perhaps if the government indicated that land would become available, then the proprietor might be able to find finance from some other source, apart from the Territory Development Corporation, if that is not available. So I do not think that it is a valid reason for the government to reject that application, if indeed that is what has happened after a considerable delay of 12 months.

In the interim, there has been a very well-publicised proposal before the Planning Authority to rezone another area of public open-space land from O1 to

O2 also with a view to future use as a marine activity. Members will be aware that the member for Stuart Park has an interest in that proposal. That proposal was put before the Planning Authority some months ago. It has since been dealt with. I understand there was a favourable recommendation by the Planning Authority. We have seen quite recently that rezoning gazetted so that land adjacent to Doctor's Gully has been rezoned from O1 to O2 with a view to future use for marine purposes.

If justice were to prevail, the government might now offer that land near Doctor's Gully to Indo-Pacific Marine which is an existing establishment recognised, as the Minister for Lands and Housing said, for its educational and cultural value. It is recognised by the Museums and Art Galleries Board for its scientific value. I doubt that that will happen but, still the land has not been offered to anyone as yet. We do have a difficult situation. We have, on the one hand, one established business recognised by the government and in need of land because it is currently operating in an area contrary to the Town Planning Act. An application goes to the Planning Authority to rezone the appropriate land from O1 to O2 with a view to making it available for this marine activity. It is recommended by the authority, 12 months pass and we find from the minister today that, apparently, it is going to be rejected. On the other hand, we have a situation where there is no established business and no more evidence of economic viability, to use the minister's terms, than the activity which is currently operating. An application was made to the Planning Authority at the end of last year for rezoning from O1 to O2 with a view to making the land available for a marine activity. That approval was granted and the rezoning took place.

It can only be considered unjust and unfair and certainly incredible from a government which claims to support private enterprise that this valuable business in the community is apparently not going to be able to get land when it appears that other public land may be made available to a business that does not exist.

I would like to indicate my great concern that this has happened. It is unjust if, as the minister indicated in his reply, land cannot be made available for this valuable concern in Darwin when land is being made available in similar circumstances to other applicants.

Mr PERRON (Stuart Park): Mr Speaker, I will touch on another subject first before just touching on matters raised by the member for Fannie Bay.

I am in a position to make a brief announcement about an inquiry announced about a year ago into the performing arts and the Arts Advisory Council. I have written to applicants to the Arts Advisory Council and I was reluctant to give advice to the Assembly earlier during the sittings because of that. From my investigations into the arts portfolio prior to my taking it up, it seems that a proposal was approved in about January 1980 to have an inquiry into the performing arts in Darwin. At the time, it seemed that there was some turmoil in the local performing arts scene as individuals and groups were presenting widely diverging views on what the government should do. I believe that is putting it mildly but that is just my style.

A panel was approved to inquire into the subject and advertisements were put in the papers for submissions. The first meeting of the panel of inquiry was set down for 23 March but failed to take place. Two further attempts to convene the panel were unsuccessful and no action has been taken since. It seems to me that the panel was truly representative of those people of widely diverging views because it seems that they may not have wanted to meet with each other. However, during the past 12 months, it was also decided by the

former minister that he should establish an Arts Advisory Council which, to some degree, would take over the role of the former committee and generally advise the minister on matters pertaining to the arts as they arose from time to time.

Applications were invited from persons wishing to be members of the Arts Advisory Council. Since assuming the portfolio responsibilities for the arts in July last year, I have not appointed anyone to the Arts Advisory Council mainly because I had other priorities and wanted to look at this question of the arts a little more closely before making a decision and establishing an authority which, in fact, would be advising me as minister. Rather than just set it up because it was on its way to being set up, I preferred to see something set up that was going to be used properly.

At this stage of the Territory's development and as we can establish either a full arts advisory council, as was originally envisaged, or ad hoc groups to seek their advice on various matters from time to time - and no doubt, when the performing arts and cultural centre gets started in Darwin, there will be a need for such a group to meet and advise government and discuss who should run the show and so on - I have decided not to go ahead with the appointment of the Arts Advisory Council. As I said, I do not want to establish a body just because it was proposed and then look around for something to refer to it to advise me on. I think that is the wrong way of going about it. It costs money to establish these councils. They usually have representatives from throughout the Territory. When one is set up, it certainly should have such representation. But there is no point in spending the money and bringing people together if they have got to sit down and then decide amongst themselves what they should really do to justify their existence. I thought members would appreciate being advised of that.

I am clearly in a somewhat sensitive position over Indo-Pacific Marine because it can be seen that I could have a vested interest in this matter. As a result of that, I have deliberately, both within government and without, generally steered clear of commenting on the matter or deliberating on decisions relating thereto. There is a lot I could say on this subject and there is a lot that has not been said by the member for Fannie Bay about the application. I will leave some matters to be touched on by the Minister for Lands and Housing, should he feel inclined to do so.

I would like to point out that there is quite a difference between a direct land grant, such as was applied for by Indo-Pacific Marine for some land at East Point, and the application for an extension of boundaries by my wife and I, owners of a special purposes lease which, despite a lot of disbelief, was quite transferable to any person in the Northern Territory who could have negotiated to purchase from the former owner. I expect that, after it is all over, I will have the opportunity to speak to the Assembly and set the record straight on that matter too. I would like to point out now that there is a very real difference between the consideration of an application for a direct land grant, which involves a rezoning and certain requirements from the applicant - they have all been treated the same way to my knowledge - and an application under the much older system, which is probably almost as old as our land legislation itself, whereby persons with existing leases can apply for an amendment to the boundaries and lease adjoining areas. A successful application usually involves the surrender of the lease and the re-issue of a new one. There is very real differences between those types of application.

Mr Deputy Speaker, I will leave it at that. There has been an enormous amount of misrepresentation on this matter to date and I will have an opportunity in the future to set the record straight.



Mr D.W. COLLINS (Alice Springs): Mr Speaker, I would like to take this opportunity to make a few comments about the process known as peer assessment. Peer assessment is a method of assessing people in the Commonwealth Teaching Service for 2 purposes: for permanency in the service and for assessing an officer as to whether he should be eligible to apply for promotion. The question is just how effective and efficient is this process.

The theory is excellent. I will explain it in simple terms. The assessing panel of teachers will have to work with the people whom they allow to become permanent officers and they have to work under those people whom they promote. As a result of this, they will be truly professional, they will be guided by the facts, they will be impersonal, they will have the students' welfare in mind, they will have the quality of the teaching service in mind and will aim at improving the standard of people who gain promotion.

The question of probation generally involves novice teachers and experienced teachers. A novice teacher is generally on 12 months probation and an experienced teacher is generally on about 6 months probation. The probation panel consists of 3 people: the chairman, the supervising teacher and a peer member. They have to meet a minimum of 3 times over the probation period. If the candidate is shaping up well, there is very little work that they have to do. In the end, they tick the boxes of a form and sign it. The person becomes a permanent member of the staff.

Since this afternoon has been a time for telling stories, I am reminded of a story about just how permanent permanency is. It is reputed that a reasonably senior officer in the department once said that the only way to get rid of an inefficient officer was on the grounds of gross indecency. When pressed about what he meant by 'indecency', he said: 'I would say having sex with a student'. The fellow said: 'Well, what about gross indecency?' He said: 'That is having sex 144 times'.

If the panel sees that the officer is not shaping up, it has to write a report after every meeting and submit it to the officer. It explains what they are not happy about and what they would like to see by the next meeting. That, of course, leads to tensions. Many people do not like that sort of tension. If you have a situation where the candidate starts to threaten legal action, one realises that one must be very careful to have the facts accurate in the reports. One has to cross-examine witnesses at great length and any thinking person would have to do a fair bit of conscience searching to ensure he is being very fair. Add to that outside pressure - I heard of some heavies in a particular school leaning on a member of the panel - and one has a very trying and tedious situation which is time-consuming. The mental strain is terrific and the effects on teaching are such that they make the quality of the teaching poorer and the students are the ones who suffer. Many people would prefer to have the quiet life. They let their friendships colour their views and they find it far easier to tick the boxes.

There is a panel of 3 members to deal with eligibility for promotion: a chairman, a supervising teacher and a peer member. The candidate has to write a document on himself and blow his bags about how good he is. That is something which many people cannot take kindly to. They find it rather difficult but it is a part of the system. The panel also meets with the candidate frequently and writes a report on the candidate. I might point out that the panel is not permitted to state in the report that it does or does not recommend that the person obtains eligibility. That has to be inferred.

These 2 documents go to a selection panel. In most cases, the candidate is unknown to the panel. It has to decide whether he should have this

eligibility. This is a very subjective process. Much depends upon the mood of the panel, the time of the day and how many other reports it has had to wade through. It even depends upon the numbers allowed. There is what is called a master teacher. One year, quite a lot of people were given master teacher eligibility and became master teachers. They received a Band 2 salary as a result. The next year very few were given eligibility even though many people tried for it. Finally, and very importantly, it depends upon the writing ability of the candidate himself and upon the panel who wrote the report on him.

I would like to give a few details of the practice of peer assessment. I have had a fair bit of experience. I was involved in the system when it was first introduced in 1973. I have been a candidate on 2 or 3 occasions. I have been both successful and unsuccessful in those applications. I have been the chairman, I have been the supervising teacher and I have been the peer member. I consider I have had a fair range of experience in this particular field.

Back in 1973, I applied for a Band 3 position and I failed to get that position. The panel report was an excellent report. It was very kind. It gave me something to aim for. The chief writer in that particular report was someone whom I had a tremendous regard for. As a teacher, he was very firm. A lot of people thought him hard. But he was the sort of bloke who knew every kid by name in a school of 700 and there are not many people with that sort of dedication to the job. I valued his report. Many excellent things were said, although some were stretching things a little. But at least I had something to aim for. There was one minor weakness. Compared with the many good things, it was a very minor point. When I was knocked back on that particular assessment, one miserable little weakness was picked as a reason. No one should get promotion. It was as simple as that.

The same thing occurred to many other officers who applied from that particular school that year. Minor weaknesses were picked up and that was the reason for failure. This set a pattern. Maybe we were naive in that particular school by trying to be a little bit honest. It virtually meant that, when a panel met with a candidate, it had already decided whether to recommend that he should go for assessment or that he should not go for assessment. If the answer was yes, then the procedure was to say only positive things about that particular officer. One did not dare mention any weakness that he might have had. I do not care who it is - nobody is perfect. We have all got some weaknesses. But they were not mentioned because that would virtually damn the bloke before he got through. That was the problem; a very difficult problem. The selection panel's job must become extremely difficult.

The Teaching Service Bill talks about the commissioner implementing methods of promotion to preclude patronage, favouritism and unjustified discrimination. I heartily commend that and I hope that, as far as humanly possible, he will be able to do so. One comment on peer assessment which I like is: you peer in my pocket and I'll peer in yours. People get rather friendly on these things. They tend to look after one another and objectivity goes out the window.

From my observations, people who do not rock the boat tend to get the support. I have seen people whom I have considered to be lazy. Some are continually late to lessons and show by their actions that they do not care about the students. They are out of their classroom frequently and just leave the kids to their own devices. I heard of one memorable case where a fellow was on sick leave for 4 days. It was discovered that he was brick-laying for a fellow who was doing some building. People who show no interest in doing any extra-curricular activity with the students or helping them with lessons

after hours often seem to be promoted because they do not rock the boat. On the other hand, I have seen energetic teachers, people who are prepared to set a standard of work and behaviour. This leads occasionally to confrontations with students. Since the limits of an ordinary teacher's disciplinary powers are small, it will mean that a teacher will have to take the student to someone who has more authority. That is often interpreted as rocking the boat and is frowned upon. These people often do not receive the support later on. It is all around the wrong way.

One anomaly was brought to my attention a few days ago. A particular officer was being discussed. This man said: 'I was on his panel. He should not have gained eligibility'. I realise he was only 1 out of 3 on that particular panel but it is very strange. If the man should not have received eligibility, that should have been quite clear in the report. If you do not want to offend, you write a middle-of-the-road report and hope that the selection panel will turn him down. This one backfired and this person was regretting that particular result.

The time an officer spends on writing his own report is very important. In 1973, I was teaching matriculation physics and leaving maths. It was a pretty busy time for me with the kids' exams coming up. I rattled off a report on myself. Two years later, when I went for promotion again and looked at it again, I was shocked and horrified by what I had written. I realised that, although I understood what I was saying, anybody else who did not know the situation would not have had a clue. If I had been on a selection panel, I would have knocked myself back on that alone. It would have been a very acceptable reason but it was not the reason that it gave. My advice to anyone in this position is to do the best by yourself. You are number 1 and the kids come in second. I know one memorable case where a fellow wrote 40 typewritten pages on himself.

Motion agreed to; the Assembly adjourned.

ADJOURNMENT

Aboriginal -  
    education 827  
    employment schemes 629, 631, 733, 741, 820, 827  
    five-year plan, funding 622, 633, 636, 638, 734, 742, 821, 827  
Adams, Clyde, retirement 697  
Agricultural Development and Marketing Authority 622  
Alcoa company, Jarrahdale 700  
Arts Advisory Council 837  
Break-ins in central business district 729  
Campbell, Norm, retirement 564  
Carriage of stock on highways 822, 832  
Casuarina Hospital, specialist clinics 565  
Cattle duffing 822, 832  
Commonwealth Parliamentary Association 829  
Community Health Centres 570, 574, 731, 745, 824, 827  
Daly River road to Port Keats 571, 731, 737  
Dangerous animals 575  
Detoxification centre 570, 574, 825  
Dingoes 569, 575, 621  
Dollar-for-dollar subsidies for schools 731  
Education Department -  
    employment application of former teacher 626, 634  
    peer assessment 839  
Elsey electorate, allegations of electoral malpractices 830  
Footpaths -  
    Fannie Bay electorate 730  
    Port Darwin electorate 728  
Ford, Harold Martin, retirement 817, 820, 826  
Gibb Committee Report 635  
Goyder Road, proposed extension 833  
Hampton, Ted, remarks in NT News 742  
Holcroft inquiry into domestic airfares 703  
Howard Springs Community Health Centre 731  
Indo-Pacific Marine, application for land rezoning 836, 838  
Katherine -  
    employment of Mr De La Coeur 737, 745  
    Kalano Association 738  
Malak, opposition by citizens to rezoning of land 739  
Marina for Vestey's Beach 730  
Member for Arnhem -  
    criticism of 626, 631  
    reasons for changing residence 744  
Member for MacDonnell, notice of resignation 693, 695, 697, 699  
Member's son, shooting accident 628  
Metroliners 623  
Mines and Energy Department, Morgan Gallup poll 566, 573  
Minister for Mines and Energy, move to Darwin 743, 745  
Mt Wells Battery 834  
Museums and Art Galleries acquisitions 741  
Nationwide program on Aboriginal employment 629, 631, 733, 741  
Naval Patrol Boat Base at Larrakeyah 819  
Nhulunbuy, government interest 574, 697  
Northern Airlines 623, 696, 741, 742  
Nude painting 620  
Numbulwar housing shortage 739  
Rural area -  
    condition of roads 621  
    health services 628

Sanders, Don, departure from Darwin 818  
Scottish kilt, customs duty 733, 742  
Sniffing of glue by children 740  
Street lighting in residential areas 728, 740  
The Northern Territory News, report on debate 564  
Tourist Commission slogan 828  
Tropical fruits, nuts and vegetables project 622  
Upgrading airstrips in remote areas 623, 632, 634, 743  
Waderr, spelling 572  
Willeroo Station, request for government to purchase 702

#### BILLS

Administrators Pensions (Serial 83) 766  
Appropriation (No. 2) (Serial 64) 579, 794  
Building Societies (Serial 88) 785  
Chiropractic (Serial 37) 597  
Cobourg Peninsula Aboriginal Land and Sanctuary (Serial 86) 762  
Commercial and Private Agents Licensing Amendment (Serial 50) 683, 719  
Companies (Trustees and Personal Representatives) (Serial 49) 676  
Consumer Protection Amendment (Serial 31) 639  
Control of Roads Amendment (Serial 82) 754  
Crimes Compensation (Serial 59) 640  
Douglas River Agricultural Area Acquisition (Serial 89) 767  
Education Amendment (Serial 30) 775  
Egg Industry Management (Serial 80) 764  
Fish and Fisheries Amendment (Serial 51) 684, 723, 776  
Foreign Judgments (Reciprocal Enforcement) Amendment (Serial 53) 687  
Hotel-keepers (Serial 66) 754  
Housing Amendment (Serial 72) 705  
Industries Training Amendment (Serial 32) 585  
Jabiru Town Development Amendment (Serial 90) 765  
Law Officers Amendment (Serial 40) 606  
Legal Practitioners Amendment (Serial 77) 753  
Legislative Assembly (Register of Members' Interest) (Serial 36) 781  
Liquor Amendment (Serial 42) 608, 726, 777  
Loans Redemption Fund (Serial 69) 754  
Local Courts Act (No. 2) 1979 Amendment (Serial 48) 675  
Local Government Amendment (Serial 46) 660, 721  
Lottery and Gaming Amendment (Serial 65) 752  
Mines Safety Control Amendment (Serial 2) 763  
Mining Act 1980 Amendment (Serial 84) 766  
Mining Assistance Amendment (Serial 3) 763  
Notifiable Diseases (Serial 56) 689, 724  
Nursing Amendment (Serial 34) 589  
Oaths Amendment (Serial 41) 606, 719  
Ombudsman (Northern Territory) Amendment (Serial 63) 757  
Palmerston Development Authority (Serial 91) 760  
Parole Orders (Transfer) (Serial 68) 582  
Petroleum (Prospecting and Mining) Amendment (Serial 81) 756  
Petroleum (Submerged Lands) (Serial 87) 758  
Police Administration Amendment (Serial 43) 611  
Ports Amendment (Serial 58) 706  
Private Hospitals and Nursing Homes (Serial 47) 666, 720  
Public Trustee Amendment (Serial 78) 760  
Real Property Amendment (Serial 73) 705  
Remuneration Tribunal (Serial 39) 604  
Road Safety Council Amendment (Serial 92) 784  
Statute Law Revision (Serial 57) 692

Statute Law Revision (Serial 85) 770  
Stock Diseases Amendment (Serial 54) 688  
Stock Routes and Travelling Stock Amendment (Serial 74) 705  
Summary Offences Act (No. 4) 1979 Amendment (Serial 38) 583  
Teaching Service (Serial 20) 545, 770  
Traffic Amendment (Serial 35) 639  
Traffic Amendment (Serial 44) 561, 583  
Trustee Amendment (Serial 79) 751  
Unit Titles Amendment (Serial 75) 705  
Uranium Mining (Environment Control) (Serial 5) 763

DEATH OF FORMER MEMBER

Mr W.S. Flynn 518

DISTINGUISHED VISITORS

Hon. W.C. and Mrs Wentworth 577

MESSAGES FROM ADMINISTRATOR

No. 2 Appropriation Bill (No. 2) 515  
No. 3 Administrators Pensions Bill 766

MOTIONS

Censure, collapse of Northern Airlines 519  
Condolence, Mr A.G.W. Greatorrex 515  
Draft Criminal Code 794  
Expenditure committee 642  
Fisheries policy for the NT 579  
Pastoral land tenure in NT report 750  
Primary and Secondary Education in NT, Green Paper 749  
Rescind motion, Stock Diseases Amendment Bill 752  
Subordinate Legislation and Tabled Papers Committee -  
    appoint Mrs O'Neil 748  
    note first report 544  
Tourism promotion mission, report 748

PERSONAL EXPLANATION

Mr Everingham 544

PETITIONS

Community Health Service staff 747, 747, 748  
White Gums Road, Alice Springs 747

RESCISSION OF MOTION

Stock Diseases Amendment Bill 752

REPLY TO MESSAGE OF LOYALTY 515

REPORTS

Pastoral Land Tenure in NT 750  
Primary and Secondary Education in NT, Green Paper 749  
Subordinate Legislation and Tabled Papers Committee, first report 544  
Tourism promotion mission 748

STATEMENTS

Draft Criminal Code 787  
Earthquake in Greece 705  
Fisheries policy for the NT 577

COLLINS B.

ADJOURNMENT

Aboriginal -  
    education 827  
    employment schemes 827  
    five-year plan, funding 622, 742, 827  
Commonwealth Parliamentary Association 829  
Community Health Centres 745, 827  
Ford, Harold Martin, retirement 826  
Member for Arnhem, reasons for changing residence 744  
Member for MacDonnell, notice of resignation 699  
Metroliners 623  
Mines and Energy Department, Morgan Gallup poll 566  
Minister for Mines and Energy, move to Darwin 743  
Northern Airlines 623, 742  
Scottish kilt, customs duty 742  
Tourist Commission slogan 828  
Upgrading airstrips in remote areas 623, 743

BILLS

Appropriation (No. 2) (Serial 64) 805, 812  
Chiropractic (Serial 37) 597  
Education Amendment (Serial 30) 775  
Industries Training Amendment (Serial 32) 585  
Notifiable Diseases (Serial 56) 689, 726  
Nursing Amendment (Serial 34) 589, 596  
Private Hospitals and Nursing Homes (Serial 47) 666  
Teaching Service (Serial 20) 545

MOTIONS

Censure, collapse of Northern Airlines 526  
Expenditure committee 649

COLLINS D.W.

ADJOURNMENT

Education Department, peer assessment 839

BILLS

Appropriation (No. 2) (Serial 64) 802  
Industries Training Amendment (Serial 32) 587  
Private Hospitals and Nursing Homes (Serial 47) 673  
Teaching Service (Serial 20) 551

PETITION

White Gums Road, Alice Springs 747

DONDAS N.

ADJOURNMENT

Daly River road to Port Keats 731

BILLS

Appropriation (No. 2) (Serial 64) 815  
Control of Roads Amendment (Serial 82) 753  
Ports Amendment (Serial 58) 717  
Road Safety Council Amendment (Serial 92) 784  
Traffic Amendment (Serial 44) 583

MOTION

Censure, collapse of Northern Airlines 531

DOOLAN J.K.R.

ADJOURNMENT

Aboriginal -

employment schemes 629, 733, 820

five-year plan, funding 734, 821

Daly River road to Port Keats 571, 737

Ford, Harold Martin, retirement 820

Member's son, shooting accident 628

Nationwide program on Aboriginal employment 629, 733

Rural area, health services 628

Waderr, spelling 572

BILLS

Fish and Fisheries Amendment (Serial 51) 684

Liquor Amendment (Serial 42) 609

Notifiable Diseases (Serial 56) 690

Nursing Amendment (Serial 34) 590

Stock Diseases Amendment (Serial 54) 688

D'ROZARIO J.

ADJOURNMENT

Holcroft inquiry into domestic airfares 703

Malak, opposition by citizens to rezoning of land 739

Sniffing of glue by children 740

Street lighting in residential areas 740

BILLS

Appropriation (No. 2) (Serial 64) 799, 814

Local Government Amendment (Serial 46) 661

Ports Amendment (Serial 58) 706

Private Hospitals and Nursing Homes (Serial 47) 674

Traffic Amendment (Serial 44) 561

MOTIONS

Censure, collapse of Northern Airlines 519

Expenditure committee 653

EVERINGHAM P.A.E.

ADJOURNMENT

Aboriginal, employment schemes 631, 741

Adams, Clyde, retirement 697

Campbell, Norm, retirement 564

Hampton, Ted, remarks in NT News 742

Member for Arnhem, criticism of 631

Member for MacDonnell, notice of resignation 697

Museums and Art Galleries Board, acquisitions 741

Nationwide program on Aboriginal employment 631, 741

Nhulunbuy, government interest 697

Northern Airlines 741

Upgrading airstrips in remote areas 632



INDEX TO MEMBERS' SPEECHES  
24 February - 4 March 1981

---

BILLS

Administrators Pensions (Serial 83) 767  
Building Societies (Serial 88) 785  
Cobourg Peninsula Aboriginal Land and Sanctuary (Serial 86) 762  
Commercial and Private Agents Licensing Amendment (Serial 50) 684, 719  
Companies (Trustees and Personal Representatives) (Serial 49) 679, 680  
Hotel-keepers (Serial 66) 754  
Jabiru Town Development Amendment (Serial 90) 765  
Legal Practitioners Amendment (Serial 77) 753  
Legislative Assembly (Register of Members' Interest) (Serial 36) 784  
Local Courts Act (No. 2) 1979 Amendment (Serial 48) 676  
Local Government Amendment (Serial 46) 722  
Nursing Amendment (Serial 34) 593  
Oaths Amendment (Serial 41) 719  
Ombudsman (Northern Territory) Amendment (Serial 63) 757  
Parole Orders (Transfer) (Serial 68) 582  
Police Administration Amendment (Serial 43) 617, 619  
Ports Amendment (Serial 58) 717  
Public Trustee Amendment (Serial 78) 760  
Statute Law Revision (Serial 57) 692  
Statute Law Revision (Serial 85) 770  
Stock Diseases Amendment (Serial 54) 688  
Summary Offences Act (No. 4) 1979 Amendment (Serial 38) 585  
Trustee Amendment (Serial 79) 751

DEATH OF FORMER MEMBER

Mr W.S. Flynn 518

MESSAGE FROM ADMINISTRATOR

No. 3 Administrators Pensions Bill 766

MOTIONS

Censure, collapse of Northern Airlines 523  
Condolence, Mr A.G.W. Greatorox 515  
Draft Criminal Code 794

PERSONAL EXPLANATION 544

STATEMENTS

Draft Criminal Code 787  
Earthquake in Greece 705

HARRIS T.

ADJOURNMENT

Break-ins in central business district 729  
Footpaths, Port Darwin electorate 728  
Naval Patrol Boat Base at Larrakeyah 819  
Street lighting in residential areas 728

BILLS

Companies (Trustees and Personal Representatives) (Serial 49) 677  
Fish and Fisheries Amendment (Serial 51) 686  
Ports Amendment (Serial 58) 707  
Private Hospitals and Nursing Homes (Serial 47) 670  
Teaching Service (Serial 20) 557

MOTION

Subordinate Legislation and Tabled Papers Committee, note first report 544

PETITION

Community Health Service staff 747

ISAACS J.M.

ADJOURNMENT

Aboriginal, five-year plan, funding 633  
Education Department, employment application of former teacher 634  
Gibb Committee Report 635  
Member for MacDonnell, notice of resignation 695  
Northern Airlines 696  
Upgrading airstrips in remote areas 634

BILLS

Appropriation (No. 2) (Serial 64) 794, 812  
Commercial and Private Agents Licensing Amendment (Serial 50) 683  
Companies (Trustees and Personal Representatives) (Serial 49) 676, 682  
Crimes Compensation (Serial 59) 640  
Foreign Judgments (Reciprocal Enforcement) Amendment (Serial 53) 687  
Law Officers Amendment (Serial 40) 606  
Legislative Assembly (Register of Members' Interest) (Serial 36) 781  
Liquor Amendment (Serial 42) 608, 777  
Local Courts Act (No. 2) 1979 Amendment (Serial 48) 675  
Local Government Amendment (Serial 46) 722  
Oaths Amendment (Serial 41) 606  
Police Administration Amendment (Serial 43) 614, 619  
Ports Amendment (Serial 58) 714  
Remuneration Tribunal (Serial 39) 604  
Statute Law Revision (Serial 57) 692  
Summary Offences Act (No. 4) 1979 Amendment (Serial 38) 583  
Teaching Service (Serial 20) 556, 772

MOTIONS

Censure, collapse of Northern Airlines 538  
Condolence, Mr A.G.W. Greatorex 516  
Expenditure committee 642, 658  
Subordinate Legislation and Tabled Papers Committee, appoint Mrs O'Neil 748

STATEMENT

Earthquake in Greece 705

LAWRIE A.D.

ADJOURNMENT

Casuarina Hospital, specialist clinics 565  
Mt Wells Battery 834  
Nude painting 620  
The Northern Territory News, report on debate 564

BILLS

Fish and Fisheries Amendment (Serial 51) 685  
Industries Training Amendment (Serial 32) 587  
Liquor Amendment (Serial 42) 610, 779  
Nursing Amendment (Serial 34) 592  
Oaths Amendment (Serial 41) 608  
Ports Amendment (Serial 58) 710  
Private Hospitals and Nursing Homes (Serial 47) 672  
Summary Offences Act (No. 4) 1979 Amendment (Serial 38) 584

MOTIONS

Condolence, Mr A.G.W. Greatorex 516  
Expenditure committee 652

PETITION

Community Health Service staff 748

LEO D.M.

ADJOURNMENT

Nhulunbuy, government interest 574

BILLS

Police Administration Amendment (Serial 43) 611, 618

MacFARLANE J.L.S.

ADJOURNMENT

Elsey electorate, allegations of electoral malpractices 830  
Katherine -  
    employment of Mr De La Coeur 737  
    Kalano Association 738  
Numbulwar housing shortage 739  
Willeroo Station, request for government to purchase 702

DEATH OF FORMER MEMBER

Mr W.S. Flynn 518

DISTINGUISHED VISITORS

Hon. W.C. and Mrs Wentworth 577

MESSAGES FROM ADMINISTRATOR

No. 2 Appropriation Bill (No. 2) 515  
No. 3 Administrators Pensions Bill 766

MOTION

Condolence, Mr A.G.W. Greatorex 517

REPLY TO MESSAGE OF LOYALTY 515

O'NEIL P.F.

ADJOURNMENT

Dollar-for-dollar subsidies for schools 731  
Footpaths, Fannie Bay electorate 730  
Indo-Pacific Marine, application for land rezoning 836  
Marina for Vestests Beach 730

BILLS

Appropriation (No. 2) (Serial 64) 797  
Consumer Protection Amendment (Serial 31) 639  
Liquor Amendment (Serial 42) 777  
Local Government Amendment (Serial 46) 663  
Nursing Amendment (Serial 34) 591  
Teaching Service (Serial 20) 559  
Traffic Amendment (Serial 35) 639

MOTION

Expenditure committee 647

PADGHAM-PURICH C.N.

ADJOURNMENT

Alcoa company, Jarrahdale 700  
Carriage of stock on highways 822  
Cattle duffing 822  
Community Health Centres 570, 731  
Detoxification centre 570  
Dingoes 569, 621  
Howard Springs Community Health Centre 731  
Member for MacDonnell, notice of resignation 699  
Rural area, condition of roads 621  
Scottish kilt, customs duty 733

BILLS

Liquor Amendment (Serial 42) 726  
Local Government Amendment (Serial 46) 722  
Police Administration Amendment (Serial 43) 613  
Stock Diseases Amendment (Serial 54) 688  
Traffic Amendment (Serial 44) 562

PETITION

Community Health Service staff 747

PERKINS N.G.

ADJOURNMENT

Member for MacDonnell, notice of resignation 693

BILL

Local Government Amendment (Serial 46) 660

PERRON M.B.

ADJOURNMENT

Aboriginal, five-year plan, funding 636  
Arts Advisory Council 837  
Indo-Pacific Marine, application for land rezoning 838

BILLS

Appropriation (No. 2) (Serial 64) 579, 809, 812  
Loans Redemption Fund (Serial 69) 754  
Local Government Amendment (Serial 46) 664, 721, 722  
Lottery and Gaming Amendment (Serial 65) 752  
Ports Amendment (Serial 58) 712  
Remuneration Tribunal (Serial 39) 605

MOTIONS

Censure, collapse of Northern Airlines 541  
Expenditure committee 644

ROBERTSON J.M.

ADJOURNMENT

Education Department, employment application of former teacher 626

INDEX TO MEMBERS' SPEECHES  
24 February - 4 March 1981

---

Ford, Harold Martin, retirement 817  
Katherine, employment of Mr De La Coeur 745  
Member for Arnhem, criticism of 626  
Minister for Mines and Energy, move to Darwin 745  
Sanders, Don, departure from Darwin 818

BILLS

Appropriation (No. 2) (Serial 64) 813  
Douglas River Agricultural Area Acquisition (Serial 89) 767  
Housing Amendment (Serial 72) 705  
Industries Training Amendment (Serial 32) 588  
Liquor Amendment (Serial 42) 780  
Palmerston Development Authority (Serial 91) 761  
Police Administration Amendment (Serial 43) 615  
Real Property Amendment (Serial 73) 705  
Stock Routes and Travelling Stock Amendment (Serial 74) 705  
Teaching Service (Serial 20) 559, 770  
Unit Titles Amendment (Serial 75) 705

MOTIONS

Expenditure committee 655  
Pastoral land tenure in NT report 750  
Primary and Secondary Education in NT, Green Paper 749  
Rescind motion, Stock Diseases Amendment Bill 752  
Subordinate Legislation and Tabled Papers Committee, appoint Mrs O'Neil 748

REPORTS

Pastoral Land Tenure in NT 750  
Primary and Secondary Education in NT, Green Paper 749

STEELE R.M.

ADJOURNMENT

Carriage of stock on highways 832  
Cattle duffing 832  
Dangerous animals 575  
Dingoes 575  
Goyder Road, proposed extension 833  
Tropical fruits, nuts and vegetables project 622

BILLS

Egg Industry Management (Serial 80) 764  
Fish and Fisheries Amendment (Serial 51) 723, 776  
Ports Amendment (Serial 58) 715  
Remuneration Tribunal (Serial 39) 606  
Summary Offences Act (No. 4) 1979 Amendment (Serial 38) 584  
Traffic Amendment (Serial 44) 562

MOTION

Tourism promotion mission, report 748

REPORT

Tourism promotion mission 748

STATEMENT

Fisheries policy for the NT 577

TUXWORTH I.L.

ADJOURNMENT

Aboriginal, five-year plan, funding 638  
Community Health Centres 574, 824  
Detoxification centre 574, 825  
Mines and Energy Department, Morgan Gallup poll 573

BILLS

Liquor Amendment (Serial 42) 727, 777  
Mines Safety Control Amendment (Serial 2) 763  
Mining Act 1980 Amendment (Serial 84) 766  
Mining Assistance Amendment (Serial 3) 763  
Notifiable Diseases (Serial 56) 724  
Nursing Amendment (Serial 34) 594  
Petroleum (Prospecting and Mining) Amendment (Serial 81) 756  
Petroleum (Submerged Lands) (Serial 87) 758  
Private Hospitals and Nursing Homes (Serial 47) 720  
Uranium Mining (Environment Control) (Serial 5) 763

MOTIONS

Condolence, Mr A.G.W. Greatorrex 516  
Expenditure committee 657

VALE R.W.S.

MOTION

Condolence, Mr A.G.W. Greatorrex 517