

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly

Parliamentary Record

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PART 1

DEBATES

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Tuesday 17 August 1982

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I read message No 12 from His Honour 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 certain sums out of the consolidated fund for the service of the year ending 30 June 1982.

Dated this 13th day of August 1982.

E.E. JOHNSTON
Administrator.

PETITIONS

Rain Forest Protection and Fire Control Policy

Mr EVERINGHAM (Chief Minister): Mr Speaker, I present a petition from 910 citizens of the Northern Territory which asks for the protection of rain forests and for the implementation of a fire control policy. 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 Speaker and members of the Legislative Assembly, we the undersigned citizens and visitors to the Northern Territory of Australia believe as follows: (1) that areas of rain forest in the Darwin area are being destroyed by fire and feral animals and the loss of such areas is to the detriment of the Northern Territory; and (2) that the practice of burning off each year in Darwin hinterland is generally unwarranted and detrimental to the beauty and environment of the Northern Territory. Your petitioners ask that members of the Assembly give due consideration to measures which will protect rain forests totally and preserve them for the enjoyment of all people now and in the future and will ensure an effective fire control policy, and your petitioners, as in duty bound, will ever pray.

St John Ambulance Service to Jabiru

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I present a petition from 898 persons relating to St John Ambulance service to Jabiru and outlying areas. 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 certain persons in the Northern Territory respectfully sheweth that the St John

Ambulance be allowed to continue their service to the people of Jabiru and outlying areas. Only with the help of the government will this be possible. Your petitioners therefore humbly pray that the honourable members of the Legislative Assembly act to ensure that their residences be built so that they may continue their much needed service, and your petitioners, as in duty bound, will ever pray.

Jabiru Health Clinic

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I present a petition from 586 citizens of the Northern Territory relating to the health clinic at Jabiru. 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 certain citizens of the Northern Territory respectfully sheweth that the 5 days per week full-time medical service for the inhabitants of Jabiru, who are isolated from other medical care by distance and time, is inadequate to meet the needs of a young, active, working community. Your petitioners therefore humbly pray that the health clinic at Jabiru will remain open for 7 days per week and your petitioners, as in duty bound, will ever pray.

TABLED PAPERS

Directions of Treasurer and Administrator

Mr PERRON (Treasurer): Mr Speaker, on 26 May 1982, I approved in accordance with powers provided to me under section 13 of the Financial Administration and Audit Act a transfer of funds between subdivisions within the provisions of the Appropriation Act 1981-82. In accordance with the requirements of section 13 subsection (2) of the Financial Administration and Audit Act, I table the order made by me on 26 May 1982.

Further, on 3 June 1982, the Administrator of the Northern Territory of Australia, acting on the advice of the Executive Council, approved in accordance with powers provided to him under section 13 of the Financial Administration and Audit Act a transfer of funds within the provisions of the Appropriation Act 1981-82. In accordance with the requirements of section 13 subsection (2) of the Financial Administration and Audit Act, I table the order made on 3 June 1982.

MINISTERIAL STATEMENT

Future of Agricultural Development in the Northern Territory

Mr STEELE (Primary Production)(by leave): Mr Speaker, this statement is an abbreviated version of the statement delivered to the grain growers in Katherine on Saturday at the post harvest grain handling seminar and contains the government's commitment to continue support for the Territory's agricultural industry.

The government's policy of direct financial support to the agricultural sector in 1982-83 will include loans from the Northern Territory Development Corporation, continuation and expansion of the crop contract scheme, continuation of fertiliser freight subsidy and other input subsidies, continuation of the

first advance payment scheme, and provision of additional grain storage and handling facilities. Additionally, government support will be provided for roads and bridges, Department of Primary Production research and development into suitable plant breeds and varieties, improved extension services and the development of local, interstate and overseas markets for Territory produce.

As well, the government is being asked to consider proposals to establish a Northern Territory grain marketing board as part of its undertaking to continue the advance payment on crops scheme. The functions of such a board will be acquisition of all grains produced in the Northern Territory, determination of pricing policy for grain, determination of marketing strategies, determination of policies relating to financing of stocks, retention of reserves and disposal of pool balances, and negotiation of grain handling and storage facilities with the Agricultural Development and Marketing Authority. Such a board will comprise producer representation elected by ballot as well as names from the Northern Territory government.

There are fundamental long-term advantages to producers and users alike by acquisition by central authority. As part of our ongoing strategy to develop our agricultural base in the Territory, it is absolutely essential that commercial lending sources are further involved in financing activities. Government finance to the rural sector should generally be restricted to emergency assistance schemes and basic infrastructure facilities such as roads, bridges, communications, community services, transport and ports systems, research and extension services. The role of the non-government sector should generally be to finance new requirements such as property purchase, property development, working capital and purchase of plant and machinery. At the industry level, the non-government sector should finance capital for crop purchases and trading stock as well as infrastructure facilities such as grain handling and storage facilities. In the Australian states, this scenario generally occurs. Unfortunately, this does not apply in the Northern Territory. The attitude of lending institutions in the Northern Territory has been brought about by lack of knowledge, well-publicised failures, limited available funds, perceived high degree of risk and numerous secure alternative lending proposals.

As a consequence, the burden of financing agricultural development has been largely borne by this government. In the 1981-82 financial year, the Northern Territory Development Corporation approved 16 loans totalling \$2.246m for agricultural and horticultural purposes. The corporation outlaid a further \$161 000 to meet costs incurred by farms participating in the crop contract scheme. The Department of Primary Production spent \$103 400 on fertiliser freight subsidies. The Agricultural Development and Marketing Authority paid more than \$333 000 to growers as first advance payments. The government spent about \$432 000 on establishing a grain receival depot in Katherine. Considerable funds were also invested in the establishment of project farms, the provision of roads and bridges, water survey and development and agronomic research and extension services.

There will be increasing demands placed on the government and commercial sources of finance in the future for a wide range of purposes including property purchase, development finance, working capital, plant and equipment purchase, special purpose loans, rural adjustment loans, disaster finance, crop marketing and the provision of infrastructure. The amount of finance required both in total and on individual basis will be large. Consideration must be given to the terms and conditions attached to such funds and the security available. The government recognises the need for concession interest rates in the early years of agricultural development and, to date, funds have been provided at rates well below the current commercial rates.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

BAIL BILL
(Serial 207)

CHILD WELFARE AMENDMENT BILL
(Serial 208)

CLAIMS BY AND AGAINST THE GOVERNMENT AMENDMENT BILL
(Serial 209)

CORONERS AMENDMENT BILL
(Serial 210)

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL
(Serial 211)

JUSTICES AMENDMENT BILL
(Serial 212)

PAROLE OF PRISONERS AMENDMENT BILL
(Serial 213)

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 214)

Continued from 1 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the principal bill in this package of cognate bills is a consolidation of all those areas of law in the Northern Territory dealing with bail. I would like to say that the bill is a particularly well drafted piece of legislation.

Bail can be granted by a number of authorities in the Northern Territory: the police, a justice of the peace, a magistrate or a judge. This act will apply to all of these bodies. There are sufficient provisions in the Bail Act to allow for appeals from the decision of an inferior bail authority to a higher authority. When introducing this bill, the Chief Minister pointed out that the existing bail situation in the Northern Territory is covered by the common law. The principles with regard to bail are well known and well accepted. I understand from protracted discussions that I have had with practitioners in Darwin in relation to the operation of bail applications that there is generally a good and fair situation existing in relation to these applications.

Mr Speaker, the main point about the legislation is that it sets out the criteria to be considered by a bail authority. It is unnecessary to go further than the Bail Act when making bail application. Of course, some sections of the act will be interpreted in due course. The most important clause in this bill is clause 24 which deals with the criteria to be considered in bail applications. I believe that the criteria set out in the bill are relevant and pertinent to bail applications and indeed reflect the reasonable considerations which the common law has accepted until now. The bill in fact contains no major change to the principles currently embodied in the common law for the granting of bail. The basic principle is that, except in the cases of murder or treason, an accused person should be entitled to bail unless some good reason can be shown as to why he should not be released from custody. The cognate bills simply remove all other references to bail in Territory law so that, in

all cases, reference can simply be made back to the principal act.

I consider that this piece of legislation is particularly well drafted. I have been able to discuss the bill at length with a number of practitioners in Darwin who deal with bail applications and I have not been able to elicit from any of them any major criticisms of the proposed legislation. The opposition supports the introduction of the Bail Bill and recognises the fairness with which the judiciary has dealt with bail applications until now. We believe that the introduction of this legislation will be of assistance to those persons concerned with bail applications from day to day. The opposition supports the bills.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this legislation, my remarks will be brief. It makes sense to me to make 1 piece of legislation out of the 7 pieces of legislation mentioned by the Chief Minister when introducing this bill. Bail and the operation of bail applications has operated reasonably satisfactorily in the Northern Territory until now due in part, as the Chief Minister said, to our relatively small population compared to other parts of Australia. I think also that it is due in no small part to the conscientious and fair way that the operation of bail has been administered by the people associated with the administration of justice. The 7 pieces of cognate legislation have all been itemised in the Chief Minister's second-reading speech. The legislation is in keeping with our government's wish to enact legislation not only to fit the wishes of the people in the Northern Territory, but also to keep pace with changing times and, if possible, to anticipate changing times. They are the reasons for the introduction of this legislation. The legislation before us does all this and I feel certain its implementation will further streamline the administration of justice.

Mrs LAWRIE (Nightcliff): Mr Speaker, I rise to support the Bail Bill. For some time I have asked that bail provisions be consolidated and simplified in order to advance the cause of justices of the peace of the Northern Territory who are called upon to perform a variety of duties, not the least of which, in my experience as a justice, has been to be called to the police cells to determine bail when the police sergeant on duty has decided not to grant it. That is quite an onerous task for a person not trained in the law, as is the case with many justices of the peace at the moment. As a JP, I welcome the consolidation of bail provisions for the purposes of clarity.

Having had the consolidation so presented to the Assembly, it is somewhat disappointing to find in the latest Criminal Code - it must be about mark 10 now - provisions relating to bail. I ask that the honourable Attorney-General stand by his original proposition that the Bail Act be the be-all and end-all as far as bail provisions are concerned. I really do not wish to see the reference to bail in the Criminal Code if we are to have a single consolidated act.

I am pleased that, in 1982, there is a clear statement of presumption in favour of bail. This has not been so in the various states around Australia. It was not until recent times - I think spearheaded by the Institute of Criminology which produced learned papers on the subject - that there was a shift in emphasis on the granting of bail within Australia from something for which one had to fight for to a presumption that bail would be granted unless good reason could be shown to the contrary. I believe that latter sentiment is well expressed in this legislation and that, of course, is a sentiment which most right-thinking Australians would accept.

Mr Speaker, there is only one other comment I would make on this bill.

Again, I must express a personal interest. Besides being a justice of the peace, I have at times gone surety for persons granted bail by the court and it was my misfortune to have my \$1000 estreated not long ago, notwithstanding my appearance at the court and my pleading that I had done all in my capacity, that I believed reasonable, to keep the bailed person in Darwin to face the court hearing. The court expressed its sympathy for me and for another person who also put up \$1000 bail, but said that, however sympathetic it might feel and whilst it agreed we had done all we could, the \$2000 would be estreated. I am pleased to note now that, in consideration of estreatment of bail, this legislation gives discretion to the court.

The point I am making is that, in entering into that agreement to act as a surety for the alleged offender, I was aware of my responsibilities and endeavoured to carry them out. Many people who are asked to put up bail for persons charged with a variety of offences do not really realise the ramifications of the surety they are about to undertake. It may be that the Attorney-General would consider the preparation of a small booklet for members of the public to make them aware of the responsibilities of a person going bail for an alleged offender. They can be quite onerous, Mr Speaker, and I have found a vast ignorance in the general populace regarding what can be a very important point. For example, the Chief Minister and other members will be aware that, if one puts up surety for an alleged offender, one has to make a statutory declaration of one's assets and income. Most people do not realise the seriousness of this. I have known of persons more distressed than I was who have been faced with the selling of substantial assets because they did not really realise the ramifications of what they were doing. Of course, the Chief Minister is well aware that ignorance is no defence. But, in commending his presentation of a consolidated Bail Bill, I would think that perhaps a simple pamphlet prepared by the Information Service and printed by the Government Printer, at little cost, would be a welcome adjunct to this legislation. All members of the Assembly have been surprised at times at the paucity of press coverage of the business of the Assembly, particularly on the legal requirements resulting from legislation. It is sometimes almost impossible for the public at large to know the purpose of our legislative program.

I have no quarrel with the Bail Bill as it stands. However, I believe that reference to bail should be deleted from the Criminal Code when it is finally presented. I agree with the Attorney-General that it should be consolidated in one act. Secondly, I suggest that there should be an explanatory memorandum for members of the general public on the 1982 provisions for bail.

Mr EVERINGHAM (Attorney-General): In reply, Mr Speaker, I am pleased that there is general support in the Assembly for the provisions of this legislation. I think a good job has been done by everyone associated with the preparation of this legislation, and it will serve the Territory well for some time.

I must make sure that the \$1000 that the honourable member for Nightcliff had estreated is specifically allocated to the Department of Law's entertainment expenses so that I can spend it on whisky or beer and drink to the honourable member for Nightcliff as I do so.

Mr Speaker, I cannot imagine what anyone would think when signing a form of surety other than that he was making himself liable to pay a sum of money if the person did not turn up at the hearing. It is hard to work out what a guide booklet would contain other than that one is up for the dough if the offender does not show. Perhaps we could simply put a big, red sticker on the top of every surety document saying something like that. That is what it is. It is as simple as that, and it is pretty hard to write too many pages about it.

However, I take the honourable member's point. If the Department of Law considers the matter requires some sort of educational campaign, I will seek its advice. However, perhaps the best thing would be to put a very short explanation, in layman's terms, at the top of the front page of the document, something like: 'No show. No dough'.

Mr Speaker, I had intended that there would be no provisions relating to bail in the Criminal Code. I do not know where they appear but they will not be there for very long if they are included. I am sorry that the honourable member for Nightcliff took the opportunity to sneer at the tenth, as she called it, draft of the Criminal Code. I suppose that I had better take it in good humour. However, if we had introduced the code and rammed it through, we would have been castigated for authoritarian government. Because we engaged in a lengthy process of consultation, we are sneered at because we are on the tenth draft. We are not. We are only on the sixth draft, Mr Speaker. Certainly, I will take up the point about the bail question in the code.

I am pleased that everyone is happy with this legislation. It is nice to have members in agreement. I will not be able to proceed with the committee stages at this time because there are some amendments. Probably these will not be ready until later in the sittings.

Motion agreed to; bills read a second time.

Committee stages to be taken later.

STATUTE LAW REVISION BILL (Serial 186)

Continued from 2 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition supports the bill.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Schedule:

Mr EVERINGHAM: I move amendment 115.1.

Amendment agreed to.

Schedule, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

CRIMINAL CODE BILL (Serial 167)

Continued from 26 November 1981.

Mr EVERINGHAM (Attorney-General): Mr Speaker, I seek leave to withdraw this bill. It is not intended to proceed with this particular bill. The

further draft that we were just talking about has now been circulated publicly and the government proposes to work on that draft bill. I understand that we will be having a debate shortly wherein we might pick up further expressions of various views. In those circumstances, I seek leave to withdraw this bill.

Leave granted; bill withdrawn.

MOTION
Draft Criminal Code

Continued from 3 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I make no apologies in this debate for referring to my notes as the comments that I need to make on this draft bill are quite detailed.

This morning, the Chief Minister made some comments about how ridiculous it would have been for him to have proceeded and pushed through the bill that was just taken off the Notice Paper. Although I do not want to dwell too much on the past in this debate, it does make quaint reading now to read a letter that the Chief Minister wrote to me in February of this year which, in the context of those remarks, should go into the public record. The Chief Minister made it public at the time by giving it to the press. I wrote to the Chief Minister asking for some delay for further consideration of the bill which has now disappeared into limbo, and I received this letter dated 11 February:

Dear Mr Collins,

Thank you for your letter of 9 February regarding the Criminal Code. I am prepared to defer passage of the code until the May sittings. I do this solely on the basis that I am prepared to do my utmost to cooperate. So far as I am concerned, your letter does not disclose any good reason for deferring the passage of the bill. Direct consultation ...

In short, and so far as I can see, for no good and sufficient reason, I am prepared to accede to your request to defer passage of the bill until the May sittings.

Mr Speaker, we have the advantage of having the Sturgess draft before us. The Chief Minister said in his statement:

The purpose of this is to give the community in the Territory an opportunity to consider 2 different pieces of legislation and, with the assistance of seminars to which I will refer later, to give this government a clear indication of which approach it believes most preferable or indeed whether the community feels a combination of what is best in both documents would be most appropriate.

Mr Speaker, I think there is general agreement that the style of the 2 drafts is so different that it is not possible to do that. Of course, we have now had the government's intention made clear by the removal of the former bill.

I think it is fair to say that the most basic difference between the bill that we have now removed from the paper and the current draft code is that the first embarked in many instances on uncharted territory. The current draft before us is based substantially on existing criminal law, in particular the criminal code of Queensland.

Mr Speaker, as the Chief Minister did in his statement, I will go through this code in an orderly way, touching on some of the areas of concern that the opposition has. I might explain to the Chief Minister that there are in fact many parts of this code which we favour and think are excellent, but there is no time to touch on those. However, I will correspond more fully with the Chief Minister later. I will simply touch on those parts of the code that we have some difficulty with.

Before I do that, I would like to make a few minor suggestions in respect of the drafting and the layout of the final code. First, I think it is about time that we did away with the use of Roman numerals in legislation and the chapter headings of the code. Another suggestion I would like to make is that the government draft the code itself or a separate code which would be annotated showing the substantive source of the code or, where appropriate, new law.

I will now deal with the code itself. In clause 1(2), questions of 'intent' and 'knowledge' are vital in most serious offences where the intent of the person committing the crime is an important part of the offence. This provision extends the accepted common law concept of intent or mens rea. The impact of this clause would be to change the existing position which is subjective intent - that is, that the court must be satisfied that the defendant himself had the intent - to what is here an objective test. This objective test comes about through the concept contained in the subclause of what 'a reasonable person similarly circumstanced to the accused should have done in a given situation'. We would recommend that this concept of objective intent be deleted from the code and that the code be formulated in such a way as would preserve the existing common law position of intent.

The other aspect that is objectionable for the same reason in relation to this clause is the extension of the concept of knowledge. We would consider that this concept is an unacceptable extension of the existing criminal law concept of knowledge and should also be amended to bring it into line with the current common law position.

In clause 10, the concept of assisting a person to enable him to escape punishment is one that has been subject to interpretation by the courts to give it a broader meaning than just 'to escape punishment'. We consider that the broad meaning of those words - that is, any material assistance given to a person who has committed an offence - should be spelt out in the code and this section should be amplified to include the general concepts that have been developed on this matter by common law. We would recommend that this clause be reconsidered to cater for the exact meanings of the words 'to escape punishment'.

In clause 18(1), a concept of objective tests is brought into the code. This concept is unfair to the accused person because it would be difficult to establish. This clause deals principally with the concept of intent and it is considered that, in relation to those concepts, the subjective test is the appropriate test. We recommend therefore that subclause (1) of clause 18 be amended by deleting those parts of the subclause that make the test an objective one.

The inclusion of the words 'by the standards of an ordinary person similarly circumstanced' in clause 20 also introduces an element of objective test in relation to criminal intent. It is suggested that this is an unwarranted extension of accepted principles and, accordingly, these words should be deleted. We would recommend that the words 'by the standards of an ordinary person similarly circumstanced' be deleted from clause 20.

Clause 21 deals with provocation. The provisions should be extended to

allow for provocation in relation to any assault. The amendment required here would have to be done in conjunction with an amendment to clause 187 which would perhaps entail the combining of both clauses together to set out the full defence of provocation. The rationale for this argument is that anything that is done on provocation following the tests set out in the code should be excused in the criminal law if it is done solely on the basis of the provocation of the victim. It should be noted that there are requirements in the act to set the limit in which provocation shall apply to a situation. We recommend that the provisions in relation to provocation be amended so that they cover the whole range of assault situations in which provocation should be a complete defence.

We have 2 objections to clause 23. The first objection is that it abandons the test that was developed by the High Court in O'Connor's Case. In relation to the defence of intoxication, where specific intent is required, we would suggest that the defence of intoxication should remain in relation to serious offences where specific intent is required. The defence of intoxication, as it applies to offences requiring specific intent, was recently reconfirmed by the Federal Court of Appeal in the case of Herbert and Others v the Queen. We would argue that the existing law in relation to intoxication provides a fair result where intention is required in regard to serious offences. There seems to be no rationale for abandoning this development of the law by the High Court in the Northern Territory at present. We would also argue that the strict requirements of the application of the defence of intoxication are sufficient safeguard to ensure that justice will be done. We would recommend that the provisions of clause 23 be amended to provide for the defence of intoxication for serious offences where specific intent must be required in line with the provisions of O'Connor's Case.

The second objection we have to the provisions of clause 23 apply in relation to subclause (3). The existing law is that drunkenness is not a mitigating factor in relation to sentence. This, we believe, is just in the circumstances and provides the necessary balance where intoxication is an issue in relation to punishment. We consider a provision in the draft, which imposes a liability to further imprisonment for 2 years where a person is intoxicated and commits an offence, to be grossly unfair. We would therefore recommend that the provisions of subclause (3) be deleted.

Clauses 30 to 35 deal with the crime of sedition. It is difficult to appreciate why it is necessary for such provisions to be set out in the Territory's Criminal Code. Seditious practices against the Crown are provided for in Commonwealth legislation. As a general policy, the Labor Party is opposed to the provisions in relation to sedition as they could be misused in their application. We do not believe that it is an answer to these objections to simply state that these matters will be left at the discretion of the Attorney-General. Should these provisions be enacted, then the provisions of clause 30(a) where the word 'disaffection' is used should be reconsidered as it is capable of very wide meaning and could be inclusive of the concept of political discontent. Further provisions of clause 33 need to be reconsidered as they also have a meaning which could be interpreted to clamp down on political comment and argument. These are matters of drafting to ensure that the interpretation is concise. The provisions of clause 33(3) should be deleted as sedition, in our view, should never be dealt with as a summary offence.

Clauses 36 to 42 deal with the concept of terrorism. Terrorism has certainly become the phenomenon of the 1970s and indeed of the 1980s and we believe it does need to be dealt with in legislation. This has not been addressed in any jurisdiction in Australia. It is the Labor Party's position that the

crime of terrorism should be dealt with principally by the Commonwealth. However, we accept that at present the Commonwealth has constitutional limitations in relation to legislating in this area. However, we believe that it would be more appropriate for the Northern Territory government to stimulate amongst the territories and states an application to the Commonwealth government for it to assume jurisdiction in this area. Under the provisions of section 51(xxxiii.) of the Commonwealth Constitution, the Commonwealth can make laws in relation to matters referred to it by the states and territories. We would consider that the appropriate referral should be made to the Commonwealth government and a request made to all state and territory governments for the handing over of this power to the Commonwealth. The necessary mirror legislation could then be introduced by the states and territories to give effective implementation of anti-terrorist legislation Commonwealth-wide. The difficulty with the Territory simply implementing its own legislation is that it does not have the Commonwealth back-up. Particularly in relation to something like terrorism, I suggest there would be a substantial argument for uniformity throughout Australia in relation to these types of provisions. Leaving aside the broad objections to this clause, if the clause is to be brought into law, there are a number of comments in relation to provisions that exist here.

Clause 39 does not add anything to the overall effect of the provisions in relation to terrorism and it is suggested that the clause could be misused. The previous clauses are directed to people who actively support private organisations and it is suggested that, just because of the wearing of a badge, a person should not be subject to criminal charges, conviction and sentence of up to 6 months' imprisonment. We recommend that this clause be deleted from the draft code.

The main objection to clause 40 is that it makes life sentences mandatory. We have a general objection to mandatory life sentences and I will enlarge on this later in the clause dealing with murder. We suggest that this provision should only allow for a maximum penalty of imprisonment for life.

When one looks at clause 42, it will be seen that it will not be effective and it could in fact be used in a discriminatory way. Like the comments that I have also directed to clause 39, it is also considered that this clause is unnecessary and that it would not be effective in the circumstances prevailing in the Territory. Accordingly, we would recommend its deletion.

The provisions of clause 48(2) are too wide and could affect people who are making bona fide objections and protests. The wording needs to be revised to tighten its meaning and to remove the ambiguity that exists in relation to lawful protests.

I will just note in passing that, in clause 54, there is a drafting error - at least in the copy that I have - in that the penalty provisions in the first paragraph of the clause provide for imprisonment for 10 years whereas the overall penalty provisions which apply to the whole clause allow for imprisonment for up to 14 years.

In relation to clauses 57 to 60, the Chief Minister, in introducing the draft, said that the current draft restricts the criminal code to indictable; that is, serious offences. These seem to be more in the nature of summary offences and it is suggested it would be inappropriate to have them in a criminal code which, in our view, should only be intended to deal with serious offences. We would recommend that clauses 57 to 60 be deleted from the code and inserted in the summary offences legislation. A similar comment applies in relation to clause 62 as it would seem to be in the nature of a summary offence.

Clause 69 seems to cover the ground in relation to the duties of public servants but it should be covered by their taking an oath in relation to their assumption of duties. We consider it is inappropriate to have such an offence in the Criminal Code and that the appropriate place for it is in the relevant public service legislation.

Clauses 81 to 98 deal with improper practices at elections. It is our strong view that these provisions should be incorporated in a law dealing with electoral matters and not be contained in the Criminal Code. Having made that broad objection, there are a number of these provisions that I would like to comment on. Clause 84 needs to be examined carefully because it is couched in terms that are too wide and could affect innocent people. In particular, sub-clause (1) needs to be examined with a view to possible redrafting. We believe clause 86 is drafted in extremely wide terms and would also need to be examined. Clause 87 seems to carry a double punishment. It should be looked at particularly in view of the provisions in clause 14 which deal with the concept of a person not being punished for the same offence.

Clause 92 is entirely inappropriate for the conduct of elections in the Northern Territory. The net effect of these provisions would be that no person would be prepared to put himself forward as a presiding officer for an election particularly in an isolated polling booth. The practice in the Territory with its isolated booths would make it extremely difficult for a person to satisfactorily carry out his duties as a presiding officer without running the risk of being deemed to be guilty under this clause if someone else interferes with the ballot box between the time it leaves the polling place and when it is delivered to the returning officer in Darwin. In some cases, a matter of days may be involved and numerous people may handle the box before it finally reaches the returning officer. If the provisions of this clause were enacted, I think that very few people in isolated areas would be willing to take the job. The clause should be deleted.

Clause 114 raises the extremely difficult balance that has to be struck between the interests of the individual and being able to obtain things of a personal nature that have been stolen where that individual's interest is principally in those things and not in the prosecution of the person for the offence. This is a difficult question and probably the final balance is that, in the interests of the community generally, people who steal things should be prosecuted with the full vigour of the law and the individual's interest in regaining his personal items would have to be considered as being less than the overall community interest. However, the introduction of the words 'stolen or lost' in subclause (1) does bring the offence into a broader category. There would seem to be no justification for a person advertising for the return of items that he or she considers to have been lost and accordingly it is suggested that the words 'or lost' contained in subclause (1) should be deleted.

We then come to the clauses that deal with bail and we agree with the honourable member for Nightcliff that the appropriate place for these clauses is in the Bail Bill.

In view of the provisions in relation to essential services to which clause 132 seems particularly directed, this clause would seem to be superfluous. We consider that the Essential Services Act, recently passed in the Assembly, provided appropriate legislation in relation to the provision by public servants and other office holders of essential services to the community and we recommend that this clause be deleted.

Clause 136 also seems to be superfluous in that any statute that creates

a duty or obligation for which there should be punishment for not complying with that duty or obligation is already on the statute book. We suggest that this clause is unnecessary and recommend its deletion.

Clause 137 deals with an area which should also be covered by the relevant statute law. This clause creates an offence which is a misdemeanour and we think it should properly be dealt with as a summary offence.

Clause 143 should be amended to provide that it is not a criminal offence where the 2 people participating in the act of carnal knowledge are within 12 months of the age of each other; that is, it should be drafted to bring it substantially in line with the provisions of the act in Victoria. The situation that is sought to be covered is where 2 15-year-olds, for example, are engaged in sexual activity and it is considered that this is not what the clause is being directed at. The clause surely is directed at an older person taking advantage of a younger one. Accordingly, it is only fair that the legislation recognise the particular situation of young people engaging in sexual activity and remove that activity from the area of criminal responsibility. If you believe that a 15-year-old boy having sexual intercourse with a 15-year-old girl who fully consented to that intercourse should be subjected to criminal punishment and imprisonment, then you would disagree with that point of view. My own view, however, is that, where the offence occurs, it would be appropriate - and I understand that this is the practice now - for the families concerned to sort out the problem and for the law not to interfere. In fact, the clause should be directed very much at the sexual exploitation of younger people by older people. We concede that, in doing this, we would have to draw the line somewhere. We would suggest that the provisions of clause 143 be amended to provide as a complete defence that the parties involved were within 12 months of the age of each other.

There is a drafting error in clause 144: the word 'not' which appears in the last sentence should be deleted.

We support in principle clauses 155 and 161 but we feel that our final comment will have to wait until the details of the first and second schedules referred to in these clauses are made known.

I would suggest that the term 'callously' used in the second last line of clause 176 could create problems in relation to the interpretation of 'intent' in determining a person's guilt under this clause. It is suggested that the words 'without reasonable excuse' be substituted for 'callously' as this would give the clause greater clarity.

Clause 182 should be amended to take into account 2 matters. First, the words 'knowing it will' should be included after the word 'omission' in the first line of the clause. Secondly, a defence of some type or further consideration needs to be given to cover the situation of terminating. This is a matter of some concern and it should be debated fully before this issue is closed.

Clause 187 refers to killing on provocation. It will be recalled that I have already made some comments in relation to provocation and this clause should be looked at in relation to those comments. My general comment is that provocation should be broadened as a defence so that it is a complete defence.

Clause 188(1) should be amended by changing the words 'mental illness' that appear in line 5 to the words 'abnormality of mind'. The concept of mental illness is one that should strictly be applied in relation to insanity. Diminished responsibility as a defence is not the same as insanity and indeed is directed to a situation where the balance of the mind is distorted. The words 'abnormality

of mind' more clearly reflect this concept than the words 'mental illness'.

Clause 189 provides a mandatory life sentence for a person convicted of murder. The provision is criticised on 2 grounds. Firstly, the discretion as to sentencing has been given to judges in relation to most other serious offences. There seems to be no valid reason why that discretion should not apply to a charge of murder. There are some instances where a heavy sentence would be required in relation to a murder charge but not necessarily a life sentence. The discretion in relation to sentencing should be left to the judge. Secondly, the real effect of this provision is that juries would be less likely to convict people of murder knowing that, in relation to this offence, not only is the jury convicting but also sentencing. This is the type of matter that will weigh very heavily with the jury and perhaps would persuade it to convict a person of a lesser charge where there is discretion in sentencing. A verdict of murder would necessarily mean a sentence of life imprisonment. We recommend that clause 189 be altered to allow for a maximum penalty of life imprisonment, not a mandatory penalty of life imprisonment for the offence of murder.

Clause 195 deals with the offence of attempting to commit suicide. It is hard to see where this provision would be applied. People who attempt to kill themselves are usually urgently in need of medical and psychiatric treatment and it is hard to conceive of a situation where society would be dealing with a person justly in the unbalanced state that person was in by charging him with an offence for which he is then liable to be imprisoned. Probably it is time to give serious consideration to deleting such an offence from the statute books in view of the advances made in treating people who have reached such a stage that they would be prepared to terminate their own lives. We recommend that it is timely for the provisions of clause 195 to be deleted.

Clause 198 refers to the previous provisions in relation to abortion. I think there is a drafting error, at least in the copy that I have. The words 'clause 108' in the first line should be changed to 'clause 200'.

The provisions of clause 220(3) do not make any sense. I can only assume that something has been left out of the draft copy.

The provisions of clause 248 make a criminal offence of what was previously a tort in common law. The existing remedy for this type of behaviour is an action claiming damages. We consider it inappropriate for this to be a criminal offence. There are other remedies, apart from damages, including the gaining of an injunction to restrain a person from using trade secrets that have been obtained improperly. We recommend that the provisions of clause 248 be deleted from the code.

The provisions of clause 262 are incomplete as the offence is not spelt out. The provisions in relation to the prosecution being only begun at the direction of the Crown Law Office need serious consideration. Why should such offences only be allowed to be commenced at the direction of a Crown Law officer when the offence is seen to be of quite a substantial nature, although the penalty for the type of offence has not been set out in the code. We recommend that this clause be deleted and that the provision restricting prosecution to a situation where there is an express direction by a Crown Law officer be removed.

Clauses 314 to 328 deal with the crime of conspiracy. As a general comment, the clauses appear to be too wide and cover too broad an ambit of criminal activity. There has been a tendency in the past for prosecuting authorities to rely on the conspiracy provisions by taking a very general approach to evidence rather than tightening the particular allegations against offenders. The famous Greek conspiracy cases are a good example of that. This has

ramifications not only for the accused person but also for the administration of justice. Conspiracy cases are taking far too much of the courts' time and in many cases could be narrowed down to charges of a specific nature. We suggest that some procedure be included in the code for prosecuting authorities to be allowed to proceed with a conspiracy charge only by leave of the court. The court must be satisfied that the prosecution is not able to proceed on a case based on a specific charge.

The provisions relating to procedure are still being examined in some detail by us and necessarily will require some input from local practitioners so that they reflect the particular practices that occur in the courts of the Northern Territory. The opposition will be obtaining comment from local practitioners and suggested amendments will be made known to the government at that time.

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

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that the Leader of the Opposition be granted an extension of time.

Motion agreed to.

Mr B. COLLINS: Mr Speaker, I thank the Assembly.

However, there are some matters I can comment on now. The procedural provisions should be included in the part of the code dealing with procedure to give an accused person the right to have an interpreter. It is acknowledged that, in many cases, interpreters are provided in the Northern Territory courts but this is done through the wish of the court. I have been present at court cases where this has been contested by the prosecution. It seems almost unnecessary to state the obvious: the accused person should have the right, at all times, to have an interpreter. A person may have some knowledge of the English language but not fully comprehend what is happening in the court. When one is considering the possible consequences for people charged with criminal offences, it is only just that they be provided with an interpreter so they can fully comprehend and feel at ease with the proceedings. We recommend that a provision giving the accused person a right to the use of an interpreter be included in the procedural section of the code.

Clause 402 deals with the right of counsel in relation to final addresses. Apart from relying on traditional behaviour, there seems to be no commonsense reason why an accused person should not have the right, either by himself or through his counsel, to have the last address to the jury. It is well known among legal practitioners that a number of games are played whilst jockeying for position in relation to final addresses. To some extent, this will always go on but a worrying aspect of this practice is that in many cases evidence that should be introduced is not introduced because of the possible loss of the right of last reply. It seems that, if an accused person always had the right of last reply, many of these problems would be solved. We recommend that the provisions of clause 402 be amended to reflect the position that an accused person, by himself or through his counsel, should always have the right of last reply in addresses at the end of the case.

We do not believe that the provisions of clause 424 should be included. The extra punishment being placed on a convicted person is unjust. This clause requires a great deal of consideration or redrafting to reflect any other intent than double punishment for a person where he is convicted and sentenced in a situation where he is proved to have been intoxicated at the time that he

committed the offence. I applaud the government for its 'Boozers are Losers' campaign but I do not think that it should try to use the courts to reinforce that particular view. We recommend that the provisions of clause 424 be re-examined and redrafted to reflect clearly the intention of the legislature outside that of providing double punishment for convicted persons.

Clause 429(4) appears to be incomplete. It was probably meant to provide that a person can pay a fine by way of instalments.

The provisions of clause 432(1)(b) should be amended by the deletion of the word 'trivial' from the sentence. The sentencing tribunal should have wide powers in relation to this discretion and in some cases what may appear to be more serious offences can be shown to be of a technical nature only, whereby the person being sentenced could be overly punished by the recording of the conviction. The deletion of this one word would give further discretion to the sentencing tribunal. We also consider that the word 'expedient' which occurs at the end of this clause is not sufficient criterion on its own to reflect what in some cases is required for the purposes of justice. We would suggest that the words 'just or' be included in the clause prior to the word 'expedient'.

Clauses 437 to 444 deal with the question of habitual criminals and also with the question of declaring people as being unable to control their sexual instincts. We believe that both of these provisions create difficulties. The provisions in relation to declaring persons habitual criminals are objectionable. The main objection is that the person should be punished only for those actions he carries out and not for his propensity to carry out further acts. It is suggested that the provisions in relation to habitual criminals are open to abuse and could operate extremely unfairly in particular circumstances and we would recommend their deletion from the code. It should be noted by all honourable members that persons who continually commit crimes are liable to harsher penalties. We argue that this is sufficient penalty and that the imposition of the stigma of being an habitual criminal and also the difficulty of having oneself removed from that category are not justified. I can understand partially the philosophy behind having provisions which deal with declaring persons unable to control their sexual instincts and I know that similar legislation applies only in South Australia.

These clauses do cause us some disquiet as they could result in injustice and detention through administrative action. At present, there are no provisions quite like this existing in law other than in South Australia and there should be more information made available regarding the need for these measures and an assessment of their operation in other states before they are introduced to the Territory.

So far as the question of treatment is concerned, this can be achieved through the imposition of terms on a bond. The extreme cases would most likely be dealt with by recommendations regarding the serving of the sentence. Treatment is available. Legal detention for treatment is not required and we recommend at this stage that, until further information can be given on this matter, the provisions regarding enforced detention at the pleasure of the Crown should be deleted.

Mr Speaker, in the 60 seconds that remain to me, I would just like to say that the opposition in fact is continuing to pursue its examination of the Draft Criminal Code. Other members of the opposition will deal shortly with those aspects of the code which particularly interest or concern them and we will forward any further comments we have to the Chief Minister in due course.

Mr HARRIS (Port Darwin): Mr Speaker, this is the first opportunity that

I have had to comment in the Assembly on the Draft Criminal Code and I welcome that opportunity. It was in 1977 that the idea of the Northern Territory having its own Criminal Code was first suggested. We have come a long way since that time. Since the first edition of the Draft Criminal Code was introduced into the Assembly, there has been a great deal of comment and criticism directed at the government in relation to how it has gone about obtaining input from the community and informing the community exactly what the Criminal Code is all about. I would like to go on record as congratulating the Chief Minister and the government for their efforts in this regard. Contrary to suggestions that the government would try to push through the Criminal Code as quickly as possible, that has not happened. It has displayed a degree of patience, and quite rightly so. This is an extremely important document and the government has called for comment from the community. Mr Speaker, it should also be emphasised repeatedly that the drafts we have had before were just that - drafts.

Mr B. Collins: No, there was a bill actually.

Mr HARRIS: The draft we are talking about now, the one that was tabled with the Chief Minister's statement, was a Draft Criminal Code. That is the one that I am referring to. It is a draft and comment can still come back and it can be adjusted.

I would say to those people who have not commented yet that they are still able to do so. Personally, Mr Speaker, I have been somewhat disappointed by the lack of response that I have received from the community, and in particular the lack of response from professional areas, from companies and the legal profession. I will mention that a little later on during this debate. Certainly, a great deal of comment has been made and there has been emotional debate on the clauses relating to terrorism, sexual offences and abortion. I would go so far as to say that 99% of the comment that has been received would relate to those particular clauses of the Draft Criminal Code or the previous bill. That being the case, I would like to make some comments on those clauses myself.

Abortion will continue to be an issue that is debated forever and a day. I have had representation from the pro and anti-abortion lobbies, the same as everyone else. One thing I found during the whole exercise of debating the abortion issue was that there was a consensus that there needed to be provision made in the Criminal Code for the termination of a pregnancy if there was danger to the life or the well-being of the mother. I think there was a consensus that such a provision was needed. I do not believe in abortion on demand. I believe that the clause was there to allow for the situation where there was danger to the mother or the mother would be affected in some other way. I might say here that doctors have a very important part to play in making sure that a particular clause relating to abortion works the way it is supposed to work. I refer to what I believe is the intention of that clause. It is important that doctors play an important part in the application of these clauses. There has been abuse in the past and I think that perhaps some doctors should research their consciences a little before making a decision as to whether or not to carry out an abortion.

The matter of terrorism produced often hysterical debate. It prompted some people to make the comment - including I think the Leader of the Opposition - that, if this Draft Criminal Code became law, we would have the harshest criminal laws in the western world.

Mr B. Collins: That was in relation to the murder provisions.

Mr HARRIS: Mr Speaker, quite frankly I do not care if they are the

harshest provisions in the world provided that terrorism is kept out of our country. I do not have any problem with these provisions. No one is denying people the right to protest. No one is denying people the right to demonstrate or petition without violence. These activities are part of our way of life. They are important to our whole system and I think that all of us would support giving people the opportunity of freedom of speech and having demonstrations if they object to particular issues before the community.

I would like to point out that we are dealing here with issues that relate to violence. We read so much rubbish about the terrorism provisions that I often wonder what these people are about. Perhaps we should send them over to areas of the world where terrorism is a daily fact of life. I repeat that these provisions are not meant to stop people demonstrating in an orderly fashion. In an age where we have violence all around us, where aircraft are being hijacked and people are being violently killed, there needs to be very strong provisions in our laws to enable us to act quickly if and when the need arises. It is no good waiting until someone has been killed or seriously injured before we take any counteraction. I emphasise again that this clause relates to violent acts and will not in any way affect peaceful demonstrations.

The comments on sexual offences were wide-ranging, centering around the age of consent and rape within marriage. My understanding is that rape was always an offence and that will always be the case.

I would like to touch on a matter that the member for Nightcliff has raised: the lack of protection provided in the Criminal Code for young girls who have been tribally married. Whilst I agree that some of the traditional ways of Aboriginal people - I refer here to certain initiation ceremonies of young boys - appear barbaric to us, it is part of their culture and way of life. I ask whether we should be interfering with the other people's traditional ways. It appears to me that in one breath we are saying that we want them to maintain their culture and in the next breath we are saying that there are certain aspects that we do not like and therefore the boys and girls will be protected from what we consider to be wrong. I ask whether that is the role that we should be playing in this Assembly. I know that it is very difficult for us to draft a criminal code where there are complete differences in cultures.

The age of consent was another matter that received a great deal of comment. I consider the original suggestion that the age of consent be lowered to 13 to be barbaric. It is all very well for us to say: 'Look, let us be realistic. This is 1982. You know that kids are doing things younger nowadays. You are out of touch with what is going on in modern society'. The 10-year-olds to 13-year-olds in 1982 are still doing the things that those groups were doing in the 1950s. Because young people are indulging in sexual activity at an early age is not an argument for lowering the age of consent. We do not say that, because more young people are consuming liquor, we should perhaps consider lowering the age where they can purchase liquor from supermarkets or hotels. To do so would be irresponsible. One of the most unfortunate aspects of the world today is that children are not allowed to remain children long enough. That is rather sad. They are brought into the adult life too quickly.

Many of the problems we have in our communities also relate to families. Often during the early stages of development, the only education that children have in relation to society's laws is from their parents and the people who live around them. If a child is caught by his parents doing something that he should not be doing - for example, scribbling on a shopfront or throwing rocks at a car - one would hope that that child would be told that that is not acceptable behaviour in our society. The problem is that not all adults have the same attitude to our laws. Some may feel that swearing is an accepted

thing in our society. Others may feel that, if you want to go to the toilet, you just go to the toilet in the street. Their children grow up believing that their parents' behaviour is acceptable public behaviour. The education of children generally, as far as our laws are concerned, comes back very much to the family. The only other way to educate kids on what society is about is by having programs where the schools are visited by police officers. This is carried out in the Territory as an introduction to the laws that operate in our society. I think that is a good program and one that should be followed up a little more. I believe that children are guided by the activities of the adults in control of them and I do not believe that we should be carried away over this changing attitudes argument.

I mentioned earlier that I was somewhat disappointed with the lack of response from companies and professional people. Whilst we as legislators try to cover as many areas as possible - and some do that more effectively than others - we all need input from professional people who are expert in their particular field. There are many clauses of this Draft Criminal Code which need this very important comment. Very little comment has come from lawyers for example. Whether or not this is due to the fact that criminal lawyers do not make as much money as commercial lawyers, I do not know. It appears that commercial law is where all the money is these days.

Another area from whence very little comment has come is the commercial sector. The business community should have taken a great deal more interest in this code. It has been pointed out by people involved in crime prevention that the biggest crime of the future will be forgery, particularly in relation to the use of computers, credit card systems etc. I also believe that will be the case. I think that the commercial sector should have given this a great deal more attention than it has. Professional people involved with those areas must comment before the clauses can be tightened up. There may be good reason why comment has not been made. When I was going through the drafts, I found it extremely difficult to relate one clause to another because, each time a new version came in, the code was completely different. I found that I had to go through the whole text again rather than refer to the specific clauses that concerned me initially. That was very time-consuming and perhaps that is why the lawyers have not commented.

As far as companies are concerned, my understanding was that the provisions relating to companies would be covered under the Companies Act. In the original draft, for example, we were waiting to see what would be in the Companies Act before deciding what should be included in the Criminal Code. That may be another reason why there has been no input from those very important areas. No matter what the reason, I believe that every effort should be made to gain input from those areas and I ask the government and the Chief Minister to make sure that, before any code is finalised, input from lawyers and from the commercial sector is received.

I would also like to comment on the penalties that have been placed on the provisions relating to violent crime. I understand that some of the penalties mentioned in this Draft Criminal Code are somewhat lower than the penalties in the original draft. It was suggested to me that perhaps consideration should be given to introducing minimum sentencing. I do not believe that this should be the case because there is a need for flexibility. Quite often situations are different and we need to have that flexibility. The reason for making such a suggestion was quite sound. It was made mainly because of certain inappropriate sentencing by the courts. That has been of concern to a number of people within the community. I would like to read out a letter to the editor of The Age in March of this year. It was written by Gordon Lewis who was the Executive Director of the Law Institute of Victoria and it is headed 'Prisoners'

rights should not take priority over community safety':

Last year, a young woman was abducted, repeatedly raped, bound and mutilated in a manner too revolting to describe. Her assailant was sentenced to 17 years' jail with a minimum of 15 years before parole. With remissions for good behaviour, he could be released on parole in 10 years. For her injuries and degradation, the woman received \$7500 from the Crimes Compensation Tribunal which was the maximum the tribunal could award then. The state government has recognised the inadequacy of the existing maximum compensation of \$10 000 by appointing a committee to consider the whole question of compensation for victims of crime.

The public's concern should not rest there. When he committed the outrages, her attacker was on bail awaiting trial for indecent assault. This and previous convictions for indecent assault and other sexual offences indicated strongly that he is a sexual psychopath. What will happen when he is released? It is reasonable to assume that, without intensive treatment, he will still be a sexual psychopath and perhaps worse. While a judge has power to make voluntary medical treatment a condition of a bond or parole, he has no power to order treatment in conjunction with the term of imprisonment. Some treatment is available at Pentridge for this type of offender but it is not compulsory. Surely a judge should have the power to order that the offender will not be released unless and until he has subjected himself to whatever treatment is considered necessary. The human rights of prisoners should not take priority over the safety of the community. Gordon Lewis, Melbourne.

I could not agree more. There was also a federal-funded survey on public attitudes to crime and punishment. It was generally found that there were significant liberal attitudes to the so-called victim of crime. In this particular survey it was made quite clear that most favoured much harsher penalties for the offences of rape, aggravated assault and drug trafficking. An article which appeared in the Australian in August said that the survey also revealed a serious lack of faith in the ability of the judges and in the criminal justice system. I do not like commenting on the judiciary and I do not intend doing that here in any great detail but it is quite clear that there is something wrong within our system and perhaps the area of parole should be looked at a little more seriously.

Bearing in mind what I have already said about sentencing and penalties, it is of grave concern to me to see that, in violent crime, the Northern Territory tops all the states: rape, homicide and serious assault. I would like to read out the mean rate per hundred thousand people to emphasise just how serious that situation is. These figures relate to 1964-1978. In relation to rape, the figures are: New South Wales 4.21, Victoria 5.09, Queensland 3.06, South Australia 5.63, Western Australia 2.95, Tasmania 3.65, the Northern Territory 16.37 and the ACT 3.86. The homicide figures are: New South Wales 3.97, Victoria 3.03, Queensland 4.16, South Australia 2.95, Western Australia 2.65, Tasmania 2.72, Northern Territory 17.02 and ACT 8.16. In relation to serious assaults, we are closely followed by Victoria but we are still heading the list: New South Wales 16.24, Victoria 46.09, Queensland 13.39, South Australia 11.30, Western Australia 13.81, Tasmania 7.88, Northern Territory 55.08 and the ACT 20.42. I believe that sentencing, penalties and parole for violent crime has to be looked at very seriously. If it is not looked at very seriously, then I am afraid that crimes will be committed that perhaps may not have been committed.

One other clause that I would like to comment on is that dealing with

intoxication as a defence. I understand that there will be an amendment to this particular clause and I hope that it does not make intoxication a defence. Because a person is under the influence of liquor or drugs in no way diminishes the seriousness of the crime that has been committed. I find it very difficult to understand how the seriousness of the offence can relate to whether or not a person is drunk or is under the influence of drugs. To say a person who committed a violent crime is not responsible in the eyes of the law because he was drunk or under the influence of drugs is just not on in my opinion. I am very pleased to see a clause relating to intoxication which spells out very clearly that it is not a defence in the case of very serious crimes.

Mr Speaker, there are a couple of other areas that I would like to mention. The Chief Minister asked members to comment on the format of the code. I agree with the Leader of the Opposition that the removal of most of the summary offences from the code is welcome. I think that the code should relate to the more serious crimes - indictable offences.

The other comment that I would like to make is in relation to the seminars that were held on the Criminal Code. I attended the meeting which was held for members of the Assembly and I also attended the public meeting that was held in the Civic Centre. The main discussion that took place at the public meeting was predictable. It related to the areas that I mentioned at the outset: terrorism, sexual offences and abortion. Very little comment was received on the other important areas in the Draft Criminal Code. Perhaps what should have happened was that the discussion should have centred on other areas of the code first. It would have been better to have debated terrorism, sexual offences and the abortion issues at a later date when all of that has been discussed. We tended to lock ourselves into these particular areas and very little discussion took place on other important parts of the draft.

In closing, I would make a suggestion, Mr Speaker. I do not know how to go about this because the Chief Minister's response to a similar request from the member for Nightcliff this morning was not an agreeing smile. However, perhaps in view of the importance of this particular document, he may give consideration to putting out a booklet which would give members of the general public an idea of what they can or cannot do as far as the Criminal Code is concerned. The issue that the Leader of the Opposition raised about advertising a reward is a very real one. I believe many people just do not know that it is an offence to advertise a reward. Perhaps the media could advise people that they should not place advertisements saying that the person who returns something that is lost or stolen will receive a reward. I think consideration should be given to having some form of booklet published.

Mr Speaker, once again, I congratulate the government for the way in which it has gone about this whole exercise. I believe that, wherever possible, it has tried to get across to the community what the Criminal Code is all about and what it will mean to the community. It has also called for comment and is still doing so. I would like to pay tribute also to all those people who have worked hard, not only on this draft but right throughout the whole exercise. All those people are to be congratulated. They have put in a great deal of time and effort in coming up with this draft which we have before us. I welcome the statement by the Chief Minister.

Mr LEO (Nhulunbuy): Mr Speaker, the Leader of the Opposition very concisely covered the opposition's questions with regard to this particular draft of the Criminal Code. I would like to spend my time talking about chapter V which deals with the heinous crime of sedition. For the benefit of those honourable members who have not read this chapter, I will skim through it briefly so they are quite clear on what it says:

In this Chapter, unless the contrary intention appears -

'seditious enterprise' means an enterprise undertaken in order to carry out a seditious intention;

'seditious intention' means an intention to instigate -

- (a) disaffection against the government of the Territory or the Legislative Assembly;*
- (b) a person to attempt to procure the alteration, otherwise than by lawful means, of any matter in the Territory established by a law in force in the Territory; or*
- (c) feelings of ill-will and hostility between different classes or persons so as to endanger the peace, order or good government of the Territory;*

'seditious words' means words expressive of a seditious intention.

It then goes through 'seditious enterprise'. If a person engages in a seditious enterprise or instigates a seditious enterprise subject to clause 34 - which I will come to shortly - a penalty of 7 years applies. Seditious words incur a further 5 years. On conviction for sedition, it would seem that one can be summarily dealt with and earn 2 years in the slammer, for any of these seditious acts or utterances.

Clause 34 relates to acts done in good faith:

A person shall not be guilty of an offence against section 31 or 32 -

- (a) for endeavouring, in good faith, to show that the Administrator is, or his advisers are, mistaken in any of his or their counsels, policies or actions ...*

I am forced to ask; in whose good faith? The Administrator's good faith, this Assembly's good faith? Whose good faith?

- (b) for pointing out, in good faith, errors or defects in the government, the legislation or the administration of justice of or in the Territory, with a view to the reformation of those errors or defects ...*

Once again, I would ask in whose good faith, Mr Speaker?

- (c) for instigating, in good faith, another person to attempt to procure, by lawful means, the alteration of any matter established by law in the Territory;*
- (d) for pointing out, in good faith, in order to bring about its removal, a matter that is producing, or has a tendency to produce, feelings of ill-will or hostility between different classes of persons; or*
- (e) for doing anything, in good faith, in connection with an industrial dispute or an industrial matter.*

I ask, in whose good faith? In the union members' good faith? In this Assembly's good faith? In the employer's good faith?

Just to recap, I would like to go back to this disaffection against the government of the Northern Territory. I am afraid that I would have to plead guilty and I imagine that there are quite a few people in the Northern Territory who at one stage or another have been disaffected with the government of the Northern Territory. I imagine that there are people in every corner of Australia who have felt the need at some stage or other to register their disaffection with their lawfully constituted government.

Paragraph (c) refers to feelings of ill-will and hostility between different classes of persons. I would hope that this government is not about to institutionalise the class system in the Northern Territory. That would seem to be a slightly backward step. I believe that the general terms of sedition have been around for quite some time. The various kings or whatever in Europe saw fit to introduce similar legislation because they felt threatened, and probably with good reason, by hordes of marauding serfs. I really do not feel that, in our day and age, there is any place in our statute book for a section on sedition. In this Criminal Code, there are already clauses whereby people can be prosecuted for assault or almost anything. I really cannot see what part a clause on sedition would play in our statute book.

I am not opposing the concept of a criminal code but, once it is introduced, there must be a massive public awareness campaign conducted. It is all very well to say ignorance is no excuse; the public must be made aware of the changes in the law which may be very subtle but nonetheless important. Perhaps the biggest area of re-education will have to be in relation to the police force. There will have to be a massive re-education of the police force to cope with the policy changes and the implementation of new laws if this Assembly passes a bill which is similar to this present draft. I would ask the Chief Minister, who has responsibility for the police, to consider the time required to allow for that education between the passage of this legislation and its eventual implementation.

Mr BELL (MacDonnell): Mr Speaker, before I move to the particular aspect of the code that I wish to address today, I take the opportunity to pick up a couple of points raised by the member for Port Darwin. On a number of occasions while he was speaking, he bemoaned the lack of public response to the debate on the Criminal Code that has been encouraged by the government. He suggested that the public's lack of response was something that we should deplore. I would point out that perhaps the reason for the lack of response from the public is that really it does not believe it is quite so important as members may believe. People may have indeed been quite happy with the existing arrangements for the administration of criminal law in the Territory. The excitement that the Chief Minister and others have attempted to engender by bringing forward the Criminal Code may not be of quite such benefit to Territorians as the member suggests. Basically, very few people come in contact with the criminal law and perhaps that is the reason why there has been a lack of response. It is always such a delight to hear the member for Port Darwin talk about matters of concern because he has such an appealingly simple attitude to rights and wrongs. If only the world were so simple that we could make clear decisions in every area of human affairs that required decision. In relation to the aspect I wish to comment on, I will be taking the point of view that rights and wrongs are rarely as uncomplicated as the honourable member would clearly desire.

I think this came through pretty clearly when he was talking about terrorism. I deplore terrorist activities. I believe that, as a form of political expression, terrorism is to be roundly condemned as the honourable member suggested. However, the honourable member went considerably further when he suggested that no penalty for terrorism could be too harsh. I suggest to the honourable member

that penalties for terrorism could be made so harsh that they could create a situation whereby penalties seeking to discourage terrorism could become an incentive and encouragement to terrorism because people would perceive them as the stifling of free society. I do not want to labour that.

I particularly wanted to talk about chapter IV of the Draft Criminal Code - the authorisation and excuse chapter. As the Leader of the Opposition suggested in his comments, the opposition is quite concerned that the criminal law in this area as it operates now is overturned in this draft. The common law notions have been abandoned. This particular chapter moves a long way beyond the criminal law as it exists in any statute anywhere in Australia today.

More specifically, I want to comment on clause 18, the unwilling acts and accident clause, and clause 23 which deals with intoxication. The honourable member for Port Darwin commented on the high rate of crimes of violence in the Northern Territory. My figures are similar to those of the honourable member and I will not quote them. The figures applying to homicides and assaults indicate that the rates in the Northern Territory are some 5 times greater than anywhere else in Australia. It is a quite natural reaction amongst those who are either administering justice or who are involved in the legislative process to seek some legislative means of improving what some people may see as a blot on the reputation of the Northern Territory. However, I believe we need to take into consideration 2 points: firstly, I think that we should have a closer examination of the causes of this high rate of crimes of violence and, secondly, I think we should look at legal precedent as it operates in other states and in the Commonwealth.

Turning to the first point, I think that it is undoubtedly true that the homicide rate involving Aboriginal Territorians either as victims or as perpetrators is quite disproportionate to their numbers in the population as a whole. I do not have figures and I am not sure that figures are available, but I doubt that anyone in the Assembly will disagree with that assertion. Many people are unable to cope - and I am referring here to Aboriginal Territorians in an attempt to explain this disproportionateness. They are unable to cope with an extraordinarily rapid rate of social change and, again, I do not think this will be disputed by anyone. Their involvement in this way is the result of disorientation and loss of identity that has come about through this process of rapid social change with which we are familiar in the Northern Territory. Part of that social change is positive but some aspects are not desirable. I would suggest that this is one of them. In the case of Aboriginal Territorians, this has resulted in alcohol abuse and alcohol abuse often ends in homicide. What I am trying to suggest is that a simple, understandable reaction of horror to the homicide statistics has to be tempered with a more reasoned consideration of the social, economic and cultural circumstances - themselves a cause for substantial horror - that result in this homicide rate.

In the debate so far today, we have mentioned these figures and I have mentioned these causes in a way that suggests that they are out there, that they do not really concern us. I would like to take a few minutes of the Assembly's time to explain that this is something that I have experienced relatively closely. I do not want to go into the blood and gore of particular incidents but suffice to say that the reality of these crimes of violence is an horrendous one. It is academic. The causes are not simple. It is for that reason that I believe that the opposition's criticism of these particular clauses is justified. One comes much closer to experiences of assaults and homicides in central Australia than anywhere else I know. This corroborates my point that homicide rates cannot be considered in isolation. It is not reasonable to attempt to improve this rate through legislative means.

I would like to consider the clauses specifically and put forward my point that, if the Draft Criminal Code is enacted, it will contain provisions that will overturn legal precedent as it exists in Australia today. Specifically, clause 18 of this draft extends the existing common law situation in relation to accidents and acts that occur independently of a person's will. Apart from extending the common law, this clause also extends the known codified law in this area, as we have said. In subclause (1) of clause 18 a concept of objective tests is brought into the code. Similarly, in clause (2), which deals with the question of intent, an objective test is also introduced. I should explain what we mean by an objective test in this context. The common law concept of a crime, as I understand it, consists of 2 factors: firstly, the physical act itself - for example, homicide - and, secondly, the mental act or intent to commit that physical act. In the case of homicide, under the common law, it has to be proved not only that the accused carried out the act of homicide but that, in his own mind, he formed an intention to do so.

The draft before us proposes to change the law so that the test of what a reasonable person would do in such circumstances is substituted for the obligation to prove, in a specific case, that the accused had formed the intent to carry out that physical action. It is to be hoped that this clause will be duly amended in any subsequent draft.

Turning to clause 23 on intoxication, the Leader of the Opposition referred to O'Connor's Case. This was a High Court case in which there was a split decision on the bench of the High Court as to whether, in this particular case, intoxication could be regarded as diminishing the capacity of the accused to form intent. The bench was divided on that particular case, but all agreed as a principle that intoxication should be taken into consideration when deciding whether the accused was or was not capable of forming any intention. As has been said, if clause 23 goes ahead and is incorporated into law in the Territory, it will put criminal law in the Territory at variance with law as it has been determined in that way. The effect would be that people who are now prosecuted and convicted of manslaughter would much more likely to be prosecuted for murder.

The honourable member for Port Darwin raised the matter. He said that, if somebody is drunk, he should be responsible still for any criminal act that he may perform at that time. Let us be quite clear on what we are talking about. We are not talking about a situation where somebody has a few drinks and becomes a bit aggressive and performs some criminal act. Under those circumstances, certainly, a person is capable of forming an intent to do that. In central Australia, it is an all too frequent occurrence. One sees people - not all Aborigines I might add - whose abuse of alcohol and subsequent behaviour leaves one in no doubt that they are incapable of forming an intent to do anything. What we are suggesting is that people, under these circumstances, are so intoxicated that they are incapable of forming an intention. The notion is limited to that factual situation where a person is so intoxicated that he cannot possibly have exercised a voluntary choice of behaviour which intent implies. I think that answers the sorts of criticisms that the honourable member was making.

To sum up, Mr Speaker, in respect of the matters that I have raised, we believe that the codification of the criminal law should retain the present common law provisions as they have been effected by statute. It seems to me that, while it may be claimed by some that it is difficult for a prosecution to obtain conviction in certain cases, we should be unwilling to introduce in the Territory provisions that are unacceptable in other parts of Australia.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this Draft Criminal Code before us today is so comprehensive as to be impossible to debate in one sittings if one

were to deal with it in the same detail as other legislation. Its importance to the Northern Territory demands this detail but time precludes it. I know that the Chief Minister, who has responsibility for this Draft Criminal Code, has considered views put forward by all members of this Assembly and of the community. I feel sure that members' interests in particular parts of the code will dovetail to a greater or lesser degree to give the debate greater coverage of the whole code.

My comments are brief and relate only to those parts of the Draft Criminal Code in which I have a particular interest. Throughout the code, in relevant parts, mention is made of the term 'public officer'. I find this very confusing in the context where a public servant is the person referred to. I was under the impression that a public officer is a person appointed by name by an incorporated organisation to take responsibility for returns of financial statements and changes to constitutions. Are public servants getting so touchy about the use of the title 'public servant' because they do not like the implication of servitude and they want a change from being a servant to being an officer? Everyone, it appears, wants to be a chief and not an Indian.

In the definition section, 'registered brand' and 'registered mark' appear. Whilst I have no hesitation in accepting the body of the definition, the terms 'registered brand' and 'registered mark' are not completely compatible with other legislation. I know brands and marks are registered but, in other legislation, they are simply called brands and marks.

Throughout the draft code it pleases me to see that references to sexual acts, offences and happenings carry no emotive overtones suggesting prurient interest but are made in a matter-of-fact, bored way without passion and excitement.

The consideration of an act or omission causing an event is self-explanatory and, whilst it has not been stated like this in previous legislation, there is an implication of a cause and effect state. Right through this draft much clearer definition is apparent in many chapters, so much so that one is tempted to ask why it was not written like this before.

In considering chapter III clause 12 - the application of the code - all angles of acts and omissions are covered, if they occur in the Territory, both from the point of view of both singular actions and singular actions causing plural actions. Acts and omissions done outside the Northern Territory causing reprehensible effects in the Northern Territory are also covered. A further new consideration relates to a person in the Northern Territory causing reprehensible events in other states. That person is liable in the Northern Territory as if he had caused the event in the Northern Territory and as if he had caused the event in the other state if it merits punishment. However, it is noted that there is to be only one punishment and the Northern Territory punishment holds provided it does not exceed that applicable in the relevant state.

I consider clauses 21 and 26, dealing with self-defence, provocation and compulsion to cause certain events, to be important and I hope that, when this legislation is enacted, the full import of the defensive actions that a person takes are considered fairly. I imagine that there are lines of defence a person's legal adviser could use to help in a case of self-defence but the question of death and or grievous bodily harm I find hard to resolve. If one is engaged in a personal battle either in self-defence or in defence of another, say a child or an injured person, then one is not capable of using fine judgment to assess the damage one is inflicting on the provoker as minor or major bodily harm or even murder. It seems that, if one is engaged in self-defence, one must also know the Marquis of Queensbury rules.

Considering intoxication, it appears that McNaughton's Rules apply here. I heartily agree with the concept expressed here that self-induced intoxication is no excuse to an offence committed whilst under the influence. To deny this is to lift responsibility for the person's actions from his shoulders like some fairy godmother. Everyone wants his rights and civil liberties, to do what he wants to do regardless of his neighbour. In my book, Mr Speaker, with rights go responsibilities. If a person overindulges in alcohol or drugs, I see a black-and-white case. He takes the consequences of his self-indulgence and it is only fair that this self-induced state of muddle thinking is no excuse for subsequent wrongdoing.

I find clause 27, compulsion by husband, hard to interpret. It appears that the wife can get away with anything except grievous bodily harm and murder if compelled in the presence of her husband. I fear the compulsion could be just as real in many cases when the husband is not there but his wishes or threats are. If the husband's compulsion is so strong that his wife is dominated, then I can see she could be compelled to do this bodily harm or murder without the husband standing over her.

I fully agree with the clauses relating to terrorism. Aggression is becoming more prevalent and cannot be combated after it has occurred except with loss of life either of the hostages or the relieving army or police personnel. It must be combated by nipping it in the bud. Coupled with terrorism are proscribed organisations and their actions and here we come to civil liberties again. We hear certain people in our community sounding off now and then about their civil liberties. From my observation, it appears that, in espousing their own civil liberties, these people give minimal consideration to their neighbours' civil liberties. What about all the street demonstrations we have seen or heard about? Did the organisers think about the civil liberties of the little man who wanted to drive his car down the road or the mother who wanted to push her baby in the pram down the street that day? No, they did not. The vocal minority thinks that, if they speak raucously enough and long enough, they will also speak for the silent majority. It is a form of powerful emotional blackmail which our government by this legislation says it will not stand for.

After an act of terrorism is perpetrated - and it is more often than not in an aircraft these days - it is too late to do anything. The circumstances are such that no help can be sought. The aircraft crew and passengers are completely at the mercy of the terrorists, mostly with horrifying results. We must do all we can by this legislation to stop this.

Clause 72 relates to public servants interested in contracts. The indirect interest provision would be hard to impose considering the interests of a married couple which may be divergent but nevertheless construed as convergent by the fact of the couple being married.

Considering the provisions of clauses 142 and 143, referring to carnal knowledge of a male junior person and a female junior person, I fail to see why the defence mentioned in clause 143 relating to females cannot similarly be mentioned in clause 142 when dealing with males.

Clause 152 relates to bestiality. I have spoken about this before and I find it a medieval hangover of things that perhaps happened years ago. If it is to be dealt with by legislation, I cannot see why it cannot be put in with the legislation dealing with the prevention of cruelty to animals.

Clause 148 deals with incest. If it is considered lawful for 2 homosexual males or 2 homosexual females to perform acts together in private, both of which are considered abnormal by normal heterosexual standards, I wonder if, in the

future, latitude may not be extended to 2 consenting adults indulging in an incestuous act in private. I react violently to an incestuous situation if one of the persons is not an adult as I do if it is a homosexual situation. In the matter of incest between consenting adults I wonder what the future thoughts of the community might be and whether what adults do in private will still be of public concern.

Clause 163 subclauses (9), (10) and (12) are interesting. In the preamble, death or grievous bodily harm are stated as undesirable and a person cannot inflict them in defence of property. By subclauses (8), (9), (10), (11) and (12), a person cannot inflict bodily harm on trespassers or other undesirables taking his property. The terms in the preamble and the subclauses are not consistent and I believe will cause confusion in the operation of this legislation. I am a little concerned with the unreality of clause 163. If a householder saw someone shooting through with the family jewels or his car or his outboard motor, he is not going to say to himself: 'I must be careful how I deal with this gentleman. I may object physically but I may not cause him bodily harm or grievous bodily harm'.

Chapter 24 relates to homicide, suicide, concealment of birth and abortion. Relating to clause 178, I query the definition of a live baby person as one who has completely proceeded in a living state from the mother and may not have breathed. This is a very grey area of definition and, as I believe and medical opinion also would say, the baby may not have breathed but may have had a heart beat and therefore it was alive. It is a very grey area. A definition of a live or dead baby person would be so difficult to ascertain as to be wellnigh impossible.

Clause 180 deals with acts done at child birth. I can say now that I left the obstetricians who attended me at the births of my 6 children in no doubt as to what my thoughts were as to the best thing to do if any of my babies had been grossly malformed or deficient. I cannot see why moral, social and legal compulsion should be placed on attendants at a birth to save a baby if it is a grossly malformed thing incapable of continuing life without sophisticated life-support systems. Recently, the Australian Medical Association made certain public statements about this very matter and voiced its views. I think this is the first time these views have been voiced publicly although many people have been thinking about it for some time. The law is supposed to reflect community feeling and, in the near future, there must be changes in the law in this matter.

Clause 181 appears to be worded incorrectly and I believe that the words 'an act' should be inserted after 'to do' and before the following 'or'. It would then read 'to do an act or make an omission' not as it is written - 'to do or make an omission'.

Clause 182 deals with acceleration of death. Whilst I do not wish to condone husbands trying to do away with rich, ageing wives in order to marry young birds, the subject of euthanasia is being discussed more frequently today. It is not human nor humane to let a loved relative or friend suffer agonies of pain with something like terminal cancer without doing something to help in a request to stop the slow lingering death. I would not let an animal linger on into agonising oblivion and, if I was in such a terrible situation, I would expect some help from my relatives or doctor if I was incapable of appreciating life because of terminal pain. I know there are doctors who have the same philosophy as regards living and dying and I would ask for their help.

Whilst I have no argument with this Draft Criminal Code being modelled on that of Queensland, with regard to this chapter, I would like to mention that it was illegal in Queensland until 12 to 18 months ago to have a vasectomy.

Clause 195 relates to suicide attempts. I cannot see why this is included because, if a person is going to commit suicide, he will commit suicide and, if he fails, he will need more help than being penalised like this. Clause 200(1) states that an obstetrician or gynaecologist can terminate a pregnancy if it is no longer than a 14-week term. Clause 200(4) states that a medical practitioner, not necessarily an obstetrician or gynaecologist, can procure an abortion of a foetus of not more than 23 weeks. I find the definitions of who can procure abortions rather confusing and also the mention of the 2 times of 14 and 23 weeks.

I would like to say something about clause 200(b). Some doctors, perhaps not in the Northern Territory but in other parts of Australia, have day theatres where all standards of hospital theatres are met - for example, pressurised air-conditioning in sterile conditions. I only know of one doctor in Darwin who is interested in having a day theatre some time in the future. In these day theatres, the sterile conditions of a hospital are met and certain obstetrical and gynaecological procedures can be performed such as fertility control techniques using suction catheters. Procedures like D and C's can be performed in day theatres together with vasectomies and laparoscopic sterilisations. No doubt, if a day theatre comes into operation in the Northern Territory, then legislation to cover their operation could be enacted.

Clause 243 deals with unlawful use of a vessel, motor vehicle, caravan or trailer. Subclause (1) mentions a person using a vessel. I prefer the words 'places in motion' which is a more comprehensive term. A person is not using a vessel or motor until he is in it or on it and it is in motion. To arrive at this state, the person may have pushed or placed in motion the vessel or motor and started the series of events leading to the use. The 'use' follows on from the placing in motion. I would like to see the use of the term 'place in motion' which more completely covers the intent of this clause. I am not clear from my inquiries whether 'motor vehicle' would also include tractors, low loaders, bulldozers, graders etc, none of which are used primarily for the carriage of people, but they can be. Quite a few have been moved illegally in the rural area over recent times.

I hope that clause 247, relating to personal files, does not preclude a person obtaining information from his personal files about himself. I refer to medical files, files held by employers or the Public Service Commissioner's Office etc.

In passing, I would like to say that recently I received a letter from persons who stated that, because I was a female, they had certain expectations about my views and, if I did not pay attention to their views, that may or may not have been the same as my views, their particular letter would serve as a statement to meet me on judgment day. I realise the intent with which it was written. Although it may be treated rather flippantly by members, and I did not treat it very seriously myself, nevertheless I feel that it was an attempt to emotionally blackmail me. I do not respond to threats this way and especially not to threats directed at me because I happen to be a female and people have expectations that I will feel in a certain way and try to make me feel guilty.

Mr Speaker, I must applaud this comprehensive and simply written draft Criminal Code.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I would like to thank the Chief Minister for making available the services of Mr Des Sturgess, Professor Robin O'Regan and Mr Allan Oakey for the seminars in Darwin and in Alice Springs. I found them very helpful indeed. The task of this Criminal Code is a daunting one and I believe that many people in the community have not responded possibly

because of the huge size and the daunting nature of the task. It is a massive document and legal training to help understand it would be a great help but I believe that the layman must be able to understand it and can make a reasonable contribution to it.

The code's ramifications for society are very grave and cannot be taken lightly. The code was described as being a framework for the criminal law. It is to be placed in one document, to obviate the need for considerable searches in law libraries which the layman is in no way equipped to attempt, and I believe that some lawyers even have trouble in that area. I think the layman will welcome the placing of the code into a single document. It is based upon the Queensland code because that code has been tried over many years and there is a body of case law which helps to put flesh on the bones of the code itself. The code cannot cover every particular case and the Queensland case law will help put flesh upon this particular code. I was appreciative of the frankness of the gentlemen. They pointed out where they thought the Queensland code had worked well and also areas where it had not worked so well and where some changes possibly could be made. They advised that we should not make unnecessary radical departures. Of course, it needs upgrading because we live in a different society. Computer crime did not exist when the Queensland code was enacted.

One point of concern is the administration of a drug. Perhaps this is covered in an indirect way in clause 203 and, in the case of murder, in clause 185. I have always been horrified at the thought that there are some people in the drug pushing world who will either slip a drug into someone's drink or, worse still, hold him down physically and inject him with heroin or some other drug with the aim to get him addicted and dependent on the drug pusher. This is not spelt out specifically. There should be a clause stating specifically that anyone trying this method to get people addicted to drugs will be dealt with very severely indeed.

In relation to the definitions of 'adult' and 'child', it was mentioned in the seminars that it seemed superfluous to put in the definition of 'child'. I feel that it really does not cost very much to insert the definition of 'child' in order to make it crystal clear. I do not think there is any harm in it and I would ask that it be left in. I was pleased to receive advice on the definition of 'night'. I agree with the proposition that for someone to be assaulted at night is a far more fearful thing than it is in the day. A suggestion would be to define it according to the first light and last light which vary from time to time. It is well-known terminology in flying circles and could be considered.

Clause 10 relates to assisting someone to escape from lawful punishment. I read an article in Britain where there is a furore going on at the moment about plea bargaining and whether British justice is being upheld. No doubt, it is a difficult area but it is one in which the public is very interested now that it is starting to understand what goes on behind the scenes in the legal process. I think that some thought should be given to that area.

Clause 12 should include a cross-reference to clause 24. I do not know whether cross-referencing is a reasonable thing in a code but it would certainly make it easier for people to understand that there are discrepancies. It is about the application of the code. Clause 24 states that a person is not criminally responsible under the age of 10. It could be interpreted from the rest of the clause that being under 14 could be a defence. It would be useful if clauses 12 and 24 were cross-referenced.

Clause 20 deals with self-defence. This is a new clause and it is welcomed by the people whom I have spoken to about the matter. I welcome it myself.

Clause 21 would make it legal to act to prevent a repetition of a wrongful act or insult. One can agree with the sentiment here although I am a little concerned about taking the law into one's own hands. Often there does not seem to be recourse against someone violently abusing someone and calling someone all sorts of names. It does not happen only in the adult world. It also happens in schools. I think there is more redress in schools than there is in the adult world. I am not really sure exactly where I stand on it. I can appreciate the fact that people do not want to be continually insulted and also concerned about people taking the law into their own hands.

Clause 23 relates to intoxication not being a defence. If one is under the influence of alcohol, one is subject to greater penalty. As I understand it, intoxication is a defence where the crime or conviction of the crime requires a mens rea or a proof that there was a guilty intention. It seems that intoxication by drugs or alcohol is a defence there but, on the other hand, when it comes to handing down penalties, intoxication is not a defence; the penalty may be more severe. That is how I interpret it. From what I have heard this afternoon, it does not seem as though it is clear in people's minds.

On the question of medication, sometimes you will see on the label a warning that the particular medication might make you drowsy. Often, when combined with alcohol, it could put one in a state of mind where, for example, one was incapable of driving a motor vehicle with care. It is an area that needs to be controlled, perhaps by regulation. Strong warnings should be given to the public about the effects of taking certain drugs with alcohol. As the law stands, this would incur the same penalty.

Clause 25 deals with the exemption of judicial officers. I am a little curious that the people with the highest training in the law should be exempt from some of its provisions. It is no doubt standard practice and may not be of any great worry, but it still makes me a little curious why someone in that position should be exempt whereas lesser mortals might end up on some criminal charge.

I was rather pleased at the general feeling about clause 28 regarding domestic strife. It was accepted as a general principle that interference in a domestic situation does not always help. Marriages tend to settle down under their own steam. There is no clear black or white here. As a general principle, it is best to keep out wherever possible.

The matter of sedition is indeed complex. I take it that this is taken from the Queensland code. The people who spoke to us in the seminar said it seems to have worked fairly well. It has a body of case law to go with it which helps in its interpretation. It really boils down to democracy. One believes in freedom of speech but not in an incitement to riot. It is a balance between the individual's good and the public's good. There are no easy answers. I am prepared to wear the advice that was given that it seems to have worked in Queensland and to see how we go from there. We can always amend legislation.

Clause 34 contains the words 'good faith'. Some things are difficult to define but this is one which it would be worth attempting to define. I notice other members had problems with that particular term. It would be helpful if 'good faith' could be defined even though most of us have a good idea of what it means.

Clause 36 talks about it being illegal to prevent a lawful activity. I would say that working is a lawful activity. If one tries to prevent someone else from working, is that an illegal action? I would like to see it as that.

Clause 42 deals with terrorism, again something which, fortunately, we in Australia have not seen too much of apart from the Prime Ministers' Conference in Sydney a couple of years ago. I was recently not very far away from London when terrorists blew up some Horse Guards and a bandstand. People were killed and many visitors were injured. It was not a very nice situation at all. We cannot condone such things. I agree with the honourable member for Port Darwin that we must have some very firm laws to deal with people who do this sort of thing. I can only think that the member for MacDonnell, who said that a deterrent may act as an incentive, must have a very fertile imagination. He promptly dropped the point there and that was very wise of him.

I move to clause 61. The public should be given notice of this new part about offences at night. Crimes committed at night may incur an extra penalty. It is new. Possibly the member for Port Darwin was right when he said that, if a simple booklet was put out explaining in simple language the pertinent points of what is proposed, the public would benefit. This could be done when this code is finally passed through the Assembly.

Clause 86 relates to bribery. I suppose one could interpret that to mean that any general political promise is related to bribery because by our policies we do try to induce people to vote for us. However, good sense will prevail and past experience will be used to prevent any ridiculous interpretation of such a rule.

Clause 93 mentions electoral provisions and presiding officers. The wording in subclause (1) is rather unfortunate. It covers the possibility of a blind person asking the presiding officer to help mark his vote. That officer has to be in sight of that person. By subclause (2), no other person is to be in the ballot box. This comes down to the assisted vote. There is no way that a blind person, for example, could be sure that the presiding officer marked the ballot paper correctly. Past provisions have been that a scrutineer from each candidate can also watch but that also is not without its dangers because the very presence of certain scrutineers - without a word being said - could cause a situation where someone does not actually vote as he would have had he been entirely free from the presence of any other person. It is a difficult area.

In relation to clause 114, I agree with the Leader of the Opposition that it should not be illegal to have 'or lost' in an advertisement for a reward for the return of property. One can appreciate the general principle here. Crime should not be rewarded nor should people pay for the return of things stolen from them. Again, one has to feel sympathy for the owner of the object which is stolen. It may not be of great monetary value but of great personal value.

Clause 122 relates to escape by a prisoner. I believe very definitely that the extra sentence should be served consecutively, not concurrently. Many people I have spoken to agree on that particular point and have asked me to make it.

Clause 120 concerns forcibly rescuing certain offenders. The word 'rescuing' does not really have the right connotation there. Rescuing seems to be an heroic and useful act. Here it seems to mean enabling someone who should be in detention to escape. The wording, hopefully, will be changed to something such as 'forcibly enabling someone to escape'.

Clause 133 mentions that Justices of the Peace, the Lord Mayor and police officers should do all they can to prevent a riot. I do not know why members of this Assembly should not be included. If some are to be included, why not all? We also are supposed to be representing the people. Of course, I am sure

that every member here would call the police if a riot occurred. I think that there is more to it than that; we should seriously consider what action we should take to prevent, subdue or quell a riot.

In clause 141, it is not clear to me whether the person guilty is the active person, the passive person or both. This may be a rather earthy matter but I would like to see it made perfectly clear just who is guilty of an offence in such a case. Some women have said to me that, if it is to be illegal for males to engage in homosexual acts as described in clauses 141 and 142, why should not women who engage in homosexual acts be added too. I toss that in because it was mentioned to me.

It has been pointed out to me that, in clause 143, relating to sexual relations between a male and female, where consent has been given, no crime is involved if the female is over 16 years. However, there is a deterrent, as it stands, for males to engage in homosexual acts if one of them is under 18 years. It seems a little odd to some people that, in one situation, where there is the possibility of the creation of a third person, there should be less of a deterrent than in a case where such a possibility is not involved.

Mr DOOLAN (Victoria River): Mr Speaker, as has been said by other honourable members, it is hardly possible to debate this sixth edition of the draft Criminal Code which has 166 pages and 480 clauses. It is not possible to go through it in great detail. Nevertheless, I have found the debate most interesting. What some members left out, others seem to have picked up.

I would like to make some comment on the part covering interpretation of the draft. I am very pleased to see that husband and wife or like terms include the case of Aborigines living in a husband and wife relationship according to tribal custom. I think the honourable member for Nightcliff will be pleased to know that any sexual activities must be by consent. I am at something of a loss to understand the definition of 'night' or 'night-time'. The interpretation states that this is the interval between 9 o'clock in the evening and 6 o'clock in the morning. I am inclined to agree with the honourable member for Alice Springs that perhaps sun-up and sundown or dusk and dawn might be more appropriate, particularly in a tropical climate. I have no idea why the period from 9 o'clock at night to 6 o'clock in the morning was picked. Perhaps, in a different climate, it would be reasonable.

An 'offensive weapon' is described as an article made or adapted for use for causing an injury to the person or intended by the person having it with him for such use by him and includes an imitation firearm or imitation offensive weapon. My feeling is that any sensible jury would look more leniently on a person using an imitation firearm or an imitation offensive weapon than it would on a person using an offensive weapon. Surely he would not be categorised as so vicious a person as one who used a real weapon, although I am fully aware that the use of an artificial or imitation weapon could cause great anxiety and fear.

Subclause (2) says:

Where in this or any other law in force in the Territory intention or knowledge in relation to an act, omission or event is expressed to be an element of an offence, that act, omission or event shall be taken to have been intended or known if a reasonable person, similarly circumstanced to the accused person, would know, or be aware, that there was a substantial risk that the act, omission or event was or would occur as a consequence of the accused person's conduct.

With my very limited legal knowledge, I must confess that I find that extremely hard to follow and not well drafted at all. When the briefing was given to MLAs by Professor O'Regan and Mr Des Sturgess, Mr Sturgess said, with no hesitation whatsoever, that it ought to be deleted. Certainly, I agree with this remark.

Clause 11 states: 'A person cannot be punished for doing or omitting ...'. Both learned gentlemen who briefed us were in agreement that 'punished' should be deleted and replaced by 'convicted'.

Clause 14 says a person cannot be punished twice either under the provisions of this code or under the provisions of any other law for the same act, omission or event, except in the case where the act or omission causes the death of, or grievous bodily harm to, another person, in which case he may be convicted of the same event of which he is guilty by reason of causing such death or grievous bodily harm notwithstanding that he has already been convicted of some other offence constituted by the act or omission. I have a question to ask on this. I believe this has been drafted substantially from Queensland's Criminal Code. I would like to know if this part follows the Queensland Criminal Code which, I am given to understand, says a person cannot be charged with murder if the victim of the crime lived for more than a year and a day.

I am pleased to see that there is a clause covering extraordinary emergencies which says: 'Subject to the express provisions of this code relating to acts done upon compulsion or provocation or in self-defence, a person is not criminally responsible for an act or omission done or made in circumstances of sudden or extraordinary emergency that, by the standards of an ordinary person similarly circumstanced, was reasonable; nor is he criminally responsible for an event resulting from such an act or an omission'. Mr Speaker, I believe that this is definitely a departure from traditional law, and also that it is very sensible to cover such extraordinary emergencies.

During our briefing, both Professor O'Regan and Mr Sturgess agreed that the whole of clause 23 should be redrafted and that it is not acceptable in its present form. However, I would like to make some comment on subclause (3) where it says that a person who is under the influence of liquor or a drug otherwise than in circumstances referred to in subclause (2) is liable on being convicted of the offence to further imprisonment of 2 years. Whilst I do agree that a person who voluntarily has become stupified by liquor or a drug should be considered equally as guilty as a person who is in his normal sane mind, I cannot see that the fact that he is under the influence of liquor or a drug would make him more guilty and attract a penalty of a further imprisonment for 2 years. The honourable member for MacDonnell mentioned that people can be stupified by alcohol to the extent that they are completely out of their mind. Whilst not trying to condone that sort of an act, I think that, rather than attracting the penalty of an extra 2 years, it might possibly be considered as some kind of a mitigating factor.

Clause 24, immature age, says, 'A person under the age of 14 years is not criminally responsible for an act, omission or event and, unless it is proved that, at the time of doing the act ...'. I would like to see inserted after 'unless it is proved' the words 'beyond reasonable doubt'.

In relation to the clause dealing with compulsion by a husband, the honourable member for Tiwi talked at length and said that it is possible that a husband could compel his wife to do a criminal act when he actually was not there. I have another slant on this. This says: 'A wife is not criminally responsible for doing or omitting an act or causing an event she is actually compelled by her husband to do or to omit to do or to cause if the act, omission or event

actually occurs in his presence except in the case of an act, omission or event that would constitute murder or an offence of which grievous bodily harm to the person of another, or an intention to cause such harm, is an element, in which case the presence of her husband is immaterial'. I would like to ask why the reverse does not apply.

I am serious about this. If the female members of this Assembly are quite serious about supporting equal rights for women, and I am certain some of them are, I cannot see why a husband cannot actually be compelled by his wife to do, omit or cause etc. I think it is unfair and it is sexist. It is not by any means infrequent to find that, in a husband/wife relationship, the woman is quite often the dominant character. It is not inconceivable by any means to imagine a case where a wife has actually compelled her husband to do or omit to do or cause an act. In this case, what is good for the gander should be good for the goose. I am sure that all honourable members have at some time known of a husband/wife relationship where the wife is sometimes physically larger and stronger than the husband - what we call a henpecked husband - and also has a more dominant personality. Should an occasion arise where the wife actually compels her husband to do or omit to do or cause an event, the woman would be equally responsible. I think compulsion by a wife should be inserted as well as compulsion by a husband.

Under clause 28, liability of a husband and wife for offences committed by either with respect to the other's property, there is no specific mention of a de facto relationship. I am not aware whether it is by accident or by design that de facto relationships have been left out. Perhaps it has been deliberately done as a husband and wife refer not only to legal marriages but to de facto marriages. However, I would like to see some mention at some stage of the de facto relationship being considered as a husband and wife relationship. It would clarify the matter.

Part II relates to offences against public order and chapter V relates to sedition. I am somewhat perplexed. The dictionary definition of 'sedition' reads: 'Incitement of discontent or rebellion against government; action or language promoting such discontent or rebellion'. The definition of 'seditious intention' in the code reads: '(a) disaffection against the government of the Territory or the Legislative Assembly'. I think that the opposition, for instance, does that all the time. We are not entirely pleased with the government of the day and we would like to see a certain degree of disaffection against the government otherwise the ALP will never be the government. I am also taking into account clause 34 which refers to 'acts done in good faith' which are permissible. I believe that an awful lot would have to depend on the interpretation of exactly what doing an act in good faith actually meant. If the clause referring to 'disaffection against the government of the Territory or the Legislative Assembly is interpreted very strictly and very literally, it would almost put people who wrote letters complaining about the government or the Legislative Assembly in the category where they would be liable to be arrested for writing such letters or criticising at public meetings the government's failure to do this or that.

I really cannot understand why (a) is necessary. If we look at the dictionary definition of 'sedition' and leave out the 'rebellion' part, the definition would read: "'sedition' is an incitement of discontent against the government and action or language promoting such discontent'. Perhaps we should leave out 'action' and we would have 'incitement of discontent against the government or language promoting such discontent'. I think it is perfectly reasonable that people should be able to do this. As for disaffection against the Legislative Assembly, Mr Speaker, what are we? Are we koala bears protected by the law and not allowed to be shot at or something? To be able

to criticise the government or the parliament or even to create discontent with the government or the parliament seems to me to be what democracy is all about. You cannot do it in other countries and that is why people come here.

I have no particular objections to chapter VI on terrorism, but I do feel that it should be a matter for the Commonwealth rather than the states. Clause 38, proscribed organisations, is one which should be looked at very carefully. It is all very well to proscribe an organisation and put your head in the sand like an ostrich and pretend that it does not exist. If an organisation is proscribed and forced underground - and examples of this are numerous - it often acts underground. It becomes more stealthy and the Commonwealth and the state police are less able to follow its movements. There are organisations which have been suppressed for many decades but they have never been extinguished. For example, the Russian Orthodox Church which was very much akin to the Catholic Church was pushed underground for many decades in Russia and Poland. There are other countries where the practice of people's faith has been suppressed for many years. When it eventually has an opportunity to emerge, it does so refreshed, revitalised and stronger than it was when it was pushed underground. I am not suggesting for one moment that the Territory government is likely to make a particular religious body a proscribed organisation; I am just giving an example of what can happen.

There is another aspect that happens with organisations which are proscribed and forced to go underground. There will always be a certain element of the public who will have sympathy for such an organisation because it has been proscribed. As a result, the people belonging to that particular organisation become martyrs. Having become martyrs to a cause, they offer themselves to a certain section of the community and often elicit quite a lot of sympathy. They also become more desperate and use even more desperate measures. For instance, look at the IRA. There is a certain section of the public which sympathises with them even though they are dreadful terrorists who bomb, kill and maim. Because they are pushed underground, they become more desperate. I would say that, in the matter of proscribed organisations, we should make haste slowly before we proscribe such organisations.

Clause 39 mentions display of support for a proscribed organisation. I think that this is going a little too far. Just how this support would be interpreted, I do not know. For instance, have a look at some of the T-shirts that people wear. They have the most ridiculous things written on them, stupid remarks which they do not necessarily agree with, and they have all kinds of insignias. The idea I imagine is that they think it is funny to wear such things and claim support for organisations that they could not possibly be supporting. Kids do this but it is not only kids. I personally do not see anything funny about many of the T-shirts that I see around the place. Judging from what I have seen, I can well imagine some people would think they are funny but others might infer that a person wearing a particular T-shirt is a member or supporter of a proscribed organisation when that is not the case at all. Anyway, if someone wants to support a proscribed organisation, I very much doubt if he would wear something to advertise it and T-shirt manufacturers would probably go broke anyhow.

Clause 42 concerns information about acts of terrorism. This says that a person who, having information that he knows or believes could be of material assistance in preventing an act of terrorism, fails, without lawful excuse, to disclose that information as soon as reasonably practicable to a member of the police force, is guilty of a crime and is liable to imprisonment for 10 years. All I hope is that a threat to a person's own life or to the life of his family but not necessarily to his property will be regarded as a lawful excuse. People who are likely to commit acts of terrorism must be desperate, violent and vicious

people. I can well imagine such vicious, desperate people, on discovering that a person has found out something about their intentions, would kill him, threaten him or hurt or threaten to hurt his family. What would hurt decent men most of all would be threats to their families. I can well imagine the best intentioned person in the world would in the normal circumstances disclose this information as soon as reasonably practicable to a member of the police force. I can also well imagine that same person being terrified that, if he did disclose the information, he would lose his own life or the life of his family and his loved ones. I could imagine the mortal terror of such an unfortunate individual and I only hope that this would be regarded as a lawful excuse.

Chapter 8 concerns unlawful assemblies and breaches of the peace. Under clause 51, definitions, it says: 'When 3 or more persons, with intent to carry out some common purpose, assemble in such a manner or, being assembled, conduct themselves in such a manner as to cause persons in the neighbourhood to fear on reasonable grounds that the persons so assembled will tumultuously disturb the peace, or will by such assembly needlessly and without any reasonable occasion provoke other persons tumultuously to disturb the peace, they are an unlawful assembly'. I am not very happy at all with this. I do not like it because I think that the public should be allowed to protest about iniquitous things, laws or circumstances. I think that it depends too much on interpretation of 'tumultuously disturbing the peace'. I could not imagine 3 people making such a noise that the general public were in fear, and I suppose that this phrase will mean different things to different people.

Clause 52, punishment of an unlawful assembly, says that any person who takes part in unlawful assembly is guilty of a misdemeanour and is liable to imprisonment for 1 year. When we consider that 3 people can form an unlawful assembly and any one of those 3 is liable to imprisonment for 1 year, I can only say that I find this draconian. It sounds like Joh Bjelke-Petersen at his worst. No doubt it is taken from the Queensland Criminal Code.

Clause 60, affray, says: 'Any person who takes part in a fight in a public place of such a nature as to alarm a person of reasonable firmness and courage is guilty of a misdemeanour, and is liable to imprisonment for 1 year'. I was somewhat perplexed again with this. I looked up the definition of 'affray' and I find it means a public fight, a noisy quarrel, a brawl or fight between 2 or more persons in a public place. If anybody sees 2 men have a fight in a public place of such a nature as to alarm a person of reasonable firmness and courage, I hope they will let me know because I reckon it would be a good blue that would be worth watching. I would imagine it would attract quite an audience. I will also say that I think the penalty for this misdemeanour - the guilty parties are liable for imprisonment for 1 year - is excessive. In any case, I would ask who is going to determine a person of reasonable firmness and courage? This again might mean different things to different people.

Clause 62 states: 'Any person who, with intent to intimidate or annoy any person, threatens to damage a dwelling-house ... is guilty of a misdemeanour and is liable to imprisonment for 1 year'. I agree wholeheartedly with this particular clause and in fact I would like to see it extended not only to include a dwelling but perhaps a vehicle, in particular a commercial vehicle. I have known cases where a person who owned a commercial vehicle has been threatened that, if he did not do this or that, his vehicle, which is his means of livelihood, would be blown up or burnt.

Chapter X deals with piracy which is a very serious crime indeed. It certainly should be considered as a very serious crime. A guilty person is liable to a penalty of imprisonment of 20 years. I agree with 64(1)(a), (b), (c) and

(d). However, (e) says: 'a person on board a vessel intentionally disobeying a lawful direction of the master given for the purpose of ensuring the safety of a vessel, the crew or the passengers'. I can imagine circumstances where a possible sentence of 20 years would be excessive for this. I do agree that any person on board a ship who disobeyed a lawful direction of the master which would place the safety of the ship, the crew or the passengers at risk should be punished. In this case, I believe that it is excessive.

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

Mrs LAWRIE (Nightcliff): Mr Speaker, in this sixth draft Criminal Code, I believe that the Attorney-General has taken a giant step backwards from some of the more favourable positions he adopted in the past, particularly when we have regard to the public comment and debate regarding the issue of rape within marriage. It has not passed notice of course that the word 'rape' has been deleted from this code and 'assault' is apparently to take its place. I remember the statements of the Attorney-General earlier in the Assembly when he stated that the law had always assumed that, within a marriage, a woman had consented to sexual intercourse. This of course was based on ecclesiastical law which finds little favour in my eyes. I prefer to rely on non-ecclesiastical law for my premises.

Following those statements, representations were made to the Attorney-General and a later bill was introduced which included the concept of rape within marriage. That was applauded by a variety of groups, some of whom were women's groups and some of whom were not. All those provisions have been deleted and that has not attracted comment yet today. I have been looking at the definitions of 'assault', with some assistance from learned people, and I cannot find where the protection under these definitions is given to a wife who believes she has been raped within marriage. If the definition of 'assault' which appears in clause 162 is considered with clause 214 which states 'an assault is unlawful and constitutes an offence unless it is authorised, justified or excused by law', the presumption would be in common law, I am given to understand, that the act of marriage under the Marriage Act would authorise an assault if the assault simply meant sexual intercourse with or without the wife's consent.

Mr Speaker, if it is the intent of the Attorney-General that a woman no longer has a defence against unwanted sexual intercourse unless it was conducted with severe force, then I think that statement has to be made clearly to the Assembly and members can debate it and vote accordingly. What has happened is that the issue seems to have been ignored completely. I want to know if that ignorance is by design or is simply a drafting oversight. Most particularly, I would like to know the feelings of the government because a large number of representations have been made to me on the point and certainly people are confused as to the government's intention. It is never good to legislate in an air of confusion and I hope in his reply that the Attorney-General will make it quite clear whether the presumption of the public that rape within marriage has been abolished as a concept is so or is not.

The other step backwards which I believe has been taken relates to what I see as a withdrawal of the protection of the criminal law from young female children if they happen to be Aborigines living by tribal custom. Here it really hinges upon what the interpretation is to be of tribal custom because, under the definition of 'tribal marriage', it states: "'Husband" and "wife" or like terms include in the case of Aborigines persons living in a husband and wife relationship according to tribal custom'. I would ask the Attorney-General to indicate to the Assembly whether that includes promised brides not yet cohabiting because the difference will be considerable given the application of this clause.

I noted in particular the remarks of the member for Port Darwin when he said that we should not interfere unduly in other persons' customs. Of course, he is echoing the sentiments expressed some time ago by the member for MacDonnell whom I believe holds the same view. I find that extraordinary because we are legislating for the people of Australia no matter what their ethnic background or particular colour or race. Indeed, any law interferes with the customs and behaviour of citizens. That is what the law is all about. It is modifying the behaviour of all of us. Mr Speaker, it was interesting that the member for Port Darwin, having made that remark, then went on to talk about a suggestion that the age of consent for sexual intercourse for female children be lowered to 13 years. He regarded it as barbaric. The member for Port Darwin seems to be trying to have things both ways. It is barbaric if they are white and it is not barbaric if they are black. I find that concept quite unacceptable.

My point is that young female children must have certain safeguards under the law no matter what their race or background. I have of course sympathy with their problems to which the Attorney-General was addressing himself when he said that Aborigines living by tribal customs who are not married under the Marriage Act should not attract the penalties of the law under certain circumstances. But this is so poorly drafted that, whilst acknowledging that fact, it does withdraw the protection of the female young children who still need a degree of protection. I think that the drafting should be tightened considerably. It now becomes obvious why it is imperative to know the government's intentions as to when the law will deem an Aboriginal marriage according to custom to have commenced. If it is with the consent of the female party, that certainly would go a long way to meeting any objections I may hold.

If that is so, a further question has to be asked of the Attorney-General who is responsible for the introduction of this set of laws: when are we to deem a female as being of an age capable of giving her consent? The Attorney-General will be aware that, in certain regions of the Northern Territory, the consent or otherwise of the Aboriginal female person is not considered. If she has been promised, it is customary for her to be given to her promised husband, and consideration of her wishes is ephemeral if at all. Whilst I do acknowledge the difficulties of enacting a set of laws so that Aboriginal people living by custom do not have their rights unduly interfered with, the law has to be precise when it comes to female children of tender age whom I would think a reasonable person would say were not capable of giving consent in the ordinary sense of the word. I ask the Attorney-General to pay particular attention to both of those points which I have raised.

I notice also there is a clause dealing with domestic discipline where the person ordinarily having the care, custody and control of a child may delegate either temporarily or permanently to persons such as a schoolteacher. This is interesting because the Council of Government Schools Organisations has been conducting an inquiry on the feelings of parents on corporal punishment within the schools. Certainly, the 2 schools with which I am associated have felt that the power of delegation to physically punish a child has to be handled with the greatest discretion. It should rest with the principal or the principal's direct delegate with the principal's knowledge and not be a general power of delegation to schoolteachers. I believe that point of view was accepted by COGSO. Perhaps the Attorney-General would like also to consider that the power of delegation be not too general.

Mr Speaker, many of the remarks I had intended to make were covered by the Leader of the Opposition. I will only refer to a couple briefly. For example, I believe that the clauses dealing with improper practices at elections and during elections more properly belong in an electoral act and not in the

Criminal Code as there can be unnecessary duplication. I agree with his other proposals for the deletion of certain clauses and with the opposition's remarks regarding the proscription of certain groups of people. I believe it is unwise to have this power. A reserve power exists in the federal act. As far as states and territories are concerned, to proscribe organisations will simply drive them underground where they are capable of exercising more harm within the community than if they were left open to be seen for what they are - a general motley, rat-bag group, acknowledged not condoned, but obvious to the public eye and therefore far less of a threat.

Mr Everingham: What would you do with the PLO then?

Mrs LAWRIE: I have no time for international terrorist organisations or national, state or territory ones. However, I think it is far more beneficial to the community at large if we know whom they are and can identify them rather than having them driven underground and their membership kept secret. It is the secrecy of the operation which poses the threat and that point has obviously escaped the Attorney-General.

I would like to commend the honourable member for Tiwi on what I believe to be the best speech she has made in the Assembly. I do not mean that in a condescending or elitist sense. I think that she must be commended for her courage in making statements which have been made for the first time to my knowledge. For example, she spoke of euthanasia and her surprise that, in 1982, there should be this wholesale condemnation and I applaud her for that stand. She took up a point which I intended to raise regarding the procedures with abortion. In the earlier stages of the pregnancy, the procedure has to be carried out by a medical practitioner who is a gynaecologist or an obstetrician. I agree with the honourable member for Tiwi that that is a vast waste of resources and that a suitable medically-qualified person in those earlier stages need not necessarily have those additional qualifications. I am pleased that she brought this to the notice of the Assembly first.

I also agree with her that it may prove a waste of taxpayers' resources to have the law insisting that these procedures be carried out in a hospital. I believe it would be more relevant, more sensible and more economical for the taxpayer if that could be amended to include suitable premises which could be granted a licence for the procedures by the Minister for Health on the advice of his department. This would cover the clinics about which the honourable member for Tiwi spoke and it would save the use of public hospital beds and public hospital procedures which are very costly to the taxpayer.

Mr Speaker, I am aware that we will see the introduction of a Criminal Code Bill some time in the future and that this latest draft will be amended prior to its introduction. I believe that the wide-ranging debate today must have given the Attorney-General and his advisers some indication of the way in which the people of the Territory would like to see the draft amended before its introduction in the form of a new bill.

Mr Speaker, there has been an inference today that I was sarcastic about the continual reintroduction of draft. That is not so at all. Most definitely, I believe in the widest possible discussion of the codification of the criminal law but I had sympathy with the Leader of the Opposition when he expressed his dismay that honourable members are presented with the bill, do considerable work, go to considerable expense, and involve other people in considerable amounts of work only to find months later that it is to be withdrawn and they have not had enough prior knowledge of that. I believe that point has been taken by the Attorney-General and it is quite unreasonable of him or anybody else to

suggest that I am opposed to the widest possible discussion of the laws which will regulate our behaviour and which will govern our lives.

Debate adjourned.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that this Assembly do now adjourn.

I would like to inform the Assembly that I have advised the opposition whip that the next General Business Day will be this Thursday 19 August 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, we had a fairly extended question time this morning and it was full of useful information. It was also, unfortunately, full of a lot of concentrated and misleading nonsense. I refer particularly to some of the statements we heard from both the Minister for Health and from the Chief Minister regarding various aspects of health services in the town of Jabiru. This angered me as it must have angered the member for Tiwi who knows the background of these things. It must surely anger the good residents of Jabiru when they hear about it. Two petitions were presented by the member for Tiwi, one signed by 898 citizens, which must be a considerable majority of the population of Jabiru, requesting that St John Ambulance services be allowed to continue in that town. We are all pleased to hear that agreement has now been reached to allow that to happen. Such an arrangement was obviously necessary and desirable to be negotiated from the start.

Unfortunately, we had the Minister for Health and the Chief Minister making a number of false, misleading and fairly outrageous statements about the situation and about the St John Ambulance service in the Northern Territory. The Minister for Health, for example, issued a press release on 4 August which purported to be a joint statement with the Jabiru Town Advisory Council Chairman, Mr Main. Certainly, the information I received was that Mr Main did not see it before it went out. In the course of this lengthy press release the minister said:

During yesterday's talks, it was revealed that St John Ambulance is to withdraw its services in the Jabiru area from 3 September. Both the Health Department and the Jabiru Town Advisory Council are to investigate alternatives to St John which is receiving an annual subsidy of about \$200 000 from the Health Department and the JTAC to provide an ambulance service.

What a lot of rot! It continued:

Mr Main and Mr Tuxworth said all parties agreed there was a need to look closely at the future of Jabiru's ambulance service and an alternative evacuation system to be formalised before the St John withdrawal. It costs about \$1800 to evacuate a patient from Jabiru to Darwin through St John. The member for Tiwi, Mrs Padgham-Purich, who was at the meeting said she was pleased with the outcome of the talks, particularly regarding the health centre.

That fairly provocative statement was followed up by the Chief Minister - who told us today that the Minister for Health was away - in a public attack on the St John Ambulance service in the press and on television. In the process, he referred to the possibility of a government ambulance service for Jabiru instead. Of course, it is Mr Everingham's government that adopted the policy

a few years ago of inviting and encouraging St John Ambulance, which is expert in this area, to provide ground ambulance transport services in the Territory, and clearly made the decision at that time that the government would not provide such a service. The government has subsidised St John substantially to achieve that aim. Of course, a lot of that money, spent in these last few years, has been on establishment and infrastructure costs.

It must have been very distressing to the many volunteers and staff in the St John Ambulance service and to the many citizens who contribute regularly to appeals to help it provide this service to hear the Chief Minister himself accusing it of being irresponsible and virtually squandering public money. Of course, it was the Chief Minister who was being totally irresponsible. Maybe he had simply been misled by the Minister for Health but that does not justify his behaviour. The nonsense was refuted in a most restrained and responsible way by the Chairman of the St John Council for the Northern Territory, Mr Richard Morris. In his statement, he outlined the following facts:

Firstly, St John Ambulance established the service at Jabiru following a request in July 1980 by the government. It was understood that evacuations would be, in the main, by aircraft. This has not occurred on a regular basis due to aircraft and landing limitations. Government have indicated funding restrictions will occur and, with the withdrawal of the \$25 000 subsidy by the Jabiru Town Development Authority and the requested removal of the operation centre, which is very significant, no later than 31 August 1982, such actions leave the council no alternative but to withdraw and provide a service from Darwin.

I might interrupt there, Mr Deputy Speaker, to point out that St John was having its operations centre taken from it. It was an inadequate building but it was what it had at the time.

The operating costs of the Jabiru ambulance services are not at the level suggested by the government and are, in fact, substantially lower than stated.

The Minister for Health - and I think the figure was repeated by the Chief Minister - had the gall to suggest that the department was paying \$200 000 a year for the provision of an ambulance service by St John at Jabiru. The minister knows that that is a complete lie. The figure is difficult to ascertain directly because each service is not funded separately. Obviously, there are supports from the Darwin base. I understand that it would be roughly half of that figure.

Mr Morris went on to say: 'It is believed major misunderstandings have occurred' - and that is an understatement - 'and consultations will be held'. Now that we know that St John is to continue that service and has been given an area from which to carry it out and that those figures on funding were entirely false and misleading, it is my view and that of many others that the Chief Minister ought to apologise to the St John Council in the Northern Territory for his outrageous public outburst in the media last week. It is the least that we could expect such a worthwhile community organisation to receive.

There is another matter relating to health services in Jabiru which was discussed in question time this morning. It relates to the transfer of a senior resident medical officer from Jabiru to Darwin. Once again, maybe the Chief Minister was misled. Clearly, he does not know what he is talking about in this health area. Perhaps he could do better than listen to the Minister for Health because he does not seem to know what he is talking about either.

The Chief Minister would have us believe that the transfer of the doctor was routine. I have before me the hospital bulletin of Darwin Hospital. It is a fairly widely circulated document; there is nothing terribly secret about it. It is circulated around the hospital and various other places where there is a need to know who is on duty, at what time and in what area. It is produced fortnightly, I believe. I have the Darwin Hospital bulletin dated 30 July. On page 13, it lists the roster for medical staff changes for the period of August. 'Medical staff changes: changeover of rosters will take place on Tuesday 3 August at 0800 hours. Present allocation of resident medical officers for August'. It lists them. At the bottom, it has: 'Community Health Service detachment: 4. Atkinson, Jabiru'. As far as the Darwin Hospital was concerned, and I am sure it was right, that gentleman was to be at Jabiru for the month of August.

Just in case that was an error and it overlooked that medical staff change, there is a further reference to medical staff changes on page 3 of that Darwin Hospital bulletin of 30 July. It makes no mention of any change at Jabiru, either anybody going there or anybody coming from there. It is quite clear that this was not a routine staff change. It is quite clear that that doctor was transferred quite precipitously. It is a well known fact in the town of Jabiru, among the medical profession and in the Department of Health, that the doctor was transferred as a result of the direct intervention of the Minister for Health. He is anxious to serve the residents of Jabiru and was happy there. He has also, I understand, the confidence of the people there and he had an undertaking that he would be able to stay there for a certain period of time since he had recently been elected to the advisory council. We have been told, and once again it is a lot of nonsense, that this 3-month transfer of medical superintendents of remote hospitals is a routine thing but, in fact, it has only been invoked twice, in the case of Gove Hospital at Nhulunbuy and in the case of Jabiru, and both as a result of the personal intervention of the Minister for Health. I will not go into the problems at Tennant Creek.

It is a waste of time for the Chief Minister to rise in this Assembly, as he did this morning, and say that it is his government's policy for ministers not to interfere in matters of staff changes. He ought to have been telling that to the Minister for Health during the last 12 months. In the same way, if he is concerned about ministerial intervention in housing allocations, which he referred to, he ought to transfer his attentions to the activities of the Minister for Lands and Housing. Frequently, I am sure, the Chief Minister gives away more in his answers than he intends to.

To refer back to this question of the 3-monthly rotation of medical officers, in my view it is totally unfair to the doctors concerned and totally unfair to the communities. People want to develop a relationship with the medical officer who is serving them. As it is, they might just get to know somebody and he is gone and some other person is there. Similarly, many people enjoy working in the remote places. Other people do not. As is now happening in the case of Jabiru, somebody who likes living there, who is happy and, as a result, will work well there, is leaving. Somebody who may be unhappy there, who may not like that sort of environment and whose work could well be affected adversely, is to be sent there for a short period of time. Not only do our medical officers deserve better but the people of our remote communities, who are developing the Territory in a very real way, deserve a much better deal from the Department of Health than they are getting in this matter.

There is no doubt, and I say it with regret, that doctors within the Department of Health are becoming demoralised. It is most regrettable. They are valuable public servants. They provide an essential and truly vital

service to the people of the Territory. Many of them have resigned in the last 12 months and more will do so as a result of these capricious actions. The rosters for Darwin Hospital - I have them in front of me if any honourable member wishes to see them - are in a mess. They are full of gaps and question marks. Nobody knows who is coming and who is going. And that is in no way a result of maladministration on the part of those responsible in the hospital - I stress that. It is simply because they are being given a job which it is impossible to do while the minister and the government continue to carry on in this way. Of course, it is not only at the hospital that resignations are occurring. During the year, resignations have occurred in the area of rural health care. Once it was the policy of the Department of Health to encourage doctors to come and serve in the Northern Territory and I am sure that was the wish of the Northern Territory people. Now that policy seems to have been forgotten.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I presented 2 petitions this morning from the residents of Jabiru, one regarding the supply of ambulance services there and one relating to the opening of the health clinic. Publicity has been given in the newspaper and the Minister for Health and the Chief Minister have given favourable replies to the requests made through those petitions. The St John Ambulance services will not be restricted at Jabiru. Also, the health clinic will open at weekends for routine cases.

Mr Speaker, I think it regrettable that the petitions had to be presented in the first place. Possibly, there may have been a hitch in communication between the relevant government department and the people of Jabiru who were told in the very early stages that the hours would be extended at the health clinic and, more recently, that the ambulance services would not be restricted in any way. It is a pity that petitions had to be presented. I can only be pleased with the outcome as also will the people of Jabiru.

I had a telephone call from a constituent at Jabiru today, Mr Speaker. I hope to pursue the subject when I go home tonight. It involved further undesirable restrictions at Jabiru in relation to recreation. I think it is important to realise that the people of Jabiru are living in an unusual way. They are living in a town in the middle of a national park. We cannot get away from the fact that they are ordinary people like the rest of us in the Territory. They are trying to live normal lives, working in ordinary jobs, like the rest of us. I do not think it fair that any undue restrictions should be placed on their recreation or any other aspect of life there - restrictions that other people in the Territory do not have. When I know the details of these restrictions, I will make them known and ask questions about them.

Mr Deputy Speaker, a case was brought to my attention by a person who may not be a constituent of mine in the rural area, but to all intents and purposes he is. The case that was brought to me was one where honesty was not the best policy. It was a case of dishonesty being the best policy. It was in relation to a housing loan sought by this particular person. He is a professional man who has worked very hard to establish a professional business and works hard in it. He used his own savings to build his place of business and he and his wife work very hard for long hours. I have had occasion to go to him for professional help and I found him nothing but competent, as have many people in the rural area who have gone to him. He fills a definite need in the profession in which he is working.

This particular man used his savings for the building in which he practises his profession. He applied to the Housing Commission for a loan to build his house. He asked for a sum of about \$46 000. He told me that one of the conditions for application to the Housing Commission for a loan was the submission

of a financial statement at a cost of \$300. He submitted a financial statement to the Housing Commission. His bank had so much faith in his ability to work and earn money and repay it that, after he applied to the Housing Commission for a loan, the bank granted not only a first mortgage but also a second mortgage. That is how much faith it had in him.

I understand it is the usual practice when one applies to the Housing Commission for a loan that only 25% of one's income shall be used to repay the loan. Because this professional person, in effect, had applied for 3 loans - and I repeat that he is a hard worker and would not have had any trouble repaying them - the fact was that 80% of his income would have gone on repayments.

In the short while that he has been in the rural area and from what I have seen of him, I have no hesitation in saying that I feel certain that he would pay back that loan, whether it was 80% or 25% of his income. When this was made known to the Housing Commission, it wanted another financial statement submitted because, if the bank had granted him a first and second mortgage, it was because his income had increased. Another financial statement was necessary which meant expenditure of another \$300. Because his financial position had improved slightly, he could not get \$46 000 and the amount of the loan was reduced. This is a hard-working, professional man with a small practice trying to get a go in the Territory. He is a young man, his wife is young and they have a young family. I think that they are the sort of people the Territory government should encourage. However, this man applied for a loan and worked hard with a full capability to repay it even though it would take 80% of his income at first count. In effect, he has now been refused the loan he was told he could get and his loan allocation has been reduced. I have made the honourable Minister for Lands and Housing cognizant with this case and I have started inquiries with the Housing Commission for him. Here is the case of a man who is prepared to work and is actually working. It is necessary only to go out to his block in the rural area to see what he has done in the short time he has been there and to see the extent of his practice. This is an honest worker being denied the full help he requires from our government because he was honest in submitting a frank statement of his financial returns.

I understand it is the current practice, which I think is completely abhorrent, that when somebody applies for a loan from the Housing Commission, if by any chance one can understate one's income, perhaps by declaring only cheque receipts and not cash or perhaps declaring the wife's income only or something like that, or perhaps actually being out of work for the 6 months prior to lodging the application, one can get the maximum housing loan. Mr Speaker, to me this is government encouragement of dishonesty. It also encourages the principle of giving reward to people who are not working and who are, in effect, often not far removed from bludgers, to the detriment of those people who are prepared to work and who are working. I will pursue this matter further, Mr Deputy Speaker, and I hope this small, professional man can receive justice. It is all very well mouthing platitudes about how we want workers up here, how we want professional people to stay up here, how we want family people up here to make this place their home and then not giving them active help. We encourage people who do not want to work and we encourage possibly less desirable people to stay in the Northern Territory.

I would like to make public another piece of peculiar thinking. It did not occur in the rural area. I think it must have occurred either in the Department of Transport and Works or, more probably, in the Department of Education. It concerns the planning of the Humpty Doo Primary School and the area of land allotted to it. Originally the area available to the planning authorities for this school was 640 acres of Crown land: 2 sections of Crown land each of 320 acres. Without having expensive distribution of services in the way of

water, sewerage and electricity, one would not expect the school to be spread over the whole 640 acres. But it passes all bounds of comprehension where this school was actually placed. If it is to enlarge at all and if a track or road is to be put around this school, it cannot enlarge on the present block. It has been put right up on one corner. That school is in a rural area. The planners had 640 acres at their disposal. The area allotted to the primary school equalled that allotted to any city school. It is about 10 acres. It has been put right in the corner of one of those sections. With the people moving to the rural area and the increase in population there, particularly in the number of young children, I fully expect other classrooms to be built in the near future. If a ring road is put around this school, either acquisition or the purchase of the next block of land will have to be undertaken or an expensive water tank recently put in this particular place will have to be removed. Mr Deputy Speaker, I cannot deprecate strongly enough the blindfolded way the planners approached the planning of this school at Humpty Doo.

I hope the next subject on which I would like to speak is not another story of inequality to the detriment of the people in the rural area. It concerns a block of land which is to be offered in the Town of Palmerston for a tavern. From memory, it appeared in the latest Government Gazette. It is lot 1110. I think it comes up for auction next month. To my knowledge, there are no people living at Palmerston yet. I think that the first building that is to be built is a home for elderly people. For a start, I cannot quite see why a tavern will be put up. It will be nice for the elderly people perhaps to have access to a tavern but, looking at it realistically, I would expect a tavern to go up after the people are there.

The honourable member for Sanderson may have something to say on this also at a later date but my point is that a tavern has just been built in the Howard Springs area. It is to be opened tomorrow. The man who built this tavern had one objection put in when he applied for a licence and it took close on 9 months to resolve this one objection. Reading the Government Gazette, land at Palmerston will be for sale next month and, according to one of the covenants, building has to start by 1 February 1983, which leaves 5 months from the auction to the start of building. I do not know whether the particular planners in the Palmerston Development Authority are expecting any objections with their decision to build it. I know that there will be several objections to this. If it took nearly 9 months to resolve one objection to the Howard Springs tavern, I cannot see this being resolved in 5 months.

I feel that if the government is to encourage small businessmen to invest their capital in the Northern Territory, I think they deserve a fair go. They do not want protection. I am not asking for protection. All I am asking for these people is a fair go. This gentleman in Howard Springs has built a tavern there. I feel that it is only right and proper that he should be given a fair go - you might say the first bite of the cherry of the taverns in the area - before there is consideration given to another tavern being built at Palmerston. I might add that, to resolve this one objection, it took something like \$6000 in planning and legal fees. They were quite legitimate. They were not out of the ordinary. This particular person spent a lot of time and money establishing his tavern. I know that he for one will object strongly. As I said, I think there will be other people objecting. If the government is to encourage private industry, I feel that it should be encouraged in a realistic way.

Mr TUXWORTH (Health): Mr Deputy Speaker, I rise to make a few comments about the points raised by the member for Fannie Bay. The emotion with which she addressed the topic was surpassed only by her ignorance of the matter that she was discussing. I thought it might be helpful if members were put in the

picture about the matters that she raised.

Mr Deputy Speaker, my colleagues and I have been strong supporters of St John Ambulance since we came to government in 1978. In that time, there has been an increase in the St John budget through grants-in-aid to the present level of about \$2.4m, an increase of 365% in those years. That is a pretty fair increase for any organisation assisted by this government. We feel that our contribution to St John has been quite significant, just as we feel that its efforts and contribution have been quite significant and not to be detracted from in any way. We are now at the point where the government's contribution to St John is made up of about 65% direct subsidy and a further amount is made by way of payment for services delivered to the government. In effect, our total contribution to St John is in the order of 80% of its total operational budget. It is not an amount to be sneezed at and it is not an amount that we are seeking great praise for but certainly it is an amount that deserves acknowledgement. I would be the first to admit that I was the one to ask St John to go to Jabiru to set up a service a year or more ago. My colleagues supported the proposition and enabled the additional funding for that program to be made available. St John went there and I must say that I have had no problems with what it has been doing.

It transpired that our contribution to St John for its 12-month period at Jabiru amounted to about \$180 000. If the member wants the exact figures and the invoice numbers, I will get them for her. That \$180 000 was made up of \$150 000 paid out on invoices for trips conducted for the government and \$30 000 for the salaries of the St John officers out there. On top of that, and quite unbeknown to me, the JTDA was making a contribution of \$25 000 a year to St John for its services to the community. That brought the overall budget for St John at Jabiru to the order of \$200 000 which is not a small amount by any means.

Mr Deputy Speaker, quite unbeknown to me, St John received advice from the JTDA that the \$25 000 contribution would cease forthwith and the demountables that St John was in, which were provided by the JTDA, were to be removed. On the strength of that, I received a letter from a Mr Burden, the Manager of St John, advising me that, as a result of these 2 factors, St John could no longer continue at Jabiru and would be ceasing its service on 3 September. There was no request for a discussion on the matter. I took the letter at its face value and said to the Secretary of the Department of Health that we had better put the wheels in motion to make sure an alternative service was made available. We are going to Jabiru to talk to the Jabiru Town Advisory Council. It is appropriate that we raise the matter with it and let it enter the picture too. I would be pleased to hear its views on the matter.

Mr Deputy Speaker, one of the considerations that led me to that point of view was that, at \$200 000 a year, we are looking at about \$4000 a week to provide an ambulance service to Jabiru. We are averaging 2.7 trips per week for the \$4000, not what most ambulance services would regard as an onerous task for that amount of money. I have never complained, questioned nor taken people to task about it. My view was that, if St John had difficulty providing 2.7 ambulance services at Jabiru for \$180 000 that we were prepared to pay it, it was probably more appropriate that other arrangements be made. We are looking at over \$1000 per trip for the 2 to 3 hour drive into Darwin as against \$400 per trip on the air charter service.

Those were some of the considerations that led me to take the matter up with the people of Jabiru. Certainly, from the beginning, there was every intention that there would always be a ground recovery system from Jabiru. It was just a matter of establishing how we did it. I made the point to the

Jabiru Town Advisory Council when I met with it early in the month that we would be very pleased to see St John stay on. If it did not want to stay on in its full capacity, we would do what we could to see that the volunteer group of St John in the town survived and thrived. That was the matter to be taken up with the locals; how they saw the service being effected for their town. There were various things said and not said but never at any stage was there an attempt by us to denigrate St John. I am pleased that the matter has been resolved and that St John will continue.

For the benefit of members and the general public, it would be helpful if this table of contributions made to St John throughout Australia by respective state governments were incorporated in Hansard. I think everybody should be aware of the efforts that this government is making to support St John compared with the efforts made by state governments. They contribute about 33% of St John's operational costs and that is it. The Northern Territory's contribution is nearly 85% and that I believe is a pretty fair effort.

Mr Deputy Speaker, I seek leave to have this table incorporated in Hansard.

Leave granted.

State	Transport Fees	Sub- scription	Method of	Budget	Other Details
NSW	\$75 for first 16 km then \$1.92 per km	\$20 family	1/3 Govt subsidy 1/3 Subscription scheme 1/3 Transport fees (Non-subscribers to St John)	\$80m (1981/82)	2500 staff 1 million patients carried 20 million km travelled
VIC	\$91 for first 10 km then \$2.10 per km	\$20 family (to be increased)	1/3 Govt subsidy 1/3 Subscription scheme 1/3 Transport fees	\$80m 1980/81 metropolitan \$40m (approx) in State	630 staff in metropolitan district 700 000 patients carried
QLD	\$75 for first 24 km then \$1.90 per km	\$30 family	1/3 Subscription scheme 1/3 Transport fees 1/3 Donations and Govt endowment	\$57m (approx) in 1980/81	1200 staff 500 000 patients 70% of expenditure is wages

State	Transport Fees	Sub- scription	Method of	Budget	Other Details
SA	\$64 plus \$1.10 per km in city \$37 plus \$1.10 per km in country	\$20 family	1/3 Govt subsidy 1/3 Subscription scheme 1/3 Transport fees	\$7.5m projected 1982/83 metropolitan area only \$10m - \$11m State esti- mate only	330 permanent staff 1200 volunteers
NT	\$80 plus \$2.50 per km	\$40 family	65% Govt subsidy 25% Transport fees 5% Subscription scheme 5% Other	\$2.15m 1/1/82-30/12/82	Govt subsidy 1978/79 \$0.57m 1979/80 \$1.08m 1980/81 \$1.56m 1981/82 \$2.25m Staff 42 (1981)

Mr TUXWORTH: The other point the member raised was in relation to the doctor at Jabiru who was transferred to Darwin. This is one of the precarious situations for a politician. If we take an interest in what the public service is doing, it is called political interference in the public service. If we do not take an interest in the public service and what it is doing, we are uncaring and disinterested politicians who should have more care for the community. Particularly in a case of highly-trained professionals such as doctors, I leave matters to Dr Fleming, the Secretary of the Department of Health, to run that as he sees fit. Dr Fleming has some pretty strong views as a professional - he has been around a long time himself - on what ought to be done and what ought not to be done, particularly in remote areas given his army background, the expertise required in remote areas and the limited resources available.

As a result of comments this morning, I contacted Dr Fleming over lunch and received an explanation from him as to why Dr Atkinson was transferred from Jabiru to Darwin. I will read it for the benefit of honourable members:

There are special considerations which should be given to doctors working in remote areas of the Territory. They work alone without the benefit of peer consultation or of local specialist referral. The department has recognised these problems and has implemented systems which will improve the skills of our rural doctors so that they can better cope with the situation and give better service to the community. The department develops training schemes for individual doctors to increase their competence and enhance existing skills. In general terms, the doctors employed by the department to work in rural areas fall into 2 groups: those with substantial post-graduate experience and those whose experience by comparison is minimal. For example, the former should have qualifications such as are required to be a member of the College of General Practitioners. This requires 3 years special training in a hospital and a further 2 years working with a doctor who is a member of the college. Such a doctor would be rotated through a hospital for 3 to 6 months every 2 to 3 years so that he could maintain his level of skill in intensive

care, surgery, anaesthetics, paediatrics and obstetrics. The department's policy for less-experienced doctors is to keep them in the remote localities for 2 to 4 months only and to supplement their skills with training courses in the more wide-ranging experience available in hospitals.

It is not to the community's advantage nor the doctor's advantage for him to remain in the remote location for any length of time. While it is preferable to employ the well-qualified doctor, both for continuity of service to the community and an increased level of medical competence, experience has shown that such doctors are difficult to attract to the Territory. The department, therefore, offers the best compromise to both the young doctors who come to the Territory and to the community.

In the case of Dr Atkinson, he is employed at the Darwin Hospital as a resident medical officer. He agreed to participate in this rotating scheme if he was able to complete a Diploma of Obstetrics. The first opening for this course was January 1983 and Dr Atkinson requested that he remain in Jabiru until the course began. This was agreed to by the Darwin Hospital. However, the South Australian conjoint committee responsible for approving these courses recently allocated a third training position in the Darwin Hospital. The committee indicated that the course should begin as soon as possible and immediately Dr Atkinson was advised of this. The policy of rotating medical officers through Jabiru from Darwin Hospital has now recommenced.

Mr Deputy Speaker, I can accept that people in the community have difficulty in accepting Dr Fleming's argument that rotating staff around from time to time enhances and refines their skills in the things that are important to them in small communities. I can only say that nobody in the medical sphere is prepared to challenge what Dr Fleming is saying. If it would be any help to the honourable member for Fannie Bay, I would be more than happy for her to discuss the matter with him and gain the benefit of his views at first hand.

I reject outright any suggestion that there is a policy to move staff around because of personal or political interest. I have no interest in how Dr Fleming staffs the places that he has to operate. If the honourable member for Fannie Bay would like to look more closely, she would find that the movement of staff in and out of remote areas - Gove, Groote, Jabiru, Katherine, Tennant Creek and other small centres - she would find that that movement is continuous. It has occurred virtually since Dr Fleming arrived in the Northern Territory and I would think that, so long as he is in charge of the staff of the Department of Health, it will be a continuing practice.

Mr LEO (Nhulunbuy): I draw honourable members' attention to a question I asked this morning which the Chief Minister answered. I have a letter that a policeman in Alice Springs received from a senior officer. It was given to me in confidence and I will not repeat the policeman's name or anything that may associate this letter with him: 'Your record of service indicates that you have been stationed at Alice Springs in the southern command since' - and the period of time is given.

Mr Tuxworth: Tell us the time.

Mr LEO: I would tell you, except that, as I said, I received this letter in confidence and I intend to maintain that confidence.

Mr EVERINGHAM: A point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: What is the point of order?

Mr EVERINGHAM: He cannot read the letter selectively. No one is asking for the police officer's name but either the honourable member reads the full details of the letter or he does not read it at all.

Mrs O'NEIL: It is entirely up to the member for Nhulunbuy what he chooses to read and what he does not. There is no reference in Standing Orders to what elements of a document should be read. The confidence of the person is to be respected.

Mr LEO: Suffice to say that what is shown in the letter is an extended period. Frankly, the date could possibly indicate which policeman received this letter. That is the only reason:

On 24 June 1981, special circular No 102, which related to the broad spectrum of career development, made specific mention of the squatter syndrome with the following comments. Despite everything which I have said about a man controlling his own destiny, I ought to add a word of caution. Whilst I have no objection to a person finding his own level in the organisation, management cannot always accept the situation where a person decides to squat in a particular position, however comfortable he or she may be. This is because this attitude frequently develops into a type of complacency where the efficiency of a unit is in jeopardy - becoming a management responsibility to do something about it - or the member himself is not sufficiently exposed to the mainstream of management philosophy to be capable of making a proper assessment of his own potential. The problem is exacerbated by the fact that, as age catches up with us, and inevitably it does, there is a tendency for a person to overlook that he is becoming, or will become, unproductive in the organisation.

Because of the length of your period of service and, bearing in mind the clear message contained in this circular to the effect that members cannot expect to remain permanently in any one position and the need for them to circulate throughout the various positions available throughout the force to assist in their career development, this correspondence is to serve as notice that it is my intention to recommend or arrange your transfer from Alice Springs as positions become available in other areas. Naturally, some of these transfers will have to become effective before others but, generally, this notice should afford you enough time and opportunity to make application for any advertised position that meets your qualifications and suits you. Consideration will be given to members with children receiving an advanced school education not to be transferred before the end of the 1982 school year.

The letter is signed by a very senior police officer.

Mr SMITH (Millner): Mr Deputy Speaker, in the last sittings the Leader of the Opposition asked the Treasurer a question relating to a Brisbane firm, Reprographics, receiving a government contract by the use of the local industry preference system. The question arose from a growing discontent within the Territory business community with regard to the operation of the government's preference for local industry in the letting of public contracts. Later in those sittings, the Leader of the Opposition asked a further and more

general question about the local preference system. He asked the Treasurer: 'Is he aware that inconsistencies exist in the drafting of the guidelines laid down for local preference and, if he is aware of those inconsistencies, will he ensure that the guidelines are redrafted so they are consistent?' In response, the Treasurer gave a commitment to seek from his department information on any problems it had in regard to the local preference policy.

The Chief Minister admitted this morning that there was a problem in defining local industry. He said that the government's interest was in assisting people who had committed themselves to the Northern Territory and to employment of people in the Northern Territory - all very commendable and certainly sentiments that the opposition endorses. As a result of questions asked and answers given in this morning's question time, those fine words of the Treasurer have been shown to be very hollow indeed. Despite the commitment from the Treasurer at the beginning of June, yet another example of a misuse of the preference system has been allowed to occur. A contract was let to a locally-based firm through the application of a local preference margin. This work was sublet immediately to a Melbourne firm. Mr Deputy Speaker, an inquiry to the General Tender Board for information about the local preference system resulted in the provision of a 2-page document entitled: 'Preference for Local Business'. This document is freely available and, as I understand it, is the basis on which the local preference system is administered by this government and by the Tender Board. As was pointed out by the Leader of the Opposition, the document is internally inconsistent in that we are told that, to be eligible, a business must be established in the Territory with local staff. But we are also told that, if a business is registered locally as a business, then this will be considered in assessing its eligibility for a local preference margin. So much for the requirement of a local employment base.

While there are problems with the handout and its internal consistency, there are also other and much deeper problems. Pieces of paper and rules and regulations are worth nothing if the government is not prepared to implement them. It would appear that this government simply washes its hands of any responsibility to make the local preference system work as soon as a contract is signed. Surely, if the government was serious about making a local preference system work, it would have checked out thoroughly whether John Holland was capable of fulfilling the contract it tendered for. Surely the government would have sought from John Holland a detailed proposal for the demolition of the Stuart Building so that an accurate assessment could have been made of the extent to which local industry would benefit. The government's failure to do this has clearly shown that it is not serious about helping local industry to survive the present difficult economic time, despite this morning's rhetoric from the Chief Minister.

Mr Deputy Speaker, if this government was serious about helping Territory industry, the following approach or something very much like it would now be operating. First, before a local preference margin is offered, a detailed study of the proposals submitted should be undertaken. This would enable an estimate to be made at the likely level of involvement of local industry. Secondly, once a contract has been let, there should be some form of monitoring of how the proposals of the company were implemented. Finally, to ensure that the proposals have in fact been implemented, the government should consider instigating a system of penalties associated with the granting of the local preference margin. Where tenderers fail to comply with the terms of the revised scheme, the ultimate penalty should be rescission of the contract. As a result of previous questions asked by the Opposition Leader in the last sittings, the Treasurer should have informed the Assembly today of the results of the study of the procedures for letting public contracts. Instead, we are offered nothing more than the basic assurance that I referred to earlier.

I would now ask the Chief Minister to make available to this Assembly the findings of the inquiry he informed us he has initiated into how John Holland was able to win a contract through the local preference system and then immediately give it to an interstate firm. Only by doing this can the Chief Minister and his government restore the confidence of the business community in the Northern Territory that the local preference scheme is a meaningful one. If the Chief Minister is genuine in his call for the Territory business community to pull together, then he must offer that community full government support through an effective local preference system. He must indicate to the business community that any attempt or, in this case, successful abuse of the system will not be tolerated.

Mr Deputy Speaker, I move very briefly to refer to some comments made by the Minister for Health concerning the situation regarding the transfer of the doctor at Jabiru. The other side to the story is that in the situation at Jabiru some special circumstances apply regarding the doctor's election to the Jabiru Town Advisory Council. As I understand it, the doctor, before taking the decision to stand for the Jabiru Town Advisory Council, made representations to the Department of Health to ascertain what his movements were likely to be in the foreseeable future. As the minister has already indicated, he was given quite clear assurances that he could expect to remain in Jabiru for the remainder of the year, that at that stage he could expect to undertake a diploma of obstetrics and, at the end of that period, if he still wished to return to Jabiru, that the Department of Health would look on that request sympathetically.

Mr Everingham: You don't believe that, do you?

Mr SMITH: If you did your homework, you would believe it as well.

Mr Everingham: I am not as big a fool.

Mr SMITH: Consequently, having gained the assurance, the decision was taken to stand for the Jabiru Town Advisory Council. The confidence of the people in the doctor was reflected in the fact that he was quite clearly elected to one of the 5 positions on the Jabiru Town Advisory Council. He was elected not specifically because he was a good doctor, although I have no doubt that that may have had some impact on it, but also because he was a good townsman. He had taken an active interest in the town. He had played an important role in the continuing development of the Jabiru Rag. He had, on a number of occasions, entered into public debate on important issues for the town. Unfortunately for him, it appears, some of these important issues were health issues and it must be said that he has made, within the town and through the context of the Jabiru Rag, statements in the health area indicating some concerns that he had as a citizen of the town with what was happening with health matters. I also have it on good authority that he has disagreed with the minister and I am informed by a third source that in fact he managed to upset the minister. The minister was seen to be actually yelling at the doctor at one particular stage.

The point is that there were other things that the Department of Health should have taken into consideration. I would just conclude by stating my regrets that, after this doctor had taken the obvious and necessary steps to ascertain what his movements were, after he had stood for election and won election and had joined the inaugural Jabiru Town Advisory Council, the Department of Health has seen fit to remove him. It has not only implications for the provision of health in Jabiru which the honourable member for Fannie Bay has raised, it has also implications for the future of the Jabiru Town Advisory Council. It must be said that some people in Jabiru at least feel that the government has acted to undermine the efficiency and the effectiveness of the Jabiru Town Advisory Council by, at this stage, removing one of its elected

members. I would hope that the Jabiru Town Advisory Council does continue to be an effective part of the development of local government in Jabiru. It must be said at this stage that the decision to remove the doctor, who is a public servant, has left a nasty taste in many people's mouths about the development of local government in the town.

Mr PERRON (Stuart Park): Mr Deputy Speaker, it is amazing how much time can be taken up in this Assembly over the possible movements, commitments, understandings or beliefs of an officer of the public service, an area as the Minister for Health pointed out, that ministers are supposed to be keeping away from.

Mr Deputy Speaker, I want to touch on 2 points raised by the honourable member for Tiwi because I felt they deserved a brief response. One is about an application by an obviously self-employed person for a housing loan. No doubt, from the honourable member's inquiries and perhaps through my office if it is involved, we will get to the bottom of it. However, she made a number of points which I thought I should touch on. Firstly, the gentleman had demonstrated that he would have to use something like 80% of his income to repay the loan. Quite clearly, that would be totally unacceptable not only to the Housing Commission but to any financial institution whatsoever. As a rough guide, most Housing Commissions or government lending authorities in Australia will not allow people to commit themselves in repayments to more than 25% of gross income. In some cases, I understand that is raised to 27.5% of gross income but, from long experience, it has been shown that most people who pay more than that figure for house repayments are liable to get themselves into some difficulty.

The honourable member also said the gentleman had paid \$300 for a financial statement to provide evidence to the commission of his income and, worse, had to do it twice. I think he should change his accountant if he is being charged \$300 for a statement of income, particularly twice. Admittedly, the first time, depending upon the statement of the man's affairs, there may have been considerable work in producing such a statement. To require a second one some months later, which would no doubt be an update of the first, and be charged a second \$300 is reason to consider changing his accountant.

The system that the commission operates is designed to achieve justice of course. The commission is trying to encourage and assist people to own first homes in the Northern Territory. It is not in the habit of trying to frustrate people who should be eligible. However, difficulties arise when the commission is dealing with a self-employed person who does not have easily-produced evidence of income for the previous 6 months. Unfortunately, a number of people have tried the commission on over a period in so far as producing evidence of their income is concerned. Sometimes they find themselves in a dilemma because, to obtain the maximum loan available through the commission, they have to demonstrate a fairly low income. However, when they come to the other side of the equation, they have to demonstrate a reasonable level of income to establish that they can afford the repayments. A number of people have given to the commission various statements of income which have proven to be incorrect and therefore the commission pays a lot of attention when assessing applications from persons who are self-employed. The criteria used when assessing what income a person has to determine the amount of the loan is based on the breadwinner's gross income. However, to be as fair as possible to the applicant, the assessment of the capacity to repay takes into account the spouse's income, if any. This is an attempt by the government to lean over in favour of saying to people, 'You can have the maximum portion of the loan and we believe that, if you really stretch things, you can afford the repayments'. We do that specifically to encourage people. I leave it there because no doubt the particular case will be dealt with further. However, I thought those points were worth mentioning.

The second point relates to a Gazette notice which appeared recently that the government will auction what has been called a tavern site at Palmerston. It has been called a tavern site because we had some difficulty choosing some other name. In fact, it will be more than a tavern site. It will be a general licensed site in Palmerston. The conditions propose a restaurant and a tavern which is generally a place where one can buy drinks and usually have some nibbles. It will also include a public bar facility and possibly a beer garden as well. The honourable member for Tiwi said that perhaps this was a bit unfair because the guy at Howard Springs has recently obtained a tavern licence and we should not run him out of business before he has even got on his feet.

Mr Deputy Speaker, I would expect that these 2 premises are probably 8 or 10 miles apart. The licence in Palmerston is really the first licence proposed for licensed premises to serve a city which will eventually be as big as Darwin if not bigger. Whilst there is no one living there permanently at present, there will be houses under construction within a matter of weeks and many people will be living there next year. It will be a year or 18 months before this facility is completed as there is a substantial covenant of about \$750 000 on the site. There will be quite a few people in Palmerston who could quite easily frequent such an establishment without having any effect at all on an establishment as far away as Howard Springs. However, the licensing procedures in this Territory provide that persons can object to a liquor licence and no doubt opportunity will be taken by anyone who feels he should do so. I would just like to make a point that the government has deliberately set out to create another licence in Palmerston because we feel that it is necessary. Unless the successful purchaser at the auction builds it in a hurry, there will be some complaint that the people in Palmerston will not have such a facility. I hope that the successful purchaser will move very quickly to comply with the covenants and obtain a licence to service that area.

Mr DOOLAN (Victoria River): Mr Speaker, this morning I asked a question of the honourable the Minister for Transport and Works concerning some questions about the proposed construction of sewage ponds at the end of Gulnare Road in the Bees Creek area. The minister was obviously prepared for these questions because he gave me a detailed answer which was most helpful, and I thank him for it. I will be able to take back to these people some of the answers to their queries, but I do not imagine that they will be overjoyed. The minister mentioned that, because of the proximity of dwellings on the southern side of Gulnare Road, it was necessary to lay pipes and build powerlines on the north side. If the minister or one of his departmental officers takes a better look, he will find that there are dwellings on the north side which are quite close to the road. For instance, there is a Mr and Mrs Eaton who live on the corner of Lovelock Road and Gulnare Road on the north side. At present their dwelling is set well back off the road in pleasant surroundings as are most rural dwellings. If the proposed sewerage lines and powerlines are laid, they will use up 22m of their frontage and these people will be living practically under the powerlines. The couple are not at all happy with the government's plans for sewerage and powerlines and Mrs Eaton made a complaint to me that the surveyors had come onto her block without authority and they had broken and destroyed some trees which had been planted in front of the property.

Most of the residents of that particular part of the Bees Creek area in the vicinity of Gulnare Road are concerned that there are plans to construct sewage ponds which apparently are to be used to take effluent from the Humpty Doo High School. Apart from any other consideration, the cost of laying pipes from Humpty Doo to Gulnare Road would be an extremely costly exercise because it would require something like 8 km or 9 km of piping. I went out there and measured the distance from where the sewage pond is supposed to be erected to the nearest dwelling. It would only be 0.9 km. Within 2.3 m there are some 14 dwellings.

From the information that I have received, the government intends to resume land back 10 m from Gulnare Road on the northern side and NTEC is claiming a further 12 m, making 22 m in all which will come off the frontage of many people's blocks. It is hardly any wonder they are unhappy about it. They are extremely concerned about it and they cannot understand why some alternative site is not available on vacant Crown land closer to Humpty Doo. I might add that I feel personally affronted that the nitrogenous animal matter deposited by the Humpty Doo people in the electorate of Tiwi will be dumped in the Victoria River electorate and cause hardship, inconvenience and probably nausea as well to my good constituents. It could be a plot engineered by the honourable member for Tiwi and your good self, Mr Deputy Speaker, as you have a house near the Arnhem Highway.

Seriously, these people are concerned, as well they might be. They are asking the government to find a more suitable place to build its sewage ponds than close to a settled area which is considered to be one of the best and certainly one of the most progressive areas of rural Darwin. Any person who might dispute this need only to observe the activities which take place at Fred's Pass Recreation Hall every weekend. As an alternative to sewage ponds, the concept of providing a large septic tank for the disposal of effluent from Humpty Doo High School is not an impossibility. It is done in other places. I know there would be an outcry about polluting water supplies but there are ways of getting around that. Alternatively, a more suitable site could be found close to Humpty Doo on vacant Crown land.

There is another complaint from some of the older residents of Bees Creek who live close to the highway. I refer in particular to the residents of lot 128 section 309 of the Hundred of Strangways. I wrote some time ago to the minister on their behalf detailing many inconveniences caused to these people by lack of water pressure and, at times, even total cessation of water. I pointed out that this lack of water places them at risk both from the health point of view and from bushfires. Some of these people living there claim that there are periods when they are unable to wash soiled napkins or flush toilets which obviously must create a health hazard. They made a further complaint that there is a great deal of air in the waterpipes which they believe causes the water meters to tick over. In fact, they say that they are really paying for air rather than water.

When I wrote to the minister, he replied courteously and attached to his letter a copy of a circular letter to residents of Bees Creek which detailed certain conditions and restrictions saying that, if they agreed to these conditions, they would be supplied with water. However, some of them are most unhappy regarding some of the conditions imposed, particularly in section 11 which states: 'Water supplied through your meter is not to be used for irrigation purposes and other than for normal purposes'. They feel that this particular condition is far too restrictive. Residents of lot 128, section 309, are particularly irate as they claim that only 1 person in that particular subsection signed the letter.

If I read a short letter that one resident sent to me it would explain, more succinctly than I can, the situation that exists at present. This arose because the honourable Minister for Transport and Works sent me a copy of the circular letter which had been sent to residents. I duly forwarded it to this lady who made this complaint. She wrote:

The form enclosed in the letter has not been signed by the people in our subdivision, except for 1 person. I would like it put to Mr Dondas to actually show the form that we have supposedly signed, with our signatures on it, not just a copy of it. The second point

is that the stated 200 psi pressure that the water can get to is far too high as class 12 PVC has a bursting pressure of 175 psi and a working pressure of only 100 psi.

No wonder they have problems with burst pipes.

This letter is too restrictive, refer section 11 which means that we cannot grow trees or crops of any sort. I thought that rural agriculture was to be encouraged. Another matter with the water is that it means that we have a lot of air in our pipes which makes the meter tick over so we are really paying for air and not water. Water Division have said that we are to be warned of abnormalities but before this year nothing has been said. In fact, this year it was only in the paper after complaints from us. Our main argument is that we want the service that we are paying for. If water in town goes off, it makes headlines but we are expected to put up with it and when we complain we are told: (a) put a tank up; (b) you live there, sorry no technicians will be sent south of Darwin. This is not on as far as we are concerned when we pay water bills. I hope that these points will help you. Thank you for your help ...

I ask the honourable Minister for Transport and Works to investigate the matter again and see if anything can be done about it.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, in the last few weeks, the number of complaints received at my electorate office about Leanyer Dump and the Leanyer Swamp has been quite significant. Indeed, in the years that I have represented this district, I cannot remember a time when I have had so many complaints from people in the area about the operation at Leanyer.

Mr Deputy Speaker, naturally I was interested this morning to ask a few questions about what is being done in connection with the operations at Leanyer. It disappointed me greatly. I have read in the newspaper recently and heard from several constituents who have made approaches to various government authorities that there is a proposal under consideration to relocate the dump, but the Minister for Transport and Works informed me this morning that this is not so. This is a matter of great disappointment and not only to me. This subject has caused periodic complaints from constituents during the last few years. Very many people who have been running around posing questions to a variety of government departments and the city council over the past few weeks will also be greatly disappointed.

It is quite obvious that what has happened is that the Leanyer Dump has become unsuitable as a neighbour for the residential area of Karama, Woodleigh Gardens, the Savannah Estate, Leanyer and the bottom end of Wulagi. In days gone by, certainly when Dr Charles Gurd was head of the Department of Health, it was accepted that the Leanyer Swamp and the dump were far enough from the limit of residential development to require only minimal engineering works in order to alleviate some of the more severe problems. It is quite clear that what has happened in the interim is that residential development has gone beyond those boundaries that were then postulated and this, in large measure, accounts for the increasing number of complaints.

It is useless to tell these people that they knew the dump was there because they appreciate that the reason why the decision was made to develop those lands for residential suburbs was because of the shortage of land available in Darwin at the time. Having installed people in these suburbs, it is appropriate to

look again at the operations at Leanyer Dump and take some positive action with respect to its operations and its ultimate relocation.

I believe that the citizens' association has organised some publicity and I gather that there was a not altogether pleasant segment on the Spectrum program last night in connection with this matter. I commend the citizens' organisation at Malak because this group of people has taken an active interest in matters of local concern and has sought to bring about solutions in a responsible way. Recently, it made inquiries of the aldermen at the city council as to the future of this place and whether or not it will continue to be used as a wet dump. Mr Deputy Speaker, this is part of the problem. I do not think that residents would complain so much if it were just a matter of putting some dry fill into that area and ultimately making it usable for some other purpose. As the honourable Minister for Transport and Works would know, at the moment, Leanyer is the only wet dump for the Darwin area. Not only is it used for the dumping of dead animals, but it is also used as a dump for offal from the abattoir. On any day when this material is dumped in any quantity, one can see flocks of predatory birds in the vicinity and foul odours are emitted from this place. I have been told by one of the aldermen that she has found that the material has not been adequately covered. I think that the picture I am putting together points to the fact that the honourable Minister for Transport and Works ought to direct his department to examine the possible relocation of this operation.

This morning in question time, in answer I think to a question from the honourable member for Tiwi, the Minister for Lands and Housing said that a site was being investigated for a garbage dump for Palmerston. He said that consultants had been engaged to look at alternative sites with a view to siting correctly a dump which would serve the residents of Palmerston. I can take no comfort in this particular development because it is quite clear that the residents of Palmerston will no more tolerate the presence of an offal dump than do the residents in my electorate. What is required is a comprehensive study of the requirements, not only for dumping of dry fill and household garbage but also wet dumping and, indeed, even the dumping of noxious and chemical wastes. I am a little disappointed to see that the individual ministers are directing their departments without apparent liaison between each other into what the needs could be.

I am also told by residents, and indeed I have had communication through my own electorate office with officers of the Department of Health, that they have always had some interest in Leanyer Swamp which is quite distinct from Leanyer Dump. The reason the Department of Health maintains an interest in Leanyer Swamp is because it is a prominent mosquito breeding-ground. From time to time, the Department of Health monitors not only the population of mosquitoes but also the species of the mosquitoes that breed at this place. Quite correctly, it has an interest in malaria, dengue fever and encephalitis. It appears now, from phone calls to and from my electorate office, that the Department of Health is now referring complaints to my electorate office. Constituents, who ring the Department of Health with complaints about mosquito populations and inquiring what is being done to inhibit the mosquito population at Leanyer, are referred to the office of the local member. The Minister for Health would appreciate that I have an interest in knowing what the incidence of complaint is but I am in no way able to give any advice to my constituents as to what is being done because I have not been informed what is being done. I would suggest from my question this morning and the honourable minister's reply that indeed nothing has been done although I did read in the newspaper that the Department of Health has been investigating complaints about the smell and said it was not a health hazard. From the reply to my question this morning, it appears that the Department of Health did not undertake any such investigation.

Mr Deputy Speaker, there is a growing concern among these people that, with the removal of vegetation which was previously maintained in order to keep a buffer zone between the residential areas and the swamp - not for any aesthetic reason but so that there would be a store of small animals which would provide blood meal for these mosquitoes which are breeding so happily in this particular area - the mosquitoes are causing so many complaints from nearby residents. I do not think that the Department of Health should in any way decrease its interest in this area. If anything, it too should be looking at solutions for the removal of this particular mosquito breeding ground.

The most recent advice that I have had from an officer of the Department of Health is that no fogging is occurring at the swamp because the city council fogging vehicle cannot get access to it. The Department of Health officer also informed my electorate secretary that no money is available to drain the swamp and that the problem can only get worse. None of this gives any comfort at all to any of my constituents. I would suggest to the Ministers for Health, Transport and Works, and Lands and Housing that some comprehensive approach to the question of what is happening at Leanyer ought to be conducted and that a long-term solution of moving the dump ought to be devised.

I consider that the residents of Palmerston are quite fortunate that they do not have this problem from the outset because something is happening with respect to delineating a site for garbage disposal. Although I have been told that the city council is looking towards serving both the Palmerston and the Darwin areas, I do not expect that the residents of Palmerston for one moment will tolerate the dumping of offal and dead animals in the dump that is being designed for them. Whatever is causing this most recent outbreak is unknown, but the noxious odour, gases and mosquitoes are causing extreme concern to the residents of Sanderson.

I have also been advised, Mr Deputy Speaker - and this information comes to me in dribs and drabs and does not seem to have any overall theme to it - that there is a possibility that an area in the East Arm may be suitable. I have had no confirmation of this and now I am told, with respect to Palmerston at any rate, there is a completely independent study taking place. I would ask the Minister for Transport and Works to have his department look at the question of what areas are suitable not only for the dumping of garbage but also the dumping of offal and noxious materials.

Mr BELL (MacDonnell): Mr Deputy Speaker, I hope the Minister for Lands and Housing does not imagine that the few words that he offered in the adjournment this evening will stand as adequate explanation for what has been going on with the administration of the Home Loans Scheme in the Northern Territory. It is my belief that the people of the Northern Territory deserve a better explanation why the administration of the Home Loans Scheme by the minister permits \$5.5m to be left unspent. Further, the members of this Assembly deserve a better explanation why information given in response to a question on notice was subsequently derided in the pages of the press by the same honourable minister as false.

Let me give a recapitulation of some of the information and misinformation that the honourable minister has sought to give this Assembly and the Northern Territory public. During the last sittings, I placed on notice a relatively simple question to the honourable minister and, in due course, a reply was received. The question read in part: 'With regard to the operation of the Northern Territory Housing Commission Home Loans Scheme during 1981-82: (a) how many loans were advanced; and (b) how many applications were received?' A fairly simple question, I would have thought, Mr Deputy Speaker. In due course, the answers came back. We were told that the answer to (a) was 488 and the answer to (b) was 799.

Mr Perron: Did you ask how many were rejected?

Mr BELL: The minister has the resources of a large department to provide answers in whatever form he chooses and, if his answers are supplied in a misleading way, he is accountable through this Assembly to the Northern Territory public. That is the process we are going through at the moment.

These figures were supplied by the Minister for Lands and Housing in response to a question on notice 708. On the minister's own figures then, 311 applicants did not receive loans. I used the information provided by the minister as the basis of a press release in response to the minister's disclosure that during the 1981-82 financial year \$5.45m allocated to the Home Loans Scheme was not spent. That \$5.45m represents some 20% to 25% of the money available under that scheme. It represents some 130 or 140 homes that could have been built in a particularly scarce market where houses are very difficult to obtain. In that particular press release, I said that this was an appalling situation and I retract nothing. I expect a better explanation than the minister has been able to provide so far, given the very low rate of home ownership in the Northern Territory.

Quoting from the answer to the question on notice supplied by the honourable minister, based on the average loan of \$42 484, another 128 loans could have been made and another 128 Territory families could have been housed. In that release, I suggested that the \$5000 minimum deposit was too high and that a graduated system should apply. The minister did suggest on the radio that that was a good idea and I thank him for that. I noted that, based on the figures supplied by the Minister for Lands and Housing, only 60% of the applicants had been successful; that is, 488 out of 799 had been successful. Quite clearly, my comments acutely embarrassed the honourable minister who set about ways to present a better picture and, in so doing, he has been very inventive. We can say that he has been inventive but he has also been found out.

In response to my criticism, the minister made some further statements. He said that 819 people had sought eligibility information regarding home loans and that 540 persons had made applications. The honourable minister or his department could have included this information in answer to the question on notice at that time but decided not to. Of the 546 actual applications, 490 received loans and 56 were being processed. At this point, some explanation of terminology is required as is some explanation of the figures used. Let us assume that the figure 799 - the figure used in my press release after I received the answer to my question - equates with the honourable minister's 819, the figure used in his public statements, these being the 2 totals reached on separate attempts at counting. It should also be understood that, in a second instance, the minister substituted the term 'sought eligibility information' for 'application'. At first count, 799 'applications' were received and, at the second count, 819 people 'sought eligibility information'.

It should also be noted that, in making his public statement using - to use his phrase - 'real figures', the minister said the number of actual applications received was 546 with 490 loans being approved and 56 being processed. It is assumed that the 490 referred to is the 488 referred to in the answer to the question on notice. It is noted that the term 'real figures' represents the answer one gets on the second attempt. It is noted also the term 'actual applications' has been introduced. Quite obviously, 'actual applications' are distinct from simple applications as the respective numbers 546 and 799 are widely discrepant even though both sets of figures were supplied by the minister himself.

Mr Deputy Speaker, I submit that, on the basis of the above information,

it is mischievous of the minister, to use his own phrase, to say that I juggle with the facts in a deliberate attempt to create confusion. It is the minister who substituted the term 'sought eligibility information' for 'application', it is the minister who introduced the term 'actual application' as distinct from a simple 'application' and it is the minister who has produced 'real figures' to supersede the figures he gave in answer to a question on notice. Let us look at a few elements of this. There is \$5.45m which the minister started off by patting himself on the back because he had been able to save that amount. It just shows how distant these people are from the real needs of Territorians when, at one moment, the honourable minister can suggest that government has been clever to save that money yet there are people in Darwin and Alice Springs who are unable to get houses. That is unacceptable. There are people waiting. The honourable minister has attempted to suggest that everybody who makes an application has it expedited in the shortest possible time. How can that be? How can it be that the minister makes a statement on Monday, very hurriedly and very interestingly in the current context, suggesting that we need to expedite arrangements and then suggests that things are really quite okay when he comes into this Assembly the next day? I think that is amazing.

Let us take the minister on his own terms. Let us talk about the people who seek eligibility information. Obviously, they have been counted and counted well. Really the minister is asking us to believe that the 329 people who sought eligibility information did not really want a loan. I find that fairly hard to believe, Mr Deputy Speaker.

Mr Perron: I did not say that, you did - like all the rejections.

Mr DEPUTY SPEAKER: Order!

Mr BELL: I would have thought that, if the honourable Minister for Lands and Housing was really interested in prosecuting his responsibilities to put Territorians in homes, he would be fairly interested in why people who sought eligibility information 'didn't follow it through', to use his phrase. He said that 50% of the people who sought eligibility information actually made successful applications. I do not think it is beyond the minister's capabilities, if he is counting the people who seek eligibility information, to find out why they seek eligibility information and do not follow it through. I think that the people of the Northern Territory, and members of this Assembly, deserve an explanation of that.

To sum up, Mr Deputy Speaker, I think there are 2 questions. The honourable minister can make a personal explanation this evening if he wants to, he can answer in question time or he can answer in the adjournment debate tomorrow. When we asked a question on notice during the last sittings and the honourable minister believed that the categories we used were incorrect, he should have pointed that out at the time. On the other hand, I am inclined to the view that the minister sought deliberately to mislead the public and members of this Assembly by deriding publicly the figures that I quoted. Secondly, regardless of that issue, quite clearly there are serious shortcomings in the way the honourable minister is administering the Home Loans Scheme in the Northern Territory.

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, my speech tonight will not have the fire and fervour of others earlier but it is raised deliberately to allow the Minister for Education, and the Chief Minister who has charge of the police department, time to consider my remarks so that when I ask questions they can have replies ready. It concerns the problem of school crossings in the Territory and who takes responsibility for their orderly operation.

Honourable members will be aware that this Assembly passed legislation some time ago establishing school crossings which are only deemed to be school crossings when flags are prominently displayed.

The problem is that it appears that there is no cohesive policy in any government department as to who has responsibility for putting up and taking down the flags to commission and decommission the crossings as the need arises. Remember that these are school crossings, specifically for the use of children. Particularly with primary schoolchildren, any confusion is to be avoided at all cost. On 14 May, a primary student was walking home from Nightcliff Primary School and crossed Nightcliff Road on the school crossing adjacent to the high school at the Ryland Road/Nightcliff Road intersection. The flags were not up and, therefore, I suppose it could be said it was not a school crossing, but, in the eyes of the child, it was. She had been taught to use the crossing as a safety measure. A car stopped and she ventured on to the crossing. Another car did not stop, braked heavily, just nudged her and knocked her to the ground, grazing her. The driver of the car surprisingly said: 'Are you all right?' The child looked all right so the driver got in the car and drove off and it was left to another driver to take the badly shaken 7-year-old child home.

The child's parents then contacted the high school and were told the flags had been missing for ages and it was not really interested. She then contacted the police who said that, if the flags were not up, it was not a school crossing. The mother contacted me and, of course, all this previous information was available. I have had discussions with senior members of the police and with senior personnel in the Department of Education. Everybody is sympathetic. Everybody agrees it is a real problem but, it appears, it is really no one's responsibility. The word I got this week from the Department of Education was: 'We have no policy on the matter'.

Mr Deputy Speaker, it cannot be said that this legislature would wish such a situation to continue. Further inquiry has enlightened me to the fact that the flags, when they are purchased for a crossing, are put up and left there. It comes as no surprise to anybody to know that they do not last very long, children being children. If the flags are not taken down at the expiration of the appropriate period but just left there overnight and during weekends, they will not last very long at all. The school's answer is not to replace them. Whilst it would be easy to condemn such an attitude, condemnation is too simplistic. Until such time as a clear administrative direction is given to some department regarding the administration of the crossings, I really cannot totally condemn the various agencies for not wanting to know about it. What does worry me is that small children, in particular, are placed at risk because they put undue faith in what they think is their prerogative at a school crossing to cross a road safely.

Mr Deputy Speaker, if this administrative problem cannot be solved between these 2 ministers and if it becomes impossible to decide on a cohesive policy as to who has the control of these crossings, then I suggest that we delete them from the statute book altogether so that at least the children are not under a misapprehension about safety which does not exist. Honourable ministers will be aware from the tenor of my remarks that I have gone through the processes administratively, as any reasonable person would do. There has been no answer. I ask the ministers to consider this as a matter of some urgency. If it cannot be resolved, let us remove school crossings as such from the statute book.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, at the commencement of the adjournment debate this afternoon, the member for Fannie Bay accused me of making false and misleading statements, and those were her words, by providing false figures in relation to the funding of St John Ambulance. I challenge her

to give specific details of her allegations because I want to know exactly what false and misleading statements I have made and I want to know exactly what false and misleading figures I have provided to St John Ambulance or, for that matter, to anyone at all. Certainly, I would like to incorporate in Hansard - and I seek leave to do that, Mr Deputy Speaker - a copy of a letter that I wrote to the Chairman of the Jabiru Town Advisory Council which contains figures relating to the funding of St John Ambulance activities at Jabiru.

Leave granted.

Dear Mr Main

I have asked the Secretary of the Department of Health, Keith Fleming, to present to you some facts relating to the St John Ambulance services in the Northern Territory.

The Northern Territory government made a conscious decision in 1978 to encourage an independent ambulance service in the Northern Territory. The St John Ambulance Association agreed to take up that challenge.

The government supported St John's bid and in 1978-79, the year of self-government, St John received a government grant of \$0.57m. By 1981-82 this grant had escalated to \$2.25m, and St John has bid for some \$3.67m for 1982-83, although this has not yet been finalised. As you can see, St John has not suffered the same financial constraints that are being placed on other areas of health care services.

The St John Ambulance received 65% of its annual budget by direct government grant. Transport fees account for 25%. Of this amount, the Northern Territory Department of Health pays approximately 85-90%. This combination brings the government's contribution to the St John Ambulance to approximately 85% of its total budget. By way of comparison, other states contribute 33% towards the budget of their ambulance service and are not charged for patients transported on their behalf.

Turning to Jabiru, the government provided St John with a new ambulance costing \$26 500 to operate the Jabiru service. St John receives from the Department of Health \$1000 approximately per trip from Jabiru, and this will rise to \$1800 per trip from 1 September, some three times the cost of the hire of an aircraft. To give you some idea of the level of revenue generated for St John by the Jabiru service, I am advised that, during the past financial year, the Health Department has paid in the order of \$150 000 to transport patients from the town to Darwin. On top of this, the Department pays the ambulance officers' salaries which puts the government contribution in the area of \$180 000 p.a. The government grant also covers the operational expenditure for the Jabiru centre and, up until this year, the Jabiru Town Development Authority contributed \$25 000 per annum to the service.

In fact, it was the cessation of this contribution which prompted the St John Ambulance Association to advise my colleague, the Minister for Health, that the services would be withdrawn. This action was not discussed with Mr Tuxworth, his department or the Jabiru Town Advisory Council. The government's view is that, if the St John Ambulance cannot operate the service on this level of funding, then the government and the council must cooperate in

providing an alternative evacuation service.

The government has a commitment to provide Jabiru with an ambulance service, and we are seeking your assistance in making this a reality. The Department of Health is currently investigating a more satisfactory aerial recovery system which will be complementary to an ambulance system operated by the Jabiru Health Centre.

I would be grateful if you would give your views to Keith Fleming this evening so that he can have the benefit of them when consideration is being given to the alternative services. Let me assure you that no decision will be made without full consultation with the Jabiru Town Advisory Council.

Mr EVERINGHAM: I reiterate the figures that I think were mentioned earlier by the honourable Minister for Health. I am advised that, during the past financial year, the Health Department has paid in the order of \$150 000 to transport patients from the town to Darwin. On top of this, the department pays the ambulance officers' salaries which puts the government contribution in the area of \$180 000 per annum.

Another important point, Mr Deputy Speaker, is that it was the cessation of the contribution by the JTDA which prompted St John Ambulance to advise my colleague, the Minister for Health, that the service would be withdrawn. This action was not discussed with him, his department, the JTDA or the JTAC. Might I say that another factor came up later in discussion with the St John Ambulance representatives to whom I yesterday handed details of those figures. Those figures were not challenged. St John Ambulance agreed to continue the service without my reinstating the \$25 000 taken from the subsidy that the JTDA had previously had to cancel.

Mr Deputy Speaker, it appears that there were problems for the St John Ambulance and the local representatives of the Department of Health in relation to accommodation for St John Ambulance in the Jabiru Health Centre. We all know that centre has oodles of spare room. In fact, it is probably 2 or 3 times bigger than the town's requirements at present. St John Ambulance was required by the person in charge of the health centre, who has lately been transferred as a matter of fact, to work in a very small room which it found unacceptable. As a result of all this occurring, I have been able to arrange with the St John Ambulance that it can have a very large area of the health centre made available to it to work in. The deeper one goes into these things, the more one usually finds out. It is surprising the contribution a person at Jabiru made in the decision of the St John Ambulance to actually pull out of its operations in the town. Thankfully, Mr Deputy Speaker, we have been able to come to an arrangement with it to reinstitute the operation and I hope all will now be well.

In his rather circular argument about local preference, the member for Millner seemed to be trying to tell us that, because we had given a contract to a local contractor who then proceeded to subcontract much of it to some southern operator, we were not looking after local business. Could I suggest to the honourable member, Mr Deputy Speaker, that it is local business that is not looking after local business. The big boys are not looking after the small boys. I find it quite amazing that the Master Builders Association, which represents the larger contractors and the suppliers, cannot agree on some policy within itself that meets the demands of some of the smaller subcontractors who claim to be losing out to the larger establishments. In fact, it is the granting of the local preference to a certain company which enabled it to gain the contract which at least in part it subcontracted to a southern operator.

I honestly could not follow the circular argument of the honourable member for Millner. If the government is at fault, it is at fault in that it awarded the local preference at all because it should have probably saved a few thousand dollars of the taxpayer's money, not invoked the local preference clause and given the job directly to the southern operator. In many ways, it appears that, very largely, that is what happened.

Mr Deputy Speaker, I noted also that the honourable member for Sanderson is trying to dump the Leanyer Dump in the government's lap. Dumps were still a responsibility of local government, at least in local government areas, this morning. Although it may be that local government is seeking to evade that responsibility, I would strongly suggest that the member for Sanderson might like to get onto some of the active aldermen in that area. Alderman Pat Bourke would no doubt be able to solve all these problems; for example, the problem of the dump not being properly covered. I am surprised that an alderman came to see the member for Sanderson to complain that the dump was not being properly covered because the alderman has the right within his or her own capacity to fix that since it is a council contractor who has the job of covering the dump. I suggest to the member for Sanderson that she dump the dump right back in some of the aldermen's laps who claim to represent that area of Darwin. I know that Alderman Pat Bourke is very vociferous about most issues. Let us see him put some action into this one and secure some results for the people who live in Sanderson.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I have no intention of prolonging this agony much longer but I would like to touch on a number of things that the honourable Chief Minister said in this afternoon's debate. I was interested earlier in the afternoon to hear what I consider to be one of the most unusual points of order moved in this Assembly that I have heard in the 5 years I have been in here: the one relating to the Standing Order that says that members cannot selectively quote from material. If that is in fact the case, I hope I never have to quote from the Encyclopaedia Britannica.

Mr Deputy Speaker, there were a number of comments made by the Chief Minister today which are of concern to me, particularly those in respect of the local preference situation. Those remarks were made in question time earlier this morning. It does appear that there are some problems attached to the administration of the local preference scheme, but I would hope that the government would see its way clear to achieving a more innovative solution to those problems than by simply closing the scheme down which the Chief Minister said this morning might be the easiest ...

Mr Everingham: I did not say that!

Mr B. COLLINS: Would he mind letting me finish?

... option to adopt in respect of solving the problem. A reference to Hansard will in fact show that that is what the Chief Minister said would be the easiest option. In fact, he touched upon it again just a few minutes ago. We would all concede, Mr Deputy Speaker, sensitive though the Chief Minister may be on this subject, that of course that would be the easiest option.

I would simply like to place our views on record because we have in fact raised the matter in the Assembly twice in an earlier sittings as was referred to by the honourable member for Millner. I personally would not like to see that scheme done away with. I think it has positive advantages. Clearly some criticism can be directed at local enterprise if it has not taken sufficient advantage of it, which it appears not to have done.

The Chief Minister gave an understanding to the Assembly this morning that he would investigate the question of the awarding of the contracts to demolish Block 1. Although the honourable member for Millner may have touched on this, I was not here at the time. One of the questions, I would certainly like to pursue is how much money was involved in doing what may appear on examination to have been an exercise in paper shuffling by the local contractor. I would be surprised if any commercial firm would be subcontracting because of the love that it bore for the other firm. I would be extremely interested in discovering the difference between the price paid by the government to the original contractor and the price paid by that contractor to the subcontractor, considering that the subcontractor was one of the original tenderers who missed out, according to the answers of the honourable the Minister for Transport and Works this morning, because of the local preference clause that was invoked by the local firm. I think that is a reasonable question to have answered.

So far as the Chief Minister's comments on the question of Leanyer Dump are concerned, it is perfectly true that the dump is a council responsibility. I certainly do not want to engage at this stage anyway in any further criticism of the council even though that was selectively applied to one alderman. I would say that the Chief Minister does appear again to have selectively listened to the speech of the member for Sanderson. I think that, because our bureaucracy in the Northern Territory is as small as it is, the Department of Health should have some active interest in the question of Leanyer Dump.

Those of us who have been down there on occasion know that the dump is used for the dumping of large quantities of offal from the meatworks and for the dumping of dead animals, particularly large animals such as horses. That does create serious potential health hazards for the residents who now live quite close to the edge of the dump. It would appear to me that, despite the fact that the prime responsibility lies with the city council, the Department of Health would have some interest in keeping some type of watchdog role with respect to the health hazards that might be posed by that dump. I would ask the Minister for Health to report to us later on in the sittings in consideration of the fact that he well knows that the Department of Health has made public statements about the very matter raised by the member for Sanderson - which does indicate it has some role in monitoring the dump - and to assure honourable members that the practice that is being carried out by the contractor of the dump does not in fact pose a health hazard to the residents in the area.

Mr ROBERTSON (Education): Mr Deputy Speaker, like the Leader of the Opposition, I did not intend speaking until the honourable member for MacDonnell once again put his foot where his mouth should be.

We have heard what I think is a rather unusual attack on the Minister for Lands and Housing using as a basis for that attack information which the member sought by way of a question on notice. I have listened to After Eight programs and a number of other programs in which the honourable gentleman has expounded his theories on the Home Loans Scheme. The genesis of it was entirely based on the question which he tonight indicated was a question on notice. In his own words, he quite simply asked how many applications were received by the Home Loans Scheme and how many were advanced in the financial year 1981-82. When honourable members use the procedure of questions on notice, the whole idea is to elicit specific, precise and accurate answers to the questions. I find it extraordinary that the honourable member criticises the minister for providing the precise information which he asked for and, at the same time, criticises him for not providing information which he did not seek. Mr Speaker, I find it rather extraordinary that, where a person makes a public idiot of himself, he then seeks to blame the minister for not giving answers to questions he did not ask.

Mr Speaker, one would assume that, had the honourable member done any homework whatsoever, he would know the difference between applications and the seeking of information from the Housing Commission. If one was going to believe the honourable member's version of what is required by way of questions on notice, one would accept entirely what the Leader of the Opposition said in relation to the Encyclopaedia Britannica. Indeed, if one was going to delve into the void of the mind of the person who asked those questions, the third testament would have to be produced in respect to a question which merely requires a yes or no answer.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITIONS
2 km Drinking Law

Mrs LAWRIE (Nightcliff): Mr Speaker, I present a petition from 1543 citizens of the Northern Territory relating to the 2 km drinking law. 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 states that the proposed 2 km drinking law will be proven to be unenforceable. As the law is based on distance and not behaviour, it would make criminals out of sober and otherwise law-abiding citizens. Your petitioners therefore humbly pray that the honourable members of the Legislative Assembly will not implement this new law until it can be revised at the next sittings of the Legislative Assembly and your petitioners, as in duty bound, will ever pray.

2 km Drinking Law

Mr PERRON (Stuart Park): Mr Speaker, I present a petition from 1482 citizens of the Northern Territory relating to the 2 km drinking law. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received.

Motion agreed to; petition received.

2 km Drinking Law

Mr B. COLLINS (Arnhem): Mr Speaker, I present a petition from 1488 citizens of the Northern Territory relating to the 2 km drinking law. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received.

Motion agreed to; petition received.

MINISTERIAL STATEMENT
Meat Inspection Services

Mr STEELE (Primary Production)(by leave): Mr Speaker, the question of meat inspection services has often been in the news this year and the Commonwealth Department of Primary Industry has proposed the establishment of a single national meat inspection service to embrace all sectors of the industry, export and non-export, down to but not including transactions between retailers and their customers. It is proposed that the service will be a function of the Commonwealth Department of Primary Industry and supervised by a governing council consisting of federal and state government representatives, industry representatives and persons with particular expertise. In general, a merger of the Commonwealth and state services is envisaged. Subject to industrial negotiations, virtually all veterinary officers and meat inspectors currently employed in Commonwealth and state departments will be invited to join the new service. Considerable retraining will be provided. The degree to which the merger will occur in a particular state or territory will be subject to negotiation with each state or territory. A state or territory may choose, by contract, to retain control over one or more phases of the system; for example, pet met or small local abattoirs.

I am confident that ample provision will be made to ensure that Territory interests, government and non-government, will be adequately represented in the planning and implementation of the new service within the Territory. The Commonwealth Department of Primary Industry has accepted the Northern Territory view that meat inspection procedures can be simplified without jeopardising human health. Indeed, simplified meat inspection procedures are now being adopted in the United States.

Owners and managers will be required to take more responsibility for hygiene and quality control in their meat processing establishments. Inspectors will operate more by spot checks than by continuous inspection. A meat inspection contract will be negotiated with each establishment geared to the requirements of the particular market serviced by the establishment.

The Northern Territory concept of a basic Australian domestic standard for meat hygiene has been accepted. Its relationship to the international code of practices is under review. Although various components will have to be phased in, it is proposed the new system should commence on 1 July 1983 and be subject to review after 3 to 5 years.

Currently, export and domestic meat inspection services cost about \$100m per annum of which about \$40m is recovered from industry. The proportion of the costs of the new system to be met by industry is a matter of policy to be considered by respective governments. From the Northern Territory's point of view, it was particularly gratifying that the Commonwealth Department of Primary Industry has now adopted the principle which we put forward to the commission hearings in Darwin in May and at the standing committee and Agricultural Council meetings in Adelaide in February 1982. Members will recall the Northern Territory government has consistently advanced the view that certain Middle East, Asian or third world countries would accept a standard of meat hygiene similar to the standard we set for meat and meat products sold in this country. The Commonwealth proposals for a single national meat inspection system are now being examined in detail by each state and firm recommendations will be forthcoming to respective governments.

I move that the statement be noted.

Debate adjourned.

WORKMEN'S COMPENSATION AMENDMENT BILL (Serial 219)

Bill presented and read a first time.

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

The purpose of this amendment is to enable approved insurers under the Workmen's Compensation Act to issue principal controlled policies. A principal controlled policy allows that the chief or principal contractor on a project takes out a workers' compensation policy to cover all employees on a specific project. Under the present provisions, each employer is required to obtain a policy adequately covering all his employees. However, the act also provides that the principal contractor in charge of a project is also liable to pay compensation to employees of subcontractors where it transpires that the subcontractors are uninsured, impecunious, dead or unable to be located. This system results not only in double premiums being charged in several cases but also that the principal contractor pays increased premiums to protect himself.

Furthermore, it is almost impossible to ensure that all subcontractors are properly indemnified, particularly the smaller operators who do not usually have a fixed place of business.

Considerable benefits are expected to flow from the introduction of this amendment. Employees will be better protected and employers will benefit from having their insurance and administration costs reduced. The public will benefit through the savings, and the administration and enforcement of the act will be simpler and less demanding on resources.

It is probably worth expanding briefly on the cost savings which may result from this amendment. Honourable members will be aware that workmen's compensation premiums are levied at a percentage of an employer's total wages bill. Levies vary from industry to industry with high risk industries paying more than others. I might say that the logic behind the varying levies is at least arguable. Why should employers in mining or construction industries pay a higher premium than those in other industries? To put it another way, why should employers be penalised because of the nature of their industries when it is those very industries on which the Territory's future depends.

However, that aside, the recommended levy on construction projects varies around 33% or about \$5000 to \$10 000 per worker earning between \$15 000 and \$30 000 a year. When this figure is multiplied by the number of employees on a construction site and it is realised that, in many cases, double premiums are being paid, it can be seen that this amendment will significantly lower project costs. Mr Speaker, I commend this bill to honourable members.

Debate adjourned.

LANDS ACQUISITION (PASTORAL LEASES) BILL (Serial 231)

Bill presented by leave and read a first time.

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

The purpose of this bill is to validate the acquisition by the Territory of the following 3 pastoral properties: pastoral lease number 748 Oolloo, pastoral lease number 821 Fish River and pastoral leases number 635 and number 794 Mataranka. In pursuance of section 43 of the Lands Acquisition Act, notices of acquisition for these properties were published in the Northern Territory Government Gazette Number S4 on 24 March 1982. Honourable members may recall that, under section 44(3) of the Lands Acquisition Act, I presented papers to this Assembly on 27 May 1982 which explained why these pastoral leases had been compulsorily acquired and the reasons why the government acted with urgency when implementing the acquisitions.

Following the publication of the notices of acquisition, the government received legal advice that reasons may exist - and it must be emphasised, Mr Speaker, that these are purely technical in nature - that could provide the basis for mounting a challenge to the acquisition of these properties. Indeed, a lessee has already initiated court action in this regard. The government has nothing to conceal in this matter and, in view of the serious procedure of introducing validating legislation, it is important the Assembly be aware of the nature of the alleged legal problems arising from the property acquisitions.

On 22 March 1982, after searches had been carried out in the Registrar-General's Office, notices of proposal in the term of form 2 prescribed by

regulation 4 of the Lands Acquisition Regulations were served upon the lessees and the registered mortgagees of the 3 pastoral properties. A statutory requirement of a notice of proposal is for the government to describe the details of the manner in which the Territory proposes to use or develop the land once it is acquired. In the case of the acquisitions which are the subject of this bill, the reason for acquisition was given as agricultural development.

Mr Speaker, as mentioned earlier, in the case of one of the acquired properties, the stated reason for acquisition has been challenged. It has been suggested, firstly, that the reason is extremely brief and possibly inadequate and, secondly, that it may not qualify as a description of public purpose, a necessary prerequisite of acquisition under the Lands Acquisition Act of that time. The government is firmly convinced that all the statutorily prescribed steps have been properly taken to acquire the 3 pastoral properties in circumstances of urgency. Further, if an element of brevity does exist in the stated purpose of acquisitions, it was a technical error, overlooked by all persons who were instrumental in drawing up and serving the acquisition notices, and that, Mr Speaker, includes myself.

From the outset, urgency has been paramount. Initial delays in obtaining access to Oolloo have resulted in ADMA being forced into dry season timber clearing with its inherent higher costs and less satisfactory results. Farmers for the new project farms have been selected and a commitment made to them with a result that 3 families are now on site and fully occupied with early development. Demand for agricultural holdings is still high, with many inquiries being received. Land to be released from Mataranka, Fish River and the balance of Oolloo will be allocated to applicants selected for their managerial skills and access to capital. Compensation in respect to Mataranka pastoral property has been finalised. Negotiations are continuing with a southern group of companies in relation to Fish River pastoral lease and, although several offers of compensation have been discussed with the principals of Oolloo, no resolution has been forthcoming to date.

At no stage could it be said that the government has in any way acted in an improper manner, yet a legal challenge has been issued which is, at this moment, restricting and even stopping right and proper development of land, titles of which now bear the names of Territory authorities.

Mr Speaker, the Territory's welfare is at stake in this exercise. The government cannot sit back and allow court action, which has already taken months and may take years to argue to conclusion, to delay the development of land rightfully acquired for the public purpose of agricultural development. As time is of the utmost importance on this venture, the speedy passage of this legislation is now the only workable way in which doubts about the validity of the acquisition may be resolved.

Mr Speaker, we have sought the support of the opposition for the passage of this bill during the course of these sittings and, in that regard, I fore-shadow that I will be moving the suspension of Standing Orders to enable passage in due course.

Debate adjourned.

CREDIT UNIONS BILL
(Serial 220)

Continued from 3 June 1982.

Ms D'ROZARIO (Sanderson): Mr Speaker, this bill is part of a series of actions that have been taken recently in this Assembly for the control of the Territory's financial institutions. Members will recall that only a few months ago we passed the Building Societies Bill. We currently have legislation which regulates the operations of credit unions but, in view of the changing financial situation, the changing markets and also the more innovative approach being taken by many of the traditional financial institutions, it is appropriate that we do as we did with the Building Societies Bill and update the legislation. The bill has the general support of the opposition and, I believe, of the finance industry at large.

Mr Speaker, the Credit Unions Bill seeks to regulate the operation not only of those credit unions which currently operate in the Territory and those that are registered in respect of interstate companies but also those which may set up in future. There is some debate as to whether the market in the Territory is large enough to accommodate new entrants. Of course, as long as we are unable to see the limits of financial innovation in the marketplace, it is difficult to determine the market boundary. Therefore, notwithstanding that some remarks have been made to me that there is very little room for new entrants, I think that it is appropriate that this Assembly process this legislation.

I think that many members participated in the debate on the Building Societies Bill and I hope that some attention will be given to this particular bill because again we are looking at institutions which have a special relationship to a particular group of people, just as building societies have a particular relationship to housing finance. One of the characteristics not common to other institutions is that credit unions do have specific limits on their membership. Membership may be defined by reference to geographical locality, as indeed is the case with the credit unions which operate at Nhulunbuy, or it may have reference to a particular occupational category, which is the case of the largest of the Territory credit unions, the Public Service Co-operative Credit Society, or it may have reference to a particular religious or social order of people, such as occurs from time to time in the states; for example the Oddfellows.

Mr Speaker, it is quite clear that membership is limited to particular classes of people - by reference to their geographical locality, their common interest or their occupational characteristics. In that respect, they are not in the market, as it were, as far as the general public is concerned. Nevertheless, I did detect amongst credit unions that there is an increasing tendency to think in terms of competing for householders' deposits with other Territory financial institutions. I have received a representation - and I believe that the Chief Minister would also have received a representation - from one of the credit unions in the Territory which would wish to see less restriction upon its activities with respect to the population that it currently serves. For this reason, I think it is appropriate that there be some control because, as we all know, the activities of financial institutions in their lending and investment policies do have significant effects upon the money supply in the Territory and on the money available for different investment projects.

Mr Speaker, one recent interesting development resulted in the findings of the Campbell Inquiry into Financial Institutions in Australia. I believe

that inquiry took account of the operations of credit unions and also pointed out some of the restrictive practices which prevent the operation of a healthy financial industry. I think it is probably well known and it has become axiomatic to point out that banks, which are the traditional financial institutions, are controlled by a federal act, and the non-bank financial institutions, such as building societies, credit unions, co-operative societies, insurance companies and other financial corporations are controlled by and large by state acts. Hence it becomes very difficult to get the comprehensive approach to the financial industry in Australia which I think is long overdue. Just prior to the Campbell Inquiry findings, and since, there was pressure on all governments to deregulate the financial industry, particularly in respect of its more distortionary practices.

Mr Speaker, Northern Territory credit unions play quite a unique role compared to banks and building societies. The reason for this is that their activities are almost wholly local. That is to say that their lending, which is primarily in the area of personal loans, is entirely to their own members. This constraint is because of the existing legislation. In the Territory, members of credit unions are not restricted in so far as deposit-taking is concerned but the activity of lending is restricted to people who are members of a particular credit union.

I think credit unions play a very important role. There is hardly any leakage from their funds to southern organisations or to a money market outside the Territory. They compete for deposits from all householders and, as I say, there is no constraint, as far as deposit-taking is concerned, on any member of the public wishing to place money in a Northern Territory-based credit union. When it comes to loans, one must be a member of such a credit union.

In the area of personal loans, Mr Speaker, particularly in respect of the largest credit union here, I think I can say with confidence that it has played quite a vital role in extending consumer credit, thus stimulating consumer demand, without any leakage from within the Territory. I am told, Mr Speaker, that the Public Service Co-operative Credit Society has assets of \$8m. Against that, it has loans advanced in the order of \$6.2m. I think what we have to remember is that \$6.2m is loaned to 6000 of its members who are all Territorians and who spend locally, which is a very good thing indeed.

I turn to some of the features of the bill. Representations have been made on these matters and have been put to the Chief Minister for his consideration. One of the interesting things about this legislation, which I think is at odds with the stated views of the Chief Minister in previous discussion on matters such as the Building Societies Bill and his reactions to the Campbell Committee, is the role of the registrar. Clause 7 creates a registrar of credit unions. He will have what I would call very wide powers to direct credit unions to act in particular ways in respect of the terms and conditions of their loans and deposits. Under clause 16(b), the registrar may give notice to a credit union in which he gives directions as to the maximum amount, and the terms for which it may be held by the credit union, by way of deposit from any member. What we are saying here is that the registrar may exercise a power whereby he can determine the maximum amount and terms for any person wishing to place money with a credit union. It is my view that this is an unnecessary intervention on the part of the registrar.

It is difficult to see what we are trying to achieve by giving the registrar these powers. We do not have similar powers with respect to banks which are by far the biggest lenders in the financial market. If it were assumed, Mr Speaker, that a government could have some control over the operations of the money market by putting what I would call a relatively small

sector under direction, its objective still could not be achieved unless it says that it would control all other institutions which are lending in a similar fashion. I would not want it attributed to me for one moment that I am suggesting such a move. I happen to agree with a number of reasons why constraints within the financial markets ought to be reduced rather than new ones being imposed.

Power is given to the registrar also with respect to the investments of the credit union. This power derives from clause 54 of the bill in which it is specified that a credit union may invest funds, which are not immediately required for the pursuit of its objectives, in a certain manner. A list of investments is provided in this clause and we would not take issue with many of them. For example, it says that it is perfectly okay for a credit union to invest its money as a deposit with a bank, in authorised bills of exchange, in debenture stock and bonds of the Commonwealth or a state or territory government, in trustee funds, in a loan to a corporation that is declared to be a short-term money market dealer, and in shares of a corporation registered in the Territory, a state or another territory of the Commonwealth. There are more contentious ones, Mr Speaker, In paragraph (g) of subclause (1), with the consent of the registrar, the credit union may purchase debts from another credit union or advance a loan to another credit union. In paragraph (j), the credit union may undertake any other types of investment approved by the registrar.

I say with some confidence that a credit union exists for certain primary purposes: to accept deposits from people and to advance loans to its members. If it has surplus funds, and presuming, as we do, that it is well-managed, then of course it should be the credit union which decides which are its best investments having respect to the best interests of its members. I cannot see why the registrar of credit unions, who should be there in an advisory capacity, as indeed he is, should actually direct the type of investment that a credit union should undertake. If a credit union decides that it is in the interests of its members to undertake a particular type of investment, it should be allowed to do so provided that it has the necessary liquidity reserves and the other types of reserves that are specified in this bill, and it can meet its other commitments to its members. What we are trying to do is to control a very small part of financial activity and that does not really seem to serve any purpose.

One of the crucial roles of the registrar is to be found in his membership of the credit union advisory committee which will consist of 3 members of whom the registrar will be the chairman. The role of the advisory committee is set out in clause 7(4). I think that it is a very good provision because it will empower the committee to recommend to the minister on the effect of operations of credit unions, to make recommendations to the minister in relation to regulations which should be made under the act, to keep under review legislation relevant to the operation of credit unions and, where appropriate, to recommend such amendments as would be appropriate. It will also have the function of advising the minister on matters referred to the committee for advice and to perform such other functions as may be prescribed by regulation. There is sufficient safeguard in there and the registrar would have a sufficient role to play without unnecessarily intervening in what would be the ordinary commercial decisions being taken by a credit union.

Mr Speaker, I come now to the role of the credit unions themselves. These are set out in clause 13. The object of the credit union is to raise funds by subscription and to apply these funds subject to its rules and to this act in making loans to its members and also to provide such advice and services for its members as, in the opinion of the board, may assist its members to

meet their financial needs and obligations. In that last paragraph, we come to a fairly unique role discharged by credit unions: financial management and debt counselling.

Banks used to do this in the old days. I can certainly remember when I first had dealings with banks that they used to extend this particular service to their members. In these times when everything is much more competitive, this is not a profit-generating activity and so it is not continued now by a number of banks, building societies or financial corporations. Credit unions, I believe, still perform a very sound role in advising members on household financial management and debt counselling. It is possible for a member who finds himself temporarily in trouble with his finances to hand over his entire commitments and have his payments made by the credit union. I believe that function is performed quite frequently by the Public Service Co-operative Credit Society.

In clause 14, the powers of the credit union are specified and much depends on the rules by which credit unions will act. It has been suggested that a model set of rules should be prepared and should apply equally to all credit unions which operate in the Territory. However, there is a fairly limiting power in 14(b) where it provides that a credit union may receive money on deposit from its members. If we look closely into the operation of credit unions and the qualifications for membership, it would seem that one must possess certain characteristics to be a member of the credit union. For example, in the Public Service Co-operative Credit Society, one must be a member of the public service or a spouse of a member of the public service. Technically, paragraph (b) would mean that only those people could deposit money. I think that perhaps this is unnecessarily limiting because depositors these days are looking more to the interest rate on their deposits.

If a member of the public perceived a credit union as offering him a better deal than a bank or building society, he should not be inhibited from placing money on deposit with the credit union. We know that this is the way the building societies act in relation to banks. Any member of the public can place money with a building society. However, in its legal relationship with its customers, the customers are in fact members of the building society and hold shares. If we are talking about competition for household deposits, perhaps it is appropriate to lift that constraint to allow householders to place their money in those institutions which they perceive as paying higher interest. There would be the disability that they would not be eligible for loans. A person who is not a member of the public service, even though he had a deposit, would not be able to avail himself of a loan from the credit union. If I read the Chief Minister's remarks on the Campbell Inquiry and the Building Societies Bill correctly, he too is in favour of increased competition in the financial market. With respect to this particular aspect, it would seem appropriate that any member of the public should be permitted to place money in a credit union.

There is also a further constraint which I see as not assisting development in the Northern Territory. The powers spelt out in paragraphs (a) to (f) are complete. That is to say, they are not simply examples of things that credit unions could do but the full list of things that they can do. There is no power given here for a credit union to acquire shares in other companies which participate in development projects. I suppose we should ask ourselves why we would want a credit union to do this. Again, it comes back to whether we regard credit unions as being institutions in the marketplace in the same way as we consider insurance companies, superannuation trusts and finance companies. All these types of companies do participate in development projects and there are a number of superannuation trusts and insurance companies which

are involved in capital projects around the Territory by acquiring shares in companies that undertake this sort of work. If we are looking also to credit unions not just to take deposits and extend loans but also to participate in the development of the Territory, there does not seem any good reason - provided they meet their liquidity requirements, their requirements for the establishment of a share base and the requirements from time to time placed upon them by their members - for them to be excluded from this particular area of activity. I would like to see them acting in the same way as insurance companies and superannuation trusts. I am not suggesting that I have no regard for the funds of people who place their money in these organisations because I perceive credit unions to be exactly in the same position as far as that is concerned with people who take out insurance policies and people whose superannuation funds are entrusted to a superannuation trustee. I am by no means saying that the legislature should have no regard for what becomes of the funds of depositors and I do not think that any member of the Assembly would be that irresponsible.

I then come to the requirements for liquidity. The liquidity provision is spelt out in clause 62. Clause 62(2)(b) provides a liquidity ratio of 7% of withdrawable funds unless some other proportion is prescribed. I am presuming here that it will be prescribed by regulation and not in the rules. We further have a definition of 'withdrawable funds' set out in paragraph 62(2)(c). These withdrawable funds, as we would expect, are the amount of share capital of the credit union and the amounts that depositors held which are not required within a period of 2 years. So they are virtually short-term deposits.

Mr Speaker, I think it is worth pointing out that credit unions, not being as well protected as some other financial institutions, notably banks, do in fact maintain much higher liquidity ratios than the ones specified. I am told that the largest credit union in the Territory maintains a liquidity ratio of around 12.5%, and apparently will continue to do so. This is not part of an argument for increasing the ratios specified in the bill. It is just a piece of information which could have some effect on how we actually value assets for the purpose of determining the liquidity ratio. For the calculation of the liquidity ratio, the lesser of cost or market value would be taken into account. That is provided for in clause 62(3). Therefore, in the definition of 'liquid funds', what is being assessed is a cost or market value, whichever is the lesser.

Mr Speaker, financial institutions are adept these days at investing in securities which would appreciate. That is the reason for making these investments otherwise it would serve you as well to hold money on deposit. It has been put to me and, I believe, to the Chief Minister, that a more appropriate basis of the assessment would be the current market value. If the provision remains as it is, what it means is that the actual liquidity would be higher in terms of appreciating values of securities. They already maintain much higher levels than are required by this act, presumably as a result of their in-built conservatism. The point I am making is that these organisations are fairly small, and not really in a position to take radical lines of approach to financial investment. Whilst we hear from time to time of the collapse of these institutions, I think that their in-built conservatism is certainly a safeguard, not only to their own operations but to the deposits of their members. Also, from time to time, boards of directors may take certain decisions which are not approved of by the membership which, in many cases, is quite conservative. Otherwise, it is very difficult to see why they would not themselves practise some more high-flying techniques in the financial market.

Mr Speaker, the fact is that what we have provided is an assessment on cost or market value, whichever is the lesser. I believe an appropriate measure of leeway could be given by just assessing it on market value. I imagine that

there may be some difficulties with securities which fluctuate violently over short periods of time but, in those instances, the credit union would accept historical cost of the security as the appropriate measure.

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

Mrs O'NEIL: Mr Speaker, I move that the member for Sanderson be granted an extension of time.

Motion agreed to.

Ms D'ROZARIO (Sanderson): Mr Speaker, I thank honourable members. There were 1 or 2 other mechanical matters which probably could be taken up in committee. One matter which may be raised here is the basis for lending, and that is in clause 62(4) of the bill which provides a direct relationship between the amount which can be lent to the amount of deposits on the last day of the preceding month. I would suggest to the honourable Chief Minister that a better base on which the amount of loans that could be made should be assessed would be on average monthly liquidity and this would take account of fluctuations in expected receipts.

Now, with respect to expected receipts, I think it is worth noting that most members of credit unions make their deposits by way of automatic payroll deductions so that the expected level of receipts is quite a firm thing. It is not something that fluctuates violently. It only fluctuates in respect of new members who have given authority recently for payments to be made directly into their accounts at the credit union. The point I am making is that it is quite easy to assess the amount of expected receipts.

The provision here again is a constraint which could be overcome. One appreciates the necessity for it. It is to prevent a credit union from lending in excess of its deposits in any particular month. However, perhaps the same objective could be achieved more appropriately by taking into account the liquidity of the average of that period rather than on the last day of the month, which is what is provided for in this particular bill. As an example, I might quote what happened in July this year. The payroll deduction fell due on 1 July 1982. Therefore, the reserves would have been quite low on 30 June 1982. Of course, the reason why payroll deductions fell due on 1 July is that that was payday and that was when payroll deductions would have been paid. There would have been an artificially low rate of lending in that particular month if we had looked at the liquidity on 30 June 1982. If all we are trying to do is make sure that a credit union does not overextend itself, it would be equally appropriate to look at monthly liquidity rather than liquidity on the last day of the month.

Mr Speaker, one other matter which could be raised at this stage is the relationship between a credit union and its own staff. I do not take issue with any of the provisions relating to the appointment of directors and the responsibilities of directors, although I have had representations made to me on these matters. However, I think that that is a matter for legislation. It is appropriate to provide some constraints on the behaviour of people who have other people's money entrusted to them.

The matter I wanted to raise is in respect of staff superannuation. In clause 19, there is a provision that a credit union may make arrangements for a superannuation scheme in respect of its staff but that the contributions from this scheme may not be invested with that credit union or any other credit union. Here again, I find this quite unnecessary. Superannuation trustees in all other contexts have the ability to determine what is in the best interests of their contributors. I do not think it is really a matter to preclude

certain types of investments from this particular contributor. I think that perhaps an appropriate amendment could be the deletion of the last phrase of that particular clause.

One other thing which I think may have some bearing on the operations of the credit union are the constraints provided in clause 23 of the bill. In clause 23 of the bill, we have a limitation that the credit union may only join an association of other credit unions. As I mentioned, and as indeed I believe the Chief Minister is well aware of, financial operations are now cutting across these compartmentalised bodies or organisations and one of the things that we could foresee is that a credit union would want to join an association not only of other credit unions but indeed of other financial institutions for the purpose of serving its members better.

I think that the sole criterion for the type of association that a credit union joins is whether or not it assists the credit union in carrying on its principal business. I can see that a credit union would find it not only in the interest of its board of directors but of its members to be involved in an association, for example, of automatic teller networks. We all know that the banking industry is undergoing a great deal of technological change and that one of the networks which is rapidly being introduced into banks and building societies is the automatic teller network. I can imagine that in the future credit unions may also wish to have access to this particular network, and they should be permitted to do so.

In other states, credit union members have been levied in order to provide the funds to subscribe to associations of this sort. As the main criterion is that the union provides a better service to its members - and this is purely a device to provide a service to members - then they should not be precluded from joining that association. At the moment, we have the credit union being unable to join an association of anything other than an association of other credit unions and then only with the consent of the registrar.

Mr Speaker, there are a few other matters which could be taken up in the committee. The Chief Minister has said he has some amendments to this bill. As I have not seen them yet, I am unable to comment on them. I imagine that the Chief Minister will be taking up some of these more technical details in order to allow a more realistic approach to the operations of credit unions.

In closing, I might just say that an interesting viewpoint was put to me by one of the local credit unions and I commend it for this because, to my knowledge, this is the only organisation active in the financial market which has made this representation. Although I do not consider it appropriate in this particular legislation - I think it would have to apply to everybody - that organisation made a representation to me that, for the protection of consumers, there ought to be some guidelines as to how interest rates are expressed. We know that various organisations express their interest rates in various ways and the consumer thinks that he is getting a particular rate of interest which, when computed another way, turns out to be quite different. We have diminishing rates, flat rates and compounded rates, and consumers are utterly confused. I think that this particular organisation has made a valuable representation for the future from the point of view of the protection of the consumer.

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

Mr HARRIS (Port Darwin): I rise to speak about the Credit Unions Bill. I have not had a great deal to do with credit unions and therefore my contribution to this debate today will be somewhat limited. On looking through the

bill, I felt that there was nothing seriously wrong with it. It will afford protection to members funds yet it will also enable credit unions to make reasonable investments. At the same time, credit unions in the Northern Territory will be regulated. Those are the aims of this particular bill and I believe that, when it is enacted, they will be achieved.

Recently, I too received a copy of the substantial submission made to the government by the credit union that the member for Sanderson spoke about. It contains a number of suggested amendments and I understand that the government will be looking at these this coming week. I only just received this submission and I have not been able to examine it closely. The bill itself has been before this Assembly since 3 June. I do not know on how many occasions that a submission arrives just before a bill is actually to be debated in the Assembly. I would ask all interested people, particularly professional people, that, when a bill is introduced, they work on it straight away and put submissions to the government so that we can consider their suggestions. It is no good postponing the passage of the bill because a submission has come in at the last minute. I have only just received that submission and one cannot be expected to study it and comment on it at such short notice.

I would like to canvass one of the issues raised in the submission. I believe that many of the issues that the member for Sanderson raised were in the submission. The credit unions fear that, if this bill is passed in its present form, they will be operating at a disadvantage to other financial institutions.

When we look at the system in Canada, we might realise that they have good reason for making this particular point. In Canada, about 40% of credit unions are under an administrator, the reason being that they have not been able to compete in the market equally with other financial institutions. There does not appear to be any problem in Australia. I understand that not one credit union has gone bust during the last 5 years, but this has mainly been due to a stabilisation fund which credit unions are able to draw on to keep them afloat while they trade back out of trouble under an administrator.

Those involved with the credit unions feel that there is a very real possibility of substantial deregulation of the banking industry and, as a result of this, the non-banking financial institutions will definitely be placed at a disadvantage. It is felt that, if the federal government moves in the direction of deregulation without corresponding action being taken by the states or by the territories, then these institutions would definitely be disadvantaged. That line of thought relates very much to the Campbell report. The member for Sanderson touched on that particular aspect.

I understand that South Australian credit unions legislation is under review. Whether or not this review will reflect the recommendations of the Campbell report remains to be seen. But there have been suggestions that the government should consider deferring this legislation at this time so that consideration can be given to implementing certain recommendations of the Campbell report which would definitely allow credit unions to trade on an equal footing with other financial institutions.

Mr Speaker, the main objectives of the Credit Unions Bill are to protect members' financial investments and to ensure that the activities of foreign credit unions are regulated in the Territory. It is in line with government policy to have companies and businesses which operate in the Northern Territory controlled by the laws of the Northern Territory. That is how it should be. Circumstances change from one state to another and it is important that all activities in the Territory are carried out, whenever possible, under our own law.

In closing, I would just like to ask the Chief Minister to check the issues that have been raised. I do not have a great problem with this particular piece of legislation. It appears to cover all the areas that I have been concerned about. However, I have not been dealing with that particular area. We have a submission before us which has come from the industry itself and I believe that, after the Chief Minister studies that submission, a better assessment can be made of this whole issue. I support the bill.

Mr PERRON (Treasurer): Mr Speaker, I was interested to listen to matters raised by the honourable member for Sanderson. She suggested that the controls on credit unions might be a bit unfair because they would not be able to compete with other institutions which are borrowing and lending money. I may have the wrong concept of credit unions but I thought they were institutions which form in a similar way to clubs: people with a common interest contribute to a common fund which they run themselves.

The advantage is that they can offer a range of innovative services to members who contribute to such a fund that are not available normally from other institutions. That is how they operate and how they should operate. If credit unions complain that the controls will restrict them from entering the open market and paying almost whatever rates they care to choose or the market sets in order to attract further funds, and that they want the public to be able to subscribe to them and not just their members, then it seems to me that they do not want to be credit unions. Really, they want to be banks.

These days, building societies grizzle a little too. Originally, they were a little like credit unions, particularly the terminating building societies, where people contributed to a common pool of money for a singular purpose and where various conditions applied. Some offered low rates of return but also offered very low interest loans, which were not available elsewhere, or other flexible financial services. Now, of course, the building societies themselves are developing to such a stage, with their innovative interest rates and daily payments, that people run accounts at building societies as one would at a bank. Indeed, I know people who have withdrawn from a bank to place their money exclusively with a building society. That is okay, I guess. These days, however, building societies are pushing for fewer restrictions on what they lend for. When they started, they would lend only for housing. Now they lend for other forms of accommodation. I understand that most building societies these days would like to have the noose taken off altogether. Why should they not fund the purchase of bulldozers or motor cars, or go into leverage leasing of wharf cranes or powerhouses?

Mr D.W. Collins: Why not?

Mr PERRON: The honourable member for Alice Springs said: 'Why not?' The answer is that they would not then be building societies. If they want to trade by taking one person's money, or that of many people, and, on lending it to another, take a hive off in the transaction, they would be operating like merchant banks. Let them become merchant banks, but they would no longer be building societies.

On the subject of credit unions, I think that there needs to be some control over these institutions to make sure they operate, as it were, as credit unions. If they are to grow up to be banks, then let us call them banks not credit unions.

I do not believe that we should be talking about full public access to prescribed credit unions because that is not how they evolved. To allow them to set interest rates absolutely and to lend for whatever they determine

would not be in the spirit of what credit unions are all about. If this legislation applies to credit unions, let us maintain at least some of the principle of what they are all about.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it has been very interesting listening to the speeches of the honourable member for Sanderson, my colleague, the Treasurer, and the honourable member for Port Darwin about this particular bill. Firstly, might I say that I am very sorry that the submission from the Public Service Co-operative Credit Society reached me only the other day. It is a pity that these submissions always come in so late. I received one on the Encroachment of Buildings Bill last night. That does not help very much when there has been considerable time for these people to do their work. Nonetheless, I suppose that one has to consider these submissions seriously even though one would have thought that, if these people were serious about the subject, they would have worked on it earlier and not treated it as a matter of apparent low priority.

I note the points of the honourable member for Sanderson which I think largely reflect the various points made in the submission that is being touted at the moment. I have nothing in principal against most of those points. I do note what the Treasurer said about interest groups. It is possible for the Public Service Co-operative Credit Society to change its spots rather than require the legislation to change. It is a character of that particular association that it is supposed to be looking after public servants who want to put their money in credit unions. If it wants to broaden its base, maybe it should change rather than require a change in the legislation.

I noted various other points about more flexibility. I will certainly give them very serious consideration. My only concern in conceding to all of them in toto is that these operations are very small when you consider credit unions elsewhere. They lack the expertise really to start dicing with death, as I fear they might want to from the tone of some of the suggestions by the honourable member for Sanderson. It is very easy for us as legislators to indulge their whim for Russian roulette and for capitalism at its most rampant but what scares me is that, if anything goes wrong, they will be looking in the direction of the government to bail them out of any ghastly financial loss that may be occasioned by their not heeding the advice of Pierpont when engaging in duels on the stock exchange.

This then is really what concerns me. What is the nice balance between giving them a bit of rope so that it does not break too easily and maintaining a degree of control to protect some of the investors from the latent commercial instincts of some of the directors of these institutions, all of which I would heartily endorse if they were playing with their own money? I think that our concern is how to give these sorts of organisations a bit of a run whilst at the same time looking after the little people who put their few thousand dollars, which is mainly what it amounts to with credit unions, into them and not seeing that few thousand blown up against a wall in some financial crash because these people were allowed to invest every which way.

In principle, I would like to have no legislation at all and just let them get about their business and regulate their own affairs. There is really no need for legislation. If we repealed it off the statute book, they could set up under their own charters and run their own affairs. But they of course want legislation to give them more credibility with their depositors. They use the fact that they are registered and that there is a registrar and all their paraphernalia to make people feel good and easy when they put their money in a credit union. All professional organisations like to have registration and so on because in some cases it gives them a monopoly and in other

cases it enhances their prestige. In this case with credit unions, as with building societies, the legislation makes depositors feel easy and feel that the government is really there behind everything that is going on. But the government is not behind it at all, in legal theory anyway. The trouble is that, in practice, if 20 000 depositors all lost their money, we would naturally be called on very loudly to do something about it.

Whilst I would like to give them all the leeway in the world, we will need to look at it very carefully to try to give them as much scope as we can whilst just providing those minimal conditions that enable a degree of safety and stability to be maintained. We are not talking about the Bank of New South Wales or the ANZ Bank; we are talking about very small institutions in the Territory which are still very much lacking in financial expertise and financial sophistication.

Mr Speaker, as a professional man for over 15 years, I have never engaged in buying stocks and shares all the time that I have been in the Northern Territory for the simple reason that I feel that up here I am too far away from the action to know what is really going on. I hope then that you, Mr Speaker, and other honourable members will accept that I will approach this matter fairly and cautiously and not perhaps give way to my own philosophical bent at every turn, but really hope that we can achieve a balance that looks after the depositors and yields the depositors the maximum return. In the final analysis, the interests of the directors in expanding their activities is of secondary importance. It is the interest of the depositors that must be paramount.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

JURIES AMENDMENT BILL (Serial 224)

Continued from 3 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition has no particular objection to the more mechanical parts of this bill. But, the bill's most significant change to the law will be the use of majority verdicts in capital offence cases. At present in the Northern Territory, majority verdicts - that is, 10 jurors out of 12 - are applicable in many cases that come before Northern Territory courts. However, the essential question to consider is whether this situation should also apply to capital offences and, in particular, to the offence of murder.

I have discussed this extremely contentious matter with a great many legal practitioners in the Northern Territory. Most of the people to whom I have spoken said that they would strongly oppose the introduction of these provisions into Northern Territory law. At this point I must say that some comment is made from time to time in this Assembly of the lack of response or feedback obtained from sections of the community affected by specific legislation. Very many of the bills that come before this Assembly concern matters of law and legal practitioners are sometimes criticised for not indicating their reaction to proposals. Of course, it would be desirable if they did but, in the main, I have found that legal practitioners in the Northern Territory are such busy people that often one has to track them down in order to get the sort of feedback needed on this sort of legislation. Most of the practitioners I have spoken to said that they strongly oppose this concept.

It should be remembered, in consideration of this bill, that nowhere else in Australia do majority verdicts apply to capital offences. Despite this, it should also be noted that South Australia, Western Australia and Tasmania have provisions for majority verdicts in non-capital offence cases, as does the

Northern Territory. So far as the application of the criminal law in Australia is concerned, we are embarking on very new territory indeed. It is perfectly true, as the Attorney-General pointed out in his second-reading speech, that majority verdicts in murder cases apply in Great Britain but, currently, they apply in no jurisdiction in Australia.

There are a number of important factors to be considered in relation to the question of the introduction of majority verdicts for capital offence cases. Because of the seriousness of the charge involved and the likely punishment upon conviction, it is considered that the principle of proof beyond reasonable doubt is something which should be given a great deal of weight. There are cases of where a jury has become what is known as a hung jury. This does not necessarily mean that the person on trial will be acquitted.

What it means is that the jury that has heard all the evidence cannot reach a unanimous decision and, therefore, the person is liable to be retried. The opposition has sought statistics on the number of occasions on which this has occurred in the Northern Territory. We do not yet have those statistics to hand but we are pursuing the matter. We have discovered, however, that the incidence of hung juries in the Northern Territory is not very high. It happens rarely. In a great number of cases where there have been hung juries, the subsequent jury has acquitted the person. Alternatively, persons have been convicted in the subsequent trial. Certainly, there is no ground for a contention that the result of a hung jury comes out either one way or the other. Considering particularly the makeup of the Northern Territory population, it is my strong opinion that the guarantee of a unanimous decision is a protection for defendants and allows for a much fairer trial process. I believe that the foundation stone of our administration of criminal justice - which is that a person must be convicted beyond all reasonable doubt and that the benefit of any doubt must lie with the defendant - is a principle that must be observed and maintained.

It is also well known to people who have long experience in relation to jury trials, in particular those people who have long experience in relation to jury trials in the Northern Territory, that those cases where there are hung juries usually involve 1 or 2 people whose views are quite unshakeable in relation to the evidence they have heard. This does not always mean necessarily that they are arguing for an acquittal. It means that they have serious reservations in relation to certain aspects of the case. It is a fact of life that, between 13 ordinary men and women, there are going to be varying intellectual and commonsense approaches as indeed there are in the collection of people we have here in this room at the moment. The fear in relation to the imposition of majority verdicts in capital offence cases is the one of running the risk of denying the potential for a minority of people to be overridden where in fact there may be injustice that would occur if only a majority verdict is allowed.

The matter does require serious thought and, unless real evidence can be produced by the Attorney-General as opposed to the rhetoric that was used in his second-reading speech and which appears to be on what the government has promoted this legislation, then the existing law should not be changed. The community does consider murder by and large to be the most serious offence and it should be accorded a recognition of that seriousness by maintaining the right of the person who is tried on such a charge to be convicted by a unanimous verdict.

I would like to give some attention to some of the arguments put forward by the Attorney-General in his second-reading speech in support of this very substantial change to the practice of criminal law in Australia. I quote

from the second-reading of the Attorney-General: 'The plain fact of the matter is that the unanimity rule arose purely by accident and not design. It has already been done away with in all but murder trials'.

Mr Speaker, I just want to say that, in the development of the common law, it is indeed significant that it has been retained in murder trials. He went on to say: 'I do not think there is any evidence to suggest that more innocent people have been convicted as a result though more guilty people may be being convicted. I think that the system has worked well. Why should it not work equally well in murder trials? The unanimity rule in the past undoubtedly has helped some guilty people escape'.

The significance of those purely subjective remarks is that he in fact offers no evidence for either of those 2 contentions but adopts them I imagine purely because of some gut feeling that he has. You notice that prominent politicians often prefer to go with their gut feeling rather than the evidence available to them. 'The unanimity rule has undoubtedly helped some guilty people to escape', says the Attorney-General. But he offers absolutely no evidence for that contention at all.

He went on to the question: 'How do we know?' To answer that, I direct all members' attention to these rationales that were given by the Attorney-General: 'The answer to that is because there was evidence available which could not be used in court for legal reasons'. In other words, the evidence was inadmissible. What that has to do with hung juries I do not know. He went on: 'Maybe the accused made some statement which was inadmissible in evidence against him. Perhaps a wife who was not a compellable witness made a statement which made guilt clear. Occasionally, people boast after they have been acquitted'.

In all seriousness, Mr Speaker, if the Attorney-General is relying in the arguments put forward in his second-reading speech as a basis for supporting this legislation, I really do not see how we can do that. The examples he has just given, whilst absolutely true, have nothing whatever to do with the jury or the makeup of it.

He went on to say: 'One hears on the grapevine that there was a crank on the jury or a jurymen who wanted to get home early to watch his television program'. Mr Speaker, careful reading of the speech will disclose that, at that point when the Attorney-General does in fact start to touch on the problem of the makeup of the jury, he is relying on what is being heard on the grapevine.

He then went on to say: 'I am reminded of the story, no doubt proverbial, of the man who was charged with murder and who, after the jury had been out for several hours and brought in a verdict of manslaughter, was visited by a gentleman who told him: "I did what I would for you Jim", to which the man then replied, "Well, you took a long time about it". The jurymen then replied, "I know, but the rest of them wanted to find you not guilty".'

As the Attorney-General knows, that certainly is a proverbial story. It is a very hoary legal joke and one that I have heard many times before. It does seem to be rather extraordinary to me that the Attorney-General, in support of his arguments, would use arguments that in fact have nothing whatever to do with the makeup of the jury but refer to the inadmissibility of evidence in the case and then tell us hoary old legal jokes to support this major departure from the criminal law in Australia as it is practised at the moment.

He went on to talk again about stories that one hears 'on the grapevine'. He then went on to say that justice involves not only the acquittal of those whose guilt is in doubt but also the conviction of those who are guilty. We would certainly agree with that. Our criminal justice system does need to provide justice for those who are guilty but it is certainly not in the interests of justice, as the Attorney-General clearly indicated in his second-reading speech, to provide for a system which would allow for a lower standard of proof. If there is some dispute about my contention that that is what the Attorney-General is after, I would refer honourable members to the examples that the Attorney-General gives at the top of page 2548 in Hansard: 'I do not believe that there is any reason to think that the introduction of majority verdicts in murder trials will result in a single innocent person being convicted. I do, however, think that some guilty people now being acquitted may be found guilty, and rightly so'.

Mr Speaker, I have made this criticism in respect of earlier remarks. The most cursory examination of the Attorney-General's second-reading speech will reveal that he offered absolutely no evidence whatever for either of those contentions. I am to assume that we are to depend on the arguments advanced in that speech for agreeing or disagreeing with this legislation. A reading of his speech will indicate that he offers no explanation whatever for the necessity to introduce this majority verdict rule into the Northern Territory. Apart from quoting the 'things heard on the grapevine' and apart from resurrecting a classical old legal joke, he does not advance in support of this bill a single argument as to why it is necessary to do this in the interests of justice in the Northern Territory. One does not have to go very far to think of the disquiet and concern that would be felt if, after a lengthy trial, a defendant is convicted of murder and sentenced to life imprisonment knowing that 2 members of the jury were not convinced of his guilt. I understand the difficulties that people have with this contention because, when you discuss it with legal practitioners and others, as I have done, you find that, in many cases, their support or opposition to this contention is based purely on their personal feelings about the matter. That is perfectly legitimate but whether it is a basis for introducing such a departure into the law of the Northern Territory in the case of murder trials is another thing altogether.

It is apparent that a majority verdict in capital offence cases does afford less protection to the defendant. It is equally apparent that many people consider that defendants get too easy a run of things in criminal cases. One always hears the catchcry - and it is used by the Attorney-General in his second-reading speech - of 'the guilty person who is not convicted'. Obviously, any system of justice will have oddities at either end of the scale. There is no perfect system of justice. The results of my discussions with many practitioners who are experienced in criminal law and who have equally strong views the other way would equally support the proposition that there are innocent people who are convicted as well. In fact, a number of well-known books have been written on some of the more famous trials in Australia that would indicate that this may well have happened. There has not been in this country any great move in the law to correct this situation. One of the reasons for that is that the system of criminal justice tries to provide, on a fairly high percentage basis, real justice across the board. It is certainly not accidental in that respect that the law in this country so far has maintained that unanimous verdicts should apply in the case of murder. This matter should be considered very heavily in relation to abandoning the protection that not only is afforded to the defendant but to society generally in retaining unanimous verdicts in capital offence cases. Reflection on that statement would indicate why it is in the interests of society as well as the defendant for that to be the case. It is not just the defendant who feels some disquiet

about seeing people put away for life even though 2 members of the jury disagree with the verdict of guilty.

Mr Speaker, as I said earlier, the opposition has no objections to the other mechanical sections of the bill providing for exemptions from jury service but we do oppose that part of the bill that provides for majority verdicts in capital offence cases and, more specifically, to quote the Attorney-General, 'the offence of murder'. We are not proposing any formal amendment to the bill as, in this case, the Chief Minister will either agree with the point of view that I have put and delete the reference to majority verdicts or he will not. But I must say that the record will show the Chief Minister refers to the question of majority verdicts quite correctly as being 'the most important change in the bill'. It certainly is. Majority verdicts for capital offence cases, as I have said before, are not provided for anywhere else in Australia. I might add of course the vast bulk of criminal law cases are heard in New South Wales and Victoria. All honourable members would know that there are chambers in both Sydney and Melbourne which have 15 floors of barristers. That is where the majority of criminal law experience in this country is contained and those jurisdictions have not moved in this direction.

I must conclude with some degree of criticism of the Attorney-General who, in his second-reading speech, provided almost no argument to support the necessity to introduce this major change to the jury system as it applies to the Northern Territory. It is certainly true that there are a great many murder charges in the Northern Territory which result in either acquittal or convictions on the lesser charge of manslaughter. I need to make some comment on this. When a careful examination of these cases is made, as I have done, it is realised that they are not a justification for majority verdicts. The answer to why this occurs is not because of hung juries, but rather the nature of this type of offence in the Northern Territory. It is indeed Northern Territory law that we are dealing with. The majority of the cases of murder in the Northern Territory in fact involve Aboriginal people. It is something in the vicinity of 80%. Most of these offences are alcohol related. They have become known in legal parlance as the Todd-River-type murder.

The difficulty in achieving convictions for murder in most of these cases has to do with the fact that, in many of these cases, juries have been unable to find that the accused person in fact intended to commit the crime of murder. This has appropriately resulted in a conviction being recorded for manslaughter instead. Even a casual reference to the cases over the last 10 years will indicate that that is the reason. It has nothing to do with the makeup of the juries in Northern Territory trials.

I put it to you again, Mr Speaker, that the situation has nothing to do with the need for majority verdicts. Purely on the basis of the almost non-existent argument put by the Attorney-General in his second-reading speech, it would certainly be impossible to support this change. If the Attorney-General does in fact have telling evidence as to any miscarriage of justice or a perceived miscarriage of justice occurring in the Northern Territory in relation to this aspect of jury trials, then I would be very interested in hearing it because we have not heard it yet. As I have said, I am pursuing and will continue to pursue the statistics and - as must be done in legal cases and in most other cases - the story behind the statistics of this particular problem of hung juries in criminal trials in the Northern Territory. We do not yet have those statistics but what we do already know is that it is not a frequent occurrence.

Mr Speaker, for the reasons given the opposition will oppose this particular part of the Juries Amendment Bill. I would commend to the attention

of all members, particularly the honourable member for Alice Springs, 'Off-with-their-heads' Denis, that they should study very carefully the Attorney-General's second-reading speech because, as we all know, second-reading speeches by the sponsors of bills are to advance the arguments upon which members of this Assembly must determine whether to support or oppose legislation.

The Attorney-General in his second-reading speech has given no evidence as to the necessity for seeking to introduce for the first time in the practice of criminal law in Australia majority verdicts in capital offence cases such as murder. I look forward to receiving that evidence as to the requirement for this change in the law in the Northern Territory from the Attorney-General.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, this bill to amend the Juries Act has a number of welcome changes as well as a number of practical moves which will save time and money. Of course, the major one is about majority decisions in murder trials.

One welcome change is that one can defer from jury duty if one has good reason. This is something which I support. I have had many people complaining to me over the years that it has been very inconvenient. It is good to see that the government has realised that there are times when people find it very inconvenient. If they can be given time to reschedule their affairs, then that is to their advantage. It is pleasing to see this. I certainly agree that no citizen should, without very good reason, be allowed to get out of jury duty.

The second change, which again will be very welcome, is that any one person can only be called to serve once in every 3 years. This is an often heard complaint. Certain friends of mine seem to have been called up 2 or 3 times in a short space of time. They will be very pleased to hear about this.

On the practical side, the jury list will be selected by computer. Computers are adept at random selection and can do this very quickly and very efficiently. The list will be made up yearly. Because we have a floating population, the present 3-year list can very quickly become outdated and very time consuming. A computer is ideal for making these yearly lists.

The third useful change is the summons by mail. At the moment, the sheriff must go out and see each person on the list. As there are over a thousand people in the Territory needed on jury lists, that is a major task. Allowing summonses for jury service to go out by ordinary mail has many advantages. The Attorney-General has listed them. Interestingly, ordinary mail can be far more useful for this purpose than registered mail. Most people respond to ordinary mail, and the sheriff would be left with far fewer people to chase up. Certainly, I would support that because it would save both time and money.

The last point of interest is the matter of reserve jurors: 3 reserve jurors can be allowed in criminal trials where the trials are likely to be long. Mr Des Sturgess told members of the Assembly the other day that he is involved in a trial at the moment in Queensland which has been going on for 12 months. One wonders whether one should not provide long service leave to people on a jury. The longer a trial continues, the greater the probability of someone becoming sick or dying and necessitating a costly retrial. This is a useful guarantee. It is not envisaged that it would be used very often.

I cannot agree with the honourable Leader of the Opposition regarding majority verdicts. I believe that the arguments put forward by the Attorney-

General are considerably better than his. I would also refer the public's attention to pages 2547 to 2548 in the Parliamentary Record so that people may judge for themselves. I find them to be well-reasoned and persuasive. In democratic practice, if we needed to have unanimity of decision, not too many of us would be here. A number of us realise that we are here by a handful of votes.

This bill allows for a majority verdict of 10 out of 12 provided there is no less than 6 hours of deliberation during which unanimity cannot be reached. That is a considerable length of time. The Attorney-General has argued that there will be some people on juries who, for various reasons, will not give a verdict of guilty and this would make a retrial necessary. When you have 10 people who have decided beyond reasonable doubt, that is a fair thing. It is still in favour of the accused because 10 out of the 12 have to agree. If 3 people are not certain beyond reasonable doubt, the benefit of a doubt is still in favour of the accused. I consider that to be fairly good odds indeed. The Attorney-General summed up my thoughts very well when he said that our aim is not to have innocent people found guilty but to make sure that some of those people who are guilty will be convicted.

About 12 months ago, I read the summing up of a judge in a case where the jury returned a verdict of not guilty. You did not have to read too much between the lines to see that the judge felt that the jury had erred in its judgment. That is one case which stands out very clearly.

The matter of inadmissible evidence is of some concern. I am privy to some knowledge of someone who was given information of behind-the-scenes court action. Some evidence was not allowed because the coroner indicated that he was not 100% certain of what had actually happened because of the state of decomposition of a body. He was most probably beyond reasonable doubt in his mind but he was not 100% certain. It is believed that that would have made quite a difference to the trial if it had been allowed. I find no great difficulty in supporting majority verdicts.

Mrs LAWRIE (Nightcliff): Mr Speaker, I am aware that Standing Orders prohibit the taking of recordings either within this Chamber without your express permission or indeed by ministerial staff who may have the proceedings broadcast. It is a pity a tape cannot be made because I would like a verbatim transcript of the honourable member for Alice Springs' speech, unlike the edited Hansard, and I would defy anybody to make sense of it.

Mr Speaker, my principal concern with the bill and the arguments put forward by the Attorney-General in sponsoring the legislation is the paucity of his case. I join with the honourable Leader of the Opposition in deploring the lack of evidence which would lead members of a legislature to put through legislation which is unique in Australia, whilst the majority of case law is decided elsewhere and other legislatures have not seen fit to move in that direction.

It is of interest to members that the Attorney-General attends meetings of Attorneys-General around Australia with a view to the introduction, where possible, of uniform law. He reports back to this Assembly from time to time on discussions held with ministers holding that portfolio or others for which he has a responsibility. I think it is significant that he did not state at any stage in his second-reading speech that similar moves were being considered elsewhere in Australia, that it was a recommendation of the Committee of Attorneys-General or that there was a significant move throughout the country for a majority verdict rule in a capital case. I think that what the honourable

Attorney-General did not say is as significant as what he did say. In fact, it has to be more significant because what he said was fairly insignificant.

The honourable the Attorney-General cracked the odd joke. You will remember, Mr Speaker, that in advocating a dramatic change to criminal law procedures, he used statements which he prefaced by 'maybe': 'Maybe the accused made some statement which was inadmissible in evidence against him'. Well equally likely is that maybe he did not. To introduce legislation of such significance with 'maybe', 'perhaps' and the odd joke thrown in, I find totally inexcusable on the part of the Attorney-General of the Northern Territory.

Indeed, in company with the honourable Leader of the Opposition, I wonder why he bothered to mentioned inadmissible evidence anyway. If it is inadmissible, it has little to do with a majority verdict or a total verdict of the 12 jurors. If it is inadmissible, it is inadmissible. All we heard, Mr Speaker, were vapourings from the Attorney-General instead of reasoned and cogent argument.

Perhaps the honourable Attorney-General gave the clue to the reason for this legislation later in his second-reading speech when he said, and I quote from Hansard: 'Last but not least, I should mention the cost of aborting a murder trial, because there is a crank or irrational person on the jury, is enormous'. Now we get down to the nub of the position, Mr Speaker: cost. We are talking of capital offences where a person's entire liberty is a stake, and it would appear that the Attorney-General is pinning his case on the cost. He is rationalising it to say that a hung jury or an aborted trial may occur because of some crank. It would appear that a crank is someone who does not agree with a conviction. I find that a most impossible argument.

Mr Speaker, it does seem increasingly evident in the Northern Territory that cost in legal proceedings is taking precedence over justice. I could mention a case which received some prominence in the last Assembly sittings where a Crown prosecutor made the decision to accept the lesser plea because of a danger of having to shift the trial, or the inability to get a fair and impartial jury, and the inference was expediency and cost. Mr Speaker, I cannot vote for a dramatic change in the law without having had reasoned argument in favour based neither upon expediency nor cost. I would say that the taxpayer, burdened as he is in this country, accepts the cost of a fair trial for everybody, and a trial beyond doubt, particularly in cases of capital offences and I join with members of the opposition in opposing these sections of this legislation which propose a majority of 10 out of 12 for jury trials in capital offence cases.

I note also that the Attorney-General has picked up my points in my bill about persons of a certain age who may be unfit or unwell to serve on the jury and who should be granted permanent exemption. I will accept that part of his legislation. However, it was interesting to see that he sets the age for that permanent exemption at 65 whereas I believe the retirement age for judges is 70. I find some surprise at the disparity there. If a person should be considered by society as no longer having to put his time, interest, mind and faculties at the age of 65 towards being a juror, one wonders why the age of the judges is not dropped from 70 to 65 likewise.

Mr Speaker, the Attorney-General is a strong man. He runs his Cabinet with an iron hand. I would say most of his Cabinet colleagues are scared stiff of him. Fortunately, members on the other side of the Assembly do not share the feelings of fright at anything that the Attorney-General, Chief Minister and minister for a variety of things may dictate. The Attorney-General has not given a reasoned legal argument for the introduction of this strange

legislation. I use the word advisedly. It is strange in the Australian context. The Attorney-General will probably have his wicked way because, apart from the opposition, no one will stand up to him. The only thing I can state is that it is a pity, when introducing legislation of this importance, that the Attorney-General did not pay more respect to the procedures of this parliament and the requirements of the public of the Northern Territory to have better knowledge of the reasons for its introduction, rather than treating the introduction of legislation, which is assured of success, in the flippant manner in which we have seen in his second-reading speech to this bill which should be thrown out.

Mr DOOLAN (Victoria River): Mr Speaker, the opposition agrees in principle with this bill to amend the Juries Act but does not agree with clause 19 which proposes that majority verdicts be allowed in trials for capital offences as well as other trials. Clause 19 reads: '... the following: "(2) Where, upon a trial for a capital offence - (a) a period of not less than 6 hours has elapsed since the jury retired; and (b) the jurors are not unanimously agreed upon their verdict, the court may, if 10 or more jurors are agreed upon a verdict to be given - (c) take and enter that verdict as the verdict of them all; or (d) discharge the jury".'

The honourable member for Alice Springs said that, in his opinion, a period of 6 hours was quite adequate for a jury to come to a decision. In a matter which might cost the accused the rest of his life in prison, I do not agree. He said that for 10 or more jurors to be in agreement was quite reasonable. I must admit that it is a lot better odds than 6 to 4. But I still think that, in a trial for a capital offence, a jury should have unlimited time to make a decision and that it has to be a unanimous decision.

In his second-reading speech, the Chief Minister said that capital offences probably include treason and piracy but that, for practical purposes, what we are talking about is a murder trial. He goes on to quote Lord Denning who is a very strong critic of majority verdicts in England. Lord Denning said that it is a fundamental principle of our English Law that a jury should be unanimous and the reason for that principle is that no man can be found guilty unless his guilt is proved beyond reasonable doubt. It is for the protection of the accused and, as long as there are 12 good men and true, and 1 or 2 of them conscientiously feel strongly enough to dissent, that in itself shows there is reasonable doubt. Mr Speaker, I am totally in accord with the sentiments expressed by Lord Denning.

The Chief Minister goes on to say that it has also been said that there is a greater likelihood of innocent people being convicted: 'The government recognises that some sections of the community perceive murder to be an offence somehow different and more serious than other offences'. It is probably true to say that a greater stigma attaches to convicted murderers and convicted rapists than to a robber. I can understand that a person who has been convicted by a majority may feel aggrieved at having to spend many years in prison with the idea in his head that 2 jurors at least did not believe that he was guilty. Majority verdicts are not allowed in murder trials anywhere else in Australia though they are in England.

Mr Speaker, I would question why majority verdicts for capital offences are being introduced here considering that the main states, which have a greater number of eminent jurists, better and more comprehensive facilities and more libraries to consult and to seek advice from, would be better equipped to introduce such a radical change to the accepted Australian law if they believed that that was wise. In a place with such a small population, and

very likely with fewer authorities on the law as well, we are introducing this legislation. The Northern Territory is not even yet a state.

The Attorney-General went on to say: 'The plain fact of the matter is that the unanimity rule arose purely by accident and not by design. It has already been done away with in all but murder trials'. In saying this, Mr Speaker, I believe he explained why majority rule has not been done away with in murder trials. He said earlier: 'The government recognises that some sections of the community perceive murder to be somehow different and more serious than other offences'. I would say that the plain fact is that it is not just some sections of the community which feel this way. I would say that the vast majority of the community perceive murder to be different and more serious than other offences.

The Attorney-General then said: 'I do not think that there is any evidence to suggest that more innocent people are being convicted as a result, though more guilty people may be being convicted. I think that the system has worked well. Why should it not work equally well in murder trials? The unanimity rule in the past undoubtedly has helped some guilty people escape. Anyone who has practised in the criminal courts for any length of time knows of cases in which there has been no doubt that guilty people have been acquitted'. The Attorney-General remarked that a system of majority decision by the jury has worked well in trials other than murder trials and asked why should it not work equally well in murder trials. How can it be proved that it has worked well in trials other than murder trials? It may work well from the point of view of speeding up court hearings and ensuring the jurors do not take an inordinately long time to reach a verdict, but on the other hand it may have worked very badly from the point of view of the accused.

He said that the unanimity rule has in the past undoubtedly helped some guilty people escape. No one could doubt this possibility but our British system of justice, which is probably the fairest and the most impartial system of justice in all this world, has a time-honoured precept which says that it is better that 10 guilty men go free than that one innocent man should suffer. With this in mind and considering that, at the time the unanimity rule prevailed, we could look at the famous case of John Christie, the mass murderer in England who used to get his kicks from murdering women and boarding them up in his walls and under his floors. When Christie was finally apprehended and confessed to a number of murders, one of his victims whose remains were found in his house was discovered to be a person whom another unfortunate individual had been convicted of murdering. The decision in that case was unanimous and the person was subsequently hanged. He was hanged for an offence of which he could not possibly have been guilty. This was admitted by the authorities but I suppose that, by this time, a posthumous verdict of not guilty would not have done the poor chap a great deal of good.

There are plenty of other examples of where an accused person has been found guilty of murder by the unanimous decision of a jury, and then subsequently found to be innocent. In most cases, he is paid a lot of compensation, which probably is inadequate for the time the unfortunate person spent incarcerated. If a unanimous jury can wrongly find a person guilty, how much greater are the chances of finding an innocent person guilty by majority decision? There are numerous cases of unanimous decisions by juries where a person found guilty is subsequently found to be not guilty. Obviously, the chances of a majority jury making a wrong decision are much greater.

In the Attorney-General's speech, he makes much of the fact that a jury of 12 might often have a crank on it. In fact he used the word 'crank' on

3 separate occasions in a relatively short speech. In one sentence he said: 'Some jurors are cranks, some are prejudiced and some are stupid'. No doubt such people have been jurors at times but the law says that an accused person must be tried by a jury of his peers, and the requirement of a unanimous verdict for cases of capital offence has existed for a long time. It is still the fairest and most impartial system in the world. In any case, in relation to cranks or dills who are called in to be jurors, an astute or observant prosecution or defence lawyer in a murder trial always has the opportunity to recognise and challenge prospective jurors, just as people who are likely to be biased or prejudiced can be challenged.

If 1 or 2 jurors hold out and refuse to be convinced by the majority of jurors, it does not necessarily mean that they are 'cranks', to quote the Attorney-General, or want to get home to watch their favourite TV program. In fact, the reverse might apply. Who can say that the odd juror dissenting from the decision of the majority of the jury is not, in fact, more conscientious and views his duties as a juror in a more serious light than the other jury members? Who can say that he may not have some greater knowledge of the crime, or know more about the circumstances of the crime or the character of the accused or the victim than the other jurymen? Who can say that the majority of the jury have not become bored and that they are the ones who want to get home to watch their favourite TV program?

I do not believe that the Attorney-General's argument in favour of majority decisions in murder trials holds water. It is my strongest conviction that to alter the law so that majority decisions are acceptable in capital crimes in the Territory would be quite wrong at this time. Maybe it will speed up trials or maybe it will secure a higher rate of murder convictions in the Northern Territory, if that is what the Attorney-General is seeking. But, I do not believe that to bring in majority decisions for capital crimes is the way to go about it.

I am aware that the Attorney-General is acutely embarrassed by the extremely low rate of conviction for murder in the Territory, but perhaps he should look in other directions if he wishes to improve his statistics. Perhaps he should look at the inadequacy of the evidence sometimes presented by the prosecution in murder trials. Perhaps he might look at the prosecution's attitude at times. 'We will charge this man with murder and hope for the best and, if we do not get him for murder, we will get him off manslaughter in any case'.

At present, the poor old jurors are taking all the blame for the many acquittals or convictions for lesser crimes. The Chief Minister said that some jurors are cranks but the general public is saying that all jurors are cranks or dills. In some cases I think the general public's criticism is aimed in the wrong direction. If capital offence cases are to be decided by a majority verdict in Australia, then I would like to see some of the more populous and better-equipped states take the initiative in a matter as important as this issue.

Mr ROBERTSON (Education): Mr Speaker, I quite often find myself saying that I will not speak until the opposition has spoken. I listened with quite some interest, in fact with inordinate interest, particularly to what the Leader of the Opposition said. I would not for a moment suggest that there was anything other than the best possible motive behind each and every word. I gave long and detailed thought to this particular piece of legislation when it came to Cabinet. Regardless of what the member for Nightcliff may say, under no circumstances would I ever support legislation of this nature, either in Cabinet or here, if I did not believe it was proper. I think the Assembly has dealt with this in a serious way. I think the Attorney-General, in his own way, dealt with it in a serious manner.

Mr Speaker, what we are really talking about of course is a combination of reality and emotion. I note, with some regret, that the word 'capital' offence is still used in the legislation itself. There are many offences on the statute books throughout this country which carry a 20-years plus sentence. Indeed, I think it would be true to say that, unless a murderer were particularly heinous and had repeatedly demonstrated his total incapacity to move ever again within society, he would be unlikely to serve any longer term in reality than someone who commits acts bordering on treason and the like. There is no such thing as running them out to the gallows anymore.

Notwithstanding that, I think that there is a wide range of views in Australia, and indeed the free world, which seriously questions the wisdom of having certain offences not of a capital nature. However, that is not what we are talking about. I think that point was missed by all honourable members.

Mr Speaker, majority verdicts do exist in this country in respect of crimes which carry very long prison sentences indeed. However, I agree totally with the words of the honourable member for Victoria River that the community does perceive - and quite rightly - murder in a different way to most other offences which unfortunately are brought to its attention. That is of course because, other than idiot terrorists, 99% of us believe that there is a sanctity to human life. We view the offence of murder differently because of the involvement of human life not because of the involvement of court or post-court procedures.

As I understand it, where cases are tried, the entire law is based on the balance of probability. That is exactly the same before a jury as it is before a single judge, before 3 judges or before the full bench. It is the balance of probabilities. I ask honourable members to consider what chance there is of that fundamental rule of case law not being complied with when 10 out of 12 people reach a conclusion which is based on what they see as a balance of probabilities; what they see as being proof beyond reasonable doubt. To put it another way, Sir, is it not reasonable, in logic, to believe that, where 10 out of 12 people have reached a conclusion beyond reasonable doubt, that the conclusion has been reached in the public interest beyond reasonable doubt as well?

As far as juries are concerned, in the Territory we have a very small base on which to call. The Leader of the Opposition spoke about 10 or 12 floors of barristers in Sydney and the random selection of juries available to them is based on 3 or 4 other willing people. We do not have that luxury, if you can call it a luxury, of living in those sorts of congested conditions. Nonetheless, one would assume that, throughout any community, and particularly ours because of our low population base, in every 12 people, there would probably be 1 or 2 people who would not convict under any circumstances.

The system of selection by balloting and by challenge in jury empanelling, while theoretically as good as can be obtained, is not totally exhaustive. Very recently in Alice Springs, there was a case where a juror was in fact empanelled and sat in on part of the evidence during the course of one day. It was discovered by the court staff, not the judge, that that person was deaf. Under no circumstances, could that person have reached a conclusion that the party being tried was guilty. I give this as an example of the type of thing that could happen. If a member of the court staff had not discovered in the course of paying jury fees that the person was quite deaf and brought it to the attention of the judge's associate, nobody would have known. I have thought long and hard about this and it occurred to me that, where 10 out of

12 people after 6 hours have reached a conclusion on their balance of probabilities that the person is guilty beyond reasonable doubt, justice in all the circumstances would have been achieved.

The honourable member for Victoria River said the British system of justice is the finest in the world, or words to that effect, and I entirely agree. I would also point out to this Assembly that it was the British system of justice which first introduced the majority verdict. Indeed, it was the then Attorney-General, Sir Harold Wilson, a former Prime Minister of Great Britain, who as a Labour Attorney-General brought in the provision of majority verdicts. The mother of the criminal law, both common and statute, dating back over centuries, has seen fit in its circumstances to provide for majority verdicts. The government is proposing to the Northern Territory in our circumstance - and that does not mean we have to wait for other states in this country to do things - that it is proper for us to proceed in this manner.

There are many pieces of law in the Northern Territory which are peculiar to our needs. No other Liquor Commission operates under a dry area system such as ours. There are peculiarities of the Criminal Law Consolidation Act which fit our particular needs. I am not suggesting, under any circumstances, that we tailor our particular needs to the detriment of justice. I do not believe there is any reason for anyone to fear trial before his peers or to believe that there is any less chance of justice being done under a system with a 5 to 1 ratio than is currently existing under a system with 6 to 0 ratio. As has already quite accurately been pointed out, in the case of Christie, a person was hanged for a murder that that person never committed.

Mr Speaker, without commenting on the case because it is improper to do so, there is a matter before the Attorney-General of South Australia at the moment where it has been established to some people's satisfaction that there is cause to reopen that case. That was a 12 to 0 conviction. On the other hand, in New Zealand, there was a 12 to 0 conviction which a subsequent Royal Commission found that there was no reason why the person, on the face of the new evidence, should ever have been convicted. It was clearly a case of concocted police evidence. There is no guarantee attached to the 12 to 0 rule. What is important is that justice be served, that the balance of probabilities be maintained and that the conviction of a person accused of murder is only carried out when it is proven beyond reasonable doubt. I do not for the life of me believe that 10 out of 12 after 6 hours will in any way diminish that basic principle.

While the honourable member for Victoria River read it out, he certainly never understood what he was reading. If we turn our attention to clause 19 of the bill, it does not say that the court shall convict if, after 6 hours, 10 out of 12 are of the opinion that guilt should be attached to the prisoner or the accused. It says: 'the court' - and let us read that as a judge of the Supreme Court, a man trained in the law and with many years of experience of the law - the presiding officer of that court - 'may, if 10 or more jurors are agreed upon a verdict to be given - (c) take and enter that verdict as the verdict of them all'. In other words, if a judge of the Supreme Court, as presiding officer, is entirely satisfied in his own mind beyond reasonable doubt, which he is trained to assess, that justice will be done by way of that verdict, then it will be done, or, alternatively, the jury will be discharged. I would also suggest, though, and I would need to check it, that, as the presiding judge of that court, it is open for him to say, notwithstanding the expiry of 6 hours, 'I am not satisfied that sufficient effort has been applied' - because the word is 'may' - 'therefore you will go back into the jury room for up to another 6 hours and come back and see me then'. I am not certain of that but I suggest that it would be open for him to do that,

notwithstanding the provisions as they are read. Even if it is not, if the judge considers, in his trained view, that justice will be done by accepting the majority verdict, then that verdict will stand, but not otherwise.

Mr EVERINGHAM (Attorney-General): There is not a great deal left for me to say, unfortunately, Mr Speaker. It strikes me quite frequently, and I think I have remarked on it before, that we have a very conservative opposition here in the Territory. If anything, this government is rather more radical in its thinking than the very right-wing opposition. My colleague, the Minister for Education, mentioned Harold Wilson. Actually, he was Prime Minister. It was Roy Jenkins, now the leader of the Social Democrat Party in Great Britain, who was then the Home Secretary of the United Kingdom government, who introduced legislation in the House of Commons to enable majority verdicts in the United Kingdom. Of course, that was back in 1967. If Australian jurisdictions have not accepted or seen fit to accept that piece of legislation, then at least one must accept the validity of the research that would have gone into the United Kingdom legislation before it was introduced. One must also accept that it has operated now for 15 years without, to the best of my knowledge, information and belief, procuring any miscarriages of justice. The Leader of the Opposition referred in more polite terms to my arguments in support of this legislation but, in much the same way as the member for Nightcliff, he referred to them as 'vapourings'.

That is not so. It is a logical progression and the member for Victoria River almost stumbled on it in his speech but he drew back. I think he was about to say 'It is either a matter of life or death' or 'It is not a matter of life or death'. I just forget which he was saying, but either way he was about to say 'life or death'. The thing is that these are no longer capital crimes. To say that any capital crime is on the books nowadays is a misnomer and I think that is where we must go back to. There is no longer a death penalty. In a way, honourable members opposite are arguing for the retention of the death penalty because they argue that some special treatment should be given to now non-existent capital offences. It is a term which, like any of the conservative criminal defence lawyers with whom the Leader of the Opposition would have spoken, is absolutely irrelevant in today's context.

If I went to all the defence lawyers in Darwin, I am sure that they would tell me not to bring in a law for majority verdicts in any case whatsoever because, as they would see it, it might shorten the odds against them. That would be their only consideration, because their prime concern is to secure an acquittal for their client. They would look at it just as a bookmaker would. The Leader of the Opposition used as a cornerstone for building up all those arguments against everything that I said the argument that I was relying on a gut feeling. Well, those lawyers are relying on gut feelings and feelings in their pockets. Certainly, no research has gone into the statements they made to the Leader of the Opposition. In fact, he argued the conservative line once again. He says it will be the first time this comes in in Australia. Should we never ever set a precedent in the Northern Territory, Mr Speaker? Should we not recognise reality? Should we not recognise the fact that so-called capital crimes, these days, attract effective sentences, usually of not more than 7 years, and 10 at the very outside, before convicted murderers are, in fact, released on parole or some other arrangement and are back in the community.

Let us not shut our eyes to this fact. Let us recognise that, although a life sentence by the court is mandatory, the crime of murder is treated by the parole authorities as being no more heinous than a number of other crimes. I ask you, Mr Deputy Speaker, is not perhaps a crime such as pack rape - if we are ever to use that dreadful word 'pack' - a serious grievous assault on a

female? Is it not a very serious offence? It leaves the victim alive but with great mental scars to carry around for the rest of her life.

The honourable Leader of the Opposition said it had to do with proof. Well that, too, is bunkum. There is still to be proof beyond a reasonable doubt. I ask what is sacrosanct about '12', Mr Deputy Speaker? What is magical about this number? What is more magical about 12 than 10? What is more magical about 12 than 7? In great Britain, during the Second World War, juries consisted of 7 good men and true not 12, or 7 good men and women and not 12 good men and women because they had to get by with fewer people. They had to have people out there working and producing, not sitting on their backsides in a jury box.

As I said earlier, historically there is no good reason for a totally unanimous verdict. But the key to my argument is simply that this is a logical, modern progression. We are allowing ourselves to think clearly rather than emotionally about a crime that is no longer treated as a capital offence. If we no longer treat it as a capital offence, let us stop calling it a capital offence and deal with it just as we deal with other offences. Here, and everywhere else in Australia, majority verdicts apply in all cases other than murder .

A couple of technical matters were raised by some honourable members which I will deal with. The honourable member for Nightcliff said that cost is becoming the criterion in criminal prosecutions or the administration of justice in the Northern Territory. Mr Deputy Speaker, if that be the case, I certainly would have shrunk from reopening the Chamberlain matter because I think that is going to cost the taxpayer at least half a million dollars by the time it is finished. I think the member for Nightcliff - and I will be charitable in this - was merely attempting to bolster an otherwise weak argument because she used words such as 'vapourings' and she got down to fairly low tactics such as saying 'cost is the criterion'. In fact, nothing could be further from the truth. We have taken several matters on appeal to the Federal Court and we are employing private counsel more than was ever done by the Commonwealth of Australia in its administration of justice here.

The other matter I think was raised by the honourable member for Victoria River: the lack of convictions. In fact, during the last 12 months, there have been 145 criminal matters brought before the Supreme Court. Of these, 3 have been adjourned sine die, 2 have been made remanets to the following sittings and 3 are in progress as at yesterday. Lesser pleas were accepted in 10 matters and a nolle prosequi was entered in another 10 matters. There were 62 pleas of guilty and, of the remaining 43 trials, verdicts of guilty were returned in 31 cases. Mr Deputy Speaker, I hope that, too, would dispose of the argument that I am gunning for those 11 or so who got away. In fact, what I am trying to do is bring a logical approach, not an emotional, right-wing type approach, to bear on the situation. I would appeal for a bit of reason on the part of honourable members opposite and I hope that they will have the good sense to change their attitudes to what is nothing more than bringing the law in line with the thinking of today.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Attorney-General)(by leave): Mr Speaker, I move that the bill be now read a third time.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I take the opportunity in the third reading to correct a number of extraordinary assumptions that were made by the Attorney-General. A great deal of his argument depended on those false assumptions. I take the liberty of disclosing this to the Assembly.

As the member for Fannie Bay just said to me, the speech in support of this legislation that the Minister for Education just delivered was certainly far better than that put forward by the Attorney-General when he spoke in support of this bill. That is perfectly true. A reference to Hansard will show that I concluded my speech on that very point. I think it is reasonable for all members to base their attitudes on bills brought forward by ministers on the evidence that is given in support of those bills when ministers speak in the second reading. I am not particularly impressed when ministers raise matters in support of the legislation which in fact are totally irrelevant. I refer once again to the raising of the question of inadmissible evidence in support of majority verdicts. I would suggest that, if ministers wished to convince other members of the worth of their legislation, they should pay more attention to the speeches that they use in support of it. The Attorney-General made the false assumption that I had confined my investigations into this piece of legislation to those practitioners who defend. Can I assure the Attorney-General that one of the sources whom I use frequently - and I did on this occasion - for advice on legal matters is an extremely prominent practitioner and academic in Melbourne who frequently prosecutes. I would point out, because the matter was just raised with me in an interview, that my objections to mandatory life sentences, for example, have to do more with my concern for the prosecution than the defence in that the net effect of mandatory life sentences would be to reduce the number of times the juries would tend to convict on the charge of murder knowing that they were not just convicting but sentencing at the same time.

I would also reject vehemently the nonsensical proposition put forward by the Attorney-General that we are arch conservatives in the question of law reform. I would draw the Attorney-General's attention, not that I think I need to, to the copious notes I forwarded to him and my comments on the third draft of the Criminal Code. I have no hesitation in unblushingly confessing to what I consider to be a healthy degree of conservatism in the question of law reform and I will continue to retain that conservatism of proceeding carefully with law reform because of the very dramatic way in which criminal law in Australia affects the lives of its citizens by depriving them of their liberty. Of course, it is necessary for it to do that but, when you are dealing with legislation which affects people's lives as directly as criminal law does, then it is in the interests of the community to proceed cautiously. I do not hesitate to say that, in its application, which is what we are talking about, I consider criminal law to be a special category of law. It is not like administrative law, summary law or regulatory law. Criminal law affects directly the lives of the citizens in a democratic country far more directly and in a far more dramatic way than any other area of law in that it allows us to lock people up for what, in some cases, can be for very long periods of time. I do not blush from confessing a degree of conservatism in proceeding with reform in the area of criminal law.

Mr Speaker, the Attorney-General himself has been forced, perhaps reluctantly, to come to some commonsense conclusions. The attitude of the government in respect of the Criminal Code is evidence of that. In fact, the Attorney-General himself said at the seminar that was held to discuss the Criminal Code that the reason that the third draft was being dropped and the Sturgess draft was being favoured by the government was that it kept far more rigidly to established criminal law. I think that is a reasonable paraphrasing of the statement the Attorney-General made and, indeed, I concur wholeheartedly with it. I think that it is in the interests of the community that all legislators in debating the criminal law should proceed with a certain degree of healthy caution and conservatism.

I would say again that the question the Attorney-General raised of juries of 7 is an entirely different question. I would be happy to debate the matter. I would look forward to debating the matter. The whole question of jury trials is a different matter because there are jurisdictions, and some of them are close to our own, where there are no juries. Papua New Guinea is one jurisdiction which operates under a similar adversary system to our own, based on British law. But there are no juries in Papua New Guinea. Indeed, I am told by people who have practised in that jurisdiction that, by and large, it is an extremely satisfactory system.

But I would suggest to the Attorney-General that, in trying to grasp the nub of the arguments of caution and conservatism in respect of majority verdicts versus unanimous verdicts, he has missed the point.

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

Mrs LAWRIE (Nightcliff): Mr Speaker, the first mention we had of this bill in the Assembly was of course the second-reading speech from the Attorney-General. The Attorney-General a few moments ago castigated the opposition for the use of the phrase 'capital offence'. Mr Speaker, the Chief Minister and Attorney-General was the first person to use the phrase 'capital offence'. He had the temerity to suggest that the opposition should remove it. As Attorney-General, Chief Minister and the person running the government, I would suggest that he has had a perfect opportunity to do just that but chose not to take the opportunity.

Mr Speaker, also I am fortunate in that I do not need the charity of the honourable Attorney-General and Chief Minister. I will quote again his words in his second-reading speech when he mentioned the government's belief that justice means getting an accurate verdict. Heavens, no one could disagree with that. He feels that there is no reason to believe that this will be upset by the introduction of majority verdicts. He concluded with these words. He was the first person to introduce the concept: 'Last but not least, I should mention that the cost of aborting a murder trial because there is a crank or irrational person on the jury is enormous'. The first person to mention cost was the Attorney-General himself, Mr Speaker.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I will be brief. This just landed on my desk. One of my staff who is currently visiting the United States has just sent me this. My secretary in fact has just brought it in. Perhaps I could draw it to the attention of honourable members in this age of security-conscious politicians. It is an advertisement for a briefcase which is called the 'secret connection briefcase'. It is manufactured by Communication Control Systems and is advertised in the Pan Am Clipper magazine, and no doubt my staff member picked this up on an aircraft. It looks to be an extremely expensive briefcase. It would be extremely handy I think for politicians.

The briefcase comes with these features, Mr Speaker: pocket-size tape-recorder detector to let you know if somebody is secretly recording your conversation; a micro-miniature hidden bug detection system to let you know if you are being bugged; an ultra-compact high-powered portable communication system; a miniature voice stress analyser to let you know when someone is

lying to you; a siren alarm system to alert you if your briefcase is stolen; a built-in scrambler for total telephone privacy; a super-sensitive bomb sniffer to warn you of hidden explosives; an incredible 6-hour recorder so small that it fits into a cigarette pack; a portable defence system to give you non-harmful protection against attackers; the world's first wireless telephone with an incredible 30-mile range; and bullet-proof lining which can be used to shield a person against a .35 magnum bullet. Any information on this briefcase can be purchased for \$25 by sending an application to the address given. I am perfectly happy to make this offer available to any honourable member.

Mr Speaker, I raise another topic with some degree of reluctance. Not surprisingly, I have been approached over the last couple of weeks by a number of extremely prominent and well-known fourth, fifth and sixth generation Darwinians who have been extremely concerned recently at some very public comments made by the Lord Mayor of our city, Alderman Cec Black. I must say that I have not responded, as many others have, in the public press to the comments that have been made. I make no apology for not doing that. Indeed, I had to put that view to the people who asked me why I had not commented on it. I do not apologise for not commenting on it and I do not intend to comment in any public sense further than this. I must say that I do share the disquiet of those long-term citizens of Darwin at some recent remarks made in 2 very public forums - the ABC After Eight program and Territory Tracks - as to the thinking and, I would imagine, the direction of the Lord Mayor of Darwin in respect of the laws recently brought in to control drinking. I just want to touch on 2 aspects of what the Lord Mayor said.

In the After Eight interview which preceded the Territory Tracks interview, when referring to an excellent report commissioned by the Liquor Commission on dry areas, the Lord Mayor said: 'I believe that the report does prove very conclusively that Aboriginal drinking in towns is not affected unduly by dry settlements'.

A very short time after that, in what has now become known as the 'gut-feeling interview', the Lord Mayor said: 'Notwithstanding that the NT Liquor Commission report does not support the view that I have about the effects of dry settlements, I still maintain dry settlements affect Aboriginal drinking problems in Darwin'. Matt Peacock asked: 'Do you have evidence of that?' Cec Black replied: 'No, I have no evidence, no concrete evidence on that at all'. Peacock: 'It's just a gut-feeling, is it?' Cec Black: 'Yes, it's very much a gut reaction and we in this sort of game' - I imagine he means politics - 'have to make gut feelings sometimes even when the evidence is not available'. This was after the same gentleman said: 'The report proves very conclusively that the Aboriginal drinking in towns is not affected unduly by dry settlements'.

There is such a lack of logic about those 2 statements which were made within a very short time of each other, that it gives one some disquiet. There is in fact the same degree of inconsistency throughout the statements, and I do not intend to go through them from start to finish. However, I do wish to touch on one other aspect of that interview on Territory Tracks which is my substantive reason for raising the matter this afternoon. Matt Peacock said: 'Mr Black, you have suggested that the 2km law does not work and, of course, a lot of people think that it won't, including until recently your council. If it doesn't work, then there will have to be introduced special restrictions on Aboriginal drinking in towns. Can you explain just what you meant by that?' Cec Black replied: 'What I intended was that there be special restrictions placed upon Aboriginals, and I was only referring to Aboriginals. A lot of people have criticised me for discriminating between white and non-

white but all the thrust of my argument was in relation to Aborigines'.
Peacock: 'What do you mean? You mean you are not referring to Chinese, Malaysians; you are referring to Aborigines. Is that what you are saying?'
Cec Black: 'I am referring to black people'.

I am not talking about the racist nature of what was said but just the complete lack of logic in statements such as that. The Lord Mayor seriously proposed, and is on the public record twice as saying, if the 2 km law should fail in its application, 'that there be special restrictions placed upon Aborigines'.

Mr Speaker, I am not touching on the racial aspects of this; that is something that I do not want to comment on. I think that the sooner that it is dead and buried the better. I am talking about the complete administrative nonsense of any person in such a responsible position suggesting that such a course of action could be applied. There is ample evidence in recent history that such a system did apply in the Northern Territory. I am sure that honourable members such as the honourable member for Port Darwin would realise the complete impossibility of reintroducing a system identifying persons in some administrative way by the colour of their skin so that the people who sell liquor in towns such as Darwin would not serve those persons or would place some special restrictions on them in the buying of liquor. I really am appalled that a person in such a high administrative office could propose something which, administratively, is such a stupid thing to propose.

Could I just draw the distinction between the way in which the restrictions that are applied to Aboriginal communities work and the nonsense of applying such a system to a city the size of Darwin. I am well aware of the dry areas system; I have many of them in my own electorate. The ones that work most successfully, and it is hardly surprising, are the island communities. Indeed, that is no accident.

Mr Everingham: Some of them.

Mr B. COLLINS: Certainly, some of them. There are notable failures in those dry areas. The ones that work successfully are largely those that are based on islands. It is no historical accident that the churches have located all of their Top End communities on islands. There is too much of a consistent thread for it to be a coincidence. The only mainland Aboriginal community in my electorate is the only non-mission-based settlement, Maningrida. Croker, Goulburn, Milingimbi and Galiwinku are all island communities. The reason islands were chosen is because they offered missions a greater degree of control over access to the communities. In the main, the access is only by air. The only other access is the fortnightly visit of the barge. It is fairly easy then for the community to control access by controlling the airstrip and the fortnightly barge services to the community. I would have thought that anyone with a real interest in the application of those dry areas or in fact liquor questions generally would have looked behind the situation a little to examine the reasons why it works in some places and not in others. To suggest, as the Lord Mayor has by comparing the restrictions that apply in Aboriginal communities to the Darwin situation, that a similar set-up could work in a city of 50 000 with hundreds of liquor outlets by some strange method of identification based on the colour of a person's skin, and in 1982, is such nonsense that, to my mind, it did not warrant a response. It was ridiculous and that is the reason why I did not respond.

I accept that many long-time Darwin families and many Aboriginal families who used to belong to the half-caste associations of Darwin have this profound disquiet. I have never heard it said better than the way it was said by

Vai Stanton on that Territory Tracks program: 'I think Cec Black has forgotten that he is the Lord Mayor for everyone in Darwin. He is our Lord Mayor as well. He is the Lord Mayor of the Aboriginal people in Darwin. He seems to be placing himself on one side of the community'. Indeed, all of the Aboriginal families in Darwin, those families which have been referred to over the years as coloureds or half-castes, as they were when they formed their association, are extremely unhappy about his stated views on the potential action of his council should this 2 km law fail, and so am I. I feel that the approaches that they have made to me justify some kind of response from me and I make no apologies for restricting my response to this one occasion. I certainly do not intend to put out press releases. I hope that the Lord Mayor of Darwin can be persuaded of the folly of his ways and that he will not continue to make such ridiculous statements in the public press in future as he has done on past occasions in respect of this matter.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, recently I had occasion to go to Jabiru for a social night. There were visitors from other areas of the Northern Territory there. One of the organisers of this particular social event reminded the members of the organisation to which he belonged that he was still short of some billets for the weekend for the guests who were there that night. I knew of his situation before this occasion, but it was brought home to me very forcibly then. At Jabiru, there is no public accommodation. There is no motel accommodation. There is no hotel accommodation. As I understand it, this is not by the wishes of the people who live at Jabiru nor the Northern Territory government. It originates from the personnel who control the national park, foisting their particular views on the people whom it will most affect.

Mr B. Collins: Noel, that is not true. It is a bit of a problem.

Mrs PADGHAM-PURICH: Well, if I may continue. The situation as it has been explained to me and as I have observed it, Mr Speaker, is this. Whether the people in Canberra who happen to control the national parks like it or not, visitors to Jabiru are a reality. Tourists are a reality. You cannot put your head in the sand like an ostrich and pretend they are not there. They are there, and they are going to come in great numbers.

I have spoken before about the people at Jabiru. They are ordinary people. They are men and women just like us. They are living in houses just like us, they work just like us and, as I see it, they belong to a town in the Territory which should be treated like any other town in the Northern Territory. They should have one of the simple conveniences which are available in towns in the Northern Territory and that is a place where mum and dad can stay if they come up to see them; a place where relatives can stay when they come up to see them.

Mr Everingham: They are going to get a motel.

Mrs PADGHAM-PURICH: I am very glad to hear it. The Chief Minister has just said that they are going to get a motel, and it is not before time.

When people go to stay at Jabiru, it is a matter of scratching around. If you do not have spare accommodation for relatives in the house yourself, you have to find it in a friend's house. The lack of accommodation is more apparent when there is a reasonably large social event at Jabiru and billets have to be found for people who go there. Personally I have not had any problems finding accommodation. I have friends there and, if I do not find accommodation with one person, I will find it with another. This must apply to lots of people who visit from Darwin. But there are people who would like to go to Jabiru,

just to see what it is like. They would like to spend a night there and come back the next day. I am very pleased that the Chief Minister has just said motel accommodation will be available because it has been sadly lacking in the past.

Recently, when I had occasion to drive out to Jabiru, I was due to arrive there late in the afternoon. I was passed by 4 busloads of tourists coming back into town. On making inquiries when I reached Jabiru, it appeared that the tourists had been out to Jabiru. Possibly they had inspected the mine site or the town of Jabiru, but they had been in one or other or both places on a tourist expedition. Because there was no accommodation in Jabiru, they went back to the South Alligator. The South Alligator motel has enlarged its premises to take care of the tourist influx. More motel accommodation has been made available and more dining room accommodation on their own recognizance. The proprietors have done a darn good job. But I think the rate at which tourists are visiting Jabiru and the national park is such that, even with the best will in the world, they cannot all be accommodated at the South Alligator Motor Inn.

This makes it imperative that tourists be accommodated not only at Jabiru, but accommodation must be considered for the tourists to make use of the national park itself. If accommodation is not found for tourists, it is quite likely that they will camp in places where they are not supposed to. It is quite likely that they will leave their rubbish behind after they have camped there. It is quite likely they may indulge in other activities which will not contribute to the good management of the national park. Surely to goodness it is better to localise the tourists in accommodation areas which can be overseen by the park rangers. After I have made representations to the relevant people, I hope that consideration will be given to this matter, if it has not been given already.

This morning, Mr Deputy Speaker, I asked the honourable the Chief Minister what was the outcome of meetings held in the rural area regarding fire control and management. Those were my words: 'fire control and management'. His reply was quite extensive and I will see the wording of it in Hansard tomorrow. From memory, I think he mentioned the part played in fire control and management by the Bushfires Council, which is part of the Conservation Commission, and also by an organisation called Trees. I think he mentioned also a petition that had been taken up recently by Trees deprecating most strongly again this year the practice of burning off in the rural area. I understood the meetings were not very well attended. I do not think that is due to lack of interest by the people in the rural area in fire control and management. The meetings were called at a very inappropriate and inconvenient time, namely show week. For people in the rural area who were preparing entries for the show, that was a most inconvenient time.

To get a larger consensus of opinion of what people in the rural area think about fire control and management, perhaps further meetings could be called. I was able to attend only one meeting because of the timing just before the show. The views that I heard expressed by the people from the rural area were that they were very interested in the government giving some sort of lead in fire control and management in the rural area. I was again very pleased to see the sensible, down-to-earth and realistic approach adopted by the officers of the Conservation Commission in approaching this subject.

I do not really have any quarrel with activist groups which do not want us to burn off in the rural area at all. I have no basic quarrel with them. I would agree wholeheartedly with them that the ideal situation in the rural area would be that we do not have to burn off, and that we do not burn off. But we

have to be very realistic about this and, whilst in the petition presented the words 'beauty and environment' were mentioned, I think beauty comes off second best when you are considering safety. Beauty comes off second best when you are considering the economics of the situation. I wonder how the old pensioner lady who lives in the Gunn Point area would have felt about the beauty of the situation when she had a bushfire blown on to her place recently at the beginning of the Dry. I do not think she was very concerned about conserving beauty. She was concerned mainly, and rightly so, about conserving her house, her life and her cherished possessions around her house. Safety is one of the things that must be considered above beauty.

We would all like to see unburnt bush. It is not a very pretty sight to see bush that has been burnt right at the end of the Dry when very strong fires go through it. But if certain fires, for control and management of the situation, are not lit at the beginning of the Wet - and these people would have us not burn off at all - by the end of the Wet it needs only one match to create a holocaust in the rural area. This was mentioned in the one meeting I went to. I know very well, from my own experience, that this would occur. With the best will in the world, if an area has been carefully controlled and managed until the end of the Dry, which is about now, and inadvertently a fire gets into it, not much will be saved from it.

The organisation Trees certainly has drawn public awareness to the fact that uncontrolled fire is undesirable. This is the main reason for its existence, as I see it. Until the public becomes aware of an undesirable situation, nothing can be done about it. But I think that the public's views of not burning off may be coloured by its aesthetic views of suburban beauty rather than reality. I do not exactly say I object but in a way I do. I object to the use of the word 'hinterland' to describe the Darwin rural area because, to my way of thinking, it seems to describe a rather boggy area with things hanging from the trees and implies that we are not far removed from those things that do swing from the trees. Perhaps we are not regarded in a derogatory way out there but I rather resent the term. Perhaps I have a chip on my shoulder about this or perhaps I am looking at it realistically. I would prefer another term used. 'Hinterland' means that you take second best; you are considered only when all else has been considered. I do not think that the rural area should be considered as being a second best area at all.

I agree wholeheartedly with the view that rain forests should be preserved because there are very few left. In the early days of clearing by the Commonwealth, a beautiful rain forest area was completely destroyed in Nightcliff for public service housing. It can never be put back. I think it only right that these very rare and small areas of rain forest should be preserved. When it comes to dictating the safety of the people in the rural area, I would like to rely on the commonsense approach of the Bushfires Council and the people in the rural area. They know how to manage their own affairs better than outsiders who live in the suburbs.

Mr DOOLAN (Victoria River): Mr Speaker, this afternoon, I again wish to speak on behalf of certain residents of the Bees Creek area who appear to be having a pretty rough trot down that way.

Their complaint on this occasion concerns the crossing on Bees Creek itself, where Bees Creek Road crosses it. Less than 18 months ago there were perhaps 4 or 5 families down there. During the last 18 months some 15 families moved into the area. Most of them have at least 2 cars. In order to get onto the Stuart Highway, at least by the closest route, they have to cross Bees Creek. Consequently, the creek has become very muddy - not only muddy, it has become very polluted. Previously, Bees Creek was a delight to look at.

It was a crystal clear creek with jungle on the sides and it was known to have contained 10 different varieties of fish and also fresh water prawns.

I visited the area last Sunday with a concerned resident and he pointed out certain things to me. For example, there are dead fish on the banks. The formerly crystal clear water is completely muddy and there are oil slicks on top of the water. I asked him how the oil slicks got there and he informed me that it seems to be a favourite place, not for locals but for others, to park their cars in the middle of the creek and wash them. Also, a lot of people have been fishing in the Elizabeth River and washed their outboard motors in the creek. It is a damn shame to see what has happened.

Prior to seeing the oil pollution, it was my intention to speak to the Minister for Transport and Works to ask if he could put a concrete culvert or a concrete bottom across the creek, but that would not discourage fellows from washing their cars and their outboard motors. I would ask the minister to perhaps consider a small bridge crossing for Bees Creek so that this lovely little place with its jungle banks and crystal clear water can be restored to its former state. Perhaps the Conservation Commission would be interested in it because there were dead fish there. There is an alternative route for residents to get out but it forces them to go quite a way to get around on the road again. Naturally, they will use the closest possible access. They are cut off in the wet season but for most of the year they do not have trouble crossing the creek. It is shockingly polluted; it is shockingly muddied. It has oil slicks all over it.

There is another group of people who live at a place called Jacomb Place which runs off Virginia Road at the 17-mile. They are having a great deal of trouble and they have formed themselves into an association called the Jacomb Place Residents Association. They occupy various lots on section 312, Hundred of Strangways and the developer is Boronia Developments Pty Ltd.

At the request of the residents, I visited this area and I carried out an on-the-ground inspection. Believe me, these unfortunate people have a problem. They showed me the instrument of determination signed by Mr Ron Withnall, Chairman of the NT Planning Authority. On this instrument of determination are various conditions laid down with which the developer must comply. In some cases, this has been done but condition 2, for instance, says: 'The applicant shall provide the purchaser of the lots the plan showing the one-in-a-hundred-year floodline and maximum probable floodlines transposed from the Howard Springs and Humpty Doo rural subdivisions area and regional storm-water drainage study prepared by Willing and Partners'.

Condition 2 has not been fully complied with. I say this because only 2 of the block owners in section 312 have been provided by Boronia Developments with these contour maps. I might add they are the highest blocks on the place and will not therefore be must affected in the Wet.

Condition 3 of that instrument of the determination states that the applicant, in this case Boronia Developments, is to construct all access roads and drainage channels in accordance with plans and specifications which shall be previously submitted and approved by the Director of Planning, Department of Lands. I must say, Mr Deputy Speaker, that during my inspection I found that, in the main - with one noticeable exception, which is the roadwork which is quite good - the drainage system for this section 312 is totally unsatisfactory. It does not comply with condition 3 laid down in the instrument of determination.

Before I go on, I will mention the exception. This is the access to lot 34 which has no culvert at all and is within a few metres of the main stormwater drain. I think that this has been done by design because, by not putting a culvert in the road, it has turned the road into an earth bank so that water does not overflow and go into adjacent lots. But it can not do otherwise but wash the road away and inundate the place.

To return to the subject of the stormwater drain, on the Stuart Highway side, there is a properly-constructed drain leading out of a culvert under Jacomb Place but, on the other side of the road, there is a natural depression in the ground which the developer has referred to as a natural watercourse. I rather dispute that. He has run a grader down this natural watercourse and, unfortunately, this drain or watercourse that he has graded out does not align with the already well-constructed drain coming out the other side of the culvert. In fact, it is a good 3 m out. The drain running out of the culvert is perfectly aligned and the drain that takes the stormwater into it misses the other end of the drain by some 3 m. It is obvious that, when this water flows through the drain and hits the road, it will wash the road away and cause extensive erosion.

One of the residents has already received a letter from the Conservation Commission of the Northern Territory signed by Mr G. East of the Land Conservation Unit advising: 'The major portion of the block falls into category 6C, Fogarty, Howe and Dunlop 1979 and this unit covers drainage flows with season water logging and inundation'. Mr East's letter goes on to say: 'Where the channel crosses lot 35, the grade of 1.5 degrees will produce velocities sufficient to cause major scouring or possible gullyng. In addition, the channel outlet is not aligned with the culvert under the road, thus producing the risk of damage to the road'. I also have photocopies of letters signed by independent parties who are prepared to sign statutory declarations that last year they were ankle deep in water over most of the whole area. It is going to be a whole lot worse now because of this stupidity in having one drain not aligning with the other.

It might be said that the occupiers of lots on section 312 knew what they were buying when they purchased. But this would be a fallacious assumption for 2 reasons. Firstly, the developers failed to provide adequate drainage facilities which they had promised the residents. Secondly, they were in breach of condition 2 of the instrument of determination required by the Planning Authority. The developers required the purchasers to the various lots to sign a paper indemnifying them - that is, Boronia Developments - against any further claims or demands on completion of works, one of which was the construction of V-drains along both boundaries being north of the existing watercourse and that such drains to be about 200 mm nominal depth. I do not think they had to worry about being indemnified because the construction of the promised V-drains has never been attempted let alone completed. They have done nothing. I went down and looked at it. If it had been done, the unfortunate residents would not have found themselves in the unenviable predicament in which they are at present.

In the original drawings issued by the developers to the residents, the drainage system was shown along the boundaries. Subsequently, letters were sent out saying: 'Referring to the purchase of the above lot, we wish to bring to your attention that the map supplied in the contract has been amended. Enclosed is the amended map'. You might guess that the amended map showed no drains along the boundary at all.

If that is not enough, the worries of the Jacomb Place residents of section 312 have now been compounded by the development of the adjoining section 311.

K.P. O'Donnell Associates Pty Ltd, Civil Engineers and Town Planners have supplied the residents a sketch plan of how the run-off of the new development of section 311 could be alleviated by controlling run-off from both sections with a drain on either side of the boundary between 311 and 312 and have added: 'Without some measures such as this, the accelerated run-off from section 311 produced by the construction of a road within the section, and the concentration of this flow by installation of a culvert will clearly greatly aggravate the problem already experienced within lots 35, 36, 37 of section 312 through stormwater run-off during the wet season'. I might add that, from my own inspection, it will also completely flood and possibly wash away lot 34.

I believe that it was quite premature - and this is something that concerns me very much - to permit development of adjoining section 311 before the Department of Lands had ensured that Boronia had complied with the conditions set out in the instrument of determination. Yesterday, in answer to a question which I asked the Minister for Lands and Housing as to who had the ultimate responsibility of ensuring that the conditions set out in the instrument of determination, issued by the Planning Authority, were fulfilled, the reply that the minister gave was that the developers would need a certificate from the Department of Lands and from the Surveyor-General before titles to lots in the subdivision could be issued. If such a certificate has been given to the developer, then someone needs his backside kicked because the drainage conditions shown on that instrument have certainly not been fulfilled by the developer. Of that I am certain.

The Jacomb Place people have approached officials from the top echelon down in both the Department of Lands and the Department of Transport and Works but have yet to receive a definite answer in regard to the drainage problem. Their main worry at the moment is that the Department of Transport and Works will not put in the necessary drain and, if this decision is made, it would be extremely difficult to force the developers to perform a job that they should have done in the first place before the next wet season.

If something is not done in the very near future, it will wipe out quite a few people who have invested their life savings in land because it will be washed away. I would suggest to the honourable Minister for Transport and Works that this work be undertaken as a matter of urgency and that the Department of Transport and Works then bill Boronia Developments for the work it agreed to perform as a condition of obtaining approval to subdivide section 312. I would further suggest that, before the Town Planning Authority gives approval for the development of new subdivisions in any area, it will not be to the detriment of existing subdivisions, and that this authority, or whoever is responsible, ensure that, in the future, the conditions as stipulated in the instrument of determination be complied with and that, if the developer fails to comply with such conditions, a fine or penalty of some kind be imposed, and that that developer be not considered when applying for any future subdivisions.

I feel that such action is warranted to prevent unscrupulous firms selling unsuitable lots to people wanting to move out of the city. Mr Deputy Speaker, it is the oldest trick in the real estate game, and a close watch should be kept by the appropriate authority to ensure that this kind of thing does not happen in the future.

Mr BELL (MacDonnell): Mr Deputy Speaker, there were 3 matters that I wanted to address, and the first relates to a question from the Leader of the Opposition which the minister answered this morning on the issue of accommodation for schoolteachers in the Territory. I particularly wanted to comment this evening on the accommodation situation as far as single teachers in Alice Springs are concerned.

I understand from the information available to me from the representations that have been made to me, the situation as far as single teacher housing is concerned is not just a personal one. I believe it has ramifications for the quality of education offered in Alice Springs. I dare say the arguments that I will put forward in regard to Alice Springs will hold true for other centres in the Territory.

It seemed to me this morning that the honourable minister took a somewhat cavalier attitude to these problems. I understood him to say that the problem in Alice Springs amounted to only 4 single teachers who were accommodated at the Melanka Lodge. I should draw to his attention that, in addition to the 4 teachers at Melanka Lodge, some 13 other single schoolteachers are forced to find accommodation wherever they can. Some people are forced to sleep on the floor in houses belonging to friends and have to move around. It would appear that the accommodation available to single schoolteachers is of a markedly poorer standard than the accommodation available, for example, to their counterparts in the nursing profession or in the police force. Really, I do not feel that those conditions are tolerable. In terms of the conditions that are or are not enjoyed by these people, there is cause for concern.

It is a matter for concern in terms of the quality of education offered in the Territory and of the standards of education ultimately offered. It is fairly clear that, if people are not happy with conditions as far as housing is concerned, they will not stick around for too long. There is a clear connection between housing conditions and the turnover of schoolteachers; that is, the continuity of schoolteachers in Territory schools. The rate of turnover for the Territory as a whole is some 19%. That is very high by comparison with all states. Mr Deputy Speaker, I am sure you and honourable members will clearly understand that, if we have a high turnover of teachers in the Northern Territory, we cannot provide the quality of education that should be maintained in the public schools for which we are responsible.

I sincerely hope that the honourable minister will take good notice of the problems of those people and I hope that the dissatisfaction being experienced in that regard will be ameliorated so that we can push down that 19% turnover figure in Territory schools.

The matter of accommodation of single schoolteachers in Alice Springs is a particularly serious one. I understand that there are only 4 teachers at Melanka because they have to pay nearly half their take-home pay for that accommodation. I find it fairly difficult to accept that as adequate accommodation and consider the amount they pay for it unsuitable. Somebody associated with the teaching service, perhaps the commissioner, said that the accommodation there is not adequate in the long term for schoolteachers who have to take home a certain amount of material for preparation, correction and so on. So I hope the honourable minister will take those comments on board and ameliorate conditions for single teachers as soon as possible.

The second matter that I wish to address this evening was the fairly lighthearted, indeed cavalier, answer that the honourable Chief Minister gave to me this morning when I asked him whether he was aware of a suggestion that public drinking areas be set aside in Alice Springs as a way of making some sense of the 2 km law. In his answer, the honourable the Chief Minister suggested that I was clearly taking a positive attitude to the 2 km law, which I am indeed. Obviously, we have to live with it but that should not be mistaken for anything like support for that legislation. I will not debate that here. I think my comments and those of the opposition have well and truly been placed on record.

What I did find quite amazing about the honourable Chief Minister's answer was that he claimed not to have seen the proposal. I find that quite extraordinary because the way in which it became obvious to me was from the front page of the Centralian Advocate. I appreciate that perhaps the Chief Minister does not have as much concern for things in Alice Springs as those in Darwin but I would have thought that at least the pages of the Centralian Advocate were something even he would deign to keep in touch with.

I was surprised at his response to my question which was indeed a serious one. I am interested to know the government's attitude to what I see as quite a constructive proposal. It was such a derisive reply. He referred to holding the hand of the Alice Springs Town Council. He even suggested that it was of no concern to the Northern Territory government. I find that a little hard to believe. The Chief Minister is responsible for Aboriginal affairs. It was largely for that reason that I directed the question to him rather than to his colleague, the honourable Minister for Lands and Housing. The Chief Minister would be well aware that the problems of public drinking and of alcohol abuse in general largely concern Aboriginal people and I thought that he brushed off the suggestion in a rather too lighthearted fashion.

He said it was of no concern to his government. Of course, that is not true. It was a proposal to use land in the vicinity of Alice Springs in a particular way. The Chief Minister is well aware that his government, through the agency of the Minister for Lands and Housing, is responsible for planning and land management in the town area.

I have already said that I directed this question to the Chief Minister because he has responsibility for Aboriginal affairs, which he appears to be taking a little lightly. I would suggest that, instead of adopting a patronising attitude to the Alice Springs Town Council, he would do much better to take a few leaves out of its book. I regard it as quite a progressive move that the Alice Springs Town Council has set up an Aboriginal liaison committee and is, at least, addressing itself to the question in a constructive manner. In fact, the person who put up that suggestion was a member of that liaison committee.

Mr Vale: I know.

Mr BELL: You will get your turn in a minute, Roger. It is all right, it is coming up right now.

The third matter I want to address is the issue of sacred sites and the nice little play here that, in fact, the honourable member for Stuart was involved in, goaded on as he was by a member of the staff of the Minister for Lands and Housing. This first became obvious to us when we saw in a couple of central Australian newspapers - which the Chief Minister does not read - and heard on news broadcasts in Alice Springs - which we can hardly blame the honourable Chief Minister for not hearing - that there was a problem with the Henley-on-Todd Regatta.

I hasten to add, Mr Deputy Speaker, that this problem was created entirely by the honourable member for Stuart. According to the press report I saw, he was goaded on by a member of staff of the minister. In fact, the substance of it was that a letter was sent by the Aboriginal Sacred Sites Protection Authority to the Alice Springs Rotary Club saying: 'Look, we have been requested to register this particular area in the vicinity of the Henley-on-Todd site'. This letter somehow came to the hands of the minister's member of staff whom I have referred to and, not being one to let a chance go by, the minister or the

member of his staff passed this across to the member for Stuart who acted in a truly fox terrier manner and barked and barked. The member for Stuart leapt into the fray, hopped on the radio, made announcements here and there, and created a great public furore over an issue that need never have seen the light of day if he had been performing his job in a satisfactory manner.

Let us have a listen to what the honourable member had to say. I quote from an article in the Alice Springs Star of 15 July: 'It is hard to believe that sacred sites have suddenly surfaced after all these years. If the authority starts naming sacred sites for no good reason, they will not be taken seriously when Aboriginals call on them to register and protect genuine sacred sites'.

There are 2 points there. The first point is 'genuine sacred sites' and the second is the attack on the authority. I would not presume to make any distinction between what is or is not a genuine sacred site. I listen to what people say to me. If they express concern about a particular area, I am not about to attack that as genuine or otherwise. What I am suggesting is that the honourable member, who purports to represent an electorate that has Aboriginals in it, would do a lot better to listen to what they say instead of gaining a bit of cheap publicity by deriding them. The article went on to give the opinion of exactly the Aboriginal people the honourable member was deriding. It said: 'Thomas Stephens, who is a spokesman for the custodian, said: "We have been worried about the site for years but there was no use doing anything about it until the Sacred Sites Authority was formed in 1980".'

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

Mr EVERINGHAM (Jingili): Mr Deputy Speaker, I have a few things that I would like to mention tonight. Firstly, the Leader of the Opposition is no longer here, unfortunately, but he mentioned during the course of his contribution to this adjournment debate that there were 2 fine ABC programs, namely, Territory Tracks and After Eight. I would like it recorded in Hansard that that is not an opinion universally held in this Assembly. My opinion of Territory Tracks and After Eight is that, if the 2 of them were wings attached to a bird, it would not be able to fly because the bird would have 2 left wings.

Mr Bell: Oh, I think ...

Mr EVERINGHAM: The honourable member over there raving on at the moment from his chair instead of on his feet said that I do not read central Australian newspapers. He made this as such a positive assertion that he obviously means to use it at some later stage. I agree that I do not read all the central Australian newspapers because sometimes, such as last weekend, I have been at places like Groote Eylandt and Jabiru. You do not get the central Australian newspapers there. For that reason, I do not see every issue of the central Australian newspapers but I do not see every issue of the Darwin papers either. Nevertheless, I do not feel as though I cannot live without obtaining the past editions. I certainly have not seen the issue that he referred to relating to drinking areas.

I do find the suggestion of the Alice Springs alderman extraordinary because Aboriginal people already own 26% of Alice Springs urban areas. If they want 4 areas to drink in, they have many acres that they already own that they could set aside for that purpose. They own so much land that one wonders why they have to come out into public places to drink at all. Nonetheless, the alderman made the suggestion and I guess that the council can deal with it without any interference from this government. That matter can be solved

between the council and the Liquor Commission and I see no reason to buy into a situation that other people can solve because I have plenty to do without taking on other people's problems.

Mr Deputy Speaker, since this Assembly last sat, there have been a number of deaths of prominent Territorians, one of whom was Harold Cooper who was Mayor of Darwin from 1959 to 1965. He died on 18 June this year when he was in his 80th year. Originally, he came from Tasmania with the army in 1944 and he was stationed at Mataranka. In 1946, he met his wife who was then employed at the Darwin Hospital and, after discharge from the army, they both returned to Darwin in 1949 and Mr Cooper was employed as a clerk with the Department of Works. He was employed as the local representative for the Stevedoring Industry Board in Darwin from 1951 to 1955 and from 1955 to 1964 was the branch manager for State Ships of Western Australia. With the formation of the first post-war town council, Mr Cooper was elected as alderman and served until 1968, including a period of 7 years as Mayor of this town. In 1958-59, he was also present of the Darwin Chamber of Commerce. From 1964 to 1969, he was involved in the setting up of the first betting control board.

When the Liberal Party first formed a branch in Darwin, he was elected the first president and held that post for 2 years from 1966 to 1968. In January 1970, he was elected member for Nightcliff after the death of Fred Drysdale but was defeated in the 1971 election. Mr Cooper had a business at Nightcliff for many years and he is survived by his wife and 4 children all of whom, I understand, live in Darwin.

Mr Deputy Speaker, a couple of prominent Chinese members of our community died also in the period since the last sitting. William Gong Chin more usually known as Chin Gong died in Darwin on 24 May 1982. He was born here in 1891, the son of Chin Toy who had migrated from Canton in about 1880. After leaving school, Chin Gong became a tailor and was apprenticed for 2 years to his father who owned the Fang Chong Loong store from 1912. Until 1942, Chin Gong was manager of that store. After the evacuation in 1942, he and his family ran a cafe in Adelaide until they returned to Darwin in 1946. In 1947, Chin Gong built the store in Smith Street, known as W.G. Chin and Sons and the family company also built Chin's Arcade, Chin's Building and Chin House at a time when the future of Darwin was not as secure as it is today. He was married twice and the 8 children of the first marriage and 4 from the second all live in Darwin. There are 35 grandchildren and 6 great grandchildren.

The other Chinese lady who died, Mr Deputy Speaker, was Mrs Low Oy Quong who died on 17 June 1982. She was born at Woolwonga in 1900. She was the daughter of Low Dep and Low See who came to Australia from China during the goldrush days. She lived in the Northern Territory all her life, mainly at Pine creek, except for a short period in Longreach, Queensland, during the war. She married Chin Soo Hong, later to be known as Henry Quong, and it was the Quong family who took over the Darwin Bakery. There were 13 children, 10 still surviving and all except one living in Darwin, 42 grandchildren and several great grandchildren.

Another Territorian who died on 26 June, aged 88 years, was Noel Townsend Hall. Mr Hall first came to the Territory about 1912 to join his brother Ivor on VRD where their uncle, Mr Townsend, was the manager. Later Mr Hall gained extensive experience as a drover and worked on a number of properties before settling at Bonrook directly after the war. Eventually he and his wife retired to Katherine and lived there for many years. He is survived by his wife, herself a nursing sister of some distinction, and 2 children and 4 grandchildren.

The last person I would like to mention specifically is Moya Ronan, who was born on 2 July 1917 and died on 15 July 1982. She was the wife of the late Tom Ronan. She accompanied her husband to Newry Station in the Northern Territory after their marriage in 1947. I do not need to tell people of the history of Tom Ronan because it is well recorded in the novel that he wrote which really amounts to an autobiography. They had met whilst Moya was preparing a film script for Tom's first novel, 'Strangers on the Ophir'. Three years later, they moved to Springvale Homestead where they established a goat farm to supply the town of Katherine with fresh milk.

Moya taught each of their 9 children correspondence lessons until 1966 when she joined the staff of the then Katherine Higher Primary School. In between typing and proof-reading Tom's books, Moya made broadcasts for Radio Australia, contributed articles to the Catholic Mission Magazine and wrote a children's book on life in the remote areas of the north for the New Zealand Education Department. When the family moved to Adelaide in 1969, she resumed her association with correspondence school by becoming a senior lecturer in English. Through this occupation Mrs Ronan resumed contact with a number of Territorians. Tom Ronan, as you would know, Mr Deputy Speaker, died on 15 July 1976. He of course is a former member of the Legislative Council and both he and Moya are buried in the family grave at Springvale.

I am sure that I speak on behalf of all of us when I offer the members of the families of these people our sincere sympathy. There are a number of other Territorians who have died in the intervening period and, if time had permitted, I would have liked to have given brief biographical details of them all.

I would just like to mention one other subject before I sit down: a report of a committee appointed by the Queensland government into the terms of shopping centre leases. The committee was established last year. Its chairman was Mr R.C. Cooper, former Queensland manager of the Reserve Bank of Australia. Its members were Mr J.P. Love, Chairman of Directors, Isles, Love and Company Pty Ltd, past president Real Estate Institute of Queensland etc and Mr J.V. Bensted, Director of Industrial Development. Its secretary was Mr K.J. Harrington, Executive Officer, Department of Commercial and Industrial Development.

The terms of reference of the committee were to examine the reports of the Small Business Development Corporation in relation to leasing procedures in shopping complexes with particular reference to leases by small tenants, and also to undertake such further inquiries, discussions, investigations and inspections as may be considered necessary and desirable and to report to the honourable Minister for Commerce and Industry as soon as practicable on shopping complex leasing procedures with recommendations for consideration by government on policies which should be implemented either by means of legislation, industry, self-regulation or other means. There is so much here that there is no chance that I will be able to cover it all tonight.

The committee has many interesting findings and recommendations. It found that the provision for small tenants to pay percentage rents based on turnover was not a desirable practice in the form it appears at present in most leases. It found that the provision of monthly turnover figures by small tenants to centre managements was an intrusion into a tenant's right to privacy in its business dealings and for the peaceful enjoyment of his tenancy. It found the quantum composition and method of assessing outgoing charges in a number of complexes were not equitable and did not conform with the usual practices which exist in these matters between landlords and tenants.

I might point out that I read out the names of the members of this committee because I wanted honourable members to know that they are obviously persons who might be expected to perhaps not necessarily hold the small tenants' point of view because they are obviously men of considerable substance: a former state manager of the Reserve Bank and a leading real estate man.

The committee also noted that the Small Business Development Corporation has submitted the opinion that the problem presently confronting small tenants can be resolved by way of some form of legislative enactment but the committee holds doubts whether this form of action will be effective in regulating the uniquely close personal style of relationships which generally exist between landlords and tenants in shopping complexes. Furthermore, the committee is mindful that any regulatory interference by government in the affairs of landlord and tenants within shopping complexes could have widespread effect over the whole range of commercial and industrial leasing activities throughout the state and indeed bear upon all forms of landlord and tenant relationships.

The committee also found that, in a great many of the complexes that it inspected in Brisbane and provincial areas, there was a low level of effective communication between small tenants and centre management. Some managements appeared poorly equipped to handle the relationships which arise between landlords and tenants in shopping complexes.

It should also be noted, the committee said, that the majority of tenants, whilst unhappy about specific issues, were generally reasonably prosperous and consequently quite satisfied to trade in shopping complexes. It was also apparent that many dissatisfied tenants were those who had little experience in or knowledge of business practices in general and more particularly of retailing. The committee felt that many problems could be overcome by an extension of facilities for the education and guidance of the small businessmen.

There is a pile of recommendations. I cannot go through them all but one I noted with interest because it referred to the Building Owners and Managers Association in Queensland. One was set up here recently to budge the council over the parking rate levy. It has come into existence and therefore it can now be dealt with. This recommendation says:

Shopping complex owners and managers, preferably by co-ordinated effort through a representative organisation such as the Building Owners and Managers Association, should immediately concern themselves with a review of shopping complex leasing practices and arrive at a consensus view of the desirable reforms to leasing practices which presently exist within the shopping complexes. Such a review should have particular reference to rights and conditions of tenancy of small tenants and to the points made in this report.

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

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I would like the Chief Minister to answer a couple of questions that I will pose in this adjournment debate. They mainly revolve around the circumstances of some policemen in the Alice Springs area. I asked a question of the Chief Minister yesterday. In his answer, he implied that I gleaned my information from a report in a newspaper. That is quite incorrect. In fact, I got my information from a variety of policemen and their representatives. The reports that I have in some ways seem to conflict with the information the Chief Minister feels free to impart to me.

It is my information that 14 policemen in Alice Springs have been told that they will be transferred, whether they like it or not, from Alice Springs to places unknown. I can understand that it is necessary that police posts be filled and that, in some circumstances, it is probably necessary to compulsorily transfer some policemen. The Territory is a very large place and we are not over-endowed with policemen. However, my information is that these policemen were indeed told last year that they would not be compulsorily transferred, despite what the Chief Minister said. A number of these policemen have invested in homes in Alice Springs. Given today's property values in Darwin or wherever they may be transferred, it is more than likely that the shift from Alice Springs could cost them a considerable amount. It would appear from the tone of the Chief Minister's reply this morning that they will not be compensated.

While I am concerned with the policemen involved, because obviously they will suffer some financial loss, the problem does not really end there. It has been commented in our courts and certainly by myself and others in this Assembly that the Territory desperately needs a stable and experienced police force. There have been a number of pieces of legislation passed very recently which attest to that. The 2 km law is a very controversial law which is not at all popular. The Territory desperately needs to keep the experienced policemen that it has. The training of policemen is very expensive and our budget is not at all immense. It is not of such a size that we can afford to accept levels of turnover within the police force that simply do not occur in the states of Australia. Even if it were fiscally acceptable, I maintain that it would not be acceptable for us to lose these very valuable policemen who operate, in some circumstances, in what can only be termed very trying conditions.

I ask the Chief Minister to investigate the reports that I have on the circumstances in Alice Springs concerning these 14 policemen. I ask him to investigate them personally. I appreciate that he is an extremely busy man but I feel that the stability of our police force is important to the Territory and to the citizens of the Territory. Therefore, I would ask him to investigate the information that I have been given and I will certainly assist in any way that I can.

Certainly, his reply to my 2 questions indicated that my information is incorrect. Perhaps he even feels in some way threatened. I have no idea. I really cannot explain his incredible outburst at my question on Tuesday. But I would think that a stable police force concerns all members, the Chief Minister and all citizens in the Northern Territory.

Mr SMITH (Millner): Mr Deputy Speaker, I commence by addressing myself to a couple of remarks made by the member for Tiwi, particularly those concerning the provision of visitor and tourist accommodation in the town of Jabiru. It is most unfortunate that the member for Tiwi cast aspersions on the staff of the Australian National Parks and Wildlife Service in the Northern Territory by stating that they were, in fact, leading the opposition against visitor and tourist accommodation at Jabiru. The member for Tiwi should be aware, as it is part of her electorate, that there is a plan of management for the whole area of Kakadu Park and the Jabiru township and at present it is part of that plan of management that no formal visitor or tourist accommodation be provided within the Jabiru township. Alteration of that plan of management requires high level negotiations between the Commonwealth and Northern Territory governments. The provision of visitor accommodation goes far beyond the competence of staff of the Australian National Parks and Wildlife Service in the Northern Territory.

Having heard the aside from the Chief Minister that visitor accommodation will soon be provided in Jabiru, I wish to express my support for that. I think the time has come for the provision of some visitor and perhaps some tourist

accommodation in the town. But I think we need to be very careful not to go overboard on this matter and that thought is given to the scale and the size of the temporary accommodation provided for those who might wish to use it. Having visited Jabiru quite frequently in the last few months, I am aware, probably as much as the member for Tiwi, of the lack of visitor accommodation in the town at present.

Secondly, I would like to reassure the member for Tiwi that the term 'hinterland' is nothing more than a geographic term describing location. It is an old geographic term. I am advised by the member for Sanderson that originally it meant the land behind the coast. In a Darwin context, I think it simply means the land behind Darwin, outside the major urban centre. Certainly, that is my understanding of what it means. I can assure the honourable member that I do not think that she sleeps hanging from a tree or anything similar.

Mr Deputy Speaker, my reason for rising is to make some comments on the government's handling of the question of increasing water charges. This is a matter that is some weeks old and I think the majority of people in the Northern Territory have come to accept reluctantly that water charges have been increased and that that is here to stay. You will be aware, Mr Deputy Speaker, being a property owner yourself, that the increase in water charges was quite dramatic. In fact, for the average householder, I think the figure we came up with - and the government did not argue with this - was that the increase was about 150%, which is quite a dramatic increase. Of course, it was exacerbated, as was pointed out at the time, by the fact that the 2 previous decisions of the government on water charges had encouraged people to use more water. In 1979, the government increased the amount of water covered by the basic rate and in 1980, surprisingly just before the elections, the government decreased the cost of the basic rate.

Both these measures offered positive encouragement to the people of the Northern Territory to use more water. Two years later, not surprisingly in mid-term of the government, the decision was made to increase costs very dramatically.

The aspect is quite clear now. What I would like to concentrate on is the manner in which the minister handled the task. In attempting to explain and justify these increases in water charges, the minister managed to give a mass of conflicting and confusing information. For example, he contradicted his own press officer on what the cost of the new water rates would be to the average householder. The minister in the Spectrum program of 19 July said that the cost to the average householder would be \$82. A couple of days before in the NT News, his press officer said the cost to the average householder would be \$115. There is a significant difference between \$115 and \$82 and, in terms of water, it is 175 kL. In the last week, we were given another figure to grapple with. The average consumption per person in Darwin is 1600 L per day.

Mr Dondas: Per person.

Mr SMITH: Per person, per day.

Mr Dondas: Per household.

Mr SMITH: Per person, per day, per household.

Mr Dondas: A 44-gallon drum for each person per day. That is, 7.75 44-gallon drums per day.

Mr SMITH: Thank you for the clarification. If we use Mr Howard's newly-found average family consisting of a husband, a wife and 2 children, and we multiply that figure by 4 to get the household consumption of water, we get a sum of 1677 kL and therefore a cost this time of \$268 for the average household.

Within a period of 6 weeks, the minister and his staff have been able to give us 3 separate figures. All of them are disturbing and the last one is particularly disturbing. Everyone will have to pay but, if the average householder has to pay \$268, I think there will be great dismay in the community.

Mr Dondas: You are starting out to frighten everybody all over again.

Mr SMITH: I am asking that the minister attempt to make a definite statement, if it is possible for him to do so, on what the average cost of water to the average householder in the Darwin area will be so that people in Darwin can be reassured.

As well as confusion over costs, the minister attempted to mislead the public of the Northern Territory by making a comparison of the use of water in Darwin with the use of water in Townsville. On the same Spectrum program, he put across the story that the Darwin resident pays only about one third of the water charges of the average householder in Townsville. The same amount of water in Darwin, under the new prices, would cost an additional \$24.20. Really, the situation is not that Darwin people are paying less than the people in Townsville but that they are paying significantly more than in Townsville.

It was interesting in the campaign - aptly described by the NT News last night as a damp squib - that the government conducted last week to persuade people to try and use less water that the comparisons used by the government were really not comparisons that applied. No comparison was made with other tropical centres. There were no figures for the consumption of water in Townsville or Cairns and there were no figures for the consumption of water in other arid areas such as Broken Hill. What we had was the consumption of water in places that do not have climatic conditions similar to those in the Northern Territory. Of course, in those situations, no one is surprised that less water is used than in the Northern Territory. But it is not much help.

The other interesting thing in the exercise last week was the amount of water used in each town. Perhaps it was significant that Katherine had used the most water, followed by Tennant Creek, Alice Springs and then Darwin.

Mr Deputy Speaker, yesterday you asked a question concerning the amount of unmetered water that was being wasted in the system. I would suspect that the consumption figures and the order of consumption in each of those towns is possibly related in some way to the amount of unmetered water that flows in each place. The answer you received was that about 20% of the water in Darwin was unmetered. I have heard that the figure in other centres is higher and the figure in Katherine is particularly high. Like yourself, I would hope that the minister in the next few weeks and months takes action to ensure that the amount of unmetered water, which ultimately we all pay for...

Mr Dondas: You don't all pay for it.

Mr SMITH: One way or the other we do. Fairer water charges can be introduced if the unmetered water is metered.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, between this sittings and the last, I had the privilege to go to England for a visit and spent

considerable time at the Houses of Parliament. I would like to pay tribute here to Sir Robin Vanderfelt, the Secretary of the Commonwealth Parliamentary Association, for his friendship and for the support and advice that he was able to give me and particularly for giving me a copy of a book which helped me understand the proceedings of the House of Commons, the Lords and the select committees. I would recommend to any member going over there to get a copy. I believe that the Clerk has one on hand. It is a summary of proceedings of the 31st parliamentary seminar of March 1982. It is fairly brief, separating the various speeches from the questions which were asked by the members from various Commonwealth countries. I found it a very useful aid to understanding what I saw in the actual House.

I would also like to pay tribute to the friendship and support of Mr Peter Cobb and the staff of the UK branch of the CPA. They took me under their wing, gave me all the support and advice that they could and were very helpful indeed. I was asked to attend the UK branch's CPA AGM and the ever-alert Speaker of the House of Commons, the Right Honourable George Thomas, who knows everybody in the House of Commons by name, noted there was a stranger, asked who I was and welcomed me to that particular meeting.

The Palace of Westminster, Mr Deputy Speaker, is a magnificent building. I do not think anybody could doubt that. It is every bit as good as it appears in pictures. Particularly outstanding was the very old hall, some 900 years' old. The steps were eroded by 900 years of people travelling up them. The magnificent oak beams in the roof were just brimming with history. I saw the spot where King Charles was tried and the picture of the trial.

I will be reasonably brief. It is hard to mention in a short time all the things that really stood out. Certainly, the art of the building was special. I looked at some of the art galleries around London but I thought the art in the Houses of Parliament was superb.

The Commons starts its day at 2.30 in the afternoon and generally goes through till 10. However, on a couple of days it went through till 1 in the morning. It begins with a Speaker's procession through the building. The visitors line up on either side and someone literally yells out, 'Speaker'. If I tried to emulate it, I would blow out the loudspeaker system here. The Speaker and his various attendants go through the building. When they reach a particular turning point, someone calls out 'hats off all strangers'. I did not hear him properly the first couple of times. I thought he was saying 'hats off Australians'. I felt we were being got at. I woke up eventually.

The Commons starts with prayers but, unlike the situation in our Assembly, nobody is allowed to hear what they say. I was very intrigued by that. Once prayers are over, the public is allowed into various sections - depending upon who you are - to observe the proceedings. During question time, unlike here where all ministers are quizzed, just one minister is put under the spotlight each day. He may have a couple of his assistant ministers with him but all the questions are to him and are on notice in numerical order.

The Speaker calls out the name of the member against question number 1. The minister gives his prepared answer and then the Speaker calls the member who asked the question who then asks a subsequent question. The minister answers that and debate may ensue. One question leads to a whole host of questions until the Speaker feels that it is time to call the person against question number 2. It is somewhat different from what we have here.

The Prime Minister's question time is only for 2 quarter-hour sessions at 3.15 on Tuesdays and Thursdays. That is the time of greatest interest;

there are more people in the House at that particular time. They are supposed to put the questions to the Prime Minister on notice but, when I first saw the Notice Paper, I was intrigued to see a whole host of questions such as 'Would the Prime Minister list her duties for the day?' The Prime Minister would answer the question and then the questioner would ask his real question for which he had not given notice. It was the only time the House tended to get excited. I think that is because there is radio coverage. We heard it here in Australia during the Falklands crisis. One perhaps gains the very mistaken impression that the House of Commons is rather unruly. If you have the chance to observe it in action, grab it with both hands. I found it very interesting indeed.

As far as adjournment debate is concerned in a House of 632 people, there is a ballot. It amused me that there were only about 5 people in the House while a member was speaking on the adjournment. It was generally the minister who was concerned with the member's particular problem and a few other people.

One matter of procedure that did impress me was that a member speaking might be interrupted by a member opposite or even one from his own side. The member interrupting would get to his feet and say: 'Would my honourable friend give way?' In general, the speaker would sit down and the other member would make some point about the argument. The original speaker would then reply and carry on with his debate. It tended to make the debate more of a friendly discussion. Of course, they were trying to score points off one and another and sometimes the member speaking would not give way.

While we were there, debate related to the Falklands crisis. The fighting had stopped but there were debates about the causes. Of course, there was the rail strike and the posturings that went on. There was debate about the Invincible which was of interest to us because of Australia's interest in that vessel. There was the debate regarding the horseguards and the band that was blown up by terrorists.

Earlier this afternoon, the Leader of the Opposition spoke about a particular bag. One of the things in it was a device to sniff out explosives. It is good that we can joke about it here in Australia because over there they do not. In fact, when you go into the House of Commons, your bags are searched and you go through the usual metal detector screen. Then, you stand on this platform and a humming noise is heard. A red light comes on and it eventually becomes green and you are cleared to go through. I eventually asked what was the purpose of this. It was a device to take odours off your clothes and body and analyse them. If you had been in touch with any explosive devices or materials over the last 24 hours, it would detect that. We live in a society which can afford to joke about it but it is a fact of life over there.

In the House of Lords, I saw half a dozen members in wheelchairs. These were disabled people; they were not necessarily elderly. I found it very interesting that disabled people were making a contribution. There were also some people with walking sticks and some with hearing aids. Some of my impressions obviously cause some of the members opposite to giggle a little. However, I would just say that there is a tremendous wealth of experienced people in the House of Lords. Their quality of debate I found excellent. One time I listened with considerable interest for no less than 2 hours and realised that really they were just debating one particular clause. It held my interest for that length of time. These people often have years of experience in the House of Commons before going over to the Lords. They make considerable contributions and are an excellent break from what goes on in the Commons. I was considerably impressed.

In the mornings many select committees meet to examine various aspects of government. They hold both private and public sessions. I went to one nearly every morning to get an idea of how they function. They do not have a great deal of power, but they can call important people before them. They make reports which the government may or may not take notice of. In general, their advice is heeded. I found all the committees impressive but one I attended was putting the Whitehall Treasury officials in the hot seat. I am sure that, if members had heard what was said, and the persistent depth of the questioning, they would have been very impressed. I was pleased to see public servants answering the politicians who kept asking questions. In fact, I was so impressed that the President, Sir Asher Joel, agreed to give me a transcript provided I removed all the names. If any members are interested in that transcript, and are prepared to keep it for their own use, I would be very happy to make it available.

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

Mr STEELE (Primary Production): Mr Speaker, just a few remarks about the federal budget handed down last night in respect of its effect on the rural sector in the Northern Territory. Unfortunately, the federal budget contains very little for the pastoral industry in the Territory. The most significant gesture made is the writing off of the debt incurred by the beef cattle industry in eradicating tuberculosis and brucellosis. The debt of \$23.5m is now to be written off. At the same time, the government raised the slaughter levy for the eradication of these diseases from \$3 per head to \$4 per head. The Commonwealth grant of \$4.1m to the Northern Territory for the BTB campaign, while representing an increase on last year's figure, is \$0.5m less than was expected.

Other small benefits accruing to the cattle industry were \$2.5m to the Australian Meat and Livestock Corporation to establish a 30-man quality control unit, \$1.7m for retraining export inspectors and an increase for research into cattle and sheep meat production of \$2.3m. Funds for rural adjustment were increased from \$16.4m to \$18.4m. This needs to be seen against the likely hard amount for adjustment funds as a result of a depressed commodity market and drought in eastern Australia.

The budget also provided for a decrease in the level of funds going to the petroleum products freight subsidy as differential between capital city prices and inland prices have been lifted from 0.4¢ per litre to 1¢ per litre. This will hit the Territory particularly hard, although some consolation can be taken from the announcement that the scheme is to be the subject of a thorough review. The additional 1¢ per litre fuel tax for both on-road and off-road fuel usage is likely to cause a degree of hardship for the rural industry. While it is true that farmers and pastoralists can seek a rebate for the 1¢ per litre fuel tax for off-road purposes, such as upgrading lighting plants, water pumps, generators and so on, farmers will have to incur the cost first. On the positive side, I believe variations in the rate of depreciation of capital items announced several weeks ago should be seen as part of the federal budget. The most significant aspect of the changes in depreciation rates is the possibility of writing off items of capital over 3 years rather than 5 years. Pressure will continue to be brought to bear on the Commonwealth government for the BTB campaign.

Honourable members will be aware that the Northern Territory was successful in having a special Northern Territory BTB sub-group established during talks at the Australian Agricultural Council meeting in New Zealand. One of the sub-group's charters is to identify funding necessary to achieve eradication in northern Australia now that the Northern Territory has convinced the

Commonwealth that there are particular problems in northern Australia which must be addressed. This committee will be meeting with producers as a matter of urgency to formulate further funding requirements for consideration by the Australian Agricultural Council meeting at the end of the year.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MINISTERIAL STATEMENT
Uranium Mining Industry

Mr TUXWORTH (Mines and Energy)(by leave): Mr Speaker, I would like to take a few moments of the Assembly's time this morning to discuss a matter of considerable importance to the Northern Territory. I refer to the continued development of the vast energy resources which exist in the uranium province east of Darwin. There has been considerable comment about the future of the uranium mining industry over the recent months, not the least of which came as a result of the ALP's federal conference in Canberra. Various people who could claim to be experts in this field have put forward their thoughts in what has generally been a fairly emotive environment. In view of this, I believe that it is important for me to restate our government's position in this field.

Mr Speaker, it does not take a keen mind to see that the market for uranium is soft at present, with prices down and demands for uranium low. The spot price of uranium currently is around \$US21.50 a pound and, as you would realise, this is well below the Commonwealth \$A30 floor price for Australian uranium. But, as I said to a group of journalists in Darwin recently, I would not get hung up about the floor prices. The spot price the Opposition Leader often refers to may well be below the floor price but it is worth pointing out that only about 5% of all uranium sold is transacted at the spot price, which is for immediate delivery. The rest of the uranium is sold under long-term contract and, as you would know, almost all of Ranger uranium mine's production through to 1990 has been sold at prices that are well above the spot price. All of it has been sold for at least the Commonwealth's floor price. I do not believe that there is any need to lose sleep over the floor price. In fact, after talking to experts in this field in Australia, the United Kingdom, Europe, Japan and the United States, I formed the opinion that the current downturn in the industry will prove to be a short-lived dip in the upward curve of uranium demand and prices.

Mr Speaker, it is true that there has been some slowing down in the program of construction for nuclear power-stations over recent years. It is a trend that has been noticed throughout the world. The anti-uranium lobbyists would tell you that the slowdown has taken place because of the 'dangers' associated with the nuclear fuel cycle. It is a great flag for them to wave and it sounds pretty convincing to the uninitiated and to those who do not bother to question statements like that. But the real fact of the matter is that the uranium industry relies on the demand for electricity for its survival. The noises made by anti-uranium activists - orders for bombs or nuclear-powered submarines, rockets or whatever - do not come into the issue. In any event, our contracts for sale of uranium are subject to safeguard agreements which stipulate that it will not be used for any nuclear explosive device or for any military purpose.

If I might make an observation at this point, Mr Speaker, it would be that those who shout 'solar not nuclear' are in for a shock. Firstly, the solar power-station that can compete with atomic energy has not yet been built. The second point is that the sun is the biggest nuclear reactor in the universe and would they have the sun shut down? Of course not.

The predominant factors of nuclear power development are electricity demand and the competitive advantages of nuclear against other forms of electricity generation. It is a fact of life that electricity demand has slowed considerably in recent years reflecting the depressed world economic activity. This has reduced the need for a new electricity capacity source, be it solar,

nuclear, wind or whatever. This reduced demand has also had an impact on international oil prices reducing them substantially, so the uranium spot price is by no means the only element to have been affected by developments in the energy field.

Recent studies in Europe have shown that the economic advantage of nuclear power over any of the alternatives is beyond argument. For this reason, national nuclear programs are expected to respond when the world economy recovers. The most consistent predictions, and these are in line with those of the OECD, are that this upturn will take place around the end of this decade. That means there will be increased demand for the uranium over the next 6 to 7 years because, as the demand for power rises, more nuclear power-stations must be completed. If honourable members have any doubt about what I am saying, let me enlighten them.

South Korea has a program for between 40 and 46 power-reactors to be in service by the end of this century. One is already operating, 6 are under construction, orders are placed for another 2 and 5 are in the planning stage. I singled out South Korea because it is a neighbour of ours. I could have chosen France which has 29 reactors operating, 27 under construction, 3 on order and a further 30 planned. I could have mentioned Russia with its 31 nuclear power plants, 24 under construction, 3 on order and another 45 that are in the planning phase. Despite left wing opposition in Australia, other people with similar philosophies in other parts of the world are proponents of nuclear power. I could also have mentioned the United States which has 75 atomic power-stations operating and 62 under construction.

I could also have mentioned Sweden with its 9 operating plants and 3 under construction. In fact, I will deliberate here for a moment because an interesting situation is developing there. A long and bitter nuclear debate ended in Sweden in 1980 when a referendum was held to determine whether the country's nuclear program should continue. It was a 12-reactor program and the referendum gave the government the authority to continue with that development. The interesting thing is that, since then, political interest in the subject of nuclear energy has faded and has been replaced by concern over sulphur pollution from plain coal-fire generating stations. In fact, recently, I had a conversation with a gentleman who referred to the problem of acid rain in Europe. Acid rain results from rain falling through clouds of sulphur-dioxide which emanate from coal-fired power-stations, ultimately causing the formation of sulphuric acid. This acid rain is destroying the ecology of thousands of lakes and causing great concern to environmentalists and governments alike. Mr Speaker, concern over pollution from coal-burning stations is such that, in Sweden, it has overtaken the emotion that the anti-nuclear forces generate elsewhere in the world.

Perhaps those who are most outspoken about atomic energy might, one day, take off their rose-coloured glasses and see things as they really are. Nuclear power is not merely a reality; in many parts of the world it is an absolute necessity. France already draws more than 37% of its power needs from nuclear power plants. By 1985, the French expect to generate about 65% of their power with atomic energy and, by 1988, they expect this figure to be even higher at 71%.

To put the issue into an international perspective, atomic energy produces 8% of the world's power requirements today. The Atomic Energy Agency of the Organisation for Economic Cooperation and Development predicts that this will have risen by 1990 to 13%. 1990 is the year when economists predict a shortfall in the availability of enriched uranium for the nuclear fuel generating cycle.

By that time, the Jabiluka mine will be in place ready for the upsurge. Jabiluka, Ranger, Koongarra and Nabarlek will be meeting the world's energy demands - energy for places like Mexico City, which has a population heading towards 30 million people, Cairo with 15 million people, greater Bombay in the same range and Seoul in South Korea with 20 million. For many of these places, there is no alternative to nuclear power. By the end of the century, the population of the world will have risen to 6400 million people. The demand for energy will be such that today's energy problems will pale into insignificance.

Mr Speaker, let us have a look at the United States and Japan and see what is happening in those areas. In the United States, nuclear power met 11.9% of the total demand last year. This year, the figure is expected to rise to 13.4%. In the United States nuclear power surpassed oil as a generating fuel in 1980, it surpassed hydropower in 1981 and is expected to overtake natural gas this year. In Japan, nuclear power contributed 12% of the electricity generation last year and was in fourth place as a generation fuel behind oil, hydropower and liquid natural gas. Official predictions for 1981 are for nuclear power to contribute 22% of the electricity generation in Japan, bringing it into second place behind oil as generation fuel. The facts speak for themselves. There is more energy potential in the Alligator Rivers region than in all the Middle East oilfields. We have an obligation to the world to develop that resource.

Mr Speaker, Australia currently provides Japan with about 7% of its uranium requirements. It sells nothing to Korea and nothing to France. Yet the figures I quoted earlier, and which I now seek leave to have incorporated into Hansard, show quite clearly that their requirements will be even more significant in future years than they are at present. Power requirements will escalate as their economies recover. Some countries have had traumatic experiences over recent years with coal supplies, prices and pollution problems. I believe, for these reasons, their demand for uranium will accelerate rather than decline in the years to come. Nuclear power will provide the answer to their problems.

I seek leave of the Assembly, Mr Speaker, to have this table relating to the number of nuclear units in the world included in Hansard.

Leave granted.

STATUS SUMMARY NO. 1 - 1 JULY 82

(GENERALISED STATUS SUMMARY FOR ALL POWER REACTORS OVER 30 MWE NET)

Classification Explanation

Planned - Relatively Firm Plan + Letters of Intent Sent + Options

Ordered - Firm Order Placed Building - Under Construction

Operating - In Commercial Operation

PLANTS/MWE NET										
	PLANNED		ORDERED		BUILDING		OPERATING		TOTAL	
TOTAL WORLD	236	237420	31	29083	224	201119	261	155042	752	622664
Argentina	3	1800	0	0	2	1298	1	319	6	3417
Australia	1	600	0	0	0	0	0	0	1	600
Belgium	1	1000	0	0	4	3822	3	1650	8	6472
Brazil	6	7800	0	0	3	3084	0	0	9	10884
Bulgaria	4	3812	0	0	3	2316	3	1230	10	7358
Canada	2	1200	4	3524	10	6405	9	5220	25	16349
Chile	1	600	0	0	0	0	0	0	1	600

PLANTS/MWE NET										
	PLANNED		ORDERED		BUILDING		OPERATING		TOTAL	
TOTAL WORLD	236/237420		31/ 29083		224/201119		261/155042		752/522664	
China	3	2100	0	0	0	0	0	0	3	2100
Cuba	3	1230	0	0	1	410	0	0	4	1640
Czechoslovakia	9	8420	0	0	8	3280	2	820	19	12520
Egypt	9	7822	0	0	0	0	0	0	9	7822
Finland	2	2000	0	0	0	0	4	2160	6	4160
France	30	38740	3	3415	27	29480	29	21152	89	92787
Germany DR	3	1820	0	0	8	3280	5	1715	16	6815
Germany FR	19	23877	4	4940	11	11937	11	8575	45	49329
Greece	1	900	0	0	0	0	0	0	1	900
Hungary	3	3000	0	0	4	1640	0	0	7	4640
India	5	1100	0	0	5	1100	4	784	14	2984
Indonesia	1	600	0	0	0	0	0	0	1	600
Iraq	1	500	0	0	0	0	0	0	1	500
Ireland	1	600	0	0	0	0	0	0	1	600
Israel	2	1900	0	0	0	0	0	0	2	1900
Italy	6	6000	2	1904	3	2031	3	1298	14	11233
Japan	30	29553	3	2326	10	9219	25	16646	68	57744
Korea RO	5	6000	2	1800	6	4970	1	564	14	13334
Libya	2	820	0	0	0	0	0	0	2	820
Mexico	2	2400	0	0	2	1308	0	0	4	3708
Netherlands	3	3000	0	0	0	0	2	502	5	3502
Pakistan	1	937	0	0	0	0	1	125	2	1062
Philippines	0	0	0	0	1	600	0	0	1	600
Poland	4	2230	0	0	1	410	0	0	5	2640
Portugal	2	1200	0	0	0	0	0	0	2	1200
Romania	2	1200	2	1010	1	600	0	0	5	2810
Saudi Arabia	1	1200	0	0	0	0	0	0	1	1200
South Africa	0	0	0	0	2	1844	0	0	2	1844
Spain	4	3834	4	3740	7	6440	4	1975	19	15989
Sweden	0	0	0	0	3	3032	9	6453	12	9485
Switzerland	2	2240	0	0	2	1867	4	1926	8	6033
Taiwan	6	5500	0	0	3	2801	3	2159	12	10460
Turkey	1	900	0	0	0	0	0	0	1	900
United Kingdom	2	2430	0	0	10	6144	32	8062	44	16636
USA	5	6250	4	3565	62	68154	75	56221	146	134190
USSR	45	47305	3	2859	24	23015	31	15486	103	88665
Yugoslavia	3	3000	0	0	1	632	0	0	4	3632

Mr TUXWORTH: Mr Speaker, it would follow that, if Australia can increase its share of the Japanese market and make inroads into Korea and France, the benefits flowing to the producing companies, and ultimately to all Australians, would be significant. I believe one of our most important trusts over the next few years should be in directing our efforts to developing our uranium resources quickly and securing as big a slice of the French, Japanese and Korean markets as possible.

We are very well placed to do this. We have 2 mines in operation and another 2 ready to go at Jabiluka and Koongarra. I believe it is not unrealistic to expect that at least a further 2 major mines will be proven in the fairly short term, giving the Northern Territory 6 mines, each with an annual capacity of 2000 t to 3000 t. Most would have the ability to double

their production quickly and, if we put ourselves in that position, we would be well placed to meet a vital energy demand. At the same time, we would generate considerable wealth to the nation. By 1986 the extractive side of the uranium industry alone could be providing direct employment for as many as 3000 Territorians. Certainly, some of these would be construction personnel, but it would not be unreasonable to expect the existing uranium industry workforce of about 500 to treble with 4 new mines. Using the accepted multiplier of 4 to 1, you can see that we are talking about 4000 new jobs in addition to the 1000 new jobs in the mines.

The corporate taxes paid by the industry alone would, on any objective assessment, run into hundreds of millions of dollars annually, and this ought to be borne in mind when one considers the Commonwealth's predicted deficit of \$180m for 1981-82. The new wealth that would be brought to the Territory through these new jobs and the goods and services that people and the families require place the industry in the Territory in a position from which a period of enormous growth could follow.

Further, Australia's position as a trading nation is enhanced every time a shipment of yellowcake goes across our wharves. The revenue that this industry generates goes no small way to helping preserve our balance of payments position. At the same time, the industry is opening new opportunities for Australia. I am told that at least one new shipping line, the Bank Line, is making regular calls to Darwin as a result of freight movements from the uranium province. This has opened up a direct link between the Territory and the UK, a measure which can only be of benefit to Territorians.

The government has always sought to demonstrate its support for the uranium industry. We are as concerned as anybody about matters such as the environment, the rights of Aborigines and safeguards and a host of other issues relating to the uranium industry. But we see a need for orderly development in this field and believe that our track record has demonstrated this desire to develop the uranium province for the benefit of all Territorians.

Logically, the next stage in the nuclear cycle as it affects the Territory is for the establishment of conversion and enrichment facilities in the Top End. Mr Speaker, conversion is a relatively small project which would employ about 80 people. It involves the treatment of yellowcake to produce uranium hexafluoride in a frozen gaseous state before enrichment. It is a technology which is well within the scope of the Territory and, in practical terms, it would be ideal for conversion to be carried out next to or close to the enrichment operation. It is certainly not a fait accompli but, with the opening of 4 new mines, I believe the Territory would have adequate volume to make conversion and enrichment facilities an economic proposition. To this end, I have approached the national development minister and the trade and resources minister pressing the Territory's case.

During 1981, the Uranium Enrichment Group of Australia carried out a study to select a site for the proposed uranium enrichment plant. The Northern Territory and all mainland states except New South Wales and Victoria nominated potential sites. The government has been advised by the UEGA that the Territory has been rejected as a location on the grounds of industrial infrastructure, climate and construction cost considerations. In its deliberations, I believe the UEGA overemphasised the technical factors associated with constructing a plant in the NT and attached too little importance to the community attitude and the recently reactivated ACTU opposition to the uranium industry. I believe greater difficulties exist in the fresh emergence of ACTU opposition to the uranium industry. This coupled with Australia's unfavourable industrial relations image overseas should lead UEGA to reassess the basis of its rejection of the Territory as a location for the enrichment plant.

I have advised the Commonwealth that, in doing so, the group should consider the significance of the Territory community and union acceptance of the importance of current and future uranium industry operations to the Territory economy. The most recent survey showed Territory community acceptance of the uranium industry runs at about 83%. No state has such a wide acceptance of the uranium industry nor the substantial number of the workforce already employed within the industry. Secondly, the proximity of the Northern Territory's site to the Alligator Rivers uranium province would ensure that all stages of the uranium cycle remained within the control of one government and in the domain of largely sympathetic employee organisations. Any reassessment of the Territory location should include recognition of the fact that union and community acceptance are themselves important cost factors. Community identification of the enrichment plant as part of an established industry is an added benefit derived from the Northern Territory location.

Mr Speaker, to put this in its true perspective, a medium-scale uranium centrifuge enrichment plant in the Territory would provide between 600 and 900 jobs in its operational phase. It would be no overstatement to suggest that at least as many jobs would be provided during that construction period. I am talking here about the enrichment plant with a capital cost in 1982 of \$1.6b. This does not take into account other capital investment or employment opportunities which would flow from the project. There would of course be the multiplying factor which would surround the creation of about 900 jobs: the additional services and facilities that would be needed simply to provide these people and their families with accommodation, schooling, shopping and a host of other facilities. There would be an obvious need for further housing construction to provide accommodation for 900 families. This would provide yet another boost for the local housing industry. Additional power-generation facilities would also be required resulting in an early expansion of the new coal-fired station. You can see, Mr Speaker, that there are outstanding employment opportunities in the uranium enrichment projects such as this, but there is a capital investment that would run into billions of dollars and the impetus that such a project would give the Territory's economy would be significant to say the least.

I am not suggesting that we embark on such a project with all possible haste. I am simply attempting to give all honourable members an impression of what is likely to happen should such a course of action be followed. However, against the efforts of the Northern Territory government to encourage the orderly development of the nuclear industry, the opposition has led a campaign of double standards and political expediency. The Labor Party knows it must move for development of our uranium resources for it to be acceptable to Territorians but, underneath all of its rhetoric, it remains committed to bringing this development to an end. It is in fact a party of deceit.

The Labor Party's new federal policy reinforces just what I have said. Far from being a clear statement on ALP uranium policy, the Opposition Leader and his colleagues have presented the nation with a document that is long, complicated and contradictory. One thing is clear: the Labor Party remains opposed to the opening of new uranium mines and committed to phasing out existing mines. In case you are in any doubt about this, let me enlighten you. Let me do so not by making comments of my own but by quoting the honourable Leader of the Opposition and the federal ALP candidate.

First let me quote from the new Labor policy. That policy states in section 9(b): 'An incoming ALP government is already committed to repudiate all existing commitments'. Section 9(c) says: 'Our minimum position will be total unequivocal commitment to phase out Australia's involvement in the uranium industry'. Section 10(d) says: '... allow no new uranium mine developments to

come on stream whilst the government of Australia ...'. It is all there in black and white, Mr Speaker. Labor will repudiate all existing uranium contracts. Its minimum position will be to phase out Australia's involvement in the uranium industry and it will not allow any more mines to open. Those are not my words. That is what it says in the new ALP policy.

Allow me to go back into a little of the history of this unfortunate episode. Let me go back to early July when the Opposition Leader and Mr Reeves circulated to their ALP colleagues a paper on uranium policies to be considered by the Territory branch of the Labor Party. That paper stated a Labor government would 'not allow the development of any new, reopened or expanded uranium mining or treatment projects in Australia'. Quite clearly, the policy allowed existing mines to continue operating. There was no mention of closing them down or 'phasing them out'. Let me tell you what the Leader of the Opposition had to say when he got to Canberra. Whatever he was saying in Darwin before he left is a little different to what he said when the spotlight fell on him in Canberra: 'Mr Chairman and delegates, in speaking in support of this anti-uranium amendment you have before you - and that is precisely what it is and it cannot be read in any other way - I am on very familiar ground indeed because my political opponents in the Northern Territory, as my fellow delegates can tell you, are constantly accusing me of talking about nothing else except uranium and are telling the public up there that I have talked about nothing else for the last 5 years'. He went on to say: 'They may be right, and there are delegates around this table' - delegate Uren principally - 'who know my credentials in respect of an anti-uranium position are impeccable because I have led the fight against uranium in the Northern Territory now for 5 years'. The Leader of the Opposition went on to say: 'I have no qualms about that position and I reaffirm it today'. Later he said: 'As an anti-uranium person in this party and at the forefront of the fight in the Northern Territory for the last 5 years ...' and 'I can argue this policy because it has got specific prohibitions in it and in many respects it is far tougher than the one that is currently on the books'. That is what the new ALP policy means. The new policy is far tougher than the previous one.

Addressing the same conference, Labor's environment spokesman, Mr Stewart West, described the new policy as 'an irresponsible document'. Never was a truer word spoken. It is an irresponsible document, and one that will cripple the Territory if its contents are ever put into effect. But what is more interesting to hear is what Mr West had to say about the jobs provided in the Territory by the uranium industry and the impact of a Labor decision to close down the mines: 'We can pay compensation to the permanent workers and to the Aborigines. It would not cost more than \$20m. Even if all the projects go ahead, there are only 1000 workers involved'. That is what the Labor Party thinks of the people working in the uranium industry, Mr Speaker: it is only a 1000 jobs. I would like to hear that sermon delivered to the workers at Ranger and Nabarlek.

But Mr West did not finish when the lights went out at the end of the ALP conference. He rushed into print again recently, finding his way on to the front page of The Australian. He told that newspaper that a Labor government would certainly veto the Jabiluka project. The only mines able to continue under Labor would be Ranger and Nabarlek. And then he said: 'If Labor wins the next election under the current policy, there will not even be a question of compensating the workforce'. No uranium mining, no jobs, no Jabiru.

The Leader of the Opposition will tell you that the new policy allows for mining to continue. He says that there would be a phasing-out process rather than an immediate shutdown of the industry. I believe it was the Prime Minister

who put this issue into its real perspective when he said that it did not matter whether you walked the plank slowly or quickly, the result was still the same.

Let me quote again, Mr Speaker, from the ALP policy: 'Our minimum position will be total, unequivocal commitment to phase out Australia's involvement in the uranium industry'. Mr Stewart West says it is only 1000 jobs. A thousand jobs, Mr Speaker! The Labor Party should hang its head in shame. Mr West's comments simply reflect the thinking within his party. Let me tell you what the honourable member for MacDonnell said at the ALP's Territory conference. He said that the loss of 600 jobs in the uranium province was a price worth paying. He said: 'There is no point talking about saving 600 jobs if the outcome is going to mean the deaths of thousands'.

The coal mining industry world-wide has an industrial safety record which is hardly one to be proud of. In fact, the US Mine Safety and Health Administration Information Report for 1981 shows that, in the past 5 years, 661 miners have died while working in coal mines in the US alone. Closer to home, 17 died in New South Wales in 1980-81 and 2 in Queensland in the same year. To my knowledge, there have not been any deaths in uranium mines anywhere during this period.

Mr Speaker, I believe it is also relevant for me to inform honourable members that the British House of Commons was recently told, in answer to a question by one of its members, that, since 1900, more than 50 000 coal miners have died in Great Britain. It is also worth bringing to the attention of honourable members that the United States government annually spends more than \$100m caring for coal-miners suffering from what is known as the 'black lung disease'.

On the other hand, the uranium industry has an outstanding safety record brought about in no small way by the regulations to which it is subjected. I believe it is important that we continue to monitor the industry closely to ensure that this safety record is maintained. I make this point to put into context comments such as were made by the honourable member for MacDonnell. He would close the uranium industry down but it seems that he has a double standard because he appears quite happy to allow the coal-mining industry to continue operating despite the deaths I referred to earlier. I can imagine the honourable member's indignation or perhaps it might be some satisfaction at the news of a death in the uranium industry.

The honourable member for MacDonnell said that there is no point talking about the jobs of 600 Territorians. It would seem the Labor Party does not care about the jobs of 600 or 1000 or 2000 or however many Territorians will be working in the province when Jabiluka, Koongarra, Ranger and Nabarlek and 1 or 2 other mines are all in operation. Mr Speaker, the member for MacDonnell's philosophy seems to be: 'Who cares about 600 jobs in the uranium province'. Mr Speaker, if the Labor Party does not care, then I think it ought to be brought to the attention of all people concerned that this government certainly does.

Last week, I had the good fortune and honour to sign the documents permitting the Jabiluka project to go ahead. It means another \$650m project, another 1000 jobs in the construction stage and a major element of the Northern Territory's economy. The Leader of the Opposition and his colleagues would case a huge blanket over the project if they could. As it is, their attitude will not make the job of securing contracts for the project any easier. Potential customers from other countries will have to ask themselves how secure their contracts would be in the unlikely event that a federal Labor government was formed at the next election.

Mr Speaker, I have no doubt the Leader of the Opposition has a copy of a document prepared by the Department of Mines and Energy for the co-ordination committee. It is a document that has received considerable publicity following its theft and subsequent delivery to the media. The report states that the world uranium market is soft at present, that there is a slow-down in nuclear programs in some countries, that the spot price is several dollars below the Commonwealth's floor price and that some of the project partners' predictions may be optimistic. I do not deny any of that but what is important for all honourable members to consider is the fact that these remarks were prefaced by the words 'at this time'. At this time, the market is soft and at this time the spot price is low. Momentarily, there is a uranium oversupply position. What the report did not emphasise was that economists predict an upsurge in demand in the latter part of this decade and what it did not divulge was the reality that potential customers will want to participate in Jabiluka because it is a magnificent project with the potential to supply yellowcake for a very long time indeed. It did not reveal that several foreign electricity utilities have told the company they will reserve funds in their budget projections to buy Jabiluka uranium.

It was a document prepared for a committee whose job it is to set things in place so that, when Jabiluka runs, the necessary services and facilities will be there. I believe the government position in this matter is well known and I believe today I have highlighted the confusion that people will have in understanding the Labor Party's policy. Because of this confusion, I believe it is very relevant for the Opposition Leader and members of his party to answer some very simple questions. I am not advocating that he should have to do it today but definitely the questions need to be answered.

The questions I would pose to the Leader of the Opposition are, firstly, what does the ALP mean by 'phasing out' when it speaks of the uranium industry? That matter has to be very clearly defined for the people working in the game, for the companies who have invested in the game and particularly for our overseas customers who would like to know where their next pound of yellowcake is coming from. Who would be phased out and what would the period of time be for that phasing out? What plans does the ALP have for compensation to be made to those people who have jobs in the province relating to the uranium industry, to the Aboriginal groups who are receiving royalty payments from the mines, to the companies who have invested great amounts of money in developing the resource and to our customers who are relying on the contracts that we have signed? A further question is particularly relevant to the situation today and is one that the Leader of the Opposition might care to clarify. Is the Territory branch of the Labor Party prepared to disassociate itself from the federal party's position if that is necessary and stand up for Territorians rather than just the national party philosophy. The Leader of the Opposition might also like to clarify for those of us who are keen to know: what would be the future of Jabiluka and Koongarra and any other mines that may be discovered in the next few years?

Mr Speaker, I believe the future holds great promise for the uranium industry, promise for customer countries who will need our uranium to solve their energy needs and promise for Australians and, in particular, Territorians. It is very important that the Leader of the Opposition declares his hand and let us know whether the ALP is prepared to share in the promise that we see available.

I move that the statement be noted.

Debate adjourned.

MOTION

Northern Territory Fishing Grounds

Mr B. COLLINS (Opposition Leader): Mr Speaker, these sittings have been split to allow the Chief Minister to attend meetings of the Northern Prawn Advisory Committee and the Northern Fisheries Committee. These meetings will see discussions about and hopefully decisions made in relation to a key Territory industry: prawning. Given the importance of these meetings to the economic future of the Northern Territory, I consider it appropriate for the problems facing Territory prawning to be debated in this Assembly at this time.

Mr SPEAKER: Will the honourable member move the motion.

Mr B. COLLINS: Mr Speaker, I certainly will but I understand that, in fact, it is the option of any person moving any such motion to move the motion at any stage in his speech, even at the end of it.

Mr Speaker, I move that this Assembly express its concern at the lack of return to the Territory's economy from its own fishing grounds.

I consider it important to debate it at this time because the Chief Minister will then be able to pursue a better deal for the Territory knowing that he has the full support of the Assembly. Although it does appear from some of the comments that I have just heard that perhaps the government does not want the full support of the Assembly on this matter.

With the coming of self-government in 1978, we gained vastly expanded responsibilities. We had a far greater say in our own affairs. However, the management of our prawn resources remained firmly in the hands of both the Queensland and Western Australian governments via their combined representation on the managing body of the Northern Fisheries Council. At the time of self-government in 1978, this dominance of Queensland and Western Australian prawning operations saw only 26% of prawns taken in the northern prawn fishery landed in the Northern Territory. This is in spite of the fact that 60% of the northern prawn fishery lies adjacent to the Territory coast. Everyone else was doing quite nicely out of our prawning reserves.

Given the new found powers that the Territory had, one would have reasonably expected that the Minister for Primary Production would have immediately gone into action to do something about the problem. As is so often the case in primary production, the Minister for Primary Production did nothing. He ignored claims by local prawning operators that their bigger and better Queensland and Western Australian neighbours were putting them out of business. The minister appeared to show so little concern for the fact that the local processing industry was finding itself in an increasingly more difficult position. Finally, and the public record shows this, under extreme pressure from the Territory opposition and the locally-based industry, the minister finally addressed the issue. He said, and I am quoting directly from the minister's press releases, that nothing could be done 'because the Northern Territory prawn fishery was beyond the 3 nautical-mile limit zone', the zone that came under the direct control of the Northern Territory.

He stated in a press release that the government was concerned about the northern prawn fishery but that attempts to change the management structure had failed. He said: 'The Territory's representations since self-government from 1 July 1978 to restrict the size of new vessels entering the fishery were ignored by the Northern Fisheries Committee, the Australian Fisheries Council and the Commonwealth Minister for Primary Industry'. It comes as little surprise that the minister's apparent cries for help were ignored by Canberra.

The then federal Minister for Primary Industry, Mr Sinclair, also has a lot to answer for in relation to the exploitation of what is an important Northern Territory resource. I refer, of course, to the promotion of the ship building industry, by the provision of a federal bounty for the construction of vessels over 21 m in length. It was this Liberal Country Party policy that resulted in a significant increase in the catching capacity of the northern prawn fishery's fleet. There are now more than 17 vessels operating in the northern prawn fishery which represents a federal government contribution of over \$15m. These larger vessels have meant increased trawling time and a substantial increase in the average net size. As a local prawn fisherman said to me, 'They do not trawl for prawns; they mine for prawns'.

We were reassured by the minister that he would continue to make representations on behalf of the prawning industry to the Northern Fisheries Committee. The Minister for Primary Production had his facts wrong - not an unusual position for him. His categorical statement that we were powerless beyond the 3-nautical-mile territorial limit was not correct. In his haste to counter what was legitimate criticism of his performance, the minister once more failed to do his homework. As we all know, there is provision under the Commonwealth Fisheries Act for the development of joint Territory-Commonwealth management of fisheries resources with a 200-nautical-mile zone adjacent to the Territory's coastline. I might add that that information was available to the minister in the Commonwealth Yearbook under the heading 'Fisheries'.

Mr Deputy Speaker, I am sure that the minister will tell us that there is a complicated legal process required in order that this be achieved. If that is so, why did he not start working on it in 1978. It became obvious that the minister had not given sufficient attention to the problems facing the prawning industry when he was shown to be ignorant of such basic facts. The approach of the minister that he had given it his best but had failed was not accepted by either the Territory prawning industry or myself as shadow minister for primary production. The local industry also pointed to Fog Bay near Darwin as an area that would lend itself to closure from large interstate vessels. The minister then realised his mistake and issued a further press statement early this year in which he stated that the Territory did have a legislative mechanism available to it to influence its own destiny as far as offshore resources of the Territory were concerned.

After 4 years of being made aware of the problem but appearing to have little interest in overcoming this grossly inequitable situation, it appeared that the minister had begun to make a concerted effort to overcome the problem. To keep tabs on how the minister was progressing in his fight for the life of a key Territory industry, I put the following question to him in the March sittings of the Assembly this year: 'What negotiations have taken place between the federal and Territory governments in relation to an agreement on the operation of Fog Bay as a closed fishery?'

This was the answer from the minister who, after 4 years of having had it brought to his attention, should have had some idea about this key issue in his area of responsibility: 'I am just trying to refresh my memory on the matter. The Chief Minister spoke to the Prime Minister about it and, prior to that, there were departmental discussions. I will have to refresh my memory and advise him on the matter'. End of answer. So much for my belief, although I must concede it was brief, that the minister was in fact getting on top of the issue.

While the minister continued to take what appeared to be a half-hearted approach, the viability of the Territory industry continued to deteriorate. I might add in passing, Mr Deputy Speaker, that the minister failed to ever

get back to me with an answer to that question although I assume he refreshed his memory. Pressure continued to come from the Territory industry and the result was a release from the minister stating that a detailed submission had been prepared to put to the Northern Fisheries Committee. I stress the words of the minister's statement: 'a detailed submission had been prepared to put to the committee'. Its purpose was to justify the need to remove Fog Bay from the declared management zone of the northern prawn fishery and for it to be managed jointly by the Territory and Commonwealth governments. Immediately and publicly, I welcomed this move by the minister, but added that it must be seen as a first step in assisting and promoting a major Territory industry.

I asked the minister to extend his submission to argue a case for an increased Territory voice in the management of all prawning grounds adjacent to the Territory's coast. The result is best explored by a press release from the Minister for Primary Production dated 19 May:

The Fog Bay prawn fishery will be discussed in detail at the August meeting of the Northern Fisheries Committee, the Commonwealth Minister for Primary Industry, Peter Nixon, has assured Minister for Primary Production, Roger Steele.

A lack of detailed biological and economic information had resulted in the Northern Fisheries Committee only giving this proposal limited support at its meeting in Darwin this month.

I would like to know what happened to the minister's detailed submission. The history of the government's performance in obtaining an equitable share of our prawn resources has been in the past abysmal. The costs of this attitude have been considerable. The following statistics from the Commonwealth Department of Primary Industry tell the story. In 1977, there were 193 vessels operating in the fishery. The catch weighed in at 10 287 t. Of this, only 2755 t of prawns were landed in the Northern Territory. That is 26% of the catch coming into the Territory when 70% of the catch had been taken from Territory waters. In 1978, there were 237 vessels operating in the Northern prawn fishery. In 1979, the figure was 240 and, in 1980, it was 260. In 1981, 280 vessels were operating in the northern prawn fishery. During this massive increase in catching capacity, the Territory's share of the catch has remained at just over 30%. Of the 292 vessels currently endorsed to fish in the northern prawn fishery, nearly half come from Queensland and 25% from Western Australia.

Since 1977, we have seen the number of vessels operating in the fishery increase by 87. With the aid of the federal ship building bounty, the size of those ships and therefore the size of the catching capacity of the fleet since 1977 has multiplied 4 times. During the same period, the number of local operators in the Northern Territory has been in continual decline. Based on that information, the efforts of the Minister for Primary Production over the last 4 years have not only failed to protect the Territory's position as it stood in 1978 but, under his control, the local fishery has gone backwards at a fairly rapid rate.

I would hope that the damage that may have been done to this resource from a Territory point of view will be halted by the attendance of the Chief Minister at these important meetings. I wish him well in his endeavours to have Fog Bay closed to interstate vessels and to ensure that the Territory representation on the management body for the northern prawn fishery is more accurately aligned with the Territory's geographical share of the fishery. If the nominal Minister for Primary Production is to attend these meetings along with the Chief Minister - and I would assume he will - I would request

that he be there as an observer only. The message which the Assembly opposition would like the Chief Minister to take with him to these meetings is this: the forerunners in the exploitation of the Northern Territory's resources should be Territorians, not Queenslanders nor Western Australians. The only partner that the Territory needs in the management of its resources is the Commonwealth government and that partnership should be on the basis that the Territory has a reasonable say and will be guaranteed a reasonable return.

Mr STEELE (Primary Production): Mr Speaker, I thank the honourable member for his remarks concerning the prawn fishery. Certainly, this side of the Assembly supports his expression of concern at the lack of return to the Territory's economy, particularly from these fishing grounds. However, I get the feeling that, as far as my responsibility is concerned, if the cat had kittens somehow I would get the blame for it. I will come back to that in a moment.

The Leader of the Opposition used the term 'our own fishing grounds'. I remind him that the Northern Territory fisheries' jurisdiction extends only over fishing resources out to 3 miles from the low-water mark and all baselines. The resources beyond 3 miles to the outer limit of the Australian fishing zone are the Commonwealth's jurisdiction. The declaration of the 200-mile zone in October-November 1979 created another set of complex and difficult legal problems to deal with. Under the present consultative arrangements between the Commonwealth and the Territory, our decision-making power is very limited, as we were reminded by the honourable member for Arnhem. The Northern Territory government has been actively seeking to rectify this situation through the proposed offshore constitutional settlement arrangements and the future management of prawn resources west of the Wessels and, of course, Fog Bay.

We have attended the Australian Fisheries Council since self-government and met with officers of the Standing Committee on Fisheries. We have been to the Northern Fisheries Committee 15 times since 1 July 1978, and to the Northern Prawn Fishery Advisory Committee the same number of times since 1 July 1978. It has taken up much of the time of the Solicitor-General and the Fisheries Division, particularly in respect of the 200-mile zone arrangements. It is true to say that the government has actively pursued the question of greater economic return at every opportunity. Probably the results of those discussions have caused the attitude of the Leader of the Opposition.

The gross value of Northern Territory fish landed in 1980-81 reached \$19.5m compared with \$17.1m in 1979-80. The landings in 1979-80 were 3212 t of prawns. The Leader of the Opposition is correct in saying that only 26% of those landings came through the Port of Darwin and this has been very distressing to us. The Territory is concerned that existing fishing operations are severely affected by the lack of direct Territory control over resources beyond the 3-mile limit and the strongest possible representation has been made to address the situation.

An attempt was made to attach some blame to me for financial difficulties but they do not affect Territory fishermen. I was talking to a Director of Amital recently and the situation Australia-wide is very bleak. I draw the Assembly's attention to an article in The Australian of 9 August. It is headed: 'Fishing Ban to Save the Tiger Prawn'. It says:

Fishermen are being barred from one of the biggest prawning grounds in the country in a move to stop the prawns being wiped out. The decision to close the area from 15 August was taken by the Western Australian government yesterday after fishermen in the Exmouth Gulf reported their worst catch. The gulf, one of the country's

main sources of tiger prawns, usually produces catches of up to 600 t a season but this season the catch is unlikely to reach even 100 t. The state Minister for Fisheries and Wildlife, Mr Old, and scientists from Western Australia's Marine Research Laboratories feared that prawn stocks in the gulf were so low there might not be enough spawning stock available to contribute to the next generation of prawns.

Following the below average catches of tiger prawns in the gulf the last 2 seasons, the current season, which began in February in 1982, is proving the worst', Mr Old said. Reduction of fishing pressure on these remaining stocks will maximise the numbers surviving to spawn between September and November, and will increase the probability of a successful recruitment of tiger prawns to the fishery in 1983. The area to be closed covers about two-thirds of the prawn trawling grounds in the gulf.

That is a reminder that it is an Australia-wide situation.

The Northern Territory government recognises also that greater economic return from the fisheries is derived from shore-based facilities and the provision of infrastructure processing operations. We have not shied away from our responsibilities in providing shore-based facilities. We have provided, through the Northern Territory Development Corporation, 19 loans with \$1.9m to operators in the industry. A further \$380 000 has been provided by way of guarantees of grants or grants and 9 loans from the former Primary Producers Board to the industry, with a value of \$277 900, are also current. Some of the loans made by the corporation have enabled the construction and fitting out of vessels in the Territory, not all involved with prawn fishing of course. In addition, the government was the catalyst for the construction of the ship repair facility and fishing boat harbour at Frances Bay.

The new fisheries legislation came into force on 8 January 1980 and has provided a firm basis for development and management of fisheries under Northern Territory jurisdiction. I agree with the Leader of the Opposition in respect to future management arrangements. They should be between the Commonwealth and the Northern Territory. There is no doubt in my mind that that is the way those management arrangements should be struck.

Some of the initiatives were the setting up of the Fishing Industry Research and Development Fund which has contributed greatly to fisheries development and research. The government has undertaken other initiatives. The Chief Minister will deal with the question of separate management of the fishery in view of our submissions to the committee meeting in Brisbane on Monday and to the Australian fishing groups in Cairns the day after.

As I indicated to this Assembly on 22 February 1981, in the development of new fisheries, our policy is as follows: to assist the catching sector of the fishery; to exploit alternative stocks by providing training, extension and, where possible, financial incentives; to assist the secondary sector of the industry by providing information and, where necessary, financial incentives in the handling, processing and marketing of products resulting from the above developments; and to increase efforts to obtain and disseminate information on the size and behaviour of fish resources situated off the Northern Territory.

The Northern Territory government has also prepared a detailed submission on the economic problems facing the fishing industry for presentation at the Industries Assistance Commission Fishing Industry Inquiry. This inquiry is to report to the Commonwealth government by June 1983 on adjustment needs to the fishing industry.

The point that the Leader of the Opposition raised about the shipbuilding subsidy is the point that we have laboured against long and hard at various meetings of the Australian Fishing Industry Council. It is true that, as a result of this shipbuilding subsidy and the policies of the Commonwealth, it appears that the prawns have suffered a serious decline in numbers and this will have a tremendous impact on the ability of many prawners to survive in the industry in the years to come. There is no doubt in our minds that this method of prawning outside of specified areas has been the catalyst for the problems that are presently being experienced by the industry. I recall in our very early days of representing the Northern Territory at the Fishing Industry Council meetings that we were warned against this free-ranging management of the northern prawn fishery. In fact, our policy at the time was to fish the Gulf of Carpentaria in areas.

Mr Speaker, I refute the proposition that the Northern Territory has not been trying at least to obtain a greater share of the economic benefits for Northern Territory fishermen. There may have been a lapse where we thought that our efforts would not achieve sufficient recognition, but certainly we have never greatly given up the fight. We have never ignored the claims by the local operators. I believe that we have always tried to take into account their views.

I understand that some support has been achieved for the separation of fisheries in favour of the Northern Territory by Western Australian and Queensland interests and these matters will be debated further at the ministers' meeting in October.

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to contribute to the debate on this motion.

We were told last Tuesday night, with remarkable candour I thought, by the federal Treasurer that the next year at least would see very little growth in the Australian economy. I think that places like the Northern Territory, which are not as diversified as other economies in Australia, should be doing what they can to exploit those particular resources that they have. But, in view of the grim future that the federal Treasurer has pointed out, it is all the more important for the Assembly to support the efforts of the Chief Minister in his foray next week to attempt to get some better return to the Territory from its own resource.

It seemed to me that it is a sensible approach in these days of slow growth, and in fact even nil growth, that a policy of economic development in the Territory should start from what we have. That is to say, we should be building on what we have instead of attempting to attract new industries when investment is going to be extremely slow. Not for a moment am I suggesting that our efforts to attract new industries should come to a halt. What I am saying is that it would seem to make some sense to consolidate those industries which are in the Territory and from which some further development could take place.

As I mentioned, we have a fairly narrowly-based economy. The fishing industry is our fourth largest industry and we have heard the Minister for Primary Industry inform us that the value of production in the last financial year was about \$90m. Nevertheless, taking that figure against some of our other large sectors - the mining, tourism and pastoral industries - we can see that, even though it is ranked fourth, it is still a fairly important industry in terms of value of production. It would seem that some further stimulus ought to be given to this industry. We ought to be protecting our share of the fishery with respect to other states that also have an interest in it. As the honourable Leader of the Opposition outlined, we do have at least one competitive advantage and that is that we have most of the stock in waters

adjacent to the Northern Territory. I think that point needs to be borne in mind in discussions with other people who seek to exploit the northern fishery.

Because the Northern Territory economy is fairly narrowly based, we need to maximise the value of this particular resource to the Northern Territory people. We now have the situation where, instead of the entire prawn catch being shipped immediately to areas outside of the Northern Territory, at least some of the prawns being landed in Darwin are processed here. This vertical integration of the 2 sections of the industry - the catching and processing - has led to an increase in the value of production and certainly in the value of the resource to the Northern Territory.

The reason why the opposition is interested in this particular matter and raises it in general business today is that there is yet another tier of economic activity which flows not only from the prawn catch but also from prawn processing. Certainly, the Minister for Primary Production, who also holds the portfolio of Industrial Development, would realise that what I am really speaking about is the secondary industries that grow up around this type of activity. We have the provision of goods and services not only to the processing plant but also the provision of engineering services to that part of the prawning fleet that is based in Darwin. It is a matter of some disappointment that, of 292 vessels which operate in the northern prawn fishery, only about 30 have their home base in Darwin.

Even as the industry stands at present, the direct economic benefits to the Northern Territory economy from onshore processing and handling at Darwin are quite considerable. I believe that the honourable Minister for Primary Production had some regard to this in the response which he has just delivered. One of the economic benefits which we might identify is, for example, direct employment by Northern Research which I believe is in the order of 250 people. When we consider that most firms in Australia employ less than 50 people, we are looking at a sizeable contribution to employment in the Darwin area. We then have onshore facilities, referred to by the honourable minister, which represent a capital investment of some millions of dollars. We also have the expansion of Darwin's engineering facilities and this has been directly related to the presence of the home-based prawning fleet. The minister referred to the small ships facility at Frances Bay and certainly we consider that the continued viability of that facility is dependent upon the number of ships that use it.

We estimate that there is an annual injection of some \$68m into the regional economy in Darwin as a result of the prawn processing facility that we have already. These factors which I have outlined - direct employment, indirect employment, capital infrastructure, associated industries and annual cash inflow - are all at risk. When the Chief Minister attends next week's meetings, we trust that he will be arguing not only for a greater say for the Northern Territory in relation to its own prawn stocks, but indeed for a greater say in Northern Territory economic self-sufficiency. We believe that he will be arguing for the maintenance of many hundreds of jobs and an improvement in the economic viability of a number of Territory small businesses which depend for their livelihood on the improvement of the prawning fleet. We believe that, in the long term, this will lead to a greater self-sufficiency of the Northern Territory economy.

The efforts that are being put into the development of the prawning industry are at risk and this is reflected in the loss of about \$4.7m incurred by Northern Research in its last financial year. This is the magnitude of the industry we are speaking of and certainly the opposition supports the efforts of the Chief Minister in his consultation with other parties to the northern prawn fishery.

The other point which needs to be made was touched on by both the previous speakers: management. Regardless of where the prawns are going - and our particular gripe at the moment is that only 26% of the catch is being landed in the Northern Territory - a new management regime is required for this fishery. Although there has been some apparent control over the number of vessels operating in the fishery since 1977, in a practical sense, this is not the case. The Leader of the Opposition outlined the growth in the number of vessels operating the fishery. We see from his figures that there has been a steady increase in the number of vessels operating the fishery since 1977. In 1977, 193 vessels operated in this area and this number has grown by increments of approximately 20 in each year to the total that we now have of 292 vessels. I believe that a contributing factor to entry into this industry has been the improvement in technical efficiency and also the improvement in vessel capacity. Along with the increase in numbers operating the fishery, there has been increased exploitation. When the degree of exploitation is increased, it becomes all the more relevant to establish the management principles.

The point that has to be made is that a new management plan ought to be devised. It appears that there is a consensus that the management should be between the Commonwealth and Northern Territory governments. The 2 key factors ought to be taken into consideration with respect to the management objective which I have outlined: the manner in which the value of the resource to Northern Territory community can be maximised and the rate at which the stock should be exploited and replenished such that it will give a continuing return to Territorians of future generations.

This motion has been put in a spirit of cooperation and understanding by the opposition of the importance of this particular industry to the Northern Territory economy. We wish the Chief Minister success in his negotiations and hope that the long-term objective which we seek - that is, a fairer share of the Territory's resources - will be achieved by his efforts next week.

SPEAKER'S RULING

Mr SPEAKER: Honourable members, in relation to a remark made by the Leader of the Opposition this morning, I would refer to our Standing Order 107 which reads: 'When a motion has been moved, a question thereupon shall be proposed to the Assembly by the Speaker and the motion shall be deemed to be in the possession of the Assembly ...'. The House of Representatives Standing Orders No 161 and 162 apply in similar terms. I would refer honourable members to page 443 of the House of Representatives Parliamentary Practice which in part reads: 'When members may speak: This Standing Order provides that a member may speak to any question before the Chair which is open to debate, when moving a motion which shall be open to debate, when moving an amendment, when he rises to order upon a matter of privilege or upon a matter of public importance but not otherwise'. My advice was quite correct this morning.

Mr PERRON (Treasurer): Mr Speaker, it was pleasing to hear the member for Sanderson's contribution which dwelt a little on employment and flow on to the economy of employment in the fishing industry. It is amazing that the ALP has not had the same attitude with regard to other industries such as uranium.

It seems to me that the motion before the Assembly sits a bit oddly with the debate that has ensued. The motion speaks of the Assembly expressing its concern at the lack of return to the Territory's economy from its own fishing grounds. As I understand the law relating to the sea, and that is clearly important when one is talking about one's own fishing grounds or one's own resources, the state or territory's jurisdiction in fishing is limited strictly

to the 3-mile limit. The area between 3 miles and 200 miles is an economic zone of the sea over which the Commonwealth claims constitutional powers. To my knowledge, to date, the states have not been successful in convincing anyone that the Commonwealth does not have those powers. Of course there are arrangements between the states and the Commonwealth, particularly Queensland and Western Australia. This does extend into that 197-mile zone with which it is exclusively the prerogative of those states to license fishermen to exploit resources. That is what we are talking about today. That is what the Territory is claiming should rightfully be its. I am sure all honourable members would support that. However, I make the point that the Leader of the Opposition, in speaking to this debate, was talking about the 'Territory's own fishing grounds', an important 'Northern Territory resource' and 'prawns taken from Territory waters'. I think that, in most cases, he was referring to prawns and resources not within Territory waters from a legal point of view. That is important. The Leader of the Opposition said that the blame for the Northern Territory not having a much greater control over fishing activities in the 200-mile zone or the waters adjacent to the Northern Territory rests with this government because we were aware of this position for some time. He asked why we did not pursue the matter. That was really the attitude he took. The government was responsible for not fixing it or, more particularly, the minister was responsible.

It is clear that the Leader of the Opposition has no experience of the forums in which the government participates. Understandably, he has no experience whatsoever of being in government and dealing with the Commonwealth and state governments in areas where they have specific, vested interests. This is certainly one such area. It is not simply a matter of the Northern Territory getting up at a Northern Fisheries Council meeting and saying: 'We do not like the arrangements that exist. You fellows really ought to change them'. The states would not take kindly to that, particularly when some of the fishing fleets based in those states are exploiting these resources. It is not a matter of telling them to stay at home. The question is much bigger than that and will take time to resolve.

The matter is coming closer to a head all the time. The Chief Minister is adding his weight to that of the minister concerned, in bringing as much pressure to bear on this question as can be applied by the Northern Territory. The matter has been raised with Premiers in the states, at Chief Minister to Premier level. That is the appropriate level. We hope for some success on this matter in the near future.

Interestingly, the debate on this particular question has touched only on prawns whereas the motion speaks about the Territory's fishing grounds. There is much more out there than prawns and there is much that is completely under-exploited, not only by ourselves but by anyone else. There is considerable research to be done and expertise to be gained. However, the Leader of the Opposition stuck solely to one subject. Indeed, it is one this Assembly could occupy itself with for most of the day if it so wished. We could look at the whole concept of the resources available in the 3-mile zone and elsewhere which will become increasingly exploited as time goes by as our expertise develops to the level of that in other countries which have been fishing in waters adjacent to their shores for hundreds of years. We have a long way to go in that regard.

There is no question that the prawn resources off the Territory, if we are to limit debate to that, are exploited fairly extensively. Indeed, they may be over-exploited at present not only by Territory-based fishermen but by fishing fleets from Western Australia and Queensland. The complaint is that, of those people exploiting the resource, not enough of them are Territorians.

I gather that is the argument. I suppose that if people left their interstate homes and brought their boats to the Territory and obtained Territory fishing licences, they would be Territory people exploiting the resource instead of interstate persons exploiting the resource.

Some years ago, when the country was beginning to realise that there were a great many prawns off the Northern Territory coast in the Gulf of Carpentaria, there was much more activity from Territory-based companies than there is today. I recall a number of companies which entered the prawning business. In those days, I used to watch them with some interest from my place of employment. There were predictions at the time of Darwin becoming a base for thousands of trawlers because the dream of the extent of the prawning resource seemed to have no limits whatsoever. We would keep adding prawn trawlers and taking prawns until we presumably flooded the world with them. Many of those Northern Territory companies are no longer with us. Some of them were companies of some substance. They had trawlers - and I am going back some 12 years - which then cost about \$250 000 which was an enormous amount of money. Today the same vessel would cost between \$750 000 and \$1m.

There were many mistakes made and that is why many of those companies are not about today. The boom turned out to be something of a bust. They brought brand new vessels into port after a few weeks at sea. They had numerous mechanics, refrigeration engineers and welders redesigning the vessels alongside the wharf. They would be moving winches, replacing engines, throwing away derricks and fitting the vessels with different equipment. A few weeks later, they would be back in port cutting those boats up again trying to modify them to do the job for which they were designed.

Mr Speaker, it struck me at the time, and I am sure it is true, that it was a demonstration of the fact that this country is probably several decades, if not a century, behind where it should be if it really took the fishing industry seriously. We really are scratching around with the resources around Australia's coast. The people from other countries - particularly Taiwan and European countries - are very experienced in this field. They have been doing it for hundreds of years. They have their equipment and their expertise developed to an extremely satisfactory level and they leave us for dead when it comes to taking resources. It is no wonder that some of those people, who tackled the prawning industry in the Northern Territory in its embryo days with enthusiasm and much capital, fell flat on their noses. Once their fingers were burnt, I can understand companies not being enthusiastic about leaping back into the fray. There was once an opportunity for a much bigger prawn fishery to be based in Darwin.

We all want more Northern Territory fishermen to be involved in the exploitation of prawns off the Territory. We do feel parochial, unashamedly so, in saying that we want fewer trawlers from Queensland and Western Australia exploiting the resources off the Northern Territory coast. I choose those words carefully so as not to fall into the pit that the Leader of the Opposition is in by waving his arms and saying that the sea from our shores and half-way to Timor all belongs to us and no one else has a role in that area.

The states also have a bitch with the system that exists in Australia. As far as the fishing zone from 3 to 200 miles off our coast is concerned, the states are in a similar position to the Northern Territory. The Commonwealth, in consultation with the states, issues licences for people to exploit these areas for fishing generally. The states all have the same complaint that they seem to get very little of this economic resource. The Commonwealth, after consultation with the states, has the final say about who gets the licence off-shore. I am not talking about a closed state fishery; I am talking about the exploitation of the 200-mile zone.

The Commonwealth charges foreign vessels a percentage of the value of the catch landed in their home countries. The Commonwealth also charges a licence fee related to the crews of those vessels. The Commonwealth also charges a boat licence fee relative to the size of the vessel. It all goes to Commonwealth revenue and the states receive zilch except from those boats which happen to use the states' ports for provisioning. If the boats use the ports, it can be quite lucrative for local industry. However, in many instances, the Northern Territory seems to miss out.

I recall raising the matter with a Commonwealth officer. In my capacity as Treasurer I was grizzling that the Northern Territory did not seem to get very much out of the so-called 200-mile economic zone. I said that there obviously had to be enormous benefits for us all. The Territory receives zilch even though there are about 200 trawlers out there taking our fish. He reminded me in no uncertain terms that it was not a Northern Territory resource they were taking but a Commonwealth resource. The states do not have a role other than one of consultation with the Commonwealth over the issuing of licences in the 200-mile zone and, therefore, I was being particularly greedy in thinking that the Northern Territory should get something because vessels were fishing our off-shore fishery. I was suitably put in my place in that regard and told to worry about revenue in my own ground.

Mr Speaker, just to sum up, I believe that the opposition motion was moved facetiously. It could have put forward a motion supporting the Chief Minister and the Minister for Primary Production in their endeavours next week to achieve success for the Northern Territory in this matter. Instead it chose to score as many points as it could. In so doing, I think it has been quite shallow. If it wanted to talk about exploitation of the Northern Territory's fishing resources, it should have spoken about that instead of limiting its debate to one particular aspect where it thought there was a political point to be gained.

Mr B. COLLINS (Opposition Leader): Mr Speaker, it was clear before the luncheon adjournment that the Chief Minister did not intend to participate in this debate. Mr Speaker, members of this Assembly have been put to considerable inconvenience by splitting these sittings so that the Chief Minister could attend this fishing meeting to negotiate on behalf of the Northern Territory. We had no hesitation in accepting any inconvenience occasioned. I know all other honourable members are in the same boat. It involved considerable inconvenience to me because I had to cancel some 15 commitments that I had in the week that we now have to sit. It was necessary to do that and I was happy to do it.

We did not bring on this debate in a facetious or shallow way. It is nonsense to suggest that. We brought it on because this is the last day of the sittings prior to the Chief Minister going to this meeting. It was to give all honourable members an opportunity to participate in the debate - and I thank the honourable Minister for Primary Production, at least, for his contribution - so that members could advise the Chief Minister of their thoughts on the matter. Considering that the Assembly has been put to this inconvenience, I had expected that the Chief Minister would participate in the debate and advise the Assembly of a little ...

Mr Everingham: I am not a talker; I am a doer.

Mrs Lawrie: I wish you would remember that at question time sometimes.

Mr B. COLLINS: Indeed!

... of the detail of what he intends to go to Queensland to talk about and what he expects to get from the meeting.

Mr Everingham: You could have written me a letter to find that out.

Mr B. COLLINS: The Chief Minister has just indicated his attitude again and I think there is some comment on this in the recent book published called 'The Team at the Top'. He continues to treat this Legislative Assembly in a contemptuous way. He regards it as an inconvenience to his business and not as a forum for debating issues of importance to the Northern Territory. We all know that is his attitude. I reject it. I think that many Northern Territorians experience a degree of disquiet - and I do not think it is sustainable - about the fact that we only sit 24 days a year. That disquiet is certainly exacerbated when the government, and in particular the Chief Minister, treats the miserable 24 days a year on which we do sit with such absolute contempt. He has demonstrated that again. I reject any inference by the Treasurer that we brought on this debate in a facetious and shallow way.

Mr Everingham: You are just proving right now that it was purely political, Bob. Every word you utter makes it more political.

Mr B. COLLINS: You will notice, Mr Speaker, the considerable degree of courtesy that I continue to offer the Chief Minister by giving him the opportunity to make these interjections.

Mr Everingham: It is because you have not much to say.

Mr SPEAKER: Order, order! I think that the honourable Leader of the Opposition is being slightly provocative.

Mr B. COLLINS: Mr Sepaker, perhaps we could return some semblance of order to the debate. I would like to comment specifically on some of the statements made by the Treasurer. He said that, when I spoke, I accused the government of being irresponsible in not fixing the problem. He then went on to say that I have had no experience of forums the government involves itself in nor have I had the responsibility of being in government. Of course the Treasurer is absolutely correct and this brings me to the nub of the contribution I made to the debate this morning. Apparently he missed it or, I would suspect, chose to miss it: that members of the opposition and, I would suspect, the back-benchers of the government do not have the opportunity to participate in these forums. As a result, they can only rely on the public statements of the minister responsible.

The Minister for Primary Production's contribution over the last 4 years, in advising the people of the Territory of progress that he has made in that regard, has been pathetic. I am sorry that I am forced into the position of having to say that again, Mr Speaker, after the positive contribution made by the minister to this debate. That is the problem that we have as an opposition. We are not the government. We are not given the opportunity and the privilege of going to these meetings. We do not sit in on Cabinet. The only way we have of knowing how active or inactive the government has been is by reading or listening to the public statements that are made by a minister and, in fact, by provoking him to make such statements. I ran through some of the positive statements that have been made by the minister on the subject. This is the only way we and the rest of the Territory have of knowing what the government is doing. Not only are those statements self-contradictory, but they are wrong in fact. That is a problem. It is certainly nice for the government to be in the privileged position of attending these forums, but it has a responsibility to the Legislative Assembly as well which it continually ignores. In fact, it pours contempt upon this Assembly.

We have a system of government whereby a government and opposition sit in an Assembly provided for the very good purpose of putting ministers on the spot and making them accountable for the activities of their departments and themselves. Clearly, the Minister for Primary Production, in his public statements on the issue raised in the Assembly today, has failed in that regard.

Mr Everingham: Why don't you ask more and better questions?

Mr SPEAKER: Order!

Mr B. COLLINS: Mr Speaker, I will respond to that interjection.

The honourable Chief Minister asked why do we not ask more and better questions. I refer the Chief Minister to this morning's question time. I can go back over the last 5 years but this morning is good enough. When I asked a responsible question about an undertaking that the minister gave personally at the last sittings to take steps to protect the Territory bee industry, I received the usual response from the minister: a request to put the question on notice. I can refer to a number of other responsible statements I have made on BTB and the prawning industry and it will be found that there are a considerable number that received the same treatment. There is not much the opposition can do about it if a minister cannot perform in question time and continually asks for the 'too hard' ones to be placed on notice.

Mr Speaker, the opposition raised this matter today for 2 reasons: to state its support for the government for this sittings being split because of the meetings next week and to advise the Chief Minister of the interest we have in the matter. I would have reasonably expected from the Chief Minister the courtesy of hearing the details because all members of the Assembly are being affected by this rearrangement.

Mr Everingham: Why didn't you tell me that is what you wanted. If you had asked me to speak, I would have spoken.

Mr B. COLLINS: Clearly, he is not prepared to extend that courtesy to us and it is certainly not up to me to request the Chief Minister to be courteous.

Mr Speaker, the Treasurer quoted me as saying that the fishery belongs to us and no one else has a role. He followed that statement by instructing us on the role the Commonwealth plays in the fishery. If the Treasurer had been listening to the debate, he would have realised that not only did I acknowledge that that role exists but, in fact, one of the things that I was asking the government to do was to pursue a course of having joint Northern Territory and Commonwealth control of the fishery. The opposition is well aware that the Commonwealth has a significant role to play; it is precisely that role that we want to see strengthened by having some joint control between the Commonwealth and the Territory.

In concluding the debate, I would like to say that we will have to rely on subsequent press releases to find out what the Chief Minister does in Queensland and what degree of success that he has. I asked a question but I have not received a response and I suppose I will have to read about that in the paper too. I asked whether the Minister for Primary Production will be accompanying the Chief Minister to the meeting in Queensland. I suppose I could write a letter. After all, Mr Speaker, this Assembly clearly is not the place to raise these issues or obtain answers from the government.

I hope that the Chief Minister will be successful in his endeavours on our behalf. I hope that an important Territory resource, the prawning industry,

and the ancillary processing industry, are assisted by the actions of the government. I hope that the Minister for Primary Production will advise us through press releases of the success or otherwise of the government's endeavours in Queensland. Perhaps, as a last resort, he may even consider advising the Assembly when we sit again in the week after next.

Motion agreed to.

JURIES AMENDMENT BILL
(Serial 138)

Continued from 11 March 1982.

Mrs LAWRIE (Nightcliff): Mr Speaker, I seek leave of the Assembly to withdraw this bill following the passage of the government's Juries Bill yesterday.

Leave granted; bill withdrawn.

MOTOR VEHICLES AMENDMENT BILL
(Serial 156)

Continued from 11 March 1982.

Mr VALE (Stuart): Mr Speaker, I rise to speak against this amendment proposed by the honourable member for Nightcliff. The bill seeks to eliminate what she regards as an anomaly by amending section 107(2)(b) of the act. While understanding the intention of the honourable member's amendment, I cannot support the principle.

Mr Speaker, there are many more authorised inspectors than offices of the registrar in the Northern Territory and, by expanding opportunities for people to drive unregistered vehicles, we would increase the potential for people to flout the intention of the law under the amended section. The Territory already has a disproportionately high number of vehicles that are driven while unregistered and no excuse can be offered for this civic irresponsibility. The opportunity for vehicles to be inspected eases the way for owners to comply with what is a simple law and a simple requirement. It is probably in rural electorates like Stuart that the greatest problems are felt yet responsible owners find no difficulty at all in complying with the law.

Despite the best of intentions, the proposed amendment would encourage those few idiots who share our roads to use their vehicles illegally. What chance would a policeman have of establishing and proving that an unregistered vehicle was being driven by the shortest practical route to a service station where there is an inspector. The proposed amendment mentions the shortest possible route but not the shortest possible time and the avoidance of the possible tempting stops on the way nor indeed is any time of the day or night mentioned.

What procedures would be adopted if the vehicle is rejected. Far from encouraging the potential for the illegal use of unregistered vehicles which already are a problem, I prefer to see vehicles undergo more stringent inspections with a greater ratio of vehicles being put off the road as being unroadworthy.

Mr Speaker, I oppose the bill.

Mr DONDAS (Transport and Works): Mr Speaker, in rising to oppose the bill, I would say that section 107 of the Motor Vehicles Act provides a defence to the charge of driving an unregistered vehicle on a public street if that vehicle is being driven to the office of the registrar for the purpose of being registered.

The honourable member for Nightcliff has proposed a provision to include an unregistered vehicle being driven to a motor service station at which there is an inspector for the purpose of inspection for registration. When considered in isolation, the effects of the bill would be a minor change to facilitate the registration of an unregistered vehicle.

However, it highlights existing deficiencies in section 107 and, if passed in its current form, would significantly accentuate the problem of preventing the driving of unregistered vehicles which are also uninsured. At present, the act has some deficiencies. It does not define 'office of the registrar', 'limit vehicles to the most direct route' or 'oblige the vehicle to travel to the nearest office'. Police have advised these deficiencies make it difficult to obtain a conviction for driving an unregistered vehicle. If passed as it is, the bill would ease the problem of limiting vehicles to the most direct route when travelling to a place of registration. However, the bill would create further difficulties including that it will provide no controls as to which service station vehicles can go. It is no use restricting persons to the most direct route if they are allowed to travel to the farthest service station. They should be restricted to the nearest or within say 5 km or some other limit.

Mr Speaker, a high proportion of vehicles, excluding new ones, being presented for inspection are unregistered. A survey over 3 weeks in December 1981 and January 1982 shows that the percentage of vehicles presented for inspection which were unregistered was 31.9% in Alice Springs and 27.3% in Darwin. The figures were 200 of 628 in Alice Springs and 476 of 749 in Darwin. It is significant that half of the unregistered vehicles in Alice Springs and one third of those in Darwin had been out of registration for more than 28 days. These figures do not include those showing current registrations in another state for vehicles which had been in the NT for more than 3 months and are thus deemed to be unregistered. These figures are indicative that there is a significant proportion of vehicles on Northern Territory roads at any point which are unregistered or uninsured. This is cause for concern, both for the financial implications and because it is believed unregistered vehicles are more likely to have safety defects.

The proposed provisions could further aggravate the problem. The priority need is to tighten control by placing an onus of proof that the vehicle is being taken for inspection. One suggestion is that the driver must have in his possession a completed application for registration bearing an unaltered date of travel. The Road Safety Council has expressed its opposition to unregistered vehicles being driven without some sort of permit. The emphasis of my department's overhaul of land transport legislation to date has been on the Traffic Act and the heavy vehicles requirements of the Motor Vehicles Act and regulations.

Mr Speaker, my department's next priority in the review of land transport legislation is the Motor Vehicles Act. This is still the preferred course. The issues involved in the review are complex and technical, and it is expected that it will be some 12 to 18 months before a revised Motor Vehicles Bill covering the major overhaul can be put before Cabinet. It is not expected the bill, if passed, will greatly increase the number of vehicles being driven without registration or insurance. However, there is concern over the high percentage of unregistered, uninsured vehicles already on Northern Territory roads and the loss of revenue and higher premiums involved.

The proposed changes would accentuate the existing difficulties in reducing this. The police, Territory Insurance Office, Treasury and Road Safety Council have all considered the bill. A meeting was held to discuss the best methods of approach. While the meeting was sympathetic to the intent, it was agreed that there were substantial problems to be resolved and it would be best if the

bill were defeated and its intent considered further as part of the current legislation overhaul. I do not support the bill.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the contribution of the Minister for Transport and Works was most enlightening. I think that the member for Nightcliff has done us a great favour in introducing this bill which, according to the honourable minister, has highlighted the deficiencies within the Motor Vehicles Act relating to registration of motor vehicles. I understand from what he said that it might be possible, for example, for a person to drive from Alice Springs to Darwin in an unregistered motor vehicle and say that he was driving it to the Registrar in Darwin in order to have it registered. That seemed to be what he said. If that is the situation, then it is clear that this provision of the Motor Vehicles Act needs to be looked at. It is obvious that there could be a problem with people driving unregistered vehicles and purporting to be taking them to be registered. I think that the bill has been a very admirable attempt to encourage the Assembly to consider these matters. I certainly look forward to seeing the legislation that the minister has indicated will be introduced to cover this area.

Mrs LAWRIE (Nightcliff): Mr Speaker, I thank honourable members for their contributions and, like the honourable member for Fannie Bay, I found that the introduction of this bill has provided information about the present inadequacies of the act which might not otherwise have been forthcoming.

The member for Stuart made some statements which we would all support, but which had nothing to do with the bill. For example, he expressed his dislike of people who continually drive unregistered and uninsured vehicles. I am sure that that is the feeling of all members of the Assembly. The member for Stuart also stated that he would like more stringent inspections. That too has nothing whatsoever to do with the bill. More stringent inspections may indeed be worth while.

However, the intent of my legislation was to allow people for the purposes of registration to go by the most direct route to the nearest person authorised to undertake an inspection for the purpose of registration. All honourable members quite clearly understand that. The criticism has been that it would encourage irresponsible people who drive unregistered vehicles to continue to do so on the premise that, when they were pulled up by the police, they could then say: 'Oh, but I was just on my way to the nearest authorised service station for the purpose of registration'. My logic would lead me to feel that any intelligent policeman, and the Northern Territory Police Force is full of them, would say: 'May I see your licence please. Would you call in at the police station next week with your licence and your registration papers to prove that the vehicle has in fact been registered'. This would act as a very good incentive for people to register their vehicles. I agree with all honourable members that, if a person is driving an unregistered and uninsured vehicle on the road, he should be apprehended. If he offers a reasonable excuse for so doing, all the policeman has to do is to require that person to attend at a nominated police station on a particular day with his licence and then check if the vehicle in fact had been registered.

As the government opposes the legislation, I take small crumbs of comfort from the fact that the minister has acknowledged the deficiencies in the act and his department apparently will undertake a review of the Motor Vehicles Act with a view to introducing a new bill in 12 to 18 months. Given the predicted life of this Assembly, I would hope that review would be within 12 months rather than 18 months. There are deficiencies. I acknowledge them and I was attempting to cure one which was brought to my notice by my constituents and by constituents from quite a number of the urban electorates.

I can say little further to advance my cause other than, if any motorist is pulled up on the road with a suspected defective vehicle or unregistered vehicle, the police have the power to ensure that the defect is remedied.

The Assembly divided:

Ayes 8

Mr Bell
Mr B. Collins
Mr Doolan
Ms D'Rozario
Ms Lawrie
Mr Leo
Mrs O'Neil
Mr Smith

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

Motion negatived.

JABIRU TOWN DEVELOPMENT AMENDMENT BILL
(Serial 177)

Continued from 11 March 1982.

Mr SMITH (Millner): Mr Speaker, I seek leave of the Assembly to withdraw this bill.

Since the bill was introduced in the March sittings there have been significant developments in local government in Jabiru. These developments have gone a long way towards meeting the opposition's intentions when it introduced the bill. They do not go as far as the opposition wanted but certainly they are an adequate first step towards the development of local government for the town. The undertaking taken by the government has the full support of the people in Jabiru and, on that basis, the opposition is withdrawing its bill.

Leave granted; bill withdrawn.

ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL
(Serial 175)

Continued from 11 March 1982.

Mr PERRON (Treasurer): Mr Speaker, the government does not support this bill. NTEC, in conjunction with the Electrical Licensing and Contractors Board and other parties, has had the Electrical Workers and Contractors Act under review for some time now because it does have quite a number of deficiencies. A working party was established to draw up proposed amendments to this particular act. Inter alia the working party was directed to prepare proposals to ensure persons involved in the repair of appliances are licensed and regulated. The proposals by that particular working party have been circulated now to the Chamber of Mines, the Confederation of Industry and Commerce, the Master Builders Association and the Electrical Trades Union. Some responses have been received but the organisations have until the end of August to reply to the proposals whereupon the matter will be put to the government for further consideration and the preparation of a bill. We would propose that the act

be brought up to date properly. In addressing the matter of the licensing of persons to repair domestic electrical appliances, there are possible pitfalls. I appreciate the sponsor of the bill was no doubt aware of some of them because she indicated in her second-reading speech that it may well need some improvement.

The bill presented is designed almost exclusively as a consumer protection move rather than as a safety measure. It is primarily safety measures which are contained in the legislation dealing with the licensing of persons to repair and work on electrical wiring to buildings and equipment. The incidence of complaints to the consumer protection body in the Northern Territory in relation to the repair of electrical appliances is unfortunately very high. Those complaints seem to deal mostly with the competency of the work done on the appliance, the delays in having the work completed and the cost.

It would be very difficult to do very much about the problem of delays whether you license people or not. Today, there are very frequent changes in models of almost all electrical appliances. There are hundreds of brands on the markets and hundreds of models within those brands and they change very rapidly. I do not think that a system of licensing people who are authorised to repair such appliances will make any difference at all. People in the Northern Territory will simply have to wait for spare parts to arrive, sometimes from overseas. There are inordinate delays in this area. Many people tend to throw the appliance away and buy another one rather than go through the hassle of trying to have a piece of sophisticated machinery repaired, particularly if it is a couple of years old.

The cost of repairs is another matter that will be difficult to overcome even with the licensing of persons who work on them. What is not appreciated by many people unless they have some contact with people working in the field of electronic repairs is that one is probably paying something like \$25 an hour for the professional to work on the appliance. Quite often, an appliance such as a hair dryer would cost more to repair than the appliance is worth. If it is taken for repair, the owner complains that the bill is an outrage. The answer is to ask for a firm quote before authorising any work to be done. In many cases, the owner would realise that it would be better to throw the appliance away.

The concept of licensing all persons who are authorised to carry out repairs is fraught with a fair bit of danger. I hope that the Assembly does not move into this field simply to be seen to be doing something in a difficult area without really thinking through whether those activities will have a real effect. I do not have figures to demonstrate this. It will be interesting to see in Consumer Protection Council reports the effect of the Assembly's motor vehicle licensing legislation. We now require motor vehicle dealers to be licensed and warranties to be given. This involves public service resources and considerable work by many people. I am led to believe that there are consumer protection experts who believe this legislation has really not had any effect on complaints about used cars which traditionally is the area of greatest complaint. If we have such legislation which is not working, let us not add to it. No doubt, it would be very unpopular to try to repeal it at this stage.

I will pay close attention to this matter when the draft bill comes back to me from the Northern Territory Electricity Commission on amendments proposed to the Electrical Workers and Contractors Act, to see how it proposes to treat the area of licensing electrical repairers. Unless I am satisfied that the activity is quite a sensible one in the light of today's practicalities, then perhaps I will have to recommend to my colleagues that we do not touch the field. At this stage, I will not go so far as to say that the government will not legislate on the subject. The government cannot support the bill.

Ms D'ROZARIO (Sanderson): Mr Speaker, it appears that once again an opposition-sponsored bill has spurred the relevant authorities at least to consider the question. It is very pleasing to note from the remarks of the honourable Treasurer, who has responsibility for the operation of the electricity commission, that both the Electricity Commission Act and Electrical Licensing and Contractors Act are being subjected to a review and that a number of deficiencies have been identified.

Mr Speaker, I think that the honourable member for Fannie Bay gave a great deal of thought to this matter before presenting it as a bill. In fact, it has been presented in direct response to a number of complaints about this type of work which are reported each year in the annual reports of the Commissioner for Consumer Affairs. In his remarks on this bill, the Treasurer acknowledged that the level of complaints is very high. It is higher proportionally in the Northern Territory than anywhere else in Australia. He also acknowledged that a large number of complaints related to the competence of the work performed.

This bill seeks to give some relief to consumers who may have paid large amounts of money for the repair of expensive appliances and found that the work has not been undertaken competently. That is the purpose of this bill, and I think that the member for Fannie Bay made that quite clear. She was not purporting to be seeking any other objective.

It is quite true that the rate of change of parts and models in the electronic appliance industry is very high. I would agree with the Treasurer that many consumers are asked to make a decision on whether or not they should proceed with the repair of an object or buy a replacement. In the normal course of events, this happens in respect of inexpensive appliances. Certainly, it would be pointless to outlay \$25 for the repair of an appliance that might cost \$15 to replace. However, in her second-reading speech, the honourable member for Fannie Bay made direct reference to the consumer-durable items, the more expensive items such as television sets and hi-fi equipment. It is quite clear that, in this particular category, it is not in the consumer's interest to simply cast the object off, but rather to obtain a quote for its repair. We are talking about a consumer protection measure affecting a class of items for which the consumer has outlaid a large amount of money. That is the object of this particular bill.

I agree with the Treasurer that there are some things that this bill would not rectify. This bill will have no effect on delay and cost. Quite clearly, it seeks to ensure, on behalf of the consumer, that the work carried out by a person claiming the ability to do it is carried out in a competent and tradesmanlike manner. That is the sole objective as outlined by the honourable sponsor of the bill.

It was interesting to note the Treasurer's remarks in respect of the effect that this type of legislation has had on consumer issues in the Territory and, indeed, in other jurisdictions. He outlined the example of motor vehicle registration. I think it is fair to say that, in places in Australia where long experience has been built up, this type of legislation has had an effect. The Treasurer's remarks are well taken in respect of the Northern Territory which has only had 3 years' experience with this type of legislation. In other parts of Australia, where such legislation has been in effect for a long time, the clear evidence which emerges is that this type of consumer protection legislation has an effect on the quality of goods offered for sale and on the prices charged for them. I do not think the Territory government should be reluctant to enter the field of consumer protection in the belief that it has no effect. The accumulated experience in the rest of Australia shows that it has had a very great effect.

Mr Speaker, in conclusion, I would like to say that we have taken in good heart the remarks made by the Treasurer about the review of the principal act but I see nothing wrong with proceeding with the enactment of this particular bill in order to afford consumers protection in the interim. We have seen many instances where the government has taken interim measures to effect certain objectives even though the principal legislation was actively under review at the time. I would suggest to the government that, despite the fact that this particular matter is under review, the Assembly ought to proceed with the passage of this bill.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I have found the contribution of the members who have spoken most interesting. They have acknowledged that this legislation was prompted by the quite dramatic statistics in the report of the Commissioner for Consumer Affairs relating to electrical appliance repairs in the Northern Territory. I believe that, while the legislation may have had deficiencies - and I pointed this out in my second-reading speech - these were capable of being addressed by amendment. I welcome the thought of the member for Sanderson that, until a more comprehensive review of the Electrical Workers and Contractors Act is completed, the interim passage of this bill may afford consumers some redress with these ongoing problems.

As the honourable Treasurer pointed out, electrical appliances might be comparatively inexpensive and unimportant but some are quite expensive. Members who read the most recent report of the Commissioner for Consumer Affairs will recall the story of a washing machine purchased at considerable expense and the ongoing problems of the consumer in having that repaired. It is a memorable case because the consumer managed to retain her sense of humour. A most humorous letter is contained in that report. Nevertheless, it involved a considerable sum of money. Many of the items that come before the Commissioner for Consumer Affairs involve considerable amounts of money.

I have some correspondence from the Electrical Workers and Contractors Licensing Board which indicates that it supports the concept of licensing persons who are engaged in the repair of electrical appliances, but not in the form of this amendment. I certainly look forward to the completion of the work of the joint working party looking into this matter in the hope that something will be achieved in the future. I note that, in both Western Australia and Queensland, there are regulations for licensing people who do this sort of work. I believe that we must do this in the Northern Territory. I thank the honourable members for their contributions and look forward to their support.

Motion negatived.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Leader of the House): Mr Speaker, I move that the Assembly at its rising do adjourn until Tuesday 31 August 1982 or until such other time as might be notified by the Speaker pursuant to sessional order.

Motion agreed to.

REAL PROPERTY AMENDMENT BILL (Serial 237)

Bill presented and read a first time.

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

Honourable members will be aware that section 136 of the Real Property Act allows for registration of transfers executed pursuant to a mortgagee's sale and, upon such registration, the estate and interest of the mortgagor passes to the transferee free from discharge of all encumbrance and liability.

Mr Speaker, a recent Supreme Court decision in Victoria has given a very narrow meaning to the word 'encumbrance'. Indeed, so narrow is the interpretation of the term that title to land sold by a mortgagee should apparently remain subject to interests represented on the title as caveats, liens or writs of fieri facias. It would be necessary, therefore, to remove such interests from the title before the purchaser can proceed. The practice of the Registrar-General's office has been to cancel all interests subsequent to the mortgagee's mortgage upon registration of the purchaser's transfer; that is, all interests subsequent to the mortgagee's mortgage are automatically expunged.

So that the established practice of the Registrar-General upon registration of transfers pursuant to a mortgagee sale may be above reproach and clearly endorsed, it is proposed that section 136 of the Real Property Act be repealed and a new section 136 be inserted. Such an amendment will ensure too that a purchaser can proceed with registration of a transfer executed pursuant to a mortgagee's sale without having to make sure that caveats, liens or writs of fieri facias have been removed prior to registration of his transfer. Our Real Property Act is based on the South Australian act and the South Australian Parliament has enacted an amendment very similar to the amendment proposed by this bill. It is also necessary for this amendment to be made retrospective in that the new section will be deemed to come into effect on 1 January 1911. This will ensure that there can be no challenge to transfers, executed pursuant to a mortgagee sale which has already been registered according to the current practice of the Registrar-General's office.

Mr Speaker, I commend the bill to honourable members and think that I have done an even better retrospectivity than Mr Howard.

Debate adjourned.

FISH AND FISHERIES AMENDMENT BILL (Serial 230)

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 Fish and Fisheries Act provides in part that an amateur fisherman shall not contravene a regulation that prescribes a bag limit in respect of fish. The amendments will increase the effectiveness of the act to prevent the illegal taking of barramundi by increasing penalties and restricting the possession of gill-nets. It is the government's policy to stamp out illegal barramundi fishing throughout the Northern Territory. At present, for a first offence, poachers face a maximum penalty of \$1000 fine or imprisonment for 6 months. The proposed amendment will empower the court sentencing a person for the illegal taking of barramundi to impose an additional penalty of up to \$100 for every barramundi taken contrary to the act. In other words, an illegal netter who may take 100 to 200 barramundi in a night would face an additional penalty of \$10 000 to \$20 000.

Further, the act does not restrict the possession of gill-nets. It is lawful for a licensed professional fisherman to use a gill-net only in accordance with his licence. However, at present, anyone may have a gill-net in his

possession. Fisheries officers may discover people in the vicinity of rivers and estuaries with gill-nets in their possession. However, until those people actually put the nets in the water, there is nothing fisheries officers can do. This allows poachers to move freely to remote locations with impunity. The proposed amendment would mean that the possession of gill-nets would be restricted only to licensed fishermen, persons who may lawfully possess gill-nets for the purpose of sale and persons carrying out their duties under the act. Furthermore, a person found in possession of a gill-net will be obliged to give a reason for his possession to a fisheries officer or a member of the police force.

I now turn to the bill itself. Clause 4 amends section 27(1) of the principal act. This amendment provides an additional penalty in respect of an offence where the fish taken in excess of the prescribed bag limit is barramundi. It provides a penalty of \$100 for each barramundi in respect of which the offence was committed.

Clause 5 inserts a new section into the principal act. The new section 28A provides that it is an offence for a person to be in possession of a gill-net unless he is the holder of a class A1 or class C licence or lawfully in possession of a gill-net for the purpose of sale. It also provides that it is a defence to a prosecution for such an offence if the defendant establishes to the satisfaction of the court that, at the time of possession of the gill-net, he had not committed and was not proposing to commit an offence against the act. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

COMPENSATION (FATAL INJURIES) AMENDMENT BILL (Serial 233)

Bill presented and read a first time.

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

Honourable members will be aware that, during the past couple of years, the government's program of recognising Aboriginal customary and tribal marriages in certain legislation has continued steadily. Such acts as the Status of Children Act, Family Provision Act, Workmen's Compensation Act, Motor Accidents Compensation Act, Administration and Probate Act and Crimes Compensation Act recognise the rights of spouses who have entered into an Aboriginal customary or tribal marriage. The government's program of recognising tribal marriages has been endorsed by the Australian Law Reform Commission. Indeed, that body has commented that the Territory leads the way in enacting this type of legislation. One of the final stages in the program is to amend the Compensation (Fatal Injuries) Act.

The Compensation (Fatal Injuries) Act provides that a personal representative of the deceased person may, if that person's death was caused by a wrongful act, neglect or default, bring an action to recover damages for injury sustained by the deceased on behalf of those members of the deceased's family who suffered damage by reason of this death. At present, the children of tribally-married persons can bring an action under the act as they are members of the deceased person's family within the meaning of the act. However, tribal spouses are not covered by the act at present.

The bill seeks to amend section 4 of the principal act by an addition to the definition section so that Aboriginal customary or tribal marriages are

recognised by the act. This will ensure that, where the death of an Aboriginal has been caused by a wrongful act, neglect or default, a personal representative could include the deceased's spouse as a member of the deceased's family in bringing an action for damages for injuries sustained by the deceased on behalf of those members of the family who sustained damage by virtue of the deceased's death. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

ADJOURNMENT

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

Mr BELL (MacDonnell): Mr Speaker, there are a couple of questions I wish to address in this evening's adjournment debate. First, I want to finish off the matter I was referring to yesterday when my time ran out. As I mentioned yesterday, the honourable member for Stuart had gone a considerable way to creating confusion as far as the negotiations over the Henley-on-Todd site were concerned. I notice that I am attracting a few yawns across the other side of the fence but I think that the matter is of sufficient importance for me to spend a few more minutes of the Assembly's time on it. I want to make it quite clear that I regard it as quite mischievous of the honourable member to have created confusion by not allowing a normal process of negotiations to proceed. I regard it as a rather ugly example of an attempt to get political mileage out of what is a very sensitive issue by suggesting that there were difficulties where there were none. In fact, I think the honourable member can be regarded as having cried 'wolf'.

Mr Speaker, you and all other members of this Assembly are aware that the honourable member rarely takes the opportunity to defend some of his more outlandish public statements. I believe that, in this particular case, he has an obligation to the members of this Assembly, in view of the responsibility this Assembly has to provide good government in the Northern Territory, to give some account of his public utterances in this regard. The *modus operandi* of the honourable member is rarely to speak in debate in this Assembly and to spend most of his time sitting in his electorate office writing divisive little media contributions. I would like to see him get on his feet during these sittings to give an explanation of the particular problems as he sees them. I am quite sure that nobody else in Alice Springs perceives them in the same way.

I finished yesterday by quoting from an article in the Alice Springs Star in which the honourable member had suggested that sacred sites had suddenly surfaced in the vicinity of the Henley-on-Todd site. That, in fact, is absurd. I also suggest that the division of sacred sites into genuine and others was highly presumptuous and not based on any sound knowledge. Perhaps he would like to share it with us this afternoon. I would be very interested to know how he is able to make such a clear distinction between genuine sacred sites and other sacred sites.

Referring to these particular examples, I think that he should be prepared to learn why these particular sacred sites in fact deserve that name and deserve to come within the purview of the Sacred Sites Protection Authority. The honourable member slandered that organisation also. He might like to get up this afternoon and tell us why he attempted to create a lack of confidence in that organisation amongst people in the Northern Territory. In the particular article I read from yesterday, he suggested that the Aboriginal Sacred Sites Protection Authority was naming sacred sites 'for no good reason'. I propose to indicate why the honourable member is quite out of court in

suggesting that these sacred sites were named 'for no good reason'. One of the custodians in Alice Springs, an Aboriginal man, Thomas Stevens, was quoted in the same article. I propose to read what Mr Stevens said:

We have been worried about the sites for years but there was no use in doing anything about it until the Sacred Sites Authority was formed in 1980. Mr Vale should not question the sites. He knows nothing about them or how long we have been worried about them and we never said we wanted to stop the Henley-on-Todd. Anzac Hill is a sacred site too and we never made trouble about that because Anzac Hill is important to everyone. All we want is to talk to people about putting up some fences or something. The sites are not very big.

That is what Mr Stevens had to say. It certainly does not smack to me, Mr Deputy Speaker, of somebody who is attempting to create sacred sites in order to frustrate either the pleasure of Henley-on-Todd or any other activity in Alice Springs. I suggest it was highly mischievous of the honourable member to put out public statements in this way and create disaffection towards the Aboriginal Sacred Sites Protection Authority which was attempting to do what it has been set up to do by the very government of which he is a member.

This is my last comment on this particular subject. I would also be very interested to know whether the honourable member has taken up the invitation given to him by the Aboriginal custodians, in this particular case, to find out a bit more about what is involved with the sites in the vicinity of the river bed where Henley-on-Todd is held. At the end of this article, it says: 'The Aboriginal custodians say they will be happy to talk to Mr Vale and tell him about Choritja'. I just wonder how much trouble he has taken. Perhaps he followed up that invitation. I would be very interested to hear of the fruits of his investigations and to find out if the honourable member has been enlightened in this particular case. I have no doubt that later in the adjournment this afternoon he will enlighten the Assembly.

One other particular matter I wish to mention in passing concerns the electorate of the same honourable member. It is the issue of independent health services. There is a health service of this sort at Utopia in the electorate of the honourable member. I imagine his representations were nothing short of highly intense in this matter. I would like to thank the honourable Minister for Health for his lengthy answer on this question yesterday. Perhaps in a later adjournment debate I will take up some of the other points in that answer. At this stage the one thing I would mention is the terminology that the honourable minister employs. He refers to these as 'independent health services'. As he suggested yesterday, I think quoting John Donne: 'No man is an island'. Presumably no health service is either.

He suggested that the term 'independent health services' was a misnomer. I heartily agree with him in that regard. The phrase I have been using to characterise these services is 'locally-based health services'. I think that that is a much more appropriate form of words and more accurately describes the system under which these services operate than does the word 'independent'. As the honourable minister said, they are not independent; they require services from elsewhere. This is a crucial aspect. It is not a question on which people should be divided on political grounds. It is a matter of local control. The idea of local control is important to people on both sides of the political fence. That is the element that we should encourage in these services, and I believe that we should describe them as locally-based health services.

I am afraid, Mr Deputy Speaker, that is about as far as I can go in handing out bouquets to the honourable minister. At this stage, I am forced to take him to task for the attempts he made to create difficulties for these organisations by his attempt to create problems as far as evacuation and the provision of administrative and other services were concerned. I would like to read into Hansard the memorandum that was sent out to officers in the Department of Health suggesting that the department would not longer cooperate in the transport of patients for the so-called independent health services. He said quite clearly:

Further to my letter of 25 June 1982 advising that the department is not to pay for the transport of patients of independent health services as of July 1982, departmental medical officers or other staff are not to authorise the transport of patients from any independent health services including Liappa medical service at Papunya, Oorapuntija health services at Utopia, Pitjantjatjara homeland service.

That, of course, created a great deal of concern amongst the staff of those health services and amongst the people on those communities, about the difficulties that might be created by any attempt to prevent the transport of patients from those places.

I quite agree with the honourable minister that it is an expensive business and may be administratively difficult but, since those people live in the Northern Territory, they are entitled to health services as good as those anybody else in this Territory is entitled to. I resent the attempt of the honourable minister to make it difficult for them. Fortunately, under persuasion from myself and various other people, the honourable minister sought to change his mind and I thank him very much for that. Of course, it was somewhat cold comfort to hear from the honourable minister, in answer to the question, that the present state of affairs can only be guaranteed up until October.

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

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this morning I asked a couple of questions and I would like to address a few remarks to the answers that were given to me. I asked the Minister for Transport and Works a question regarding the obligation of the people in the rural area to renew their septic tanks because of faecal pollution of ground water in some parts of the rural area. He was not able to give me a definite answer but no doubt I will find out if a definite direction has been given to the people in the rural area to do this. I am more concerned with the contamination of bore water from noxious chemicals than faecal contamination because the latter can be dealt with. If it is a poison or chemical, it is rather impossible to deal with it once it has contaminated the water. However, I agree that, if there is contamination of the 2 main aquifers in the rural area - one is relatively near the surface and the other is lower down - we must try to stop the contamination. Unfortunately, because of the nature of the aquifers, if one person pollutes the water by a faulty or dirty bore, other people have to pay the penalty. Whilst I agree that the Water Division officers must try to find the reasons for this contamination and remedy the situation, I feel that, before any blanket recommendation is made that everybody in the rural area has to renew his septic tank at a cost of about \$12 000, much more work has to be done on the causes of this contamination of ground water.

I asked the minister a question yesterday regarding the lifting of the moratorium on subdivision in the rural area. Last August, if my memory serves me correctly, a decision was made that there would be no subdivisions down to

5 acres until certain decisions could be taken regarding the future of taking of water from ground water stores. I hope that the Water Division officers make their reasonable recommendation in the near future because there is no doubt that many people wish to move out to the rural area. Whilst I agree that safety standards in relation to potable water must be maintained, we must consider the fact that people's reasonable wishes have to be considered and they have expressed a definite wish to come and live in the rural area.

In the past, 2 subdivisions in the Howard Springs area have had certain restrictions put on them. They tried their best to carry out work stipulated so that they could sell the blocks of land. However, because the government had not addressed itself vigorously to the subject, they were put off and off and a decision was not made. I would hate to see this manana view regarding subdivision in the rural area still held in a couple of years' time. If people are not allowed to subdivide to 5 acres subdivision, the potential residents will jump the rural area and live further out from Darwin. Then, we will have further planning hassles and further hassles regarding subdivision and supply of services. It is in everybody's interest that the Water Division officers reach a quick decision on what their recommendations will be. I hope to goodness they are reasonable.

I asked the Chief Minister his views on the restrictions placed on the residents of Jabiru regarding fishing in billabongs around the town of Jabiru. The people of Jabiru have been fishing quite happily for some time in the Jabiluka, Ja Ja and Leichhardt Billabongs and at Magela Point. They have not damaged the environment, they have not left litter around and they have not overfished the area. They have behaved in a responsible fashion. On Monday, they found notices saying that they cannot fish in these areas. I am a great believer in the view that all the people who live in the Northern Territory, no matter what their colour, creed or ethnic origin, should live first of all as Australians and secondly as residents of the Northern Territory, and that applies to people who own land.

It is my understanding - and I am not a fisherman myself so I cannot speak from firsthand information - that on properties in my electorate adjacent to the areas that we are talking about, some of which were on the old Mudginberri pastoral lease, a person could go and fish. When Mudginberri and Munmarlary were operating as pastoral leases, I think one made an application to the manager and, if one behaved responsibly, one had no trouble in obtaining permission to fish on these properties.

Annaburroo has a different system. If one wants to fish or camp on Annaburroo pastoral lease, one applies to the owner and, for a small fee, one is allowed to do this. The fee is charged because the owners have told me that, in the past, they adopted other methods which were not satisfactory. They allowed anybody to go onto the property and this had disastrous results. There was littering, shooting and bushfires. People left gates open and the situation was most unsatisfactory for the people trying to run a pastoral lease profitably. They tried complete restrictions and had similar results with the further problem of fences being cut. Thus, they have adopted this particular procedure of charging a small fee which suits them and the people who go there. It seems to be a fair and just way of sharing their resources with other people. I believe, on application to the owners and managers of Marrakai and Point Stuart Stations, people can go there and fish. I think a degree of responsibility is required from these people in that they do not overfish particular places, do not do anything that would be to the detriment of the running of the pastoral lease, do not leave litter, do not start fires etc.

I regret most deeply the divisive decision that has been made regarding this land around Jabiru and around the Jabiluka camp site. This decision means that an area of land, close to a large population, cannot be used by people for legitimate recreational purposes and yet other land, a little way away, can be. Perhaps some agreement can be reached with the Northern Land Council to allow certain people, under certain conditions, to continue their recreation fishing at these favourite fishing spots on what is now Aboriginal land. I addressed a meeting of the Northern Land Council on one occasion and I know some of the people on the Northern Land Council. I have found them to be most reasonable people to discuss problems with, as I have found the Aboriginal people in my electorate on Bathurst and Melville Islands to be. They are the sort of people with whom you can sit down and talk things over. They may see your point of view 50% of the way and you see their point of view 50% of the way. If there is a problem between 2 different sorts of people, I am a great believer in meeting and talking about it. I hope this can be done in the future to settle this problem.

Finally, I would like to say a few words on goats. I have spoken on goats in the Assembly before ...

Mr Dondas: Billy goats?

Mr SPEAKER: Order!

Mrs PADGHAM-PURICH: The interjections aside, Mr Speaker, goats have a lot more sense than many people I know. They have the aptitude to do well where other livestock will not because they have the sense to find the right feed to eat and to look after themselves. People in the rural area and elsewhere are keeping more and more goats. I believe there is a very big herd of goats at Katherine. I have even had people from the Department of Primary Production ringing me and asking for information on goats. I said to the Minister for Primary Production earlier today that I am going to apply to the secretary of his department for a commission because, in some ways, I appear to be doing work his officers should be doing.

A decision has to be made by the higher echelons of the Department of Primary Production pretty soon to provide some sort of assistance through research work into the keeping of goats in the Top End. I do not know whether any active thought has been given to this. I hope it has because it is many years behind the times. At the moment, people keep goats because they want to breed them and make a few dollars. A small industry has started and is progressing very well. It is an occupational industry which people can carry out on relatively small properties. The people who keep goats know each other. I must admit an interest here; I keep goats too. If I have a problem, I ring another goat keeper and see what he or she knows about it. We ring each other and ask for advice on particular problems. I hope that, in the not too distant future, a decision can be made either to employ more extension workers or to employ more research workers in the field of goat husbandry in the Top End.

Mr MacFARLANE (Elsley): Mr Deputy Speaker, the remarks by the Minister for Transport and Works this morning that a fighter squadron would be based at Tindal is additional to the budget announcement that \$4.58m would be spent on the base in the next year. It is fairly obvious that Tindal will be re-activated. I have never worried about it because defence programs are long range; they come and they go depending on the needs of the country.

If a fighter squadron is based there, there will be about 800 families involved altogether. There would appear to be the need now for long-range

planning, both by the RAAF and by this government, to make sure things go smoothly. We should set up some kind of an authority, similar to the Palmerston authority, to co-ordinate the activities of both the Katherine townspeople and the RAAF. We have to decide whether these want to be based at Tindal or in town or whether they want to split the operation and have some residents at the base and some in town. Either way it will double the size of Katherine. There are only about 800 houses there now. It will be a major undertaking for this government.

We are having trouble now providing educational facilities. As you heard this morning, Mr Deputy Speaker, it is difficult to persuade teachers to stay there. Parents are most concerned because education must be continued. The government cannot do much about it. Housing must be provided for teachers, I suppose, but should they be given priority over employees of other departments or people in the commercial sector? What about people living in caravan parks? A decision must be made somewhere because the education of the children is paramount. It is more important than the needs of other departments. This is a fairly solid decision to make. The Department of Health made it years ago. It provides accommodation for the nursing sisters and some of the permanent staff at the hospital. Things like this might have to be thought about by some authority - how to get teachers at the secondary level to stop in Katherine to teach, not only the people living there at present but the people who will come if a fighter squadron is based there.

Other services will be required too: electricity, water, sewerage and health. It will be a major undertaking and I hope that the government will liaise immediately with the RAAF to decide what is to take place where. There will be a need for recreational areas. If Tindal is to be reactivated, it could not afford to be cut off from the town or have the Stuart Highway cut. There will have to be some means of flood mitigation. The provision of \$53m for a dam above the Katherine Gorge will be imperative.

I have mentioned this many times. The dam would be a multi-purpose one. Apart from flood mitigation, it would provide the water for irrigation which a larger town - double the size of Katherine - would need for provision of vegetables, fruit and even the prime cattle which one could not afford to bring from the Centre all the time, despite the campaign of the honourable member for Stuart. This dam would provide electricity, a recreational area and soft water for domestic use, sufficient for 5000 people if the size of the town doubles. A dam would provide a recreational area for the servicemen at the base. I see the possible stationing of a fighter squadron at Tindal as very important to my electorate and to the Territory. I can assure this Assembly, and the defence forces too, that, far from spurning the stationing of a fighter squadron in Katherine, we would welcome it.

Lastly, we have had a lot of trouble with Lands Department matters and every month 2 or 3 officers go down to Katherine and spend a couple of days there. This venture has been very successful. I hope the Minister for Lands and Housing will make sure that the Housing Commission operates in a similarly efficient manner. The monthly visits of these officers from Darwin has proved a great benefit to the whole area. It has taken a lot of weight off my shoulders. It is not that I mind the weight but personal interviews with the Department of Lands officers is much better than just going through the local member who has to use a telephone.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in mid-June this year, an announcement was made that a school was to be built at Bulla Camp which is on the East Baines River about 8 km from Auvergne Station at a cost of \$55 000. I am at a loss to understand why the school is to be situated at Bulla Camp

rather than at Timber Creek which is approximately 40 km distant. Bulla Camp has virtually no services except water whilst, at Timber Creek, there is a more than adequate water and power supply, a 2-sister health clinic, a 2-man police station, an airstrip and 2 stores. Also Timber Creek has been gazetted as a town. The number of school-aged children at Bulla is approximately 16 to 20 according to seasons. Not far from Timber Creek on the Katherine side is another Aboriginal camp locally known as the 11-mile on the road out to Bullita Station. I was unable to accurately assess the number of school-aged children at the 11-mile but I would make an educated guess that it would be around 7 or 8. There are also 2 or 3 children at Timber Creek who would benefit from a school there.

The 11-mile camp is cut off from Timber Creek during the wet season. The idea behind establishing a school at Bulla seems to be in order to pressure the 11-mile camp people to shift to Bulla if they want to have their kids educated. I would be interested to hear the views of the Minister for Education regarding this suggestion. If his departmental officers who have chosen Bulla for the site of the school have any idea along the lines that the 11-mile people will shift to Bulla, I am afraid they are doomed to disappointment. Both the 11-mile group and the Bulla group belong to the Ngarinman tribe but the tribal affiliation is not so strong that the 11-mile people will ever move to Bulla even if it means that their children will have a government education. There is a very good reason for this. The 11-mile people will not move their camp to Bulla because Bulla camp is very much dominated and under the influence of a missionary gentleman from Kununurra, a Mr Arnold Congoo. Over the years, a long time before I became the member for Victoria River, I observed Mr Congoo's activities and I became increasingly concerned at the mood of depression that seems to have settled on the people at Bulla. Certainly, after Mr Congoo came on the scene, the Aboriginal people became convinced that they would never be saved unless they destroyed their spears which they did. Over the years, as his influence has increased, so the Aboriginal community's capacity to laugh and to enjoy themselves has decreased until now they are at a stage where they have been convinced that, in order to achieve salvation, they must destroy radios, tape recorders and cassettes and anything else likely to entertain them except, of course, their regular religious films and sermons. Those of them who can read seem to have had their choice of literature somewhat narrowed to bible tracts. Comics are strictly out at Bulla, I can assure you.

Their fellow tribesmen, now camped at the 11-mile, saw how the situation was developing and moved out to their present camp. The spokesmen for this 11-mile group are men whom I am sure the Minister for Primary Production will know: namely Duncan MacDonald, Joe Jabada and Billy Dinung. They are all quite outstanding characters, particularly Duncan MacDonald. They feel that, when Mr Congoo arranged for all the Bulla people to have their social security cheques signed over to him, it was the final straw. They reckoned it was time to move out and I do not blame them.

If the Education Department persists in locating its school at Bulla, it will undoubtedly give the 15 to 20 children who live there an opportunity for some education but, at the same time, it will deprive between 9 to 11 children at the 11-mile and Timber Creek any chance of an education. If the school were to be sited at Timber Creek which has all the service facilities that I mentioned earlier, the 11-mile people would be prepared to bring their children into Timber Creek during the dry season. During the wet season, they normally move into Timber Creek because of the floods. If the proposed school were to be established at Timber Creek, the Bulla children would need transport to and from their homes but, in the long run, the provision of a bus of some sort would prove less costly than trying to provide services at Bulla. I therefore request the Minister for Education to take a personal look at this situation as I am

totally convinced that Bulla is the wrong place to build a school. Perhaps, if he went into it a little bit more, he might become convinced himself, taking into account the missionary's activities down there.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, the other day, a member asked a question about Grumman trackers and the possibility of their being returned to Darwin. In reply, the Chief Minister mentioned that his representations had been referred to a committee on fixed wing aircraft. He suggested that possibly there was a committee on balloons and airships. I hope that there is indeed. While I was in England, I read a couple of press reports about a prototype airship which is already being demonstrated. The Minister for Defence, Ian Sinclair, was privy to a demonstration when he was in Britain for discussions about the aircraft carrier. This airship is not a rigid structure like the Hindenburg. It is made of modern materials and is collapsible. It has many advantages over the old type of airship because it is filled with helium which is non-inflammable. It has a speed of about 100 mph which in Territory terms is about 160 km/h. Since it is a flying ship, I dare say that 95 knots would be a better way of putting it.

It has the ability to rise and descend under the power of its engines. The prototype is a small one with a crew of only 4 people but, if they get financial support, they will build larger ones capable of taking 2 crews on board. They will be equipped with radar so that they can pass through clouds. If it had been a good day in Aberdeen, I may have had a chance to see it because they intended to demonstrate it there but low cloud prevented that. The prototype does not have radar.

This airship would have many advantages for coastal surveillance work because it can stay in the air for 32 hours. It can go over land and shallow water. It does not have to dodge around as ships do. In 32 hours, it can cover about 3000 miles. It could be a very useful craft. The news report said that the Australian Minister for Defence was very interested in this vessel and, no doubt, will be keeping his eyes upon future developments. He may indeed have a committee on airships. As far as we in the Territory are concerned, I think we should keep our ear to the ground on this and watch the development of this craft with interest. It may be a fizzer. However, the prototype has been demonstrating great possibilities and Darwin itself could become an airship base. Honourable members can appreciate the advantage of a craft that can fly at that speed over land or shallow water. It can descend to the surface of the sea to deliver goods to people or apprehend people who are breaking the law. In future, Darwin may have an airship base for the purposes of coastal surveillance.

I mentioned this morning at question time that the Old Timers' Home in Alice Springs had 3 cottages broken into a week or so ago. In fact, one was actually ransacked. The lady who normally lived there was in hospital because her husband had died recently. In the second case, a man asleep in bed awoke to find 3 people standing over him. In the third case, a person heard noises at the window and went to investigate. Someone had cut the flywire screen and there were 3 faces outside. The Old Timers' Home is in a delightful spot away from the general town area. These elderly people have chosen to go out there and I would like to think that they would have the chance to retire in some degree of peace. On the same night, there was an attempt to steal 2 motor cars. An MSS guard grappled with a person pushing a staff member's car out only to be hit from behind by a second person. The 2 would-be thieves escaped over one of the side fences. The matter of security is of great concern to the people out there, particularly after these events. I had the pleasure of making representations to the Treasurer on behalf of these people. The government helped with the materials for a high fence on 3 sides. I know the people out there were

grateful to the government for that. Some of the local clubs helped to erect the fence. When the type of fence was being discussed, the residents were concerned not to offend the people in the neighbourhood. They were not keen on a fence across the front and they did not think there should be barbed wire on the fences on the 3 sides because that could be offensive to the neighbouring people.

These people do not want to live in a prison. As a government, we should make whatever efforts we can to protect them because, in many ways, they are defenceless. The ideal protection is to catch the offenders and prosecute them so that they get the message that they cannot get away with this sort of behaviour. Many things could be tried. They could have guard dogs, but these elderly people want to move around freely. Lights could be installed but that again has problems. I would like to make a suggestion for what it is worth. Perhaps the MSS guards and the police who patrol there at night could do some shooting. Before anybody becomes upset, the sort of shooting I have in mind is with a camera with a flashgun. I think there is nothing quite so instantly debilitating for the moment as a camera flash in the face. In the dark, for a moment, everything goes black. It would also be useful as evidence.

The difficulty is to apprehend the people. When offenders are not caught, there is a tendency for whole groups of people to be blamed when it is only individuals or small sub-groups who are responsible. I suggest that police and security guards could consider carrying cameras as part of their equipment. There are cameras available which are not very heavy nor need much focussing. That sort of evidence would help bring the culprits to justice and would go a long way to providing the protection that people generally need and not just these people at the Old Timers' Home.

Mr Deputy Speaker, I want to say briefly something about the transfer of police from Alice Springs. I do not want to say too much except that one of the policemen concerned said that he does have some regrets. He has been in the area for a long time. However, he realised it was a part of his job.

Again, last night I had dinner with a policeman from Alice Springs. He is not one of those affected. I asked him about the general feeling among the fellows. He said: 'Well, there are some regrets. Some are concerned about some of the matters but, basically, the fellows realise it is part of the job and you have to expect to be moved around'. I certainly have not spoken to all people involved. My view is that not all the 14 policemen are up in arms about the matter as has been portrayed.

Mr SMITH (Millner): Mr Deputy Speaker, I seek the brief indulgence of the Assembly to relate 2 small stories concerning my electorate. The first one concerns a block of flats which has basically been taken over by a number of Vietnamese families. The block of flats features a concrete slab and it is my pleasure each morning to walk past this concrete slab. However, it is to my quite incredible amazement that I see under a cardboard shelter in a corner of the slab 3 ducks. Each of the ducks is tied by the leg with a piece of string and the other end is underneath a large brick. Each morning as I go past it is my pleasure to see an elderly Vietnamese man with a full Ho Chi Minh beard tending these ducks. I think it says something for the inventiveness of our Vietnamese friends in the community that, in such a foreign environment, they are still endeavouring to provide themselves with fresh meat. I think it is a good sign that they are doing so.

The second story concerns a group of people whom I do not think would have been mentioned here before: the patrons of the Nightcliff Hotel. The Nightcliff Hotel in the past has had a fairly rough reputation but things are changing there.

The patrons this year have taken a considerable interest in Millner School. On a number of occasions, they have been quite helpful to the Millner School. Just before the end of the first half semester, the patrons of the Nightcliff Hotel, through their cricket team, donated 2 trophies to the Millner School for the best sports boy and the best sports girl. Subsequently, the Millner School has had 6 people who have successfully been selected to attend the Pacific School Games in Brisbane which will take place shortly before the Commonwealth Games. There are 5 swimmers and 1 athlete.

The patrons of the Nightcliff Hotel have organised a number of money-raising functions - mainly meat trays - and have raised \$242 for the students, which works out at \$42 per student. That is a commendable effort. In this public forum, I would like to express my appreciation and thanks to those people and particularly to the 2 organisers, Mr Ron Riddell and Mr Reg Buxton.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I read message No 13 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 make provision for and in relation to an occupational superannuation scheme for persons employed by the Territory and for certain other persons.

Dated this 30th day of August 1982

*E. E. Johnston
Administrator.*

PETITION

Upgrading of Roads through Lambell's Lagoon Area

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I present a petition from 62 residents of the Northern Territory relating to upgrading of roads into and through the Lambell's Lagoon area. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain residents of the Northern Territory respectfully shows that road conditions into and through the Lambell's Lagoon area are appalling and present danger to road users. Your petitioners therefore humbly pray that the government acts forthwith to upgrade this road for safe travelling, particularly for children, residents and workers of the area, because of thick, white bulldust, blind corners because of build-up of sand, collision dangers, boggy shoulders in the wet, slippery clay conditions in the wet and hazards of wild life, and your petitioners, as in duty bound, will ever pray.

PERSONAL EXPLANATION

Mrs PADGHAM-PURICH (Tiwi) (by leave): Mr Speaker, I claim to have been misrepresented by the Leader of the Opposition when he suggested in the NT News on 21 August 1982 that I had used the Assembly for a scurrilous and divisive exercise. The question of the closing of areas near Jabiru was raised by me in the Legislative Assembly on Thursday 19 August.

Mr B. COLLINS (Opposition Leader): Mr Speaker, a point of order! I think it would be proper of the honourable member to advise the Assembly where she has been misquoted. That is the purpose of a personal explanation. It is the practice, I would advise the honourable member, that she should read out the misquotations.

Mrs PADGHAM-PURICH: Mr Speaker, I was about to do that.

The question of the closing of areas near Jabiru was raised by me in the Legislative Assembly on Thursday 19 August as a question without notice to the Chief Minister following representations made to me by constituents in my electorate living at Jabiru. I want to emphasise emphatically that I was not asked by the Chief Minister to raise this question but that I initiated the question following concern expressed to me by some residents of Jabiru regarding restrictions...

Mrs O'NEIL (Fannie Bay): A point of order, Mr Speaker! My understanding is that the Leader of the Opposition has never suggested that the Chief Minister asked the member for Tiwi to ask that question and her attention to that point is totally irrelevant to her alleged misrepresentation. The Leader of the Opposition has never suggested that is what happened.

Mr SPEAKER: I must uphold the point of order. The honourable member may make a personal explanation as to where she has been misquoted. If she wishes to debate the matter and explain it fully, that is a matter for an adjournment debate.

Mrs PADGHAM-PURICH: As I explained in a press report on 25 August, at that time, we were talking about fences. However, for the Leader of the Opposition to say that this is a scurrilous and divisive exercise is complete misrepresentation. Indeed, by making those comments, it is he who has attempted to be divisive in this matter. If, as a land council spokesman reported in the NT News of 26 August 1982, the only area which would be fenced is the Jabiluka uranium mining project area ...

Mr B. COLLINS: A point of order, Mr Speaker! I really must protest. The honourable member is completely misusing a personal explanation. She is in fact making a speech. She can do that in the adjournment.

Mr SPEAKER: Honourable members, I must uphold the point of order by the Leader of the Opposition. The honourable member is debating the question and not making a personal explanation.

Mrs PADGHAM-PURICH: I will finish, Mr Speaker, if I may.

Mr SPEAKER: I give the honourable member points for persistence, but if she cannot make it brief, I will finish it for her.

Mrs PADGHAM-PURICH: Mr Speaker, in relation to the question from my constituents at Jabiru, I hope that the area to which access will be denied will be only the Pancontinental lease area. If this eventuates, then may I suggest...

Mr SPEAKER: The honourable member will resume her seat.

DISTINGUISHED VISITORS Portuguese Parliamentary Mission

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of a Portuguese parliamentary mission comprising Dr Manuel Tilman, Dr Jose Lemos Damiao and Dr Alberto Aarons De Carvalho. I hope the visitors will enjoy their stay in the Northern Territory.

Members: Hear, hear!

APPROPRIATION BILL 1982-83
(Serial 235)

Bill presented and read a first time.

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

It is my pleasure to present the Northern Territory budget for 1982-83. This, the fifth budget since self-government, has been prepared against a backdrop of worsening economic conditions in Australia as the impact of international recession has its full effect. Falls in world prices for raw materials have postponed, for a time, Australia's expected resources boom. In the Territory, these falls were reflected in the closure of the copper smelter at Tennant Creek and the scaling down of operations at Groote Eylandt. We have seen interest rates rising, the external value of the Australian dollar declining, federal and state budget deficits blowing out, national unemployment rates steadily increasing and company profitability decreasing.

The Territory has not escaped totally the effects of these trends as we have links with the national economy and the wider international economy. But we have managed to escape the more jagged edges of recession. While at the federal and state levels, there have been considerable difficulties in containing budget deficits, the Territory managed to end 1981-82 with a small surplus in its consolidated fund.

Mr Speaker, it is during times of recession that those of a different political persuasion tout theories to lift employment artificially. However, this government believes firmly that the best protection against recession, and its harmful impact on employment and welfare, is vigorous development. Development does not guarantee immunity from the effects of economic downturn but it does provide protection. When recession strikes, it is the ailing and stagnant economies that suffer most. Rapidly developing economies like the Territory's must slow down for a time but, when conditions improve, they resume their vigorous growth.

This budget therefore proposes no special schemes to create employment. Rather, the budget as a whole, through its growing support of continued Territory development, provides the most effective, complete and sustainable employment scheme that can be devised. Over the last few years, while the rate of job creation in Australia has been shrinking, the Territory has consistently recorded the strongest performance in generating employment opportunities. Over the last 5 years, the rate of job growth in the Territory was 4 times the Australian average. That is why we intend to pursue the policies we have been following. In short, they work. Looking after the needs of Territorians means first ensuring that there are opportunities for work. In the process, with our heavy emphasis on capital works and ongoing support for the private sector, we are building up the Territory's productive base and preparing for the future.

Last year was one of solid growth for the Territory's economy despite a downturn in base-metal prices. Investment in the Territory continued to reflect confidence in the government's capacity to maintain a healthy economic climate in comparison with other parts of Australia. Major private and public sector projects coming on stream include the Yulara Tourist Village in central Australia, the Palm Valley gas pipeline, the major international hotel in Alice Springs, the Palmerston project outside Darwin, the Darwin centre for performing arts, the world's biggest uranium mine at Jabiluka, vigorous activity in cropping, a grain receival depot and increased defence infrastructure, including the completion of the Larrakeyah Patrol Boat Base and the prospect of a RAAF fighter base at Tindal.

It is in the area of tourist accommodation that the Territory has achieved one of its most notable successes in the past 12 months. This has not happened by accident. Government initiatives and the vigorous pursuit of tourism investment by the Northern Territory Development Corporation has added 429 accommodation units throughout the Territory. Let me assure honourable members that the government is not resting on its laurels in this area. It is urgently necessary to prepare for the coming of the great land bridge that the Territory has been seeking for more than 70 years. We are pressing the Commonwealth to build the rail link between Darwin and Alice Springs by 1988 rather than its committed timetable of 1990. This will boost further the numbers of tourists coming to the Territory from the south and will provide a new link to the southern Australian states for travellers from our north.

Major development of the port of Darwin is under way now to complement the rail link and this will open the way to vastly increased trade with our northern neighbours. As well, a new air terminal is scheduled for Darwin and talks are continuing on overdue improvements to the Alice Springs airport.

It was a good year in terms of securing satisfactory funding for the Channel Island power-station, continued subsidy for Northern Territory electricity operations and additional funding for health and housing. Last year was one in which prudent financial management was effective. In spite of the early threat of a deficit for the year, the government's adoption of a series of initiatives to contain expenditure paid off and allows us to start 1982-83 with a small surplus. In the March quarter 1982, average adult male earnings in the Territory were \$364 per week, which was \$23 higher than the national average. The annual cost of salary increases awarded to government employees over the last 12 months was some \$23m. That figure does not include the consequential effects on overtime, annual leave-loading and the like. As a result, we took firm and positive action to contain staffing costs.

It has been the policy of this government to aim for a balanced budget and that policy will continue in 1982-83. This is in marked contrast to some states which have had to resort to extraordinary revenue-raising measures by introducing surprise mini-budgets and still ended the year in deficit.

In the area of constitutional change, 1982-83 marks the first full year of operation for the Northern Territory's Marine Act which came into effect in March. The act deals with safety and the preservation of life and property in Territory waters. Responsibility for marine legislation has been one of the last state-type functions to transfer from the Commonwealth to the Territory. We will continue to press for the transfer of other responsibilities, particularly national parks and uranium.

Mr Speaker, the size and direction of the government's expenditure in the Northern Territory in 1982-83 can be stated simply. For the first time, the government and its authorities will spend more than \$1b. Of this, \$828m is provided for in the Appropriation Bill now before the Assembly, and a further \$41m in special appropriations under other acts. The remainder relates to expenditures by authorities funded outside the budget.

These figures reflect the magnitude of the government's contribution to the development of the Territory. They underline the level and type of support which has been primarily responsible for the rapid growth the Territory has enjoyed since self-government.

Mr Speaker, the good news for Territorians is that the government does not intend to increase existing taxes or introduce new taxes in this budget. We do, however, feel constrained to increase interest rates on public service staff housing loans which I will detail shortly.

Announcements were made some time ago regarding increases in health charges. These came into effect on 1 July, and will raise an extra \$1.7m in the first year.

It has also been announced that the basic allowance under water charging schedules has been reduced from 750 kL per annum to 500 kL and the basic charge increased from \$50 to \$75. Sewerage charges have been increased from \$75 to \$100. These increases are expected to yield \$1.8m in a full year, increasing revenue for water and sewerage to \$7.5m and reducing the loss of these operations to about \$14m annually.

I now turn to expenditure proposals. Mr Speaker, the housing industry continues to be a vital element in the Territory's development, both as a significant employer and as a means of satisfying growing accommodation needs in a region which enjoys the highest population growth in Australia. This year the total budget for the Housing Commission is \$118m. In the 4 years from self-government to 30 June 1982, the Territory's housing stock has increased by more than 6000 dwellings, or 20%. This represents one of the most rapid rates of increase in any state. The Australia-wide figure is only half that. Just under 50% of the dwellings constructed during that time were built by the Northern Territory Housing Commission and many more were funded under the government's Home Loans Scheme.

The government justly takes pride in its achievement and has pledged to maintain this emphasis both through the construction program of the commission and through the Home Loans Scheme which it administers. This year, 894 new dwellings will be commenced by the commission at a cost of \$42m. The program provides for 675 commencements in Darwin, 126 in Alice Springs, 25 in Katherine, 48 in Tennant Creek and 20 in other centres.

Territorians will continue to benefit from finance provided from under the Home Loans Scheme. Since 1979, when the scheme was introduced, more than 2000 Territory families and individuals have received loans through this scheme. Last year it was expanded to include single people and the lending limits were varied to maintain their relevance in conditions of rising incomes and housing costs. The commission has budgeted to lend nearly \$24m through the scheme this year.

Other government institutions are also playing a role in providing housing finance. The Territory Insurance Office has now lent a total of \$3m to a local building society. At the end of June, the Public Trustee had provided mortgage loans amounting to \$1.8m of which approximately 40% was for dwellings. During the year the Housing Commission financed the construction of 11 low-cost houses designed and constructed by private organisations. Costs ranged from as low as \$29 000 to \$34 000. These houses represented a first step in finding cheaper solutions to housing needs. Future displays will build on the lessons learned and should encourage architects, builders and the public generally to seek alternatives to traditional housing styles.

Mr Speaker, this time last year I expressed concern that lending for housing under the government's Home Loans Scheme had not been matched by lending from the traditional housing finance institutions, particularly the banks. The Chief Minister subsequently wrote to each of the banks reiterating

that concern and he indicated that the government expected all banks to re-evaluate their home lending policies in the Northern Territory. Earlier this year, the major banks agreed to increase their levels of home lending throughout Australia by \$400m and this amount will be increased further when the Reserve Bank of Australia decides to release statutory reserve deposits it holds from all major trading banks for the special purpose of lending for housing.

In order to attract a greater proportion of these additional funds to the Territory, the government is exploring options whereby it can stimulate financial institutions to increase lending levels. Negotiations are under way to this end.

It is a matter of great concern to this government that, despite initiatives in the recent federal budget, the average Australian is finding it increasingly difficult to turn the dream of owning his own home into reality. To some extent, this is because his priorities have shifted and he no longer expects to make the necessary sacrifices to achieve that goal. But there is also no doubt that the major contributing factor has been spiralling interest rates.

However, because of this government's commitment to a settled Territory population, we will do all that is possible to keep the goal of home ownership within the reach of ordinary Territorians. This will not be easy either for the government or for the people of the Territory. If the government is to continue to find the money for housing expenditure, or indeed increase it, we will have to contain expenditure in other areas. This could mean that not every arm of government will be able to do all that it would like to do. At the same time, those people seeking housing finance might have to examine closely their own personal financial priorities. They may have to make serious sacrifices to achieve their goals. Home ownership has rarely been achieved without a measure of serious effort and I suggest that today, just as in years past, a very real personal commitment is necessary for that goal to be attained. The government will make the effort necessary and I call on Territorians to do likewise.

This year the Territory government will spend about \$41m on land and land development, including expenditure by the Palmerston Development Authority and the Department of Lands as well as expenditures under the government's capital works program. The \$14m provided to the Department of Lands is a decrease on last year and reflects the reduced need for subdivisional development as the turn-off of lots from Palmerston gains momentum. The government is continuing to negotiate with Nabalco for the provision of more serviced land at Gove and to reach agreement on a formula that will allow the sale of Housing Commission homes in that area.

Mr Speaker, residential land has never been more available than it is today. For the first time since the stagnant days before self-government, sufficient land is being turned off to meet the demand in Darwin, Alice Springs, Katherine and Tennant Creek.

Recent weeks have seen the first residential blocks at Palmerston being offered for sale. The first residents are expected in early 1983. The government is pleased with the progress that has been achieved both by the authority and private developers. This has vindicated the government's private enterprise approach to land development, particularly in respect to the public funds that it releases for other capital projects. Total funding for the authority will be close to \$20m, including \$13m to be provided through the Territory budget and \$5m from semi-government borrowings. The authority's works program provides for commencement of new roads valued at almost \$10m

and a start to the construction of neighbourhood centres in the suburbs of Gray and Driver. These, plus other capital works of the authority and projects to be undertaken by NTEC, will amount to a total works program at Palmerston this year of nearly \$31m.

The appropriation for the Department of Education will exceed \$100m for the first time. The largest proportion of this amount, nearly \$69m, will be spent on the payment of salaries, with provision of an additional 61 teachers. Funds have been provided for the purchase of 4 houses at Gove to relieve housing pressures on teachers.

The Minister for Education has previously raised in this Assembly the government's recognition of the difficulty faced by the Territory in attracting suitable teachers. The government is of the view that the best solution is, firstly, to provide locally-trained graduates and to assist in the training of undergraduates who express a particular interest in teaching here. Accordingly, the government will provide scholarship allowances of up to \$2500 a year without a means test to encourage NT high school matriculants to take up teaching as a career and to do their training at the Darwin Community College. The government will also provide a further scholarship allowance, again up to \$2500 a year, to selected Bachelor of Arts and Bachelor of Science graduates to study for a diploma of education at nominated tertiary institutions.

Grants, subsidies and allowances to independent schools will exceed \$5m, a rise of 19%. Funding for schools with particular socio-economic disadvantages will rise by 37% to \$439 000 and the transition-from-school-to-work program will attract a 132% increase to \$882 000.

The 1982-83 appropriation to the Industries Training Commission will be almost \$2m. The ITC has embarked on a number of major investigations this year into manpower needs of developing industries in the Territory. These include tourism and hospitality, building and construction, and fishing. This year, \$1.8m is to be provided to the Community College of Central Australia. This will allow expansion of existing vocational courses in the schools of tourism, creative and applied arts, business and secretarial studies, as well as trade courses in carpentry, joinery and automotive skills. The appropriation to the Darwin Community College will rise by \$1m to almost \$13m. This will include provision for the establishment of the new Bachelor of Arts course and the reunion of Winnellie and Casuarina activities through a construction program already under way on the Casuarina campus. The University Planning Authority is to receive an allocation of \$474 000.

The total budget for health and hospital services in the Territory this year is just short of \$90m. This figure equates to \$677 per head of population. To put this into perspective, the South Australian government health budget announced last week was \$492m, equal to about \$369 per head or slightly over half the Territory figure. An important element in the health budget is the arrangement for appropriating funds directly to hospitals for the first time. Each hospital will receive its own budget and will be required to operate within that budget. This measure is intended to further improve operating efficiency within the Department of Health, an area in which important advances have been made during the past year. Last year's experience has shown that the department is capable of new and more cost-efficient procedures which do not mean a decrease in the standards of health care delivery. An allocation of \$234 000 has been made for the Drug and Alcohol Bureau in 1982-83 compared with \$119 000 in the previous year. The increase reflects the first full year of operation of the bureau.

Funding is again provided for recurrent and capital grants-in-aid to various community organisations amounting to almost \$6m. Included are grants for the St John Ambulance service and mission health centres in remote locations. Mr Speaker, the list of recipients under the scheme has grown from 6 before self-government to 28 this year.

In the area of primary production, government initiatives in supporting existing farmers and encouraging new farming ventures are now beginning to pay dividends. There is a reasonable expectation that this long-neglected sector of the Territory economy will see continued, steady increase. Significant advances have been made during the year in grain production and in horticulture. Grain production during 1981-82 totalled nearly 3400 t. Early forecasts for 1982-83 suggest that this could rise to 12 000 t from additional production in the Katherine district by existing farmers, together with production from 6 project farms set up by the Agricultural Development and Marketing Authority. Additional farming blocks are soon to be released at the northern end of Mataranka Station. Marketing efforts by ADMA have proven the success of Territory produce interstate and encouragement will be given for horticultural industries to be developed further to meet local and export demands.

This budget allocates \$4m to ADMA, doubling last year's allocation. It provides funding for construction of the Douglas-Daly grain depot, horticultural marketing and development, and further farming development. The first steps have been taken towards establishing a grain marketing board which will include grower representatives.

The primary production budget is just under \$19m, an increase of 29% on last year. Government action to eradicate brucellosis and tuberculosis from Territory cattle and buffalo by 1992 will be maintained and the program will have a funding increase of 150% this year.

Tourism is one of the Territory's major growth industries. National predictions suggest that, in fact, it will be Australia's biggest job-creating industry by the year 2000, and the Territory has a significant role to play in that growth. The allocation for the operation of the Northern Territory Tourist Commission has been increased this year to \$4.2m. This will allow the Territory to continue major promotional activities and ensure we maintain our competitive stance in the national and international marketplace. This year's allocation to tourism represents a massive 250% increase since 1978. The government believes that the next 3 years will see a tourism boom in the Territory, with accommodation and facilities of international standard provided at Yulara, the Mindil Beach Hotel Casino and on the Darwin Esplanade. These and other projects will provide a big boost to Territory tourism and create additional employment for up to 1000 people.

Future planning will be greatly assisted when stage 3 of the tourism survey, jointly commissioned with the Northern Territory Development Corporation, is completed this year. This \$100 000 survey will be the most comprehensive undertaken in the Territory, covering about 6000 interviews of international, interstate and Territory tourists. The commission will pursue a number of campaigns to attract more foreign tourists, including promotions at 15 overseas destinations. It will also participate at the International Tourism Exchange in Berlin where, in March this year, it won an international prize for marketing.

The total budget this year for the Conservation Commission will approach \$19m. Funding has been provided for a start on site works at the Berry Springs Zoo, stage 2 of the Darwin Botanical Gardens development project, and further

work under the 3-year urban beautification program at Tennant Creek, Alice Springs and Holmes Jungle, with extensions this year to Katherine in cooperation with the council down there.

Mr Speaker, it is of interest to note, in this International Year of the Tree, that, since self-government, the Conservation Commission has planted or given away some 860 000 trees and shrubs throughout the Territory.

Included in the Commission's capital works program this year is a start to historical restoration at Altunga and development work at Cobourg Peninsula, where an additional 4 Aboriginal rangers are to be employed.

In the area of racing and gaming, the commission's budget will be \$1.2m. The success of Sports Lotto and Instant Sports Lottery has been proven with sales exceeding \$120 000 per week since 1 July. Revenue collections for the year should exceed \$1.5m, most of which will go into sport and recreation in the Territory.

Casino fees and taxes are expected to grow by 20% to \$2m. Following a thorough review of the activities of the companies operating casinos in the Territory, and having regard to significant operating losses incurred at the Alice Springs Hotel-Casino, the government has determined that the 15% tax on gross profits schedules to start for the Alice Springs Casino this year will be reduced to 5%. In making this decision, the government has been mindful that the construction cost of the complex was more than double the estimate and that the company is continuing with plans for expansion of accommodation in Alice Springs.

The government will continue to assist racing clubs in developing Territory racecourses. The first stage of a new stable development costing \$140 000 will be undertaken at Fannie Bay Racecourse. The phased redevelopment at Winnellie Park Greyhound Track will be completed this year at a cost of \$200 000. A new racecourse, costing about \$100 000, will be constructed at Tennant Creek. In Alice Springs, expenditure of \$127 000 over the past 2 years has developed Pioneer Park into a picturesque racetrack which is the envy of many provincial racing clubs in Australia.

The government will make a budget allocation of \$5.4m to the Northern Territory Development Corporation this year. With loan repayments, borrowings and funds on hand, the corporation will operate on a total budget of over \$11m which is an increase of 31% on the previous year. By far the greatest proportion of the corporation's expenditure will be for loans to industry, which will approach \$8m. Funding for the Rural Adjustment Scheme is to show a 5-fold increase.

By serving to promote Territory industry, these TDC schemes have significant job creation and preservation effects. The government will continue to assist small businessmen through the Small Business Advisory Service. Last year, 1000 interviews were conducted with existing and potential small-business operators throughout the Territory and 45 management-oriented workshops were held attracting more than 500 participants.

I come now to the Port Authority. Darwin is fast becoming the best-equipped port on Australia's northern coastline and this government will continue to take the steps necessary to increase the port's significance in the South-east Asian region. During 1982-83, the Port Authority will boost its program of upgrading facilities as part of an integrated government

strategy to force new transportation links with the rest of Australia and with our northern neighbours. Recent years have seen the construction of a new wharf and contracts have been let for the installation of the roll-on roll-off facility and for a heavy-lift wharf container crane.

Arrangements to leverage-lease the port container crane were on the point of settlement when the federal Treasurer suddenly changed the rules regarding such transactions at the Premiers' Conference in June. Whilst strenuous efforts have been made by the Port Authority to arrange alternative finance at reasonable cost, the government is determined that there should be no delay in the installation of this important improvement to the Port of Darwin. To that end, it has decided to provide assistance from this year's budget totalling \$2m towards the financing package. The construction contract for the crane has been signed and it should be serving the Territory by the end of next year.

Funds totalling \$54m will be provided to the Department of Community Development. Within this amount, \$6m is for subsidies and grants to the Darwin, Alice Springs, Katherine and Tennant Creek Civic Centre. \$1.2m will be provided for assistance to councils to operate public libraries and new libraries will be opened during the year at Jabiru and Humpty Doo. A further \$1.8m is provided for the operation of the Araluen Trust and the start of the construction of the \$4.8m Araluen Centre in Alice Springs.

Community organisations sponsoring youth activities will benefit by \$400 000 this year and, as I already mentioned, more than \$1.5m will be available for sport and recreation from Sports Lotto and Instant Sports Lottery.

An amount of \$1.9m has been set aside for welfare assistance payments, including \$250 000 for the new pensioner air fare concession scheme. In 1982-83, pension concession payments will exceed \$1m for the first time. It will be of interest to honourable members that recent census figures show a significant growth in the number of aged persons in the Territory. Since July 1980, 4350 people received benefits under the Pensioner Concession Scheme. This budget also provides \$18m in grants to Aboriginal communities for town management and public utilities. Funds have been earmarked for the establishment of further community government councils during the course of the year.

Over \$2.5m is allocated this year to the Museums and Art Galleries Board. The Territory's new museum and art gallery complex was opened less than 12 months ago at Bullocky Point in Darwin and has already attracted nearly 100 000 visitors. It is increasingly being recognised as a major museum by world standards.

I come to minerals and energy. The signing earlier this month of the mineral lease for development of the Jabiluka uranium deposit paves the way for one of the biggest mining developments in Territory history. The company will spend more than \$600m to bring the project on stream, providing jobs for more than 1000 people during construction and about 600 in the operational phase. In addition, significant employment opportunities will flow from Jabiluka through to associated industries. The project will mean an enormous boost to Territory business as development expenditures at Jabiluka are injected into the Territory economy. At the same time, negotiations relating to the Koongarra project nearby are continuing.

Oil and gas exploration to date suggests that the discovery of significant commercial deposits in the Territory is inevitable. I point out that \$93m was spent in the Territory in 1981-82 in oil and gas exploration alone. The government has granted a production lease to partners in the Mereenie oil fields and a 20-well appraisal program is under way. This will be the

Territory's first oil producing field. There has been a similar significant development in natural gas exploration. The Palm Valley field will be tapped and gas transported to Alice Springs. Discoveries such as those at Dingo and West Walker are focussing national interest on central Australia as a possible source of supply of natural gas to the southern and eastern markets.

I come now to the Northern Territory Electricity Commission. Agreement in principle has now been reached for electricity subsidy arrangements to apply for the next 5 years. They provide for annual subsidies based on the 1980-81 year, escalated for subsequent load growth and cost increases. Under these arrangements, the 1982-83 Commonwealth subsidy is estimated at \$56m. Although the government considers the new subsidy arrangements are satisfactory, the commission will continue to find it necessary to increase tariffs regularly in real terms. We cannot allow the Territory the luxury of the false security engendered in New South Wales, for example, by the absorbing the cost increases at the expense of other essential outlays.

Preliminary works in relation to the Channel Island power-station have commenced with a start to construction of the access road. Australian and overseas organisations have expressed interest in the power-station project and the commission is assessing the many submissions received. During the current year, work will proceed on coal supply strategies, the environmental impact study and the start of engineering design and documentation.

Tenders are being called for the construction and operation by private enterprise of a major pipeline project to transport gas from the Palm Valley field to the Alice Springs power-station. The change from distillate to gas will save NTEC about \$1m in 1983-84 and \$3m in 1984-85. It is expected that total savings over a 20-year period will approach \$150m at today's prices. The solar rebate scheme is to be continued. This rebate provides for the reimbursement of 10% of the capital cost of solar appliances for hot water and air-conditioning.

Allocations to the Department of Transport and Works are almost \$219m, about 26% of the total appropriation in the bill. This year, the existing Darwin bus depot will be relocated from prime land on the Stuart Highway to the Armidale Street stores complex at a cost of \$700 000. Planning is also under way for a bus service to and within Palmerston. It must be pointed out that the operation of bus services represents a continuing financial imposition on the taxpayer. The bus service subsidy in 1982-83 will be \$2.6m. Last year, it was \$2.4m, representing a subsidy of \$1.30 for every passenger carried.

This year the Territory government will commit to construction through the Department of Transport and Works new capital works valued at nearly \$98m. The total value of new works reaches about \$204m by adding to the following capital works programs: the Housing Commission - \$46m; the Electricity Commission - \$33m; the Palmerston Development Authority - \$25m; and the Conservation Commission - \$2m. There are several new projects of particular interest: upgrading of services to Aboriginal communities - \$11m; an indoor sporting complex of international standard at Marrara - \$3m; an education buildings program totalling \$18m, including stage 2 of the Alice Springs Community College - \$5m; Tennant Creek High School - \$4m; nearly \$9m for the Darwin Centre for Performing Arts; new roadworks totalling \$24m - the roads program allows for major upgrading of the Stuart, Barkly, Victoria and Buchanan Highways as well as the Petermann Road, stage 3, and crossings on Douglas and Middle Creeks in the Douglas - Daly region; our estimated cash share in the Commonwealth bicentennial roads program is \$4.6m and, in this context, we have decided to press ahead with the construction of an all-weather

highway from Katherine to Nhulunbuy as soon as possible; almost \$3m to upgrade the water collection system in Alice Springs to overcome supply interruptions; and construction of a learning resources centre at the Darwin Community College at a cost of \$4m and a new building for the Schools of Business and Administration, and General Studies also costing \$4m.

The allocation for the police force will increase to \$27m. Police functions in the uranium province will account for \$1m. The appropriation also allows for the recruitment of additional police and the replacement of an aircraft and police vehicles, including pursuit cars. Funding of \$785 000 has been provided this year for emergency services.

The allocation to the Chief Minister's Department of \$12m is a significant reduction on last year's funding of \$21m. While some economies have been effected throughout the department, the principle reason for the reduction is a sharp fall in the funding requirements of the Jabiru Town Development Authority, nearly \$2m this year as against \$10m last year. This reflects the winding down of the authority's responsibilities following construction of the town. A ministerial officer has recently been appointed to the Chief Minister's office to address matters affecting women in the community.

The appropriation to the Public Service Commissioner's office is \$10m. Funding for the subsidy on staff housing, amounting to \$2.1m, is not included within the commissioner's budget as in previous years. Instead, it is included within the appropriation for the Housing Commission. The largest component of the allocation to the Public Service Commissioner is \$7m for the operation of the Information Systems Division which provides centralised computer and information services to most government departments and statutory authorities.

An allocation of over \$1m has been made for audit services, including the special appropriation for salary and allowances to the recently-appointed Territory Auditor-General. 1982-83 will be the first year of implementation of the government's policy to engage the private sector in audits of the public accounts.

This budget provides \$306m for the staffing of the public service, including staffing in various statutory authorities. During 1981-82, the government introduced new arrangements for maintaining supervision of staff numbers. Under these arrangements, departments and most authorities are granted an allocation of staff resources for the following year in much the same way as financial resources are allocated. Total staffing allocations currently stand at 13 693. It may be of interest to honourable members that the average salary for a public service employee in the Territory is \$22 000.

The provision for advance to the Treasurer this year is slightly over \$31m. This is considerably greater than the provision that was made last year. The principal reason for this increase is the change in the treatment of the allowance that must be made for future wage and salary increases. Last year provision for such increase was made in the allocations to individual departments and authorities for salaries. This year, in order to keep tighter control over these funds, the provision has been included in Advance to the Treasurer. Having regard to the size of the government wage bill, the amount provided for this purpose is barely sufficient to cover the offer made recently by the Public Service Commissioner.

In addition, following the federal budget, it has been necessary to make allowance for the effects of the Commonwealth fuel levy and some specific purpose programs for which arrangements have not been finalised by the Commonwealth at the time this budget was framed. It has also been necessary to make provision in Advance to the Treasurer for the possible commutation

of pensions under the Superannuation Bill now before the Assembly. Considerable expenditure could be incurred in the early months of the new scheme's operation if retiring employees elect to take lump sums rather than indexed pensions. That expenditure will of course be recovered in future years from the funding to be provided by the Commonwealth. In addition, the usual provision has been made for unforeseen and emergent expenditures which may be required during the year.

I come now to special appropriations. Provisions totalling \$41m have been made for expenditures appropriated under other acts. These comprise interest and sinking fund repayments on the Territory debt - \$37.86m; expenses in connection with loan raising and repayments - \$2.319m; Supreme Court judges, salaries and administrative expenses - \$678 000; contributions to the Legislative Assembly Members' Superannuation Fund - \$640 000; and Auditor-General, salaries and allowances - \$60 000.

Mr Speaker, I turn to the revenue sources detailed in Budget Paper No 2. In accordance with the financial arrangements contained in the Memorandum of Understanding between the Commonwealth and the Territory, Commonwealth payments during 1982-83 will total almost \$742m. This includes tax sharing entitlements - \$386m; specific purpose payments - \$193m; general purpose payments, capital - \$121m; health grant - \$24m; additional assistance grant - \$15m; and grant in lieu of uranium royalties - \$3m.

Honourable members will be aware that, for some months in 1981-82, the Territory had been seeking a review of the health grant. The matter was resolved at the close of the financial year, when the Commonwealth increased the grant to remedy its overestimation of the Territory's health revenue raising capacity under the new health funding arrangements. A similar adjustment is also in the health grant for the current financial year. However, under the terms of the States (Tax Sharing and Health Grants) Act, estimated revenue of 100% for a full 12-month period has been deducted in setting the grant rather than 60% of revenue for 9 months as was the case in 1981-82.

After 2 years in which the Commonwealth allowed no increase in capital funding to the states and the Territory, capital grants and loans during 1982-83 will increase by 10%. Under arrangements announced at the June Premiers' Conference, half the increased allocation has been earmarked for expenditure on housing. This has resulted in Commonwealth payments under the Commonwealth-Northern Territory Housing Agreement rising to more than \$20m. The remaining half of the 10% increase in total capital funds is reflected in general purpose capital payments.

Territory Revenue and other receipts for this financial year, including the balance at the start of the year in the Consolidated Funds, will total almost \$128m.

As mentioned earlier, there will be an increase in interest charged on public service staff housing loans effective from 1 October. Honourable members will be aware that, in addition to the Home Loans Scheme available to the general public, the government allows public servants to purchase their homes under a staff home loans scheme. Borrowings up to 95% of the purchase price are available. Repayment periods may be as long as 45 years and interest rates have remained unchanged at 5.75% and 8.75% since 1977. Savings bank loan rates since that time have risen by 4%.

Mr Speaker, under the scheme, 650 homes were purchased in 1981-82 with vendor financing of \$36m at interest rates prevailing well below those in the private market. The government has decided that interest rates under this

scheme should be increased by 1%, adding about \$40 per month in repayments on a loan of \$50 000 at the higher interest rate or \$35 at the lower interest rate.

A review is currently under way of various fees and charges for minor services provided by government. Some of these have not been changed for several decades. In fact, Mr Speaker, some penalties are still framed in shillings and pence. These can be expected to be updated during the course of the year. The revenue estimate contained in this budget will take into account all the foregoing increases.

In conclusion, Mr Speaker, this budget is unique in Australian public finance today. Governments elsewhere are grappling with burgeoning deficits, notwithstanding a sometimes unseemly scramble for new ways to raise revenue. This budget has no new or increased taxation measures and continues the government's commitment to financial responsibility by living within our means.

There are 2 very good reasons for this. Firstly, Territorians already face higher living costs than people elsewhere in Australia. We recognise this and do not intend to add unnecessarily to that burden. Secondly, sensible financial management is part and parcel of responsible government. In some states, fundamental stability has been put at risk by irresponsible decisions taken for reasons of short-term expediency.

Mr Speaker, our sound financial record speaks for itself. I commend the bill to honourable members.

Debate adjourned.

ENVIRONMENTAL ASSESSMENT BILL (Serial 225)

Continued from 3 June 1982.

Mr BELL (MacDonnell): Mr Speaker, broadly speaking, the opposition welcomes the introduction of the Environmental Assessment Bill and we endorse many of the sentiments expressed by the Chief Minister in his second-reading speech. The Chief Minister said that the bill is not intended to impose unrealistic and unnecessary constraints on development nor is it intended to demand that environmental factors should transcend all the other factors determining the acceptability of the projects.

On a positive note, he described the favourable position of the Northern Territory in having a relatively unspoiled environment. He said that the Northern Territory was fortunate in being able to proceed with the benefit of knowledge of the problems that have arisen in other states and countries in their approach to environmental assessment. In light of the question of the honourable member for Nightcliff, perhaps we may not be deemed to be learning quite as quickly as we should, particularly when we see 2 arms of government in conflict in exactly this way over the assessment of the environmental impact of particular activities undertaken by one of those arms of government.

The history of the need for environmental policy and legislation is a comparatively short one in Australia and it is probably fair to say that strategies are still being developed for the optimal balance of economic but sound environmental protection strategies. At the national level, environmental matters became recognised in 1971 with the creation of the portfolio of Environment, Aborigines and the Arts. With the election of a

Labor government in 1972, a separate environment portfolio was created and in 1974 the Commonwealth government enacted the Environment Protection (Impact of Proposals) Act on which most of this bill is based. For example, the objects of this particular bill before us are identical with those of the Commonwealth Act. The wording in the present bill, which relates to administrative procedures and modification of the operation of laws, is quite the same as in the Commonwealth Act. Similarly, where the Commonwealth Act provides a procedure for the conduct of inquiries by a commissioner or commissioners, this bill gives the minister the discretionary power to conduct a similar inquiry under the Inquiries Act.

Given all these similarities, it is surprising that the bill has omitted a requirement in the Commonwealth Act which requires the minister to provide certain information in relation to matters which might be deemed to come under the terms of the objects of this act. In his second-reading speech, the Chief Minister said: 'Provision for public participation will be a fundamental component of the administrative procedures'. He went on to say that public comment would be invited on environmental impact statements, and he gave an undertaking that such comment would be taken into account by government when making decisions on proposals. Such an arrangement may be satisfactory and adequate when the minister has exercised his discretion under the act to set investigation in train. But what happens when the minister refuses to carry out these procedures? Certainly, the minister and his government will be subject to the will of the people and there are the normal public pressures exerted on a minister, but it is the feeling of the opposition that there should be a statutory requirement on the government of the day to respond to members of the public who feel that a projected action has unreasonably been deemed to be beyond the operation of this act. This, as I have said, is no more than is at present in the Commonwealth act. I find it quite curious, in fact, that the government has decided not to include this particular section and, whether this has been intentional or not, it is the intention of the opposition to introduce an amendment which will provide more public accountability.

I would like now to focus consideration on the word 'significant'. As I have said, it is a matter of ministerial discretion to decide what is significant and such a word will be the subject of many different individual interpretations. One of the reasons for introducing this amendment is the difficulty of determining what could, in the terms of the bill, have a significant effect on the environment. This is an area not mentioned by the Chief Minister in his second-reading speech. An opinion on the operation of the Commonwealth act, expressed to a House of Representatives Standing Committee on Environment and Conservation, was that it was foreseen that there would be difficulties in attempting to categorise environmentally significant matters. Clearly, significance cannot be considered in terms simply of the size of a project or its cost. The character of the project and its proposed location are decisive. A small, relatively inexpensive project may have much greater environmental significance than a large project. It is to be expected then that opinions on significance will differ and it follows that, in the interests of good government, it is desirable to give the public as great an opportunity as possible for input on any particular development. It is to be hoped that the government will support this opposition amendment.

In relation to the present procedures, as the Chief Minister noted in his second-reading speech, the government obtained an exemption from the provisions of the Commonwealth act in October 1979. The Chief Minister indicated that the government had been seeking to develop administrative procedures that were appropriate for Territory conditions. He mentioned the environmental assessments that have been carried out for the Mereenie oil field and the Palm Valley gas project, within my own electorate, as well as the ADMA development already referred to today, the Channel Island power-station

and major cement works at Finnis River Station.

Unless, Mr Speaker, you are encouraged to imagine that all is for the best in the best of all possible environmental worlds in the Northern Territory, as the Chief Minister suggested in his second-reading speech, I think I should introduce a note of realism into the debate. He said that a broad definition of 'environment' had been adopted to ensure that all the interrelated factors which contribute to the quality of man's surroundings receive adequate attention in the decision-making process. These are fine words. He echoed the wording of his bill which defines 'environment', very widely, to mean all aspects of the surroundings of man, including the physical, biological, economic, cultural and social aspects. This is, of course, very appropriate for the diversities of the Territory. In terms of any aspect of that definition, it is difficult to imagine that any part of Australia could be more diverse than the Northern Territory. It is odd then that the Chief Minister is patting his government on the back in respect of satisfactory, mutually acceptable, environmental decisions, without mentioning any of its shortcomings. I suppose one of its greatest shortcomings has been an inability to assess the environmental importance of a project such as in the case of the much-vaunted recreation lake at Alice Springs. I do not want to rehearse any of the previous debates over that matter except to say to the Chief Minister that I hope that he has, to use his own words, used that experience to test the operation and effectiveness of procedures that would be appropriate for Territory conditions.

I turn to the issue of the trade-off between economic development and the environment. Before the Chief Minister or one of his confreres leaps up and accuses me of being a greenie determined to save every blade of grass whatever the cost, I would like to say this. The opposition well recognises that there is a trade-off between preservation of the environment and the production of goods and services that our civilisation demands. These were the sentiments I expressed at the beginning of my speech.

I will close, Mr Speaker, by echoing the words of the federal minister of the time, Dr Moss Cass, who sponsored the Commonwealth legislation on which this bill is based. He said that the bill would not grant the minister the exclusive power of veto over proposals or policies and would not force developers to abandon environmentally unsound objectives. It would not ensure that the government makes environmentally sensible decisions. It would not give individual citizens the power to stop bad projects or to set conditions for moderate ones. The legislation will, instead, enable the minister to gather extensive information on specific proposals. It will force developers to include environmental impact in their planning. It will present the government with comprehensive information about environmental impact as an aid to decision-making and it will enable the public to argue a case publicly, to have that case published and to force governments to justify their decisions.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this bill is a milestone in awareness by this government of the heritage of our surroundings. It does not seek to hinder development which may use and change natural surroundings and, at the same time, it does not seek to pass on to our children a completely destroyed environment.

I must say at the outset that I find the concern of this bill for the environment old-hat also. I can very well remember voicing similar views about conservation some 15 years ago. It was not called the environment then; it was called the bush and the countryside. My particular concern at the time was to bring some sense to the conservation of the environment as it related to the

making of roads. In those days, the Commonwealth Department of Works thought nothing of leaving all the human-camping detritus and all the empty bitumen drums and any discarded construction gear along the highways wherever it had been. This presented not only an eyesore, but damage was done to the environment. Some farming ventures that I could name cleared enormous acreages without much thought to subsequent erosion control, and the unfortunate effects occurred. Those days are behind us now but when these things were done there was not the awareness of the environment that we have today.

The use of the word 'environment' to describe our surroundings may be convenient and also grammatically correct but we do at times tend to be carried away by our own terminology and flights of fancy into verbal clouds of obscurity while the sensible and caring farmer or miner goes about his business just conserving the environment in the ordinary, everyday work that he does. I am so very tired of the muck-slinging that the so-called environmentalists indulge in to try and prove their point in saying that farmers and miners are the demons of development and should be stopped and or hindered as much as possible, all the while driving metal vehicles that miners have made possible and whilst eating bread, meat and beer that the farmer has made possible.

The Chief Minister in his second-reading speech has itemised quite clearly what is the intention of this bill and has been at pains to indicate that it is not intended to stop development in and of the Northern Territory. There are enough people working against the government trying to do that now. My main concern and worry about this bill is that it is a light bill; light on legislation but leaving no doubt that heavy regulations will ensue. Is this bill going to give us an act by regulation? Is the regulation-making power to go to the government or perhaps to the Conservation Commission? I do not know who would have it. I would assume the Conservation Commission would make the recommendations because it will probably be that body which will have the enforcement of this legislation. Will the legislation be so rigorously, meticulously and heavily enforced as to completely castrate everyday development in the Northern Territory, like farming and mining? I would sincerely hope not, Mr Speaker. But I have had representations made to me by people in the agricultural and mining industries on this matter voicing their fears in no uncertain terms.

To digress and look at this concern for the environment very realistically, I do not imagine a balance sheet has been drawn up to show the propensity for damage to the environment by farmers and miners on the one hand and city people on the other, with their carbon-polluted car exhaust fumes going into the atmosphere, chemical pollutants, adverse effects on tidal areas and rubbish dumps everywhere. But I feel that, if a balance sheet were drawn up, the primary producers and miners would be found to be managing their surroundings with much more concern.

Mr Speaker, the Chief Minister in his second-reading speech said that this legislation seeks to use existing technical and professional resources of departments rather than create separate and costly resources and went on to mention consultation and agreement between development and assessment authorities. This answers one of my grave concerns and that was that this legislation would bring in its train a plethora of public servants. Now that I know that situation will not eventuate, I have only one further grave worry about the Chief Minister's statement: I hope that discussion and exchange of views in order to reach agreement about impossibly high conservation standards does not go on interminably and thereby stymie development.

The Chief Minister, in his second-reading speech, told us that our government has received exemption from provisions of the Commonwealth Environmental Protection Act since 1979. That is not to say that, in that time, the situation has been chaotic or uncaring as regards the care of our surroundings. In fact, I believe that our government has been most meticulous in all details. But this legislation is necessary because of our unique position in relation to the Commonwealth as compared to the relationship of the states and the Commonwealth. As I said earlier, Mr Speaker, I will be very interested to read the regulations that follow from this legislation in its implementation and I am reassured that there will be no unnecessary constraints on development whilst regarding environmental factors as sacred cows to be considered first, last and foremost.

I would not like it thought or said that I am against environmental consideration being given due thought and notice in any development. I think my personal record of environmental concern would stand there. But basically we must remember we are all in the world to live. We live by using and eating the products of mining and farming and the good miner and farmer, farmers particularly, do not degrade their livelihood by eroding their income-earning capacity. A sensible user of land uses it in such a way that, at the end of the year, the season or the project, it can be used again.

I would like to state that I do not like the use of the word 'impact' in relation to an environmental impact statement as it implies confrontation and controversy when in all fairness we must consider alternative use of the land or concurrent use so that greater use is made of the same land for the betterment of the wider community.

I had some trouble in working out from the legislation the order of application of this bill in relation to its minister and the ministers who also have control of environmental factors in their portfolios. I gather from clause 4 that the environment minister has to be made aware of the contents of paragraphs (a), (b), (c), (d) and (e). Although this is not written, it is clearly implied. I have no heavy argument against this although it will mean extra work for the minister in checking other ministers' decisions and their departmental recommendations.

The Chief Minister said in his second-reading speech that this bill will not give the environment minister a veto power yet, in clause 8, mention is made of determinations that can be made by the minister. I would assume that, when the Chief Minister said the environment minister had no veto power, he meant no unilateral veto powers. If this is so, the process of consultation and decision making in Cabinet would continue in relation to environmental matters as they do now in relation to other matters.

I have read relevant legislation in New South Wales. I do not oppose this legislation because I agree with the spirit of its intent. But I hope that administrative procedures to follow when it is enacted will draw a similar community consensus feeling.

Mr EVERINGHAM (Chief Minister): Mr Speaker, there is very little to say in reply. I confess that I was disappointed by the speech of the member for MacDonnell. He was most grudging, even whingeing, in his recognition of the merits of this legislation. I understood from what he said that the opposition had circulated an amendment which had not come to my notice. I have since obtained a copy of the amendment and I have given it some consideration. The amendment provides that anyone may write to the minister at any time and demand an answer to be given promptly. That would be fair enough if one could accept that this right would be exercised reasonably but one can see the proposed clause being used most unreasonably, by at least some people, and in fact

becoming a considerable drain, if not on the time of the minister, at least on the time of the minister's departmental support. I do not think that anyone in this Assembly can complain that correspondence to ministers on various subjects has been ignored. By and large, the record of this government has been pretty reasonable in responding to reasonable requests made by reasonable people. I certainly do not intend to place myself, as minister responsible for the administration of this bill, in a situation of being completely bound and gagged at the hands of any unreasonable person who wants to conduct a war of correspondence with me. For that reason, I propose to maintain my position that matters in respect to public participation can be contained in the administrative procedures.

I do not really think that there is anything for me to comment on in what the honourable member for Tiwi has said. I foreshadow that I propose to introduce an amendment to provide for the minister to have a power of delegation. I do not propose to exercise the power of delegation immediately because I am particularly interested in this legislation. So far as possible, I propose to involve myself in its administration. At least for the first few months, I will be seeing how the administrative procedures work. It is only after I have become familiar with those procedures that I would consider exercising the power of delegation.

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 agreed to.

New clause 6A:

Mr BELL: I move amendment 114.1.

The Chief Minister said that this particular amendment would lead to much correspondence. I find it difficult to accept that members of the public who have a concern about a particular project that the government proposes would, either through personal concern or through personal malice, want to bury the Chief Minister in a pile of letters. The Chief Minister mentioned a war of correspondence. I suppose, at present, the situation is that, if the Chief Minister gets more than 1 letter about a particular matter from a particular Territorian, he can answer the first one and ignore the rest. In some ways, there does not need to be any sort of statutory requirement for that to be done. I do not know that there have been any problems with this particular clause in the Commonwealth legislation. I do not know of any great administrative problem such as the Chief Minister suggested may be involved. For that reason, I commend this amendment to honourable members.

Mr EVERINGHAM: Mr Chairman, no doubt the honourable member for MacDonnell's intention is good but, unfortunately, there are quite a lot of people who engage in unreasonably protracted correspondence by any standards. As I said earlier, I do not propose to place any minister who may have the job of administering this act in the position where he has to reply ad nauseum to the same point regurgitated over and over again in 20 letters. I think that we always behave reasonably when it comes to answering correspondence and I do not see any necessity for this particular statutory amendment requiring the

minister to promptly reply to what amounts to every letter that he may receive in relation to virtually any matter under this act.

New clause 6A negatived.

Clauses 7 to 10 agreed to.

New clause 10A:

Mr EVERINGHAM: I move amendment 115.1.

This will insert the new clause 10A which provides for the usual power of delegation.

New clause 10A agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

FISH AND FISHERIES AMENDMENT BILL (Serial 227)

Continued from 3 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this bill will achieve 3 things: it will give the Director of Fisheries the right to delegate; it will prohibit the killing or injury of fish by explosives, poisons or noxious substances; and it will increase penalties for the recently-publicised problem of falsely identifying fish or fish products for sale.

The first of these requirements, that of delegation, is to overcome what has developed into a technical-legal problem which the sponsor of the bill outlined in his second-reading speech. The second provision of the bill again is to correct a deficiency in the legislation. It has always been an offence to take fish by the use of explosives, poisons or noxious substances. When the Fish and Fisheries Act 1979 was drafted, a mistake occurred in the drafting which deleted this prohibition and clause 6 of this bill corrects the mistake.

The only new provision in the bill is the increased penalty provided for falsely identifying fish or fish products for sale. As I mentioned earlier, this is a matter which has received extensive publicity and one which could greatly harm the sales potential of the Northern Territory fisheries. The opposition agrees that the current maximum penalty of \$500 is inadequate considering the damage that such a practice could cause the Northern Territory's fishing industry. The opposition believes the increased penalty of \$2000 or imprisonment for 12 months is more realistic for the offence. The opposition supports the bill.

Mrs LAWRIE (Nightcliff): All members of the opposition support parts of the bill without supporting all of it. I have no quarrel with the last 2 parts; I agree with the increase in penalty and the provision relating to the taking of fish by explosive devices. However, I notice in the second-reading speech the very clear indication of fisheries enforcement being transferred to people within the Northern Territory Police Force and certain provisions of this bill giving further effect to that.

Mr Speaker, I have placed questions on notice and there have been interminable debates on the efficacy or otherwise of the transfer of enforcement

from fisheries per se to the police department. The Chief Minister does not agree with me. He believes that it is rightly the province of the police department and, because he is the leader of the government, so it shall be.

However, I cannot let this occasion pass without yet again stating that fisheries enforcement was more effectively controlled by the Fisheries Division, that Police Officers were, as a matter of course, also empowered as fisheries officers, wildlife officers and a variety of other things, and that it would have been better to upgrade the status of the fisheries enforcement officers and leave the enforcement of fisheries mainly with that division where I believe it rightfully belongs.

Mr Speaker, honourable members will be aware that mine is not a sole opinion. It is shared by the Amateur Fishermen's Association of the Northern Territory and by the Commercial Fishermen's Association of the Northern Territory. Both associations agree with the view which I have often stated that the enforcement of fisheries can be carried out better by fisheries officers than by policemen, notwithstanding the ancillary role of the police. The Chief Minister, as the minister in charge of the police force, must be well aware that this view is shared also by some policemen actively engaged in fisheries enforcement who feel some disquiet at being put on duties for which they have not been well trained and which they did not envisage when they joined the Northern Territory Police Force.

I am a little surprised that the ALP opposition has not spoken on this point in the context of this debate. Nevertheless, Mr Speaker, although I have no chance of success, I think that it needs to be reiterated that a significant number of people dealing with fisheries in the Northern Territory - amateurs, professionals and indeed police enforcement officers - still feel very strongly that fisheries enforcement belongs with fisheries and not primarily with the police force.

I noticed in the budget papers this morning that the Pobasso and Salloo are now spoken of as police vessels. They were purchased as fisheries vessels. One of the important reasons for their purchase was for survey work which has not been undertaken satisfactorily since their compulsory transfer to the police department. Mr Speaker, I support the second 2 parts of the bill, but most definitely not the first.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this legislation is welcomed by those interested in this primary industry. The fishing industry has had its ups and downs in the past, but mostly downs and very few ups. With the rationalisation of the fishing industry attempted by the Northern Territory government and government-initiated programs of industry stabilisation, I believe that the income-earning capacity of fishermen has increased a little or is starting to level off. While I am basically against government intervention in the free flow of markets and industrial action and reaction, nevertheless, in cases of stress in an industry, I believe that there is a place for government intervention.

There are a finite number of fish in the sea and it seems that the taking of fish is overtaking the reproduction of the fish so we will end up very shortly with not many fish in our waters. I believe there is a small place for government intervention in the industry at this time. In the future, it should be looked at again to see if government intervention is really necessary.

In his second-reading pseech, the minister mentioned powers of delegation of the Director of Fisheries being reintroduced. I agree with this. The wording is the same as in other legislation. It is necessary that the legislation

sit as lightly as possible on the industry without hardship due to holdups and decisions deferred because the director himself is not there.

If we are to build this budding fishing industry, it is necessary to keep everything shipshape in relation to marketing. If barramundi are caught and sold, then the public want to eat barramundi because that is what they have bought. I know there have been cases of other fish being sold as barramundi. I deprecate this most strongly. It is deception, and honesty must prevail in marketing at all times. It has a similarity to cases mentioned to the recent Royal Commission into the meat industry, in which meat had been harvested in the Northern Territory and was described inaccurately down south.

I feel that it is too easy to say that certain fishermen are not honest in the description of their goods but I do not think that the fault is all theirs. I draw a parallel between fish and meat. I have heard instances of where a small operator has sold his meat down south to an unprincipled buyer who sent word back that the load was off, and the Northern Territory supplier did not receive payment. A Northern Territory supplier caught like that is not encouraged to be honest. He knows that the whole load of meat he sent could not have gone off and, to recoup some of his expenses, the next time he might put in cheaper cuts and charge the price applicable to more expensive meat.

Whilst I said earlier that I do not think that we can have an industry in which honesty of description is missing, nevertheless I can see a reason why some people, in order to recoup losses, may declare fish to be otherwise than as described. I cannot really blame fishermen trying to stay in business who get their own back against unscrupulous buyers of their products. If we are to get this industry going and keep it going, we must insist on an honest description of goods.

Finally, I think we should have legislation which makes certain that fishermen receive a fair return on the fish they supply, a return directly related to the types of fish they catch.

Mr STEELE (Primary Production): Mr Speaker, further information has come to hand since the legislation was introduced. In connection with the third amendment, members are well aware of the damage that is being done to the local fishing industry by the interstate barramundi substitution scandal. In June this year, I wrote to Ministers for Consumer Affairs in the states expressing the Territory's concern over substitution of barramundi and sought their cooperation in taking steps to stamp out this practice. Good cooperation does exist between the Northern Territory and those ministers. However, those who seek to break the law always find ways and means to do so. Obviously, the solution to the substitution racket will not be found overnight.

In the Northern Territory, we are taking our own action in an attempt to protect our industry. The Fisheries Division is investigating the introduction of a certification scheme, the purchasing of scientific equipment which will enable core samples to be taken of barramundi exports and a marketing strategy to educate people to insist on Northern Territory barramundi when buying this premium-quality fish.

The division has recommended the use of fishermen's packing slips. Fishermen should be required to include a packing slip in every block of fish at the time of initial freezing. The slips should display details such as grade, trade or fisherman's name, licence number, carton marking and plastic bag quality. Fish buyers should be advised to look for fish products presented in good-quality, sealed plastic bags. Poor-quality bags which are often torn do not provide a high degree of quality or protection to the fish

and often the product is freezer burnt or contaminated. Fish buyers should also look for banded and sealed cartons and use of the symbol of the Northern Territory fishing industry.

In addition to the campaign promotion which obviously will need to be undertaken, it is suggested that workshops be convened to talk to fishermen, fish vendors and restaurateurs about the way the product should be marketed. We will go ahead with those workshops as a matter of urgency.

Mr Speaker, the Leader of the Opposition supported the penalties for substitution. I believe that, in time, those penalties may be too light. We will have to address that matter in due course.

Motion agreed to; bill read a second time.

Mr STEELE (Primary Production) (by leave): I move that the bill be now read a third time.

Mrs LAWRIE (Nightcliff): Mr Speaker, I did not oppose the motion for the third reading to be taken forthwith but I am surprised that the honourable member for Tiwi did not mention clause 6, which deals with explosives etc, where a penalty of \$2000 or imprisonment for 12 months is provided for introducing a poisonous or noxious substance into waters of the Territory where an effect of the introduction is that fish are killed. That will directly affect uranium mining in her electorate where any overflow or leakage into one or more of our river systems may result in the company or its employees being liable for \$2000 or imprisonment for 12 months.

Mr Speaker, I respectfully draw that to the attention of the honourable member for Tiwi who may one day find it not to her liking.

Motion agreed to; bill read a third time.

LEGAL PRACTITIONERS AMENDMENT BILL (Serial 228)

Continued from 3 June 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this bill covers 3 areas connected with the regulation of legal practice in the Northern Territory: the issue of practising certificates for legal practitioners by the Law Society where the current situation provides for the Master of the Supreme Court to issue such certificates; the procedure for disciplinary action against lawyers; and provisions for indemnity insurance bylaws.

This legislation appears to be generally supported by the legal profession, at least by those members of it with whom I have spoken. It is seen as an embodiment of certain principles that the Law Society of the Northern Territory has been pressing for and also as a structure in which the Law Society can develop its role. The effectiveness of the Law Society in developing that role will largely depend on the activeness of its members and the direction that the executive of the Law Society wishes to take. However, it is clear that its arguments to date have been that it could not do anything because it did not have the legislative power.

Mr Speaker, the legislative provisions themselves appear to be quite reasonable and sensible. However, I think the point needs to be made that the

effectiveness of these provisions would depend very largely on the response of the Law Society and that, hopefully, the legislation in this area will provide the necessary impetus for the society to carry out a strong role in relation to the regulation of legal practitioners. I hope that it will also enable the society to take a more responsive role in relation to complaints by members of the public about the activities of legal practitioners in the Northern Territory.

The opposition agrees with the government that it is unfair to criticise lawyers for not regulating themselves if they do not have the legislative power to do so. We agree with the government that it is a sensible arrangement for the Law Society in conjunction with the Ombudsman, to provide a filtering process to avoid overloading the Supreme Court with what could be complaints of a trivial nature. However, still retained is the very important right of the overriding view of the court where very serious actions are taken against practitioners, such as long suspensions or being struck off the roll.

The opposition believes that the Legal Practitioners Amendment Bill provides a reasonable basis for the self-regulation of the legal profession in the Territory and will provide sufficient protection for both the practitioners themselves and the public. The opposition wishes to indicate its support of the bill. However, I notice that we have quite a substantial number of amendments. I hope that the Attorney-General will be taking the committee stages at a later time to give us a chance to consider them.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, it pleases me to support this bill. For too long, some legal practitioners and some medical practitioners have regarded themselves as the sacred cows of the professions. Like Caesar's wife, they have regarded themselves as being above suspicion. Nobody can question them or touch them, no matter what they do professionally. It could be said the mistakes of lawyers are jailed and the mistakes of doctors are buried so they are put out of sight and forgotten. We all see the mistakes of engineers and architects. Some legal practitioners exhibit an arrogance which is hard to penetrate and can be so overbearing as to intimidate ordinary men and women who do not have legal training. This can be carried to such an extent that clients are often put at a disadvantage by engaging certain legal practitioners instead of being advantaged by the fact they have outlaid a fee and expect a return. Because they trust lawyers implicitly or are too overawed to question lawyers' actions, clients often come out of encounters with a lawyer holding the rough end of the pineapple. They feel they have no recourse for an injustice because their protest will be heard in court by more lawyers, cost a lot of money and time and with only 2 chances of winning - Buckley's and none.

This legislation will make it easier for the ordinary person to obtain some redress for any injustice he thinks may have been done to him. It will make it simpler for lawyers who have misbehaved to be called to account and be made answerable to their peers in the Law Society. If the client still feels aggrieved, he can appeal to the Legal Practitioners Complaints Committee which consists of 2 members of the public plus 5 members of the legal profession.

On the subject of legal practitioners' liability from the point of view of professional indemnity and the amendments in this legislation regarding compulsory insurance, I find it very gratifying that the profession has cooperated with government to draft these amendments. I support the legislation.

Mr EVERINGHAM (Attorney-General): Mr Speaker, in reply, I do not even want to comment on those very personal remarks that the honourable member for Tiwi made in lending her so-called support to this bill. I am not sure that she did not damn it, and the whole profession, with faint praise.

Mr Speaker, I would like to foreshadow that I have advised the Leader of the Opposition that the amendments are not of any great substance or principle and that we will proceed with the committee stage this afternoon as far as he is agreeable. If we come across any point which he considers to be one that he wants to reflect upon, then certainly I will be prepared to move that the committee report progress. I hope that we will be able to pass it through this afternoon.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr EVERINGHAM: I move amendment 123.1.

The purpose of this amendment is to make provision for a deputy chairman of the complaints committee and this amendment ensures that the deputy chairman has the same powers as the chairman.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.2.

This inserts the definition of 'deputy chairman'.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.3.

This is a drafting change to make it clear that the limited definition of 'legal practitioner' only applies in certain parts of the act.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5:

Mr EVERINGHAM: I move amendment 123.4.

The purpose of this proposed amendment is that it will give the Law Society more flexibility in fixing fees for persons applying for admission.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 123.5.

This amendment will remove the requirement that local counsel must produce a practising certificate to be noted on the roll as local counsel. As a practising certificate will be issued by the Law Society and the society must be satisfied, for reasons of insurance, that the practitioner is counsel, this requirement would create an impossible situation. Counsel could not be noted on the roll until he had a practising certificate and could not be granted a practising certificate until he was noted on the roll; it would be a dog chasing its tail.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.6.

Mr Chairman, this effects the same change for visiting counsel.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 13 agreed to.

Clause 14:

Mr EVERINGHAM: I move amendment 123.7.

This will insert a slightly amended version of the definition of 'professional indemnity insurance' and its purpose is to ensure that directors and employees of practising companies are covered by the definition.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.8.

This ensures that the regulation-making power to require information on which to base premiums also applies to former legal practitioners.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15:

Mr EVERINGHAM: I move amendment 123.9.

This provides for the appointment of a deputy chairman by the Attorney-General and defines his powers.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.10.

This allows the deputy chairman to preside at meetings of the committee when the chairman is absent.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.11.

This ensures that a person who has lodged a complaint against a legal practitioner can be represented at a hearing of the complaint.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.12.

This inserts an offence of practising whilst disqualified. This is to give teeth to any suspensions of the right to practise ordered by the complaints committee or the Supreme Court.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clauses 16 to 21 agreed to.

Clause 22:

Mr EVERINGHAM: I move amendment 123.13.

This is to correct an inadequate reference.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23:

Mr EVERINGHAM: I invite defeat of clause 23.

Clause 23 negatived.

New clause 23:

Mr EVERINGHAM: I move amendment 123.14.

This new clause is to provide that all contributions to the fidelity fund are made before 30 September each year. At present, they must be made before 30 June. However, it is considered that it would be more suitable if a practitioners practising certificate, insurance and fidelity fund contribution were all dealt with at the one time.

New clause 23 agreed to.

Clauses 24 to 27 agreed to.

New clause 28:

Mr EVERINGHAM: I move amendment 123.15.

This inserts savings and transitional provisions that are necessary for the new complaints procedure. The effect is that all new complaints may be dealt with under the new procedure regardless of when the behaviour complained of occurred and that all complaints previously made must continue under the repeals provision.

New clause 28 agreed to.

Remainder of the bill taken as a whole and agreed to.

In Assembly:

Bill reported; report adopted.

Mrs LAWRIE (Nightcliff): The Attorney-General stated that he had spoken with the Leader of the Opposition and the circulated amendments were of little substance and did not significantly alter matters of policy. The amendments had not been circulated. The amendments arrived on my desk two-thirds of the way through the committee stage of the bill. I thought that I had mislaid them and it was not until they were circulated that I realised I had never seen them. I would ask the Chief Minister and the Leader of the House, in the ordering of the proper procedures of this Assembly, the committee stages ...

Mr Robertson: Have another search.

Mrs LAWRIE: The Leader of the House had better make his own inquiries and he will find that the substance of my complaint is valid. I would ask him and his Chief Minister to ensure that committee stages do not proceed in this Assembly until such time as at least one hour, or 5 minutes even, have been allowed for members of the opposition and indeed the government to study so-called circulated amendments. Mr Speaker, I speak with some fire in this matter. It is right and proper for members of the Assembly to have time to study proposed amendments which may be of equal substance to the principal matter of the bill.

Bill read a third time.

BAIL BILL
(Serial 207)

CHILD WELFARE AMENDMENT BILL
(Serial 208)

CLAIMS BY AND AGAINST THE GOVERNMENT AMENDMENT BILL
(Serial 209)

CORONERS AMENDMENT BILL
(Serial 210)

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL
(Serial 211)

JUSTICES AMENDMENT BILL
(Serial 212)

PAROLE OF PRISONERS AMENDMENT BILL
(Serial 213)

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 214)

Continued from page 2583.

In committee:

Bail Bill (Serial 207):

Clauses 1 to 5 agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 122.1.

This inserts a new paragraph (c) to ensure that the word 'adjournment' covers any adjournments after a plea of guilty or a finding of guilty and before sentencing. On reading the bill, some magistrates questioned whether these types of adjournment are covered. They probably are already covered by paragraph (c)(i) but this change makes it clear that they are included and that bail can be granted on such adjournments.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 25 agreed to.

Clause 26:

Mr EVERINGHAM: I move amendment 122.2.

This inserts a new class of persons who can take a bail undertaking once bail has been granted. Presently, keepers of jails can sign bail and this amendment merely maintains the status quo.

Amendment agreed to.

Clause 26, as amended, agreed to.

Clauses 27 to 31 agreed to.

Clause 32:

Mr EVERINGHAM: I move amendment 122.3.

This will ensure that a magistrate has adequate control over the continuation of bail. Some magistrates expressed the opinion that this clause may be abused if it was not made clear that it was a discretionary power of the magistrate to continue the bail.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 123.4.

This part heading is misleading as it deals with the review of all bail decisions not just the decisions as to conditions. Therefore, I believe that it should read 'Review of Bail Decisions'.

Amendment agreed to.

Clause 32, as amended, agreed to.

Clause 33:

Mr EVERINGHAM: I move amendment 122.5.

This subclause is proposed to be omitted because it is considered unnecessary. There is no reason why bail cannot be applied for over the telephone in the first instance. If the justice or magistrate then wishes the person to be brought before him in person, this can be arranged.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 122.6.

This is an amendment to punctuation to make the meaning of the clause clear.

Amendment agreed to.

Clause 33, as amended, agreed to.

Clause 34 negatived.

New clause 34:

Mr EVERINGHAM: I move amendment 122.7.

The new clause provides that a justice cannot review the decision of another justice or a magistrate review the decision of another magistrate. It is considered that it is inappropriate for a judicial officer to sit in review on a judicial officer of the same level.

New clause 34 agreed to.

Clauses 35 to 39 agreed to.

Clause 40:

Mr EVERINGHAM: I move amendment 122.8.

This addition to the clause will ensure that enforcement proceedings when bail is forfeited can be undertaken criminally as well as civilly. This is the present system but some of those who commented on the bill considered it to be unclear whether the current system was to continue.

Amendment agreed to.

Clause 40, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Child Welfare Amendment Bill (Serial 208):

Bill taken as a whole and agreed to.

Claims by and against the Government Amendment Bill (Serial 209):

Bill taken as a whole and agreed to.

Coroners Amendment Bill (Serial 210):

Bill taken as a whole and agreed to.

Criminal Law (Conditional Release of Offenders) Amendment Bill (Serial 211):

Bill taken as a whole and agreed to.

Justices Amendment Bill (Serial 212):

Bill taken as a whole and agreed to.

Parole of Prisoners Amendment Bill (Serial 213):

Bill taken as a whole and agreed to.

Police Administration Amendment Bill (Serial 214):

Bill taken as a whole and agreed to.

Bills passed remaining stages without debate.

RADIOGRAPHERS AMENDMENT BILL
(Serial 222)

Continued from 3 June 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this is a simple bill which will allow student radiographers to carry out certain radiographic procedures without the direct supervision of a registered radiographer. According to the terms of the bill, students will first have to be granted a permit by the Radiographer's Board which will specify the types of procedures and any other relevant conditions.

The minister told us in his second-reading speech that the bill is a result of recommendations made by the Radiographer's Board and the provisions are intended to apply to fourth year students of radiography in the Northern Territory. There are, in fact, only a handful of such students, Mr Speaker. There are, I understand, 4 at Darwin Hospital, 2 of whom are in their fourth year.

Quite clearly, the purpose of this simple amendment is to enable them to fully complete their training and gain experience in the use of certain machines before they are qualified. It has the support of the opposition.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, medicine these days is not simply a matter of the diagnosis and treatment of an ailment by a general practitioner. For some time it has not been fashionable for a student to aim only to become a general practitioner on graduation. The in-thing has been to specialise. I and other people regret the passing of the caring general practitioner who treated not only the complaint but also the whole patient. The doctor was usually a family friend who lived in the area and knew all his patients as a friend and as a doctor.

These days specialists abound. I have been told and I have observed that, in some places, there is a return to general practitioner work. The specialists treat us for each part of the ailing human body and the initial treatment is diagnosis. That is where radiography is important. Radiography can be completely objective unlike the general practitioner who, no matter how good he is, may be subjective. Radiography treatment is completely objective. Radiography has become of importance not only in the medical field but also in the geological, metallurgical, forensic and industrial fields and is now an accepted form of

early investigation in any relevant situation. This is very true in medicine, for instance, in the early treatment of deep-seated, suspected carcinomas. With the use of radiography, early detection is possible which allows for early and, we hope, successful treatment.

The Minister for Health detailed in his second-reading speech reasons for the introduction of this legislation and, if members of the profession want these changes, I have no disagreement at all with the legislation. They are just as concerned with professional standards as are the public.

Other professional groups have legislation reflecting their registration and operation in the Northern Territory. This legislation is of the same nature. The profession will be self-regulating to give higher ethical standards. I support the legislation.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, events have occurred in the last week or so of some significance to the younger members of our community and my adjournment speech tonight will be one of congratulation and pleasure. I will start with the oldest age group of the 3. I would like to congratulate all concerned with Apprentices Day which was held at the Botanical Gardens last Sunday and which brought home to the public the value of trade training, not only to industry but to the economy, and the worth which should be placed upon people who obtain trade qualifications. A tremendous amount of time, effort and organisation was put into the organisation of this event by some members of the Industries Training Commission. I guess all of them had some input and it would be unfair to single out people by name in this Assembly, but I would like the minister to know that the exhibition was regarded favourably by all those with whom I have been in contact and, given my particular interest in trade training and the Industries Training Commission, that is a large number of people. It was good to see the young people exhibiting their skills and taking pride in the workmanship which is fostered through industry with the assistance of the Industries Training Commission.

Prior to that, we had the 'Beat in Time', the third excellent concert put on by primary schoolchildren of the Darwin area. It was held at the amphitheatre in delightful surroundings and was well worthy of attendance by all members of the public and not only the parents of those children who naturally exhibited a certain pride in their progeny's performance. The musical direction, the organisation and the stage management were of a very high standard. Probably more importantly, the children themselves thoroughly enjoyed giving pleasure to the large crowd. I was there on the Friday evening; I cannot speak for the Saturday, but certainly on Friday evening the concert was well received and deserved praise goes to those persons in education and, in particular, the musical section of the Education Department for providing the public of Darwin, the children and their parents with a memorable event.

The other nice statement I wish to make tonight deals with young primary schoolchildren in my electorate who were the recipients of the booklet 'Northern Territory of Australia 1982'. This booklet and stickers were given to all members of this Assembly to distribute within their electorates. When I went to Nightcliff Primary School, I spoke to the children briefly about the workings of the Assembly, the meaning of self-government, and arranged for the books to be distributed. I said that I would like some feedback from the children so that the taxpayers who paid for the book would know whether or not it was well received and whether or not it was enjoyed and understood.

I received the most delightful clutch of comments from children of Nightcliff Primary School. I am so impressed by them that I intend to read them into Hansard. I will use only the children's first names. They all start with 'Dear Mrs Lawrie':

Thank you for the book about the Northern Territory. I liked the tourism. I would like to be a tourist. The book was very colourful. I read it all. It had some nice pictures in it. My mother said she liked the sea and the land. My father said he liked living in the Territory because he likes fishing. My sister likes the Territory because she likes fishing too. Tara.

I liked the good book. I enjoyed reading the book and I like the stickers. They are good. I liked to look at Katherine Gorge. I have been to Katherine. Thank you. Love, Joanne.

Thank you for the book. The best part I liked is the crocodile. He has rough skin and he has grey and green skin. Their nests are like a heap of fresh grass. Some like to swim in salt water and some do not. Love from Jenny.

I enjoyed the book and the stickers and I would like to thank you for all of it. I liked the colourful pictures and the whole book itself. I liked the stickers and I liked the Sturt's desert rose and the wedge-tailed eagle. There were parts I liked best. Firstly, the part about Katherine Gorge, the wedge-tailed eagle and the salt water crocodile. Next I liked the part about tourism. The other part I liked was about living in the Northern Territory. With love from Matthew.

Thank you for giving us a good book and the stickers. The best picture I liked best is the crocodile and stickers. I am going to put one sticker on our car at home. With best wishes from Adam.

Thank you for the book. It is very nice. The pictures in the book are very colourful and very nice. The part in the book I like is where nature runs riot. The salt water crocodile is very dangerous but the fresh water crocodile is not dangerous at all. The wedge-tailed eagle is a very nice bird. Thank you for the book.

Thank you very much for the book. It is a very very good book. I just do not know how they got the pictures of the salt water crocodile up so closely. The pictures are very colourful. Thank you for the book.

I liked the crocodile with the great big teeth and claws. All about land, eagles and tourism. Thank you for the stickers with the good pictures on them. Best wishes from Toby.

There are letters referring to sport in the book and the stickers. Everybody loves the stickers and, indeed, one girl had her aunty pictured in the book which she enjoyed very much, but added: 'The parts I enjoyed best was the salt water crocodile and the wedge-tailed eagle too'. When I looked through these delightful letters from very young primary schoolchildren, it became clear that, at their age and comprehension level, the things which turned them on most were the salt water crocodile with his rough skin and his claws, the wedge-tailed eagle and Katherine Gorge which they all thought was absolutely delightful and enjoyable.

It is pleasing to know that the children of the Territory who were the recipients of this book have, at least in some cases, thoroughly enjoyed it, comprehended it and have felt moved to write to me thanking me and saying which particular aspect of the book they liked the most.

It is a book which is refreshingly free from political propaganda and which gives a great deal of information about the Northern Territory, its wildlife and the lifestyles of the people not only in Darwin but in the other Territory centres. Indeed, some of the young children writing to me made particular mention of the mining industry, which should please the member for Barkly, even if he does not live there any more.

I do think that praise should be extended to the editor and the publisher of the book because it is a very good publication. It has had wide acceptance. I have made it my business to check back with schools and with various age groups as to how it was received. By and large, Mr Deputy Speaker, I congratulate the government. It has been received very well. I think it is not surprising that it was the young primary schoolchildren who took the time and trouble to write in detail to thank members of the Assembly for the distribution of this book to children within their electorates.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I thought I might rise fairly early in the adjournment debate this afternoon so that other honourable members can respond if they feel it desirable to do so.

I have been provoked to speak this afternoon by the clownish efforts of the honourable member for Tiwi just after question time this morning. I would point out to the honourable member, although I am sure that she knows it - I give her 10 points for persistence - that personal explanations are in fact to correct statements in the press which are attributed to the member himself, not to debate the statements made by other members which should be left to this debate.

Mr Deputy Speaker, the confusion and misinterpretation of motives and who provoked what in respect of the attack that was launched in the Assembly in the first week of the sittings by the Chief Minister and the honourable member for Tiwi can only be exacerbated by public statements of the honourable members themselves. If they get hung for that, then they deserve to be hung because, indeed, they have made the statements. I would have thought that, had any personal explanation to this Assembly been due from the honourable member for Tiwi, it would have been to correct the statements attributed to her in respect of what provoked her to ask the question she did in respect of signs and fences allegedly constructed by the Northern Land Council last week. Her statement this morning did not make that particular matter any clearer.

I would remind honourable members of what the honourable member for Tiwi did in fact say in response to a question from a journalist in the Northern Territory News as to what had inspired her - as no fences or signs could be found - to pose the question she did. She was asked if Mr Everingham 'had put her up to it'. Her reply was: 'He may have put me up to it but I could have done it myself whichever way you want to think'. I suggest that, if any confusion is brought to bear on the matter of who provoked it, it was brought by the honourable member herself by answers such as that to questions from journalists. But it is worth while reflecting on the strength and the vitriol that was attached to the attack that was launched on the Northern Land Council on what is now established as completely false grounds by the honourable Chief Minister. He also did nothing to assist in the matter when he was quoted on the ABC news last night.

Again, I would remind honourable members of the way in which this matter arose. This question was asked by the honourable member for Tiwi: 'Concern has been expressed by the people of Jabiru that Island Billabong, Jabiluka Billabong, Ja Ja Billabong, Leichhardt Billabong and Magela Point have been fenced off and notices erected by the NLC. Can the Chief Minister tell me whether these restrictions are to continue?' Of course, as I pointed out - purely because of my very thorough knowledge of that particular area having worked in it for some years before coming into parliament - and subsequently discovered the Northern Land Council had pointed out independently of myself, I knew that, in fact, 3 of the 5 billabongs that had been named by the honourable member for Tiwi were not even on Aboriginal land. It is interesting to quote from the Chief Minister's reply where he says: 'Leichhardt Billabong falls within Kakadu National Park and, therefore, it is puzzling that the Northern Land Council would be interfering with that'. It is certainly more than puzzling because it did nothing of the sort.

One could speculate as to where the honourable member for Tiwi got her information because she will not come clean with that. I was told that the only negotiations in respect of fences and signs that are intended to be erected out there have been on a completely confidential basis between the Northern Land Council and Pancontinental. So one could be forgiven for speculating that the honourable member for Tiwi may have come by her information because she is in fact sleeping with the manager of Pancontinental in the Northern Territory. I do not know how else she would come by the information because I am assured that the discussions have been confidential.

What is more to the point, I have also been assured that the only fences and the only signs that it is anticipated will be erected in the future are not at the behest of the Northern Land Council but to comply with the safety requirements of the legislation which controls the Pancontinental uranium mine. They will be the only fences and signs erected. So the matter has everything to do with Pancontinental and nothing to do with the Northern Land Council, although it is necessary, of course, to consult with the NLC before erecting the fences. They are entirely a matter of mine safety. As I pointed out just a few minutes ago, 3 out of the 5 places named were not even on Aboriginal land.

The comments of the Chief Minister could hardly be described as mild, particularly when you consider that they had no base in fact. I quote from his reply:

The land council indulges in double standards. It is forever preaching the need for consultation if the support of Aborigines is to be expected by government but apparently considers the feelings of non-Aborigines to mean nothing and their support is unimportant. It is not hard to understand the reaction of the people of Jabiru who

have for several years been able to relax, picnic and fish on these billabongs, when they are suddenly confronted with fences and provocative notices.

Well it certainly is hard for me to understand, Mr Deputy Speaker, because such things do not exist. He went on to say:

It smacks of an arrogance which is becoming increasingly evident and which is alienating reasonable people who have wanted in the past to establish good relations with their Aboriginal neighbours. The public relations aspect of this exercise seems in my opinion to have been very ineptly handled by the land council.

In retrospect, that is a rather interesting statement for the Chief Minister to make. I would suggest that his own handling of it is fairly inept, and that of the honourable member for Tiwi as well.

The following is a report of what the Chief Minister said last night when he was given the opportunity to in fact concede, as he has now done, that there are no fences and there are no signs to provoke anybody:

The Chief Minister said he sees no reason to apologise for an attack on the Northern Land Council in parliament accusing the NLC of preaching double standards. Mr Everingham said that, if he was wrong, he would certainly apologise but it was his understanding that, even if fences and signs were not already erected, it was the NLC's intention to erect them in the very near future.

That statement astounded me when I heard it last night. It does not just indicate the pig-headedness of the Chief Minister; it indicates a fair degree of pig-ignorance. I am amazed that he has continued to persist with his attacks on the land council.

I would refer honourable members to the Hansard tomorrow when it comes out because I can assure them that the statement that was made this morning by way of personal explanation by the honourable member for Tiwi does not shed any further light on the matter. Perhaps we could refer a little further to what she said in the paper which was equally as extraordinary as her statement about the Chief Minister not putting her up to it: 'Mrs Padgham-Purich said she had not seen either the fences or the signs herself on a recent visit to Jabiru. Fences could be different things to different people. It can be a 5-strand fence or a couple of star pickets'. Just as clearly, it must be a line of trees as well because that is all that is out there.

She went on to say: 'I have not seen any signs but I am not a fisherperson and have not got the knowledge of the fishing spots'. Aboriginal Affairs, the Chief Minister's Aboriginal Liaison Unit and the NLC had no record of any complaint from Jabiru. Of course, the sergeant in charge of the police station at Jabiru made a public statement that he had been assured there were no fences and there were no signs. The story had simply been based on rumours.

Mr Deputy Speaker, I am not suggesting that questions should not be asked about rumours. If a story is doing the rounds, it is perfectly proper to ask questions to elicit information so that the rumour can be declared either founded or not founded on truth. What I am suggesting to the Chief Minister is that, when a question has no basis in anything but rumour, he should restrain himself from issuing such an astounding and totally baseless attack on the Northern Land Council.

A very prominent national newspaper has just recently made some comment on the effect that this particular bent of the Chief Minister is having. The Australian Financial Review, on the lead page of a special supplement on the Northern Territory, stated: 'The Northern Territory's Chief Minister seems to be lately preoccupied with race issues and, indeed, an examination of the press over the last few months will indicate that that is the case'. He seems to have it on the brain lately. I agree completely with the journalist in the Australian Financial Review that the attacks of the Chief Minister over the last few months have had the opposite effect to his stated intention: to relieve that very serious problem of race relations in the Northern Territory. He has done nothing other than exacerbate it.

Mr Deputy Speaker, one thing that I have consistently commented on over the last 5 years in this Assembly is the ham-fisted and totally inept way in which this government and, in particular, the Chief Minister handle the whole question of race relations in the Northern Territory. If ever a glaring example was required to substantiate that that has not changed and that the Chief Minister appears to have learned nothing in 5 years, it was given in the question from the honourable member for Tiwi and the Chief Minister's quite astounding answer last week.

Mr Deputy Speaker, it is contemptible of the Chief Minister that, having had it demonstrated that his charges of arrogance and double standards against the Northern Land Council were baseless, he did not take the opportunity to issue even a mild public apology for those attacks. Not only did he not do that, but he said that he sees no reason whatever to apologise for the attack that he made on the land council because, even though he knows that he was wrong, his information was that the signs and fences would be erected in the future. I would point out to the Chief Minister that the fences and the signs that are anticipated will be erected in the future have nothing to do with any requests or demands of the land council or its Aboriginal constituents. They will be erected purely to comply with the safety requirements placed on the NLC and Pancontinental by the regulations governing mining in that area.

In conclusion, having pointed out those matters again to the Chief Minister, I would suggest, with all respect to that gentleman, that a public apology is warranted and I would ask him to take the opportunity in the adjournment debate this afternoon to make it.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this morning I presented a petition from people who live in the Lambell's Lagoon area. A mother who was very worried about the safety of schoolchildren came to see me regarding the condition of roads in the Lambell's Lagoon area. This particular lady happens to be the school bus driver. Whilst I have great faith in school bus drivers if they are men, I have even more faith in them if they are women. This woman has been driving buses for a number of years and she is a good bus driver. The children have been travelling with her consistently for a number of years. She has reached the stage where she is actively concerned about their safety on the roads. The roads in this particular part of my electorate are not in very good condition and I think the wording of the petition described them quite accurately.

The government has responsibility for this particular road which is several miles long. I feel that, if no repair work is done on it before the Wet, there will be further accidents. There was a fatal accident on the road last year. A lady who lived in the area was killed because of the condition of the roads. Perhaps her attention was diverted for a short time from her driving.

I have another letter which was brought to me by somebody who frequents the Lambell's Lagoon area. I judge from the address that she does not live there. This particular person also had an accident on the road recently. She is not only backing the petition but is giving reasons for backing the petition. Her reasons are basically related to safety of the people who travel on the road. It is not only the condition of the road, the sand on the shoulders and the white bulldust which turns to clay in the Wet and makes it impossible for 2 large vehicles to pass, there is also the added hazard of wildlife on the roads. We all like to see wildlife in the rural area, and I personally do not mind stock on the roads because I do not usually drive very fast. One tries to avoid animals on the road at all times but, on occasion, one cannot avoid them. I have written to the officers of the Department of Transport and Works and officers of the Department of Education to seek support in having this road upgraded for the safety of the people who live there.

Another question I asked this morning was on the subject of a large-animal pound for the rural area. For some time, I have been asking the Minister for Community Development and, before him, his predecessor to give consideration to the provision of a large-animal pound in the rural area. It was brought to the attention of local residents recently because of a habit of the owner of 3 horses in the rural area: he would let them out at night to feed without any cost to him. These 3 horses did quite a bit of damage to the neighbours' blocks. They ravaged market gardens, they went into bush houses, they broke sprinkler systems and they broke down fences. The poor things were starving. If these sorts of things are allowed to continue, there will be a repeat of certain accidents that have occurred in the rural area with stock straying on the roads at night. Also a certain amount of ill-feeling will be generated between those people who have animals and look after them and those who have animals and do not look after them.

If a large-animal pound were established in the rural area, the people who are not very concerned about the welfare of their animals and let them stray will have this question resolved for them. If they care so little for them that they let them loose on the roads, they will not care enough for them to get them out of hock from the pound. Somebody who buys them will take better care of them. It will also help the people who care for their stock. When animals get out through open gates or broken fences, their owners will be able to go to the pound and claim them. I was very pleased to hear the Minister for Community Development say in reply to my question that consideration will be given to the formation of this large-animal pound.

Finally, I would like to speak on the subject of priorities in relation to the supply of services and goods to schools. I received a letter yesterday from the manager of the Pularumpi Council on Melville Island in which he queries the priorities of the Department of Education. The school has a road passing by each side of it. There are plans under consideration to make one of them the main road from the town itself to the airport. This will mean more traffic on that road. The concern of the people who live at Pularumpi is that there is no fencing around the school. The school is well provided with video and similar equipment which they are very pleased to have for the education of the children. What they really want is some consideration given to the supply of a fence for the safety of the children. They have already made representations to the Department of Education and have asked me for help also.

I have had occasion to query the priorities of the Department of Education previously in relation to certain facilities. The first thing that springs to mind is a bus lay-by at the Howard Springs School. When I was first elected, it took quite a bit of effort to convince the department to obtain use of a

small area at the front of the Howard Springs School for a bus lay-by. The parents, teachers and every other concerned person in the area realised that this was very necessary for the safety of travelling children. I hope that the department can see its way clear to give some thought to the safety of the children at Pularumpi school.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, on the Monday prior to these sittings, I submitted a press release to various outlets. In this press release, I made some very strong claims against the Ashton Joint Ventures Mining Company. The NT News telexed a copy of what I had said to Ashton and, as I expected, it strongly denied it. I was not particularly impressed by the fact that I submitted my source of information to the NT News and it did not check that out. I was fully aware that Ashton would strongly deny my claims but I did not expect the storm of protest which descended about my ears.

I was called urgently to the telephone during the sittings and a senior geologist of Ashton spoke to me. He proceeded to berate me for daring to make allegations against his company and made further allegations that I did not know the company and would not know what I was talking about anyhow, that I had never been there and so forth. He said his company had excellent relations with the people in the area and that, in fact, members had even been invited by the people to attend a concert. It was interesting to note that at no time did he suggest the company would issue me with a writ for libel.

Anyway, having listened to this diatribe from this senior geologist, I was even more determined to have it published. On 10 July and 15 July, articles were printed by the NT News in which allegations were made that there had been no negotiations or consultations between traditional owners and Ashton Mining. One of these allegations was made by a person called Pincher Nyunmiari, who is a local traditional owner. He said: 'The mining company has been looking around Mount Sandford and Dagaragu for more than one year. They did not come to see Aborigines, the boss for that place. They did not let Aborigines know. They did not talk about something before they go out there'. Several other claims were made by Pincher in regard to lack of cooperation and consultation by Ashton.

In reply to Pincher's letter, the company secretary, Mr Len Brown, described the claim that his company was carrying out exploration on Aboriginal land without consulting traditional owners as 'frightening'. That was in the NT News of 10 July 1982. Three weeks after publication of these articles, I visited the area and spent 2 days talking with traditional owners at Dagaragu about this and other matters. They were adamant that they had not been consulted at any time by Ashton or advised of the areas in which the company intended to carry out mining exploration. This was causing them a great deal of concern as they were afraid that sacred sites might be interfered with or despoiled.

Currently, in this general area, Ashton Mining has exploration licences 2300, 2301 and 3649 granted to it. These do not cover Aboriginal land but they do cover areas in which there are many Gurindji sacred sites, including Mt Sandford, Limbunya and the Inverway-Kirkimbie areas. Also, if necessary, it would have to use access roads through Aboriginal land to obtain stores from the Aboriginal shops situated at Dagaragu and Kalkarinji. It is also a fact that the company used the private road through Dagaragu community to get to that store. The local people say that they at no time requested permission to go through there. I verified the fact that they did not.

Ashton has an application for an EL in its own right; that is, ELA 2701. That is an application, not an authority. Ashton Joint Ventures, in the name of AOG Minerals Ltd, has also made an application for EL licences 3659 and 3661. However, these are applications only and do not entitle them to carry out exploration in these areas and they do, in fact, cover Aboriginal land at Dagaragu.

The Aborigines at Dagaragu say that Ashton has been exploring the area for more than a year. I again quote Pincher Nyunmiari's letter: 'This mining company has been looking around Mt Sandford and Dagaragu for more than 1 year'.

The Manager of the Murra-mulla Gurindji Cattle Company is a Mr Buck Buchester. He has been carrying out helicopter mustering in the area and assured me that Ashton had a camp in Seale Yard, which verifies Pincher's story. Mr Buchester would be well known to the Speaker. He has been in the area for some 30 years and I do not think that he would make a mistake.

Ashton had a camp in Seale Yard where there is a sacred site known as Seale Gorge. It is of such significance to Aboriginal people that it was gazetted under the old Sacred Sites and Historical Objects Act many years ago, a long time before the federal Land Rights Act of 1976 was enacted.

I have visited Seale Gorge on several occasions over the years on invitation from the custodians of that gorge. It is both a burial place and a priceless art gallery. There are some remarkably beautiful paintings on the walls of that gorge. Is it any wonder that the people are concerned with the activities of this company?

A week before I arrived at Dagaragu, a meeting took place between 2 representatives of the Central Land Council, a geologist representing Ashton and the traditional owners. In my original press release, I claimed that the talks were worthless and unproductive. That was the information that I received at the time. However, since that time, people from the Central Land Council have advised me that at least some results were achieved. Representatives of the Central Land Council indicated the procedures that had been gone through with other mining companies in the past. The particular company involved would normally provide maps of areas that it intended to explore and CLC representatives and traditional owners would then go out and have a look at the map and try and point out sacred sites. If they could not, the company would arrange for visits on the ground or, in some instances, even helicopter surveys before it commenced operations. An example would be when BHP was carrying out mineral exploration at an earlier date and it appears that, when Aborigines indicated concern that they had not been given information, BHP turned around and provided on-the-ground inspection. When they could not mark it on the map, BHP provided helicopter transport to see if these places were in fact recorded.

At this recent meeting, concessions had to be made by Ashton. It promised to provide maps of the areas under exploration licence during the negotiating stage. Its representative, however, stated that, acting under company instructions, he could not disclose areas which had already been explored and could not give an assurance that traditional owners would be permitted to visit any particular areas if they were able to mark sites on the map during future activities. I think that is partly wrong, Mr Deputy Speaker.

Considering the attitude previously adopted by Ashton, the CLC believes that at least something has been achieved. A further meeting is to take place in the near future in Alice Springs. On Tuesday night of 17 August, I received a phone call from a Mr Bernard Lavery, Ashton Mining legal adviser, and he asked me if I intended going ahead with the publication of my press release. He explained that it would be most damaging to Ashton if I released it. I had spoken previously to Mr John Coldrey, the lawyer for the CLC, and he advised me that the meeting was not totally unproductive as I had first said and he believed that the company's attitude was changing for the better. Consequently, I agreed to withdraw that press statement, which I did. I must add that my press release said a lot more than anything which I have said today. I know some of the more significant claims I made at that time can be substantiated. In the interests of a complete understanding between the company and Aboriginals, I will not hide behind the coward's castle of parliament and say them today.

My reason for keeping silent is twofold. I told Mr Bernard Lavery that, in the interests of all concerned and in view of some of the information he gave me during his long conversation, I would drop some of my claims and would not proceed with them. Mr Lavery offered to keep me fully informed of any future dealings with Aboriginal groups within my electorate and he also invited me to attend any future meetings with traditional owners and land councils, provided of course that that is subject to the agreement of the traditional owners and land councils.

As I have had this assurance that Ashton will be keeping traditional owners better informed of its activities through the appropriate land council in future, I am prepared to keep silent at the moment on some other pretty important matters. I believe that I have already managed to achieve quite a lot in regard to future dealings between AJV and Aboriginal groups. This company has further applications for exploration licences on the Daly River Reserve and I am hopeful that these negotiations between traditional owners and land councils will be more fruitful, that Ashton Mining will proceed more smoothly and that no further misunderstandings will occur.

Mr MacFARLANE (Else): Mr Deputy Speaker, when I came to this Territory 35 years ago, I only wanted a bit of land to call my own, just like Aboriginals do. I think this is about the best description of what Aboriginals want with Aboriginal land. They want a bit of land to call their own. But at that time, one sixth of the Northern Territory was reserved for the exclusive use of Aborigines and a third of the Aboriginal population was in Arnhem Land or on the islands adjacent to Arnhem Land. They were happy there, I suppose, after the war which very nearly cost them their reserve land and very nearly cost Australians Australia. It was as simple as that; it was touch and go.

I was a member of the armed forces which fought in parts of the Middle East, Ceylon and New Guinea a couple of times and I can assure you that I did not fight for a divided Australia. I fought for Australia full stop. The way we are going now with these land claims and with one side being supported and one side being attacked, as is usual, I think it is pretty bad for Australia. The supposition has been put forward that, if we give Aboriginals all the land they want and swamp them with money, things will be well; they will develop and progress. That is just not so. It has not happened. The Arnhem Land reserve of 37 000 square miles has been their exclusive property since well before the war.

Mr Doolan: 1931.

Mr MacFARLANE: Well before the war. I was correct the first time. I do not see any great development of the people there so I scoff at the suggestion that land rights are essential for Aboriginal development. The answer of course is work, and this is what we have to give them.

I have been examining this nameless booklet published by a member of the Uniting Church of Australia. It disturbed me a bit because the church has gone political. I read in the Bulletin of 6 October 1981 an article titled: 'How radical Christians preached the gospel of the gun'. I will read out 1 small piece. It is available if anyone likes to borrow it:

The withdrawal of the Salvation Army from the World Council of Churches again focusses attention on the organisation that branded Australia as racist because of its treatment of Aborigines. The Salvation Army said that it was severing its connections because the World Council of Churches had become motivated by politics rather than the gospel.

This article, taken from the American Spectator and written by authors Raoul Jean Isaacs and Eric Isaacs, provides support for that view. I do not know if these people are related to Jon Isaacs. I do know that Jon Isaacs' boss in the New South Wales Department of Aboriginal Affairs has as her 3 idols the black militant Angela Davis, Ho Chi Minh and her mother. I would say that you would not have to go very far to understand what her politics are. When politics come into religion, I think something is wrong and the Uniting Church has gone too far. Politics should be left to politicians and preaching the gospel should be left to the clergy.

I was at church in Katherine some months ago and the Moderator of the Uniting Church preached the sermon. He gave us a rundown on what had happened at the synod meeting and said that they came to a very difficult decision. The block of land the church owned in the centre of Alice Springs could be developed and that development would bring in \$0.5m each year, but it was decided that it would disrupt the lives of Aborigines so they forwent that development. I do not know what they are going to do with the block now. Charity begins at home and this block apparently is where the poisoned Aborigines were found and seems to be a favourite meeting spot for Aborigines. I do not question the right of the Uniting Church to do what it likes with the land, but I found myself another church and I am a Presbyterian.

Australia was never an easy place. When Captain Cook came here, there were about 200 000 Aborigines and they were dying out because they could not handle the country. It was a pretty rough place; it is no land of milk and honey now. You heard the last few words from the Treasurer in the budget speech today. There is a lot of development to be done and being done, but a lot of confidence has gone out of the Territory and the Territory pastoral industry. Aboriginal land does not have to be pastoral land; it can be land suitable for tourism, agriculture, fishing - for any of these things as well as pastoral use. We want to know where we are going.

There are many half-truths in this answer to the Chief Minister's proposal on Aboriginal land rights. They say that only 5% of pastoral land is Aboriginal land and 51% of the pastoral land is owned by foreign owners. It is not owned by foreign owners; it is owned by the Northern Territory government and simply leased to foreign owners. Once Aborigines receive freehold title, it is Aboriginal land; it is taken out of circulation. It says very clearly in this book which is by a minister of the church that these people cannot sell the land and they cannot transfer it. It is all there

for you, Mr Deputy Speaker, and I presume you have a copy.

The situation is extreme and I think it is about time that people really considered what we do want. Do we want half the Northern Territory to become Aboriginal land? Are we going to support people like Father Pat Dodson who was on After Eight this morning saying that they are sending a representative from the Federated Land Council to Europe. When he was asked how they would finance it, whether they would accept Communist money, he said: 'The colour of the money does not matter'. This is what we are coming to. It is a classic communist ploy: divided, they fall. I can assure you that this is what is happening. My family and I feel that we are part of the culture of the Northern Territory too. We have been here for many years. We are prepared to work and we do not want this divisiveness. We like Aboriginals and they like us because we are part of the scene. We live here. We work with them - and a lot harder than they do - but we work with them and at times we work for them. But what you are getting now is a split community with hatred being fostered by people like this, with their record like this, by people like Father Pat Dodson who will accept communist money to stir up unrest and divisiveness in this community. This is not what it is about. We want equal rights for Territorians and there should be one law for all and the law extends to land rights.

I cannot press on this Assembly too strongly the dismay that my electorate feels about the latest land claim, the one called the Katherine Area Land Claim, which includes the Katherine Gorge. There is just no reason why one section of the community should have that land. It belongs to Territorians. It is as simple as that: Territorians of no colour; simply Territorians.

Mr BELL (MacDonnell): Mr Deputy Speaker, I do not want to take up too much of the Assembly's time this evening. I just wanted to make a few comments about Friday 13 August, a fairly fateful day. I sent a letter to a new schoolteacher at Yulara and, on the same day, I noticed there was a Territory Gazette published. On that same day I received a letter from the head teacher at Mt Ebenezer School making representations to me about a couple of problems. However, I go ahead of myself somewhat. Let me take each one of those by itself.

In the letter I sent to the new schoolteacher at Yulara, I registered my pleasure that the tender board was advertising a contract for the transport of schoolchildren at Yulara. I was pleased because it would relieve him of the responsibility attributed to him in a newspaper article of having to use his personal vehicle to take children from the camp to the school at Yulara. I was somewhat disappointed to find that that delight had been somewhat premature because, according to the Gazette of Friday 13, this tender for the transport of schoolchildren had to be reissued and there would be a delay in the provision of this service.

The letter I received on Friday 13 August from the head teacher at Mt Ebenezer shed a little more light on the problems of transporting children to Ayers Rock. That might strike you as somewhat strange, Mr Deputy Speaker, Ayers Rock and Mt Ebenezer being some 100 miles apart. In fact, the problem that was being relieved at Yulara was in fact creating a problem for the school and the children at Mt Ebenezer because the bus that had hitherto been used to transport children to the school at Mt Ebenezer had been shifted to Ayers Rock for the transport of children to the new Yulara school. In fact, the teacher at Mt Ebenezer was going to have to use in the short term his own vehicle for transporting children to the school. He and the other schoolteacher at Mt Ebenezer were going to have to use personal vehicles to transport children.

That of course is not really acceptable. Nowhere else would we expect schoolteachers to have to use their own vehicles to transport kids to school. I suggest that there needs to be some more appropriate arrangement both at Mt Ebenezer and at Yulara for the transport of children.

A matter of at least as much importance is the provision of a second classroom at Mt Ebenezer. Anyone who spent any time in those caravan schools knows that they are really quite excellent for a class of maybe 15 or 20 kids. I understand that they are designed for some 25 kids which would be fairly tight by itself.

I understand that, at the moment in one of those caravan schools at Mt Ebenezer, there are regularly 42 students and 3 teachers are expected to operate in that area. I think that that is unacceptable. It is not a situation that has arisen overnight. I understand that, over a period of 2 years, there have been repeated requests from the head teacher for an extra classroom to relieve the pressure and thus enable a more appropriate education program to be carried out in the school. Those requests have not been met.

I think that something needs to be done in very quick time. More accommodation needs to be provided at that school. The information that I have is that an undertaking was given in April that a new classroom would be provided by the middle of this year. It is now the end of August and it would appear that the further accommodation that is so urgently required has not been provided.

I hope that the honourable minister will be able to take those 2 deficiencies at Mt Ebenezer school into consideration and provide some sort of solution because one is required urgently.

Mr D. W. COLLINS (Alice Springs): Mr Deputy Speaker, over this last weekend there were a couple of events in Alice Springs which I would like to mention. The first one on Saturday was the 21st annual Henley-on-Todd, a well-known event. It was an excellent show, possibly the best that I have seen in the 12 years I have been in Alice Springs. The Rotary clubs and the many other groups which supported them deserve considerable congratulation.

As we all know and appreciate in Alice Springs, the Henley-on-Todd draws in visitors from all over Australia and indeed the world. I had the pleasure of being on the gate and talking to some of the people who came to the event. They thoroughly enjoyed themselves. As usual, the running of the events went with considerable precision. The sale of alcohol was controlled. People were not allowed to bring their own in. Beer was on sale. I think this contributed considerably to a much more pleasant day. Fewer people went beyond the merry stage, if I may put it that way.

One little gimmick that the Rotaract people had going was simply a board with a hole about a foot in diameter cut in it, roped off and area behind. The children were urged to pick up empty cans that were dropped and compete at throwing them through this hole. It was a very simple idea but worked tremendously. Kids were coming up and trying to get cans from people before the contents were actually finished. The Rotaract people had the whole matter under control, bagging up the cans and placing the bags on a trailer. It kept the whole area very tidy. It was simple but very effective and I commend them for that and I commend its possible use in other places.

The Henley-on-Todd, as most people already know, raised something like \$20 000 for charity. It also raises a lot of interest in Alice Springs and promotes the Territory. I congratulate all those involved.

On the Sunday there was a brand new event for the Verdi Club, the Italian Club in Alice Springs. It ran a food and wine day and it was a tremendous success. It was great to go along there and catch up with almost all of the town of Alice Springs, or so it seemed. I had a very pleasant time talking to people and there was plenty of food and drink, too much maybe for those who are a little portly like I am. Also, there was music and dancing and local groups and entertainers were involved and performed very well: Bloodwood, Ted Egan, the Alice Springs Flute Girls and many others, including some interstate groups. I would like to think that that function will become a yearly event. Others who were there felt the same. Everybody was very impressed with it and I think financial success is guaranteed. The Verdi Club will continue it in response to public demand.

The third point I would like to make this afternoon concerns Giles House and the Territory Tidy Towns competition. The staff and children down there are making an excellent effort in the electorate of Alice Springs, and even beyond, cleaning up areas from the old graveyard to Anzac Hill. I find one thing somewhat heartbreaking. Just across from Giles House there is a park with a bike track which runs along the Todd River. There is a camp there. These children go out and keep the area around Giles House, the bike track and its surrounds, as clean of litter as they possibly can. Unfortunately, however, the people who camp over there seem to be very keen to break every bottle that they use. In fact, this is part of the reason why the bike track is not used as it should be. I rode on it last week and what should have been a pleasant ride was anything but. I spent my time dodging broken glass because I did not want to have to walk back to the office. The children and staff there are to be commended because, in spite of the fact that people keep on smashing bottles, virtually daily they clean it up as best they can. Their persistence is to be marvelled at and greatly praised.

I wonder what can be done about this particular problem. The introduction of cartons with plastic liners offers possibilities. They cannot be smashed. A bottle takes only a moment to pick up but to clear up a smashed bottle is very time-consuming, dangerous and annoying indeed. Maybe some consideration could be given to take-away wine being sold in plastic containers. The empty containers may be untidy but certainly far easier and far cheaper for the ratepayer to clean up.

I was very interested to hear the words of our Speaker when he spoke a moment ago. I would suggest to him and to members of this Assembly a particular book, a copy of which I was handed last week: 'Red over Black' by Geoff MacDonald. The people in the press gallery seemed to be a little amused, I must confess, at the Speaker's speech. I suggest they get a copy of the book and read it. I would be very happy to provide it to them if they wish. I learnt a lot about the Northern Territory from that particular book. I recommend it very strongly to members of this Assembly and to the general public.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, on 20 June a house in my electorate was damaged by fire and a report on the coroner's findings in relation to this matter appeared in the NT News on 25 August. In bringing down his findings on the cause of the fire, the coroner offered for the consideration of the Housing Commission a piece of advice which was that it stop using a particular type of material which, if not the cause of the fire, certainly contributed to its spreading. In case members did not see this report, I will outline the circumstances.

The coroner, Mr McGregor, found that the cause of the fire was the ignition of a pan of cooking oil which had been left on the stove in the kitchen of this house. He also found that the fire had spread from the stove into the roof via the wall lining of the kitchen. It was this fact that caused the coroner to remark that this particular material was not only undesirable but unwanted. He found that the wall behind the stove comprised of plasterboard with a facing of 3mm plywood coated in a polyester substance called coronite. I believe that coronite is the trade name of the material referred to. On a scale of 1:20 coronite has been shown to have a rating of 12 of ignitability and, on a scale of 1:10, it has a rating of 10 for spread of flame. The coroner offered the suggestion to the commission that the use of this material be stopped in areas which were close to fire or heat.

I hope that the Housing Commission and the Building Board, which have charge of the type of materials used in buildings and the fire rating of these materials, will take up the suggestion that was brought out as a result of this particular inquiry. I would also suggest that the Housing Commission assess the use of this material in buildings already in existence with a view to replacing it in houses where it has been used. It is quite clear that this material is hazardous when used in kitchens and it is worth giving consideration to the replacement of this wall lining wherever it has been installed.

Mr Deputy Speaker, the next matter that I wanted to bring up is in relation to the report on youth recreation needs which was presented to a public meeting last Wednesday night at the Casuarina High School. This meeting was not as well attended as the meeting called in March, the principal purpose of which was to establish a committee to examine youth needs in the northern suburbs. Nevertheless, the report was presented and some discussion amongst those present ensued. The honourable Minister for Youth, Sport and Recreation did attend this meeting so I have no doubt he is well aware of the recommendations of this report and also of the resolution that was passed by that public meeting that the government act upon the recommendations. I thought that the recommendations showed considerable restraint in what should be provided for youth having regard to not only an achievable solution but also to meeting the major needs that were identified in discussions which took place with large numbers of young people in the area.

One matter which was apparently brought regularly to the attention of those questioned was the availability of public transport. This of course does not really require the expenditure of large amounts of capital funds. It merely requires to look into the timetabling of existing services in order to make them more relevant to the needs of youth in the area.

The honourable Minister for Youth, Sport and Recreation, who also happens to be the Minister for Transport and Works, was there and no doubt he has been examining the recommendations of this report.

Mr Deputy Speaker, I for one would like to see some action upon this report because, for many years now, people in this area have been attending public meetings on just this matter. Surveys have been sponsored and reports have been produced and it still seems that not much action has occurred as a result of all this fact finding. I hope that the findings of this particular group will be looked at in relation to other findings which were produced in 1979, 1980 and earlier, and that some facilities will be provided for youth in this area. It does seem that there is a consensus of views amongst all the suburbs that people ought to co-ordinate their approach to the provision of these services. I think that this is a very worthwhile approach to the subject of the provision of youth facilities. In fact, one of the suggestions that came out of this meeting was that an association of voluntary agencies

be formed to exchange information on their plans for the provision of services.

I would like to commend this particular group because not only did it provide a report in a relatively short period of time but it had a large input from youth. In fact, 3 members of the committee were young people themselves. I believe that they did a very thorough job in the time allotted them, and I would hope to see some positive results flowing from their excellent work.

Mr SMITH (Millner): Mr Deputy Speaker, in the last week of the sittings we heard some debate between the Minister for Lands and Housing and the member for MacDonnell over the reasons why there had been a shortfall in the estimated amount of money spent on the Home Loans Scheme. I think one of the things that has come out of that is that the Home Loans Scheme, under present circumstances with high interest rates for bridging finance, is beyond the capacity of a large number of people who, 12 months ago, may have thought that they could use it.

However, Mr Deputy Speaker, I wish to take up the case today of a small group of people who are eligible in every way in my view to use the Home Loans Scheme. They are anxious to use it but, because of a decision by the minister and the Housing Commission, they are at present barred from using the provisions of the Home Loans Scheme. The people I refer to are those women in a relationship during the course of which they applied for and were successful in gaining a loan through the Home Loans Scheme and, subsequent to gaining that loan, the relationship has broken up.

What has happened in the 2 cases that I am aware of is that there has been an agreement between the male and the female whereby the male remained in the house and the female moved out. The agreement was that the male in both cases would receive all the benefits of the home loan. This was taken up with the Housing Commission and the loan was transferred to the male's name and the female subsequently left the house and received no material benefit from the Home Loans Scheme.

This can be proved by statutory declaration made by these women. Also, in each case they have statements from their relevant solicitors and their ex-spouses' solicitors saying that there has been no financial advantage to them from the Home Loans Scheme. These women have applied for a loan through the Home Loans Scheme, as I would think that they are entitled to as single people interested in staying in Darwin and making their home here. They have been refused and the response given by the minister has been that they have already received the benefit of a home loan.

Mr Deputy Speaker, I would expect that, in some cases like this, it is quite possible that, where after the grant of a home loan the marriage or the relationship has broken up, there would have been some advantage to the person who left the home and gone out on his or her own. Certainly, in these 2 cases, and I suspect in a large number of other cases, there has been no advantage to the person who has left the home. I think it is most unfair in these instances, particularly when the government has significantly underspent in the last 12 months the amount of money it has had available for home loans, that these people had not been declared eligible under the Home Loans Scheme.

The 2 people I am referring to are both citizens of this town and have been here for considerable periods of time. They hold important and responsible positions in the town and are interested in making their future here. The failure of the government to provide them with a loan is making it very difficult for these people to contemplate a long-term future in Darwin.

Everybody here would realise that, without access to the government Home Loans Scheme, and with the cost of housing in Darwin, it is most difficult to find sufficient finance to purchase a home. So these 2 people are faced with the unpleasant thought that, if they are not able to raise money to purchase a home in Darwin, they will have to leave the town. I think that would be a most unfortunate situation.

Mr Deputy Speaker, I raise the matter not in an attempt to chastise the government but in an attempt to obtain an explanation. I know that the minister has already considered at least one of these cases. I would ask that he re-examine this case and other cases that may arise like it. Certainly tonight I would appreciate any light the minister can throw on this and any good reasons he can put forward why people in this situation should not be eligible for home loans.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I hope that those 2 ladies whom the honourable member for Millner referred to do not leave this town and go to Sydney in the premier state of New South Wales and try to find themselves some cheap housing because they will find the cost of housing in that city is about identical if not dearer than the cost of housing in this city. If they are moving towards the purchase of their first dwelling in New South Wales, they will find that there is no government housing finance scheme at all.

When 2 persons apply for a home loan to build their first home and they receive it, they both receive the loan. If unhappy disagreements later arise between them and, as a consequence thereof they decide to split the blanket and the wife moves out of the house, leaving the husband in occupation, then the wife has obviously done that with some meditation on the subject. It is pretty unusual for the wife to move out of the house leaving the husband in possession. In fact, in the time that I have practised in law, it has happened very rarely. I might suggest that, if it is fair enough for wives who move out to receive a second home loan, then it would be just as fair for husbands to receive a second home loan. We know that this home loan is in fact a special subvention made by the Territory government out of the taxpayers' resources to give people a one-off chance to obtain themselves a house in the Territory. Even back in Commonwealth days, it was never considered that it would be anything other than a once-only bite at the cherry.

The proposal by the member for Millner that the system should be watered down would only be the first crack in the dyke. If once the concession is made by the Minister for Lands and Housing that someone should have a second go at the Home Loans Scheme, that would open the floodgates and we would be in direct competition with the banks and the building societies. There would be no end to the amount of taxpayers' money required to carry the burden of home finance. In fact, the banks and the building societies should be doing the total job in the Territory as they are in New South Wales. The government and the taxpayers should not have to find one penny to put towards housing finance of this nature. If the ladies have a complaint, let them go to the banks and the building societies in this case with their complaint. I wonder, for instance, what equity they obtained out of their husbands at the time that they vacated the residences and what in fact they may have done with that.

I was very pleased to hear the member for Nightcliff this afternoon describe the publication 'Northern Territory of Australia 1982' to be refreshingly free of political propaganda and to hear her for the first time in this Assembly give some praise to the Office of Information in the Chief Minister's Department. In the past, she has been somewhat critical of this unit and it is pleasing to hear that she has apparently been converted. I would be interested to

hear from her what previous publications of the Office of Information of the style of 'Northern Territory of Australia 1982' - and there were many which were all colourful and well illustrated - did in fact contain political propaganda. I cannot remember any complaint ever having been made that any of those have been vehicles for political propaganda.

I would like to place on record this afternoon, Mr Deputy Speaker, my appreciation of the worth of a person who has had a great deal to do with the Northern Territory. I refer to Mr Bill de Vos who retires as Executive Officer of the Northern Territory Cattle Council. Bill de Vos was associated with the Territory pastoral industry for over 30 years. He commenced his involvement with it in 1950 when he was jointly Secretary of the Graziers Association of New South Wales and the Northern Territory Pastoral Lessees Association. He later left the Graziers Association to take up appointment as Executive Officer of the Cattle Producers Council of the Northern Territory.

Amongst other things, Mr de Vos has been a member of the Gibb Committee set up under the Commonwealth government to investigate Aboriginal land needs on pastoral properties and, since self-government, he has been appointed one of a 3-man committee on the Feral Animal Inquiry.

Mr de Vos years ago was very much involved in helping to coordinate the pastoral industry during the pleuro-pneumonia tests from 1956 to 1972. He was also involved with the development of cattlemen's schools run by the Northern Territory Administration covering diseases and husbandry and helped to organise the industry's point of view. In recent years, he has been associated with the BTB eradication campaign, consulting and cooperating in that area with the Department of Primary Production, and he has more recently served as interim Chairman of the Australian Shippers Council. Mr de Vos has been one of the most decent people that I have had to deal with in government. I regard him as a thorough gentleman, a man whose word can be relied on implicitly, a person who never loses his cool and who puts up with the quirks and vagaries of people such as myself.

Mr Deputy Speaker, I would also like to make a few comments on the Youth Needs Report prepared by the Manzie Committee and recently presented to a public meeting at the Casuarina High School. Unfortunately, I was unable to be present but I was represented. At the time, I was somewhere on the east coast in connection with the establishment of a west of the Wessels fishery. This did cause me some grief because I had in fact, with the honourable member for Casuarina, who is also Minister for Youth, Sport and Recreation, initially moved to set up the public meeting that constituted the committee that carried out the work and formulated this report. I would very much have liked to have been there when the report was presented.

I can say that I have read the report and, as far as I can see, it could not but be fully supported. I would hope that its proposals in respect of Casuarina High School are acceptable to the Education Department. If they are not, I certainly can think of an alternative proposal that would be probably just as acceptable. However, I understand my colleague, the Minister for Youth, Sport and Recreation, will be bringing the report forward with an appropriate Cabinet submission in the near future. I would expect that the recommendations would receive a considerable degree of support within the government.

Mr Deputy Speaker, I wish to speak on one final topic. The honourable Leader of the Opposition earlier this afternoon saw fit to attack me for

attacking the Northern Land Council. I would say that my so-called attack on the Northern Land Council was, if anything, phrased in fairly reasonable language and certainly was not regarded by me as an attack but rather a chiding because we are always told about consultation and required to practise it ourselves. Nevertheless, it seemed to me on the information that was supplied to me that the land council certainly on that occasion had not been practising what it preached. On information still available to me, I understand that the land council proposes to carry out these proposals to erect fences and signs without consulting with the people of Jabiru which should be a relatively simple task for it to undertake. For that reason, at this stage, I do not propose to apologise. As I said, the burden of my complaint is lack of consultation. I said that what is good for the goose ought to be good for the gander. If the Northern Land Council is happy to engage in consultation, then I am quite happy to apologise.

We were told by the Leader of the Opposition that I am apparently engaging in provocative behaviour. Only someone as one-eyed as the Leader of the Opposition could say that the Northern Territory government is engaging in provocative behaviour. Everywhere one goes in the Northern Territory now, one is confronted with these signs. It is for that reason that the rumours that circulated in Jabiru were so readily believed by almost everyone. One only has to go to Dick Ward Drive to see signs that say 'Aboriginal Land Keep Out'. One only has to go to the Alice Springs Golf Course to see signs, erected without permission and without consultation, by Aboriginal people or at least employees of Aboriginal groups. They tell you to stay off here and to stay off there yet people have been playing golf there for about 30 years. One only has to go to Alice Springs to see the recreation lake proposal, put forward by the government, which is being thwarted. One only has to go to Alice Springs to see the industrial subdivision proposal, put forward by the government, which is being thwarted. One only has to go to Alice Springs to see the golf course subdivision and hotel development there, put forward jointly by the golf club and the government, which are also being thwarted. In some cases, the claims seem to be mobile and, in the case of the golf club, they almost seem to have wheels.

All I can say is that, if the Leader of the Opposition considers me to be guilty of provocation, then I would suggest that he look around to see what is happening behind his back.

I have certainly been engaging in a campaign over the last few months in relation to amendments to the Aboriginal (Northern Territory) Land Rights Act and amendments to Territory legislation. I do not propose to abate that campaign one bit. I want to bring to the notice of all Australians the actual, factual position in the Northern Territory. If I am not to be permitted to engage in this campaign, then I ask how the Central Land Council and the Pitjantjatjara Council can engage in their campaigns. The Central Land Council engaged in the first national media campaign on land rights and I simply take a leaf out of its book in engaging in such a campaign on behalf of the Northern Territory government.

The Northern Territory government has certainly made no threats to go and disrupt the Commonwealth Games in Brisbane in the next month or 2 and, Mr Deputy Speaker, I ask you: if that is not provocation, then what is? As far as we are concerned, our proposals in respect of land rights in the Northern Territory are reasonable and we believe that the Australian people should be made fully aware of them. We propose to continue with our campaign to see that they are and we propose to see that the facts, and not a lot of fiction, are put before the people.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITION
2 km Drinking Law

Mrs LAWRIE (Nightcliff): Mr Speaker, I present a petition from 35 citizens of the Northern Territory relating to the 2 km drinking law. 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 states that the proposed 2 km drinking law will be proven to be unenforceable. As the law is based on distance and not behaviour, it would make criminals out of sober and otherwise law abiding citizens. Your petitioners therefore humbly pray that the honourable members of the Legislative Assembly will not implement this law until it can be revised at the next sittings of the Legislative Assembly, and your petitioners, as in duty bound, will ever pray.

REPORT
Storm Surge in Darwin

Mr PERRON (Lands and Housing)(by leave): Mr Speaker, I table a report on storm surge in Darwin for the information of honourable members and move that the report be noted.

Storm surge can be an emotive subject and it is important to dispel any irrational fears in the community about this issue. Cabinet established the Northern Territory Flood Plain Management Committee in 1980. This committee was given responsibility for the development of a detailed flood plain management policy and to execute flood plain mapping. The committee has also been used by the government as a forum for the commissioning of a report on storm surge in Darwin. The investigation was conducted by the Commonwealth Department of Housing and Construction and updates the 1975 Darwin Surge Report prepared at the request of the Darwin Reconstruction Commission.

The report makes certain recommendations: that storm tide levels which have an estimated probability of exceedance of 0.01%, or 1 in 1000 per annum, should be adopted for planning of new development; that buildings constructed below these levels are strengthened to withstand wave and current forces resulting from storm tides with an estimated probability of exceedance of 1% or 1 in 100 per annum; and that a program of evacuation of people in buildings likely to be inundated in the event of a cyclone should be continued to ensure that, if excessive storm tides occur, loss of life from drowning is avoided.

Mr Speaker, the government has considered the report carefully with a view to practical administration of proper precautions. In essence, we believe the emphasis of this administration should be in the area of secure evacuation procedures. The preparation of evacuation plans in the highly unlikely event of critical storm surge and the legislative support for the counter-disaster organisation has been under continual review. In March this year, Cabinet approved the appointment of a planning officer for the Northern Territory Emergency Service to facilitate the counter-disaster planning capability of that service. Development of evacuation plans and the assessment of warning measures are ongoing projects of the emergency service, together with the

development of counter-disaster public education programs. These provide public information on action to be taken in the event of a cyclone or the further event of storm surge.

In this continuing process, the government has authorised the preparation of an appropriate public information document which will set out the technical recommendations of the report plus other information for the use of property owners, developers and members of the public. In this context, we believe that current public warning systems on imminent cyclone situations should contain special advice for those few areas which could be threatened by storm surge. These arrangements have already been introduced in the Darwin cyclone counter-disaster plan. We do not believe it is the function of government to dictate standards of construction within specific areas solely because they may be declared surge zones.

These decisions must be weighed by the purchaser of land along with other factors. The matter is really one of individual choice and in no way could we agree to implement measures that would make it compulsory for persons already occupying buildings in such zones to have to meet the cost of strengthening those buildings. The government would insist on the application of the normal Building Code provisions but any additional provision to counter possible waves and current forces would rest with the person concerned. The government would provide information on measures to strengthen buildings and from that point the responsibility would rest with the individual.

In summary, Mr Speaker, the government will concentrate its efforts in the area of orderly and well-planned evacuation techniques, in the statistically improbable event of a storm surge in Darwin. We have been working on that effect and we will continue to review these procedures. This, we believe, is the responsible and practical direction. I commend the report to honourable members.

Debate adjourned.

MINISTERIAL STATEMENT

Intergovernmental Agreement Establishing the Australian Bureau of Criminal Intelligence

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I table the agreement made on 6 February 1981 between the Commonwealth of Australia, each of the 6 states and the Northern Territory to establish the Australian Bureau of Criminal Intelligence. The bureau has now been established and is based in Canberra.

Mr Speaker, I will outline the considerations which gave rise to the need for the bureau. Organised crime has become increasingly active in operations that encompass different states of Australia as well as overseas. Australian police forces become aware of criminal activities in their own areas of responsibility but often do not realise that such activity represents only a cog in a wheel of an interstate or international network. Although the Australian Royal Commission of Inquiry into Drugs recommended a national body to collate that particular type of information, the Police Ministers' Council recognised that, to deal with organised crime, criminal intelligence must be viewed as a whole.

The role of the bureau will be to provide facilities for the collection, collation, analysis and dissemination of criminal intelligence with a view to providing such intelligence to police forces of the Commonwealth, the states and the Territory to enable them to combat organised crime in Australia and, in particular, illicit drug trafficking. I feel certain that all honourable

members will acknowledge this agreement as a valuable step in the co-ordinated and concerted efforts to combat such crime and to apprehend those associated with criminal activities.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

MINISTERIAL STATEMENT Darwin Foreshore Protection Policy

Mr PERRON (Treasurer)(by leave): Mr Speaker, it is with a deal of satisfaction that I make to this Assembly a statement on government policy to protect the foreshore environment of Darwin. I am secure in the knowledge that this policy is strong and practical for the Darwin situation. There has been no headstrong rush to turn this concept into a practical reality. The matter has been carefully considered initially, and the issue has been weighed thoughtfully throughout the period since Cabinet announced an interim policy in March this year and directed that a foreshore protection plan should be published and exhibited for public perusal. Maps and brochures were produced and shown in the Smith Street Mall and Casuarina Square. The explanatory brochure and accompanying map were distributed throughout Darwin in a comprehensive letterbox drop. The plan was exhibited also at the Royal Darwin Show.

Public response in the form of submissions was satisfactory though not overwhelming. The public exhibition of the foreshore plan served a valuable function in that some minor discrepancies were pointed out and these have been corrected. However, in planning matters it is usually the case that no news is good news. Experience is that people are provoked to respond only if they disagree.

Before I touch on some of the points made in the submissions, I would like to outline the basis of the policy. Cabinet's first principle was that the policy should be strong. In other words, it should take firm steps to quell any fears that may have existed about inappropriate ad hoc development on the foreshore. What was needed was a definitive statement of what could happen on the foreshores and what could not. It was not just a matter of telling the community that this government was concerned about foreshore protection. Positive and explicitly defined steps were called for and that is what has happened. The only way to win confidence with a policy like this is to be precise. I am pleased to say that I have not received one criticism that the government's proposals were in any way wishy-washy or lacking in commitment.

The second principle was that the policy had to be practical. That is not always easy when talking about an area of land which has interest for all sectors of the community. For example, in being practical about a policy on foreshores, the very word 'foreshore' is inherently confusing and means many things to many people. The strict interpretation of 'foreshore' is that land between the high and low water marks - areas like beaches and mangrove swamps. At the other end of the scale is the extremist view that the foreshore is any land, occupied or not, where people do not like the prospect of a development proposal. Brinkin, for example, is so technically out of the foreshore that it might as well be in Alice Springs and cries of foreshore protection about that subdivision are somewhat spurious. Conversely, the banks of Rapid Creek, stretching inland almost to McMillans Road, technically belong to the foreshore because they are within tidal influence. We had to take a practical view of the foreshore for the purpose of this policy.

After much discussion and consultation, we decided on a definition of

'foreshore' which amounted to all vacant land between the low water mark and existing development. The protected area does, however, cover some development which presently exists on the foreshore. That, I believe, is a compromise which effectively takes in the view of members of the community concerned with foreshore protection.

The third principle was that the policy should be progressive. The intention was not to force a grinding halt to any development along the foreshore. Rather, it was seen as necessary to define where appropriate development could be entertained. I could envisage many foreshore development proposals that should be actively encouraged and I am talking particularly about marine-related activities. It is a plain fact that Darwin's magnificent harbour is sadly under-utilised by the people of this city. I see that this situation will change in the future and that appropriate and attractive development will occur and Darwin harbour will be opened up much more to public use. I have noted the increasing use overseas of technological adaptations of floating systems to produce boat havens, mooring facilities, recreational activities and even floating restaurants. It is with this attractive prospect in mind that I have examined submissions from many people that they did not want to see a complete freeze on all development in the top priority protection area, zone A. Many saw community-based recreational projects as being desirable or at least worthy of consideration. Obviously, nobody would rule out development like boat ramps, public toilets and car-parking areas along the foreshore. A proposal has been received for surf-lifesaving facilities at Casuarina. Therefore, I have modified slightly the description of the zone A protection area. It will now say that, in zone A, no new development proposals can be entertained other than community recreational projects.

The zone B description remains unchanged. It says that development proposals can be considered by the Planning Authority to determine whether they are appropriate and take into consideration environmental factors relative to the proposal. Again, I stress the word 'appropriate'.

I must touch on the effect of the policy on private land. I emphasise that the rights of existing landowners will not be prejudiced. They will still be able to exercise all their rights under the existing provisions in the Planning Act and the Darwin Town Plan. For those owners of land covered by zone A, the policy will prohibit them from any expansion of their blocks although further development within their existing boundaries will be permitted subject to building and planning control. In zone B, landowners will be able to exercise their existing rights subject to the Darwin Town Plan and the Planning Act. Alienation of further land in zone B will be possible, conditional upon whether that proposal is seen as suitable.

The Kulaluk community appeared to be concerned about the effect of the policy but this was based on the misunderstanding that the community rights would be restricted. It was explained that the placing of the Kulaluk area in zone B meant that the community could proceed with their development proposals subject to the provisions of the Planning Act.

There was a similar submission from a company operating in the Coconut Grove area and it concerned me because it showed the same basic misunderstanding of the government's intentions. There is no question that private or public land in zone B areas can be developed wisely and in accordance with Planning Authority approval. There is equally no question that foreshore land should form part of the protection area whether or not it is publicly or privately owned. There were a great number of helpful and constructive submissions. They covered suggestions ranging from a marina in Frances Bay to specific methods of technically improving the implementation of the policy.

I was pleased to receive a submission from the member for Millner on behalf of the opposition. However, close examination of the ALP policy showed it would not really protect anything. For example, consider the opposition's definition of 'foreshore'. 'Foreshore' includes all that land between the low water mark and the commencement of private land and it includes offshore reefs visible at low tide. Without worrying about low tide, such a definition would place any government trying to implement such a policy right out in the deep water. Kulaluk starts at the low water mark and Kulaluk is private land. Under the ALP policy, it would be completely excluded from any coverage whatsoever. Under the opposition definition, it would not be part of the foreshore. There is similar conflict at Sadgroves Creek in Frances Bay. Conversely, at Lee Point, the commencement of private land is virtually at Leanyer, Tiwi and Wanguri, some 3 km to 4 km from the coast. Under the opposition's definition, this would be foreshore and I clearly see that it is not.

The opposition also mentions the coastal protection zone extending further than the Darwin foreshore protection boundaries. That is the one that the government exhibited. Of course, the government has previously announced that the Conservation Commission is now working on its coastal protection plan for the entire Territory coastline. The Darwin protection policy was formulated to work in conjunction with that plan but it was brought in now to afford Darwin foreshore areas immediate protection. The ALP plan would not really protect anything. It does not cover parts of Darwin's foreshore and in other parts it extends kilometres inland.

I quote the opposition's policy document: 'The ALP proposes that development applications be allowed anywhere in the coastal protection zone but that applications be restricted to ventures that must by their nature be placed on the foreshore'. We can see from these words that the opposition would be happy to entertain alienating land for barge depots, ship building, repair yards, and commercial slipways and the like anywhere on the coast from Lee Point to Palmerston - Mindil Beach perhaps. Our government's policy would absolutely prohibit such use anywhere near a recreational foreshore area.

I must say that I cannot agree with the opposition's suggestion of the employment of a coastal planner. There is already a wealth of experience in the Lands Department and the Conservation Commission and, if specialised tasks are necessary, these probably would be outside the scope of a coastal planner anyway. In such cases, it would be proper to call in consultants with specialised knowledge. For example, the Lands Department has commissioned a technical study of the best way to manage mangroves and the effects of clearing mangrove swamps.

Mr Speaker, specialist data is best obtained from specialists. It would appear the ALP policy was drawn up in 10 minutes without any real thought. The Northern Territory Chapter of the Institute of Architects took a similar line to the opposition in suggesting the establishment of a Darwin foreshore protection authority. The government does not intend to rush headlong into establishing more statutory authorities with their associated expense. We see no need to create another bureaucracy when we already have the necessary administrative facilities.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

MINISTERIAL STATEMENT

Operation of History Awards and Grants

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, applications are

currently being called for the 1983 Northern Territory History Awards and Grants. The following statement is made to inform honourable members of the results of the grants to date.

Honourable members are advised that the winner of the 1980 major award, the first year of operation, was Peter Donovan who is to research and write a history of the Commonwealth administration of the Territory as a companion to his study of the South Australian administration. This latter work was published with a subsidy from the Northern Territory government as 'Land Full of Possibilities'. Mr Donovan expects to complete the writing of the 1911-78 period by September this year and to publish next year.

Mr Speaker, Dr Alan Powell was the winner of the 1981 award and his book 'Far Country', which will be the first general text on the Territory history, will be launched at a ceremony in Darwin on 3 September. The government has also given a small subsidy for this work.

The 1982 winner, Ann McGrath, is in the process of completing the PhD thesis on Aboriginal labour in the pastoral industry 1911-39 and this will be presented to the Latrobe University before the end of the year. She is making arrangements to have her work published.

Honourable members are advised that the minor grants in 1980 were as follows: Dr Alan Powell for preliminary research for the book which is now to be published as 'Far Country'; Jose Petrick for work on Alice Springs place names which has been published; and Mrs Hilda Tuxworth continues to work on the Tennant Creek place names for which she received a grant. Winsome Maff and Douglas Barrie have completed their manuscripts on Katherine and the Batchelor-Rum Jungle area respectively, and each is seeking a publisher. Lenore Coltheart also received a grant to enable her to complete her PhD thesis on nineteenth century Territory history and, although the grant has been acquitted, the thesis is yet to be presented to Griffith University. A grant made for a study of the police was returned to my department with interest and this is a study yet to be undertaken.

I will now go through the 1981 minor grants. Frank Alcorta has completed and presented his thesis on the 'History of Labor 1911-19'. Dr My Van Tran has published one monograph on the Vietnamese refugees and further publications will follow. Two young architects, Phil Harris and Adrian Welke, presented their paper at the Menzies workshop last September and have since published a small booklet. Pearl Ogden has completed her manuscript on the Fogarty family and is currently looking to publish. Jacqueline O'Brien, having completed her research, is now writing her history on the nursing services in the Territory. Of the 10 grants made in 1982, Mike Foley has presented his manuscript on the history of the Cox Peninsula and ways of publishing are being considered. All the other recipients, having acquitted their grants, continue to work on their projects and we are looking forward to some very worthwhile manuscripts in the near future.

Considerable interest has been shown in the 1983 awards which will be announced in October this year. I am sure that honourable members will agree that the comparatively small sums expended on these awards and grants have been fruitful indeed so far as the study of the Territory's history is concerned.

ANSWERS TO QUESTIONS

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, the honourable member for Nightcliff asked me whether prosecutions would be launched against persons who were apprehended in compromising circumstances in the Keep River

vicinity. I am now in a position to say that it appears that there is sufficient evidence to warrant prosecutions against 2 persons, pursuant to section 27(1) of the Fish and Fisheries Act. On 26 August, I approved the commencement of those prosecutions.

Mr Speaker, the other matter that was asked yesterday was that of a conflict of interest situation between the receiver of the Buntine Group, Mr Heard, and a member of the Board of the Northern Territory Development Corporation, Mr Richard Allert, who practised in the firm of Allert, Heard and Co Chartered Accountants of Adelaide. I spoke to Mr Allert on this subject because the matter of a conflict of interest was one that was of some interest to me as Attorney-General. I asked him for his views as to why there would not be a conflict of interest. Mr Allert telexed this letter to me this morning.

Dear Sir,

I refer to our discussions in respect to Mr John Heard's appointment as receiver and manager of the Buntine group and the possibility of any conflict arising because of my recent appointment to the Board of the Northern Territory Development Corporation.

I might say, Mr Speaker, that I spoke to Mr Allert because his appointment perhaps comes within my control but I have absolutely no control over who the ANZ Bank appoints as receiver of any company.

Mr John Heard was appointed receiver and manager of the Buntine group by the Australia and New Zealand Banking Group Limited in terms of that bank's first ranking debenture. The ANZ Banking Group Limited was free to choose whomsoever they considered best qualified for the job and, in fact, exercised that right. The appointment of Mr Heard is personal.

Mr Speaker, I am advised by Mr Allert that a local accountant, a Mr Garraway, has written to the ANZ Bank protesting against the appointment and saying, in fact, that there is a conflict of interests. I understand that Mr Garraway has also written to Mr Allert.

Section 187 of the Northern Territory Companies Ordinance and section 323 of the Western Australian Corporations Code set out who can and who cannot act as receiver and manager. These provisions do not prohibit John Heard from acting nor is he prohibited from acting in terms of the ethical rulings of the Institute of Chartered Accountants in Australia. Before accepting the appointment, Mr Heard took legal advice on the question of any conflict arising from my recent appointment to the Board of the Northern Territory Development Corporation. Counsel experienced in these matters advised that there was no conflict.

The obligations of the receiver whether appointed by the ANZ Banking Group Limited or the NT Development Corporation are the same, namely, to obtain the best possible return for the assets of the company. This course of action is obviously in the best interests of both the ANZ Banking Group Limited, the NT Development Corporation and the creditors and members of the Buntine group. The receiver and manager is, of course, an agent of the Buntine group and, as such, his responsibilities and obligations are to that group.

Notwithstanding Heard's legal advice prior to his acceptance of the appointment, the fact of my recent appointment to the

board of the NT Development Corporation was discussed with the bank and Heard's prospective appointment as receiver of Buntine was discussed with the NTDC. Both also agreed that there was no conflict.

As a matter of passing interest, I have attended only one meeting of the NTDC's board and the fact of the NTDC's involvement in the Buntine group has never been discussed with me or in my presence. I might further add that, in the unlikely event of any conflict in this matter arising in the future, and I cannot imagine that circumstance, I would take legal advice in respect of my position at that time and follow whatever course I was advised.

Signed R.H. Allert. 1 September 1982.

I hope that puts one ghost to rest.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE

Beef Industry Assistance

Mr SPEAKER: Honourable members, I have received from the Leader of the Opposition a proposal that this Assembly debate, as a matter of definite public importance, the failure of the federal government to provide sufficient assistance to the Territory beef industry.

Is the honourable member supported? The honourable member is supported.

Mr B. COLLINS (Opposition Leader): Mr Speaker, as all honourable members would be aware, the mid-1970s were an extremely difficult time for the pastoral industry in the Northern Territory, as they were for the industry Australia-wide. At the beginning of the 1970s, there was an upturn in the industry that affected both demand and supply factors. A strong increase in the volume of international trade in beef was accompanied by a shortage of supply. This obviously resulted in a sharp price increase which occurred in 1972 and early 1973. However, world beef markets collapsed in early 1974.

Unfortunately, this downturn coincided with the beginning of the world energy shortage such that the producers were also hit with dramatically rising costs of production. By mid-1974 the European Economic Community and Japan had both imposed embargoes on beef imports and our key markets in the United States moved in the same direction in the following year. It could be argued, however, that the difficult times that confronted the beef industry was due to the decline in prices and growth in costs rather than the closure of these international markets. Prices hit rock bottom in the early months of 1975 and they remained low until mid-1978.

The plight of pastoralists in the Northern Territory is perhaps best illustrated by statistical series compiled by the Bureau of Agricultural Economics which measures the level of pastoralists' net incomes. With the average net income of the Territory beef producers extracted from the data, the following picture emerges. In 1973-74, the net income for the average Territory cattleman was in the order of \$56 028 per year in current price terms. In the following financial year, 1974-75, that figure had fallen to minus \$2606. In 1975-76, the average income in the industry was down to minus \$26 318. In 1976-77, the figure for the net income for the cattlemen in the Northern Territory was minus \$34 757. In the financial year 1978-79, net income in the Northern Territory pastoral industry remained at minus \$16 823. This dramatic decline in net incomes in the industry obviously had with it an associated

increase in costs. Between 1974-75 and 1977-78, increases in costs in the beef industry as measured by the Bureau of Agriculture Economic Series 'Index of Prices Paid by the Farm Sector' were in the order of 54.4% which is a massive hike. The beef industry was faced with a further problem at that time revolving around the high rate of inflation in this country relative to that being experienced by our key trading partners.

Mr Speaker, the reason that this debate has been brought on this morning is that the features present at the time of the slump in the mid-1970s are again apparent in the economy. After 2 good years for the industry in 1978-79 and 1979-80 when net farm income levels rose to compensate in a small way, there has been another rapid decline in the average net income of Northern Territory beef producers. Preliminary figures compiled by the Bureau of Agricultural Economics for the Australian beef industry for the year 1981-82 show a net average income of \$56 260. In 1973-74 money values, that figure is \$42 000, a real decline of almost 25%. At the same time, costs in the industry, as indicated by the 'Index of Prices Paid by the Australian Farm Sector' have risen 52% over the same period. This difficult position has been further threatened by the threat of market closure of our key market in the United States. Further, there remains a considerable differential between the rate of inflation in Australia and that in the United States.

Things are looking grim for the industry. In the last few weeks there have been 2 opportunities available to the Commonwealth government to offer this important industry some assistance and arrest this disturbing trend. I refer to the package of assistance that was offered to the Australian business community by the Prime Minister and to the federal budget. Neither of these have been taken up by the federal government.

The first of these opportunities presented itself when the Fraser government announced a package of incentives to assist Australian industry to recover from the current recession. In that package, the rural sector and hence the pastoral industry received little or nothing. The federal Minister for Primary Industry claimed on the ABC that the farming community had received significant benefits from the improved depreciation provisions that were offered in that package. I would suggest that such provisions are of minimal value when you are faced with costs escalating in excess of 50% over the last few years and the market for your product dramatically declining in terms of financial return and being threatened with closure through 'voluntary import restrictions'. The Fraser government has failed to recognise that the traditional export sector has regained its former importance as an earner of foreign currency and will be expected to contribute more and more to export earnings now and in the future because the supposed mineral boom in Australia simply has not materialised and, in fact, is going through a decline.

I further point out that the beef industry has been largely left to its own resources to recover from the depression of the mid-1970s while there has been continued protection afforded to the manufacturing industries. Despite Mr Fraser's numerous statements, no attempt has been made to overcome the problems associated with current high level of protection. As a result, all the assistance has been going into a sector that has little prospect of becoming internationally competitive or economically efficient - some of us would say, probably no prospect at all. You would be aware, Mr Speaker, that the cost of protection falls heavily on the export oriented industries such as beef. These industries are forced to accept prices which are determined in an international marketplace. The cost of the inputs into the export industry are directly inflated by restrictions and import taxes on imported goods and services into this country. There is also the cost of goods and services from

the protected import replacement sector whose prices are inflated by the presence of tariffs and import quotas.

The National Farmers' Federation has calculated from input/output tables calculated by the Bureau of Statistics in the year 1974-75 that there was an additional net cost on goods and services into the Australian beef industry of 8% a year as a result of the protection level then applying. While that figure cannot be taken as a current measure of the direct impact of protection on the beef industry, it would certainly be taken as a guide to the lower limit of that direct cost. It is my understanding that there has been no significant reduction in the level of protection given to these industries which provide the main inputs into the beef industry since these figures were calculated.

Mr Speaker, the final problem currently facing beef producers as a result of the failure of the federal government to address itself to the problems that have grown from what can only be described as ill-considered protectionism is the disadvantaged position that Australian trade negotiators are placed in. This is especially the case in relation to the attitude of the ASEAN countries to our near north. Obviously, it is very difficult to argue for increased access for Australian beef into these markets when, at the same time, we are vigorously blocking their manufactured imports into this country. I must point out that I am not arguing for a completely laissez-faire situation but for a reasoned approach to the structuring of what is becoming a rapidly outmoded manufacturing sector in Australia. Within that general approach, I am arguing for at least a recognition of the fact that the rural sector of our economy remains a vital breadwinner for Australia as far as export earnings are concerned. Mr Fraser appears to have forgotten this fact completely.

The second opportunity for the federal government to assist the beef industry and the rural sector generally was through the federal budget recently brought down by the Treasurer, Mr Howard. It seems incredible to me that the federal Treasurer could acknowledge that the rural sector was facing problems associated with a widespread drought, shrinking returns from overseas markets, higher inflation and rising interest rates, and then do virtually nothing to help the industry out. It appears that the government has again chosen to ignore the importance of the rural sector to the Australian economy. I put it to you, Mr Speaker, that the Fraser government has failed to recognise the importance of the pastoral industry to the Northern Territory.

In these extremely difficult times for that industry, there is a need for specific concessions to ensure that producers are at least able to continue to be viable. As a result, there was an expectation within the industry in the Northern Territory that there would have been a realistic increase in the level of the funds currently available to the industry through the Rural Readjustment Scheme. This source of funds allows pastoralists to reconstruct their debts, build up their operations and generally get through difficult times so that they are ready to capitalise when improved market conditions finally return to the industry. But, it appears that Mr Howard had a different view. The total allocation of rural readjustment funds for the current financial year was set at \$18m. This represents an increase of only 4% in the current price terms on the allocation for last year. For the Northern Territory, the allocation was \$639 000, an increase of only 2.2% over last year.

Two further points need to be made here. First, of the \$18m that has been allocated for rural reconstruction funding for this financial year at a federal level, there will be \$10m in payments back to the government of adjustment funds from the previous years. In other words, there will only be a net allocation of \$8m in 1982-83. Secondly, of the allocation of \$625 000 in the Territory budget for the financial year 1981-82, only \$99 000 of that money that was available was actually spent.

That brings me to some very interesting figures that were quoted by the Northern Territory Treasurer in his budget speech. The Northern Territory Treasurer bragged that there had been a five-fold increase in funds for rural adjustment. No wonder there was a five-fold increase, given last year's performance. The rural adjustment scheme in the Northern Territory is administered by the Northern Territory Development Corporation. A further criterion is that first of all an unsuccessful approach to a bank must have been made.

I ask all honourable members of the Assembly to consider the following. The prevailing interest rate applying to loans under this scheme is 8% and loans can be taken over a period of up to 15 years. In contrast, the rate of interest currently applied to loans from the Rural Credit Department of the Reserve Bank was set in July this year at a range of 15.74% to 16.25%. Given the state of the Territory's beef industry, with the financial burden of the BTB campaign and the constant pressure being placed on many producers by the escalation of production costs and a declining return, particularly from the export market, there should have been a sufficient demand for these funds.

Honourable members will recall that I asked the honourable Minister for Primary Production a question on this matter this morning. I am sure that they will all recall his reply. In relation to that reply - which in fact was not a reply - it would be interesting to have a look at the allocation and use of these funds in other states considering that, in the Northern Territory, we only used 16% of the money that was made available for us to use last year. As all honourable members know, if you do not use it, you do not get it back. If you have a look at the rural readjustment expenditure by the states, the following picture emerges. For the financial year 1981-82, New South Wales spent 89% of the funds that were made available to it from the Commonwealth Rural Readjustment Scheme. In Victoria and Queensland, the figure was 97%. In South Australia, the figure was 96%. In Western Australia, the figure was 97%. In Tasmania, expenditure was 86% of the funds allocated. In the Territory, we used 16% of the funds that were made available to us by the Commonwealth in this important area of the Territory's economy. I could not get a response to that from the Minister for Primary Production this morning.

What are the indirect benefits from the 1982-83 budget to the beef producer? The 1982 federal budget offered no relief to the Territory beef producer through any general economic recovery. The Treasury's conservative estimates show that inflation, as measured by the Consumer Price Index, is set to increase by about 10.75% this financial year. In addition, an index of prices paid by the Australian farm sector compiled by the Bureau of Agricultural Economics suggests that on-farm prices will increase by more than 12% this year. These higher rates of on-farm prices are compounded by the fact that on-farm inflation in the United States is considerably below that level. According to the Executive Director of the National Farmers' Federation, the rate of on-farm inflation in America at the moment, by comparison with our 12% level, is in the order of 4%. This considerably undercuts our position in that key export market.

The budget has also placed continued downward pressure on the Australian dollar and, in isolation, the trend would be likely to assist the beef producer but real benefits for beef producers will only be achieved if the rate of the depreciation of the Australian dollar exceeds the difference in inflation rates between Australia and her trading partners. It is the sheer confusion of the federal government's attitude which is causing so much frustration. So reluctant is the federal government to grasp the nettle of restructuring an ailing manufacturing sector that it goes on propping it up in the same old way year after year. The price that must be paid for that protection year after year falls to a very large degree on the rural sector of this entire country. Mr Speaker, the result is clear: a manufacturing industry unable to get off its crutches and a pastoral industry which is seldom off its knees.

Mr STEELE (Primary Production): Mr Speaker, the Leader of the Opposition raises this debate at a time when the Northern Territory government is trying desperately to convince the Commonwealth of the need for special funding across a wide range of areas, in particular the BTB campaign which is very close to the cattlemen in the Northern Territory as far as their future expectations are concerned. The program in the Northern Territory continues to be funded by the federal government. For the 1982-83 financial year, \$4.1m has been allocated to cover expenditure, operating costs and compensation. It should be recognised that, in addition, the Northern Territory government contributes 30% of operating costs and approximately 30% of compensation payments. The federal government increased its BTB expenditure by 150% from \$2.5m to \$6.4m this year. Compensation under that scheme is available to cattlemen. Rates of compensation have been set after careful research and discussion with cattlemen and they are designed to protect property owners against any serious disruption of the financial situation through destocking. They have been accepted by industry representatives and they will be reviewed every 6 months.

The question of the financial assistance to the industry to enable this campaign to continue without hardship to property owners has been actively pursued. A study of capital costs involved in fencing, yards and roads for successful testing or destocking has been studied by the government's task force. This group has delivered its initial report which identifies the individual needs of all the properties of the Territory and gives a Territory figure for the support requirement. An examination of the present level of eradication activity and plans for 1983 on all properties suggests that, if finance were available, many would be prepared to commence development during 1983 and complete all necessary fencing and yards within 2 years. We have prepared a schedule of funding which would be required but obviously it is not available at this time. Those financial requirements necessary to conclude this eradication campaign are: in 1983, \$4m; in 1984, \$6m; in 1985, \$2m; and, in 1986, 1987, 1988 and 1989, \$1m in each year.

In looking at the federal budget for 1982-83, the Commonwealth government has written off the industry debt of \$23.5m. This was a liability incurred by the industry as a result of expenditure exceeding receipts from levy collections. In addition, the Commonwealth announced it would increase its contribution to compensation for slaughtering brucellosis and tuberculosis reactors. A total of \$5.2m is being set aside for this purpose. This is a 68% increase on the \$3.1m provided last financial year.

The Northern Territory has been spared the extremely severe drought now gripping southern and eastern Australia. Members are aware that the government recently announced a package of assistance measures which was generally endorsed by farmers throughout the drought affected areas. A special meeting of Ministers for Primary Production has been called in Melbourne next week and the Territory will have representation at that meeting. This is despite the fact that no major drought conditions exist at present in the Northern Territory, although we are monitoring conditions in central Australia.

While the Alice Springs district normally receives approximately one third of its annual rainfall in the winter period, there has been no significant rainfall recorded during this winter. This has not caused concern because rainfall last summer produced excellent pasture growth which is being converted to free standing hay in some places. No properties in the Northern Territory are now in a state of declared drought or receiving financial assistance. This reflects the sequence of years of above average rainfall in the arid areas of the Territory.

On the meat processing side, in response to the problems currently facing

meat processors throughout Australia, the federal government has directed the Industries Assistance Commission to inquire into all aspects of that industry and make recommendations that should lead to the rationalisation of processing facilities. That rationalisation throughout Australia over the last 2 years has meant the closing down of some 26 abattoirs. Cattle slaughtering capacity increased rapidly throughout Australia in the mid to late 1970s. Following the decline in stock numbers throughout Australia, many states experienced substantial under-utilisation of their abattoirs. The Territory has been spared this in that abattoirs have not gone bankrupt, although in recent years the McArthur River Abattoirs and Uralla Meatworks have closed. That is currently being reconstructed. Cattle numbers in the Northern Territory have declined only marginally during this period and, unfortunately, the meat processing sector has faced substantial cost increases which have a large impact on this situation. It is anticipated that the Northern Territory government will consider the recommendations of the IAC and then determine what form of assistance it will offer to industry as far as its budget is concerned. The IAC is to report to the Commonwealth government by the end of January 1982.

Other measures mentioned in the Commonwealth budget will be of benefit to the Territory's beef industry. There will be: no increase in meat export inspection charges; a grant of \$2.5m to the Australian Meat and Livestock Corporation to establish a quality control program for the meat exports; and allocation of \$1.73m for restructuring the meat operation of the Commonwealth export inspection service; a continuing financial commitment to research programs; and the development of a system of objective description for carcass meat. The Commonwealth commitment to establish a single meat inspection service follows a number of representations from the Northern Territory. This will lead to substantial cost savings in the industry,

Turning now to the rural adjustment assistance mentioned by the Leader of the Opposition, funds made available to the states from the Commonwealth for all adjustment scheme loans have been maintained, but not significantly increased, over the last 3 years. The Territory's share of available funds has remained in the order of \$600 000 per annum and this year, as the Leader of the Opposition mentioned, some \$639 000 is available in the Northern Territory to rural producers.

His remark about 16% of the cash component of the scheme being expenditure last year is correct. 16% of the cash availability was expended. However, all those loans were fully approved and the delays in satisfying the requirements for the scheme meant that all the money could not have been expended in the 1 year. Of course the recipients of those approvals would be very pleased to receive that sort of money.

Other assistance measures of the federal government have resulted in approximately 25% devaluation of the Australian dollar relative to the US dollar during mid-1981. This has had the effect of increasing the value of Australian beef exports in the US market, Australia's major market for manufactured beef. Without this devaluation, sale prices of cattle would be substantially lower than at present. Beef imports into the US are controlled by way of the US meat import law. Under this law, the level of imports is closely monitored from supplying countries and, if the level looks likely to exceed a predetermined figure, quotas can apply. The Deputy Prime Minister and the federal Minister for Trade and Resources, Doug Anthony, recently sought clarification from the US administration on the likelihood of quotas being applied following an increase in the level of Australian shipments to the US in recent months.

Mr Speaker, the Northern Territory government is concerned about the diversification of markets in respect of its supplying of beef and live cattle

outside the Northern Territory. Its efforts in this regard are fairly well documented although they have met with only average success. However, I guess the Leader of the Opposition's motion is timely. Further assistance needs to be brought forward if the industry is to survive. It is obvious to me as a person who has had an involvement in the pastoral industry that the industry itself has gone backwards to a greater degree than in all the years I have been in the Northern Territory. In fact, there are areas of the Northern Territory now which are derelict in appearance. People have walked off properties. Maybe those properties should not have been made properties 20 years ago. The position is quite serious and further support is required if pastoralists are to endure and make a further contribution to Australia's economy.

MINISTERIAL STATEMENT

Nursing in the Northern Territory

Mr TUXWORTH (Health)(by leave): Mr Speaker, at the May-June sittings of this Assembly, during debate on the Nursing Bill, I undertook to advise honourable members of the progress made in the development of the midwifery education course in the Northern Territory. It seems to me that this is an ideal time to provide a detailed statement on developments in the nursing profession generally.

One of the main projects being carried out in the Nursing Division of the Department of Health at present is a manpower survey. The final results of this survey are not available yet but I will ensure that they are distributed to any honourable member who may be interested. However, from preliminary scanning of the completed questionnaires, there is clearly a need to improve opportunities for Territory nurses to undertake further training within the Northern Territory. Honourable members will be aware of the Nursing Act, which received assent on 20 July, and steps to prepare new regulations.

Our present basic nursing education programs are the enrolled nurse course at Alice Springs Hospital and the general nursing course at Darwin Hospital. Currently, there are 12 students in the enrolled nurse course, all recruited from within the Territory. 11 students, 1 an Aboriginal, completed the course in 1982. Our success rate so far has been very good. In the general nursing course at Darwin Hospital, there are 55 students in various stages of training at present, 77% of them recruited from within the Northern Territory. In 1982, 19 students will complete the course, including 1 Aboriginal. As can be seen, the wastage factor is very slight. In March 1982, before the manpower survey was commenced, the Territory register of nurses contained 4004 and the roll 1237 names. A review undertaken as a part of the manpower survey indicated that 2298 registered nurses and 397 enrolled nurses wished to remain on the register or roll. It is not known as yet how many of these nurses reside in the Territory and are available for employment here. This information will be included in the final report. The Department of Health employs approximately 685 registered nurses and 157 enrolled nurses. A further 150 to 200 registered nurses are employed by other organisations such as the Hettie Perkins and Old Timers' Homes, missions, child-minding centres and doctors' surgeries.

There are also many nurses who wish to maintain their names on the register but who have not practised for some time. With this in mind, the Territory Nurses Board recently sought expressions of interest from nurses who might wish to undertake a refresher course to enable them to return to nursing. Twenty-one inquiries were received from nurses in Darwin, Jabiru and Nhulunbuy, and 8 from the Alice Springs and Tennant Creek areas. As a result, the Department of Health will conduct a 6-week refresher course at Darwin Hospital from 23 August this year. A similar program will be commenced at Alice Springs

on a date to be fixed. The course will consist of an intensive program of clinical and theoretical instructions. The students participating in the course will not be paid nor will they be charged for their training but, upon completion of the program, will be eligible for employment as registered nurses.

Members will appreciate that the majority of our nurses are recruited from interstate. The cost of recruitment and advertising makes the prospect of employing nurses from the refresher program an attractive one. The Department of Health also believes that the refresher program will increase the stability of our nursing staff. The turnover rate of staff in both registered and enrolled nurse categories is very high. Nurses are generally considered to be a highly mobile group. However, one factor which may help to stabilise nursing staff is the provision of post-basic education programs. The Department of Health believes that a lack of opportunity for nurses to improve their qualifications encourages nursing staff to move interstate for training and is part of the reason for the high rate of turnover.

The midwifery program is due to commence in November and will make it easier for Territory nurses to achieve their double-certificate status. Previously, Territorians have had to travel interstate for the 12 months' training program. This is not always convenient for family reasons. Also the birthrate in other states is declining and, because of this, the number of trainees that midwifery schools interstate can take is dropping because each pupil midwife must perform a certain number of deliveries before she can graduate from the course. In the Territory, the birthrate is increasing so our need for midwives is high at a time when supply is unreliable and inadequate. These problems are critical in the smaller hospitals.

The Territory midwifery program will take 12 trainees in the first year - 8 through Darwin Hospital and 4 through Alice Springs Hospital. Places will be set aside for applicants from the smaller hospitals and some community health nursing staff. The students will do 11 weeks of intensive education and 41 weeks of clinical training on the job, including 4 weeks' clinical experience in special care nursing in Darwin. Each applicant will be expected to have at least 12 months' nursing experience in the Territory prior to commencing the course.

The Department of Health expects that the establishment of the midwifery nurse education program will relieve the present shortage of practising midwives in the Northern Territory and encourage a more settled nursing staff to develop in the smaller centres. Other developments in the field of post-basic education include a proposal to develop diploma courses for nurses at the Darwin Community College. A proposal for a diploma of applied science course in community health nursing is well advanced and it is planned that the course will begin at the college in 1983. The course will be a full-time one of a year's duration. It will prepare nurses for advanced practice in urban and rural community health centres. Field experience will be compulsory for all students.

Another proposal, which is awaiting the approval of the college's Academic Planning Committee, recommends the development of a diploma of applied science course in unit management. Possibly, this one-year course could be run alternately with the community health course. As honourable members will no doubt recall from other discussions which have taken place in this Assembly, the change in health-funding arrangements has forced the Northern Territory to review its activities to ensure that we give the best possible standard of health care within available resources.

One area which is in need of review and which I mentioned some time ago

is community health nursing. That review is now under way. It is designed to monitor the needs and identify gaps in services provided at health centres. It will help the department improve patient care by providing services which are appropriate to individual and community needs.

Another method of ensuring that the existing standards of service are being maintained within existing resources is that of quality assurance. Nursing quality assurance is being established in Territory hospitals and health centres as a result of moves from within the nursing profession itself. As I announced recently in a press release, a committee has been established to monitor the quality of nursing services in the Territory. I believe that the Northern Territory Quality Assurance Committee will be invaluable in ensuring high standards of nursing care. The committee will monitor staffing levels, determine standards of nursing practice and methods of nursing care delivery.

Mr Speaker, I am pleased to give my support to all of these programs. They are indications of the many changes going on in the nursing profession and the ability of nurses to develop new initiatives to meet challenges associated with the delivery of services in the Northern Territory. I move that the statement be noted.

Motion agreed to.

STAMP DUTY AMENDMENT BILL (Serial 241)

Bill presented and read a first time.

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

The purpose of this bill is to improve the operation of the existing legislation to overcome some anomalies and to clarify some minor ambiguities. There has been some doubt in the past as to statutory corporations' liability to stamp duty. This amendment makes it clear that they are bound by the legislation. It is important that these bodies reflect in their accounts the true cost of their operations.

At present, dealings involving joint tenants may attract dual taxation. By treating joint tenants as tenants in common in these transactions, the parties will only have to pay the duty related to their actual interest. Relief will also be available at the commissioner's discretion where a transferee or a conveyee has made improvements at his own expense to the property being transferred.

Amendments to schedule 1 of the act impose a small amount of duty on dealings between joint tenants where their interests have not increased. However, they will have to pay duty at the normal rate where individual interests have increased. The existing legislation imposes ad valorem rates of duty on the partitioning of land. The amendment provides for a more equitable duty based on the specific interests of the parties concerned. Other amendments have been introduced to overcome problems of interpretation in the act. I commend the bill to honourable members.

Debate adjourned.

TAXATION (ADMINISTRATION) AMENDMENT BILL
(Serial 242)

Bill presented and read a first time.

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

These amendments and those for the related Stamp Duty Amendment Bill are necessary to improve the operation of the legislation and to overcome some anomalies in the existing legislation. Imposing a prohibition on the registration of instruments, which are liable to stamp duty but have not been duly stamped, will help ensure that duty is not avoided. Officers who register instruments which have not been appropriately stamped will be liable to heavy penalty. Experience has shown that the commissioner required additional power, when examining applications for refund under section 56A, to call for information to determine if an agreement has in fact been rescinded, cancelled or annulled. The proposed amendment will give him this authority.

In relation to marketable securities, duty payable on the instrument of transfer may no longer be denoted by an adhesive stamp. The requirement of an impressed stamp will enable the commissioner to keep essential statistics and to ensure correct payment of duty. Other amendments clarify who is liable to pay the duty on the loan security, clarify the period within which certain instruments must be lodged for stamping and correct drafting anomalies in the existing legislation. I commend the bill to honourable members.

Debate adjourned.

SUPERANNUATION BILL
(Serial 246)

Bill presented and read a first time.

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

In a ministerial statement on 3 June this year, I foreshadowed the government's intention to replace the Superannuation Bill 1981 with one which takes account of the consultation and detailed consideration that has been proceeding on several fronts since November last year. At that time, I tabled a draft of the bill that I now present. I also explained the proposed legislation in some detail and will not do so again today.

Further drafting improvements will be evident, but I emphasise that the government's basic policy has remained unchanged. Benefits will be based on those of the Commonwealth scheme and transferring contributors will not be disadvantaged. The improvements made have been in further simplifying and clarifying the legislation as well as in the development of more flexible benefit arrangements which are designed to meet the specific needs of Territory employees. I will return to those shortly. Before I do, however, I feel constrained to comment on the quality of advice that certain government employees appear to have been given by certain local staff association representatives about the draft bill.

An enormous amount of time and effort has been devoted by officers of the Public Service Commissioner's office and the Treasury to consultation with employee representatives at the local and national levels. Every facet of the scheme has been discussed often at great length and a number of constructive

suggestions have been adopted. I am sorry to say that this effort and goodwill has not always been reflected in the public utterances of some employee representatives. Even as recently as 17 August, the secretary of the local branch of the ACOA issued a newsletter which stated: 'It would appear that the new draft bill does not provide any clear benefit'. Rubbish! How can a scheme which starts from the benefits currently enjoyed and adds several important improvements be described as lacking any clear benefits?

I have a superannuation bulletin issued at an ACOA meeting about a week ago. From this so-called advice, one could be excused for thinking that the government had no intention of offering members of this new scheme a lump sum alternative to the standard employer-financed pension. There is barely a mention of this benefit yet it has been a firm public commitment since November last year and has been clearly restated on many occasions since then. I will refrain from speculating of the motives of certain local representatives who seem to be using the superannuation issue to disrupt the relationship between the government and our employees. I must say, however, that it is a very depressing reflection on the people involved. Fortunately, there are also a number of thoughtful and responsible employee representatives. They have done their homework, read the details and concluded that the government is serious in its intentions to provide a sensible and attractive Territory superannuation scheme.

Let me again recite the undertakings that the government has given to its employees from the outset: contributors transferred from the Commonwealth scheme will receive benefits at least equal to those they would have received in the same circumstances under that scheme as at the time of transfer; existing contributors on the commencing day will have full portability between the 2 schemes for the purpose of calculating contributory service for benefit; there will be a tribunal to which contributors can appeal against decisions which have been reviewed by the Superannuation Board; the scheme will cover permanent part-time employees; and the bill will enable special arrangements to be made for various employee groups. I hope to be able in the near future to advise honourable members of the details of the scheme for some trade categories of electricity commission employees whereby all benefits are in a lump sum form. This will include an employer contribution where an employee resigns after 7 or more years of contributory service. Special arrangements for members of the Territory Police Force are still under consideration as well.

Let me now turn, Mr Speaker, to the commutation provision of the bill. I should point out to honourable members that the option to commute the employer finance part of a pension is not available under the Commonwealth scheme. It is one which most of our state counterparts offer to their contributors. No one will be obliged to take the lump sum as an alternative to pension but it will be a valuable and, we believe, well received option for NT employees. All contributors will, on retirement, other than on the ground of invalidity, have the right to commute part or all of their pension to a lump sum benefit. Spouses will likewise be able to commute part or all of their pension should the contributor die while in service. I refer honourable members to division 8 of part IV of the bill which contains the details of this important benefit. Schedules 11 and 12 set out the lump sum benefits payable in lieu of employer-financed pensions.

By way of illustration, an employee who has contributed to this superannuation scheme for 40 or more years, including past Commonwealth contributory service, and retires at age 65, could elect under the commutation provisions to receive a lump sum comprising his accumulative contributions and just over 3.8 times his final annual rate of salary instead of a lifetime pension. As another example, a person retiring at age 55 after 34 years service would receive his

accumulative contributions plus nearly 3 times his final annual rate of salary.

This bill includes several provisions for a standing appropriation of the Consolidated Fund. This is solely to cover the employer's share of benefits and transfer values payable and any government contribution that may be required under the guarantees extended to transferring contributors. A standing appropriation is not entered into lightly by any government. We do so to assure employees that their superannuation benefits are a first charge on the annual budget. At the same time, we must be assured that the government will have the financial capacity to meet its responsibilities. That capacity must come largely from the Commonwealth and I reaffirm that we will not agree to the transfer of the superannuation function until those arrangements are firmly in place.

I should add that there is some measure of progress in the negotiations and we are continuing to work towards a commencement date of 1 January 1983. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MEDICAL SERVICES BILL (Serial 238)

Bill presented and read a first time.

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

Mr Speaker, the Medical Services Bill is designed to replace the current Hospitals and Medical Services Act which provides the legal authority for government medical services in the Northern Territory. The Hospitals and Medical Services Act commenced on 1 October 1955. In the intervening years, health services in the Northern Territory have developed dramatically and the range of services provided has expanded. Over the last 26 years, there have been 16 amendments to the existing act, the most recent being last year's changes to enable the implementation of the new Commonwealth health policy.

This bill before us incorporates all these changes. Medical services in the Northern Territory are no longer based on hospitals alone and, for this reason, the title of the bill has been changed to Medical Services Bill. Medical services are now provided in hospitals, at community health centres, in clinics and mobile dental vans and from vehicles, aeroplanes and even boats. The definition of 'medical services' has been expanded to include all aspects of such services and to take account of developments of medical technology which are either in use or can be foreseen.

In recent years, the Territory has seen many new clinics and hospitals built. To enable maximum use of such buildings, provision is made in this new bill to allow private practitioners to use government health facilities for an appropriate fee. The present act was promulgated when all health services in the Northern Territory were provided by the Commonwealth government. Since self-government, it has become necessary to provide a statutory basis for what were hitherto administrative arrangements.

Clause 11 of this bill outlines the isolated patients travel, accommodation and assistance scheme whereby the Commonwealth government reimburses patients certain travel and accommodation costs where special attention or consultation is required interstate. At times, it is necessary for the Territory to pay these travel costs initially and then to seek reimbursement from the Commonwealth.

Clause 11 provides clear statutory authority to pay this initial cost. It is the intention of this government to ensure that all Northern Territory residents have access to the best health care which can be provided. Consequently, the government will do all that it can to see that persons in remote areas are not disadvantaged. Clauses 10 and 11 ensure that, if a patient anywhere in the Territory, even in such an isolated area as Groote Eylandt, requires medical attention which is available only in Sydney, he will receive such attention at no greater cost than he would have paid had he been a Sydney resident. This is a principle of existing legislation and it has been preserved in the new bill.

The Medical Services Bill provides a statutory framework for the provision of health services which should meet the need of the Territory for many years to come. I commend the bill to honourable members.

Debate adjourned.

LAND AND BUSINESS AGENTS AMENDMENT BILL (Serial 232)

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 Land and Business Agents Act was reviewed and amended in 1981. One of the amendments to the act was to provide for a review of interest-bearing deposits held by agents on a quarterly rather than a yearly basis. This amendment was required because the interpretation of section 93 of the act enabled agents to avoid contributions to the consolidated interest accounts for periods up to 2 years after they commenced business. When the previous amendment was proposed by the Agents Licensing Board, it was clearly stated by the board that the amendment was to provide for a review of an agent's interest-bearing account on a quarterly rather than a yearly basis. There was no specific instruction to clarify the agent's obligations to deposit accrued interest with the registrar on a quarterly basis. The amendment of section 93 which is now before the Assembly will make the intent of the act clear. Interest-bearing deposits held by agents must be reviewed on a quarterly basis and any interest payable must be paid on a quarterly rather than a yearly basis. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

HOUSING BILL (Serial 240)

Bill presented and read a first time.

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

The general purpose of this bill is to replace the existing Housing Act and make more provision for prescribing various schemes and other matters by regulations and thus achieve a more simplified and compact act, free of extraneous matter and capable of being more readily adapted to meet the changing needs of government and Territorians generally in the important area of housing. Concurrently with the general review of the act, the opportunity has been taken to achieve some more specific amendments. The government sees these specific

amendments as essential if the Northern Territory Housing Commission is to have the flexibility to respond effectively to the needs of a volatile and growing housing market and for other reasons that I will refer to later.

The various housing rental, loans and sales schemes currently prescribed in the body of the act will be taken out of the act proper and replaced by regulations. The process of amending regulations as the occasion may arise is somewhat shorter and speedier than amending the act itself. The body of the new act will cover general matters which do not lend themselves to inclusion in regulations. I refer to matters such as the establishment and constitution of the commission and its functions and powers, the moneys of the commission, the provision of housing and the rental of dwellings, the provision of other forms of housing assistance, provisions relating to the resale of properties subject to mortgage within the first 3 years of the initial sale, miscellaneous provisions and transitional and savings provisions. Extraneous provisions in the existing act, which are adequately covered by other legislation, such as the Financial Administration and Audit Act and the Tenancy Act, will be removed. The existing act will be updated so that the new act will conform with the standard provisions currently adopted in setting up statutory corporations in the Territory.

I will cover the more specific amendments to be achieved by the bill. Provision is made by clause 16(4) for the responsible minister, by instrument in writing, to authorise the commission to sell, lease or otherwise dispose of real or personal property to statutory corporations or classes of persons specified in the authorisation. Under the terms of the act as it currently exists, the commission may not sell, lease or otherwise dispose of real or personal property other than building materials, except in accordance with the various sales and loans schemes, unless the sale lease or other disposal is made by public auction or after inviting public tenders. The purpose of clause 16(4) is that the responsible minister be empowered to exercise a discretionary selling power in some circumstances - for example, the disposal of property to other government departments and authorities - to facilitate the commission's participation in the secondary mortgage market should one ever be established in Australia generally or in the Territory in particular, and most importantly, to enable the commission to engage in the acquisition and development of land or land and house packages for immediate sale to persons who may not be eligible persons for the purposes of the commission's sales schemes. In other words, to enable the immediate sale of developed land and dwellings built expressly for sale to all comers. This particular power will be particularly useful in Palmerston and other developing areas where the commission may have a leading role to play. It will greatly increase the government's and the commission's ability to make a more meaningful contribution to solving the Territory's housing problem.

It is not the government's intention that the commission should use this power to compete directly with private developers or real estate agents. The intention is rather that the commission will be able, by example, to lead the way and test the market in areas where private enterprise may be initially hesitant to venture. It will also allow the commission to effectively mix its rental accommodation with owner occupied dwellings.

In clause 23 provision is made for the minister to determine, subject to such conditions as he sees fit, the rent to be paid for each dwelling to be let under the act. By way of explanation, the existing act provides for the determination of economic rents based on the actual cost of constructing and maintaining dwellings whereas the Commonwealth State Housing Agreement, to which the Northern Territory and all states are signatories, and under the terms

of which the Territory receives Commonwealth funds for housing purposes, provides the rents payable for houses so funded shall be progressively aligned with rents payable in the open market.

By giving the responsible minister complete discretionary powers in the matter of rental determination, clause 23 will enable the commission to comply with the requirements of the agreement and with any new or changed requirements which may emerge in the future, either by virtue of the Commonwealth-Northern Territory relations or purely Northern Territory policy initiatives.

Provision is made in clause 29 for all concessional terms of sales of dwellings under the various loans and sales schemes to be subject to a subsidised interest penalty if the dwelling is resold by the purchaser within 3 years of date of purchase. Subsidised interest is the difference between the concessional rate of interest payable under the particular scheme and the maximum rate of interest payable on a first mortgage under the Northern Territory Government Home Loans Scheme. The rationale for this subsidised interest penalty is that purchasers of Housing Commission or private dwellings who receive the benefit of generous government interest rate concessions should not be able to profit from the interest rate concession if they sell within 3 years. The object of the concessional loans and sales schemes after all is to encourage people to settle permanently in the Territory not to give them a means to make profit after a few years' residence. It should be noted that this particular clause 29 is expressed to apply retrospectively to mortgages executed after 31 December 1980. It was in fact decided that, as far as possible, this provision should have retrospective effect as it was considered to be inequitable that the subsidised interest penalty should apply only to mortgages executed after some future date.

Members will be aware that, whilst retrospectivity in legislation is both constitutionally and legally possible, it is often severely criticised as being wrong in principle. In these particular circumstances, I believe it is right in principle. In any event, clause 29 provides that, in special circumstances, the responsible minister may give such relief from this provision as he feels may be justified. This will allow discretion to be exercised in extenuating circumstances such as where genuine hardship would be caused by automatic application of the provision. The provision was never meant to apply to persons who are required to move from one centre to another within the Territory on transfer or promotion.

I also draw the attention of honourable members to clause 36(3) which is closely connected with clause 29 and which raises similar issues with respect to retrospectivity. This clause provides for regulation with retrospective effect to be made in relation to interest payable on mortgages under the Northern Territory public service staff homes sales scheme, the object being that the subsidised interest penalty shall apply to all schemes from the same date; that is, after 31 December 1980. There are currently no prescribed regulations for the NTPS staff home sales scheme and the bill authorises the promulgation of such regulations to put this particular scheme on a proper formal and legal footing.

The bill removes from the existing act the present restriction on the resale or transfer of dwellings which dictates that, if a dwelling is sold or transferred in certain circumstances within 3 years of purchase from the commission, the commission must be given first offer to repurchase. The only restriction on resale or transfer remaining will be the subsidised interest penalty already referred to.

The existing act provides for sale prices of commission dwellings to be

determined according to 2 different formulae. For general public housing, the existing act provides that the sale price shall be not less than one half the sum of the capital cost of the dwelling and the market value of the dwelling. For dwellings sold under the industry housing assistance scheme, the sales shall be at market value only.

The commission also administers the NTPS staff home sales scheme on behalf of the Public Service Commissioner and sales under this scheme are effective according to yet another formula, namely, at whichever is the greater of the market value plus land or replacement cost of the dwelling plus land. Under the existing formula, there have been instances where sales prices have in fact exceeded market prices. The Commonwealth State Housing Agreement which is applicable to the commission's general public housing stock introduces yet another element by providing that the sales of dwellings shall be at market value or replacement cost.

Clause 36(2)(c) provides for a single uniform sales formula for all dwellings sold by the commission. It provides that all sales will be effected at market value only. 'Market value' is defined in clause 5 of the bill as the 'amount that, in the opinion of the Valuer-General, the dwelling and land should be sold for if offered for sale by private treaty'. Apart from achieving a uniform sales price formula, this clause, by removing capital costs and replacement costs from consideration, also ensures that sales will be effected at values determined by market forces as assessed by expert opinion in the form of the Valuer-General and quite independently of the seller; that is, the commission.

Mr Speaker, that completes my outline of the specific amendments in this bill. To give the complete picture, I should point out that the intention is that the regulations to be prescribed in respect of the various schemes operated by the commission under the Housing Act will take into account the amendments in this bill. These include: the lifting of the requirement that tenants must serve a 2-year tenancy qualifying period before becoming eligible to purchase by allowing tenants to purchase the dwellings occupied, if available for sale, or to be offered for purchase purposes 2 choices of alternative accommodation appropriate to their entitlement, regardless of the duration of their tenancy; and a measure to the effect that concessional term purchasers under the NTPS home sales scheme who resign or are dismissed be permitted to continue to reside in their dwellings, but be liable for annual increases in interest rates payable of up to 2% per annum until a ceiling equivalent to the maximum rate of interest payable on a first mortgage under the Home Loans Scheme is reached. The rationale for this particular measure is that the generous staff sales scheme is meant to apply only to actual employees of the Northern Territory Public Service and that once purchasers under this scheme cease to be employees of the service they should revert to the scheme which is generally available; that is, the loans scheme.

There is also a measure to the effect that concessional term purchasers under the NTPS staff home sales scheme whether they be employees or ex-employees, including retired employees, who sublet for profit be immediately liable to pay the maximum rate of interest payable on first mortgage under the Home Loans Scheme. The second and third measures just mentioned and the subsidised interest penalty referred to earlier are aimed at preventing trafficking and profiteering on the part of purchasers under the concessional NTPS staff homes sales scheme and shall not apply to retired employees of the NTPS unless they sell within a period of 3 years or sublet for profit. As I have already pointed out, the responsible minister will have discretion in applying the subsidised interest penalty.

Honourable members will agree that the bill is an important and somewhat complex but very necessary piece of legislation. It is aimed at facilitating the government's firm commitment to housing Territorians and eliminating possible abuses and profiteering from concessional government financial assistance. I commend the bill to honourable members.

Debate adjourned.

ENCROACHMENT OF BUILDINGS BILL
(Serial 205)

REAL PROPERTY AMENDMENT BILL
(Serial 206)

Continued from 1 June 1982.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the intention of this bill is not only to make provision in respect to encroachments, as its short title suggests, but also in respect to improvements made under mistake of title. Therefore, it is designed to replace the existing common law provisions and the former equity law provisions which applied to these matters in the Northern Territory. Certainly, with regard to encroachments, I understand that similar legislation now exists in the Australian states and it is desirable, in the view of the opposition, to legislate in regard to these matters so that all persons have a clear idea where they stand under the law.

It is interesting to compare the various parts of the bill covering those 2 points. Part II relates to encroachment of buildings where a building strays somewhat outside of its proper boundaries and onto land owned by another party. Part III covers the situation in which a whole building is erected on the wrong land. It is referred to as buildings 'erected under mistake of title'. One would hope that is very rare. They are included within the one bill presumably because one is seen as simply being a more extreme example of the other. Thus, it came as some surprise to me to find that the provisions did not match each other exactly.

Since I agree with the Chief Minister that it is desirable to have our legislation as clear and simple as possible, this was of some disappointment to me. I would have thought the provisions of part I and part II could indeed have been almost identical. They both allow for an application to provide relief for encroachment by awarding compensation, by requiring the transfer of the land and or building in one way or another or by requiring the removal of the encroachment. They vary in a number of respects. In the case of encroachment, part II, the persons who may make an application to the court are restricted to the owners of the land, the adjacent owner or the encroaching owner. No other person is entitled to make an application to the court for consideration of an encroachment matter although the court may make as party to the application persons who appear to have a direct interest in the matter. Honourable members will note that, in part III, relating to buildings erected under mistake of title, a whole range of people may make an application to the court.

I cannot understand the reasons for the variation in the 2 parts. I cannot see why, in the case of a building erected under mistake of title, authorities such as the Northern Territory Planning Authority or a local authority would be seen to be parties that should have a right under the act to make an application for relief if they did not have an interest in the land. It surprises me that those provisions are included. On the other hand, in part III, persons

having an interest in the land by way of mortgage can make application and that seems to be most desirable. On the other hand, in cases of encroachment, they cannot. I would have thought that, in both cases, it would be simpler to have a common provision saying that persons who had an interest in the land should be able to make an application to the court. That would have covered all necessary cases and made the 2 parts of the bill more consistent.

There is another difference which I noted. It relates to compensation. The Chief Minister in his second-reading speech pointed out that, in the encroachment section, there is a provision allowing the court to award 3 times the unimproved capital value of the subject land as compensation in a case of negligence. I have no objection to that. That seems quite reasonable. But it then surprised me to notice in part III relating to the erection of buildings under mistaken title which, though hopefully much rarer, is also a much more serious matter, there is no similar provision at all. There is no question of negligence. It is not addressed at all. I believe that perhaps it should be. It is quite possible that a person might erect a building on the wrong land in a genuine but mistaken belief, and he could still do that negligently. It seems to me that part III should deal with that possible negligence in the same way as part II does.

Nevertheless, despite those reservations, the opposition supports the intention of the legislation. I think it will be welcome in the Northern Territory. I hope that it also serves the purpose of reminding those engaged in building activities to be a little more careful than they sometimes have been in the past as to where the boundaries for buildings are. I am sure that the member for Port Darwin has a number of examples in his electorate in the central city area where buildings have strayed somewhat from the proper land to the inconvenience of others.

The second bill, serial 206, is a simple piece of consequential legislation relating to the registration, under the Real Property Act, of the orders made by the court under the encroachment act.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak briefly in support of the bills. As the Chief Minister mentioned in his second-reading speech, the disputes about encroachment of buildings on properties owned by other people have been going on for centuries. I think that we all acknowledge that genuine mistakes can be made. I think we also acknowledge that we need laws to protect those people who, through no fault of their own, have had a building placed on another person's property.

As the member for Fannie Bay mentioned, there have been a number of instances in the electorate of Port Darwin where encroachments have occurred, and indeed in other parts of Darwin as well. Whilst some of the decisions have been arrived at relatively quickly and the settlement amounts have been quite reasonable, there are the situations where people have looked to coming into windfalls through a genuine mistake that has been made.

There was one case in the Mall where quite a large area was built on. The settlement was quite reasonable in that case. There was another case in Cavenagh Street where the encroachment was only an inch. Admittedly, the full depth of the block encroached 1 inch. The people involved are aiming for the sky as far as compensation is concerned. I believe that, if it is a genuine case of mistake, there needs to be a fair method of determining the amount of compensation that is arrived at. I can remember where a person actually purchased a block knowing that the building on the block next door encroached on the property that he had just purchased. He did so with a view to obtaining compensation from the company that owned that particular property. It had been

there for a number of years and no one had worried about the position of that particular building.

Often it is relatively easy to determine who is responsible for the mistake and to determine who is liable for compensation. It is a different matter to determine the extent of the compensation. In some cases, disputes have dragged on for years. When that happens, it causes all sorts of problems with development, with collateral and with sales. It is necessary for us to have encroachment legislation. I believe that we need it to settle disputes on these important matters. I support the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, both sides obviously support the bill. In reply, it only remains for me to satisfy a couple of queries raised by the honourable member for Fannie Bay. She raised 2 queries. She asked why the same groups of persons should not be entitled to relief under part III as those mentioned under part II. It is really because we are dealing with 2 different problems.

Encroachment is exactly that. It is taking a greater or lesser proportion of the land which adjoins one's block of land, however big or however small one's block may be. Therefore, it can surely have only a limited effect. Mistaken title, if one took it to its nth degree, could mean building a house, skyscraper or office block on a block of land in the next country. Quite a few people could well need to be able to make application to rectify the situation in those circumstances.

In relation to compensation for encroachment, we have provided for 2 types of relief - for the case where it is found to be a genuine mistake and for the case of an act done by someone in a rather nasty fashion. For the latter, the compensation is 3 times the unimproved capital value. The honourable member for Fannie Bay asked why doesn't that apply to where someone has built in the mistaken belief that he is building on his own land. The situation there is that such a person has already done himself a great disservice by building on someone else's land because he would not own what he has built on someone else's land. He has built something for someone else. Such a person would be down the gurgly 100% to start with. I hope that effectively responds to the queries that the honourable member for Fannie Bay had. I do not see any need to amend the legislation in accordance with her suggestion and I notice that no amendments have been circulated.

Motion agreed to; bills read a second time.

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

Motion agreed to; bills read a third time.

MOTION Uranium Mining Industry

Continued from 19 August 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, recently, the Chief Minister made a statement, that became public subsequently, about not wishing to appear on a well-known and fairly mild radio program called After Eight that occasionally interviews politicians. The Chief Minister said that he refused to appear because he did not want to lend any credibility to the program. I feel something of the sort about this statement but I dare say I am compelled to respond

in some fashion. I must say that I would feel more inclined to debate the statement seriously if it had been a serious statement. I am rather disappointed that, on a matter as important and vital to the Territory's interests as uranium, fully half of that massive 33-page statement was simply vacuous party propaganda. I concede that half the statement had some degree of substance attached to it. Certainly, the other half did not.

On the same day, when members of the opposition raised the extremely important matter of Territory control of its fishery resources, I was interested that we were accused by the Chief Minister of indulging in political exercises. Far be it from politicians to engage in political exercises. The statement of the Minister for Mines and Energy or that part of it that contains any degree of substance - rather less than half - indicated that the government is quite as concerned as anybody about matters such as the environment, the rights of Aboriginals, safeguards and a host of other issues relating to the uranium industry. That is precisely the extent of the attention given to all those issues in the statement. Apart from the sentence expressing concern about all those issues, they were not raised again in the course of those 33 pages.

He then went on to speak of the 'need for orderly development' and the government's 'desire to help the uranium mining on water catchments in the area. As I say, apart from the throwaway line that disposes of Aboriginal safeguards, the environment and everything else, these matters were not raised again during the statement.

Mr Speaker, the honourable minister went on to say that 'Labor will repudiate all existing uranium contracts'. That is not true and no reasonable person who has read the party's policy would say that it is. Nor is the minister's case enhanced by his selective use of quotations, taken out of context, about my own position. A reading of what was said by me at the conference will indicate clearly that the position I put at the ALP conference is precisely 180 degrees from the position that was implied by the minister in his statement. It was done by quoting remarks I made at the beginning of the speech but stopping conveniently short of the majority of the speech. Perhaps, Mr Speaker, in this case we should apply the Chief Minister's standing order that one must present the entirety of whatever document one quotes from and not quote selectively. I am sure the honourable minister has read all that I said at the ALP conference and that he made those statements knowing that he was misrepresenting; by those selective quotes, the position I put at the conference.

This government is very largely neglecting important issues raised by the growth of the uranium industry in the Northern Territory. It is over-emphasising one sector of the mining industry to the neglect of other sectors and it is failing in its duty to encourage other sectors of industry, particularly oil and gas exploration. No responsible government would gloss over these issues in the way this government has. No responsible opposition could fail to address itself to the problem of a government with tunnel vision single-mindedly pursuing the expansion of an industry about which the community has fundamental reservations.

Much is made of opinion polls. The Leader of the House, on a number of occasions, has raised the issue of opinion polls and petitions. He is perfectly right that one simply cannot refer blindly to the results of those polls but has to look behind them to the questions that were asked and the context. Polls that simply ask, 'Are you in favour of this, that or the other', never tell the whole story. The minister would be well aware that the very serious problems that uranium mining potentially poses, particularly in the area of nuclear proliferation, are matters of fundamental concern even among those people who strongly support the industry. I am disappointed that, in his

33-page statement, the minister simply disposes of all those problems in one sentence. I would have thought that they could have been given more than the token attention that he gave them.

Unlike the government, the opposition is prepared to examine the costs as well as the benefits of uranium mining. I believe that the government members, and particularly the minister, demean themselves in their haste to belittle the attempts by this party to address the fundamental problems that are posed by the industry. We will continue to address them, Mr Speaker. It is a difficult process. It is a highly contentious matter as we all concede and the government is failing the community and the uranium mining industry by so grossly distorting the issues that are involved in the debate. Of course the Labor Party supports economic development but we are determined that our policies will take proper account of the social and environmental costs as well as the benefits of the industry.

I want to conclude on one other part of the honourable minister's statement. He said that 'the Labor Party is the party of deceit' and that the opposition 'has led a campaign of double standards and political expediency'. The expediency and the deceit lie not in this opposition but it can be found in the actions and the words of the Minister for Mines and Energy himself. I will substantiate that statement because the actions of the Minister for Mines and Energy could have had a profoundly damaging effect on the Territory and its economy.

Mr Speaker, I went to Canberra to attend the ALP conference with one thing firmly fixed in my mind. We have currently a federal government which has substantially failed to deliver the goods and substantially failed to honour the promises that it made when it got into government. Reading through the early budget debates and the statements of the Prime Minister and the Treasurer about what they were going to do with the inflation rate and unemployment etc, it is only too clear how substantially they have failed in those promises. It is of no great surprise to see from the Gallop polls that have been conducted over the last 12 months that, were an election to be held tomorrow, the Labor Party would win government federally. Indeed, I do not think that it is denied in the current climate that the election will be a very close one whichever way it goes. There is a substantial chance, and the Gallop polls show this, that currently Labor stands an excellent chance of winning.

I went to the ALP conference with that in the back of my mind. I went to Canberra determined to get from any potential Labor government the best deal that I could for the Northern Territory and I largely succeeded in doing that. In fact, I was more than pleased - particularly in economic areas such as sales tax, freight components etc - that we were able to get into the platform of the Labor Party benefits to the Territory to the extent that we did.

The Minister for Mines and Energy had taken it upon himself to write another one of his famous letters. 'Half smart' is an expression that I have heard applied to the honourable minister's letter-writing efforts in the past and probably it applied in this case. The letter that the honourable minister wrote was written at the time that I was known publicly to be involved in discussions on uranium within the Australian Labor Party. When I was engaged on that course, I did so firmly with the best interests of the Northern Territory at heart. I certainly took a reasonable time to come to a determination, particularly at national level. I have no hesitation in saying here, as I did at the ALP conference in Canberra, that I was concerned about the jobs of the

workers in the industry and of the Aboriginal people who are concerned with the industry. I was determined to get some concessions about those matters, not for any political benefit that I might receive from it, because the risks I would suggest were probably greater than any benefit that might flow, but in the interests of the Northern Territorians.

At the time that that was going on, the minister penned a letter which he sent nationwide to Labor Party politicians, at public expense of course, which is his wont. It was a mischievous letter - it was designed as such - calling upon Labor Party people to support me and aligning me with the Country Liberal Party. Yet the minister talks about double standards and the Labor Party being a party of deceit. I was fascinated with the impact that that letter had on the mining industry. I think that the Minister for Mines and Energy will be very interested indeed to hear what was said by the people at the highest level of the mining industry - because the people at the highest level paid money to attend the ALP conference - to me about the honourable minister's letter and the likely effect it could have on the Territory in the event of a federal Labor government. These comments were made by the national leaders of the mining industry. I went to the Canberra conference with the best motives determined to take on the political risks that I may have been taking in moving in the way that I did. The Minister for Mines and Energy was determined to scuttle that. Knowing full well the possibility that exists of a Labor government being elected federally, he was determined to scuttle Territorians at the same time by what was in fact the cheapest and shabbiest of political point scoring - that is his letter - so that he could hang a few press releases on it.

Mr Speaker, the letter was to all members of the Labor Party. In it, the minister presumed, again by misquoting, to interpret my views on uranium to my fellow party members. The letter, of course, was largely ignored by a great many of the leaders of the party but it did have its effect. Several hundred copies of it were floating around the conference and were being distributed at large in an attempt to establish the fact that I was a sell-out to the Labor Party and to its ideals etc, which is precisely the effect that the minister intended it to have.

However, I tell the minister that - and I challenge him to take some degree of satisfaction from it - the letter did do damage. It substantially damaged the efforts that I was making on behalf of the Northern Territory to protect the jobs of the workers in the industry in the Territory. I had not looked at it from that point of view when it was first penned but I was interested indeed to hear some of the industry leaders' comments on it. It is interesting to consider that, in his efforts to scuttle my attempts to bring a degree of change to the Labor Party's policy on uranium and to score those few little points, the minister was prepared to torpedo those efforts. In the event of an unchanged policy, we would have gone to the people on the policy that existed before, one of unconditional overnight repudiation of contracts. I concede here, as I did at the ALP conference in Canberra, that that is an out-of-date policy and does not reflect the particular situation in the industry at the moment. He was prepared to score those few points and in the event of a Labor government it could have had a serious impact on the Territory. I do not thank him for that and, frankly, I do not think the uranium miners at Jabiru would have thanked him for that.

I would not have bothered before to even communicate this information to the honourable minister but he has provided the opportunity by this debate for me to do so. I would like to advise the minister that he can take some degree of satisfaction in that he did in fact partially succeed in what he set out to do with that letter and to damage the efforts that I was making at a national level in the party on behalf of Territorians engaged in the uranium industry.

Mr Everingham: You have not told us why you said the things that you said at the conference, Bob.

Mr B. COLLINS: Mr Speaker, if the Chief Minister had been in the Assembly, he would be aware that I have already addressed that particular issue. I opened in fact by addressing that particular issue so I will not waste the time of the Assembly by going over it again for his personal benefit. As I said before, I would be prepared, as I have done in the Assembly on many occasions in the past - and the Minister for Mines and Energy knows it - to debate in detail the question of uranium, if the statement warranted that. As I say, out of 33 pages, fully 15 of them were vacuous party political propaganda which does not deserve any further comment from me.

The minister has established some sort of unenviable track record in penning letters. One of them blew up in his face during the Millner by-election. This effort had repercussions in the mining industry that I did not think it would have. It seems to have blown up in his face as well.

Mr Speaker, I conclude by saying that I am disappointed in the statement. Out of 33 pages, he has disposed of all of the problems associated with the industry in one sentence and not addressed them again during the statement. I would be more than happy to debate again in the Assembly the question of uranium provided that, at that time, the honourable minister gives me something to debate.

Mrs PADGHAM-PURICH (Tiwi): In supporting the statement of the Minister for Mines and Energy, I would like to say at the outset that I have no doubt at all that uranium mining has a future. It has a great future when one considers sensibly the world markets and the world demand for power. Despite the alternative lifestyle adopted by several people around in different parts of the world and in different countries, most of the people do not want to give up the sophisticated amenities they already have, use and enjoy. Unfortunately for them, these sophisticated amenities need power. The further we go, year after year, it is becoming very clear to sensible people in the world that there will be one main source of power to supply these sophisticated amenities that people want, and that is nuclear power.

I was very interested but not at all concerned by demonstrations at the opening of the township of Jabiru recently. It was a demonstration against uranium and uranium mining generally. The point that I first thought of when I saw these people demonstrating against uranium mining - admittedly it was a peaceful demonstration but it was still a demonstration - is that one never hears of demonstrations against uranium mining in wild, cold winters in the northern hemisphere, with ice and snow on the ground. They always seem to demonstrate where it is nice and warm and where it is not very inconvenient because of cold. That is what supplying power is all about. Supplying power is supplying heat to certain countries, perhaps not to Australia but certain countries in the northern hemisphere. We have the uranium mines; we have the uranium to sell to these countries.

The establishment of Jabiru itself is a vindication of people's interest in uranium mining. It is an indication of the Commonwealth government's interest in uranium mining. The very fact that Jabiru has been established and people are working there and more and more are going there to work is also a vindication that people want uranium mining in the Northern Territory. People are working in the uranium mining industry at Ranger. Many construction workers were employed even before the present mining jobs were available. They did not mind going to work at Jabiru in the mining industry or to help the mining industry. There are subsidiaries to the mining industry that spin-off

into private and public employment. Private employment stimulated by the mining industry is available in the shops that have opened at Jabiru. The public sector is represented by the members of the fire brigade, the police force and similar services at Jabiru. They do not mind working there.

Another benefit that flows from the mining of uranium which is apparent at Jabiru is the services and goods that people at Jabiru buy and obtain from the wider community of the Northern Territory and from the wider community of Australia. Another benefit from uranium mining is the increasing number of tourists going to Jabiru to see what it is all about and if it is as unsafe and bad as the Labor Party would have us all believe or whether it is just a mine that mines a certain mineral with all safeguards - as it really is. The tourists who go out to the mine site and to Jabiru also generate a spin-off which aids the development of the Northern Territory.

Mr Speaker, there will be ups and downs in the uranium market the same as there are in the beef market, the lead market or the gold market. At the moment, the price for uranium is a little low but I have no doubt that, with the increasing power demands in the world today, the normal sine curve will still be in operation but the troughs of low prices will be higher and higher as the demand for nuclear power increases in the world. We have a power hungry world, especially the northern hemisphere. This is pointed out in the minister's statement. I will not reiterate the countries he named that have nuclear reactors already and those that are planning nuclear reactors. This is a power hungry world and we have the uranium.

I do not want to labour the point but, in considering deaths in industry, there have been many more deaths in the coal industry than in the uranium mining industry. That is a known fact. In the 1950s and 1960s during the working of the Rum Jungle Mine at Batchelor, the worker-health precautions were perhaps not so strict as they are today but I have not seen any ill-health or heard of any massive abnormalities apparent in the people who lived at Rum Jungle during all those years. Perhaps we do not hear so much from the Labor Party in opposition to uranium mining these days because of this. I have known personally many people who lived down at Rum Jungle and also children who were conceived and born down there. I have not noticed any massive congenital abnormalities flowing from the fact that people worked in the uranium mining industry.

Mr Speaker, the people who demonstrate and speak so vociferously against uranium mining remind me very much of the Holy Roller bible groups that used to be pretty popular some years ago and are coming back into popularity. No doubt, they have their place in the world. Australia is a free country. Other people are entitled to their views but what I do object to is their trying to force their views down my neck, especially by means of demonstrations.

Like the constituents I have spoken to at Jabiru, I find the Labor Party's policy on uranium mining very confusing. It seems to have one policy one day and another the next. Our policy on uranium has been clear all the way through. Our party and the government is in favour of uranium mining after considering all factors relating to the industry. Mr Speaker, I can say truthfully I have not heard one constituent at Jabiru speak out against uranium mining. My constituents at Jabiru and I see a very encouraging future for the industry and I fully support the minister's statement on uranium mining.

Mr VALE (Stuart): Mr Speaker, I support the minister's statement because there can be little trust or faith placed in the statements of the Leader of the Opposition when he mentions uranium. Since 1977, the Leader of the Opposition has been pirouetting his way through the political minefield of a multitude of Labor Party spokesmen making statements on uranium. The confusion of the

Labor Party and its rotating attitudes towards uranium are typified by the statements and the actions of the Leader of the Opposition and it is now at the stage where workers, electors, mining companies and millions of Australians are left wondering at the attitudes and stances of this so-called alternative government.

We could be forgiven for thinking that the recent change in the Labor Party's attitudes has a deeper theme. Is it any wonder that this so-called amendment to its policy leaves us thinking it is acceptance of a fait accompli in regard to operating the mines which would be yet another 20th century re-enactment of Pontius Pilate symbolically washing his hands when faced with a decision. Remember that, on 23 September 1978, the member for Arnhem, who is now the Leader of the Opposition, stated during debate that he supported the federal Labor Party's policy which he tabled and read:

It is imperative that no commitment of Australia's uranium reserves to the world nuclear cycle be made.

Fortunately, Mr Speaker, that policy failed and was amended a few weeks ago which is where the significance of the washing of the hands comes into play. Publicly, the Labor Party was seen to soften its policy though Mr Stewart West, the federal opposition spokesman on the environment, appears to be at odds with that policy and leads the scattered vanguard of opponents of that decision made in July. The Labor Party appears on the surface to have at last faced reality, having been forced to face the fact that uranium has a role to play in this increasing energy hungry world and that the abandonment of this vital and valuable industry would yet again reduce the support of the opposition.

Has the Labor Party faced political reality? The uranium industry is not as buoyant as it was in 1977 and what I believe to be a careful campaign of doubts and smears has affected the credibility of Australia's reliability as a supplier to the international market. These factors contribute to the doubts about this reconsidered stance. Consider that, if the uranium industry in Australia should be pushed down a rung or two, Labor Party politicians on the national and the Northern Territory levels would have achieved their 1977 objective while publicly claiming that their policies were not designed to contribute to any downturn in the industry. Nor would the Labor Party be seen as contributing to any possible downturn in development, the creation of industry employment and settlement. After all, the Labor Party would claim that its policy would not affect established mines after conveniently forgetting its campaign over the previous 5 years.

Although the Labor Party has had it rammed home to it that attempts to end the uranium industry would have disastrous political consequences, I find it hard to believe that this particular leopard can so easily and so willingly change its spots. This is where I believe the Leader of the Opposition and his party are indulging in the pastime of brinkmanship and toying with the destiny of the Northern Territory while attempting to curry favour temporarily with the electors. The Assembly will accept my caution about this newly designed policy for those reasons and for the about-face of the Labor Party which has consistently accused our stable national and Territory governments of ignoring the wishes of electors and riding roughshod over democratic principles. The change in this policy appears to be the recognition of the wishes of the electorate that uranium has a role to play and that the Labor Party is now prepared to accept the wishes of the majority by allowing this to continue at least on the surface. I believe that the electorate should be reminded of the Leader of the Opposition's various stances on this issue.

On 7 July this year, the Leader of the Opposition told the federal Labor Party conference that the situation regarding the mining of uranium in the Territory was not one that a lot of people in the Labor Party were particularly familiar with. I concur with his observations and add that not a lot of people in Australia have much knowledge of the Labor Party's conflicting views which have emanated from its various spokesmen, especially Mr West. During the discussion on the amendment introduced at the conference, the Leader of the Opposition told his colleagues, and I quote from the transcript: 'There are delegates around the table who know that my credentials in respect of the anti-uranium position are impeccable because I have led the fight against uranium in the Northern Territory now for 5 years. That is a fact. I have no qualms about that position today. I am opposed to uranium mining and my press releases in fact over the last 3 or 4 months show that clearly'.

To my mind, this is where the tawdriness of the Labor Party's policy and the words of the Leader of the Opposition counter the publicly stated aim of the recent amendment. Here we have the Leader of the Opposition, having led the fight against uranium in the Territory for 5 years, reaffirming his position and indicating his ability to twist and turn between his colleagues and the wishes of the electorate. I ask whether it was under his leadership that we had a protest by about 30 people on the Darwin waterfront a week before last seeking to prevent the movement of yellowcake. I ask whether the leader of the uranium protest in the Territory can accept the actions on Monday and reconcile them with his party's so-called new policy on uranium. If the answer is no, did the Leader of the Opposition and the leader of the uranium protest movement debate the new policy with the protesters and ask them to support the Labor Party's new stance on mining at established mines?

The Leader of the Opposition told his colleagues in July: 'I have got no doubt that I can go back to the Northern Territory which has got an 82% vote in favour of uranium mining. And I am happy to work with that. My position is well known up there as an anti-uranium person but I can argue this policy because it has got specific prohibitions in it and, in many respects, it is far tougher than the one that is currently on the books'. Changes in attitude when compared with a figure of 82% of people in the Territory in favour of the mining of uranium again reflect the role of the Leader of Opposition considered in the light of this tougher amendment. Incidentally, I accept the figure of 82% which represents a considerable majority and which was quoted by the Leader of the Opposition as being a hard task to argue against. Here is the crux of the problem. The Leader of the anti-uranium movement has 82% of the people against him on this issue in the Territory but he has a tougher policy which enables him to jump from side to side.

The Leader of the Opposition, when addressing his colleagues, referred to the current commitment to uranium and stated that investment in the 2 operating mines in the Territory was in excess of \$1m from which stemmed a number of issues that defied repudiation of existing contracts. I find it extremely interesting that those particular issues, combined with the Leader of the Opposition's previously mentioned instructions to his colleagues, left him high and dry. He was suddenly left to weigh up the differences between the oft-repeated Labor Party idealism on nuclear power and the pragmatism of a member of parliament whose political future is vitally involved in his decision.

Consider that the honourable member for Arnhem, who is also the Leader of the Opposition, told the conference that the Labor Party had a commitment to the Aboriginal people whom he represents as the member for Arnhem. It all got very close to the bone for the Leader of the Opposition. It was the Leader of the Opposition who told his colleagues that the mining of uranium in the Territory was not a matter that many people in the Labor Party were

particularly familiar with. It was the Leader of the Opposition, who was himself proclaimed leader of the anti-uranium movement in the Territory, who told his colleagues that there was a bottom line of repudiation that they could not step over. That statement continued: 'We have got a commitment to the Aboriginal people whom I represent as the member for Arnhem in the Northern Territory. We cannot simply close those mines down and say "you whistle, you've got the mine but no money". You have got a responsibility financially to environmentally rehabilitate those mines sites'.

It has taken 4 years for this dual leader to recognise and realise the facts which the federal and Northern Territory governments have been patiently pursuing for so many years while bearing the brunt of the Labor Party's ill-founded and emotional criticism. Whilst congratulating him on his party's turnaround, I have to ask if they seriously believe that the electorate of Arnhem, the Northern Territory and the people of Australia could be so gullible as to accept the opposition's seemingly sudden revelations.

The Leader of the Opposition and his party cannot just walk away from the commitment if the Northern Territory and Australia should by unfortunate chance win government in either sphere. The centre, the left and the right factions of the Labor Party cannot be expected to suddenly support a change in direction on uranium. Indeed, recent editions of national and Territory papers have indicated that that change in stance has already occurred in Melbourne where 400 members of the Australian Labor Party have petitioned to reconvene the conference so that they can again attempt to harden the anti-uranium stance previously held by certain sectors of the Australian Labor Party. It would be interesting to note that the Victorian party has recently gone to the polls and so they have no real commitment to voters for 3 years. In the Northern Territory and other places in Australia, the Leader of the Opposition and other party leaders are looking down the barrel of forthcoming elections and are acting accordingly. I do not believe that the electorate is that gullible and would believe that the sudden switch by the Leader of the Opposition is there permanently.

Russell Schneider wrote in the Australian on 6 July: 'Labor Party leftwingers have threatened to dump the federal opposition leader, Mr Hayden, if he continued to press for an end to Labor's hard-line uranium policy. The threat came as Labor's centre faction moved to win support for a new nuclear platform which would allow existing contracts to go ahead under stringent safeguards. The key to the uranium policy last night was the attitude of moderate leftists and supporters of ex-ACTU president, Mr Bob Hawke, who were being pressured by the right to agree to a rewritten policy'.

Mr Speaker, shortly afterwards, Mr Hawke made a move for the leadership and it was that issue, combined with the various factions and promised support, that apparently led to the instability which militates against the guarantee of firm policy in the Labor Party. It is now on this shaky foundation that the Leader of the Opposition in the Territory seeks to claim a united front which will not destroy or detract from the interests of Territorians and the Territory. It is this crumbling arena which forces the Leader of the Opposition to follow his policy of brinkmanship. Despite the skill of the Leader of the Opposition, I have no doubt that the federal Labor Party will be prepared to sacrifice its colleague in the Territory on the simple fact that 82% of the people opposed to one of its leading idealists leaves little hope for conversion or support in the federal numbers game. Labor's campaign of fear against the development of the nuclear industry is dead. It died in the face of an informed electorate which has rejected a negative policy, a destructive policy and the attitude of a party which is not particularly familiar with uranium.

I am confident that the electorate will think long and hard about this change by the opposition. There have been too many twists and turns by the Labor Party to attract much faith or support from a well-informed electorate that is able to sift the oil from the tailings in this particular debate. There is no need for me to condemn the Leader of the Opposition or his Labor Party colleagues. The electorate has done that and I am sure that we will see many changes in the Labor Party's stance on uranium. It will be a case of too little, too late and too often.

Mr Speaker, the press comments in recent months have tended to make the Leader of the Opposition look even more hypocritical, particularly in view of the fact that since 1977 the Northern Territory Parliamentary Record and the press are littered with comments made by the Leader of the Opposition relating to his total opposition without cause, without question, to the mining and marketing of uranium and yet, in recent months, he has attempted, at least on the surface, to swing around the other way. I think that the best summary of the Australian Labor Party's stance is a comment made by the member of MacDonnell in a radio debate in Alice Springs. When questioned on air about uranium he said; 'Yes, it is a debate. That is what the Australian Labor Party is all about. Uranium is not an issue. Housing, health and other matters have got far, far more importance than uranium'. It is not much good having a house if you cannot get a job.

The comments of the federal opposition spokesman on the environment, Mr West, were interesting in view of the fact that the federal conference had apparently just changed its stance on uranium. Mr West wrote after the conference: 'Labor is opposed to uranium mining and, indeed, to the entire nuclear fuel cycle from mining to enrichment plants'. An editorial in the Northern Territory News commented after the federal conference:

We determine that the Australian Labor Party will have neither a moral, legal or political obligation for compensation to the industry as such. The responsibility is theirs, the miners, the producers and the developers, to meet the above necessary and reasonable conditions. It is not the responsibility of government. Economically, the people who framed this policy and allowed it to be approved are babes in the wood.

Mr Speaker, I may not have agreed with the Leader of the Opposition when he entered this Assembly in 1977 but I think I admired him as a man of principle and a man who took a firm stance against an industry, even if I did not agree with him. But, today, of course, that principle and the stance he took is shabby.

Mr TUXWORTH (Mines and Energy): Mr Speaker, in closing the debate on this paper today, I have a few pertinent comments to make. I am well aware that the Leader of the Opposition is slow to get the point when it suits him and that he might have missed the drift of the 33 pages that were before him the other day. I can understand his not wanting to get the drift at all in this particular circumstance. I went to a great deal of trouble to put a few questions at the end of it to save him a lot of research, effort and trouble. All he had to do was answer those few questions. They could have been 'yes' or 'no' Mr Speaker, but the honourable Leader of the Opposition must have lost that page too and chose today to remark that my concern for the uranium industry was expressed in one sentence: the concern over land, Aboriginal, environmental and safety matters. He intimated that I had dismissed those things as matters of insignificance by using one sentence to cover them. I think I would rather stand by my record than that one sentence. If you like to look at the legislative program in this Assembly over the last 5 years,

Mr Speaker, I have done more to put the reins on the uranium industry than any other member. I did that without any qualms at all because I accept that the industry needs to be monitored pretty closely. That was the reason for my involvement and I make no apologies for it. To suggest that the government's involvement on these issues is insignificant because we referred to it in one sentence in this paper is really quite unfortunate.

The Leader of the Opposition touched quite briefly on the repudiation of contracts by saying - I think his words were - 'Well, that is nonsense'. I do not know whether the Leader of the Opposition is speaking for the Labor Party or if his colleague, Mr West, speaks for it, but honourable members would recall the headlines in The Australian a few weeks ago just prior to signing of the Jabiluka lease. Mr West said that the Labor Party was not going to acknowledge the existence of Jabiluka and anybody who bought, invested or worked there could expect to go down the drain without any compensation from the Labor Party. If that is not a repudiation of a contractual agreement, I would like somebody to explain to me in fairly simple terms just what it is.

The honourable Leader of the Opposition felt aggrieved that some of the comments that he made during his federal conference were taken out of context. I do not know of another person in this Assembly, over the last 5 years, who has taken more sentences or quotes out of context and used them to argue his point than the Leader of the Opposition. His contribution in this Assembly during his first 4 years here was to take quotes out of context and use them to win his point.

The Leader of the Opposition had plenty of time this afternoon to explain in what way his comments had been quoted out of context and to make his point in that regard. I am happy for him to explain in what way I am wrong in my perception of what he said. He did not take that opportunity so I can only assume that those quotations, in or out of context, were valid and that he could not defend his position.

Mr B. Collins: They mean what they say.

Mr SPEAKER: Order!

Mr TUXWORTH: Mr Speaker, I do not mind the interjections because ...

Mr SPEAKER: I do, honourable member.

Mr TUXWORTH: When the honourable member is interjecting furiously, he is going down the spout. I am quite happy for you to let him interject.

Mr B. Collins: Does that apply to the Leader of the House as well?

Mr SPEAKER: Honourable members will refrain from interjecting, despite the assurance of the honourable member on his feet that he welcomes them.

Mr TUXWORTH: Mr Speaker, the Leader of the Opposition suggested this afternoon that his party would examine the costs as well as the benefits that the uranium industry might have for the Territory. I was waiting to see what he had to say about the costs and the benefits but he did not care to elaborate on the point and I can only assume that he has nothing to tell us at this stage.

The thing that really concerned me about the honourable member's position this afternoon was reflected in his comments about his visit to Canberra during the federal conference. He said this afternoon he was looking to get the best deal for the Northern Territory. He came home and he said he believed he had

had a win. I think that was the expression he used in the press. If closing down the uranium industry and putting a couple of hundred guys out of a job is having a win, I sure hope I am a long way away when the honourable Leader of the Opposition has a big loss because that would be something I do not want to be anywhere near.

Mr Speaker, the Leader of the Opposition said he had tried to get the best deal he could for the Northern Territory. I am one of those Territorians who has a great deal of difficulty understanding how you can be so personally committed against the uranium industry and yet go away with a view of getting a good deal for the Northern Territory at a conference like the one he went to. How can you have a bob each way on a matter like that? The truth was that the Northern Territory did not even rate in the honourable member's considerations. As the member for Stuart pointed out, he saw an opportunity to pursue his anti-uranium hobby-horse because he was 2000 miles away. That is the deceit that I was referring to because I do not believe that you can have your cake and eat it. As politicians, we all have things we feel strongly about - principles or commitments - and from time to time we must decide whether we will go with political pragmatism or stick to our beliefs. Full power to the man or the woman who sticks by his or her belief. I do not have any difficulty with that. However, I get a little uptight when people like the Leader of the Opposition have it both ways and want to be known down south as the committed opponent of the industry but regarded in the Northern Territory as the protector of all. Mr Speaker, although he may believe it, there are a great number of people in our community who do not.

Mr Speaker, that is why I posed those questions to the Leader of the Opposition. They were not very difficult. I asked him to tell us what it means to phase out a mine, to close it down or not to honour a contract and who is going to pay the compensation or where the men who lose their jobs will be re-employed. The member for MacDonnell had an opportunity to say his piece this afternoon. 'What are 600 jobs when the lives of thousands are at stake?' he asked. That is the attitude that is really very difficult to live with.

The Leader of the Opposition said this afternoon that he felt the statement was long and that there were 15 pages of vacuous comment in it that were not even worth debating. Mr Speaker, he did not touch on any of the other 18. I would be happy to hear from him any time on the questions that he seems to have mislaid. This afternoon, he did not bother to answer one of the questions. I do not believe any of them were unreasonable.

The member for MacDonnell also interjected this afternoon by saying that one could not consider a man working at Jabiru as a willing participant if he had been unemployed in Sydney. I believe that was the drift of his comment. I would be happy for the honourable member for MacDonnell to show me all the unwilling workers at Jabiru who are only out there because they could never get a job anywhere else. That is utter bunkum and he knows it.

I would just like to conclude on the note that I touched on a moment ago and that is the matter of deceit. If the Leader of the Opposition feels there is no deceit in his position, let me put it to him that perhaps other people see that there is. It is very difficult for the average Territorian to understand how you can be really committed against an industry, fight for its destruction at federal level, and then come home to the Northern Territory and pose as a pro-uranium person who has had a win. On that note, I would close my remarks and ask the honourable member at some time to address the questions that I have left him.

Motion agreed to.

CREDIT UNIONS BILL
(Serial 220)

Continued from Wednesday 18 August 1982.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Ms D'ROZARIO: I move amendment 121.1.

This inserts a definition of 'loan'. The term 'loan' appears frequently throughout this bill in connection with the activities which credit unions will be undertaking and no definition appears. The definition that I am proposing is that the term 'loan' include any form of credit extended to a member including a line of credit facility and overdraft. For the benefit of members, the form of words proposed is in order to accommodate a practice which occurs frequently with credit unions and that is to extend credit by way of a guarantee in favour of third parties.

Mr EVERINGHAM: Mr Chairman, the policy of the government at this stage is to maintain essentially the traditional role of credit unions. The amendment proposed by the member for Sanderson would give credit unions similar powers to those of a bank without the constraints provided by other legislation relating to banks. The policy of the government is prudent regulation to protect the members of the credit unions and, at the same time, to give the credit unions sufficient freedom to compete in today's financial environment.

I am not saying that we are closing the door to credit unions engaging in wider transactions at a later stage but I will read from a submission on the Credit Unions Bill received by me from the Public Service Co-operative Credit Society:

Our greatest concern relates to the possibility that substantial deregulation of the banking industry by the federal government will not be paralleled by moves in the same direction by state governments in their controls over non-bank financial institutions. There would be grave implications for all non-bank institutions, including credit unions, if the federal government alone moves in the direction of deregulation without corresponding action by the states in their regulation of the non-banks.

With that statement I agree. It goes on to say:

In this regard, we consider it vital that the federal government, in consultation with the Territory government, outline a detailed schedule for implementation of favoured recommendations, a schedule that results in regulations or deregulation in a minimally disruptive manner. While agreeing that the financial system requires fundamental change, we believe there is no reason for this to be immediate or precipitous. There are no crises potential or current in the system ...

Mr Chairman, what I am saying is that this proposed amendment would in fact immediately convert credit unions into small-time banks. The federal government has not yet set up arrangements with the states and the Territory to implement progressively the recommendations of the Campbell Committee. I firmly support the submission of the Public Service Co-operative Credit Society

and perhaps what will happen is that this can come about when all states and the Commonwealth move in a similar direction. Certainly, we can review the situation in 12 to 18 months time. However, for those reasons, I would oppose this particular amendment at this stage.

Amendment negatived.

Mr EVERINGHAM: Mr Chairman, I move amendment 126.1.

This amendment proposes to insert a revised definition of the term 'member'. The amendment will remove any uncertainty that a member of a credit union must be a shareholder of that credit union.

Amendment agreed to.

Mr EVERINGHAM: Mr Chairman, I move amendment 126.2.

This amendment seeks to insert a new definition of the term 'surplus'. In its current form, the definition of the term is not wide enough. The proposed amendment will give additional protection to members by requiring a credit union to consider additional matters when calculating a surplus.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 13 agreed to.

Clause 14:

Ms D'ROZARIO: Mr Chairman, I move amendment 121.2.

The current position is that the credit union is empowered to receive money on deposit from its members. I am proposing that this be amended to read: 'to receive money on deposit'. This will allow a credit union to accept money from persons other than its shareholding members. We believe this a desirable development for credit unions and depositors in that it would allow the credit unions a wider deposit base and give the prospective depositor an opportunity to make his own decisions as to where he wishes to deposit his money.

Mr EVERINGHAM: Mr Chairman, this is all locked in with the earlier situation of whether we are to have credit unions or start having banks. If we agree that the recommendations of the Campbell Committee should be implemented, it appears that we may have in Australia quite a number of corner store-type banks, as exist in the United States of America. In those circumstances, it is conceivable that credit unions would virtually become banks. At this stage, they are still called credit unions. We are trying to enact legislation for the regulation of credit unions and it is traditional that members have a common bond.

I believe that the member for Sanderson's amendment arises as a result of representations from the Public Service Co-operative Credit Union and I can only suggest that, if this credit union wishes to widen the scope of people from whom it may accept deposits, it widen the common bond. That is the answer in this case. Rather than allowing it to accept deposits from any person or corporation in the community, it should change its name and its group identity to include a wider field than the public service. It is as simple as that.

It can do it in the present climate whilst not offending against the traditional verities of credit unions.

Amendment negatived.

Clauses 14 and 15 agreed to.

Clause 16:

Ms D'ROZARIO: Mr Chairman, I move amendment 121.3.

This amendment is proposed to enable a credit union to raise funds by accepting deposits from members and other persons. From the point of view of a prospective depositor, it enables a person to seek the terms and conditions which are suitable to him. If a credit union provides interest rates and other conditions which are suitable to him and he is not able to become a member because he does not belong to the common bond, this should not be a constraint. We are talking about breaking down some of the barriers that hitherto existed in order to provide some stimulus to the development of financial institutions in the Territory. To artificially contain the deposit-making population serves no good purpose. The Chief Minister has said that the fear is that this will give rise to the establishment of a number of cornerstore operations in the Territory. This, of course, flies in the face of what is happening in the industry and that is for the merging of operators in the industry. I think that the fear is ill-founded and does nothing from the point of view of the depositor.

Mr EVERINGHAM: Again, and reluctantly, I have to oppose this proposed amendment. I have some sympathy with the credit unions, but the time is as yet premature and the situation is not quite as rosy as the honourable member for Sanderson would have us believe. In fact, I am informed that, at present, in Victoria and New South Wales, a number of credit unions are going or have gone to the wall. If quite large credit unions that can operate in those places are likely to have difficulties and not be able to obtain the sort of sound management that one would hope these institutions would always have, then we have to exercise a reasonable degree of caution in the Territory. Mr Chairman, I would undertake to this Assembly to initiate with the Commonwealth, and if necessary with the states, a process whereby we can start looking at the implementation of the recommendations of the Campbell Committee. However, I seem to recall that no correspondence has come in from the Commonwealth in this regard and it may be that I am not fully aware of what is going on. It is quite possible that the Treasurer is handling that aspect which is essentially in a financial area. For the reasons advanced in relation to the common bond, I have to oppose this particular amendment.

Amendment negatived.

Ms D'ROZARIO: Mr Chairman, I move amendment 121.4.

This proposes to omit subclause (6) from clause 16. This subclause gives the registrar the power to direct the credit union as to the maximum amount and the terms for which a deposit may be held. It seems to be an unnecessary constraint to limit the amount a particular depositor would want to invest in a credit union.

Mr EVERINGHAM: I propose to support this amendment, Mr Chairman, to give a greater degree of responsibility to the credit union itself. I trust that its board will exercise that responsibility with a great deal of care and discretion.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clauses 17 and 18 agreed to.

Clause 19:

Mr EVERINGHAM: I move amendment 126.3.

This redrafts clause 19 to enable a credit union to invest funds from its staff superannuation in itself or another credit union. Because of the size of credit unions in the Territory, there is no logical reason for the original prohibition.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 22 agreed to.

Clause 23:

Ms D'ROZARIO: I move amendment 121.6.

This is to remove the constraint whereby a credit union may only join an association of other credit unions. This restriction is unnecessary in view of the fact that the criterion by which a credit union would make a decision to join an association is included in subclause (1) by the qualifying words 'if in the opinion of the directors, membership will assist the credit union in carrying on its business'. That should be the criterion by which a credit union would make a decision to join an association whether of credit unions or other types of associations. The second reason for putting forward this amendment is to enable credit unions operating in the Territory to have access to the automatic teller network for which there exists an association and to enable them to pay subscriptions and levy their members to avail themselves of that particular network.

Amendment agreed to.

Ms D'ROZARIO: I move amendments 121.7 and 121.8.

These subclauses deal with the method by which a credit union would pay its subscriptions and the mode of payment.

Amendments agreed to.

Clause 23, as amended, agreed to.

Clauses 24 and 25 agreed to.

Clause 26:

Ms D'ROZARIO: I move amendment 121.9.

The effect of this amendment would be to inject a greater degree of self-control within the credit union industry. This particular clause relates to the registration of credit unions. An earlier clause established a credit unions advisory committee and I believe that the advisory committee should have a more active role in regulation of the industry. The effect of this amendment is to give the registrar the opportunity to be advised by the advisory committee on the establishment of a new credit union.

Mr EVERINGHAM: Mr Chairman, the opposition is trying to insert the thin end of the wedge. This is the old vested interest clause coming in. Then that's in want to keep them that's out, out! That is the way it might work out if the advisory committee were in a position to put pressure on the registrar in relation to the registration of a credit union. The bill provides certain criteria to be filled before a credit union can be registered. Once an applicant credit union satisfies the registrar that it has complied with the act, he must register the new credit union. The government does not consider it appropriate that the advisory committee be involved in the process because the act provides that, once the credit union has complied, it will be registered by the registrar. We do not see any role at all for the advisory committee in this arena.

Amendment negatived.

Clause 26 agreed to.

Clauses 27 to 30 agreed to.

Clause 31:

Mr EVERINGHAM: I move amendment 126.4.

This amendment proposes to introduce a new subclause which empowers the minister by notice in the Gazette to approve a set of model rules.

Amendment agreed to.

Clause 31, as amended, agreed to.

Clauses 32 to 42 agreed to.

Clause 43:

Mr EVERINGHAM: I move amendment 126.5.

Clause 43 enables the registrar, with the approval of the minister, to transfer engagements of a credit union which is in financial trouble. It is proposed to add an additional subclause to enable the registrar to cancel the certificate of incorporation and to remove the name from the register and publish the notice of dissolution in the Gazette. This is essentially a machinery provision that was earlier omitted.

Amendment agreed to.

Clause 43, as amended, agreed to.

Clauses 44 to 48 agreed to.

Clause 49:

Ms D'ROZARIO: Mr Chairman, I move amendment 121.10.

The proposal is to omit subclause (3) which presently says that the shares of a credit union shall be of one class ranking equally. The reason that I do not consider this appropriate is that a credit union may wish to allow members the opportunity of having dividend-paying shares in which case they would not rank equally with ordinary membership shares.

Mr EVERINGHAM: I have not been convinced by what the honourable member for Sanderson has said in support of this particular amendment. As she said, it is proposed to introduce by this amendment a provision to enable credit unions to have shares that do not rank equally. Most of us would remember the battle a few months ago between the Australian entrepreneur Mr Robert Holmes a'Court of Perth and Lord Lew Grade of Associated Communications Corporation. Lord Lew held control of ACC with a few hundred thousand A class shares and Robert Holmes a'Court had to buy many millions of C class shares to eventually secure the control. Quite frankly, I consider this is where the thin end of the wedge starts widening out a bit. The amendments would allow a credit union to issue shares which do not rank equally. A credit union belongs to all its members and therefore all shares issued by a credit union should rank equally, thus preventing control of a credit union to fall into the hands of a minority group.

Amendment negatived.

Ms D'ROZARIO: Mr Chairman, I move amendment 121.12.

This will omit subclause (8). A share may be held by 2 or more persons jointly. I believe that the current practice of credit unions is to take out insurance against the contingency of 2 persons not wishing to hold their shares equally after having acquired them. This particularly applies to loans being advanced to members in joint names. Because of the existing practice of the administration of credit unions to protect their own interests in this matter, it seems that a share being held by 2 persons does present a complication.

Mr EVERINGHAM: It might present a complication to the particular credit union on whose behalf the honourable member for Sanderson is effectively sponsoring these amendments but I would submit that there is no good reason why a share or shares in a credit union should not be able to be held jointly by 2 persons such as husband and wife. I would not support this amendment.

Amendment negatived.

Clause 49 agreed to.

Clauses 50 to 53 agreed to.

Clause 54:

Ms D'ROZARIO: I move amendment 121.14.

The clause deals with the investments which may be made by credit unions. Paragraph (g), which I am attempting to amend, gives the other types of investments that the credit union may undertake with the approval of the registrar. I am proposing to transfer this responsibility from the registrar to the board of the particular credit union. My submission in support of this amendment is that the board of a credit union would have a greater detailed knowledge of the affairs of the credit union than would the registrar and would therefore be able to make a better judgment on the type of investment the credit union ought to undertake.

Mr EVERINGHAM: Mr Chairman, whilst opposing the amendment that the honourable member has moved, I will give the undertaking that the views of the advisory council will be taken into account by the registrar in formulating the investments that he will approve and that he will formulate promptly upon the coming into operation of this act a list of investments of which he approves. Therefore, I think that substantially the aims of this particular board will

be met. I nevertheless do not consider it advisable at this stage to accede to there being no regulation in this area.

Amendment negatived.

Clauses 54 and 55 agreed to.

Clause 56:

Mr EVERINGHAM: I move amendment 126.6.

This amendment seeks to cure technical defects.

Amendment agreed to.

Clause 56, as amended, agreed to.

Clause 57:

Mr EVERINGHAM: I move amendment 126.7.

This amendment proposes to omit subclause (5) and substitute a new one. The subclause has been drafted to make it mandatory for a credit union, where it is permitted by its rules, to provide a statement specifying the fact that the loan has a fixed or variable rate of interest.

Amendment agreed to.

Clause 57, as amended, agreed to.

Clause 58:

Ms D'ROZARIO: Mr Chairman, I invite the defeat of this clause.

This clause seeks to set out the power of the registrar to give directions about the maximum amounts that may be lent, either secured or unsecured, by a credit union to its members. My submission in support of defeating this clause is that a credit union should be permitted to take into account such things as the risks presented by the respective loan, the financial status of the person seeking the loan and the security offered by the person seeking the loan. This is best judged by the credit union itself and should not be a matter for the registrar.

Mr EVERINGHAM: I am going to invite defeat of clause 58 as well but for other reasons. I will give my reasons after the honourable member for Sanderson has put her amendment when clause 58 is defeated.

Clause 58 negatived.

New clause 58:

Mr EVERINGHAM: I move amendment 126.8.

The amendment proposes to introduce a new clause which will allow loan limits to be set by regulation rather than being set by the registrar and will take the view of industry into account in prescribing the regulations.

Ms D'ROZARIO: Mr Chairman, whilst I am very pleased that the registrar no longer has this power, I think that there are still a couple of points that I would like to make in relation to the new clause. One is that, by prescribing in the regulation the maximum amounts that may be lent by credit unions on unsecured and secured loans to its members, there is no differentiation between

individual credit unions within the industry and also between individual members who are seeking such loans.

The second point which I would like to put on the record is that, once these amounts are prescribed by regulation, they tend to be fixed and become very rapidly irrelevant to the sums required by prospective borrowers so it would mean changing the regulations quite frequently in order to make the amounts more relevant to the needs of borrowers. I am advised, and I have read this statement in an industry magazine, that the amount generally borrowed tends to correspond with the cost of a 4-cylinder family motor vehicle. The prices of this particular item escalate from time to time and I fear that, by embedding it in regulation, this amount will have to be either amended frequently in the regulations or it will very soon become quite irrelevant to actual reasons why people take out these loans from credit unions.

Mr EVERINGHAM: Mr Chairman, were it necessary, I do not see any reason why there could not be differential regulations; that is, differential as between credit unions. Nonetheless, there is no reason why the limits cannot be reasonably generous. I certainly hope that the regulations will not be framed in a niggardly fashion.

New clause 58 agreed to.

Clause 59 agreed to.

Clause 60:

Ms D'ROZARIO: I move amendment 121.16.

The amendment seeks to inform the borrower the circumstances which would ensue if he defaulted. At the moment, the circumstances are specified in the rules and I am proposing to substitute the word 'rules' for the words 'loan contract'. When people take out membership in a credit union, they are given a set of rules but the individual members who take out loans ought to be given a specific loan contract which would specify the circumstances of default in that particular contract. The point is that the rules apply generally to all members whereas the loan contract would only apply to members who are taking out a loan.

Mr EVERINGHAM: I still cannot see the logic behind that proposal. It seems to be common sense that any loan contract issued by a credit union would have to comply with its rules and I would see the proposed amendment as being superfluous.

Amendment negatived.

Clause 60 agreed to.

Clause 61 agreed to.

Clause 62:

Mr EVERINGHAM: I move amendment 126.10.

The amendment also proposes to increase the prescribed proportion which must be kept as liquid funds from 7% to 10%. This amendment will give additional protection to members by increasing the liquid funds which must be maintained by a credit union.

Amendment agreed to.

Ms D'ROZARIO: I move amendment 121.18.

The intention is to allow a credit union to assess its liquidity by reference to the current market value of assets required to be taken into consideration for the calculation of liquidity. I think that this matter was canvassed in the second reading. It is to enable the credit unions to avail themselves of the increasing value of some of their securities.

Mr EVERINGHAM: I have some sympathy with this proposed amendment, although I am a little cautious about it because the formula provided by clause 62(3) as it stands at present is to protect members of a credit union by preventing the credit union from overvaluing its assets for the purpose of calculating liquidity levels required by the legislation. Nevertheless, the facts are that current market costs could conceivably be very hard on a credit union. Therefore, I would support the amendment.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 126.11.

This proposed amendment will enable a credit union to calculate the amount of liquid funds on a daily basis.

Amendment agreed to.

Clause 62, as amended, agreed to.

Clause 63:

Mr EVERINGHAM: I move amendment 126.12.

This amendment seeks to introduce a provision which will require a credit union to increase its reserves from its surplus funds to 7.5% of mean assets.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 126.13.

This will give additional protection to members by increasing the reserves required to be kept by credit unions.

Amendment agreed to.

Clause 63, as amended, agreed to.

Clause 64 agreed to.

Clause 65:

Ms D'ROZARIO: I move amendments 121.19 and 121.20.

These are to remove 2 subclauses relating to the election of directors. These 2 subclauses contain what is essentially machinery for the conduct of a meeting, which I would think would be more adequately and properly accommodated in the rules of a credit union rather than in the legislation.

Mr EVERINGHAM: This one is really putting the foot right in the door, Mr Chairman. I oppose the amendments. Subclauses (4) and (5) are in the legislation to enable members to consider directors individually on their merits rather than

being forced to vote for a bloc or a group of directors whose names could be put forward by a single motion.

Amendments negatived.

Clause 65 agreed to.

Clause 66:

Mr EVERINGHAM: I move amendment 126.14.

The reason for this amendment is to require a director of a credit union to have residential qualifications as well as being a member of the union.

Amendment agreed to.

Clause 66, as amended, agreed to.

Clause 67:

Mr EVERINGHAM: I move amendment 126.15.

This one is consequential on the amendment of the previous clause.

Amendment agreed to.

Clause 67, as amended, agreed to.

Clause 68:

Ms D'ROZARIO: I invite defeat of clause 68.

Clause 68 sets out an age limit for directors. The age limit is to be 72 years. I believe that this is a matter largely for the membership of the credit union and that a person should stand upon his merits regardless of age. It is perfectly possible that a person over the age of 72 years would fulfil the duties of a director very adequately indeed. The other reason for attempting to remove the age limit is that there are now moves in other states of Australia - and presumably a credit union could well be formed in the Northern Territory which would be linked to credit unions in other places in Australia - to set up credit unions for age pensioners. This is the common bond qualification that a person be an age pensioner and it is highly likely that, amongst that bond of membership, there would be people over the age of 72 who would be able to discharge the duties of a director.

Mr EVERINGHAM: I thought this was a curious one coming forward from the public service credit union but nevertheless I support it.

Clause 68 negatived.

Clauses 69 to 77 agreed to.

Clause 78:

Ms D'ROZARIO: I move amendment 121.21.

This amendment would allow the credit union to give individual notice to each of its members in relation to an annual general meeting or to have the

option of notifying its members by advertisement in a newspaper circulating in the Territory. I believe that this particular amendment would be sufficient to comply with the principle of adequate notice of meetings to members. At the moment, there are some credit unions with a large number of members. The public service credit union notifies its members by notice given through the workplace, on notice boards etc. This particular amendment would remove the compulsion to give notice individually and by advertisement. Also, I believe it will comply with the suggestions given in the Campbell Report and fulfil the principle of adequate notice to members.

Amendment agreed to.

Clause 78, as amended, agreed to.

Clauses 79 to 82 agreed to.

Clause 83:

Mr EVERINGHAM: Mr Chairman, I move amendments 126.16 and 126.17.

These amendments require a credit union to keep its accounts in the Territory thus enabling ready access to those accounts.

Amendments agreed to.

Clause 83, as amended, agreed to.

Clauses 84 and 85 agreed to.

Clause 86:

Ms D'ROZARIO: I move amendments 121.22 and 121.23.

The effect of these amendments would be to remove the compulsion on a credit union to send copies of certain reports and accounts to each individual member and enable it to simply make the reports available to all members entitled to receive notice of general meetings of the credit union. Again, this is in line with the recommendations of the Campbell Report to link the principles of adequate information being sent to members but removing the compulsion to send reports to members who do not particularly require them or have no particular interest in the day-to-day or year-to-year affairs of the particular credit union.

Mr EVERINGHAM: Mr Chairman, I am not quite sure from the proposals of the member for Sanderson how the credit unions authorities are to judge who is interested and who wants to receive the report but certainly we can weaken the provisions in relation to their being sent notice of meeting. I was prepared to do that because I believe an advertisement in a newspaper circulating in the Territory should be sufficient to provoke interest among members. However, I believe that they are entitled to receive financial returns and balance sheets of the credit union. We in this Assembly require reports from every department and statutory authority on an annual basis. Why should we not expect that members of a credit union would want the same thing from their directors?

Ms D'ROZARIO: Mr Chairman, I am by no means attempting to reduce the entitlement of these people to be informed on the affairs of the credit union. It seems a person may obtain a copy of these reports and statements on demand and therefore there is no diminution in his entitlement. This would merely lift the compulsion in this particular subclause that the credit union must send

these reports to everybody entitled to receive them.

Amendment negatived.

Clause 86 agreed to.

Clauses 87 to 90 agreed to.

New clause 90A:

Mr EVERINGHAM: I move amendment 126.18.

This amendment proposes to introduce a new clause which will provide for the right of resignation or retirement of an auditor with the consent of the registrar. Any dispute regarding the registrar's decision can be taken before a magistrate for adjudication.

New clause 90A agreed to.

Clause 91 agreed to.

Clause 92:

Mr EVERINGHAM: Mr Chairman, I move amendment 126.19.

This proposed amendment alters subclause (1)(b) by requiring the registrar of shareholders to also include in the register their shareholding in the credit union.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 126.20.

This amendment seeks to delete subclause (1)(g) which provides for a prescribed register which now becomes superfluous.

Amendment agreed to.

Clause 92, as amended, agreed to.

Clauses 93 to 96 agreed to.

Clause 97:

Mr EVERINGHAM: I move amendment 126.21.

This amendment seeks to insert 2 subclauses which require a foreign credit union seeking registration to inform the registrar of its intention and check the availability of its name 30 days before it intends to establish or commence business in the Territory. These provisions will give the registrar the opportunity to check the bona fides of the applicant credit union before it commences business.

Amendment agreed to.

Clause 97, as amended, agreed to.

Clauses 98 to 105 agreed to.

Clause 106:

Mr EVERINGHAM: I move amendment 126.22.

The amendment seeks to redraft clause 106 by giving the registrar the power to appoint an administrator to supervise a credit union when it is unable to pay its debts.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 126.23.

This will provide that the administrator must be a registered company auditor or a registered company liquidator.

Amendment agreed to.

Clause 106, as amended, agreed to.

Clause 107:

Mr EVERINGHAM: I move amendment 126.24.

This amendment cures a technical defect in the original draft by substituting the word 'registrar' for 'administrator'.

Amendment agreed to.

Clause 107, as amended, agreed to.

Clause 108:

Mr EVERINGHAM: I move amendment 126.5.

This seeks to cure a drafting defect.

Amendment agreed to.

Clause 108, as amended, agreed to.

Clauses 109 to 122 agreed to.

Clause 123:

Mr EVERINGHAM: I move amendment 126.26.

This amendment provides an additional subclause which gives the registrar the power to direct an officer or other to attend an inquiry or meeting which is being held to inquire into the affairs of a credit union.

Amendment agreed to.

Clause 123, as amended, agreed to.

Clause 124 agreed to.

Clause 125:

Mr EVERINGHAM: I move amendment 126.27.

This seeks to extend to 31 December the period in which the registrar

can provide his annual report to the minister. This amendment is necessary because of the extension time given to a credit union to submit its accounts in other parts of the bill.

Amendment agreed to.

Clause 125, as amended, agreed to.

Clause 126:

Ms D'ROZARIO: Mr Chairman, I move amendment 121.24.

Paragraph (d), which is proposed to be omitted, gives the power to make regulations in relation to the charges that may be made about credit unions in respect of loan applications. It is my view that the charges which are incidental to a loan application are largely the business of the person applying for the loan and the credit union. If they are excessive, which I presume is the reason for the inclusion of this paragraph, we must remember that this particular sector of financial activity is extremely competitive. Credit Unions would find that their customers will desert them. The other point is that, once monetary limits are set on charges, they must be amended regularly to take account of changes in charges in other areas; for example, searching at the Companies Office or the Titles Office. Further, the charges would vary depending upon the complexity of the contracts which are entered into by the borrower and the lender. It would seem that to limit these charges artificially by regulation is unnecessary.

Amendment agreed to.

Clause 126, as amended, agreed to.

The remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, in rising in the adjournment, I would like to pay tribute to long-term Department of Health employees who are to retire on Friday. Both of them are employed at the Darwin Dental Clinic and have given years of service to this community. Mrs Ray Marsden first commenced her public service in May 1957 with the Department of Labour and National Service. Later, she worked for the Department of Civil Aviation but transferred back to the Department of Labour and National Service in 1959. Mrs Marsden began with the Department of Health in February 1961 as the dental receptionist in the Dental Clinic in Darwin. She has worked in the Darwin Dental Clinic at its various locations and will retire next Friday 3 September. Hopefully, she may be retiring in Darwin. Mrs Marsden is a widow. She is the lady who has been responsible for the bowl of flowers on the reception desk at the Darwin Dental Clinic for the last 21 years. Her kindness and her sympathy with patients, most of whom dread a visit to the dentist, is well known and well acknowledged. I think everybody in the community who has ever been to Darwin Dental Clinic will miss the presence of this quiet and delightful lady.

Another person who is retiring from Darwin Dental Clinic is Mr Brian Harford. Mr Harford would be well known to any of us who have been in Darwin for some time. He started work with the Department of Health on 7 April 1949

which is a most impressive record. He will be going to Adelaide upon his retirement. He has worked the whole time in Darwin as a dental technician. In fact, his work was recognised and he was awarded the Order of Australia Medal in 1981. I think most members will wish this retiring couple well and the best of health to enjoy their retirement. Mr Harford is on sick leave at the moment but we wish him a speedy recovery.

Mr Speaker, not all sections of the Department of Health operate with the efficiency of the Darwin Dental Clinic. Recently, a distressed constituent came to see me with a letter of demand from Daytona, the collection service which contracts for the Department of Health for overdue debts. The letter was addressed to a pensioner who had died and was buried 4 months ago. She had received treatment in December at the Darwin Hospital. Upon her death, her husband quite properly returned all her cards to the Department of Social Security and was somewhat surprised to receive this fairly abrupt letter. He is a very old gentleman who is nearing his 80s. He is infirm and asked me if I would deal with this problem. Naturally, I knew his wife had died. They had both been on pensions for years. I checked with Department of Health through the normal channels and at first they insisted that she had not paid for this service and of course there would be a follow-up action. I said: 'The best of luck. The lady is deceased'. The girl immediately apologised. I told her that I did not understand how the letter could have been sent anyway because they were both pensioners. She checked the date of the service rendered and discovered that it was an after-hours service. I then learnt that, in those days of the new administrative arrangements, there were no staff on hand to note that the people presenting with their cards were pensioners. The ledger system in the hospital had no way of knowing that this service was provided to a pensioner. They undertook follow-up action and it finally came into the hands of the Daytona service, the government licensed private, commercial agents who also had no knowledge that this was in fact an error.

I received the apologies and I forwarded them to my constituents and rang Daytona. One could almost say they had the vapours when they realised the circumstances. However, they had no way of knowing because they act on the advice of the department. I mention it tonight because it is quite clear that, if it happened to this couple, it may happen to others. I would ask the minister if he could put into train some action to check that the pensioners who may have presented at the hospital in the time when there was no supporting administrative staff will not be put through the same trauma that this old man suffered. If people are old and infirm, what to you and I might be a joke or yet another bit of bureaucratic nonsense to them can be quite distressing. I am sure the honourable Minister for Health recognises that.

The Minister for Health is going to get another serve from me now because of what I believe to be an incredible policy within his department. It lacks credibility. That is the policy not to take on any apprentice dental technicians. The department never has and apparently does not intend to at the moment. The trade of dental technician is a highly skilled and precise one. It is in the A group of trades. It is attracting inquiries from a large number of this year's possible school leavers who have completed year 11, some of whom will be matriculants. It has also come to my attention that some mature people would like to enter this trade and have gone to the Industries Training Commission and the dental clinics asking if they could be considered for an apprenticeship. There never has been an apprentice in the public health field and, apparently, there never will be. This is directly in contrast to other governments which have a positive policy of employing and training apprentices throughout the whole range of apprenticeships.

Again I did the right thing and went to the top. I pursued my queries from

the secretary down as to why this policy existed and I can only advise the honourable minister that I have not been able to obtain any clear indication as to whether the policy is to continue and why it is the policy. One person said officially that it's all on the record that it will cost a lot to train them. We all know that. All training costs money but it is a benefit to the community which is considered to outweigh the costs. Another point of view was that they had to go interstate for their bloc release. So do lots of apprentices under training in the Northern Territory. This is picked up by the federal government. I think the honourable minister will find it will not cost his department anything. Maybe his colleague, the Minister for Transport and Works, can indicate to the Minister for Health the large number of apprentices being trained within his department. I ask for an explanation at some future date, even October will do, as to why the Department of Health is pursuing this incredible policy. It becomes worse when one realises that in Central Australia there is no private laboratory; there is only the government laboratory. At the moment in the Darwin area there is a private laboratory which is employing one apprentice. That is all it can manage. It would like more people to be trained in the Territory but it is doing its bit. In Alice Springs, there is only the government facility available so any person wanting to train in that region has no opportunity for practical training. The dental laboratory in Alice Springs is busy. It is doing all the work for that area and the trade practical training would be first class. Even if a position is not immediately made available in Darwin, at least one should be made available at the beginning of the next training year in Alice Springs.

Mr Deputy Speaker, I pointed out to those with whom I spoke officially in Darwin that one of our dental technicians, Mr Harford, was due to retire. The department had not even considered training a local person to fill the position. I was told that it is easier to bring in a fully-qualified dental technician from down south. I suppose it is easier but it makes a mockery of the Northern Territory government's policy, which I support, of training locals where possible to encourage stability of the population and to give our young people incentive to enter trade training in the Northern Territory. Given these points, I would ask that the minister call for whatever relevant papers and submissions he needs to consider the points I have made together with anything his department might like to put to him. I can say that it would be difficult for him to convince me that the present policy of no training within his department for dental technicians should be supported.

Mr TUXWORTH (Health): Mr Deputy Speaker, I rise in response to the honourable member for Nightcliff because her points are pertinent. I am able to throw some light on the second point for her because the matter has been raised already. I would like to start off by saying that the honourable member does not have a problem of convincing me of the need for local training. If she looks at the portfolios that I represent, she will see that they involve a fair bit of training of people right across the board.

The difficulty with a dental technician was not one of a lack of will to train. We have 2 dental technician positions in Darwin and 1 in Alice Springs and we do not have a workload for any more. Traditionally, there has always been stability in those positions. The turnover is almost negligible and, because of that, the department has never had a will nor a need to introduce training programs. I must say that I am one of those people who do not believe in training someone for a job that will not be available when he has done his training. That is a futile exercise. I think it is a futile exercise when you look at the teachers around the country whom we train at nauseum and who have no hope of getting a job. It is just adding fuel to the fire.

The other side of the coin regarding training of dental technicians is that it is a very comprehensive course and it would require the setting up of a formal course at the community college or through the department. The department advised me that there is a surplus of dental technicians throughout the country at the moment and that there is no real justification for us to set up a course to train 1 person locally when we could employ people off the street from another state. Even if we wished to do it locally, it would be more to our advantage to send our recruits to another state to train in that state and then to come back and work. In the case of dental therapists, that is what we did for 4 or 5 years. We sponsored 2 people from the Northern Territory each year to do the course in South Australia. That was a more reasonable proposition than having a course here for a couple of students.

I am sensitive to the point the honourable member raises. I will take it up again within the department to see what sort of satisfaction we can get. If there is room for us to establish a course in the Northern Territory, I will be the first to add weight to that proposal. If it is still not regarded as a practical proposition, then I am happy to discuss it in detail with the honourable member. Perhaps we could have some dental people present their views to her. We might get something beneficial from the discussion.

I also thank the honourable member for bringing that other point to my attention. I will follow that matter up myself.

Mr PADGHAM-PURICH (Tiwi): Mr Speaker, this morning I asked the Minister for Lands a question regarding the granting of land in the Howard Springs area to the Top End Gun Club. The minister said that the club had been offered another block of land in the Berry Springs area which it found unsuitable. I heard about this some time ago. It is not simply a matter of granting a block of land to a sporting club. Some sports are considered by the community to be desirable, non-hazardous and of no nuisance and other sports are considered by some to be rather hazardous and to have some nuisance value to the rest of the community. One of these is motor bike riding and the other is the discharge of firearms by a sporting club.

The Top End Gun Club has been in operation for a number of years. It is a well-ordered, well-conducted club and its membership is drawn mostly from people in the rural area although there are some town members as well. It applied for this block of land in the Howard Springs area some time ago. There were difficulties at the time concerning access to this block. The club has a demountable which was given by the government for its use when the land became available but that has not happened yet. It is not merely a question of land not being granted because the club is not suitable. I think the main reason it has been considered ineligible for this block of land is because there is no suitable access to it. The normal and official access to this block is via Girraween Road. Some years ago, there was a washout on that road and the government has found it unacceptable to repair this washaway. I cannot understand why it cannot be rectified because there are bores belonging to the Water Division along Girraween Road. If these bores are to be used in the future to supplement Darwin's supply, I think that, if the Water Division extended the hand of cooperation to a local sporting group and other people who will live along that road in the future, everybody would be happy now.

The area of land consists of 2 sections. The gun club only wants part of one section. The whole area of Crown land available there is 2 sections, comprising 640 acres, bounded on the south and east sides by Koolpinya Station, on the north side by unsubdivided land and on the other side by the road. There is access to this block of land. The gun club is active and well ordered. It has accommodation and even an experimental bore. The access to this block

via Girraween Road may not be official. I understand it was put in by a local person engaged in the extractive industry who was denied access to the area where he gets the sand. He took the responsibility on his own shoulders to repair this washaway. Whether it will hold up in the Wet is a question for debate. I assume that he knows what he is doing as he has been in the earthmoving business for some time.

It seems to me ironical that the gun club cannot get this block of land when there is access to it. It must be in the rural area that people engage in gun sports. Very few areas are available that are suitable from all points of view. This area seems particularly suitable because there is no close settlement and it is bounded on 2 sides by a pastoral lease which, I believe, is not very active there.

Representations were made to me a couple of months ago relating to motor sports in the rural area and, in particular, to children riding motor bikes. I refer to the junior motor cycle club which is very active in the rural area. The men who conduct this junior motor cycle club are doing a good job. They went to an area on a weekend. The following Monday morning I received complaints from the local people regarding dust and noise. The club went to another area and, on the Monday morning, I promptly received complaints again about dust and noise. I was able to come up with a suggestion which the organisers took up and subsequently they were granted an area of land in Howard Springs away from all habitation - way beyond the pine tree plantation - where they can go when the mood takes them to engage in their sports.

I think this is worth while as also is the concentration of people who are interested in gun sports. If people are not encouraged officially and legally to engage in what may be a hazardous and obnoxious sport from some other person's point of view, they will engage in it in other ways. If the children cannot engage in motor cycle sports legitimately, they will be racing up and down the roads in the rural area, with or without licences and with or without protective clothing. If people cannot engage legitimately in gun sports, they will do it anyway to the detriment of the people who have stock in the rural area.

Mr Speaker, I will be pursuing further the subject of granting a portion of land to the Top End Gun Club. I understand another sporting gun club is interested also in a portion of land. It seems to me only logical that these 2 gun clubs should get together and have this most suitable block allotted to them.

Mr LEO (Nhulunbuy): Mr Speaker, I rise this afternoon to speak about a group of people who are very dear to my heart: the constituents of Nhulunbuy. From the number of visitors we have had recently, it would appear that my constituents are fairly dear to the hearts of a number of honourable members opposite.

Mr Speaker, earlier this year, I gave some figures to the Assembly on the number of IPTAAS transferees from Nhulunbuy to Darwin and other parts of Australia which indicated that there had been a 400% increase between the March quarter for 1982 and the March quarter for 1981. Indeed, the increase is continuing. For the June quarter, there were a further 86 transferees so, for the half year ending June 1982, the number of transfers out of Nhulunbuy for medical reasons was 152 compared to only 52 for the same period in 1981. That indicates a 300% increase.

I have spoken before in this Assembly about this particular matter. I would ask the minister to consider the matter. It would seem that there has

been a decline in the types of services that have been offered in Nhulunbuy, as I imagine there has been in all other remote communities in the Territory. IPTAAS figures for the half year ending June 1981 indicate that there were 573 transfers throughout the Territory. For the half year ending June 1982, there were 872. I think it is fair to say that the number of transfers of ill people throughout the Territory has dramatically increased. I do not think that that is too strong a way to describe it. Without commenting on the budget, it would seem that the trend will be maintained throughout the remainder of this year and certainly next year. I would ask the minister to address himself to that particular problem because it is of real concern to my constituents. Falling ill is bad enough but to be removed from normal family support in a person's home town can have a quite serious effect on a person's mental well-being as well.

The Minister for Health took the opportunity to reply to a number of my constituents who signed a petition which called for the reopening of ward 1 at the Gove District Hospital. As the Leader of the Opposition indicated earlier, the Minister for Health is very handy with a pen. I do thank him for replying to my constituents. He indicated in his letter that the signature on the petition can in some way be attributed to media stories that were circulating at the time or that perhaps they were victims of delusion because the standard of health in Nhulunbuy had in no way been affected by health cuts at the time.

Mr Speaker, I have assisted people in writing to board members and the complaints keep coming in. Despite the minister's assurance, a number of my constituents maintain that they are not the victims of delusion or media reporting. In fact, to a person, they agree that health care in Nhulunbuy has declined. There are no complaints about the staff there. They are working under extremely trying conditions, but they are all feeling the effects of the closure of that ward and the continuing cuts in the budget of the Gove District Hospital.

Last week, it came to my notice that there was a Morgan Gallop poll being conducted in Nhulunbuy. Part of the poll was trying to assess the popularity or otherwise of the Chief Minister. The other part of the poll addressed itself to health care in the Northern Territory. I do not know who commissioned these polls. I suspect that a southern weekly journal commissioned the first part of the poll. For some obscure reason, it feels that the Chief Minister's popularity rating is of national significance. Regarding the second part of the poll, I do not know that any national journal would have any more interest in the Northern Territory's health care system than it would in the health care system throughout Australia. I am left with the assumption that the poll was commissioned by the Department of Health.

I would ask the minister to confirm or deny that he commissioned that part of the poll asking people about these cuts in health because that is certainly the way the questions were directed. I would ask him to indicate what the electorate's response to that poll was, if indeed he did commission it, because, I imagine, every member of this Assembly would like to know what is happening in relation to health care in the Northern Territory. I am certainly concerned with the health care of my constituents.

I conclude by congratulating the Education Department for assisting a group of students to come to Nhulunbuy for what is called the Gulf Sports. This was conducted last week in Nhulunbuy. Every year the Gulf Sports brings students from a number of schools. This year there were 5 different schools at Nhulunbuy. It is an excellent forum for children from different areas of the Northern Territory. I applaud the Education Department for assisting them. I believe it

assisted them financially to participate in this cross-cultural exchange. It really is good to see kids from different places and backgrounds mixing as freely as they did.

Mr VALE (Stuart): History will probably show that the Prime Minister, Mr Malcolm Fraser's most famous quote was 'Life was not meant to be easy'. By the same token, history will probably also show that Gough Whitlam's most famous quote was 'You've never had it so good'. Mr Whitlam made this comment in Perth not to the capitalistic industrial sector but to farmers who were then going through severe financial difficulties.

Mr Speaker, the quote came to mind this morning as I found it somewhat incredible to hear the Leader of the Opposition launch an attack on the present federal government over a lack of support for the Territory's beef industry. Had Mr Whitlam or the ALP government still been in force, I am sure the honourable Leader of the Opposition would not be making those types of remarks. He would not be making them despite the fact that a Labor government would have brought the rural sector further down on its knees. I am sure that the Leader of the Opposition would still be supporting his Canberra masters. After all, the honourable Leader of the Opposition has demonstrated that philosophy in respect of uranium mining.

Notwithstanding that, it is quite obvious that, in these troubled times, further assistance is needed to the beef industry, particularly in the Northern Territory. The parliamentary principles under which the current Commonwealth government and the Territory government operate allow me quite freely to represent the best interests of the Territory. The honourable Leader of the Opposition cannot in all honesty make the same claim regarding his relationship with the federal Australian Labor Party.

During the Whitlam years, 3 Cabinet ministers launched a vindictive campaign against our prime markets in America and Japan. The ministers referred to President Nixon and the American administration as being thugs and hillbillies. Shortly after that, restrictions on beef export from Australia came into force. Shortly after ALP ministers castigated Japan, restrictions came into force on imports into Japan. I am not suggesting of course that the Americans and the Japanese are so sensitive that they took this action as a direct consequence. Perhaps they did. In any event, it seems a strange way in which to conduct diplomatic and trade discussions with your senior trade partners.

After the federal ALP was removed from office, the rural industry, in keeping with most other sectors, had the difficult task of rebuilding itself after neglect and downright contempt from the federal Labor government. If the quote, 'You've never had it so good', is not outright contempt of farmers going through a most difficult period, then I do not know what is. Since a more responsible government has been in power federally, a number of initiatives have been introduced to help the rural sector. I refer, for example, to tax relief schemes, fuel subsidies, sealed roads, freight subsidies and concessional roads. The petroleum freight fuel subsidy scheme, incidentally, was removed by the federal Labor government. Under the present federal government's policies, we have seen 2 new export-standard abattoirs established and opened in central Australia.

The Northern Territory maintains a close liaison with the federal government through its federal parliamentary representatives, through my colleague, the Minister for Primary Production, and at departmental level between the Territory's Department of Primary Production and the Commonwealth Department of Primary Industry. As a result of this liaison, the Commonwealth government through the Australian Agricultural Council has a sympathetic understanding

of the particular and peculiar problems which face northern Australia. My colleague, the Minister for Primary Production, has already given details of this. Also, the Commonwealth government has been sympathetic to the Territory's attempts to establish markets in South-east Asia and has accepted the Territory's submission for a single standard for meat inspection. Again, the Minister for Primary Production has supplied honourable members with full details. This sympathetic approach is in direct contrast to an attitude of, 'You've never had it so good'. Given these difficult times in the industry, the Commonwealth and the Territory governments have faced up to the matter in a responsible and realistic way.

The Minister for Primary Production made reference this morning to the IAC inquiry being set up into the abattoir and meat processing industry. The Territory government will be presenting a comprehensive submission dealing with our problems, particularly the economic, administrative and social aspects of the Territory export meat and slaughtering industry. It will particularly highlight how the Territory situation differs from that of the southern states. The inquiry, which was to report to the Commonwealth government by the end of January 1983, will provide guidelines on the assistance needs of the industry including the rationalisation of location of industry and the capacity of meatworks, retraining needs and adjustment problems which are likely to occur.

The Minister for Primary Production has publicly invited Territory abattoirs and meat processors, the pastoral industry, the Meatworkers Union and other persons with an interest in the industry to consider lodging submissions. If enough individuals show an interest, the IAC has indicated that it will hold at least a public meeting in Darwin. I hope one is also held in Alice Springs.

I would also like to refer to some of the cunning motions and statements which are coming forth from the Leader of the Opposition. These cunning motions and statements seek to take credit for something that has already been done and with which the Territory government is working closely. It centres on matters in hand and which are obvious even to Blind Freddy. This is a cunning but not particularly unusual tactic of the opposition and it is a practice which I deplore.

Before concluding, I would like to correct the honourable Leader of the Opposition for a point of fact he raised this morning. He has misled the House. I am not suggesting that he did this intentionally, but only through a lack of understanding of agricultural schemes operating in the Territory. I refer to his comments in relation to the rural adjustment scheme. The facts of the matter are that last year 9 loans were approved totalling \$528 000. However, honourable members should be aware that the previous year the Northern Territory Development Corporation over-approved loans and an amount was carried over into this year. The Northern Territory Development Corporation continues to approve up to its full allocation. However, there is obviously a delay between approval and actual cash expenditure while documentation is taking place.

The Leader of the Opposition said this morning something to the effect that we all know what happens if you do not spend your allocated amount in that year - you lose it. Obviously, not all of us know that fact. Certainly, the Leader of the Opposition is quite ignorant of the way the rural adjustment scheme operates. I am assured by the Northern Territory Development Corporation that, as a statutory authority, it can carry funds over from one year into the next.

I support the desirability of further assistance for the cattle industry although honourable members hardly need a debate which tells

us something which we all know and, more importantly, something this government is working actively for. I also draw the attention of honourable members to the fact that the Balderstone Committee will be preparing a wide-ranging policy paper on the future of agriculture, including the pastoral industry, for the end of September. This paper will be one of the most significant produced for the agricultural industry and undoubtedly will become a blueprint for future government policy. Mr Speaker, I am certain the industry awaits with interest the outcome of the Balderstone Committee's report.

Mr SMITH (Millner): Mr Speaker, it is some pleasure to discover that the member for Stuart has rediscovered his tongue. It is not so great a pleasure that, on rediscovering his tongue, he spends most of his time needling other members of this Assembly and, in particular, the Opposition Leader. I think it is recognised by the rural industry in general and most thinking members of this Assembly that the Leader of the Opposition has done an exceptionally good job in bringing to the fore areas of primary production. I found particularly insulting the honourable member for Stuart's assertion that the Opposition Leader has been climbing on the bandwagon and taking over good ideas of the government. The member for Stuart has been running very strongly on the 'Eat Centralian Beef' campaign for the last 3 or 4 months. If his knowledge of history were any good at all, he would realise that this suggestion was put up by the Opposition Leader early in February or March this year, then taken over by the Chief Minister and then by the centralian beef people. 'Eat Centralian Beef' is a good idea. We all support it. We all appreciate the beef but I think credit should be given where credit is due.

On the subject of rural adjustment, if my memory serves me correctly, the Treasurer, in his budget speech yesterday, said that there had been a 5-fold increase in the amount of money for rural adjustment this financial year. It is a 5-fold increase on the amount actually spent in the last 12 months, which was 16% of what was set aside in the budget for 1981-82. Again, we were responding solely to what the Treasurer had put forward on that particular matter.

As the member for Stuart has raised the whole question of federal government assistance to primary industry and, in particular, the beef industry, I too will take the opportunity to make some comments.

As a result of the federal budget, Territory beef producers will face considerably higher on-farm costs from the major changes in the federal government's fuel pricing policy. The budget imposed an increase of 1¢ a litre for both petrol and distillate and this is to rise 2¢ a litre in July of next year. The threshold for the cut-in of the Fuel Freight Equalisation Scheme has also been increased from 0.44¢ a litre to 1¢ a litre. Under another new scheme announced by Mr Howard, all diesel fuel will bear the fuel excise duty rate of 6.155¢ per litre, irrespective of its end use. As you would be aware, Mr Deputy Speaker, until recently all off-road distillate users were issued with certificates that enabled them to purchase the distillate duty free. Now they will have to go through the exercise of claiming back from the government the excise they have already paid into Treasury coffers. The result of all this is that the Territory beef producer will pay considerably more for his fuel. He may be faced also with a considerable wait for a rebate on the fuel that he has used for off-road purposes. This will be a considerable amount for power generation on remote properties, with the exception of such lucky establishments as Newcastle Waters Station. The need to apply for a rebate will also create unnecessary paperwork and will add substantially to the administrative problems of many people.

There are serious secondary effects to the Territory beef industry from

these increased fuel taxes. Principally, the increased cost of freight due to the increase in the operating cost of the transport industry will further compound the cost price squeeze in which the producer already finds himself. The beef industry in the Territory finds itself in the position of most export-based industries in Australia. It constantly faces an increase in its cost structure as a result of increased rate of prices within the Australian economy while, at the same time, it has to sell its product on the international market at prices over which it has absolutely no control.

Mr Deputy Speaker, these recent actions of the federal government do not demonstrate a serious and an ongoing commitment on its behalf to the plight of primary producers. I think the comments of the member for Stuart are most misleading and most unfortunate at a time in the history of the pastoral industry in the Northern Territory when things are not the best and, as the member for Elsey may tell us in a few moments, when there is certainly a greater need for incentives from the federal government. That government has claimed that part of the increases in taxes on petrol and diesel will be earmarked for road construction which will benefit us all. There has been some confusion as to how much extra money we are going to get for the Bicentennial Road Authority.

Mr Everingham: How much are the truckies going to get out of Neville Wran?

Mr DEPUTY SPEAKER: Order!

Mr SMITH: You are very keen on Neville Wran. The Territory member in the House of Representatives, Grant Tambling, in his comment on the day after the budget said that the Territory could expect to get \$7m. Yesterday, the Treasurer said it was \$4.6m. Perhaps one day we will get the real story.

These increases come after more than 6 years of the Fraser government. During this period, road users in Australia have paid out in the order of \$14.5b in excise on petrol and diesel. At the same time, we have been getting decreasing amounts back from these taxes for road construction and maintenance. What we currently face is a situation where the federal government is now asking the Australian community to pay another \$2b to \$3b to finance work we have already paid for. In this context, there has been no complaint from either the Territory member of the House of Representatives or the CLP Senator on this matter. They are quite happy for Territorian motorists to pay increasing amounts of excise on petrol and diesel products, when the alternative is to place more of the present excise duty from these products back into roads, an alternative which has been strongly put by the shadow minister for transport in the federal government, Peter Morris.

Mr Everingham: Nifty has trucking strikes.

Mr DEPUTY SPEAKER: Order!

Mr SMITH: The only conclusion I can gain from these references to the honourable Premier of New South Wales is that perhaps the Chief Minister of the Northern Territory is contemplating a similar move to the federal arena. If he is, I wish he would tell us.

Mr DEPUTY SPEAKER: Order! The member will be heard in silence.

Mr SMITH: Thank you, Mr Deputy Speaker, that concludes my remarks.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I rise today to speak about the beef industry but not to add fuel to any fire. Most people are realising that the beef industry is in a pretty bad state; I have been saying it for 10 to 15 years. I think it is accepted now that we have to do something about it. It is not only accepted by us. I have a letter here from the Australian Brahman Breeders Association inviting me to its congress in April next year. It is concerned with South-east Asia too and talking about joining with the federal and state governments and other breeding associations to meet the future needs of Australia and our neighbours. It says that, during 1982-83, Indonesia is expected to import between 20 000 and 30 000 tropically-bred heifers and 4000 to 6000 bulls from Australia. We have been on about this for a while too but brucellosis and tuberculosis traps us pretty well. It is very interesting to talk about this because the Chief Minister took his Director-General and me over to Jakarta to meet President Suharto. I did not say anything because I thought the Chief Minister handled it very well indeed. He gave me the nod a couple of times but, to be perfectly honest, I was a bit awestruck. Although we were talking about Brahman cattle, the Chief Minister was doing pretty well and I think these top men ought to speak between themselves and leave the underlings to listen.

Mr Smith: False modesty, Mac.

Mr MacFARLANE: I do not think it is false modesty. It is what I should have done and I would do the same again in similar circumstances - and I hope there will be similar circumstances.

One of the things we wanted was for breeder cattle, tropically-bred cattle, to be subject to the same export qualifications as breeder buffalo. The only trouble was that we were 4000 miles off course. We were talking to the head of state of the Republic of Indonesia, the fifth largest nation in the world, with a population of 147 million people and we should have been talking to the Director of Animal Health in Canberra with a staff of 147, including the tea-girl. That is where we should have been because when Dr Hustatou and Dr Tekin came over, at President Suharto's direction, to examine the position here, they did not come to Darwin but went to Canberra. It was Bill Gee, the Silver Fox of the Northern Territory, who drummed them up. When I met them in Katherine, they told me, quite frankly: 'Not this year. We might be able to do something next year, but not this year'. As I say, we underestimated our timing.

Since then, I have had many talks with the Indonesian Consul and Indonesia wants our cattle. It needs them. We have a geographic advantage and we are in the box seat if we get ourselves organised. There have been a few cattlemen's meetings lately. The NTPLA, of which Mr Bill de Vos was the secretary for many years, is not interested in getting organised to deal with Indonesia. The Cattlemen's Union, of which I am a member, has asked the Northern Territory government to examine the position. A feasibility study is required to see what assistance the Cattlemen's Union and its members would require and could obtain from the Northern Territory government.

I am a member of the Northern Territory Branch of the Brahman Breeders Association. Many people are breeding Brahman cattle but there are not too many active members in the association. What I am speaking about, and what the Indonesians want, is that the Northern Territory should set up a cattle development and marketing authority. Indonesia is in its fourth or fifth year of a 5-year program. It wants to deal with us but it would have to be done with the approval of our federal government. The Indonesians do not want to cross Canberra for some reason. All these years, we have been telling them that that is the thing to do but they want to deal with a unified country. They want to deal with Australia first and the Northern Territory second. It is up

to us to organise ourselves and have an authority similar to the Agricultural Development and Marketing Authority because Indonesia insists on dealing with one authority. It will not deal with small people. I had cattle for sale and I tried the Indonesians but they were not interested. They will only deal with large groups but, preferably, with a government authority.

A cattle development and marketing authority could also market beef and, all in all, it could bring some order to the beef industry in the Northern Territory. I hear a lot of talk about private enterprise. It does not always work. Just have a look at BHP. I think the government must now look at my idea. It is probably not my idea; it is probably someone else's, but I have adopted it. The government must do something like it has been doing with Centralian beef. It has provided a lot of assistance and the expertise. The idea seems to be taking on. There is better beef than Centralian beef but you cannot get it through Katherine. The Minister for Primary Production agrees with that. I had some Elsey beef at a luncheon on Monday. I had not tasted it before but I can assure you that it was worth sampling.

However, the idea is to get ourselves organised. Now that the cattle industry must be organised because of the BTB eradication campaign, it is a good chance to start breeding the type of cattle that Indonesia wants over a 5-year program or a 3-year program, but certainly a program. It is a good chance to set up an authority to do something for the cattle industry. It is not much good berating each other about what we should do, what has been done in the past, whether Whitlam was right and whether Patterson should have done this, that or the other. The chance is there; the market is there. It is just a matter of the industry getting into gear and not be fragmented. It should speak with 1 voice and seek government backing to provide the expertise for the authority.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, this morning, I asked a question regarding the Sadadeen water tank. This is something of considerable interest to me particularly because I am one of the few people in Alice Springs who realised just how close we came last year, in the height of summer, to needing water restrictions. That was not because of lack of water in the Mereenie field but because of the pumping capacity, bore sizes and the size of the actual water tank. We came very close indeed and I am very pleased that the new tank which is being constructed is on schedule. It is expected to be on time and more pumps and bores are being put in. In fact, some \$2.7m is being spent on upgrading the Alice Springs water supply. Some people may be amused but I am sure the people of Alice Springs would not be amused if these measures had not been taken because the town is growing and we could have been in real trouble. I am very grateful to the minister for the action that he has taken on this matter.

Giles House is a subject mentioned frequently. I mentioned it yesterday. It is not just a parochial matter because Giles House has children from all over the Territory. Over half of them at the moment are from Darwin. I think it is a point which others could well take interest in. Just recently, the first South Australian delinquent child was sent to Giles House at a cost of \$480 per week which is paid happily. It is pleasing that South Australian people have had a look over the place. They are very impressed.

I have a somewhat personal interest because a sister-in-law of mine is working in one of the cottage homes in Adelaide. Nearly all these homes have failed. Only one is still open. The reason is that an inmate at any of these places can tell the supervising staff to get further down the passage as it were, and the staff has no legal right to restrain or punish the child. If the kid does not want to do what he is told, that is it. It has placed a great strain upon the people involved. I know that the people from South Australia were

greatly impressed with what they saw at Giles House. It is a feather in the cap for the Northern Territory.

Giles House has recently become involved in the area of community service orders. In the past, a child committed a misdemeanor and often the parents suffered because they paid the fine whilst the child got off scott free. But community service orders have meant that Giles House has been a place where delinquent children are being sent to do some work in the community. I was delighted to hear from the lady in charge, Mrs Daff, that not one child sent to work as required failed to turn up. They are having quite a salutary effect upon the children.

I was also very pleased to learn that Mrs Daff has received promotion. This is very well deserved. I know the South Australian people were trying to pirate her. She is one person whom we do not want to export. Giles House does not depend entirely on her and her methods. Her ability has rubbed off upon her staff and she has been able to weld the staff into a good unit. I believe people from other places should get the chance to train under her supervision. It is an institution of which all of us should be very proud.

One impression that I am left with after attending the Houses of Parliament in England for 3 weeks was that, whenever a member of the Opposition, particularly in question time, accused the government of not helping a particular group, the conservative party minister would immediately reply that, in real money terms - and he would quote a figure - his government provided more than the opposition ever did in government. It seems to me to be the land of subsidy and protection.

In Scotland, I talked to a man working in the oil industry. He said that companies do not want to know about North Sea oil simply because what was supposed to be the salvation of Britain is being savagely mauled through taxation and the companies do not see any advantage in it now. It would seem to me that they subsidise the inefficient and even the unwanted service or industry at the expense of those which are profitable. This is the greatest killer of incentive.

I was over there when the railway strike was on. Thank heaven I did not buy a Brit-Rail pass for which there was a great deal of publicity as a good way to move around. For almost exactly the 3 weeks I wanted it, I could not have used the jolly thing. However, I was impressed by the way the British people seem to manage pretty well without their railways. Their railway service could and should be efficient and useful but it is too expensive and unreliable. People have found a way around it and it has become almost an unwanted service.

I believe that many public facilities and some industries over there are spending their energies trying to lobby for subsidies. Personally, I believe they should put their effort into becoming competitive. Let the profitable people keep some of their profits so that they can pave the way for new jobs and they would end up producing wanted goods and services. I do not believe that we are as bad but we are heading that way in Australia.

I welcomed certain of the statements of the Leader of the Opposition this morning when he was talking about levels of protection for certain industries. We know the import tariffs and the quotas we have but few Australians take it to heart. We could have our motor vehicles for perhaps half the price we pay for them now if we were not seeking protection for these industries. It is not surprising. On figures I had a few months ago, Australia produces 9 cars per worker per year whilst Japan produces 60. It is very difficult to compete. However, I am not a member of the no hope for Australian industry

brigade, as the Leader of the Opposition suggested this morning. The Mitsubishi-Chrysler organisation has been reorganised and modernised. Management procedures have been changed and it has come back into the profitable bracket for the first time in a long time. Recently, in Alice Springs, the Prime Minister told a group of us how an Australian textile firm was establishing offices in Hong Kong to compete on the market there. I do not believe that things are impossible for Australians because we have great resilience. I think we just needed to be kicked off the protective pedestal and forced to use our energy in the right area.

I am not one to give praise to the former Prime Minister, Mr Gough Whitlam. However, one thing I think is worth looking at is the fact that, at one stage, he reduced tariffs across the board. There were great screams about unemployment. But of those people who became unemployed initially, all but a handful were back in employment some 12 months later. I think there is a salutary lesson there. I believe tariffs and the like cannot be dispensed with overnight.

There should be a fixed plan of gradual reduction. I am sure Bert Kelly would have been delighted to hear much of what the Leader of the Opposition said this morning. I hope that he is able to persuade ALP leaders in the states and the party itself to adopt this particular attitude. I know there are strong feelings in the Liberal camp along the same lines. If he can persuade people in his party, it could lead to something for Australia.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

REPORT

Subordinate Legislation and Tabled Papers Committee - Fourth Report

Mr HARRIS (Port Darwin): Mr Speaker, I table the fourth report of the Subordinate Legislation and Tabled Papers Committee. I move that the report be noted.

Motion agreed to; report noted.

MINISTERIAL STATEMENT

Performance of NT Students in 1980

Mr ROBERTSON (Education) (by leave): Mr Speaker, I would like to take some of the Assembly's time to discuss a matter of considerable importance to education in the Northern Territory. In October 1980, just over one year after the function of education was transferred to the Territory, the Australian Education Council commissioned the Australian Council for Educational Research to conduct tests of literacy and numeracy on samples of 10 and 14-year-old students in all states and territories in response to community concern about standards. These tests were designed to measure basic knowledge and skills appropriate to each of the 2 age groups. An analysis of the confidential data on computer tape provided by the Australian Council for Education Research has recently been completed by my department. Analysis of Territory results have been confined to the 10-year-old sample. The NT Teachers Federation's decision to boycott the tests affected particularly the 14-year-old sample. I might say that that was an Australian Teachers Federation decision not a unilateral decision here. Consequently, the sample of 14-year-olds who sat for the test was not representative of the 14-year-old population in the Territory. Hence, no completely reliable statement can be made about the performance of these students. However, their achievement levels were similar in pattern to those of the 10-year-old group.

Prior to the test being administered, the government gave an undertaking that there would be no comparison of performance between groups within the Territory, between schools or between government and non-government sectors or reference from state to state. This confidentiality has been maintained. However, I am at liberty to release the overall NT results and feel it is my duty to inform honourable members that these were, to say the least, disappointing. I might pause here, Mr Speaker, to say that I have received wide-ranging advice from people who are involved in the matter as to whether or not I should deliver this statement. The decision to do so is entirely my own. I emphasise that I believe that it is my duty to do so.

The following are examples of levels of achievement attained by samples of 10-year-old Territory students in government urban schools on some specific tasks. I divert from my prepared statement again to emphasise that these are government urban schools and the results are not clouded in any way by rural schools or Aboriginal schools. In the numeration tests of October 1980, the results show that 31% of 10-year-olds could not do a simple problem involving knowledge of basic tables; that is, 56 divided by 7. 29% could not work out 36 minus 19. 48% could not work out the simple multiplication task of 38 by 9. 34% could not work out a problem involving change of less than \$1. 40% were not able to read the time shown on a watch face with numerals on it and 48% of students could not write the time shown on a watch face that did not have numerals on it. In the reading test, 37% did not achieve competency in the sub-test involving the comprehension of a prose passage. 43% did not

achieve competency in the sub-test involving the use of reference skills such as locating specific information in an encyclopaedia. In each case, this represents huge percentage points below the national average.

I should emphasise that these tests were conducted in 1980, only 1 year after this government accepted responsibility for NT education. For reasons which ought to be obvious to all, I do not believe that we can wait for another Australian Education Council sponsored test to determine the question as to our improvement or otherwise. There is no doubt that, since July 1979, the government has taken a number of far-reaching steps to improve the standard of education in the Northern Territory. That thrust will continue and I am determined that it will be accelerated. Core and recommended components of the curriculum have been developed in all key subject areas from transition to Year 10, to give schools more guidance and direction than in the past. The new curriculum has already been introduced in primary schools and is being progressively introduced into secondary schools. Its introduction to Year 10 will be completed by 1984. With the new curriculum, teachers have a clear statement of the progressive goals which their students are expected to achieve. All students' learning experiences are directed towards a common set of expectations regardless of where they live or which school they attend.

To help ensure effective delivery of educational programs, my department has placed greater emphasis on the role of the principal in providing education leadership within the school. In addition, regional superintendents have been appointed to provide greater leadership and coordination of educational programs at the regional level. If this change in direction is not clearly successful, I will not hesitate to issue further appropriate instructions.

In conjunction with the introduction of core curriculum in secondary schools, a junior secondary study certificate will be issued for the first time in 1984 to students completing Year 10. A senior secondary study certificate has already been introduced for students attending or leaving school in Years 11 and 12. The NT Curriculum Advisory Committee has accredited the Year 11 and 12 courses to ensure parity with those in other parts of Australia.

In the 3 years since the Territory became responsible for education, this government has continually increased spending on schools. This year, the taxpayer will front up with in excess of \$100m for education. They and their children are entitled to value. Currently, our schools enjoy a level of staffing and resource allocation without equal throughout Australia and almost unbelievably superior to peer countries such as New Zealand.

Mr Speaker, these and other measures introduced in the last 3 years should have a positive effect on overall levels of performance. However, these measures are not enough. I cannot stress too strongly the seriousness of this situation, which has been suspected by many parents, teachers and principals for quite some time. Low levels of competence in the basic skills will affect the children in all areas of their schooling and later life. The problem can be readily solved if the parents and teachers work together. Experience in Australia and overseas indicates that parent-teacher cooperation is the single most important factor in assisting students to achieve significant improvement. The measures that need to be taken are relatively simple and do not require diversion of funds from other priority areas in education. At the individual level they include the regular setting and correction of homework by the schools, and regular supervision by parents at home, allied with regular communication between parent and teacher. At the school level, I have asked my department to ensure that principals and other supervisory

staff work closely with classroom teachers to devise ways of improving student performance.

The proposed amendment to the Education Act to establish school councils is aimed at maximising community involvement in schools. The level of involvement which we hope to achieve should result in increasing parent-teacher cooperation. In addition, Mr Speaker, parents and schools need to work closely to combat truancy and to ensure that students do not stay away from school unnecessarily, as non-attendance can have a very detrimental effect on school performance. On average, Sir, about 9% of students enrolled in urban schools and 25% in non-urban schools have been absent on any given day during recent months. There is also evidence that perhaps 10% of high school students skip 1 or more lessons during the school day. While many instances of non-attendance are legitimate, many are not. Schools will be instructed to exercise much greater control from now on.

At the system level, as I previously indicated, what is required now is regular monitoring of standards of achievement in the basic skills of English and mathematics. Regular and system-wide testing and reporting in the basic skills will therefore be introduced as soon as possible. By that, Mr Speaker, I mean as of now. This will be in addition to routine testing by classroom teachers. Such a program will establish checkpoints at critical phases in the schooling for diagnosing specific areas of student weaknesses for the purpose of remediation. Each school will receive the results of their own students. This will enable schools to judge the performance of their own students in relation to the levels they should be achieving. Confidentiality of data will be strictly maintained. No public comparisons will be made between schools or between groups of students.

Mr Speaker, I am hopeful that all sections of the community interested in raising the educational standards of the Northern Territory will give the system-wide testing program their wholehearted support. This is not a matter for political pointscoring. This is a matter of the utmost concern to children to whom our total duty lies. Armed as I am now for the first time, Sir, with this information, I will not shirk from that duty no matter what sector may wish to shy away from that duty. Mr Speaker, I move that the statement be noted.

Debate adjourned.

MINISTERIAL STATEMENT Alcohol Abuse

Mr TUXWORTH (Health) (by leave): Mr Speaker, I would like to advise the Assembly of the present position and of our plans for the future in our battle against the abuse of alcohol. The struggle is an onerous one and a difficult one. Although we have made a start, much remains to be done.

The Northern Territory Drug and Alcohol Advisory Committee is encouraging the establishment of regional groups in the major centres. Groups have already been established in Darwin, Katherine, Tennant Creek and Alice Springs. The government will be looking at these groups for advice on local needs and problems which vary from place to place. At the present time, we have services and facilities at Darwin, Katherine and Alice Springs. At Tennant Creek and Nhulunbuy, the hospitals provide service to patients suffering from alcohol abuse. In Darwin there is an alcohol dependence treatment unit at the Darwin Hospital. This unit has facilities for 15 residents. The unit handles detoxification, medical treatment, group and individual therapy for residents and their families, and outpatient treatment following discharge. The unit is an outstanding success and for

this we owe a debt of gratitude to Dr Chalmers and his dedicated staff.

The Darwin and District Alcohol and Drug Dependence Foundation operates at Amity House in Cavenagh Street, Darwin. Services provided at Amity House include information and referrals, outpatient counselling, drink driver courses and an occupational drug and alcohol program. The Salvation Army, at its Salonika Street Sunrise Centre, provides a residential treatment centre for people severely disabled by alcohol dependence. The services offered are a 3-4 month non-medical treatment program based on Alcoholics Anonymous, workshop training and counselling. The Society of St Vincent de Paul operates a men's overnight shelter at Westralia Street, Stuart Park. It provides free meals and overnight accommodation for homeless men and has some limited facilities for long-term residential rehabilitation as well as a small half-way house for recovering alcoholics. The Foundation of Rehabilitation with Aboriginal Alcohol Related Difficulties - FORWAARD - provides a rehabilitation program for Aboriginal persons suffering from alcohol abuse. The organisation operates a residential hostel at Charles Street, Stuart Park. The Forster Foundation provides a drug and rehabilitation service at Banyan House in Rapid Creek for persons dependent on drugs other than alcohol.

In Katherine, Mr Speaker, a town very close to your own heart, services are provided at the hospital for patients suffering from alcohol abuse. The Society of St Vincent de Paul operates a shelter and the Missionary Sisters of Charity - Little Sisters - provide attention and care to the homeless, needy, aged and infirm.

In Tennant Creek, drug and alcohol related services are presently available at the hospital and the Community Health Centre. The Missionary Sisters of Charity will be opening a house early in the new year in Tennant Creek similar to the one which they operate in Katherine. In Alice Springs, Mr Speaker, services to patients suffering from alcohol abuse are available at the hospital and the Psychiatric Day Centre. The Central Australian Aboriginal Congress also operates an alcohol rehabilitation project at a former farm on Emily Gap Road. This farm provides a rehabilitation project for up to 18 Aboriginal people. Services provided include a residential treatment program, counselling and a half-way house. In Nhulunbuy, Mr Speaker, the Gove District Hospital provides services to persons suffering from alcohol abuse.

The next phase of our program which I hope will be concluded over the next 12 months is the provision of sobering up shelters in the major centres. Shelters for intoxicated people are in urgent need. Without them, police cells seem to be the only alternative. When these shelters are established, intoxicated people can be brought by shelter operated pick-up staff or by the police. People can be held overnight or until they sober up. Ideally, these types of facilities would best be operated by community groups assisted by government funds and professional help as necessary. The government is looking to community groups to accept responsibility for these facilities. I see the priority for the establishment of these shelters at Darwin, Katherine, Alice Springs and Tennant Creek.

Mr Speaker, I just diverge for a minute to say that we hope to have local government involved in the operation of these centres.

The government's plans for the future will be based, as far as possible, on recommendations from community groups being established to provide such recommendations. I see the future needs as the provision of detoxification and assessment facilities within the context of our existing facilities as

outlined. Outpatient counselling services will be located away from the hospital at some convenient spot near the town centre. Half-way houses need to be established where former patients who have lost family support but are capable of returning to employment may continue to live in an alcohol-free environment.

Finally, Mr Speaker, an institution for the few patients who have suffered brain damage or who are otherwise seriously impaired is needed. These patients need humane institutional care and medical support. I move that the statement be noted.

Motion agreed to.

MINISTERIAL STATEMENT Retirement Village at Fred's Pass

Mr TUXWORTH (Health) (by leave): Mr Speaker, in making this statement on the Rural Old Timers and Friends Association Retirement Village at Fred's Pass, honourable members should be aware that my colleagues and I have been having discussions for some time with this very active group of people. They propose to seek an allocation of land to establish a community centre, recreation services and residential accommodation for retired and senior citizens living in and around Darwin's rural areas.

Traditionally, Mr Speaker, people have planned their retirement interstate with the knowledge that there are services available for their latter years in those states. The Northern Territory has a predominately young population without the benefit of extended family life. There are many young families who would plan to be united with older family members, provided they could be assured of services to meet the needs of their elderly relatives.

With this in mind, my department is looking to develop a plan for retired and aged people in the Northern Territory which would match services to the people. The major components of this plan would be assessment-rehabilitation and accommodation such as hostel, nursing home and independent living. This would be complemented by community care programs such as meals-on-wheels, domiciliary nursing, recreation and community venues. Such an approach will require co-ordination with the activities of various government departments and the voluntary organisations involved. We plan to present a total package of co-ordinated services to the Commonwealth later this year for consideration for funding.

Facilities for aged and retired citizens in the Northern Territory, in Darwin in particular, are very limited. Honourable members may wish to know exactly what facilities are available at present. In Darwin, the Harry Chan Nursing Home has 30 beds and in October this year a private nursing home in Palmerston will provide a further 40 beds.

The Northern Territory Pensioners' Association has hostel accommodation for 30 frail aged at Tracy Lodge and, in addition, it has 4 self-contained units at Wagaman. The Housing Commission gives aged persons priority for ground and first floor flats. There are 24 flats provided at Tuckwell Court. The Northern Territory Australian Baptist Homes Trust has 4 self-contained flats and the Darwin Masonic Hall Trust has 9 self-contained units for aged persons in Darwin. The Red Cross receives a subsidy, Mr Speaker, in the form of grants-in-aid from the government to deliver meals on wheels which are prepared at the Darwin Hospital. The Northern Territory Department of Health provides an excellent domiciliary nursing service.

The Territory government is ascertaining the types of services which elderly people themselves feel should be added to those already available. The capacity for older people to solve their own problems for successful living has been well demonstrated by the Rural Old Timers Association. The association is presently actively involved in the social, medical and physical welfare of its members and friends within the Darwin rural area. The Northern Territory government is very supportive of the proposal to establish a village complex at Fred's Pass. The proposal from the Rural Old Timers and Friends Association expresses the need for essential accommodation and social welfare activities in an environment that is suited to their needs. This is in keeping with the Northern Territory government's policy to provide services for the aged and to encourage our retired senior citizens to stay on in the Territory.

The concept envisaged for the development of Fred's Pass will not be all things to all people. It should be regarded as a retirement centre which ultimately provides in the one environment, independent units, hostel accommodation for frail aged, and nursing home accommodation. Obviously, not all people wish to retire to this sort of environment but throughout Australia tens of thousands of people do.

The proposal that we are putting forward for community comment at this time, before being finalised, is one that is to be developed over 5 years. The site chosen by the association as the best available for the proposed village is part of lots 347 and 400 Strangways, approximately 34 km from Darwin. The site is located just past Fred's Pass Reserve behind the Sattler Airstrip. It is ideally placed near the rural centres such as Howard Springs, Bees Creek and Berry Springs, in a locality which has become increasingly popular in recent years as an alternative to retirement in urban areas.

It is proposed that the Department of Health will have the carriage of the Northern Territory government interest in the project and that the government, community organisations and private sector resources be marshalled to assist in developing the project. It is proposed that the environment be designed to provide in a rural setting facilities such as a community centre, privately owned, rented and subsidised accommodation on the campus, frail aged care and nursing home accommodation and recreation facilities such as swimming pool, bowling greens, golf courses, etc.

Finally, it is proposed that the development and the ultimate running of the centre should be organised by professional people who have a track record in caring for the retired aged. Given that the principles outlined are acceptable, I would hope that something will be done to firm this proposal up in the next 12 months. I move that the statement be noted.

Debate adjourned.

MINISTERIAL STATEMENT

Oil Exploration in the Northern Territory

Mr TUXWORTH (Health) (by leave): Mr Speaker, 2 weeks ago I gave the Assembly a position paper relating to the Territory's development and thinking so far as uranium resources were concerned. I did so because the opposition would put an end to the mining and processing of uranium in the Northern Territory and that needed to be enunciated.

Mr Speaker, the ALP within the Territory would phase out, to use their own term, the development of an energy resource that is significant by any

standards. I thought it was ironic that, within minutes of my making the statement, the Leader of the Opposition told this Assembly that the Territory's resources should be developed for Territorians. I am not sure what he thinks is happening at Jabiru if Territorians are not developing a resource there at the moment, Mr Speaker.

At the same time the honourable Leader of the Opposition was claiming that our government was not doing enough in the area of oil and gas development. He told the Territory Branch of the Economist Society that the government had failed to take a sufficiently active role in oil and gas exploration and he said there had only been limited success in expanding the Territory's petroleum resources. Such ignorance, Mr Speaker, is a matter of concern and I believe it is important today that I bring some points to the notice of the Assembly.

Mr Speaker, in one breath the Leader of the Opposition is telling us that we are moving too quickly in developing our resources and in another breath he is telling us we are not doing enough. I was surprised to hear him say that the government should be taking a more active role in the oil and gas exploration area and that there has only been limited success within the Northern Territory. I feel, however, that I should give him the benefit of the doubt and put this statement down to ignorance rather than to political pointscoring. That being the case, I would like to take the opportunity to enlighten the Assembly on what is going on in this area.

Mr Speaker, let me emphasise that this government places a very high priority on oil and gas exploration and, as far as I am concerned, our commitment has resulted in a very good exploration record - first class, in fact. Despite what has been said, almost every onshore permit area with any potential for oil or gas discovery has been taken up by exploration companies. There are currently 15 onshore oil permits, mainly in the Amadeus Basin area south and west of Alice Springs. The interest in this area is running at unprecedented levels due in no small way, I might say, to the staff of the Department of Mines and Energy.

Mr Speaker, recent gas discoveries in our region would hold great promise for the Territory and for the rest of Australia if they could be proven to be commercial finds which are capable of supplying markets in southern states such as New South Wales and South Australia. The name Amadeus Basin may not mean much to many Australians at this moment but I am confident that, in the very near future, it will become as familiar to them as the Cooper Basin, the North West Shelf and Bass Strait.

Far from sitting in their Darwin offices, gazing out across the waters of our beautiful harbour, the Mines Department staff have been extremely busy making sure this happens. The measure of their success was highlighted recently following the partial relinquishment of an oil permit 175 in the Amadeus Basin. The exploration companies which held OP175 were due to relinquish half of it under the terms of their permit and, because of the highly prospective nature of the area, the government decided to market the permit more aggressively than has ever been done before in this country. We took the hitherto unknown step of actually going into the marketplace and offering the relinquished area to the exploration industry. We gathered together all the known facts about the area and part of the lease that was involved, compiled comprehensive data summaries and took experts from the department to Sydney to explain to the industry what we were offering. Our delegation of technical experts, including the Director of Energy and the Territory's energy consultant, took all the information we considered exploration companies would want.

Representatives from oil companies from all over Australia accepted the invitation to attend the meeting and there were also representatives from the United Kingdom and the United States. About 80 people attended the 'Show and Tell' in Sydney and 11 data summaries were sold on the spot for \$500 each and people in the industry were quite emphatic they had never seen anything like it before. I would also like to take a moment to pay tribute to the legal people from the Central Land Council who attended this 'Show and Tell' in Sydney and who put to the industry their perception of how dealings with their organisation should be carried out. Their contribution was very positive and appreciated not only by myself and the department but by the industry as a whole.

The government was very happy that the promotion showed a profit and it is not unreasonable to say that the industry was impressed. The exercise has generated considerable interest in the Amadeus Basin and I expect many of the companies who participated to submit formal exploration programs in the area in October this year.

The OP175 exercise was exactly in line with the government's policy of private sector exploration and development of our oil and gas resources. It is a policy which has evolved against a background of Territory dependence on imported petroleum products, escalating prices and world shortfall. While some of these problems have eased in recent years, the government maintains its stance and the industry clearly appreciates and supports our thinking. The exploration efforts which are taking place offshore are even more encouraging than the extremely high level of onshore activity. In fact, every area that is available for exploration off-shore in Territory waters has been taken up.

Mr Speaker, so much for not doing enough. That sort of situation is hard to reconcile with the Opposition Leader's comments that not enough is being done. We have had encouraging confirmation of the enormous gas reserves in the petrol field, located in the Bonaparte Gulf, and we have even had a show of oil in that area. Development of this resource is still a long way down the track. It is a 10-year project in anybody's terms and there is still a great deal of work to be done before the development becomes a commercial possibility. It will be enormously expensive to develop but the government will be doing all in its power to see that this development takes place.

Since the mid-1960s, exploration companies have drilled 94 wells in search of oil and gas within the Territory and 44 of these have encountered oil or gas shows. It is a record that is quite significant in the terms of the high-risk oil and gas exploration industry. Just under half the wells drilled have produced a result. I referred to that figure of 94 wells for a reason. Between now and 1987, current oil permit holders will drill 101 exploration wells. That means that, in a 5-year period, we will be drilling as many wells as we have drilled in the past 2 decades. I believe this is an excellent position for us to be in.

Let me put it into dollars and cents terms for honourable members. In 1980, \$11.8m was spent on petroleum exploration in the Territory. Last year, the figure was \$30.3m and, in the current year, more than \$45m has been spent. I put it to you, Mr Speaker, that the Leader of the Opposition's assertions regarding this government's efforts in encouraging oil and gas was ill-informed and completely unfounded.

Let me continue my comments on the Bonaparte Gulf. The Leader of the Opposition claims a more vigorous pursuit of the overseas liquefied natural gas markets by the Northern Territory government might well have seen Darwin's new power-station fuelled by natural gas rather than coal, as an incidental

element of a much larger project to exploit liquefied natural gas. As I have already explained, it would take until the mid-1990s to develop the gas reserves of the Bonaparte Gulf even if we started today. However, the Channel Island power-station will be meeting electricity requirements in Darwin by 1988. One wonders how the Leader of the Opposition would have us fuel the power-station for 7-10 years until the Bonaparte gas became available.

While on the subject of processing plants, I would like to inform members of developments relating to the possibility of a petroleum refinery in Alice Springs. As reported in the press recently, the Magellan group is conducting a feasibility and marketing study into the viability of constructing a 300 km pipeline from the Mereenie field to a refinery at Alice Springs. The potential exists for the refinery product to be exported to South Australia and New South Wales and it is estimated that such an undertaking would involve an investment of between \$50m and \$60m. In fact, a site for the proposed refinery has been reserved in Alice Springs and the Department of Mines and Energy is closely monitoring these developments. It is co-ordinating enterprises and government input and assisting, where possible, to enable this very welcome venture to get off the ground.

Mr Speaker, it is true that the development of the Mereenie oil field is taking a considerable time but I feel that you should be aware of the government's determination that an enhanced oil recovery technology should be used where possible. Enhanced oil recovery techniques allow for a greater return from an oil well in terms of the amount of oil extracted from a reservoir. However, the technology is much more expensive and takes a little more time.

An example of the government's resolve in this area, and the potential benefits and cost of EOR techniques is the Mereenie field. A 2-year appraisal program for drilling has already begun in order to establish the extent of recoverable reserves that exist in the field. An integral part of that program will be to establish the feasibility of using EOR technology. Conventional oil extraction procedures will recover about 20% of the Mereenie reserves while EOR techniques could allow 40% of the reserves to be recovered. However, up-front costs will increase substantially with the use of this technology. They would go from about \$60m to possibly \$200m.

Mr Speaker, our government has taken the conscious decision that the maximum amount of local oil should be available to Territorians and, consequently, it is prepared to accept a slower, more costly technology in the assessment phase. I have already stated that I believe that the Amadeus Basin will one day be as well known to Australians as the Cooper, North West and Bass Strait Basins. I believe Mereenie will also be a familiar name. So too will Palm Valley. Honourable members will be aware that the Northern Territory Electricity Commission has contracted to purchase Palm Valley gas for the power-station in Alice Springs and it is my opinion that, while this contract may be small by many standards, it will become the forerunner to many major gas contracts written on the basis of Territory reserves.

Mr Speaker, it is no secret that I have held a series of talks with the South Australian Minister for Mines and Energy, the honourable Roger Goldsworthy, and we have discussed, firstly, amongst ourselves, and then with exploration companies which are working in the Amadeus Basin, the possibility of gas from this area flowing to South Australia. It is my opinion that the government's role in this area is simply to be a catalyst, helping potential customers and potential suppliers to get together. These talks have been going on since late last year. The South Australian government is obviously interested in securing supplies from Central Australia because it has no guarantee that

the Cooper Basin will be able to meet its requirements after 1987. Even the Leader of the Opposition will have difficulty in down-playing the significance of these talks in the context of comments made in Darwin recently by the South Australian Premier, Mr David Tonkin. The Premier said that the possibility of a pipeline to the Moomba grid was being examined. He talked of a period of unprecedented cooperation between South Australia and the Territory in years to come.

A day later, Mr Goldsworthy arrived in Darwin and said that South Australia could take 28 800 000 m³ of gas annually from central Australia, supplies which would be worth about \$40m a year at current prices. Only last week, Mr Speaker, it was reported in the national press that discussions are continuing surrounding the construction of a \$400m pipeline running the 800 km between the Amadeus Basin and the Cooper Basin. A spokesman for the Australian Gas Light Co, which is the major supplier of New South Wales gas, said that his company was interested in being a part of the consortium which would build and use the line.

Just as the development of the Bonaparte Gulf gas reserves is a 10-year project, development of the Amadeus Basin would not happen overnight. A good deal of work remains to be done to prove up commercial deposits in the area, but I am confident that this will happen in the future. I believe that the government has acted properly in this matter and has played a significant role in bringing the producers and customers to a point where they are now talking with such conviction about a project which will run into many hundreds of millions of dollars.

Mr Speaker, the Northern Territory government is also committed to taking any necessary action to ensure the exploration and development of our gas resources and I believe that I have given proof of that commitment today. The government is also dedicated to encouraging and fostering private enterprise in this area. However, the Leader of the Opposition's statement that there is a strong case of government participation ignores both the present achievements and the plans within the industry which see our energy resources utilised in the years to come. It is a matter of some regret to me that the honourable Leader of the Opposition is again so out of touch with the realities of resource development. I believe the future for petroleum development in the Territory is bright both in terms of energy independence for Territorians and the potential for export to other parts of Australia.

I have been referring today to a report of the Northern Territory News dated 18 August, appearing on page 10. The final paragraph of the report quotes the Leader of the Opposition thus: 'Especially in the area of energy resource development, there is a strong case for government participation'. I am more than a little curious, Mr Speaker, as to what the honourable member means. I am sure my curiosity is shared by many including the exploration industry.

Let me pose some questions for the honourable member in case he feels that the first 16 pages of this statement have not been worth debating. Does he mean that a Labor government would expropriate resources without compensation? That is the way Labor has been talking about our uranium resources so I believe we ought to know exactly what the honourable member means so far as oil and gas are concerned. Does he propose that a Labor government would spend taxpayers' money in acquiring the gas and oil reserves that have been proven or might be proved at some time in the future? Does he propose spending taxpayers' money on high risk exploration and does he propose to run a government drilling program? If he has any of those proposals in mind, perhaps he would like to suggest where the hundreds of millions of dollars

might come from.

I believe the most important question of all that needs to be answered is just how much, if at all, Labor's policy and thinking has changed since the Whitlam years. We all know what happened after the advent of the Whitlam government so far as oil exploration was concerned: exploration plummeted. The figures available to me and anybody else who wants them show quite clearly the impact a federal Labor government would have on the oil industry. I would like to table them today. I seek leave of the Assembly to have these figures incorporated in the Hansard.

Leave granted.

YEAR	PERMIT ONSHORE	APPLICATIONS OFFSHORE	NUMBER OF WELLS DRILLED	EXPLORATION SPENDING \$ MILLION
1970	4	0	4	15.84
1971	2	0	3	14.51
1972	0	3	4	13.74
1973	5	0	3	11.42
1974	0	0	9	17.86
1975	0	0	1	8.73
1976	0	0	0	2.55
1977	2	0	0	5.15
1978	0	0	3	12.07
1979	5	4	2	15.88
1980	7	4	2	11.83
1981	23	7	6	30.37

Mr TUXWORTH: They need little in the way of explanation but I think it is important that I point out to honourable members that funds for exploration are usually committed 2 or 3 years before they are actually spent. Bearing that in mind, I ask honourable members to consider the period between 1970 and the present. Figures provided to me by the Department of Mines and Energy show that, in 1970, a total of \$15.8m was spent on oil and gas exploration in the Territory. In 1972, the figure stood at \$13.74m. 1972 was the year that the Labor Party came to office federally. Remembering that exploration programs usually lag about 3 years behind the time the decision to explore is made, let us have a look at what happened in 1975.

In 1975, the exploration spending slumped by more than half from \$17.86m to \$8.73m and the following year spending took another nose dive to \$2.25m. For the 3 years of Labor government, the industry came to a virtual standstill. It has taken some time and effort to revive its interest in exploration both within the Territory and throughout Australia. I am pleased to report that, since the end of the Labor years, there has been a steady increase in the industry's efforts, apart from a small hiccup in 1980 when there was a short temporary halt to drilling offshore.

Compared with the \$2.55m spent in 1976 - and remember this figure reflects decisions taken in 1973 - more than \$45m has already been spent in 1982 and I believe this figure will be surpassed in 1983. I put it to honourable members that the best thing that has happened to the exploration efforts in the Territory and the rest of Australia in the past decade was the downfall of the Whitlam government.

Mr Speaker, I would like to conclude my remarks by asking the Leader of the Opposition what has changed within his party to change anything from those disastrous years of the early 1980s? I would suspect that nothing has changed at all and I look forward to hearing from the honourable member about how he sees efforts in the oil and gas exploration industry being improved on what we are doing now. Mr Speaker, I move that the statement be noted.

Debate adjourned.

SUMMARY OFFENCES AMENDMENT ACT 1982 AMENDMENT BILL (Serial 243)

Bill presented and read a first time.

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

The purpose of this bill is to provide more flexibility for the granting of certificates of exemption under the Summary Offences Amendment Act of 1982. Under section 45E, once a certificate is granted, it is difficult to change it without cancelling or suspending it. This bill provides the power for the Liquor Commission to set conditions on the granting of a certificate of exemption and also provides the power to vary the conditions of the certificate as well as the power to suspend or cancel it. The existing section 45E(1) is unnecessarily restrictive in that only the owner or person responsible for the management of a public place may apply for a certificate of exemption.

The bill provides for a new section 45EA which will allow the commission, in its discretion and without application being made to it, to declare that a public place is an exempt area. The proposed clause also allows the minister to direct the commission to make such declaration.

In the bill there are several consequential drafting amendments to 45D but the main provision is to introduce 2 new concepts: for the commission to be able to grant certificates without an application from the owner or person responsible for management and for the commission to be able to set and vary conditions of the certificate of exemption. The bill will increase the discretion and flexibility of the Summary Offences Amendment Act and I commend it to honourable members.

Debate adjourned.

ELECTORAL AMENDMENT BILL (Serial 244)

Bill presented and read a first time.

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

As many honourable members will recall, the Electoral Act was passed in 1979 and its primary functions were the establishment of the Territory roll of electors and the conduct of the elections for the Legislative Assembly. The Electoral Act has been amended by this Assembly 3 times although each

amendment has been prior to the Territory election of 1980. The 1980 general election and subsequent elections have thrown light upon certain operational problems in the act and the purpose of this bill is to remedy these procedural defects to ensure the more effective operation of the act and improve voting facilities for the electors.

The majority of the amendments to the principal act in the bill are mechanical; for example, the rationalisation of the functions of the Chief Electoral Officer and the Divisional Returning Officer. For instance, clauses 7, 8, 20, 21, 25 and 26, amongst others, will ensure that only prisoners who are otherwise qualified to vote may be enrolled such as in clause 6 and provide an extension of the time limit in which to lay complaints for offences under the act to 12 months. Other clauses are more far reaching. Clause 4 extends the class of persons who may be authorised witnesses to include that Territory electors or persons, on or who are entitled to be on a Commonwealth or state electoral roll, be authorised witnesses for the purpose of the act anywhere in Australia or overseas.

The purpose of this amendment, Mr Speaker, is to take account of the situation encountered during previous elections where Territory electors, outside the Territory, could not be authorised witnesses.

Clauses 14 and 19 amend sections 69 and 89 of the Electoral Act to ensure that only one candidate's representative per candidate may be present in the polling place during the hours of polling or at each counting table at the determination of the results of the poll. In previous elections, the task of polling officials has been made more onerous and difficult due to the large number of representatives present during the hours of polling and counting. Of course, this amendment does not prevent a candidate appointing as many representatives as he wishes, although only one candidate's representative may be present at a time during polling and counting, as I have stated.

Clause 7 amends section 48 of the principal act to require nomination for candidature of the Legislative Assembly to be lodged with the Chief Electoral Officer only. Section 48 currently provides that nominations may be lodged with an authorised person, not less than 24 hours before noon on nomination day, or with the divisional returning officer by noon on nomination day. However, no nomination is valid until it is received by the divisional returning officer. The amendment simplifies nomination procedure by centralising the procedure on the Chief Electoral Officer, thus eliminating pitfalls, such as loss or delay, associated with the intervention of a third party, namely, an authorised person.

Clause 10 amends section 57 of the principal act. This amendment in effect permits a person who lives outside 20 km of the polling place, which includes a mobile polling place, to make application to be a registered postal voter. However, the amendment further permits the Chief Electoral Officer to cancel the person's registered postal vote if a mobile polling team is appointed in that area. The Chief Electoral Officer will notify the elector by notice in writing of his status in this regard well before the election.

Clause 13 marks an innovation in Australian voting procedures. This clause amends section 68 to permit the candidate's photograph to appear on the ballot paper. Honourable members will, no doubt, be aware of the advantages of this to the elector. However, it would only be fair to point out that there is an onus on candidates to take the trouble to ensure that the Chief Electoral Officer is provided with a good, clear photograph, suitable for reproduction. While the electoral regulations make provision for prescribed

photographs, the Chief Electoral Officer will always be available to advise candidates of the best type of photograph for reproduction so long as candidates approach him in adequate time. I might add that photographs will not appear on section 83 absentee votes due to practical difficulties, but each polling place will have at least one set of candidates' photographs for all divisions so absentee voters may refer to these if they wish.

Mr Speaker, I turn now to clause 24 and particularly that part of clause 24 which will introduce into the Electoral Act new section 138B. I have no doubt this new section will be of significant interest to members and Territorians as a whole. Section 138B will increase the number of electorates from the present 19 to a proposed 25. In 1974 a fully-elected Legislative Assembly of 19 members was established and the Administrator's Council was reconstituted to comprise the Administrator and 5 elected members. As honourable members will be well aware, on 1 July 1978, the Northern Territory (Self-Government) Act came into force establishing the Northern Territory as a body politic under the Crown. This act continued the existing Legislative Assembly and 5 offices of Ministers of the Territory were created who, together with the Administrator, comprise the Executive Council. In January 1979, the number of ministers was increased to 6, so we have had over 3 years' experience in administering a self-governing Territory under the present arrangement of 19 members of the Legislative Assembly with 6 ministers.

During these years it has become pretty obvious, Mr Speaker, that a minimum of 6 ministers is essential for the effective working of self-government. Even then there is unreasonable strain on ministers because of the wide-ranging and diverse functions they are required to administer, the size of the Territory and the continuing need to consult with ministerial counterparts in the Commonwealth and state governments. Experience has also shown that 19 members of the Legislative Assembly are quite inadequate to enable a government to have 6 ministers, a Speaker and an effective and viable back-bench and opposition. The back-bench and opposition have an important role to play in providing checks and balances on the actions of government. In particular, back-bench members are able to keep in closer contact with their electorates and so are able to provide a government with an accurate measure of the attitudes of electors on sensitive issues and seek pertinent information which is of concern to the people. Further, it is primarily back-bench members who form the various parliamentary committees and the number of committees that can be formed can be limited by the numbers of back-bench members available.

The number of electorates was thoroughly reviewed in 1974 by the Joint Committee on the Northern Territory. Although some evidence was given supporting more than 19 electorates, in its report on constitutional development in the Northern Territory, tabled in the House of Representatives on 26 November 1974, it stated:

Number of electorates - Evidence supported at least 19 electorates which, at the present time, would give an average of about 2000 voters. The factors taken into consideration by the committee in arriving at the appropriate number of electorates were: (a) need to provide sufficient numbers for an Executive as well as back-benchers in the governing party; and (b) the desirability of avoiding too small an electorate - such as, 25 members at present would mean an electorate averaging 1520 voters. The committee recommends therefore that the Legislative Assembly comprise 19 members.

Today we have some 56 400 voters in the Northern Territory so with 25 electorates there would be an average in excess of 2000 voters in each electorate. Despite the effects of Cyclone Tracy, the population of the Northern Territory continues to grow at a rate higher than that of the states. In 1974, there were less than 100 000 persons in the Northern Territory, while today there are approximately 129 000. Proper representation for Territorians is essential and I am sure all honourable members will agree that we are fully aware of our commitments and responsibilities to all Territory electors. The time has now come to share those responsibilities more evenly by increasing the number of those who carry them.

Finally, the Northern Territory has a unicameral system, Mr Speaker, a single parliament not bound by an upper house nor limited by any substantial growth of local government below. It is important it works effectively. Self-government is a testing period for eventual statehood and we must succeed. I commend the bill to honourable members.

Debate adjourned.

EDUCATION AMENDMENT BILL (Serial 236)

Bill presented and read a first time.

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

This most significant amendment allows for the formal incorporation of Northern Territory school councils. It is a piece of legislation keenly looked forward to by many school councils and one which is the result of more than 2 years of intensive public consultation and input. There have been a number of workshops organised by the Education Department and by parent bodies at which our proposals for setting up school councils have been most thoroughly mulled over and revised. This has been most important as the councils are fundamentally about the concept of increasing community involvement in the education of children and in the running of schools. This government has and will continue to work towards a closer relationship between parents and teachers of their children. We believe that the school council concept is a very significant way to go about it.

The substantial amendment is designed to replace all of part IX of the Education Act. This consists of only 2 clauses, 70 and 71, but they are far reaching in what they propose and it will take a little time to explain their functions and the philosophy behind them.

Clause 70 confers on the minister the power he already has; that is, the power to establish a school council for the purpose of a government school. In short, the amendment overcomes some of the inappropriate provisions of the Financial Administration and Audit Act and allows a school council to embark on an accounting system vastly more easy to operate than would be allowed under the present structures of government accounting systems. This is in line with the introduction of similar practices in South Australia where funds from both government and parent bodies are handled through a single accounting procedure. It is the most modern practice in operation in Australia and overseas and we have adopted it.

Clause 71 deals with the establishment of school councils and is entirely straightforward. It should be noted that, under the amendment, a school council will automatically be incorporated once it is set up under the act.

However, Mr Speaker, such are the implications of establishing school councils that the amendment then goes on at considerable length into the functions and powers of councils.

Without going into too much detail, I feel that I should explain some of the issues that it raises. School councils will have real and appropriate powers. Unlike the old system of parents and friends associations, there will be, in addition to already existing advisory powers, controls over certain affairs and activities of the school. These are listed under clause 71(c) and indicate the wide range of functions that a school council will be expected to perform.

There naturally will be some concern expressed by certain sections of the community over these functions. But I believe that the groundwork which went into this amendment means that we have covered the interests of all parties. It is important to realise that the section of the legislation dealing with transitional savings - that is, clauses 7 and 8 - does provide for existing school committees to maintain the status quo. A conscious effort must be made by a school body to opt for the new form of the school council. The establishment of the school council is not an automatic occurrence for already established groups and, as such, gives them the option.

School councils will be able to determine the purpose for which funds allocated by the Department of Education to that school will be spent. They will also be able to determine and regulate to what extent the local community will be able to use the school grounds and buildings when they are not required for their usual purposes.

Coupled with these powers, Mr Speaker, is the control of the maintenance of the school, provided the work carried out has the approval of the secretary of the department. The terms of reference and draft regulations and guidelines have all been widely circulated at the workshops of which I spoke earlier. I propose to table guidelines for the functions of councils, in the Assembly in November, at which time it is the intention to process this bill further.

It is the view of the government that the new sections of the act would operate by the beginning of the school year. The terms of reference for guidelines are contained in clause 71(j) and cover a number of points directly relating to the functions of a council.

Mr Speaker, I feel that it is very important that school councils are made aware of the scope of their powers and of the fine line that will exist between their control over the affairs and activities of the school and the transgression into the proper role of the schools' teachers. Under the functions of councils, members may, nonetheless, advise the principal and the Secretary of the Department of Education on a wide range of professional issues. Guidelines will also prohibit, except with the approval of the secretary, or the unanimous agreement of the full council, a council member being financially involved in works or services carried out at the school for which the school council has been established.

Mr Speaker, that was a last minute thought entered into the bill to allow for such situations as Henbury Avenue where, quite obviously, the school council itself, in conjunction with the children, is proposing to take on school grounds maintenance. I can think of nothing more sensible.

Clause 71(k) lists the conditions under which the minister may abolish a school council. Mr Speaker, these provisions are obviously necessary and

are straightforward. We have taken this opportunity of using this amendment to clear up an entirely separate section of the Education Act, one of those anomalies lingering from the days of transition from self-government. The amendment to section 58 of the act concerns a minor disparity between the rules in the Interpretation Act and the Darwin Community College section of the principal act. It has been inserted on legal advice to remove any possible confusion as to the manner by which rules shall be made. Mr Speaker, these subsections are unnecessary and have been omitted by clause 63 of the bill as the Interpretation Act already governs the manner in which rules in any act may be made or notified.

I commend the bill.

Debate adjourned.

PLACES OF PUBLIC ENTERTAINMENT AMENDMENT BILL (Serial 245)

Bill presented and read a first time.

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

Honourable members will be aware of the concern expressed recently by many members of the community about the siting of an amusement centre in Wagaman and the possible ill effects on schoolchildren. The government has also from time to time received complaints about noise and behaviour of patrons from people living in the vicinity of amusement centres. I do not take the view that pinball parlours or amusement centres are necessarily inducements to theft or anti-social behaviour on the part of young people. Well-run establishments provide reasonable entertainment that requires a good deal of skill from participants. However, the government accepts the need to protect the health and safety of patrons and to protect neighbours from the inconvenience of excessive noise and other nuisances.

The Places of Public Entertainment Act which, by virtue of the Local Government Act, is administered by councils within municipalities requires the proprietors of places where public entertainment is held to satisfy health and safety authorities in order to obtain a licence. The purpose of this bill is to amend that act to ensure that it applies to amusement centres, to enlarge the range of conditions that will be placed upon a licence and to increase fees and penalties most of which were set in 1949.

The bill allows for greater discretion on the part of the licensing authority in issuing licences and granting conditions while specifically mentioning conditions relating to noise, lighting and behaviour of patrons. Increased controls are added including the powers to vary, cancel or refuse renewal of a licence. The police or authorised officers will be permitted to close any premises where patrons or public are at risk pending the consideration by the minister or council. In all of these circumstances, however, the proprietor may appeal to the minister or council and receive reasons in writing.

One further provision removes the duplication of both inspection and licensing which has occurred since the commencement of the Liquor Act. That act provides for conditions relating to entertainment to be applied to liquor licences following advice from the fire and health authorities. This being the case, the government considers that it is no longer necessary for an entertainment licence to be held in addition to a liquor licence in respect

of licensed premises. Nonetheless, I accept the continuing interest of councils in such places of entertainment within their municipality.

The Minister for Health has agreed that the Liquor Commission will continue the practice of referring all applications for liquor licences within municipalities to the local councils for comment and advice. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

TRAFFIC AMENDMENT BILL (Serial 239)

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.

Mr Speaker, this bill seeks to amend the Traffic Act and increase the penalty for dangerous driving. At present, the penalty for dangerous driving in the Territory is a fine to a maximum of \$200 or imprisonment for up to 6 months. As well, the court must suspend the offender's licence, in the case of a first offence, for 3 months or such longer period as the court thinks fit and, in the case of a second or subsequent offence, for 12 months or such longer period as the court thinks fit. The penalty for this offence has not been increased since 1949 when the Traffic Ordinance was first enacted.

In 1949 the automotive industry in this country was in its infancy. In that year, the first commercially viable Australian car, the Holden, was produced. There were comparatively few road-users. But even in 1949 dangerous driving must have been considered a serious offence because a conviction for the offence attracted a penalty of up to \$100 or imprisonment up to 6 months. In 1982 dangerous driving is still considered to be a serious offence though at the moment the penalty does not reflect that.

In the past 12 months, of 222 persons charged with the offence of driving in a manner dangerous to the public, 170 were convicted. That means that, given the Treasury estimate of the number of persons in the Territory as at 30 June 1982, 1 person in every 752.3 was convicted of dangerous driving in the past 12 months. I put to honourable members, Mr Speaker, that perhaps 1 reason for this number of charges and convictions is that the penalty at present is not such that it will deter prospective offenders from driving in a manner dangerous to the public. I suggest that a person is less likely to drive dangerously if he or she is aware that he or she may be liable to a fine of up to \$2000 or a term of imprisonment of up to 2 years, or both, as well as suspension of licence for, at the very least, 3 months.

This government is of the view that the penalty for dangerous driving should be increased, not only because it has not been increased since the inception of the ordinance and not just to achieve parity with the rest of the Commonwealth but more particularly to deter road users from driving in a manner dangerous to the public. I commend the bill to honourable members.

Debate adjourned.

SUPERANNUATION BILL (Serial 164)

Continued from 26 November 1981.

Mr EVERINGHAM (Chief Minister): Mr Speaker, in view of the fact that I introduced a subsequent Superannuation Bill yesterday, I ask the leave of the Assembly to withdraw this bill.

Leave granted; bill withdrawn.

CONTROL OF ROADS AMENDMENT BILL
(Serial 217)

MOTOR VEHICLES AMENDMENT BILL
(Serial 218)

Continued from 2 June 1982.

Mr SMITH (Millner): Mr Speaker, I will speak very briefly on this as the opposition supports the amendments proposed by the honourable minister. The purpose behind these 2 bills is admirable and it is the first movement towards uniform transport legislation in Australia. As I understand it, these amendments have been put forward after extensive discussions with the industry both on an Australia-wide basis and a Territory basis, and the transport industry has indicated its complete satisfaction with the contents of the bills.

Mr Speaker, one of the interesting aspects is the power of inspectors to order vehicles up to 30 km for an inspection at a weighbridge. The opposition supports this. I think that it is an important part in the proper development of road management in the Northern Territory. I was also surprised to hear from responsible people in the road transport industry that they would support compulsory weighbridge inspections for heavy vehicles. Since it does have the support of responsible people in the transport industry, it is certainly something that both the government and the opposition could look at. I understand that there would be cost implications in establishing new weighbridges and certainly in manning existing and new weighbridges but it does seem to me that it could be a logical extension of what is proposed in this bill. As I said, the opposition supports the bills.

Mr DONDAS (Transport and Works): Mr Speaker, I thank the honourable member for his contribution supporting the legislation. However, there are several small amendments I consider necessary to ensure clarity and consistency of some definitions. The amendments also strengthen the bill to prevent the entrance to the Territory of vehicles which do not conform to our standards. Also, vehicles operating in the Territory will be required to be registered here. The bill will also widen powers of the minister in relation to altering maximum loads.

Motion agreed to; bills read a second time.

In committee:

Control of Roads Amendment Bill (Serial 217):

Clauses 1 to 5 agreed to.

Clause 6:

Mr DONDAS: I move amendment 125.1.

It relates to substituting section 59 for section 61 in clause 6(4). Some sections of an earlier draft have been omitted and the sections have been renumbered.

Amendment agreed to.

Clause 6, as amended, agreed to.

Title agreed to.

Motor Vehicles Amendment Bill (Serial 218):

Clauses 1 to 3 agreed to.

Clause 4:

Mr DONDAS: I move amendments 124.1, 124.2, 124.3 and 124.4.

These amendments relate to definitions.

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mr DONDAS: I move amendment 124.5.

This is to include in the definition of 'non-conforming vehicles' after 'registered' the words 'in the Territory'. This is necessary to ensure the Territory does not become a dumping ground for interstate vehicles. The amendment has the support of the Northern Territory Road Transport Association.

Amendment agreed to.

Mr DONDAS: I move amendment 124.6.

This amendment is to substitute section 57 for section 59. This is necessary as some sections of an earlier draft were deleted and the sections were renumbered.

Amendment agreed to.

Mr DONDAS: I move amendment 124.7.

This amendment would omit from proposed subparagraphs 53 (e) (i), (ii), and (iii) 'centre' and substitute 'centres'. The purpose of this is to amend new section 55 and clarify the relationship to new section 54 to allow triple-bottoms - that is, an articulated vehicle and 2 trailers against present articulated vehicle plus trailer - and there is a penalty increase.

Amendment agreed to.

Mr DONDAS: I move amendment 124.8.

This amendment inserts the words 'the centres of' after the word 'between'.

Amendment agreed to.

Mr DONDAS: I move amendment 124.9.

This omits from proposed section 57(1) all words from, and including 'where no' to and including 'of trailers' and substitutes 'The Minister may, by notice in the gazette, specify maximum mass, maximum axle, wheel or tyre loads, maximum tyre pressures, maximum speeds or maximum numbers of trailers, in place of those fixed under the part VA or the Standards'.

The new sections are included to try to clarify the relationship with section 54, and to allow triple-bottoms.

Amendment agreed to.

Clause 6, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

LOCAL GOVERNMENT AMENDMENT BILL (Serial 215)

Continued from 2 June 1982.

Mr SMITH: (Millner) Mr Speaker, this bill proposes to do 4 things. Firstly, it proposes to provide for each council the right to set its own maximum level of fees for aldermen. Secondly, it will make hours of polling consistent with hours of polling for the Legislative Assembly elections; that is, from 8 am to 6 pm. Thirdly, it will give the returning officer for council elections the power to adjourn the scrutineer's account. Fourthly, it will enable councils to fix the methods of payment of local rates in accordance with regulations prescribed from time to time.

Mr Speaker, I must say that the minister in his second-reading speech in support of the argument of allowing councils to set their own fees for aldermen probably misled the House when he said that it was a recommendation of the Remuneration Tribunal that that power be given to councils. A closer reading of the Remuneration Tribunal Report of 1981 would show that that was not in fact the recommendation. The tribunal recommended that the act be altered to give it greater guidance when the Remuneration Tribunal considered requests from councils to raise aldermanic fees. Despite that, the opposition does support the rights of councils to set their own maximum levels of fees because we think it is part of the growing up of local government. However, we hope that the government will allow local councils, if they so wish, continued access to the Remuneration Tribunal. It is a difficult area but it does from time to time arouse some public interest. A council may desire to take a matter to the Remuneration Tribunal rather than set the rate itself. I would ask the minister to comment in his response on whether that would be the government's intention.

The other minor reservation that I have is that, as I understand it, the bill does not allow the councils to move on this matter until the first meeting of the council in the 1983-84 financial year. I think that is a little unfortunate. Some thought should have been given to putting in an interim provision that would have allowed councils to consider the matter at this stage.

On the question of polling hours, the bill has my wholehearted support. I can still vividly remember the Millner by-election when a large number of people turned up at 6.10 pm, all expressing their desire to vote for me, and were told it was too late. The confusion in people's minds arose because

House of Representatives and local government polls close at 8.00 pm and a number of people, despite the good publicity given to the fact by the Electoral Office in the Millner by-election, thought that that applied in that election. The sooner we can have consistency on all elections at all levels of government on this matter the better.

The power of the Electoral Officer to adjourn the count if necessary is sensible and requires no comment. The opposition also supports the fixing of the local rate and the means of levying the local rate. It is just another example of the need for a thorough review of the rating system of local government. The minister in his brief appearance at the first Local Government Association Conference in Katherine indicated that the government was proposing a thorough review of the rating system and that that had the highest priority in terms of a review of the Local Government Act. Certainly, I would wholeheartedly support that. We cannot go on making ad hoc changes to the act as a result of situations requiring changes in the present rating provisions. On a more general level, the Local Government Act does need a complete review and certainly the government would have our support in proceeding with that as quickly as possible. With those comments, the opposition supports the bill.

Mr HARRIS (Port Darwin): Mr Speaker, out of the 3 tiers of government that are presently in operation in Australia today - the Commonwealth, the state or territory government and local government - the form of government that is experiencing a degree of confusion at present is local government. I am not referring specifically to Darwin City Council even though I do know that it does have its moments. Right throughout Australia, in the local government area, there is a degree of confusion as to what the functions and roles of local government are in any particular area.

Most members are aware of the growing trend of moving away from the traditional areas of local government to cater more for all people living in an area and not just those who own property. This trend leads to various reforms in local government, particularly in electoral provisions that operate local government throughout Australia - changes to the franchise, the electoral unit and the method of voting. It is interesting to note that the Northern Territory is leading the way in respect of reforms in local government, not only in electoral provisions but also in other initiatives. For example, the Northern Territory and Queensland are the only 2 areas that have full adult franchise in local government elections. Many of the other states still base their franchise on property. Some years ago, people who owned property in Fannie Bay and Nightcliff could vote in both those wards.

Apart from Queensland and some parts of New South Wales, the Territory is the only area which has compulsory voting in local government elections. In most other areas, you will find that there is a system of voluntary voting and there are tremendous problems attached to this. Some of the turnouts at those elections are as low as 5%. Where voluntary voting is the norm, the attendance rate is 5% to 30%. Where there is compulsory voting, the attendance rate is 60% to 85%.

I do not mind being the pace-setter in these areas. I let my hair grow a little longer these days than I did a few years ago. However, we must ensure that we examine carefully these reforms and note the implications they will have for the rest of the community. We are changing from traditional areas to tradition-based areas and we are changing systems that have been with us for many years. Local government is a conservative area and this is borne out by the fact that, whilst many councils in other states are discussing reforms, they are not making the moves that we have made in the Northern Territory.

There are reasons for this, Mr Speaker. As one moves from the property-based franchise to full adult franchise and from a voluntary voting system a compulsory voting system, a number of questions demand answers. One of the issues is party politics in local government. This is an issue that has been debated in the Territory in recent times. A number of letters have been received about party political involvement in local government. At present, right throughout Australia, people have a feeling that open party politics should not be involved in local government.

The problem is that the arguments to support those feelings are not all that strong. Every change that is being made is towards a franchise and voting system similar to that for this Assembly. Right throughout Australia, we are moving towards a compulsory voting system and this will lead to some form of open party involvement in local government. There has always been party politics in local government. I am sure we are all aware of that.

I stood as an independent member for the city council in 1975 and people related me to the Country Liberal Party. I had not even joined the Country Liberal Party. I am very pleased that people did relate me to the Country Liberal Party. One of the aldermen at the present time, Alderman Pat Bourke, is quite openly a member of the Labor Party. The independent member for Nightcliff has many people who associate her with the Australian Labor Party. In small areas this does not really matter because people know the philosophy that you follow. In some wards in the Territory now we have up to 10 000 people and there is a need to identify in some way with the philosophy that you follow. Every move we are making is in that direction at present. These questions need to be debated. That is one of the reasons why other local governments are not moving in the way that we are in the Northern Territory.

We are also leading the way in the matter of remuneration. The council has the right to set the fees for the aldermen. It is interesting to note that, apart from Queensland, where there is some form of salary structure for aldermen, most other councils are against receiving any remuneration whatsoever for the services they render. They look to performing their job on an honorary basis. In 1979, I was very fortunate in being able to attend a number of public hearings of an inquiry into local government prospects for the future. I attended the hearings in South Australia and the Northern Territory. In South Australia, it was very clear that all of the aldermen and councillors who attended those seminars - and 20% of all of the local government authorities in Australia attended those seminars - did not want to receive any remuneration for their services. Even after arguments such as we have debated here in the Assembly - that, without a reasonable remuneration, you will not get candidates of calibre standing for those particular positions - they still did not want any form of remuneration whatsoever. But I agree with the member for Millner. I think that aldermen should be remunerated. They should set the fees because they know exactly how many hours are involved with committee work etc and they are also answerable to the public.

I also see provision for the council to set the Mayor's allowance. Again, I do not have any argument with that principle. The council should be responsible for that. But I would like to make general comment about the election of the Mayor. It is quite clear that the provision for having a separate election for the Mayor needs to be reviewed. In most places that I have visited in other states, the Mayor is the chairman of the meeting and, in most cases, is elected from within his council. There is not a separate election for the position of Mayor. It is only in Queensland, parts of New South Wales, some other Australian cities and the Northern Territory that the Mayor does in fact have a position of importance in the community. In

most other places he is the chairman of a meeting. I am not suggesting that we lower the status of the Mayor. It is important that Mayors hold a high position within their respective communities. But I do believe that the position of the Mayor should be filled and voted on from within the members of the council itself.

One of the things I noticed when I was cross-referencing the amendments to the Local Government Act was that the electoral provisions were scattered right throughout the act. I believe that it would have made more sense to have the electoral provisions of the Local Government Act placed in the one section. I picked up a number of amendments - which I see circulating - relating to the change to Legislative Assembly polling times and also the period of time to produce information, which were overlooked. They have been changed.

I also noted that the new section relating to postponement of account was not consistent with the Electoral Act. The Electoral Act itself does make provision for postponing the account. I agree with that. But you will find the procedure in relation to the postponement is carried out administratively. I cannot see why similar provisions cannot apply in the local government area. We are trying to be consistent with the act and bring the local government electoral provisions in line with our Electoral Act. Perhaps the minister will make further comment on that in his reply.

The only other amendment to the Local Government Act relates to the local rate. It will enable those people who will eventually be contributing or paying a levy in relation to the car-park to make a lump sum payment, which would be discounted. I do not wish to rehash the car-parking saga. I believe that it has been a long and sad affair. The council has carried out the necessary consultation with the people about the car-park. It is just unfortunate that the procedure in the last 6 months has caused a backward move in the whole car-park issue. The amendment that we have before us is in line with most people's wishes to have an opportunity to either pay a lump sum at a discounted rate or to pay over a period of time.

In conclusion, I would like to say once again that local governments throughout Australia are in a confused state. They are not sure what their function is in a particular community. When this inquiry has been carried out by the Advisory Council into Government Relations, all 3 tiers of government should get together and look at the role of local government in particular communities. It is very important in this development stage of the Northern Territory that the governments work together. If there is no cooperation and consultation between the 3 tiers of government, then the people who will be affected will be the people in the street. I think it is very important that the results of that inquiry are made public and that all governments get together and examine just where they are at. I support the bill.

Mr ROBERTSON (Community Development): Mr Speaker, there is not a lot to add. I note the comments of the honourable member for Milner in respect of what he claimed to be a misleading of the Assembly. If that is the case, it certainly was not by any intention on my part. I do recall at that time that there was no mention of the Remuneration Tribunal in the original draft of the second-reading speech. I added it purely from memory. Perhaps my memory was not as good as it might have been on that particular occasion.

Mr Speaker, the significant point raised in debate is that which relates to access to the tribunal by local government authorities. This proposed legislation has been available to local government authorities since May this year and they have not expressed a view to me that they would like to have

available to them access to the tribunal. Nonetheless, I understand that a number of aldermen have indicated to the Chief Minister and others that the continuation of that system would be desirable. I am currently having the matter researched and I would be prepared to move that the committee stage be later taken in order that the matter might be examined in the time available to us this afternoon.

Mr Speaker, it would have been handy if the opposition had drawn this matter to our attention earlier or, alternatively, prepared its own amendment schedule. Nonetheless, we will examine the matter. I would not propose delaying the legislation beyond this sitting day because of the very important implications in relation to the car-parking financial arrangements. If we cannot amend the act to allow access to the tribunal, then I will undertake to do so at a later time.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

LANDS ACQUISITION (PASTORAL LEASES) BILL
(Serial 231)

Continued from 18 August 1982.

Mr SMITH (Millner): Mr Speaker, the opposition in the debate on the Lands Acquisition Amendment Bill before the Assembly on 1 June made very clear its position in regard to the powers of government in acquiring land for what we still believe are public purposes, even though the words 'public purposes', as a result of that debate, have been taken out of the bill. We have no reservations at all about the powers of government to move in that area. Our approach to this bill is guided by the overwhelming philosophy we have arising out of section 51 of the Australian Constitution. There is no doubt that governments have that power.

However, it must be said that we have some reservations about the government having reached the stage where it needs to put up an amendment to validate an action that it has already taken. I disagree strongly with the Minister for Lands and Housing in his second-reading speech that the bill before us is to overcome a technical deficiency in the original action that was taken. Mr Speaker, I think it is much more serious than a technical deficiency. The question of the appropriate wording of acquisition notices has been one that has been well-raised and well-ventilated amongst various governments and at various levels of law. There are a number of famous cases which deal quite specifically with the type of notice that is given.

The one I am most familiar with is the case of *Jones v The Commonwealth* in 1965, which concerned an attempt by the Australian Broadcasting Commission to gain land by compulsory acquisition at Ripponlea in Victoria. I would like to read into the record a brief summary of that case because I think it is most relevant to the situation here. The summary of the case comes from the book called 'Compulsory Acquisition of Land in Australia' by G.L.Fricke and it deals with the procedures that the Australian Broadcasting Commission had to go through to get approval:

The original notice of authorisation stated that the land had been acquired 'for the following public purposes approved by the Governor-General' and that public purpose was the Australian Broadcasting Commission at Ripponlea, Victoria.

On behalf of the Commonwealth, it was argued that the requirement that the notice declare that the land is acquired under the act 'for the public purpose approved by the Governor-General' did not mean that the public purpose had to be expressed in the notice. Alternatively, if it did, the purpose was sufficiently indicated by the reference to the Australian Broadcasting Commission of Ripponlea, Victoria. In other words, the statement in the notice was to be treated as shorthand for the following public purpose approved by the Governor-General - the purposes of the Australian Broadcasting Commission at Ripponlea, Victoria.

Their arguments were rejected by the High Court which made it plain that the public purpose had to be expressed in the notice and that it must be plain from the notice that the land was, in fact, being acquired for a purpose. Subsequent to that, the Australian Broadcasting Commission then issued a fresh notice which declared the land was acquired under the act 'for the following public purpose approved by the Governor-General, namely, the provision of broadcasting and television studios and offices for the Australian Broadcasting Commission in accordance with the Broadcasting and Television Act 1942-62'.

Mr Speaker, that very clearly lays down quite specific guidelines for governments to follow in terms of the wording of compulsory acquisition notices. I think it inexcusable ignorance on the part of the minister and his department that that was not followed in this particular case. It certainly goes way beyond the minister's excuse that it was a technical deficiency.

Mr Perron: You mean the one you read out is not a technical deficiency?

Mr SMITH: The one that I read out, which obviously you had not come across before - and you should have - was an original deficiency which was fixed up and should have been a guide for your actions.

Mr Perron: A technical deficiency; you just read it to us.

Mrs Lawrie: Tossed out by the High Court.

Mr SPEAKER: Order! Honourable members will please direct their remarks to the Chair.

Mr SMITH: Mr Speaker, I understand that the member for Nightcliff may have a few additional remarks along these lines but suffice to say at this stage that this is only one of a number of concerns that the opposition has had with compulsory acquisitions, particularly regarding the Ooloo property. I understand, however, that settlement is close between the parties on these matters and, because of that fact, if it is a fact, the opposition does not wish to proceed with its other objections to the way the matter was handled.

Mr Speaker, with those reservations, the opposition supports this bill.

Mrs LAWRIE (Nightcliff): Not all the opposition, Mr Speaker. I think this is a disgraceful bill and the reason for its disgrace is that one has to consider that urgency is being sought for its passage through this sittings. If the bill was to stand over until the October sittings under the normal provisions of Standing Orders, the reservations which I am about to express may well be lessened or in fact no longer exist.

Mr Speaker, what the ALP opposition did not say, though perhaps it was implied, is that this bill has little to do with Mataranka or Fish River. It is, of course, concerned with the present dispute between the Northern Territory government and the lessees of Oolloo Station.

I have looked very carefully through the minister's second-reading speech and the tabled paper of 27 May, wherein his government sought to give credibility to the acquisition, and I still have serious reservations about the procedures which it has adopted.

It is significant that I am not the only person in the Territory who has these reservations. Judges of the Supreme Court have shared my concern and that is the reason why I feel it quite improper for this legislation to proceed as a matter of urgency. The Minister for Lands and Housing is well aware that there is a court case proceeding at the moment between the lessees and his government. The urgent passage of this bill will place an unfair lever on the lessees. As the member for Millner said, the matter could well be resolved to the satisfaction of all parties within the next couple of weeks.

The honourable Minister for Lands and Housing shakes his head. In his second-reading speech, he said that the procedure has already taken months and may take years to argue to a conclusion, and to delay the development of land rightfully acquired for the public purpose of agricultural development would be a bad thing. However, there have been 2 injunctions granted by the court which would lead one to believe that the case for the acquisition for the purpose of agricultural development has not yet been proven. Thus, legislation is introduced to validate what the government has done where the court has expressed reservations.

It has come to a pretty pass when Country Liberal Party, and particularly Country Party, members of this Assembly are passing legislation as a matter of urgency to filch property from people who have developed it over the years when a resolution could properly be reached in a couple of weeks as a result of court proceedings that are in train.

I have listened to the diatribe - sometimes scantily disguised as debate - in this Assembly regarding the actions of the then Minister for the Northern Territory, Kep Enderby, when he acquired compulsorily land for public purpose. The conservative government of the Northern Territory has not hesitated to heap coals upon his head albeit the acquisition was carried out some years ago. They are taking the same steps, Mr Speaker, and all in the guise of the immediate need for the release of this land for agricultural development in that area.

I asked the minister a question this morning: 'Is it not a fact that the majority of land at Oolloo Station is limestone country which is excellent for grazing and hopeless for cropping?' What did he reply? He rose in his normal, amiable, I-do-not-know manner, and said: 'I do not know'. If he does not know, what advice has he given his colleague, the Treasurer, to support the passage of this legislation to acquire Oolloo Station for agricultural development as a matter of urgency?

In looking back through the papers tabled in the Assembly, I find that even the minister himself has reservations. In the tabled paper 237 of 27 May it says:

More detailed analysis of soils and land types show that the existing soilmaps expressed as land units and based on a broad reconnaissance survey have tended in part to overestimate the amount of available arable land. Farms have reduced the available area due to the need to eliminate areas of excessive slope, stone or rock outcrop, poor drainage and the need to preserve land for solid conservation needs. A loss of arable land area between 10% and 60% has been experienced, but this may be reduced in future with the use of minimum tillage and other technology.

Because of the variation in land type, there will be considerable variation of the management of the existing farms. The Bureau of Agricultural Economics, in its inception report on the study of stage 1 development, noted that the present 3 farms constituted a sub-minimal sample, and they recommended that further farms be added to stage 1 to cover variabilities of land type and farm management.

It may come as some surprise to the honourable Minister for Primary Production that I have no quarrel with that statement. What I am seeking to establish is that further surveys should be done, particularly on Oolloo Station, to establish concisely the areas which are suitable for cropping prior to compulsory acquisition and, more particularly, to the urgent passage of this bill.

In statements we have had in this Assembly in reply to questions and in a tabled ADMA report, it appears that ADMA has become a holy cow within the ranks of the Northern Territory instrumentalities. If it says that a thing is so, so be it. In that context, may I say that I have circulated the report and the comments of ADMA to the growers who do not share the enthusiasm for this organisation expressed by the Minister for Primary Production, which is probably not known to the honourable Treasurer.

I am expressing my abhorrence that Standing Orders should be set aside to allow urgent passage of this legislation when we will be sitting again in a matter of weeks and a court case is in progress. If this legislation was stood over, I think the public disquiet over this bill would cease to exist. Secondly, my extreme concern is that proper surveys have not been undertaken by ADMA and I shall not hesitate to criticise it or the actions of its officers. Such surveys should be undertaken before the proposed acquisition of Oolloo continues. If it can be determined that, for the development of agriculture in the Northern Territory, this particular property must be acquired, I would have to agree even though I dislike compulsory acquisition. However, inquiries have convinced me that the preliminary work has not been done to an extent where this bill should proceed. Does the Minister for Lands and Housing know that there are notes on file in the Department of Lands expressing extreme reservations about the potential development of Oolloo for agricultural purposes and that these go back some years? Is the minister and the Cabinet aware that the turnoff rates for its present use have been quite good over the past few years. This year 800 head have been turned off so far by the Rixons. Last year, 700 head were turned off and there were 700 the year before. This is not an inconsiderable input into primary industry.

Cabinet members who have bothered to give any attention to this whole sorry affair will realise that the viability of the 3 farms varies extremely. It is acknowledged by all that 1 farm has a very high chance of success. The

other 2 are highly suspect. According to others - not just the Rixons but others who have lived and worked in the area for some time - this is almost surely doomed to failure.

I note also that mention was made of the 3 families who have been moved onto the property and the necessity for them to start farming. In fact, they are living in poor circumstances, and I have a great deal of sympathy for them. But if 2 farms are suspect, it may be very poor foresight on the part of the government to rush the farmers who have been brought up into an untimely development.

It is interesting too that the previous speeches on the encouragement of farming in this area would lead us to believe that the farmers selected would be able to carry out their farming of their own will and with very little assistance. That is not so, of course. The Northern Territory Development Corporation is lending these farmers large amounts of money. It could have been lent to locals. However, as a result of whatever selection process was used, money is being lent from the Northern Territory Development Corporation to these farmers to establish. If my information is correct, I wonder why ADMA suggested to those people who are in receipt of government money that, when they buy bulldozers or tractors, they get John Deere and not any other kind. Why? It is public money. Why could they not get the best quotes possible? That was not done.

The felling of timber on Oolloo has been less than orderly. It is well known to anybody who has visited the area that timber has been pulled down in excess of the amount, I understand, allowed by the court under the terms of the first injunction and that a government instrumentality could have been placed in the position of being in contempt of court. Timber which was pulled down was not finally disposed of. It has been necessary to let another contract now for people to come on and do that. The development of that area, I assure you Mr Treasurer, has not been as you would imagine.

Mr Speaker, the problem with this legislation is that it is brought forward under the Speaker's hand but primary production is the responsibility of his colleague, the member for Ludmilla, who, I believe, has not fully appraised him of what is happening in that area, and of the lack of information as yet regarding the true viability of the 2 suspect farms. One, I agree, Sir, is viable, as does everybody else.

Mr Speaker, as we sit again in October and the few weeks delay will not - as it has been put - unduly delay any cropping programs, I am asking the Treasurer to hold this legislation over in the normal manner till October to allow the present proceedings hopefully to reach some fruition between the lessees and the Northern Territory government.

Mr Speaker, I oppose this legislation at the moment because of its urgency and because I believe insufficient research has been done by the relevant government authority into the soil types and the viability of the whole area.

Mr STEELE (Primary Production): Mr Speaker, the objectives of the Agricultural Development and Marketing Authority are fairly clear and its policy is aligned to a schedule of agricultural development to provide farms in the Douglas-Daly area in line with the legislation governing the authority, which has a sunset clause to expire on 30 June 1985. It is important that the objectives of that organisation, in line with government policy and budgeting, are maintained.

We well realise the frustration associated with the securing of this pastoral holding. In fact, I indicated in 1980 that it was not the government's intention to acquire pastoral leases and certainly it was not at that time. I said at the same time: 'I will be initiating discussions with the landholders in the area to determine their attitude to the scheme and clear the way towards the use of their land'. Mr Speaker, those discussions took place, through officers, over that period and, although in the minds of some people the government was acting at some speed, as far as we were concerned at the time - and I still believe it - these were the objectives that we had to maintain.

Mr Speaker, the frustration of the family involved in this debate is very well recognised. There have been many speeches made in this place about that same area and there is quite an extensive report: the select committee report into the Land Tenure (Traditional Provisions) Bill 1965 and the Coastal Plains Development Bill 1965. Many other speeches have been made in this Assembly about agricultural development in the top end of the Northern Territory. It was recognised in all of these reports that the Douglas-Daly area was the area for agricultural development. In fact, when the adjustment was made in 1965, or whatever year it was, it was deemed that land should be separated from a pastoral lease in that area for future agricultural purposes. I would say that the family involved in this debate would have been aware precisely of the future role of that land in agricultural development. It is a shame that this matter is such a worry for them.

Mr Speaker, as far as the owners of Ooloo are concerned, the consultation took place with the Chairman of the Agricultural Development and Marketing Authority, myself and the Secretary of the Department of Lands. I understand the Chief Minister and the member for Elsey also took part in consultations.

The member for Nightcliff commented that money could have been lent to locals instead of to the farmers on the Douglas-Daly. It is true that those farmers had to meet specific criteria before they were provided with farms in the Douglas-Daly region. It is also a fact that, as far as their capital is concerned, the reason they obtained loans through the Northern Territory Development Corporation is that some of their assets are tied up in other places and cannot be released on time so that finance could be available for the purchase of machinery. But it is standard practice to borrow money in endeavours like this. The fact that finance is required for various aspects of agricultural development is mentioned right through this document.

The other aspect that she raised was the possibility of ADMA being in contempt of court. I understand that the Chairman of the Agricultural Development and Marketing Authority did go to court on a couple of occasions and he satisfied the court with the information that he provided. It is my belief that, as a result of those actions, there was no contempt of court.

Mr Speaker, I understand the concern about the validation of this legislation. It will be realised that the government has not moved away from its policy or its objectives. Those policies and objectives have been stated from time to time and remain regardless of whether this legislation is passed here today or not. I can assure you that it will be passed to satisfy other requirements. The value attaching to their land will be decided by a tribunal and this legislation will have no impact on that. It is my belief that fair and just compensation will be paid to the family. I think that they may have expected that this land would be used for future agricultural purposes.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it was interesting to listen to the contribution made to this debate by the honourable member for Nightcliff. I suggest to you, Mr Speaker, and other honourable members, that the statements made by the honourable member were about as factual as the statement she made in preamble to a question to the Minister for Primary Production yesterday in relation to reafforestation of an area at Oolloo Station. She inferred that 300 acres of Oolloo had been cleared only to be reafforested under an order of the Conservation Commission.

For a start, the honourable member for Nightcliff has never even sought to discuss this matter with the Chairman of the Agricultural Development and Marketing Authority. She has been quite content to accept the assertions of 1 party, whoever that may be, and I assume it is the former lessees of Oolloo Station. She has not sought to find out any facts. Apparently, she has accepted without reservation every statement that the former lessees of Oolloo Station have made to her.

The honourable member for Nightcliff said: 'Obviously the Agricultural Development and Marketing Authority should have been making, or should be continuing to make, soil surveys in this area'. Of course, as I said yesterday morning, the Agricultural Development and Marketing Authority is working in close consultation with the Soil Conservation Unit of the Conservation Commission, and surveys have in fact been carried out. As soon as acquisition became mooted the former lessees of Oolloo Station sought an injunction from the Supreme Court to restrain any person connected with the Agricultural Development and Marketing Authority from going onto the lease. Conditions were only attached to that injunction after a certain time which permitted Agricultural Development and Marketing Authority officials and agents to go onto parts of the lease. In those circumstances, it would be very difficult to carry out a soil survey, had it been necessary. But in fact, it was not. No doubt the honourable member for Nightcliff really does not mind what is said so long as she can make a bit of a stir. Any sort of connection with the real facts of the matter will be purely coincidental as far as she is concerned.

Mr Speaker, we were told too that, this year, the former lessees of the pastoral property turned off, I think, 800 head of cattle, and last year they turned off 700 head of cattle. In fact, that is also a misrepresentation. I do not know, Mr Speaker, whether it is a deliberate misleading of this Assembly but the honourable member for Nightcliff did not advise you, Sir, that there are about 5000 head of cattle in total on the agricultural lease and an occupation licence across the river, and 1000 head of cattle running on the pastoral lease. The maximum estimate of the number of cattle running on the pastoral lease is 1400. The total of 5000, of course, relates to a much larger area and the turn-off therefore obviously came from both areas because, if the turn-off had come from the pastoral lease, it would have completely cleared that lease of the absolute maximum number of cattle that it would have carried.

The acquisition of Oolloo was carefully discussed in Cabinet. After we had discussions with the Secretary of the Department of Lands and the Chairman of the Agricultural Development and Marketing Authority, and after we inspected maps and other documents, we agreed that the only logical extension of the present area being developed by ADMA in the Douglas-Daly area at the present time was to go in the direction of Oolloo Station. It is not proposed simply to have 3 project farms on that area. I understand that it is proposed to have a total of at least 5 project farms. Although some parts of the farms will not be arable, the approximate area of each farm will be in the order of 5000 to 8000 ha and no residual areas will be left after the subdivision.

To get back to the negotiations, Cabinet's first request was that the Chairman of ADMA and the Secretary of the Department of Lands go personally to see the Rixons to discuss the matter of purchase of their property with them. This met with no success. They were turned away by the owners, as is the right of the owners. Consequent on that, Cabinet decided that the Minister for Primary Production should then go to discuss the matter with them. He, of course, took officials with him and they too were turned away. Then, Sir, you and I went down. I think we took some officials with us but you and I certainly went together to talk to the Rixons. We had as much luck talking to them as anyone else. The simple fact of the matter is that, whilst the other people whose leases had been acquired - the lessees of Tipperary and Mataranka - accepted the fact that the acquisition had to go through for purposes of agricultural development, unfortunately Mr and Mrs Rixon do not accept the fact of acquisition at all. They want to fight to the very last ditch against acquisition. That is their right as citizens of this country. Unfortunately, in the preparation of the document that the Minister for Lands and Housing tabled in this Assembly, the lawyers abridged the wording of the purpose for which the land was to be acquired. They inserted 2 words which, to you and I, Sir, quite plainly set out the reasons for which we want to acquire land but which, unfortunately, to courts are not sufficient.

I must confess that I really watched this whole exercise pretty closely and I sought assurances and so on that everything was in order. Unfortunately, everything was not in order or, at least, there is a possibility that everything may not be in order. Mr and Mrs Rixon are not seeking compensation; they are seeking to overturn the acquisition. This is what this particular piece of legislation is about. It is to put beyond doubt the validity of the acquisition not only of Oolloo but, of course, of Fish River and Mataranka as well because all 3 were acquired under the same instrument. If the owners of Oolloo could overturn the acquisition, then it may be that the former owners of Fish River and Mataranka might try to do so also.

Mr Speaker, we looked at this whole question of expansion of the agricultural scheme from where it is now in the Douglas-Daly. It appeared to us inevitable that it had to expand in the direction of Oolloo. That seemed to us to be the only realistic, logical course. Thereafter, I believe it will expand in the direction of the Fish River Pastoral Lease. It would certainly be handy, and we are talking to the Northern Land Council, if we could also have access to suitable land across the Daly River presently held under an occupation licence by the owners of Oolloo for agricultural purposes. We hope some arrangement may be able to be made in respect of that area with the Northern Land Council. The future will tell us whether that can be done or not.

The Legislative Assembly must make a decision. It is a hard decision. It is really whether we want agriculture to go ahead or not. We want agriculture to go ahead. As I have said to members of pastoral organisations, it is inevitable that we are going to have to take land from pastoralists. Some pastoralists will be hurt. I recognise that Mr and Mrs Rixon are being hurt. I recognise that Mr and Mrs Rixon are battlers who have not only battled away on that land but they have suffered previous reverses as a result of government action because, in Commonwealth days, they were recipients of one of these mini-pastoral leases. They previously had a much larger area; they agreed to surrender it and accept a smaller area. That sort of thing did not work out and Mr and Mrs Rixon have therefore suffered twice at the hands of government. I recognise that.

My approach, Sir - and you were with me - to Mr and Mrs Rixon was: 'You tell us what you consider to be reasonable financial compensation within reason and we will attempt to find it for you'. Unfortunately, Mr and Mrs Rixon had a deep attachment to their property. I accept that. I am sympathetic to them. The government is loath to be taking this action. Nevertheless, we believe that our policy of agricultural development in the Territory is a right one and their property is logically the next one to be developed. That is what we are attempting to secure by the passage of this legislation.

Mr PERRON (Lands and Housing): Mr Speaker, the Chief Minister has certainly covered most of the points raised in the debate. I will just touch on a couple that the honourable member for Nightcliff raised. She said that, if urgency was not moved in this debate today - which I will be moving for shortly - then the matter may well be satisfactorily resolved between the parties or through the courts. I doubt that. The former owners are in fact considerably aggrieved by the action of acquisition and not by any settlement proposals, subdivision of the property or whatever. That being the case, I cannot see a resolution being achieved in weeks or even years.

The Chief Minister has outlined the steps the government has taken prior to compulsory acquisition to try and achieve resolution on this matter. Normally when governments move to acquire land, a certified or registered notice arrives saying that, from X date, the property belongs to the Crown and the owners can contact the government to talk about acquisition. In this case, that did not happen. A number of contacts were made, culminating in a visit by a minister of the Northern Territory government who, being a long-time Territorian, knew the people concerned. He discussed the matter with them without resolution. Following that, the Chief Minister of the Northern Territory, who also knows the people down there, made a visit.

The honourable member for Nightcliff makes an exclamation and might be saying that it was all a waste of time because the visit did not achieve its desired end. It certainly did not. The sole point that I am making is not that my 2 colleagues are earth-shattering negotiators but that the former lessees were paid the courtesy of having sincere and genuine attempts made by the most senior members in this government to try and find a resolution to this matter before we resorted to compulsory acquisition. I would like any member to find for me an example in this country of compulsory acquisition where such levels of government have been involved prior to the issue of formal acquisition notices. If the honourable members opposite merely think that my remarks are worth only simple mirth, then so be it. They have missed my point and I feel sorry for them.

Mr Speaker, the honourable member for Nightcliff said that quite a lot, indeed all of the land, may be useless for agriculture. Experience has shown that from 10% to 60% of land has proven to be useless for agricultural purposes. I understand that earlier contact with the former owners was on the basis that the government did not need the entire parcel of land because there probably are extensive limestone areas which are inadequate for agriculture. We have never claimed otherwise. However, a compulsory acquisition of the arable areas only would make the property look like a Swiss cheese. The former owners would be left with the remnants of a pastoral property. Mr Speaker, you would know that better than I. Therefore, the government decided to move, as a responsible government would, to acquire the whole of the land and subsequently to settle the matter of compensation.

The honourable member for Nightcliff tells us that notes on files at the Lands Department indicate that Oolloo may not be viable agricultural land. Well, Mr Speaker, if we were to take notice of and run government today on the ancient notes on file in the Lands Department, we would probably be as the

Territory has been for the last 100-odd years - fairly well stagnant, particularly in regard to agricultural matters. One could forgive us for not taking too much notice of old notes about the agricultural potential of the Northern Territory on Lands Department files. No doubt its advice was sought in the days of Humpty Doo, Tipperary and Willeroo. Look at them.

The honourable member also said that good money had been lent by the Northern Territory Development Corporation to the farmers who had been selected for those farms that have been settled. She said that perhaps money should be lent to local farmers. Mr Speaker, money has been lent to local farmers on and off by this government and I think by the Commonwealth government for a long time. I find it interesting that - and I am certainly a layman in this field - the most successful farmers in the Northern Territory have been those who have not sought money from the Northern Territory or the Commonwealth governments. They have done the job themselves with their own resources.

The last point that the honourable member for Nightcliff made, not that any of it had a great deal of substance, was that the viability of the farms in question was greatly suspect - someone had told her they were greatly suspect. Mr Speaker, the government has access to various experts for advice, including those people in the Agricultural Development and Marketing Authority, and is using it. No doubt she has access to experts as well who obviously have a different view. She stood up in this Assembly and said that her unnamed expert is obviously better than the advice government receives. I am afraid that we cannot accept that. I also note with considerable interest that the will-o-the-wisp, the honourable member for Victoria River, in whose electorate this sits fairly in the middle, has not chosen to speak on this matter.

Motion agreed to; bill read a second time.

Mr PERRON (Lands and Housing) (by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the passage of this bill through all stages during this sittings.

Motion agreed to.

Mr PERRON (Lands) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

LOCAL GOVERNMENT AMENDMENT BILL (Serial 215)

Continued from page 2877.

In committee:

Clauses 1 to 6:

Mr ROBERTSON: Mr Chairman, I have sought the advice from the draftsman in response to the query from the member for Millner. It would appear from my advice that section 10 of the Remuneration Tribunal Act would allow the continuation of reference by town or city corporation to the Remuneration Tribunal. The request would probably be made to me and it would ultimately be the responsibility of the Attorney-General to have His Honour the Administrator declare councils as classes of persons. The tribunal would then be empowered to make a recommendation back to the council for its consideration.

The councils would then determine salaries and allowances based on that advice or ignore that advice if they so wish.

Clauses 1 to 6 agreed to.

Clause 7:

Mr ROBERTSON: Mr Chairman, I invite defeat of Clause 7.

This is for reasons which will become obvious later.

Clause 7 negatived.

New clauses 6A and 7:

Mr ROBERTSON: I move amendment 127.1.

This will insert 2 new clauses to bring into line the provisions of the principal act with the provisions of the Northern Territory (Self-Government) Act.

New clause 6A and 7 agreed to.

Clauses 8 to 10 agreed to.

Clause 11 negatived.

New clauses 11, 11A and 11B:

Mr ROBERTSON: I move amendment 127.2.

This is to make it clear that the matter relates to rates and it is therefore up to a business to deduct it from taxation.

New clauses 11, 11A and 11B agreed to.

New clause.

Mr SMITH: I move amendment 117.1.

This amendment will remove section 371 of the principal act. It reads: 'A person who is a candidate for election shall not (a) solicit an elector on polling day or (b) attend a meeting of electors on polling day before the close of voting. I think that it an outmoded provision. Taken literally, it would stop a candidate for election talking to his campaign helpers on the day of the election. It could possibly stop he or she from talking to his or her spouse on the day of an election about the actual election. I would advocate its removal because it is another way in which the electoral provisions at local government level and Territory government can be brought into line. There is no such provision in relation to elections for this Assembly.

New clause agreed to.

Bill passed remaining stages without debate.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly, at its rising, adjourn until 10 am on Tuesday 12 October 1982 or such other time

and date as set by Mr Speaker under sessional order.

Motion agreed to.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that this Assembly do now adjourn.

Mrs O'NEIL (Fannie Bay): Mr Speaker, 2 or 3 days ago in this Assembly, the member for Nightcliff praised the efforts of Northern Territory school-children in the field of music. I have mentioned in the past in this Assembly the increasing involvement of the Northern Territory Education Department in musical education and the excellent results that are being achieved. I have listened to many examples of that excellence with much pleasure.

Quite recently Northern Territory schoolchildren used those musical talents to help other children in greater need than they - the children in Lebanon - and I believe they should be thanked for their efforts on that occasion. During the time of the most severe fighting in Lebanon, the UNICEF committee of the Northern Territory received a suggestion from its national organisation that some effort might be made to raise money for the relief of mothers and children in Lebanon who were innocent victims of the fighting. As a result, the UNICEF committee, of which I am the honorary treasurer, organised a lunchtime concert in the Smith Street Mall at which the children from Darwin schools played for the pleasure of people passing by. In less than 2 hours, those children, through their very enthusiastic efforts, raised over \$600.

As treasurer, I was very pleased about that amount of money. Like the honourable member for Nightcliff who was there also, I was struck by the enthusiasm of the children and their earnest desire to help children in a distant country, who were suffering grievously as a result of war. Their efforts resulted in the raising of that money. As a result of subsequent publicity arising from that occasion, the UNICEF committee received from people throughout the Territory over \$1200 which has been forwarded to the national committee and will be used for the relief of the people of Lebanon.

At that time, the fighting was fairly severe. The United Nations Children's Fund at that time had a \$5m 90-day relief operation in action in Lebanon which was directed mainly towards maintaining water supplies for the people there. There is no need to remind Territorians of how crucial the supply of clean water is to populations. Other emergency activities, such as the distribution of food, medicines, blankets and generating equipment, also took place.

Fortunately, Mr Speaker, the fighting has ceased and consequently the publicity has nearly ceased. When the fighting stops, the journalists go away. The particular concern of the United Nations Children's Fund, the needs of the children, remain very critical. They live in a destroyed city, in a nearly destroyed country, and much work needs to be done in order to make life bearable for them again. Consequently, the United Nations Children's Fund has organised a \$60m program, of which \$28m remains to be raised, for relief work in Lebanon. I thought it would be interesting for the people who generously donated money, not only through UNICEF but perhaps through other organisations such as the Red Cross, to know that this was happening. For the attention of honourable members and perhaps for the interest of people who have contributed, I would like to draw to their attention the words of the UNICEF Executive Director, Mr Grant, at the time of the launching of this appeal:

We have assembled here today to see how we can help people in distress, through no fault of their own, who are truly innocent victims of forces beyond their control. The challenge now is how do we move from concern to action. UNICEF has tried to do its part through a concrete program that is now before you. This is a program that has been put together through detailed surveys on the ground, frequently under hazardous conditions. It certainly has involved, when I was in Lebanon watching the people doing it, 7 days a week work under difficult conditions.

There is machinery on the ground in Lebanon to implement most of what is before you. So it is not a question that, if the money is made available, something will happen in 6 months, 12 months or 18 months from now. The contributions that come in will contribute to getting schools open again this Fall, getting health clinics and hospitals open in the days and weeks immediately ahead.

I realise that \$28m is not an unsubstantial amount, but I would like to stress to the government and private entities here that this \$28m is less than the cost of the amount of ammunition spent in one day of intensive fighting in Lebanon. Can the world community, with all its channels and its great sense of concern, mobilise the equivalent of what is spent in one day to shoot at the people and their facilities. \$28m is less than the cost of one advanced fighter plane. Can the countries of the world in the next month pool together enough resources from all of these governments to allow this effort to proceed at a level of the cost of less than one advanced fighter plane?

Finally, this \$28m represents about the amount of money that was spent in 4 hours in western Europe, that is spent in the United States in 4 hours for alcoholic purposes. I would hope that all of us would go back to our governments with the sense that this is something that we really have to be able to respond to, and to do sooner rather than later, and this is important not only because of the urgency of getting these actual projects under way but I do think that they would represent a message from the world communities to the Lebanese people, who have been caught in this terrible cross-fire, that the world community really does care.

On behalf of the UNICEF, I would like to thank the people of the Northern Territory and, particularly, the children of the Northern Territory who made that effort and who showed the children of Lebanon - a long way across the world - that they really do care.

Mr HARRIS (Port Darwin): I would like to touch on 3 points in the adjournment debate today. The first is an issue raised by the member for Nightcliff last week and it relates to pedestrian crossings. I agree with her that there is a need to look very closely at school crossings at the present time. There is a great deal of confusion. In fact, I have been approached by a number of my constituents about flags being left out on weekends. They asked me whether or not the crossing is still constituted

when school is out. This proves that there is confusion and it is an area that needs to be looked at very carefully.

My major concern is to do with certain other pedestrian crossings in the Stuart Park area: the crossings between the Salonika crossing and the Daly Street Bridge. A number of my constituents in the Gardens Hill area shop in Stuart Park. It is a grim state of affairs, Mr Speaker, when parents are actually telling their children not to go on pedestrian crossings because they are likely to be hit by a car. I must agree that I treat pedestrian crossings with a great deal of respect but I do not like using them myself. In most cases, it is better to trust your luck on the track, if I can say that, and negotiate with the traffic that is moving along the Stuart Highway. At least then you rely on your own skill and not the reflexes of some other person.

It is a very serious matter in that area. There have been 22 accidents in the last 3 years and it did not seem to matter whether those pedestrian crossings had traffic lights on them, flashing lights or no lights at all. Each crossing has had a similar number of accidents on it. To give an example, at the pedestrian crossing that is controlled by traffic lights, there were 8 accidents involving motor vehicles; at the one controlled by amber flashing lights, there were 6 accidents; and at the crossing that was not controlled by lights at all, 8 accidents involving motor vehicles occurred.

So there have been a number of accidents on those crossings and I believe that there will be more unless we take a fresh look at this whole issue of pedestrian crossings. I would like the Department of Transport and Works and the Road Safety Council to look into the issue of pedestrian crossings generally, including school crossings. If something is not done, there will be people killed or injured on those pedestrian crossings on our busy streets and arterial roads.

Whilst on that subject, Mr Speaker, it is also a concern to see the lack of respect that people, particularly the pedestrians, have towards traffic lights at intersections. It happens not only in Darwin but right throughout Australia and the world. People have no respect for a red light whatsoever. It is a pretty grim state of affairs when you try to educate people about our road laws, about our systems, and get motorists to take notice of the lights and indication marks that are laid down by the various authorities, and then have pedestrians not cooperate. People just have no regard for the stop light. In fact, when the 'Don't Walk' sign comes up, people just walk. I am very concerned about that issue.

I would also like to comment today on the Territory Independent and Small Traders Association's comments over the abundance of retail space available in the main city area. I have spoken about this on other occasions and it is of concern to us all. But I ask you, Mr Speaker: what are we supposed to do about it? Certainly, you cannot restrict the number of shops that are introduced into an area. I believe in a free enterprise system, a free trading system, and one works on the other. There is supply and demand. You cannot tell a developer that he cannot put in this number of shops or that there cannot be more than 2 shoe shops in the street. That is just not on. The Territory Independent and Small Traders Association has fought on many occasions against a monopoly situation and that is what would arise if the number of shops and outlets allowed in the main city area were restricted. I was very disappointed with an old timer in Darwin who put forward the proposition that shops of a similar kind should be limited. I am right against that principle, Mr Speaker.

I have mentioned on other occasions that I oppose regulations and controls on businesses and the activities of people in the trading area. Of course,

there are occasions when this must be done and a good example of that was a tenancy amendment that we debated some time ago relating to the rights of association. At that time, I made it quite clear that I did not enjoy the introduction of that particular amendment. It is unfortunate that you do have large and small companies which have an appalling attitude towards small traders. I despise some of the actions of these companies. I would rather have overabundance of office space or retail outlets than a monopoly situation. In fact, an oversupply can act as a means of controlling rent. Most landlords, at present, are looking very carefully at the whole rent structure. They do not want to see their shops or offices vacant and many of the rather exorbitant rents and charges of recent years are beginning to come down slightly.

We are going through a period of development and I believe we should welcome it with open arms. Other parts of Australia are crying out for development. Many of the developments taking place are looking to the future and therefore large numbers of shops are becoming available. Those developers are looking to the future. They cannot be blamed for doing that. I believe that this type of development should be supported. I do not want any part of placing restrictions on the number of shops that may be built or opened in a particular area.

The other issue that I wish to raise is one that I raised last week in question time: the standard of dress at the casinos in Darwin and Alice Springs. I received a bit of a rubbing at that time. I was expecting a rubbing this afternoon. The reason I asked that particular question was that, when I was making up my mind on the whole casino issue, the matter of dress standards played a very big part in the decision I made - that I wanted casinos in the Territory. The ease of access to casinos for local people concerned me. Local involvement with the casino and the worry about people just walking off the street into the casino was of concern to me when that issue was being debated. I believe that the standards should be kept very high. That is one of the reasons why the standards were enforced.

There will always be problems in assessing what is the correct dress and what is not the correct dress. To give an example, Mr Speaker, I can recall an incident in Sydney in which my sister was involved. She wanted to get into St George Leagues Club. She was wearing a pants suit which cost a lot of money yet she was not allowed into the leagues club itself. A little later a woman came through in one of those very short dresses. My sister is not as quiet as I am, Mr Speaker; she is quite boisterous on occasion. She said: 'Is that allowed?' The chap said: 'Yes, no hassle'. She asked him to hold her bag and took off her long pants in front of him and the other people, put them over her arm and walked through. That was accepted. These things happen and I accept that they happen but I believe that standards must be kept reasonably high.

A couple of months ago, I was down in Alice Springs. I was appalled at the standard of dress in the casino there and I mentioned to the Treasurer that I was very disappointed with the standard of dress. I know sheepskin jackets cost a lot of money, but I was told by tourists and others that the casino was just like a pub. If you want to dress like that, you can go to many pubs in the Territory. I believe that because of its attitude towards dress standards elsewhere, Federal Hotels was allowed to open casinos in the Northern Territory. That was one of the reasons why it was favoured. I raise the issue because I do not want the casinos to end up like pubs. I believe that the standard of dress must be kept high and I hope that this matter is monitored very closely in the future.

Mr VALE (Stuart): After what the honourable member for Port Darwin said about Alice Springs, we shall have to start looking at a system of passports and veils down there to ensure Top Enders are vetted closely before they are allowed in.

Mr Speaker, early in 1977, I approached a number of organisations in central Australia with a view to forming a committee which was ultimately known as the Alice Springs Pimba Road Organisation. The organisations that I approached were the Centralian Cattlemen's Association, the Master Builders Association, the Chamber of Industries and the town council of which each nominated 1 delegate. The purpose of the committee was to mount and maintain pressure on both the South Australian and the federal governments to get the South Road, as it is commonly known, sealed - that unsealed section of the Stuart Highway in South Australia. For 2 or 3 years, we received very little sympathy from the South Australian government and not much more from the federal government.

On the eve of the last South Australian elections, I sent a telegram to the then Leader of the Opposition, David Tonkin, and the then Premier, Mr Corcoran, seeking the views of their political parties. I pointed out in my telex that the attitude of their political parties to the sealing of the Stuart Highway in South Australia would be of vital interest to all Territorians. Mr Tonkin did not reply but the then minister for transport, Mr Virgo, replied with the information that South Australia could not spend any money because it did not get enough from the federal government and was not prepared to allocate any more from the state budget towards the sealing of that road. On the Thursday night immediately before the elections, Mr Tonkin replied along the lines that the South Australian Liberal Party, if elected, would aim to seal that road within 5 years. Mr Speaker, history has shown, of course, that sealing of that road started within 12 months of Mr Tonkin taking office. Construction of that road was commenced and quite an amount of work has been done.

Several days ago, I sent a telex to Michael Wilson, the Minister for Transport in South Australia, asking when the section 23 km south of Cooper Pedy and stretching north about 90 km, would be sealed. This afternoon I received a telex with the following information in response: 'MacMahon Constructions Pty Ltd is the successful tenderer for around \$16m including contingencies for the 115 km section from south of Cooper Pedy north to Pootnoura Creek. Work includes 6 bridges and 4 km of roads in and around Cooper Pedy town. Work is scheduled to start at the end of this week in September, and will take approximately 20 months'. Michael Wilson goes on to say at the end of the telex: 'This will mean that, in the 1983-84 financial year, we will be over half-way'. That is, over half that now unsealed section will be under construction or sealed.

Mr Speaker, according to my calculations that will leave approximately 320 miles of unsealed road in South Australia. I am certain that all honourable members will welcome this announcement and the benefits it will have for all Northern Territory residents, particularly those average-income families who cannot afford to fly and who are not government employees and therefore do not get air fares south. Once this road is completed, they will be able to drive south on holiday and arrive at their destination with a car that has not had the hell beaten out of it on that bolt-shaking section of the South Road. I welcome the assistance that the South Australian government has given, in particular the information the Minister for Transport in South Australia, Michael Wilson, has been supplying to me in recent months concerning the South Road. This contract, which has been awarded to McMahon Constructions, is a major breakthrough.

Yesterday, the member for Millner commented on the Centralian Beef Promotion Committee and he attacked me, amongst other things, for pinching the Leader of

the Opposition's idea concerning beef promotion in central Australia. It was not my idea and it was not the Leader of the Opposition's idea to promote Centralian beef. The credit is due to the late Doreen Braitling who, in the mid-1970s, approached me with a suggestion, in view of the then depressed cattle prices in central Australia and elsewhere, that Centralian beef was a world leader and should be promoted openly on the market, particularly so that Top End people, who had good palates, could sample choice beef. It was her idea, not mine, not the Leader of the Opposition's and certainly not the member for Millner's who would not know a bullock from a bullfrog.

That committee was formed in January following an approach I made to the Cattlemen's Association in Central Australia. It comprises cattlemen, abattoir representatives, stock and station agents and butcher shop representatives. I believe that the committee has been a tremendous success because there has been no criticism or backbiting to detract from the operations to promote Centralian beef until yesterday when the member for Millner decided to suggest that I had pinched the Leader of the Opposition's idea.

The success of the committee was due in no small way to the input from committee members whose membership I have just detailed plus quite a number of other people. I would like to place on record the thanks of our committee to those people who have assisted. We would like to thank the Chief Minister, the Minister for Primary Production and the Minister for Primary Production's press secretary who gave us invaluable assistance with our press coverage. The Northern Territory Development Corporation also gave us assistance and backup. TAA assisted by transporting beef around Australia when we donated cartons to senior citizens clubs in every capital city. We also thank the residents of central Australia and the butcher shops and restaurants in Darwin which have taken centralian beef and are promoting it here. Also, the Coles complex has announced recently that it will take selected Centralian beef cuts and sell them through its Darwin shop.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, there is occasional comment in political circles and elsewhere in the Northern Territory about the extent to which the Chief Minister is held to negotiate in bad faith with Aboriginal people. Often, there is some doubt expressed as to whether that is the case. I can assure you, Sir, that there is ample evidence to support the contention. However, one does not normally expect to have the evidence for it supplied by the Chief Minister himself. There is currently a nationwide campaign, funded by the Northern Territory taxpayer to the tune of \$0.25m, on the subject of land rights.

Mr Perron: Pretty well supported by him too.

Mr Vale: And me!

Mr B. COLLINS: I am glad it is supported by the honourable members for Stuart and Stuart Park.

As part of this campaign, the Chief Minister has been distributing across Australia copies of a videotape of a meeting he held at Ayers Rock with the Aboriginal people who would be affected by his proposed changes to the Land Rights Act. Indeed, with some alacrity, I took up the Chief Minister's invitation to view this videotape at the Office of Aboriginal Liaison on the very same day that he issued the invitation. There are some people who come out of the videotape less well than others. One of those people, in my view, having watched it carefully for the whole of its 88 minutes, is the Chief Minister himself. I do not want to dwell at length on the ample evidence that is available to show why Aboriginal people have some difficulty negotiating with

the Chief Minister because time will simply not allow it. I will simply give one brief, but convincing, example of what I am talking about.

I have here the verbatim transcript of the meeting that was held at Ayers Rock. I might add that videotape of this meeting is being distributed around Australia. I have also a copy of a transcript of the Press Club luncheon speech that the Chief Minister gave in Canberra. There is ample evidence but one example will suffice in the time available.

A question was asked of the Chief Minister at Ayers Rock by the Aboriginal people and their representatives about his all or nothing 10-point package. The very same question was asked of him by a journalist at the Press Club. There is a fascinating difference in the answers that were given although the questions were the same. Part of the package provides for excisions on pastoral leases but does not apply to people who were not ordinarily resident on those pastoral properties as of March 1981. I would add, Mr Deputy Speaker, that this is one of the key points of dispute which forces the Aboriginal people into a position of not accepting the package because, in the Chief Minister's own words, they had 'to take all or nothing'. I quote from the transcript:

John Caldry: Can I ask you another question? I understand that you say that some 4000 people will benefit from the living area legislation. Why is it that legislation is not extended to enable Aboriginal people who just did not happen to be ordinarily resident on pastoral properties as at the date of March 1981 to make claims for living areas on pastoral leases?

Paul Everingham: For the simple reason that that is what it is designed to accommodate - the needs of people living on pastoral leases.

Caldry: But why do you not accept the situation? There are many people who would want to go back to pastoral leases but have left them because they have either been made unwelcome or because they have not been able to establish themselves there because of lack of water or lack of transport or for some other reason but still want to go back to their traditional homelands.

I will have to abbreviate this, Mr Deputy Speaker, because of the time constraint. So that I will not be accused of quoting it out of context, I am perfectly happy to make copies of the entire transcript available to any honourable member. It goes on:

Caldry: Why won't your government consider extending these proposals? Why won't you consider extending the proposal?

Everingham: Other people have established rights in property. That is why.

Caldry: They have established rights in property in the areas where you are proposing to legislate to allow people to get excisions as well.

Everingham: Those people are there.

Caldry: That is the only reason?

Everingham: And that's that.

On that transcript the Chief Minister said to the Aboriginal people affected by his legislation at Ayers Rock: 'You have to take the whole package of 10 points or you get nothing. There will be no negotiation, no consideration and no change'. To quote the Chief Minister, 'And that's that'.

The very same question was asked of the Chief Minister by a journalist from the Australian Associated Press at the Press Club in Canberra:

I understand there are several hundred people who lived on pastoral leases prior to March 1981. In view of the fact that, if accepted and passed, your legislation would stop effectively wider land rights claims, are you willing to compromise on this issue to give those people some hope of a secure land tenure?

It is the same question that was asked at Ayers Rock and they were told there would be no negotiation. The Chief Minister's reply was:

We are certainly prepared to look at anything at all, at any time, because I believe that it is the function of government to respond to requests from any of their people who want to put proposals to them. I say this to you: that we have not received any proposal, any group of counter proposals from the Central Land Council to our proposals that were put them. They have, I freely agree, said that we should not have the date as a limitation as it was on the claims in respect of pastoral leases. If there is some other system that can be devised which can give certainty, we would certainly be prepared to look at it at the moment but I cannot think of the existence of a more certain system.

Mr Deputy Speaker, that is a fair example of just why Aboriginal people feel they cannot negotiate in good faith with the Chief Minister. This is one of the key stumbling blocks of this 10-point package on which the Chief Minister was not prepared to negotiate at all at the meeting at Ayers Rock. His was the voice of sweet reason in Canberra. In fact, he was prepared to make greater concessions to a journalist from AAP in Canberra than he was to the Aboriginal people directly affected by his legislation. I think that is a disgrace.

Mr Deputy Speaker, I want to conclude on another matter entirely. I was amazed at the speech of the honourable Treasurer and land acquirer, Mr Marshall Perron, this afternoon in the Assembly about the great honour that was done the Rixons by the visit from the sky in a helicopter by the Chief Minister and other exalted persons. I would like to place on record a form of letter for future acquisitions - and I know there will be some - that could be used by the Treasurer on future occasions. Perhaps he could have one run up by the Government Printer.

Mr Robertson: It is a musical comedy act.

Mr B. Collins: There is nothing funny about it for the Rixons; they have been there for 23 years.

Dear Mr and Mrs Rixon,

As per notice in the Government Gazette dated 10 June 1982, your property now belongs to the Crown. You have been compulsorily acquired. When this fact sinks in, you will no doubt kick up a stink. It is fully expected by this government that you will attempt to ignore our acquisition notice and pretend that you do not acknowledge this government's right to dispossess you. We

know your type, and many before you have tried their tricks without success. However, because you are Territorians of long standing, instead of just compensation for your land, you will receive a visit from a minister of your choice. This visit will take place at your convenience. I hope that you realise that this does not happen in any other part of Australia. Let us know who you would like to visit you and we will drag him out of the closet and dust him off for the occasion. Once again, I must stress that this is a most unusual and generous gesture on our part. Remember at the next election, Vote 1: CLP.

Yours, Marshall.

Mrs LAWRIE (Nightcliff): Mr Speaker, this morning I asked the honourable Minister for Education what arrangements were being made for the technical education of first-year apprentices in the trades of electronics, small business machines and TV and radio repairs.

In his reply, the minister expressed his extreme concern at the lack of activity which had resulted in the course being summarily cancelled by the Darwin Community College. The minister gave certain undertakings that he would ensure that this was reviewed to enable trade training to continue without interference. Firstly, I would express what would be construed as a personal interest - my son is one of the apprentices affected - but I would like to indicate to the Assembly that, in this instance, I am acting as the member for Nightcliff on receipt of a complaint. I acted in exactly the same way on behalf of the other apprentices also affected.

What happened was that the employers of the apprentices in these 3 highly-skilled trades received notification yesterday that the second semester bloc release, due to commence at the community college on Monday, was cancelled. The employers, as one man, asked the reason but received no satisfactory explanation. They asked again as one man: 'When will the bloc release be scheduled?' The reply was: 'Probably next year'.

Mr Deputy Speaker, having operated in private industry for some years you will be well aware that such a scheme would be totally unacceptable to private employers. Apprentices in these trades attend the college for bloc release once a month, twice a year. To put this year's release into next year would mean they would be attending the college for 3 months of their working year. Add to that, Sir, the fact that they get 4 weeks holiday a year and it will be obvious to all but blind Freddy, who apparently resides at the community college, that the apprentices will have 4 months of their working year lost to their employer. The employers realised this in an instant, of course, and their initial reaction was, and I quote even though it is slightly unparliamentary: 'That's the last time I employ bloody apprentices'. The reason for their reaction is that it is the second time in 6 months that employers with apprentices in these trades have had their schedules threatened with total disruption.

On 3 February this year, employers were notified by the Industries Training Commission that second-year apprentices in these trades would have no formal training for 1982. This is when the year had commenced and they were due to attend school. The decision had been taken in October by the Darwin Community College and had been taken in conjunction with the Industries Training Commission. Not one person thought to contact employers of these indentured apprentices to apprise them of what was happening in those trades. That is an appalling situation. When it was brought to the attention of the minister, that incredible decision was reversed and the trade training for the second-year apprentices proceeded this year.

Now we find that the first-year apprentices this year were to have their trade training lost to them. When I was advised by 2 employers, one last night and one this morning, what had happened and I made my own inquiries, it appeared that a lecturer expected at the community college had not arrived. Apparently, it was known for some time that he was not likely to arrive. The community college and its School of Trades did not have any contingency plan. Their idea of a contingency plan is to cancel the course. Honourable members with even a slight knowledge of technical trades will understand that will cause intense disruption to employers and to the trade training course. I put the question to the person informing me of this so-called fact: 'What happens if the lecturer never arrives? What are we to do next year?' I was told that had not been thought about.

The Northern Territory government and opposition support firmly trade training in the Northern Territory and the Industries Training Commission puts out a variety of little booklets, including one entitled 'Apprenticeship for You' which is for the apprentice. There is another for the employers: 'Invest in the future - employ apprentices'. It gives details of rebates available to employers who take on apprentices for trade training. We have the craft scheme, the technical education rebate, off-the-job training rebate, workmen's compensation rebate, special assistance program, group apprenticeships, other benefits, provisions of adequate skilled workforce and the reduction in labor turnover. There are indeed many advantages for employers if they take on an apprentice and, as everyone acknowledges, it encourages stability in the workforce.

I wonder, Mr Deputy Speaker, whether we should add a final page to this booklet: 'If, of course, you take our advice and invest in the future and take on apprentices, we reserve the right at any time to completely disrupt your work schedule and destroy the chances of the apprentice finishing his indentures with credit because we might at any time refuse to continue the accredited course'. Of course, that is absurdity, a nonsense, which no government would permit and which no person seriously interested in acquiring skills in the community could possibly allow to continue.

I have in front of me the Darwin Community College's summary of appropriations by subdivision for this coming financial year. It shows salaries and payments in the nature of salary. The appropriation for this year is \$9.164m. One would expect for \$9m-odd a fair degree of expertise in the Darwin Community College. It appears from the 2 examples I have given to the Assembly this afternoon that the School of Trades and I think also the School of Technology and Science are the cinderellas of the outfit. Whenever there is a bubble in this smooth stream of the operation of the Darwin Community College, it is these 2 which bear the brunt. They are the ones which suffer.

If the Darwin Community College wishes to be noted as an organisation which offers only pottery, painting and the odd post-education course, so be it. If it is to continue to represent itself as a training institution in trades for our students in the Northern Territory, I believe it would behove the college to pay more attention to the needs of its School of Trades and less perhaps to some of the more esoteric campaigns on which it embarks.

My concern is twofold: for the apprentices who suffer if there is a reduction in their training, particularly in the skilled technical trades, and for the employers who were given 3 days notice that a scheme for which they had made provision in their work schedule is suddenly cancelled and were told that it may or may not recommence the following year. If it does, that year will be seriously affected by having their apprentices withdrawn from them.

Mr Deputy Speaker, given that there is \$9m worth of staff expertise at the Community College and \$922 000 worth of expertise in the Industries Training Commission, I wonder why I have to spend my time contacting the Minister for Education and his ministerial advisers so that the Minister for Education can extricate these budding technicians from the morass of inertia which comes from the Darwin Community College. Why do the minister and members of the Assembly have to become involved with the day-to-day administration of trades courses. If we had not, at least one of these courses may no longer exist. It is quite absurd that people can make the decisions without consultation with industry. No one contacted a single employer to ask what would be the effect on his firm and his industry if this decision was carried into effect. Not one employer was asked how his firm would be affected.

We saw the formation of the Industries Training Commission from the old Apprenticeship Board which has, as a specific duty, the liaison with industry for manpower training for the needs of industry and to ensure that those needs are met within the resources available in the Territory and, in particular, the Darwin Community College School of Trades. Notwithstanding the legislation and the philosophy of this government, which I believe is exactly the same as the philosophy of the opposition, I have discovered twice within 6 months that none of these excellent philosophies is carried into effect without a great deal of time and trouble being spent by the minister personally having to take an interest in what should be a matter of course: orderly trade training.

I am aware that some members of the Darwin Community College would take my remarks quite poorly. How sad for them. My sympathies are with the apprentices who faced the loss of their trade qualifications, and with their employers who were looking at a complete disruption to their workshops and their programs. I have little sympathy for the people who sit in what is apparently an ivory castle at Brinkin, making incredible decisions without due reference to industry or the people whom they most affect. I would hope that the Minister for Education can straighten out this second mess and extricate the people again from the second morass of their own incompetence. I would hope that I would not have to make a third attempt to contact the minister - the previous 2 having been successful in the past - to seek his indulgence and his direction to enable trade training to proceed properly.

Mr MacFARLANE (Elsey): Mr Speaker, in my electorate there is a place called Numbulwar, a small Aboriginal settlement in east Arnhem Land situated near the mouth of the Rose River. I am reading from a document sent to me by that community. It is one of the most isolated settlements in Australia. Groote Eylandt, about 80 km away, is the closest settlement. Once a week there is a commercial flight which costs \$48 each way. In addition, charter flights are available for \$178 - a 5-passenger plane round trip if you can organise backloading. The prices quoted are those effective from 1 January 1982. Some of the clans have their own boats and can go to Groote Eylandt in good weather. The distance by boat is greater. As a safety precaution, the route followed is always in sight of land, making the route L-shaped. The only other way out of Numbulwar is through Roper River which can be reached by charter flight for \$182 or commercial flight twice a week. By road or track, the distance is 168 km. The road is trafficable by 4-wheel-drive vehicles in the dry season. Goods and supplies come by barge once a month from both Darwin and Cairns.

The population is approximately 500 Aboriginals and 40 to 50 non-Aboriginals. The non-Aboriginals are the employees of the council, the Church Missionary Society and the school, and their respective families. These 3 employers are at present the only source of employment at the settlement. The council employs a maximum of 35 Aboriginals, the CMS 8 and the school 8. At present, there are

about 60 to 70 people receiving unemployment benefits. There are a number of others who are eligible for unemployment benefits but are too proud to claim sit-down pay. One of their basic tasks is to create more employment opportunities. I heartily agree with this.

Because of the isolation mentioned in the first paragraph, they are too far from markets to compete for the sale of goods. For this reason, it is unlikely that they could ever become completely self-supporting. However, a number of projects are being discussed in the hope of creating more employment, thus reducing the drain on outside resources. This is not an application for funds at this time for any of the projects other than the snack bar. They are striving to find projects which would get the initial capital outlay from an outright grant and create enough income in their own right to provide employment, capital for replacement of original capital items and capital for future expansion. Other than for the snack bar, no attempt has been made as yet to do a genuine feasibility study and or cost-benefit analysis. Much of the information for such analysis is at present beyond their resources and ability. They asked me for guidance and encouragement.

Some of the projects being considered are a snack bar, a portable saw mill, reafforestation, butcher shop, beef production, dairy, ice-cream factory, gardens, fishing industry, bakery, hairdresser, shoe repair/saddler's shop, arts and crafts, recreation centre, dance hall and band, poultry and a taxi service. This list is not exhaustive and not all the projects will go ahead because of lack of enthusiasm for a particular project. Most projects which they start will be started in a small way, with room for expansion. The growth of a project would generate continuing enthusiasm.

Mr Speaker, I support this completely. The Town Clerk is a very unusual Aboriginal called James Majiji and I think the Leader of the Opposition would know him. I know him pretty well. When I landed there electioneering some 6 years ago, he met me at the airport. I introduced myself and he said: 'We know you, old Mick. We have got our own candidate. Get going'. I thought to myself that I would not be much of a candidate with a back full of spears, so I got going. Each time I have been there since, I have got on pretty well with this chap because he realises I am fair dinkum and that I am trying to help where I can. I am sure that this man, who is pretty dynamic, is on the right track.

What he is on about, is that if these people do not have employment, they have nothing to do and all day to do it in. You get vandalism and petrol sniffing although there are no grog problems. But as you know, idleness breeds trouble. The devil finds work for idle hands to do. What we have is a whole community of people, apart from the ones whose jobs I have read out, who have nothing to do.

On this place, there are about 80 families who have no accommodation except for humpies. I have been to the government and I have been to other places to try and get money for houses. The trouble in the old days was that DAA said: 'We have the money for them but they have not got the will to put the houses up'. Well, that has changed now. They have been putting up houses over the last few years - as many as their funds could pay for. Admittedly, DAA provided the houses and gave them as many as they could put up. This dynamic chap is fully supported by the President of the Council and there is a great need for this settlement, isolated as it is, without an alcohol problem, to be fully supported in order to get some of these projects off the ground.

This settlement has plenty of country around it. There is no land rights problem there. There are plenty of cattle. There are plenty of buffalo. There are plenty of fish. There are plenty of things for these people to do to support

themselves if they have the motivation. I believe they have the motivation. I believe in the ability of the President of the Council, the town clerk and the staff there to do all these things.

I remember this place when it started. Colin Gilchrist was the missionary from the Church Missionary Society that started it. That is less than 35 years ago. The Aborigines did all the work but this is where the mission shone. It became involved and it worked with them. It did not tell them what to do; it worked with them. This is what they are on about now. In the old days they had a magnificent market garden. They caught their own fish. They did all those things because they were motivated by the Church Missionary Society. At Groote Eylandt, there is a guaranteed market for all the vegetables and fish that they can supply. Therefore, we must support these people.

They will say themselves that some of these projects have failed but the alternatives to not supporting them and not giving them funds are unemployment benefits, a lost race jailed at \$70 a day, all the attendant court fees, all the attendant magistrates fees, the cost of flying them in to attend court and vandalism. You just do not get anywhere. What I am on about is that we must give work to these people who want to work. We must provide them with employment.

They talk about doing up the road back to Roper. The honourable Minister for Transport and Works announced that there will be a road going from Roper Bar through Roper River settlement up past Numbulwar to Nhulunbuy. I have not heard anyone mention it much yet but that will provide much better access. But these people did not know about that. They wanted to build a decent road themselves. If that is labour intensive, it will provide employment. That is what we must do: we must give work to these people who want to work. It will save money.

If they go to jail and get a taste of TV and easy living, they lose their fear of Darwin Prison and it does them no good. They become sophisticated. I say that these people should be encouraged to stop in their own area. But the only way that you can keep them there is to give them employment. The people from Numbulwar have come to me and if anybody else comes, I will do my level best to help him.

What I am on about is this Charlie Perkins with his \$50m. I think it is more this year. He is lavishing it down there on people who have far better opportunities for employment than these people out at Numbulwar. Until we get a local department of the ADC, I do not think these people have any chance at all of getting the message through to Mr Perkins and his ADC.

I will read what they say about the snack bar:

Converting part of an old building to a snack bar: The previous town clerk made an estimate of the cost as \$10 000. The Aboriginal Benefits Trust Fund queried this estimate as being inadequate. Their housing manager estimated the building cost for conversion at \$15 000. Inquiries from a supplier of snack bar equipment estimated a maximum of \$15 000 for equipment. ABTA has now rejected this application on the grounds that we should have applied to the Aboriginal Development Commission in the first place.

I think it is the run around. It is not only in our public service; it is in theirs.

If an application to ADC is successful, and it is very unlikely, the Education Department and the Department of Youth and Employment Services have offered assistance in training of prospective employees.

The CMS shop manager has also promised assistance in training and early supervision. We would employ 4 people in the snack bar and a further 4 people catching fish and filleting them for sale in the snack bar.

That enterprise is fairly modest isn't it? But I bet they do not get a pension from ADC because ADC is remote-controlled from Canberra. What about the portable saw mill, reafforestation, butcher shop, beef production and a dairy? The price of Malanda milk went up the other day. It is fantastic: about \$5 a gallon. No wonder people do not drink it. It would be possible to recommence gardening at the old garden or other sites. In the past, a very successful garden was developed but, because of lack of markets, over-development and lack of initiative - this is apparently where the government brought in a welfare man - the project was dropped.

They understand that, because of the money wasted in the past on this project, they are unlikely to receive assistance in the future till they prove themselves. These people are realistic. I reckon this is a real fair dinkum proposition. However, some of the old equipment can be resurrected. They have a mechanic working on some of this now. They say that the garden could be started in a small way, gradually developing from the stage where they could supply their own fruit and vegetables. Once the gardens were re-established, they would require assistance with purchase of a vehicle for transport of goods and for the renewal of some of the old irrigation equipment.

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

Mrs PADGHAM PURICH (Tiwi): Mr Deputy Speaker, this afternoon I would like to speak on a subject in which I am very interested. First I would like to make the observation, and everybody knows it as well as I do, that the tourist industry is the third largest income producer in the Northern Territory. I think everybody knows that tourists come mainly to the Northern Territory to see the unique geographical features of the Northern Territory. These geographical features also incorporate the native fauna and flora.

If the tourist industry is to increase in importance and stay the third largest income earner for the Northern Territory - in fact, it may up the scale - there is one group of people who should receive recognition not only for the work that they do in their own field but for work that they do for the Northern Territory in the encouragement of the tourist industry. I am not referring to people in the Conservation Commission. I am referring to the rangers. I am referring to the rangers grades 1 and 2 mainly because these are the people with whom I have had most to do with in my time in the Territory and in furthering my interest in Territory wildlife.

Mr Deputy Speaker, I do not think that these people receive the recognition that is their due. I will not say they are overworked and underpaid. It is not for me to decide their wage claims. But I do say that, without these sorts of people, and especially the sorts of people who are employed by the Conservation Commission, the tourist industry would fall flat on its face in a very short time. You only have to go down to Howard Springs Reserve, Yarrowonga Zoo and I expect, Fogg Dam - I will be going out there in the very near future - to see, how these people deal with the public. Not only do they deal with them politely and in a genuinely friendly way but they also deal with the local people in a very knowledgeable way by imparting information on the keeping and rearing of young native animals.

I have spoken on this before but not quite in this field. I have asked the Chief Minister. I understand my request was conveyed down the echelons

of power in the Conservation Commission for some sort of lead to be given by the Conservation Commission in the form of a seminar. My request was quite an open one. I had definite ideas but not about the way this public relations exercise was to be run. I conveyed my request to the Chief Minister and I know it went to the Conservation Commission. It has been discussed by certain officers in the Conservation Commission. I think that is as far as it has reached. I think the gestation period will prove to be a very long one. I only hope that what is produced in the end is worth while.

The sort of thing that I want is for the general public to get a greater appreciation of the native fauna in the Northern Territory. The rangers are doing the best they can but they need some help from the higher echelon in the Conservation Commission not only to help them in their job but to also give them some encouragement. There are people in the community who have a great reservoir of kindness and understanding for wildlife and they are only too happy to do anything they can to help the Conservation Commission in rearing orphan and injured animals. I know, as do the people in the Conservation Commission, that to rear orphan and injured animals, whether they are protected fauna or not, does take a lot of time, trouble and effort on somebody's part. If the Conservation Commission is to continue, not only telling us about the wonders of the wildlife in the Northern Territory but actively conserving it, then a greater love of our native fauna must be inculcated in the general public. The Conservation Commission must give a greater lead to the public in an active and realistic way. What it is doing is all right up to a point but I would like to see it go further. I know it has the staff to go further. Also, I would like to see the rangers receiving the recognition they deserve.

If people take sick or injured animals along to Yarrawonga Zoo, they are told how to rear them. If they want to rear them themselves, they are given diet charts and all kinds of help. If they cannot look after them themselves, they give them to the rangers at Yarrawonga Zoo or Howard Springs Reserve who look after them.

At the moment, I have 2 little furry things that I am keeping. They are orphans and they were given to me. I am rearing them. Actually, I have them in the bedroom and that could lead to a little domestic disharmony. I had an ultimatum issued to me the night before last. However, I am receiving every help and encouragement from the rangers to rear these orphan animals and I know their encouragement is given to other people in the community.

I conclude by saying that, some time in the near future, I would like to see the rangers in the Conservation Commission recognised for the work they do for the tourist industry. Without them, I feel that the tourist industry would not continue for very long the way it is.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, during the March sittings of the Assembly, I asked the Minister for Transport and Works a question without notice concerning the justification for building the Bynoe Harbour access road on the Cox Peninsula. He requested me to put it on notice, which I have done. I asked him what type of development was envisaged that would justify the building of the Bynoe Harbour access road currently being constructed parallel to the old Mandorah Road, and what parts of the Cox Peninsula it would reach and where would it end. During the present sittings of the Assembly, I asked another question and I was again requested to put it on notice. I asked what type of development was envisaged on the Cox Peninsula that would justify the building of the Bynoe Harbour access road. I said to the minister that I only asked for general and not specific answers. Again, he requested me to put the question on notice.

In answer to my first question, the minister has said that the development of the community at Belyuen generates traffic volumes warranting upgrading the road to the standard presently being constructed. He then went on to talk about additional reasons which I will mention later. The obvious inference from his answer is that the construction of this magnificent road is primarily to serve the residents of Belyuen because of the development taking place in the community there. This amazes me. I am a pretty frequent visitor to Belyuen, which is in my electorate, and I am astounded the minister should be so solicitous of the welfare of the residents of this community and foresees some major developments taking place at Belyuen in the near future. I might inform him that I certainly cannot see any future development of any major importance taking place there and neither can the residents.

I am delighted that this road is going in there. The people there have been asking for it for a very long time. However, I am curious to know precisely what traffic volumes generated by the development of Belyuen community warrant upgrading the road 'to the standard presently being constructed', to quote the minister. Incidentally, this road is being constructed at a cost of \$4m. Belyuen community consists of approximately 200 people in 65 families. That works out slightly in excess of \$61 538 per family.

It is ridiculous to expect the most naive person to believe that Belyuen community was given very much, let alone primary, consideration when this magnificent road was planned initially. I believe the minister should have been honest enough to put the second part of his answer first. It is: 'In addition, increasing development in the pastoral, fishing, mining and recreational industries necessitates an upgraded level of this service'. This is the primary reason for constructing a road, 'at a cost of \$4m, on the current forward program, with the cost of further work beyond Bulldog Pass not yet being assessed or programmed', again to quote the minister. It is no wonder that, when I asked for a general, non-specific answer to my question about the type of development envisaged in the pastoral, fishing, mining and tourist industries, the minister again requested that I put this on notice. What I would like to know is, why all the mystery? It is common knowledge there is a fishing venture already in progress in Bynoe Harbour, headed by the ubiquitous Mr Rex Jettner, and the company is registered as Terri Hatcheries and Fish Farms Pty Ltd. Mr Jettner, as everybody knows, is a former boss of the CLP. Other partners in the enterprise include the Territory's former MHR, Mr Sam Calder, and Mr Gregory Chin of Sabah.

As at 31 December 1982, shareholders in Terri Hatcheries were listed as: Markaranka Selected Seed Company Pty Ltd, 5 Foelsche Street, Darwin; Steve and Edward Calder of Alice Springs; Westside Pty Ltd of 84 Smith Street; and Jayco Pty Ltd of the same address. I cannot contact any of those firms at all. None of them can be located. None have ever had telephone numbers. I checked that out yesterday. Terri Hatcheries also employs a Malaysian fish biologist, a Dr Eric Lamb. In his original application, Mr Jettner had the colossal effrontery to ask that an area of 7000 ha of the sea in Bynoe Harbour, around Indian Island, be closed to the public except in cases of emergency. Mr Jettner and Mr Calder have also purchased Finnis River Station which gives them a big frontage on Bynoe Harbour.

The application for closure of the seas in the area, as might be expected, brought a storm of protest from the whole range of professional and amateur fishermen. The Commercial Fishermen's Association voiced total opposition to it. The Amateur Fishermen's Association condemned the closure application but supported barramundi hatcheries. Most of the amateur fishing done in Bynoe Harbour is carried out by Darwin residents and closure would have denied access to the favourite fishing places of local residents when they visited during weekends or on their holidays. As well, families from Belyuen community

picnic on Bynoe Harbour regularly and regard it as by far the best area close to Belyuen to catch fish.

The Department of Lands very sensibly refused applications for closure of seas over such a vast area. However, Terri Hatcheries did manage to arrange for closure of what fisheries describe as 'a discrete area of some 220 ha' and the licences were obtained to carry out the project.

The partners have now applied for lease over the area. A lease will not constrain access through the 220 ha area of sea, except that people wishing to fish or pass through are obliged to notify the leaseholders and the licensee can complain if people travel through the area too fast. The licensee is also required to properly mark fish traps and cages installed there.

Apparently, Mr Deputy Speaker, when Mr Jettner wants to move, he really moves. To date, he has been associated with a rather imposing list of failed ventures and it is hoped that this fishing venture does not add to this list. I say this because restocking billabongs and creeks in the Territory would be a most admirable and necessary achievement. However, my information is that the company's object is to send hatchlings to South-east Asian markets. If this is so, then this government should take steps to ensure that the Territory, and not South-east Asia, gets the benefit even if it means offering Terri Hatcheries a better price than it could secure in South-east Asia.

It is interesting to note that this new industry got under way in a matter of months and that the company, obviously through Jettner's and Calder's close association with the CLP, managed to obtain permission to close off 220 ha of sea in that time. The coastal Aboriginals have been applying for closure of seas since as far back as 1979. Obviously, these 2 CLP stalwarts did not have to give evidence before the Aboriginal Land Commissioner and have the government fiercely oppose their claim.

The Minister for Transport and Works mentioned mining, patrol fishing and recreational development as a secondary reason for the Bynoe Harbour access road. Mining on the Cox Peninsula is so minimal as to be practically non-existent. Recreation needs at present represent access to a couple of pubs and Mandorah already has a ferry service going there. I have spoken at length on the ridiculous primary reason given by the minister as justification for the Bynoe access road; that is, development of Belyuen community. That is just a smokescreen. Mr Jettner and Mr Calder, backed by Sabah money - and rumour has it they received a loan from the NTDC but I cannot verify that - have the fishing and pastoral industries on the Cox Peninsula completely tied up between Terri Hatcheries and Fish Farms Pty Ltd and the Finnis River Station.

If the Minister for Transport and Works had said that the CLP government wants to give a great big handout to 2 of its favourite sons by providing an all-weather access road to their fishing and pastoral ventures, it would have been a far simpler and more truthful answer to my question in relation to the justification of a \$4m road.

To my mind, another interesting aspect is that the Cox Peninsula is still land under claim by the Larrakeyah Aboriginal group and the claim has not been finally decided. In addition, the legality of the NT government being able to repress or refuse access to the Aboriginal Land Commissioner of government documents which he must have in order to make any kind of decision is still unresolved. This, of course, is the reason for the introduction of the Evidence Bill. Despite this, the government has gone ahead with the construction of the Bynoe Harbour access road as well as granting leases or permits for all

manner of fishing and pastoral, mining and recreational industries or ventures, as though it is a foregone conclusion that the land claim will be lost. It probably will be in any case if necessary documents are withheld from the Aboriginal Land Commissioner. The NT government's attitude to land claims is well known even internationally as it or its stooges have opposed each and every Aboriginal land claim to date, with the exception of the Lake Amadeus claim which consists mainly of an area of saltpans of no possible interest to any persons except the traditional owners. I am sure, Mr Deputy Speaker, that brains were being racked to find some reason why it could not oppose this claim as well.

To proceed with development of roads over an area still under claim simply makes a mockery of the Land Rights Act passed by the Fraser government in 1976. It is proof positive of the scant regard in which both Aboriginal people and the judiciary are held by the CLP government. The Chief Minister, as minister responsible for Aboriginal Affairs, should be thoroughly ashamed of his pretence. He continues to attempt to evince that he has the welfare of the Aboriginal residents of the Territory at heart and yet gives his approval for what is taking place currently on the Cox Peninsula.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, 2 other members have raised the matter of pedestrian crossings during the course of the sittings, in particular the crossings for schoolchildren. I would like to discuss the crossing on McMillans Road which provides, or attempts to provide, a safe crossing point for children attending the Malak School from the KOA and Malak Caravan Parks.

Mr Deputy Speaker, I raised this matter some months ago with the honourable Minister for Transport and Works, and he assured me at the time that this particular crossing was being looked at by his department because it was acknowledged that there were some problems.

I want to take this opportunity to inform the minister that a public meeting in relation to this matter was held last night. This meeting was attended by parents from the KOA and Malak Caravan Parks to decide on a course of action which would alleviate the present hazard that that crossing presents. This action was brought about by the fact that last week there was another accident on that particular crossing. A child who was using the crossing was bumped by a vehicle. These people came together last night at the Malak School to discuss what could be done. They had sufficient interest in the matter for them to form a group of volunteer monitors.

At this point, Mr Deputy Speaker, I thank the Executive Officer of the Road Safety Council, Mr Bernie Plew, who attended this meeting and gave quite a bit of assistance to this particular group of parents.

I wish to give the honourable minister early notice that the people have decided that they will make representations to him for the installation of a pedestrian-activated light at this crossing. All options were considered, including that of an overpass, and this particular method was chosen because it was thought by those present that it would give a high degree of safety whilst keeping the cost of improving the crossing low.

Mr Deputy Speaker, it appears that these people will be door-knocking each of the caravan sites in these 2 parks - there are some 400 of them - and each of the caravan tenants will be asked to write to the minister asking him to take the action which I have just outlined. Being aware, as these very reasonable people are, that it will take some time to implement this solution, they have, in the interim, decided on a complementary measure which they believe will afford children attending Malak School some added safety. As I mentioned earlier, they have formed themselves into a group of volunteers who will be

monitors at the pedestrian crossing during its peak hour usage. The Road Safety Council has undertaken to train them in the techniques required to escort children safely across the crossing. I believe that they will be undertaking this training next week with a view to establishing a roster and having parents escort children on each school day.

I understand that the options were canvassed at some length, and many of the problems which would arise in relation to each option were addressed. One of the problems brought up by a person who attended the meeting last night was the future of the monitor method. In any event that was the reason why they decided to press for the pedestrian-activated crossing.

We know, Mr Deputy Speaker, that while many of the people in the caravan park are not exactly short-term tenants, they do not intend to stay very long. Certainly the turnover is very high in each 12-month period. If they used the monitor method only, and the existing crossing, the system would very largely break down because of the high turnover of residents who would be required to volunteer their services to act as monitors. I believe these people are committed to introducing the monitor system but I hope that the minister will eventually provide pedestrian-activated lights at this particular crossing.

Mr Deputy Speaker, the other matter I want to raise is also a matter of some current interest in my electorate and that is the study presently being undertaken by the Darwin City Council in relation to the provision of community services at Malak. It has always been very pleasing to a local member to see the Darwin City Council putting some effort into the provision of services and my understanding is that Malak has been chosen as a neighbourhood in which to develop a method by which community consultation will take place and facilities will eventually be provided. It also is my understanding that the city council has retained the services of a consultant to advise on the consultation method and the type of facilities eventually to be provided. I had the opportunity to talk with this gentleman last week and I believe that he is providing a very good mode of operation in this particular neighbourhood. I hope that he gets all the cooperation he requires from the residents of that area.

As I mentioned, Mr Deputy Speaker, it is a very pleasing thing that the city council has chosen the Malak area of all the neighbourhood that it could choose and I believe that one of the reasons for this is because it is a recently settled neighbourhood and there are not the established community needs that could be found elsewhere.

I think that this in itself provides an interesting study. Yesterday in the press I noticed an article about Dr Watkins' preliminary findings about the way people live in our northern suburbs and I think eventually the city council will come to a closer understanding of how it could serve its ratepayers.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, no member here likes to be involved in disruption of community life resulting from the actions that government has to take. One particular area of concern, which is very disruptive, is the replacement of sewerage lines. The honourable Minister for Transport and Works this morning spoke at some length about his concern at having to put lines through. He wanted members of the community who would be affected to be well aware of, and happy with, the work that had to go on. That prompted me to ask a question about plastiline pipes. Really, I did not expect a definitive answer as to whether the government would consider very seriously, as a matter of principle, the use of plastiline pipes wherever possible.

I came across this term only at the beginning of this year when management people from Humes in Alice Springs came to me rather concerned about a

government contract which was being let regarding a sewerage line from Mt John to the Sadadeen area. The specifications mentioned only asbestos cement or concrete pipes. Humes, of course, manufacture concrete pipes, but its management people felt that asbestos cement had a fairly good chance of winning the contract if cost was the only criterion. They were concerned particularly because, if they did not get this contract, there were no other contracts in the pipeline and they would have to close their operation in Alice Springs. This would have meant loss of employment for some 10 or more people. Because a certain degree of expertise is needed in making these concrete pipes, they felt it would be difficult for them to get started again.

They also made another point about this plastiline pipe, as they described it to me. It is pretty clear from its name that it is a plastic-lined pipe. They told me it was an excellent product, more expensive than either the asbestos cement or the ordinary concrete pipe, but with an excellent life expectancy. Although it was a little more expensive, they felt it was worth consideration.

I approached the minister on Humes behalf and he instructed his department to consider this particular type of pipe. Humes is not just a Territory-based company; it is well-established around Australia and was able to nominate places where this type of pipe had been installed by councils and government bodies so that the department could gain information. One report that I saw was from Western Australia where plastiline pipes have been down for something like 25 years. The report of people who inspected it was that there was no visible sign of wearing occurring in those pipes. The department was able to estimate that it could expect 3 to 4 times the life from a plastiline pipe than it would get from asbestos cement or concrete. It is obvious that, if one pipe gives 25 years service and another 75 years service, use of the latter gives a tremendous cost saving and a great reduction in disruption to business and community life.

It is pleasing, Mr Deputy Speaker, that the department was prepared to change the specifications to allow for consideration of plastiline pipes. In fact, they were eventually chosen. As far as the Northern Territory is concerned, Alice Springs has a new technology. Certainly it is not new to Australia but it is new to the Territory. Humes has overcome any initial problems and is producing the pipes and the sewerage works are going ahead. I think you can see from that, Mr Deputy Speaker, my interest in this particular type of pipe. We should consider using it as often as we can to give the public and the taxpayer good value for money.

Mr BELL (McDonnell): Mr Deputy Speaker, this evening I want to make a few comments about the land rights package. This has received a great deal of publicity and a certain amount of comment during these sittings. The chief point I want to make is that, as a concept, it is wrong.

I believe the Chief Minister and the government are attempting to deal with Aboriginal people as an undifferentiated group almost as though the Northern Territory government does not really belong with Aboriginal people. An impression that we are gaining more and more from the Northern Territory government is that it perceives itself to be over against Aboriginal people. That is regrettable. I think there has been no clearer example of that than in the ham-fisted way the Northern Territory government, and the Chief Minister in particular, has gone about the negotiations associated with the Aboriginal Land Rights Act. Nobody doubts that those negotiations should go on. Nobody doubts that, as far as the Aboriginal Land Rights Act and its operation is concerned, there are certain areas that may require amendment. However, this confrontationist, all-or-nothing position that the Chief Minister has adopted is doing him no good, is doing Aboriginal people no good and it is doing the

Northern Territory no good.

Complaints have been made that Aboriginal land is a superior form of title available only to Aboriginal people and therefore it is a racist concept. That point of view has been expressed during these sittings. It has been suggested that it is a very divisive measure to provide that sort of title for Aboriginal people. It is exactly that idea that I want to attack tonight, Mr Deputy Speaker. If there is some relative advantage conferred on some Aboriginal groups in some places by holding title under the Aboriginal Land Rights Act, one could hardly see that that offsets the serious death-dealing disadvantages that Aboriginal people suffer. We heard the member for Elsey speak tonight about record rates: 70 people in one community on employment benefits, not counting those people who are too proud - and more power to them - to go on unemployment benefit. We then complain that there are unemployment levels of 6% to 8% in the Australian community at large. We believe that we are suffering pretty badly when some of our kids cannot get jobs. Can you imagine the effect it must be having on those communities which are suffering 70% to 80% unemployment.

In addition to the unemployment issue, there are the health problems. They seem to receive enough airing but sometimes I wonder about that. There are also the infant mortality rate, the deaths and the murders involving Aboriginal people and the alcohol abuse that is a result of the disorientation that Aboriginal people suffer. In addition, we have the record rates of imprisonment that I have spoken on before in this Assembly. I do not believe that, set against those problems, any small advantage that may be conferred upon Aboriginal people by a different form of title is anything to be derided. It is something that we should be seeking to use as a means to provide a just and decent standard of living for those people.

I believe that, in the particular context I am talking about tonight, the package is wrong because it treats Aboriginal people in this undifferentiated sense. The needs of the people at Ayers Rock are quite different from the needs of the people who are living on pastoral stations. The needs of people in different parts of the Territory need to be considered in different ways. That is what is wrong with this package. I am very disappointed that both the Chief Minister and his federal counterpart, the Minister for Aboriginal Affairs, have chosen to approach the matter in this totally ham-fisted way.

The Leader of the Opposition mentioned a meeting at Ayers Rock. I think that meeting and the publicity that it received is perhaps the greatest testimony of the ham-fisted nature in which the Chief Minister has handled the negotiations. At every step, he has sought a confrontation. He was served very well by his video team who made the Chief Minister come out not in the best light. But it certainly allowed the NT News to write an article that did not accurately reflect the flavour of that meeting. It certainly did not reflect the irritation and annoyance of many of the people who had participated. I would suggest, for the Chief Minister's benefit, that he should reflect on that rather than seek cheap publicity - well it is not cheap if it costs \$200 000. It is certainly not confronting the real issues.

The next point is that the reaction of a number of members of the CLP - the Chief Minister, the Territory member of the House of Representatives, Grant Tambling, and the CLP Senator, Bernie Kilgariff - to that meeting were outrageous. The Chief Minister was surrounded by a large number of white advisers himself. These men chose to belittle Aboriginal people by taking their so-called white advisers. Of course, it did not come off.

I propose to read into Hansard some of the comments made by some of these people. Grant Tambling said: 'Large numbers of Aboriginal people are being kept in the so-called mushroom club. They are being kept in the dark and fed what must politely be called manure. It is utterly disgraceful that the people directly affected by the proposed package should be misled and manipulated'. The good Senator Kilgariff also leapt into the fray and said: 'Intrusive meddlers were cementing ill-feeling in confrontation between the races in central Australia. There appears to be a deliberate campaign to build antipathy within the community. The same faces belonging to people employed to advise Aboriginal organisations keep appearing in confrontations. They are using the cloak of respectability given to them by their positions to stir, excite and create ill-will. They ignore normal rules of conduct and thumb their nose at law and order in Alice Springs'.

If that is the case, I am surprised that our good Senator has not laid complaint with the police. The reason that he has not is that he cannot substantiate allegations like that. He goes on to say: 'The recent increase in crime in the Centre is not through the education of these few...The activities of the meddlers went beyond fostering tension between black and white. They were also attacking those people both black and white who saw old Aboriginal ways and customs being wilfully eroded and replaced with alien ways'.

That was not the end of it. The Chief Minister called for an inquiry into the operations of the land councils and particularly the role of 'white advisers'. In a letter to the federal Minister for Aboriginal Affairs, he said: 'It seems to me that the Pitjantjatjara Council and the Central Land Council are not doing their job in so far as it relates to keeping traditional owners informed on matters concerning their own extensive land holdings'. What was the reaction amongst Aboriginal people. I would say that, at the Ayers Rock meeting, the Chief Minister was very lucky that he had Mr Yami Lester interpreting and not asking the Chief Minister questions of his own. The 3 of those gentlemen got their come-uppance at the hands of Mr Yami Lester in the columns of both the Centralian Advocate and the NT News.

Mr Yami Lester is one man for whom I have tremendous respect. He cannot be accused of being politically partisan in any way. But he is operating in very difficult circumstances. It is very difficult for a man like Yami Lester, as Director of the Institute for Aboriginal Development, to be able to be aware of and to cope with the very many pressures that exist when there is an attempt to negotiate an act such as the Land Rights Act. I do not think that anybody in this Assembly, nor anybody in the community of central Australia would accuse Yami of being politically partisan. However, he said in the Northern Territory News:

The Chief Minister of the Northern Territory, Mr Paul Everingham, Senator Bernie Kilgariff and Mr Grant Tambling have heavily criticised white advisers employed by Aboriginal land councils. They accused them of manipulating Aboriginal people and keeping information from them. Some old people at the Ayers Rock meeting were mixed up but most of the Aboriginal people know where their freehold land is. Mr Everingham does not understand people's feelings in a meeting...

That is a point worth noting: 'Mr Everingham does not understand people's feelings'.

...and how to give time for others to explain to the old people. Mr Phillip Toyne has worked for Pitjantjatjara Council for 10 years and other advisers for a long time also. They have been hearing what Aboriginal people have

been saying for a long time and they are only saying what we want. They are only saying what we want, I repeat. When those advisers play a positive and constructive role and help us to reach agreement with governments and mining companies, we do not hear any praise from those same government men. They seem to prefer to insult Aborigines as not having a mind of their own. Aboriginal people...

Mr Robertson: Sounds like it was written by Phillip Toyne.

Mr BELL: Well, if you think that that is written by Phillip Toyne, I suggest you ring him up and ask him. I suggest that you get on the phone and talk to Yami Lester and ask him if that is the case.

Mr DEPUTY SPEAKER: Order, order!

Mr BELL: Mr Deputy Speaker, the honourable Leader of the House is just compounding the problem. He is treating Aboriginal people like idiots.

Aboriginal people are awake up to the difference between freehold title and the perpetual lease which the Northern Territory government wants to put in its place. Aboriginal people have a good, strong, land rights law now. Why change it? Who is the government changing it for? The Chief Minister has his advisers and we wonder if they are manipulating him to change these laws.

I think I have said enough, Mr Deputy Speaker. I think I have demonstrated fairly well this evening that the money spent on touting this land rights package around this country would be better spent - and the Chief Minister's time would be better spent - in consulting with Aboriginal groups in different places and determining their needs so that we can overcome the great problems of unemployment, the great problems of health and the great problems of contact with the criminal law.

Mr LEO (Nhulunbuy): Mr Speaker, I can see that everyone is keen to get away so I will be extremely brief. The Chief Minister indicated that he was going to reflect upon my date of birth this afternoon in the adjournment debate. I will wait for that. I am afraid that I will have to leave it to the next sittings to respond to that. Recently, I attended the opening of 2 buildings: one in Nhulunbuy which the Treasurer also attended and another in Darwin with yourself, Mr Deputy Speaker, and the member for Millner.

The building in Nhulunbuy was one that would enable a certain amount of development of commercial space in the town certainly much wanted and well warranted. Fortunately, the building is full. The proprietor of the building, a Mr Kevin Graetz, certainly put his money where his mouth is and developed that piece of land. Fortunately for him, his shop frontage is full. Unfortunately, this has not yet led to any diversification of retail within Nhulunbuy. I hope that it does. A number of buildings have been left vacant as people have moved to his store. I hope it will allow for some degree of retail competition within that community. Certainly we need it desperately.

The other building that I attended the opening of was an establishment called the Darwin Worker's Club. I certainly enjoyed the evening there. I have since had the opportunity of going over that building and, architecturally, I think it would have to be amongst the best designs in Darwin. I have very little hesitation in saying that. Compared to some of the concrete monstrosities that blot the landscape of Darwin, the Darwin Worker's Club is certainly an

appealing building visually inside. That appeal is carried throughout the building. It is a very pleasant building indeed. I would suggest to any aspiring architect, or to people who approve buildings, that they have a very close look at the new Darwin Workers' Club. I enjoyed a very pleasant evening there on 17 August, as I am sure you did, Mr Deputy Speaker. I imagine most people here have been in Darwin much longer than I have, but for those people who do not know the club's background, I will give a quick history of the place.

In 1946, the NAWU, then the North Australian Workers' Union, took over a collection of sheds and, for the princely sum of £3 a week, one could enjoy 3 meals a day, 7 days a week. It took it over from the army. Some time later, approximately 200 members of the NAWU got together and put together a few bob, whatever they had, each according to his means, and kicked off what was known as the Darwin Workers' Club. It went through many phases until it was finally incorporated in 1956.

Last year, thanks to the efforts of a number of club members, and certainly with the assistance of the much maligned Northern Territory Development Corporation, they received a loan of money to go ahead and build the new Workers' Club. I have had occasion to enter that particular establishment on a warm afternoon to partake. It is delightful. As it is the Northern Territory's money that has gone into the building, I would suggest that all honourable members go in and have a look at that club and enjoy the surroundings. It certainly is delightful.

Motion agreed to; the Assembly adjourned.

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