

PART III

THE MINUTES OF PROCEEDINGS

Minutes of Proceedings
OF THE
LEGISLATIVE ASSEMBLY

No. 10

Tuesday 24 February 1981

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1. The Assembly met at 10.00 a.m., pursuant to resolution - Mr Speaker MacFarlane took the Chair.
 2. MESSAGE FROM ADMINISTRATOR: Mr Speaker read the following message from His Honour the Administrator:

Message No. 2

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 Consolidated 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 twenty-third day of February 1981.

(Sgd) E.E. JOHNSTON
Administrator

3. LETTER FROM ADMINISTRATOR - ADDRESS IN REPLY: Mr Speaker informed the Assembly that he had received, through the office of His Honour the Administrator, the following 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."

4. MOTION OF CONDOLENCE - Mr A.G.W. GREATOREX, AM, OBE, MC, JP: Mr Everingham (Chief Minister) referred to the death on 26 January 1981 of Mr A.G.W. Greatorex and moved -

That this Assembly expresses its deep regret at the death, on the night of 26 January 1981, of Anthony George Worsley Greatorex, AM, OBE, MC, JP, a Member of the Legislative Council 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 five years of his service; places on record its appreciation of his distinguished service to the Legislative Council and to the people of the Territory; and tenders its profound sympathy to his family.

Mr Isaacs having seconded the motion and Mrs Lawrie, Mr Tuxworth and Mr Vale having addressed the Assembly in support thereof, Mr Speaker associated himself with the motion.

All members having risen in their places in silence -

Question passed.

5. DEATH OF FORMER MEMBER - Mr W.S. FLYNN: Mr Speaker informed the Assembly of the death of Mr W.S. Flynn, an official member of the first Legislative Council for the Northern Territory.

Mr Everingham having addressed the Assembly and Mr Speaker having associated himself with Mr Everingham's remarks -

All members rose in their places in silence as a tribute to the former member.

6. NOTICES: The following notices were given:

Mr Everingham: To present the Parole Orders (Transfer) Bill 1981 (Serial 68).

Miss D'Rozario: To move -

That this Assembly censures the government of the Territory for its failure to take positive action to prevent the collapse of Northern Airlines.

Mr Isaacs: To 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 five members, three of whom will be nominated by the Chief Minister and two 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 sub-committees consisting of three or more of its members, and shall appoint the Chairman of each sub-committee who shall have a casting vote only, and refer to any such sub-committee any matter which the committee is empowered to examine.
 8. A majority of the members of a sub-committee constitute a quorum of that sub-committee.
 9. Members of the committee who are not members of a sub-committee may take part in the public proceedings of that sub-committee but shall not vote or move any motion or constitute a quorum.
 10. The committee or any sub-committee 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 sub-committee 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 sub-committee have power to authorize 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.
7. CENSURE MOTION - COLLAPSE OF NORTHERN AIRLINES: Mr Robertson (Minister for Education) having informed the Assembly that the Government would not, in conformity with practice, proceed with further business until the notice of motion of Miss D'Rozario had been disposed of, sought leave of the Assembly for the motion to be moved forthwith.

Leave having been granted, Miss D'Rozario (Sanderson) moved -

That this Assembly censures the government of the Territory for its failure to take positive action to prevent the collapse of Northern Airlines.

Debate ensued.

Mr Robertson (Minister for Education) moved -

That the question be now put.

Question - That the question be now put - put.

The Assembly divided (Mr Speaker MacFarlane in the Chair).

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
Miss D'Rozario
Mr Isaacs
Mrs Lawrie
Mr Leo
Mrs O'Neil
Mr Perkins

And so it was resolved in the affirmative.

Question - That the motion be agreed to - put.

The Assembly divided (Mr Speaker MacFarlane in the Chair).

AYES 8

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

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

And so it was resolved in the negative.

- SUSPENSION OF SITTING: The sitting was suspended between 12.28 and 2 p.m.
8. QUESTIONS: Questions without notice were asked.
- On the motion of Mr Robertson (Minister for Education) Business of the Day was called on.
9. PERSONAL EXPLANATION: Mr Everingham (Chief Minister), by leave, made a personal explanation relating to remarks made by the Leader of the Opposition in a censure motion this day and, by leave, tabled documents relating to the two-airline policy.
10. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - FIRST REPORT: Mr Harris (Port Darwin) laid on the Table the first report of the Standing Committee.
- Mr Harris moved -
- That the Assembly take note of the report
and was granted leave to continue his remarks at a later hour.
11. TEACHING SERVICE BILL 1980 (Serial 20): The order of the day having been read for the resumption of the debate on the question
- That the Bill be now read a second time -
- Debate resumed.
- Question put and passed - Bill read a second time.
- Mr Everingham (Chief Minister) moved -
- That the committee stages be later taken.
- Question put and passed.
12. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day, Government Business, No. 3 was called on.
13. TRAFFIC AMENDMENT BILL 1980 (Serial 44): The order of the day having been read for the resumption of the debate on the question
- That the Bill be now read a second time -
- Debate resumed.
- Debate adjourned (Mr Everingham) and the resumption of the debate made an order of the day for a later hour.
14. ADJOURNMENT: Mr Everingham (Chief Minister) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 5.15 p.m. adjourned until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 24 February 1981, pursuant to statute:

Agreements and Determinations:

N.T. Police Arbitral Determination No. 1 of 1980

Financial Statements:

Legislative Assembly Members' Superannuation Trust, 30 June 1980

Territory Parks and Wildlife Commission, 1978-9

Permit to Prospect for Petroleum:

No. 194 Sion Resources Australia Limited

Recommendation under S.103 of Crown Lands Act:

Proposed revocation of Reserve No. 1484

Regulations 1980:

No. 41 Supreme Court (Absconding Debtors) Rules

No. 42 Amendments of the Rules of the Supreme Court of the N.T.

No. 48 Amendments of the Fish and Fisheries Regulations

No. 49 Amendments of the Pay-roll Tax Regulations

No. 50 Amendments of the Petroleum (Prospecting and Mining) Regulations

No. 51 Amendments of the Port By-laws

No. 52 Amendments of the Electricity (Fees and Charges) Regulations

No. 53 Amendments of the Crown Lands Regulations

No. 54 Crown Lands Amendment Act (No. 3) 1980 Amendment Regulations

Regulations 1981:

No. 2 Amendments of the Police Administration Regulations

No. 3 Greyhound Racing Rules

Reports:

Aboriginal Sacred Sites Protection Authority, 1979-80

Department of Primary Production, 1979-80

N.T. Tourist Board, 1977-8

N.T. Tourist Board, 1978-9

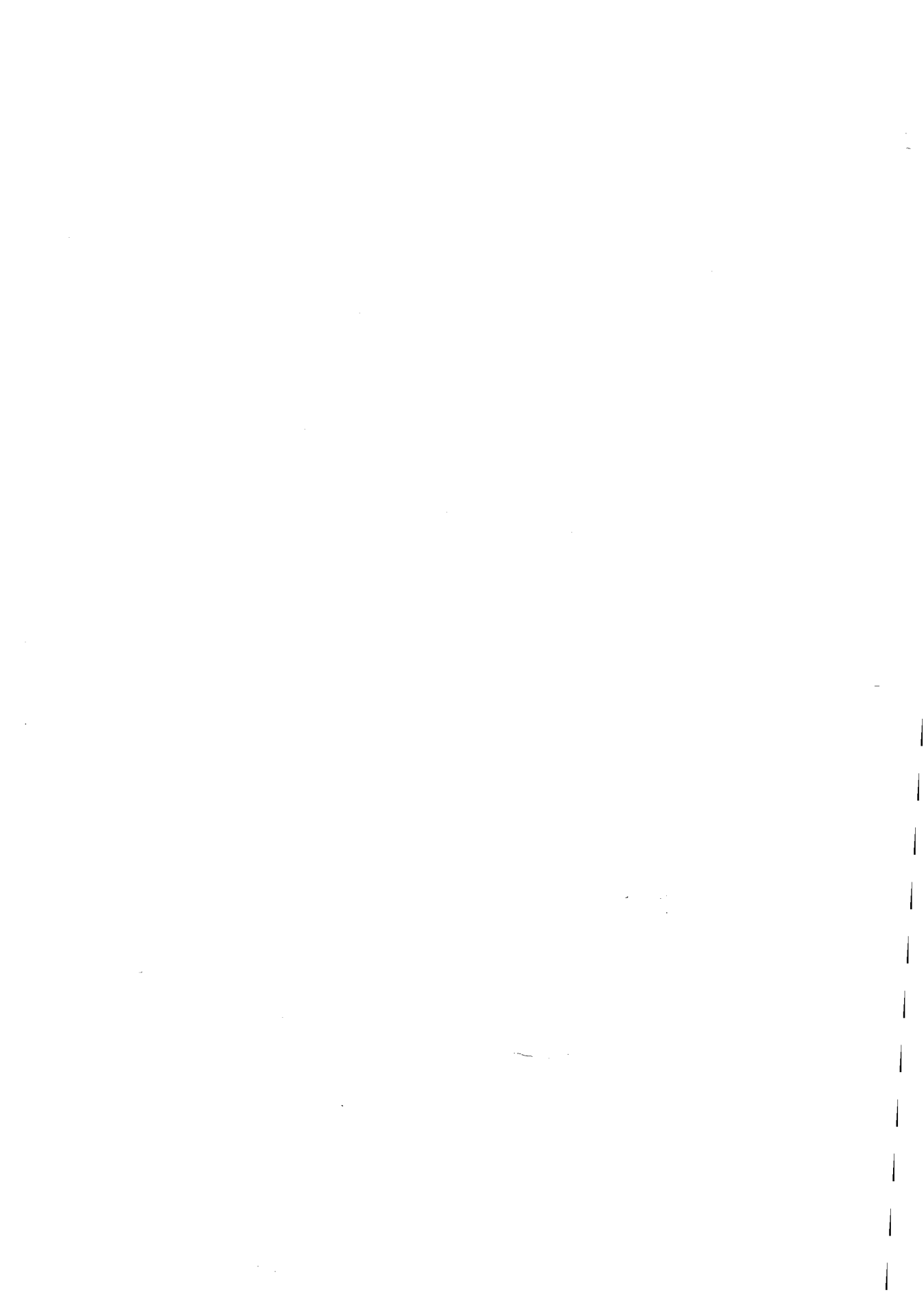
N.T. Tourist Board, 31 December 1979

N.T. Tourist Commission, 30 June 1980

Publications Classification Board, 1980

N.T. Racing and Gaming Commission, 1979-80

ATTENDANCE: All members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 11

Wednesday 25 February 1981

1. The Assembly met at 10.00 a.m., pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. QUESTIONS: Questions without notice were asked.
 - On the motion of Mr Robertson (Minister for Education) Business of the Day was called on.
3. DISTINGUISHED VISITORS - HON. W.C. and MRS WENTWORTH: Mr Speaker informed the Assembly that the Hon. W.C. Wentworth, a former member of and minister in the House of Representatives, and Mrs Wentworth were present in the gallery. Mr Speaker formally welcomed the distinguished visitors.
4. FISHERIES POLICY FOR THE NORTHERN TERRITORY - MINISTERIAL STATEMENT: Mr Steele (Minister for Primary Production and Tourism), by leave, made a statement on the government's general policy for the fishing industry.

Mr Steele moved -

That the Assembly take note of the statement.

Debate adjourned (Mrs Lawrie) and the resumption of the debate made an order of the day for a later hour.
5. APPROPRIATION BILL (No. 2) 1980-81 (Serial 64): Mr Perron (Treasurer) presented the Bill the subject of Message No. 2 from His Honour the Administrator and the Bill was thereupon read a first time.

Mr Perron moved -

That the Bill be now read a second time.

Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
6. PAROLE ORDERS (TRANSFER) BILL 1981 (Serial 68): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
7. TRAFFIC AMENDMENT BILL 1980 (Serial 44): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Dondas (Minister for Transport and Works), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

- The bill was read a third time and passed to be a proposed law.
8. SUMMARY OFFENCES ACT (No. 4) 1979 AMENDMENT BILL 1980 (Serial 38): The order of the day having been read for the resumption of the debate on the question
That the Bill be now read a second time -
Debate resumed.
Question put and passed - Bill read a second time.
Mr Everingham (Chief Minister), by leave, moved -
That the motion, That the Bill be now read a third time, be moved forthwith.
Question put and passed.
Question -
That the Bill be now read a third time - put and passed.
The Bill was read a third time and passed to be a proposed law.
9. INDUSTRIES TRAINING AMENDMENT BILL 1980 (Serial 32): The order of the day having been read for the resumption of the debate on the question
That the Bill be now read a second time -
Debate resumed.
Question put and passed - Bill read a second time.
Mr Robertson (Minister for Education), by leave, moved -
That the motion, That the Bill be now read a third time, be moved forthwith.
Question put and passed.
Question -
That the Bill be now read a third time - put and passed.
The Bill was read a third time and passed to be a proposed law.
10. NURSING AMENDMENT BILL 1980 (Serial 34): The order of the day having been read for the resumption of the debate on the question
That the Bill be now read a second time -
Debate resumed.
Question put and passed - Bill read a second time.
Mr Tuxworth (Minister for Health), by leave, moved -
That the motion, That the Bill be now read a third time, be moved forthwith.
Question put and passed.
Question -
That the Bill be now read a third time.
Debate ensued.
Question put and passed.
The Bill was read a third time and passed to be a proposed law.
- SUSPENSION OF SITTING: The sitting was suspended between 12.18 and 2.00 p.m.
11. CHIROPRACTIC BILL 1980 (Serial 37): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Debate adjourned (Mrs Padgham-Purich) and the resumption of the debate made an order of the day for a later hour.

12. REMUNERATION TRIBUNAL BILL 1980 (Serial 39): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved - That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

13. LAW OFFICERS AMENDMENT BILL 1980 (Serial 40): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, that the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

14. OATHS AMENDMENT BILL 1980 (Serial 41): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

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

15. LIQUOR AMENDMENT BILL (No. 2) 1980 (Serial 42): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Debate adjourned (Mrs Padgham-Purich) and the resumption of the debate made an order of the day for a later hour.

16. POLICE ADMINISTRATION AMENDMENT BILL 1980 (Serial 43): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 6, by leave, taken together and agreed to.

Clause 7 -

Mr Leo proposed as an amendment -

Omit in proposed section 60(4) the words "made under section 23 or 24".

Question put and negatived.

Clause agreed to.

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

Clause 11 agreed to, after debate.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

17. ADJOURNMENT: Mr Dondas (Minister for Transport and Works) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 5.36 p.m. adjourned until tomorrow at 10.00 a.m.

ATTENDANCE: All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 12

Thursday 26 February 1981

1. The Assembly met at 10.00 a.m., pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. NOTICES: The following notices were given:
Mr Robertson: To present the following Bills -
Stock Routes and Travelling Stock Amendment Bill 1981 (Serial 74);
Real Property Amendment Bill 1981 (Serial 73);
Housing Amendment Bill 1981 (Serial 72); and
Unit Titles Amendment Bill 1981 (Serial 75).
3. QUESTIONS: Questions without notice were asked.
4. CONSUMER PROTECTION AMENDMENT BILL 1981 (Serial 31): Mrs O'Neil (Fannie Bay), pursuant to notice, presented the Bill which was thereupon read a first time.
Mrs O'Neil moved -
That the Bill be now read a second time.
Debate adjourned (Mr Perron) and the resumption of the debate made an order of the day for a later hour.
5. TRAFFIC AMENDMENT BILL 1980 (Serial 35): Mrs O'Neil (Fannie Bay), pursuant to notice, presented the Bill which was thereupon read a first time.
Mrs O'Neil moved -
That the Bill be now read a second time.
Debate adjourned (Mr Dondas) and the resumption of the debate made an order of the day for a later hour.
6. CRIMES COMPENSATION BILL 1980 (Serial 59): Mr Isaacs (Millner), pursuant to notice, presented the Bill which was thereupon read a first time.
Mr Isaacs moved -
That the Bill be now read a second time.
Debate adjourned (Mr Everingham) and the resumption of the debate made an order of the day for a later hour.
7. EXPENDITURE COMMITTEE - MOTION TO APPOINT: Mr Isaacs (Leader of the Opposition), pursuant to notice, moved -
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 five members, three of whom will be nominated by the Chief Minister and two 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 sub-committees consisting of three or more of its members, and shall appoint the Chairman of each sub-committee who shall have a casting vote only, and refer to any such sub-committee any matter which the committee is empowered to examine.
8. A majority of the members of a sub-committee constitute a quorum of that sub-committee.
9. Members of the committee who are not members of a sub-committee may take part in the public proceedings of that sub-committee but shall not vote or move any motion or constitute a quorum.
10. The committee or any sub-committee 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 sub-committee 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 sub-committee have power to authorize 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.

Debate ensued.

- SUSPENSION OF SITTING: The sitting was suspended between 12.03 and 2.00 p.m.

Question put and negatived.

8. LOCAL GOVERNMENT AMENDMENT BILL (No. 3) 1980 (Serial 46): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

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

9. PRIVATE HOSPITALS AND NURSING HOMES BILL 1980 (Serial 47): The order of the day having been read for the resumption of the debate on the question -
That the Bill be now read a second time -
Debate resumed.
Debate adjourned (Mr Perron) and the resumption of the debate made an order of the day for a later hour.

10. LOCAL COURTS ACT (No. 2) 1979 AMENDMENT BILL 1980 (Serial 48): The order of the day having been read for the resumption of the debate on the question
That the Bill be now read a second time -
Debate resumed.
Question put and passed - Bill read a second time.
Mr Everingham (Chief Minister), by leave, moved -
That the motion, That the Bill be now read a third time, be moved forthwith.
Question put and passed.
Question -
That the Bill be now read a third time - put and passed.
The Bill was read a third time and passed to be a proposed law.

11. COMPANIES (TRUSTEES AND PERSONAL REPRESENTATIVES) BILL 1980 (Serial 49): The order of the day having been read for the resumption of the debate on the question
That the Bill be now read a second time -
Debate resumed.
Question put and passed - Bill read a second time.
The Assembly resolved itself into a committee of the whole.

(In the committee)

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

Clause 6 -

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

Omit "Administrator" and substitute "Minister".

Clause, as amended, agreed to.

Clause 7 -

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

Omit from sub-clause (1) "Administrator" (wherever occurring) and substitute "Minister".

Omit from sub-clause (2) "Administrator" and substitute "Minister".

Clause, as amended, agreed to.

Clause 8 -

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

Omit from sub-clause (1) "Administrator" and substitute "Minister".

Omit from sub-clause (2) "Administrator" and substitute "Minister".

Clause, as amended, agreed to.

Clause 9 -

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

Omit "Administrator" and substitute "Minister".

Clause, as amended, agreed to.

Clause 10 negatived.

New clause -

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

"10. CANCELLATION OF AUTHORIZATION

An authorization under section 7(2) or 8(2) may be cancelled by the Minister where the trustee company fails to comply with a condition to which the authorization is subject or if the trustee company ceases to have the qualifications referred to in section 7(1) or 8(1), as the case may be."

Clauses 11 and 12, by leave, taken together and agreed to.

Clause 13 -

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

Omit from sub-clause (1)(a) "7 days" and substitute "14 days".

Clause, as amended, agreed to.

Clauses 14 to 18, by leave, taken together and agreed to.

Clause 19 -

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

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

"(a) a director of the company, its manager or secretary; or".

Clause, as amended, agreed to.

Clauses 20 to 24, by leave, taken together and agreed to.

Clause 25 -

Mr Everingham proposed as an amendment -

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

"(4) The value of investments referred to in sub-section (3)(b) shall not at any time exceed such percentage of the total value of the moneys of a common fund as is determined by the Minister by notice in the Gazette."

Proposed amendment, by leave, withdrawn, after debate.

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

Omit sub-clause (15) and substitute the following:

"(15) The Minister may, by notice in the Gazette, determine that Division 5 of Part IV of the Companies Act does not apply to or in relation to a fund

established under this section or to any interest in that fund."

Clause, as amended, agreed to.

Clause 26 agreed to.

Clause 27 -

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

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

"(a) \$5 for every \$100 of the capital value of the estate without deduction of debts or liabilities, whether secured or unsecured, being the capital value thereof as at the time the estate is committed to the administration or management of the trustee company; and"

Clause, as amended, agreed to.

Clauses 28 and 29, by leave, taken together and agreed to.

Clause 30 -

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

Omit "Court" (first occurring) and substitute "Minister".

Clause, as amended, agreed to.

Clauses 31 to 41, by leave, taken together and agreed to.

Clause 42 -

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

Omit "Administrator" and substitute "Minister".

Clause, as amended, agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

12. COMMERCIAL AND PRIVATE AGENTS LICENSING AMENDMENT BILL 1980 (Serial 50):
The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Tuxworth (Minister for Mines and Energy) moved -

That the committee stages be later taken.

Question put and passed.

14. FISH AND FISHERIES AMENDMENT BILL 1980 (Serial 51): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

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

14. FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL 1980 (Serial 53):
The order of the day having been read for the resumption of the debate on
the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

15. STOCK DISEASES AMENDMENT BILL 1980 (Serial 54): The order of the day having
been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Mr Everingham, by leave, took control of the Bill.

Question put and passed - Bill read a second time.

Mr Everingham (Chief Minister), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

16. NOTIFIABLE DISEASES BILL 1980 (Serial 56): The order of the day having
been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

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

17. STATUTE LAW REVISION BILL (No. 3) 1980 (Serial 57): The order of the day
having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

Schedule 1 -

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

Omit all words and figures after and including "Construction Safety Act" up to but not including "Consumer Protection Act".

Add at the end thereof the following:

| | | |
|----------------------|---------------------------|--------------------------------------|
| <u>"Traffic Act</u> | | |
| Section 5 | | |
| - definition of | | |
| 'authorized analyst' | '8P' | '8N' |
| Section 8D(1A) | <u>'Traffic Act 1979'</u> | <u>'Traffic Act (No. 2) 1979'.</u> " |

Schedule, as amended, agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

18. ADJOURNMENT: Mr Dondas (Minister for Transport and Works) moved -

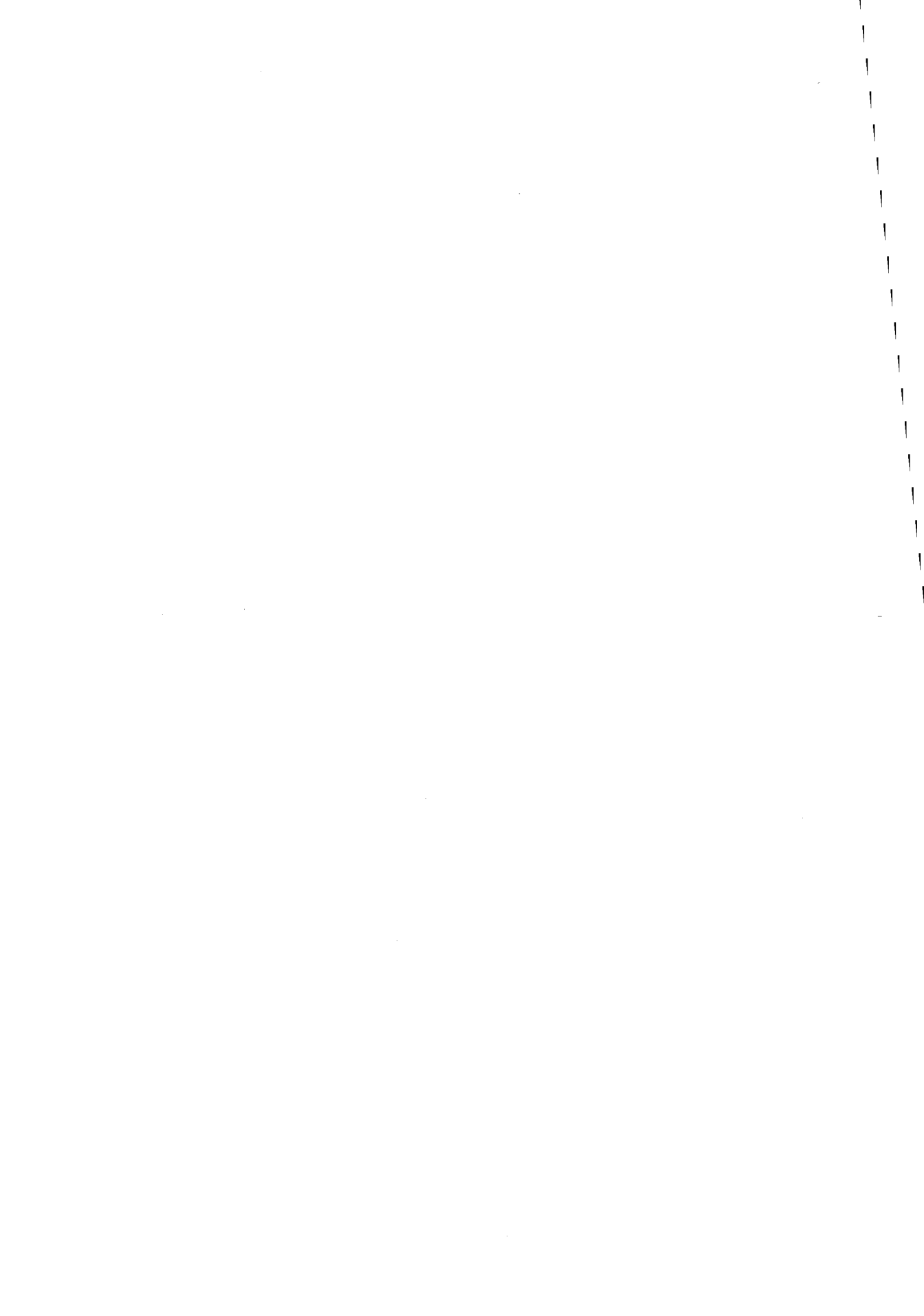
That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 6.17 p.m. adjourned until Tuesday 3 March 1981 at 10.00 a.m.

ATTENDANCE: All members attended the sitting.



MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 13

Tuesday 3 March 1981

1. The Assembly met at 10.00 a.m., pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. NOTICES: The following notices were given:
 - Mr Everingham: To present the following Bills -
Trustee Amendment Bill 1981 (Serial 79);
Legal Practitioners Amendment Bill 1981 (Serial 77); and
Hotel-keepers Bill 1981 (Serial 66).
 - Mr Robertson: To 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.
 - Mr Perron: To present the following Bills -
Lottery and Gaming Amendment Bill 1981 (Serial 65); and
Loans Redemption Fund Bill 1981 (Serial 69).
 - Mr Dondas: To present the Control of Roads Amendment Bill 1981 (Serial 82).
3. QUESTIONS: Questions without notice were asked.
4. EARTHQUAKE IN GREECE - MINISTERIAL STATEMENT: Mr Everingham (Chief Minister), by leave, made a statement relating to the earthquake which struck Athens and other cities on 24 February 1981.

Mr Isaacs (Leader of the Opposition), by leave, made a statement on the same subject.
5. FREEHOLD LAND BILLS - STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL 1981 (Serial 74), REAL PROPERTY AMENDMENT BILL 1981 (Serial 73), HOUSING AMENDMENT BILL 1981 (Serial 72) and UNIT TITLES AMENDMENT BILL 1981 (Serial 75): Mr Robertson (Minister for Lands and Housing), pursuant to notice, presented together, by leave, the Bills which were thereupon read a first time.

Mr Robertson moved -

That the Bills be now read a second time.

Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
6. PORTS AMENDMENT BILL 1980 (Serial 58): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

- SUSPENSION OF SITTING: The sitting was suspended between 12.01 and 2.00 p.m.

7. OATHS AMENDMENT BILL 1980 (Serial 41): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5 -

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

Insert in proposed section 25B after "shall not" and "upon him" the words "knowingly" and "or his employer" respectively.

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

8. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day, Government Business, No. 6 was called on.

9. COMMERCIAL AND PRIVATE AGENTS LICENSING AMENDMENT BILL 1980 (Serial 50): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 to 11, by leave, taken together and agreed to.

Clause 12 -

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

Omit paragraph (a) and substitute the following:

"(a) by omitting from sub-section (1) 'section 23 of the Local Courts Act,' and substituting 'this Act,'; and".

Clause, as amended, agreed to.

New clause -

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

Insert after clause 12 the following new clause:

"12A. EMPLOYMENT OF PRIVATE BAILIFF

"Section 30(1) of the Principal Act is amended by omitting 'of execution or arrest'."

Clause 13 -

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

Omit from proposed sub-section (1) in sub-clause (1)(a) "fee" and substitute "fees".

Insert in proposed sub-section (1) in sub-clause (1)(a) after "shall not be payable" the words "to the Clerk of the Court by the person entitled to the issue of the warrant,".

Clause, as amended, agreed to.

New clause -

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

"13A. NEW SECTION

"The Principal Act is amended by inserting in Part VII after section 33 the following:

'33A. RECOVERY OF COSTS ON EXECUTION OF WARRANT

'(1) Subject to sub-section (2) but notwithstanding section 33(1), a person employing a private bailiff may recover the fees payable under section 272 of the Local Courts Act from the person against whom a warrant is executed.

"(2) When a person employing a private bailiff pays the private bailiff an amount exceeding the fees payable under section 272 of the Local Courts Act, the person against whom a warrant is executed shall not be liable for the excess so paid.'"

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

10. PRIVATE HOSPITALS AND NURSING HOMES BILL 1980 (Serial 47): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Tuxworth (Minister for Health), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

11. LOCAL GOVERNMENT AMENDMENT BILL (No. 3) 1980 (Serial 46): The order of the day having been read for consideration of the Bill in the committee of the whole Assembly

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

Clause 4 -

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

Omit paragraph (a) and substitute the following:

"(a) by inserting after the definition of 'expenditure' the following:

"'footpath' means that part of a road vested in a council which has been made or set apart for use otherwise than for the passage or accommodation of motor vehicles;'."

Clause, as amended, agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

12. FISH AND FISHERIES AMENDMENT BILL 1980 (Serial 51): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Vale (Stuart) moved -

That the committee stages be later taken.

Question put and passed.

13. NOTIFIABLE DISEASES BILL 1980 (Serial 56): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 -

On the motion of Mr Tuxworth the following amendment was made, after debate -

Insert in sub-clause (1) after "Schedule 1" the words "and the Leprosy Amendment Act 1980".

Clause, as amended, agreed to.

Clauses 4 to 12, by leave, taken together and agreed to.

Clause 13 -

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

Omit from sub-clause (2)(c) "infection" (twice occurring) and substitute "contamination".

Clause, as amended, agreed to.

Clauses 14 to 18, by leave, taken together and agreed to.

Clause 19 -

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

Insert in sub-clause (1)(a) after "who is" the words "or was".

Omit from sub-clause (1)(f) ", and" and substitute "or".

Clause, as amended, agreed to.

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

Clause 23 -

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

Omit from sub-clause (1) "A person" and substitute "For the purposes of this Act, a person".

Omit from sub-clause (2) "under section 21 for that loss or damage." and substitute "by the Crown for such loss or damage directly caused by the act or omission of the offender.".

Clause, as amended, agreed to.

Clause, 24 agreed to.

Clause 25 -

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

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

"(1) Where a person is convicted to an offence under section 23(1) and compensation is paid under section 23(2) in respect of the loss or damage from the act or omission constituting the offence, a court may, at any time on the application of the Crown, make an order that the person convicted of the offence under section 23(1) refund to the Crown the whole or a part of the amount of compensation paid by the Crown under section 23(2) together with the whole or a part of any costs awarded in respect of the application for compensation.".

Clause, as amended, agreed to.

Clauses 26 to 36, by leave, taken together and agreed to.

Clause 37 -

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

Insert in paragraph (b) after "infected person" the words "or suspect person".

Clause, as amended, agreed to.

Clause 38 agreed to.

Clause 39 negatived, after debate.

New clause -

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

"39. REGULATIONS

"(1) The Administrator may make regulations not inconsistent with this Act prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and for prescribing penalties not exceeding \$1,000 or imprisonment for 6 months for a breach of a regulation.

"(2) Without limiting the generality of sub-section (1), the Administrator may prescribe procedures and forms -

(a) for an appeal to a magistrate against a notice under section 11(1) or a direction contained in the notice; and

(b) for an application to a magistrate to determine an amount of compensation under section 21(2)."

Schedules 1 and 2, by leave, taken together and agreed to.

Schedule 3 -

On the motion of Mr B. Collins the following amendment was made, after debate -

Omit "leprosy" and insert, after "Granuloma inguinale", "Hansen's disease".

Schedule, as amended, agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

14. ADDITIONAL NOTICES OF INTENTION: By leave, the following additional notices of intention to present Bills were given:

Mr Everingham: To present the following Bills -
Ombudsman (Northern Territory) Amendment Bill 1981 (Serial 63);
Public Trustee Amendment Bill 1981 (Serial 78);
Cobourg Peninsula Aboriginal Land and Sanctuary Bill 1981 (Serial 86);
Building Societies Amendment Bill 1981 (Serial 88);
Jabiru Town Development Amendment Bill 1981 (Serial 90); and
Administrators Pensions Bill 1981 (Serial 83).

Mr Robertson: To present the Palmerston Development Authority Bill (Serial 91).

Mr Tuxworth: To present the following Bills -
Petroleum (Prospecting and Mining) Amendment Bill 1981 (Serial 81);
Petroleum (Submerged Lands) Bill 1981 (Serial 87);
Mines Safety Control Amendment Bill 1981 (Serial 2);
Mining Assistance Amendment Bill 1981 (Serial 3);
Uranium Mining (Environment Control) Amendment Bill 1981 (Serial 5); and
Mining Act 1980 Amendment Bill 1981 (Serial 84).

Mr Steele: To present the Egg Industry Management Bill 1981 (Serial 80).

15. LIQUOR AMENDMENT BILL (No. 2) 1980 (Serial 42): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Vale (Stuart) moved -

That the committee stages be later taken.

Question put and passed.

16. ADJOURNMENT: Mr Robertson (Minister for Education) moved -

That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 4.32 p.m. adjourned until tomorrow at 10.00 a.m.

PAPERS: The following papers were deemed to have been presented on 3 March 1981, pursuant to statute:

Reports:

Department of the Treasury, 1 January 1979-30 June 1980

Museums and Art Galleries Board, 1978-9

Territory Insurance Office, 1979-80

ATTENDANCE: All members attended the sitting except Mr Perkins.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 14

Wednesday 4 March 1981

1. The Assembly met at 10.00 a.m., pursuant to adjournment - Mr Speaker MacFarlane took the Chair.

2. PETITIONS: The following petitions were presented -

COMMUNITY HEALTH SERVICE STAFF: Mrs Padgham-Purich (Tiwi) presented a Petition from 793 citizens of the Northern Territory relating to a proposed reduction in the nursing staff of the Community Health Service.

Petition received and read.

Mr B. Collins (Arnhem) presented a Petition from 2,588 citizens of the Northern Territory in the same terms.

Petition received.

WHITE GUMS ROAD, ALICE SPRINGS: Mr D.W. Collins (Alice Springs) presented a Petition from 99 electors of Central Australia requesting the sealing of White Gums Road.

Petition received and read.

COMMUNITY HEALTH SERVICE STAFF: Mrs Lawrie (Nightcliff) presented a Petition from 916 citizens of the Northern Territory relating to a proposed reduction in the nursing staff of the Community Health Service.

Petition received and read.

3. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - MEMBERSHIP: Mr Isaacs (Leader of the Opposition), by leave, moved -

That Mrs O'Neil replace Mr Perkins on the Subordinate Legislation and Tabled Papers Committee.

Debate ensued.

Question put and passed.

4. TOURISM PROMOTION MISSION - REPORT: Mr Steele (Minister for Primary Production and Tourism) laid on the Table a report on a mission overseas to promote tourism in the Northern Territory and to develop an understanding of the international tourist market, its objectives and potential for development.

Mr Steele moved -

That the Assembly take note of the report

and was granted leave to continue his remarks at a later hour.

5. QUESTIONS: Questions without notice were asked.

On the motion of Mr Robertson (Minister for Education) Business of the Day was called on.

6. PRIMARY AND SECONDARY EDUCATION IN THE NORTHERN TERRITORY - GREEN PAPER: Mr Robertson (Minister for Education) laid on the Table a Green Paper on Primary and Secondary Education in the Northern Territory, Directions for the 80s.

Mr Robertson moved -

That the Assembly take note of the paper.

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

7. PASTORAL LAND TENURE IN THE N.T. - REPORT OF INQUIRY, OCTOBER 1980: Mr Robertson (Minister for Lands and Housing) laid on the Table the report of the inquiry.
Mr Robertson moved -
That the Assembly take note of the report.
Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
8. TRUSTEE AMENDMENT BILL 1981 (Serial 79): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.
Mr Everingham moved -
That the Bill be now read a second time.
Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
9. RESCISSION OF MOTION - STOCK DISEASES AMENDMENT BILL 1980 (Serial 54): Mr Robertson (Minister for Lands and Housing), pursuant to notice, moved -
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.
Question put and passed.
10. LOTTERY AND GAMING AMENDMENT BILL 1981 (Serial 65): Mr Perron (Treasurer), pursuant to notice, presented the Bill which was thereupon read a first time.
Mr Perron moved -
That the Bill be now read a second time.
Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
11. CONTROL OF ROADS AMENDMENT BILL 1981 (Serial 82): Mr Dondas (Minister for Transport and Works), pursuant to notice, presented the Bill which was thereupon read a first time.
Mr Dondas moved -
That the Bill be now read a second time.
Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
12. LEGAL PRACTITIONERS AMENDMENT BILL 1981 (Serial 77): Mr Everingham (Chief Minister), by leave, presented the Bill which was thereupon read a first time.
Mr Everingham moved -
That the Bill be now read a second time.
Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
13. LOANS REDEMPTION FUND BILL 1981 (Serial 69): Mr Perron (Treasurer), by leave, presented the Bill which was thereupon read a first time.
Mr Perron moved -
That the Bill be now read a second time.

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

14. HOTEL-KEEPERS BILL 1981 (Serial 66): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

15. PETROLEUM (PROSPECTING AND MINING) AMENDMENT BILL 1981 (Serial 81): Mr Tuxworth (Minister for Mines and Energy), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Tuxworth moved -

That the Bill be now read a second time.

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

16. OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL 1981 (Serial 63): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

17. PETROLEUM (SUBMERGED LANDS) BILL 1981 (Serial 87): Mr Tuxworth (Minister for Mines and Energy), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Tuxworth moved -

That the Bill be now read a second time.

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

18. PUBLIC TRUSTEE AMENDMENT BILL 1981 (Serial 78): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

19. PALMERSTON DEVELOPMENT AUTHORITY BILL 1981 (Serial 91): Mr Robertson (Minister for Lands and Housing), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Robertson moved -

That the Bill be now read a second time.

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

20. COBOURG PENINSULA ABORIGINAL LAND AND SANCTUARY BILL 1981 (Serial 86): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.
- Mr Everingham moved -
- That The Bill be now read a second time.
- Debate adjourned (Mr Isaacs) and the resumption of the debate made an order of the day for a later hour.
21. MINING BILLS - MINES SAFETY CONTROL AMENDMENT BILL 1981 (Serial 2), MINING ASSISTANCE AMENDMENT BILL 1981 (Serial 3) and URANIUM MINING (ENVIRONMENT CONTROL) AMENDMENT BILL 1981 (Serial 5): Mr Tuxworth (Minister for Mines and Energy), pursuant to notice, presented together, by leave, the Bills which were thereupon read a first time.
- Mr Tuxworth moved -
- That the Bills be now read a second time.
- Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
22. NOTICE POSTPONED: Mr Robertson (Minister for Education) moved -
- That Notice No. 17, Government Business, be later taken.
- Question put and passed.
23. EGG INDUSTRY MANAGEMENT BILL 1981 (Serial 80): Mr Steele (Minister for Primary Production and Tourism), pursuant to notice, presented the Bill which was thereupon read a first time.
- Mr Steele moved -
- That the Bill be now read a second time.
- Debate adjourned (Mr Doolan) and the resumption of the debate made an order of the day for a later hour.
24. JABIRU TOWN DEVELOPMENT AMENDMENT BILL 1981 (Serial 90): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.
- Mr Everingham moved -
- That the Bill be now read a second time.
- Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
25. MINING ACT 1980 AMENDMENT BILL 1981 (Serial 84): Mr Tuxworth (Minister for Mines and Energy), pursuant to notice, presented the Bill which was thereupon read a first time.
- Mr Tuxworth moved -
- That the Bill be now read a second time.
- Debate adjourned (Miss D'Rozario) and the resumption of the debate made an order of the day for a later hour.
26. MESSAGE FROM ADMINISTRATOR: Mr Speaker read the following message from His Honour the Administrator:

Message No. 3

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 fourth day of March 1981.

(Sgd) E.E. JOHNSTON.
Administrator

27. ADMINISTRATORS PENSIONS BILL 1981 (Serial 83): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill the subject of the Administrator's Message No. 3, which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

28. DOUGLAS RIVER AGRICULTURAL AREA ACQUISITION BILL 1981 (Serial 89): Mr Robertson (Minister for Lands and Housing), by leave, presented the Bill which was thereupon read a first time.

Mr Robertson moved -

That the Bill be now read a second time.

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

29. STATUTE LAW REVISION BILL 1981 (Serial 85): Mr Everingham (Chief Minister), by leave, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

30. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES: Mr Perron (Treasurer), by leave, moved -

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).

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

- SUSPENSION OF SITTING: The sitting was suspended between 12.20 and 2.00 p.m.

31. TEACHING SERVICE BILL 1980 (Serial 20): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 -

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

Omit from sub-clause (1) "the Teaching Service of the Northern Territory" (wherever occurring) and substitute "the Northern Territory Teaching Service".

Clause, as amended, agreed to.

Clause 4 -

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

Omit from sub-clause (1) "the Teaching Service of the Northern Territory" and substitute "the Northern Territory Teaching Service".

Clause, as amended, agreed to.

Clause 5 to 12, by leave, taken together and agreed to.

Clause 13 -

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

Omit from sub-clause (1) "the Teaching Service of the Northern Territory" and substitute "the Northern Territory Teaching Service".

Clause, as amended, agreed to, after debate.

Clauses 14 to 20, by leave, taken together and agreed to.

Clause 21 -

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

Omit "appoint" and substitute "allocate".

Clauses 22 to 24, by leave, taken together and agreed to.

Clause 25 -

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

Omit sub-clauses (1), (2) and (3) and substitute the following:

"(1) The Secretary may fill a vacant position by -

- (a) allocating an officer or employee under section 21;*
- (b) transferring an officer or employee; or*
- (c) promoting an officer,*

to the vacant position.

"(2) Except where the Commissioner otherwise directs -

- (a) all vacant positions which the Secretary wishes to fill; and*
- (b) all allocations, appointments, transfers, promotions and confirmations of promotions,*

shall be notified in the Gazette by the Secretary or in such other publication as the Commissioner directs.

"(3) The Commissioner may determine that a position or class of positions is to be filled by an officer or officers who possess qualifications specified in the determination and, where the Commissioner has so determined, an officer shall not be allocated, transferred or promoted to the position or a position in the class of positions, as the case may be, unless he possesses those qualifications".

Clause, as amended, agreed to.

Clause 26 -

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

Omit sub-clause (2)(b) and substitute the following:

"(b) relevant experience and qualifications;".

Clause, as amended, agreed to.

Clause 27 -

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

*Insert in sub-clause (1) after "promotion of an officer" the words
", under section 25(1)(c),"*.

Clause, as amended, agreed to.

Clause 28 -

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

Omit from sub-clause (7) "The Commissioner" and substitute "The Secretary".

Clause, as amended, agreed to.

Clause 29 -

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

Omit sub-clauses (1) and (2) and substitute the following:

"(1) There is hereby established a Promotions Appeal Board for the purposes of hearing appeals under section 28 which shall consist of such boards as the Commissioner, from time to time, appoints.

"(2) A board appointed under sub-section (1) shall, in respect of an appeal made under section 28, be constituted by -

(a) the Chairman of the Promotions Appeal Board;

*(b) one officer nominated by the Northern Territory Teachers Federation;
and*

(c) one officer nominated by the Secretary."

Clause, as amended, agreed to.

Clause 30, agreed to.

Clause 31 -

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

Omit from sub-clause (2)(c) ", unless the Commissioner otherwise directs,".

Clause, as amended, agreed to.

Clauses 32 to 37, by leave, taken together and agreed to.

Clause 38 -

On the motion of Mr Robertson the following amendment was made, after debate -

Omit sub-clause (4).

Clause, as amended, agreed to.

Clause 39 agreed to.

Clause 40 -

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

Omit the definitions of "Board" and "member" and substitute the following:

"'Board', in relation to an appeal, means the Disciplinary Appeal Board established by section 41(1) as constituted in respect of that appeal;

'Chairman' means the Chairman of the Board appointed under section 41(3);

'member', in relation to an appeal, means a member appointed under section 41(2) in respect of that appeal and includes the Chairman."

Clause, as amended, agreed to.

Clauses 41 and 42, by leave, taken together and negatived.

New clause -

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

"41. DISCIPLINARY APPEAL BOARD

"(1) There is hereby established a Disciplinary Appeal Board for the purpose of hearing appeals which shall consist of such boards as the Commissioner, from time to time, appoints.

"(2) A board appointed under sub-section (1) shall, in respect of an appeal, be constituted by -

(a) the Chairman;

(b) one officer nominated by the Commissioner; and

(c) one person nominated by the Secretary.

"(3) The Chairman shall be appointed by the Commissioner on such terms and conditions as the Administrator determines."

Clause 43 -

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

Omit from sub-clause (5) "within one year" and substitute "within 6 months".

Clause, as amended, agreed to.

Clause 44 agreed to.

Clause 45 -

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

Omit sub-clause (2) and substitute the following:

"(2) The Board shall be presided over by the Chairman."

Omit from sub-clause (6) -

(a) "equally"; and

(b) "of the Board".

Clause, as amended, agreed to.

Clause 46 to 49, by leave, taken together and agreed to.

Clause 50 -

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

Omit "of the Board".

Omit paragraph (a) and substitute the following:

"(a) appoint a person in place of the member; or".

Clause, as amended, agreed to.

Clause 51 -

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

Omit paragraph (a) from sub-clause (2) and substitute the following:

"(a) the Commissioner;".

Omit from sub-clause (3) "Members of the Council" and substitute "The members of the Council, other than the Chairman,".

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

"(4) The Commissioner shall be Chairman of the Council."

Clause, as amended, agreed to.

Clauses 52 and 53, by leave, taken together and agreed to.

Clause 54 -

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

Omit "the Teaching Service of the Northern Territory" (twice occurring) and substitute "the Northern Territory Teaching Service".

Clause, as amended, agreed to.

Clause 55 -

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

Omit "the Teaching Service of the Northern Territory" (twice occurring) and substitute "the Northern Territory Teaching Service".

Clause, as amended, agreed to.

Clause 56 -

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

Omit "the Teaching Service of the Northern Territory" (wherever occurring) and substitute "the Northern Territory Teaching Service".

On the motion of Mr Robertson the following further amendments were made -

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

"(5) A transferred employee shall be deemed, by virtue of his transfer, to have been engaged on terms entitling him to continue to be employed in the Northern Territory Teaching Service -

(a) at such a salary as the Commissioner determines to be the appropriate salary for the employee having regard to the work performed by the employee during the period of his temporary employment in the Commonwealth Teaching Service or, if that period is in excess of 3 months, during the period of 3 months immediately preceding the date of this transfer; and

(b) for such period as the Secretary determines having regard to the work performed, or last performed, by the employee in the Commonwealth Teaching Service and to the period during which the employee was likely to continue as a temporary employee in the Commonwealth Teaching Service."

Insert in sub-clause (7) after "shall retain such rights" the words "(including rights as to recreation leave and leave on the grounds of illness)".

Add at the end the following:

"(10) A transferred officer who is, on the date of his transfer, performing duty for an authority, body or person by reason of his having been

authorized to do so under the Commonwealth Teaching Service Act 1972 of the Commonwealth -

- (a) may continue, on and after that date, to perform duty for that authority, body or person for the remainder of the period for which he has been authorized to do so as if he had been authorized to do so in accordance with the terms and conditions of his service in the Northern Territory Teaching Service and upon terms and conditions similar to the terms and conditions upon which he was authorized to do so under the Commonwealth Teaching Service Act 1972 of the Commonwealth;
- (b) shall be deemed to have been granted, on the date of his transfer, leave of absence without pay from the Northern Territory Teaching Service for the period commencing on that date and ending on the last day of the period for which he is to be treated as authorized to perform duty for that authority, body or person; and
- (c) shall be entitled, upon the termination of the leave of absence referred to in paragraph (b), to be paid salary at the rate that the Commissioner, with the approval of the Administrator, determines to be the appropriate rate having regard to the rate at which salary was payable to him in respect of the position held by him in the Commonwealth Teaching Service immediately before he commenced to perform duty for that authority, body or person and the period during which he performed that duty."

Clause, as amended, agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

32. EDUCATION AMENDMENT BILL 1980 (Serial 30): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Robertson (Minister for Education), by leave, moved -

That the motion, That the Bill be now read a third time, be moved forthwith.

Question put and passed.

Question -

That the Bill be now read a third time - put and passed.

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

33. FISH AND FISHERIES AMENDMENT BILL 1980 (Serial 51): The order of the day having been read for consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee)

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

Clause 4 -

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

Omit from the proposed definition of "Commonwealth Minister" in paragraph (b) "exercising the powers and performing the functions" and substitute "exercising powers and performing functions".

Omit the proposed definition of "fishery" in paragraph (c) and insert the following:

"'fishery' means a class of activities by way of fishing, being a class of such activities that is identified in an arrangement under Part IIIA as a fishery to which the arrangement applies;"

Insert after paragraph (c) the following:

"(ca) by omitting from the definition of 'foreign boats' all words after 'the meaning of' and substituting 'the Commonwealth Act;'."

Omit from the proposed definition of "Joint Authority" in paragraph (d) "North" and substitute "Northern".

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6 -

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

Omit proposed section 72D(5) and substitute the following:

"(5) A delegation under this section by a Joint Authority -

- (a) may be revoked, by instruction in writing, by a Joint Authority (whether or not constituted by the persons constituting the Joint Authority at the time the power was delegated);*
- (b) does not prevent the exercise of the power by the Joint Authority; and*
- (c) continues in force notwithstanding a change in the membership of the Joint Authority."*

Omit proposed section 72K(3) and substitute the following:

"(3) In exercising a power referred to in sub-section (2), a Joint Authority -

- (a) is not subject to the direction of the Minister; and*
- (b) shall not exercise a power so that a licence granted, given or made by the Joint Authority applies in relation to a Joint Authority fisheries, not managed by that Joint Authority."*

Omit paragraph (b) of proposed section 72L and substitute the following:

"(b) in the case of another arrangement - are waters adjacent to the Territory and a State that is a party to the arrangement or are waters adjacent to the Territory, a specified State or Territory of the Commonwealth,"

Clause, as amended, agreed to.

Title agreed to.

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

34. LIQUOR AMENDMENT BILL (No. 2) 1980 (Serial 42): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly -

The Assembly resolved itself into a committee of the whole.

(In the committee)

Clause 1 agreed to.

Clauses 2 to 5, by leave, taken together and agreed to.

Clause 6 negatived, after debate.

Clause 7 agreed to.

Clause 8 -

Mrs Lawrie (Nightcliff) proposed as an amendment -

Omit "intoxicated".

Proposed amendment negatived, after debate.

Clause agreed to.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

35. LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) BILL 1980 (Serial 36): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

Mr Vale (Stuart) moved -

That the committee stages be later taken.

Question put and passed.

36. ROAD SAFETY COUNCIL AMENDMENT BILL 1981 (Serial 92): Mr Dondas (Minister for Transport and Works), by leave, presented the Bill which was thereupon read a first time.

Mr Dondas moved -

That the Bill be now read a second time.

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

37. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Everingham (Chief Minister), by leave, Notice No. 17, Government Business, was called on.

38. BUILDING SOCIETIES AMENDMENT BILL 1981 (Serial 88): Mr Everingham (Chief Minister), pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Everingham moved -

That the Bill be now read a second time.

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

39. CRIMINAL CODE - DRAFT BILL: Mr Everingham (Chief Minister), by leave, laid on the Table the draft Criminal Code Bill and made a statement relating to the draft Bill.

Mr Everingham moved -

That the Assembly take note of the statement.

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

40. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Robertson (Minister for Education) Order of the Day, Government Business, No. 8, was called on.

41. APPROPRIATION BILL (No. 2) 1980-81 (Serial 64): The order of the day having been read for the resumption of the debate on the question

That the Bill be now read a second time -

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

(In the committee)

Schedule 1 -

Appropriation for Division 11 agreed to.

Appropriation for Division 12 agreed to, after debate.

Appropriation for Divisions 14, 16, 17, 18 and 19, by leave, taken together and agreed to.

Appropriation for Division 25 agreed to, after debate.

Appropriation for Division 30 agreed to.

Appropriation for Division 31 agreed to, after debate.

Appropriation for Divisions 32, 33, 34, 35, 36 and 37, by leave, taken together and agreed to.

Appropriation for Division 38 agreed to, after debate.

Appropriation for Divisions 39, 40, 41 42 and 43, by leave, taken together and agreed to.

Appropriation for Division 45 agreed to, after debate.

Appropriation for Divisions 46, 47, 48 and 49, by leave, taken together and agreed to.

Appropriation for Divisions 50, 51 and 53, by leave, taken together and agreed to.

Appropriation for Division 55 agreed to, after debate.

Appropriation for Division 60 agreed to.

Appropriation for Division 62 agreed to, after debate.

Appropriation for Division 63 agreed to.

Appropriation for Division 65 agreed to, after debate.

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

The Assembly resumed - The Chairman reported the Bill and the report was adopted.

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

42. SPECIAL ADJOURNMENT: Mr Robertson (Minister for Education) moved -
That the Assembly, at its rising, adjourn until Tuesday 26 May 1981 or such time as set by Mr Speaker and notified to members in writing.

Question put and passed.

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

Debate ensued.

Question put and passed.

And then the Assembly at 8.04 p.m. adjourned until Tuesday 26 May 1981, or such time as set by Mr Speaker and notified to members in writing.

PAPERS: The following papers were deemed to have been presented on 4 March 1981, pursuant to statute:

Financial Statements:

Corporation of the City of Darwin, 30 June 1977

Corporation of the City of Darwin, 30 June 1978

Corporation of the Municipality of Katherine, 30 June 1979

Corporation of the Municipality of Tennant Creek, 30 June 1979

Reports:

Department of Community Development, 1 January 1979-30 June 1980

Port Authority, 1979-80

Public Trustee for the Northern Territory, 1979-80

ATTENDANCE: All members attended the sitting except Mr Perkins.

F.K.M. THOMPSON
Clerk of the Legislative Assembly

THIRD LEGISLATIVE ASSEMBLY

FIRST SESSION

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